



Monterey County

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Board Report

Legistar File Number: ORD 14-026

December 16, 2014

Introduced: 12/3/2014

Current Status: Agenda Ready

Version: 1

Matter Type: Ordinance

- a. Adopt a resolution finding the proposed ordinance of the County of Monterey, State of California, amending Chapter 8.04 of Title 8 and adding Chapter 8.50 to Title 8 of the Monterey County Code, categorically exempt under the California Environmental Quality Act; and
- b. Adopt an ordinance of the County of Monterey, State of California, amending Chapter 8.04 of Title 8 and adding Chapter 8.50 to Title 8 of the Monterey County Code, relating to the keeping of roosters.

RECOMMENDATION:

It is recommended that the Board of Supervisors:

- a. Adopt a resolution-Attachment A to this report-finding the proposed ordinance of the County of Monterey, State of California, amending Chapter 8.04 of Title 8 and adding Chapter 8.50 to Title 8 of the Monterey County Code, categorically exempt under California Environmental Quality Act (CEQA); and
- b. Adopt an ordinance-Attachment B to this report-of the County of Monterey, State of California, amending Chapter 8.04 of Title 8 and adding Chapter 8.50 to Title 8 of the Monterey County Code, relating to the keeping of roosters.

SUMMARY/DISCUSSION:

On December 2, 2014, the Board of Supervisors introduced, waived reading, and set December 16, 2014 at 1:30 p.m. as the time and date to consider adoption of an ordinance of the County of Monterey relating to the keeping of roosters. The subject ordinance would amend Chapter 8.04 of Title 8 and add Chapter 8.50 to Title 8 of the Monterey County Code to regulate rooster keeping operations. The purpose of the proposed ordinance is to discourage the keeping of roosters for the purpose of illegal cockfighting, to ensure humane treatment of roosters, to address adverse effects that unregulated rooster keeping operations have on environmental health and safety, and to preserve opportunities for minors to participate in bona fide, educational agricultural projects. Key elements of the proposed ordinance are that it:

- Requires a permit to keep five (5) or more roosters per single property within unincorporated Monterey County. Permits will be issued by the Monterey County Animal Control Officer.
- Prohibits the issuance of permits to any persons convicted of illegal cockfighting or animal cruelty crimes.
- Imposes standards designed to ensure that roosters are kept in humane conditions.
- Enforces compliance through inspection by the Monterey County Animal Control Officer.
- Exempts commercial poultry operations, as defined by this ordinance, poultry hobbyist activities, and specified educational activities and projects sponsored by public or private

schools registered with the California Department of Education, the National Future Farmers of America, or the University of California 4-H Youth Development Program.

Unincorporated Monterey County has experienced an influx of rooster keeping enterprises operated for the purpose of supplying roosters for illegal, inhumane cockfighting. There has been public interest in regulating these operations, which create environmental hazards, endanger legitimate agricultural enterprises, and facilitate criminal activity. The proposed ordinance will provide a means to deter this growing problem by requiring permits and inspections to deter cockfighting activities, ensure humane conditions, and verify compliance with health and safety standards. The ordinance preserves opportunities for minors to participate in educational, agricultural projects through affiliations such as the National Future Farmers of America and the 4-H Youth Development Program.

ENVIRONMENTAL REVIEW:

Staff recommends that the Board of Supervisors find the ordinance to be a project that is categorically exempt from CEQA, pursuant to CEQA Guideline section 15308. As set forth in the attached resolution, the ordinance establishes a regulatory process for the keeping of five or more roosters that will maintain, enhance, and protect the environment. The proposed ordinance imposes specified sanitation, waste disposal, pest eradication, and animal hygiene standards, thereby minimizing pollution of water supplies, vermin infestation, odors, and transmission of contagious disease.

OTHER AGENCY INVOLVEMENT:

The following agencies have participated in the development of this resolution and ordinance: County Counsel has approved the attached resolution and ordinance as to form.

FINANCING:

Adoption of the resolution and ordinance will not have direct financial impacts. Nominal costs for implementation, enforcement, public outreach and education will be covered through existing department budgets. Specified administrative costs will be offset by regulatory fees as set and approved by the Board of Supervisors.

Prepared by: Robin Kimball, Management Analyst I, 1297

Approved by: Ray Bullick, Director of Health, 4526

Attachment A: Resolution finding the ordinance to be a project categorically exempt from CEQA requirements

Attachment B: Ordinance of the County of Monterey, State of California, amending Chapter 8.04 of Title 8 and adding Chapter 8.50 to Title 8 of the Monterey County Code, relating to the keeping of roosters