



Gonzalo Narez Appeal Hearing

Poultry Hobbyist Exemption

BOARD OF SUPERVISORS

MEETING DATE: JULY 9, 2024

AGENDA ITEM NO. 12

Staff's Recommendation: Deny Appeal by Gonzalo Narez

- MCC Chapter 8.50- *Requirements for Keeping Five or More Roosters* (Title 8-Animal Control)
- Rooster keeping operation in North County
- Agricultural Commissioner denied Narez request for Poultry Hobbyist Exemption
- Appellant Narez has appealed the denial of the exemption determination

Monterey County Animal Services
Field Services: 160 Hitchcock Road, Salinas, CA 93908 * (831) 769-8856

Rooster Keeping Operation
Poultry Operation or Hobbyist Exemption Application
Form 120 (Monterey County Code section 8.50.110m A.1 or A.2)

Instructions: Please Read Carefully and Print Legibly!
1. Complete application form to include required supporting documentation
2. Submit complete application and supporting documents to the *Agricultural Commissioner's Office at 1428 Abbott Street, Salinas, Ca 93901-4507. (831-759-7325/email: commissioner@co.monterey.ca.us)*

Please check one: Poultry Operation: Poultry Hobbyist:

Rooster Owner Contact Information
Applicant Name Gonzalo Narez
Address 19205 El Cerrito Way City Arroyo State CA Zip 95004
Primary Phone Number [REDACTED] Secondary Phone Number [REDACTED]
Email Address [REDACTED]

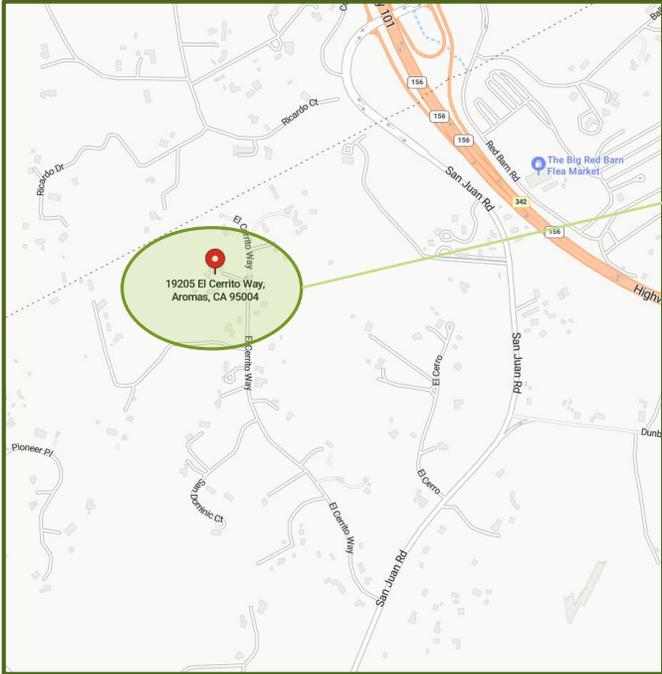
Property Owner Contact Information
Name Gonzalo Narez
Address 19205 El Cerrito Way City Arroyo State CA Zip 95004
Primary Phone Number [REDACTED] Secondary Phone Number [REDACTED]
Email Address [REDACTED]

Location where roosters will be kept
Address: 19205 El Cerrito Way Arroyo, CA, 95004
• Assessor's Parcel Number (APN) 141091029000
Total number of fowl on premise, including chickens, ducks, geese, guineas, ratites: 240
Total number of roosters and breed subject to the requested exemption: 240
Breeds: Silkie, Barnyard mix, American Game, Dunbar Rock
Species not listed: _____

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Property Information

- 19205 El Cerrito Way, Aromas
- 5 acres
- North County Area Plan
- Zoning: Rural Density Residential, B-6



Background/Process for keeping 5 or more roosters with a Poultry Hobbyist Exemption:

- ❑ **Rooster Ordinance: Adopted Dec. 2014**
- ❑ **Title 8- Animal Control: MCC 8.50- Requirements for Keeping Five or More Roosters**
- ❑ **Rooster Keeping Operation Permit with County Animal Services – unless an exemption is granted**
- ❑ **Poultry Hobbyist Exemption is processed by Agricultural Commissioner's Office (MCC 8.50.110)**
- ❑ **Agricultural Commissioner review-**
 - Requisite criteria including **Poultry Hobbyist** definition
 - Review of application & materials
 - Performs site visit of the property
- ❑ **Approval if it meets requisite criteria-**
 - Written approval notification to Applicant & County Animal Services
 - County Animal Services maintains records of exemption
 - Exemption valid for 5 years
- ❑ **Denial if it does not meet requisite criteria-**
 - Written denial notification to Applicant & County Animal Services
 - Applicant must apply and obtain a *Rooster Keeping Operation Permit* from County Animal Services
 - Applicant has right to appeal decision

GONZALO NAREZ – TIMELINE OF POULTRY HOBBYIST EXEMPTION REQUEST



Definition: "**Poultry hobbyist**" is a person who is recognized by the Agricultural Commissioner as a member of a local, state or national organization which promotes the breeding of poultry for exhibition or show and/or sale of poultry to promote breeding as a hobby. **The term "poultry hobbyist" does not include persons who raise poultry for the purpose of making them available for cockfighting.**

(MCC 8.04.010)

Agricultural Commissioner must find the request for Poultry Exemption meets the requisites pursuant to MCC 8.50.110:

- ❑ Definition of Poultry Hobbyist
- ❑ Review of application packet, including:
 - # of roosters and breeds
 - No criminal convictions for illegal cockfighting or other crime of animal cruelty; no raising of roosters for cockfighting
 - Proof of hobbyist affiliations, such as hobbyist association membership documentation, show entries and results
- ❑ Inspection of property where exemption is being sought

Basis for Denial of Poultry Hobbyist Exemption

- Appellant's membership in the *California Association for the Preservation of Game Fowl Breeders Association* or *UGBA*
 - Agricultural Commissioner does not recognize the UGBA as a legitimate poultry hobbyist organization because it promotes the right to keep and fight cockfighting birds.
- No evidence was submitted by the Appellant of active involvement in poultry hobbyist shows with entries and/or awards through the listed affiliations in his application.
- Inspection of the property at 19205 El Cerrito Way, Aromas
 - Vast majority of birds were roosters and a few hens.
 - Large male to female ratio suggests breeding is limited and promoting breeding of the birds is not a focus with this operation.
 - Roosters on premises are the variety used in cock fighting.
 - Some roosters were dubbed and their spurs trimmed which is how cock fighting roosters are customarily groomed.
- Consultation with County Health Animal Services
 - Previous denial of Rooster Keeping Operation Permit.

United Gamefowl Breeders Association, California Chapter- Excerpts of Article- What are Gamefowl? Website: ugba.net/statechapters/california.htm

California Association for the Preservation of Gamefowl
A non-profit corporation

Mission Statement

- To bond together lovers of gamefowl in an effort to perpetrate and improve the gamefowl species.
- To provide gamefowl standards to maintain and improve the various strains of gamefowl.
- To hold poultry shows across the State to give our members an opportunity to show their birds and have them tested against the Standards.
- To educate members on improved methods for health, breeding, caring and protecting gamefowl.
- To educate and work with members on knowing, protecting and securing their Constitutional rights to breed, raise and enjoy their gamefowl.

This is an organization of and for those that have a love and appreciation for gamefowl. We are an affiliate of the United Game Breeders Association.

The APG was formed to band together the gamefowl breeders of California in an effort to perpetuate gamefowl, share information on better breeding practices, better health, provide a venue to show gamefowl and to assist those that would have their rights abused by those that seek to deny us our right to peaceably and lawfully raise and enjoy our fowl. We hold our annual convention in October of every year and sponsor shows throughout the winter and spring.

Laminated Signs

Signs are 11x17 and laminated. The Warning sign is red & white. The Bio sign is yellow & black. The heritage sign is manilla & black.
Price is \$10 each plus \$4 postage for 1 or 2. \$5 postage for 3-5
Make payable to APG
Send to APG, P.O. Box 4300, Sonora CA 95370

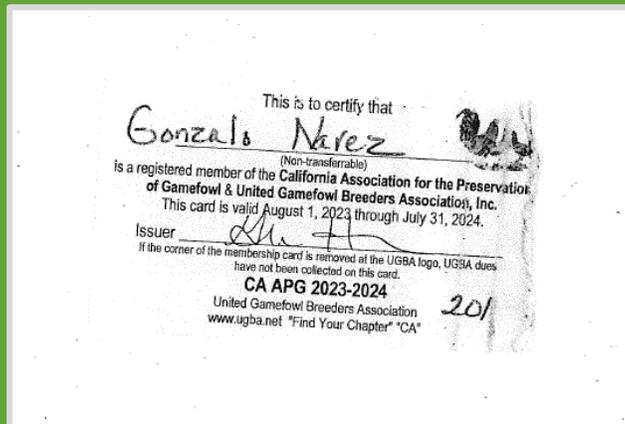
For more information you can call or write our admin, Gloria Harless, at APG P.O.Box 4300 Sonora, CA 95370, PH: 209-588-1991, Email: caapg@yahoo.com.



What are Gamefowl?

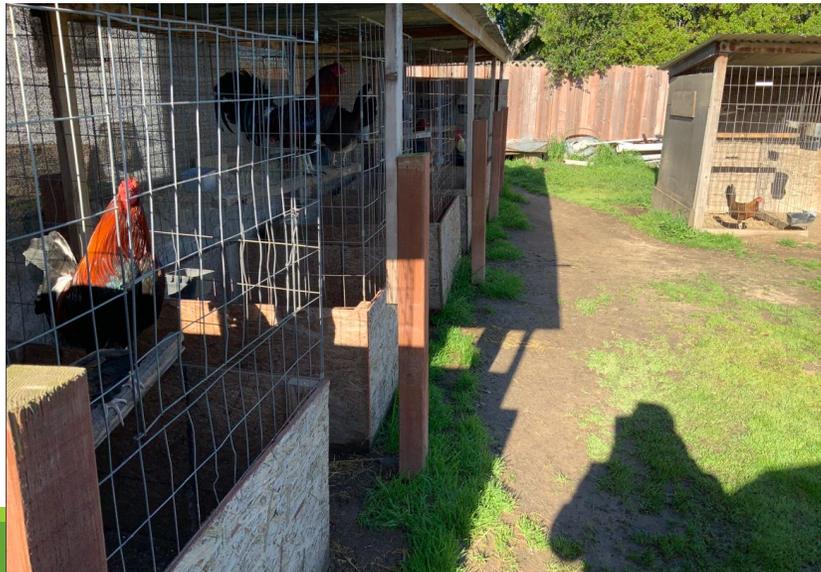
The gamefowl heritage can be traced to the Red Jungle Fowl the ancestor of domesticated chickens. Jungle fowl- any of four Asian birds of the genus Gallus, family Phasianidae (order Galliformes). Gallus species differ from other members of the pheasant family in having, in the male, a fleshy comb, lobed wattles hanging below the bill, and high-arched tail. The red jungle fowl (G. gallus) is the ancestor of the domestic fowl. The cock has shining silky plumage, red on the head and back and green-black elsewhere—a pattern seen also in several domestic breeds. The hen is rusty brown with speckled neck and minimal comb. **Males meet in a selected arena—natural precursor of the gamecock pit, where they use their sharp leg spurs in combat, often to the death.** In courtship display, the male drops one wing and tilts his head, mantle, and back—his most colorful parts—toward the hen; the domestic rooster behaves similarly. Jungle fowl seem to be monogamous under normal circumstances. The hen lays 5–8 buff colored eggs in a clutch before setting.

UGBA Membership Card provided by Gonzalo Narez with Poultry Hobbyist Exemption Application



Photographs of Agricultural Commissioner's Inspection, May 1, 2024
Narez Rooster Keeping Operation at 19205 El Cerrito Way, Aromas

(Photographs of Rooster Cages)



Photographs of Agricultural Commissioner's Inspection, May 1, 2024 -- Narez Rooster Keeping Operation at 19205 El Cerrito Way, Aromas (Close-up of Roosters)



Picture of what a rooster looks like naturally, no dubbing or spur cutting.

Photographs of Agricultural Commissioner's Inspection, May 1, 2024 -- Narez Rooster Keeping Operation at 19205 El Cerrito Way, Aromas (Close-up of Roosters)

In this picture you see the rooster is dubbed and the spurs has been cut, making them dubbed. This is done to this length for the intent to fight the rooster with a gaff or knife. It is placed on the spur of the leg of the rooster.





Dubbed rooster, meaning the comb and wattles have been removed. This makes the rooster look like it was scalped. Dubbing this close to the rooster's skull is only seen in Roosters where the intent is to fight them.

Examples of Roosters used for fights. These are not photographs of the Narez roosters.



Picture of how knives are attached to spur on roosters' legs. If the spur was not cut, it would interfere with the knife/ gaff placement.



Picture of roosters fighting with the knives attached to the spur nubs. Take note that both roosters are dubbed.



Picture of how gaffs are attached to spur on roosters' legs over the spur nub.

Conclusion

- 1) Find the appeal statutorily exempt from CEQA;
- 2) Deny the appeal by Gonzalo Narez from the May 13, 2024, decision by the County of Monterey Agricultural Commissioner to deny a Poultry Hobbyist Exemption application request for a Rooster Keeping Operation; and
- 3) Deny the Gonzalo Narez Poultry Hobbyist Exemption request.