



County of Monterey

Item No.

Board Report

Board of Supervisors
Chambers
168 W. Alisal St., 1st Floor
Salinas, CA 93901

Legistar File Number: 25-721

November 04, 2025

Introduced: 10/8/2025

Current Status: Agenda Ready

Version: 1

Matter Type: General Agenda Item

Receive an update in response to Board Referral No. 2024.11, asking staff to investigate possible modifications to the County's Rooster Ordinance to make it more effective at eradicating cockfighting operations in unincorporated Monterey County.

RECOMMENDATION:

It is recommended that the Board of Supervisors:

- a. Receive an update report in response to Board Referral No. 2024.11 to have staff look at modifying the County's Rooster Ordinance in order to make it more effective at eradicating cockfighting operations in unincorporated Monterey County; and
- b. Provide further direction, as appropriate.

SUMMARY:

On September 5, 2024, Board Referral No. 2024.11 was assigned to the Health Department, via Hitchcock Road Animal Services (HRAS) to have staff look at modifying the County's Rooster Ordinance to make it more effective at eradicating cockfighting operations in unincorporated Monterey County.

On October 1, 2024, staff provided the Board of Supervisors with a preliminary response to this referral. Staff estimated it would take it six (6) months to review the ordinance, meet with stakeholders, and work with County Counsel on proposed amendments to the Ordinance, before returning to the Board.

During this time, the State of California proposed AB 928, which would have limited the number of roosters per parcel size. Staff then paused to see if the bill would be approved. In July 2025, AB 928 was pulled from Committee. Consequently, the County is now proceeding with making modifications to the County of Monterey Ordinance 8.50, Requirements for Keeping Five (5) or More Roosters.

The County of Monterey adopted its Rooster Ordinance in 2015. One of the main purposes of the ordinance was to prevent illegal cockfighting. There are several aspects of the ordinance, however, that make it difficult to enforce. While other counties have rooster ordinances that limit the number of roosters a person can have with a permit, the County of Monterey's ordinance allows for up to 499 roosters in certain zoning areas. Additionally, the ordinance places the burden of proof on HRAS to prove that cockfighting is taking place.

PRELIMINARY ANALYSIS:

Background:

Board Referral No. 2024.11 was assigned to the Health Department on September 5, 2024. It requested that staff consider potential modifications of the County's Rooster Ordinance to make it more effective at eradicating cockfighting operations in unincorporated Monterey County.

In January 2023, the County of Monterey and the City of Salinas executed a Joint Powers Agreement (JPA) forming the Hitchcock Road HRAS (HRAS) agency reporting to a JPA Board of Directors with two representatives each from the County of Monterey and the City of Salinas. HRAS staff presented this Board Referral to the JPA Board of Directors at their meeting on October 17, 2024, seeking their direction, as efforts towards recommending a County Ordinance update may impact HRAS operations. Additionally, on May 15, 2025, staff presented a letter of support for AB 928 to the HRAS JPA Board of Directors who authorized Chair Church to sign.

Project Description:

This referral asks staff to investigate making the following changes to the County's Rooster Ordinance (and other changes as they see fit):

- Placing limits on the maximum number of roosters allowed, similar to other counties in CA, possibly a sliding scale based on lot size.
- Shifting the burden of proof from the County to the permit seeker to show that they are not using birds for cockfighting.

On October 1, 2024, staff provided the Board with a preliminary response to this referral. Staff estimated it would take six (6) months to review the ordinance, meet with stakeholders, and work with County Counsel on modifications before bringing back a proposed updated ordinance to the Board. Around the same time, the state of California proposed AB 928. This law would:

- Prohibit game fowl yards by limiting the number of roosters maintained on a property to 3 per acre or 25 total.
- Only impact illegal operations by exempting commercial poultry operations, schools, poultry hobbyists, animal welfare organizations, 4-H, and FFA projects.
- Only apply when roosters are tethered or housed alone in a cage, which is the typical confinement of choice for breeding chickens for fighting, and far different than legitimate poultry farms and facilities.

Both the County of Monterey and HRAS JPA Board provided support for AB 928 and were monitoring its progress in the Legislature. In July 2025, AB 928 was pulled from Committee. It may come back as a 2-year bill; however, it did not proceed as anticipated. Had it been adopted; the County of Monterey could have adopted this law or choose to update the current Ordinance, with stricter allowances as deemed appropriate.

Effective July 14, 2015, Monterey County Code Ordinance 5249 requires permitting for Rooster Keeping Operations where five (5) or more roosters are kept on any single property within the unincorporated areas of Monterey County. The Rooster Ordinance was intended to balance the legitimate interests of agricultural businesses and agricultural educational organizations with need to

prevent rooster keeping that is unsanitary, environmentally damaging, inhumane, and conducive to illegal cockfighting. HRAS estimated there are currently has over 100 properties with over 5 roosters that are in various stages of the permit process. Due to current staffing levels, these permits are not considered priorities for call response; live animal calls are currently prioritized.

Staff has run into many difficulties in attempting to enforce this Ordinance. Additionally, staff has not found that the current Ordinance has reduced illegal cockfighting. In fact, considering the types of numbers of birds housed onsite, many of the properties in the permit process may be cockfighters, but HRAS does not have sufficient evidence otherwise.

The permit process is also labor intensive, and its impact is greater still when staffing is lower than normal, which has been an ongoing issue. To ensure safety, at least two Animal Control Officers are required for each onsite property inspection. Office staff must devote significant time to working with applicants on their applications and related forms.

Moreover, the Ordinance lacks sufficient enforcement powers. The only sanction for operating without a permit is continued citations. Nothing authorizes staff to remove or confiscate birds. Even when HRAS posts “Cease and Desist” notices for failure to get a permit, the onus remains on HRAS to continue to post and issue citations. Given the staffing difficulties described above, this is not realistic, and it is unclear whether even if continued posting were possible, it would have a meaningful impact absent active remedies. Therefore, the birds remain.

HRAS staff has met internally to review potential modifications to the Rooster ordinance. Additionally, staff met with other County departments and stakeholders in the Ordinance’s enforcement, including County Housing and Community Development (HCD), the Agricultural Commissioner, and the SPCA for Monterey County. Staff has reached out to the Sheriff’s Department as well but has yet to set up a time for discussion.

In researching other county’s ordinances, staff found that numerous other jurisdictions took a zoning approach to this issue, addressing the rooster issue within zoning law, rather than tying regulation to their HRAS departments. Those jurisdictions, such as San Diego, San Bernardino, and San Luis Obispo Counties, limit the number of roosters per parcel, a simpler to understand and enforce approach. Such an approach was the basis for AB 928. Staff is having ongoing, continued discussions with HCD to determine whether the zoning approach is feasible here. HCD has raised additional questions that need to be further investigated to determine the best approach.

Estimated Project Cost:

HRAS does not, at this time, project costs outside of the staff time needed to work with other departments, including Housing and Community Development and the Agricultural Commissioner.

Staffing Level Estimate:

HRAS staff will include 2-3 staff providing input and work on this referral.

Departmental Challenges:

Limited staffing continues to remain a challenge for HRAS. Additionally, staff needs to coordinate

efforts and discussions with other County departments such as HCD, County Counsel, and the Agricultural Commissioner's office. The HRAS JPA Board of Directors will also need to take a position on the updates related to this referral during one of their regular meetings. Those meetings currently occur every other month with the next meetings in November 2025 and January 2026.

Proposed Response Date:

HRAS staff estimates an additional six (6) months is needed to further research and continue to have discussions with other County departments concerning the feasibility of either updating this ordinance and/or moving outside of Chapter 8 entirely. If it is determined to be a feasible to move this work outside of Chapter 8, additional time would be needed to identify the priority of making such a move.

BOARD OF SUPERVISORS STRATEGIC INITIATIVES:

The proposed project is targeted to improve health and quality of life through County supported policies, programs, and services, promoting access to equitable opportunities for healthy choices and healthy environments in collaboration with communities.

Mark a check next to the related Board of Supervisors Strategic Initiatives:

- ☐ Economic Development
- ☐ Administration
- ☒ Health & Human Services
- ☐ Infrastructure
- ☐ Public Safety

Prepared by: Cindy Burnham, HRAS Administrator, 769-8796

Approved by: Elsa Mendoza Jimenez, Director of Health Services, 755-4526

Attachments:

Board Report

Board Referral No. # 2024.11

Preliminary Analysis Report