

Tips for owners of Barking Dogs:

- ❖ The key to silencing barking is understanding why your dog is barking to find the appropriate solution
- ❖ Provide your dog with plenty of space and increase their amount of exercise
- ❖ Use a reconditioning method by giving a quick "No!" command or squirt of water
- ❖ Supply your dog with interactive toys and treats to keep them busy while you're away
- ❖ Bark collars or citronella collars can be used to distract the dog from barking if used properly
- ❖ Enroll your dog in obedience training to learn techniques for behavior modification



The "Barking Dog Ordinance" is not adopted by all cities served by Animal Care Services. If you do not live in a city that follows this ordinance, please see the Nuisance Animal Complaint Procedure on our website:

ocpetinfo.com

or call the
Operations Desk at:

(714) 935-6942

for more information.



ANIMAL CARE SERVICES 561 The City Drive South Orange, CA 92868

Call Center Hours

8:00 am — 5:00 pm daily

(714) 935-6848

(949) 249-5160

5:30 pm — 7:30 am after hours

(714) 935-7158

Animal Care Center Hours

10 am — 5 pm daily

10 am — 7 pm Wednesday

(closed holidays)

Animals received at Animal Care Center Gate

We receive animals at our front gate

seven days a week from 7:00 am to 11:00 pm
All other Care Center services are available only during the regular Care Center hours listed above.

Licensing Office Hours

8:00 am — 5:00 pm M-F



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Barking Dog Complaint Procedure



Information / Service Request:

(714) 935-6848 Tel

(714) 935-6373 Fax

Operations Desk:

(714) 935-6942 Tel

South County Service Request:

(949) 249-5160 Tel

Web Site:

ocpetinfo.com



Health Care Agency Regulatory Health Services
Animal Care Services

The Barking Dog

The “Barking Dog Ordinance” clearly defines what is deemed to be a **Barking Dog**:

“A dog that barks, bays, cries, howls, or makes any noise for an extended period of time ... Such extended period of time shall consist of incessant barking for 30 minutes or more in any 24-hour period, or intermittent barking for 60 minutes or more during any 24-hour period.”

The “Barking Dog Ordinance” clearly defines who is a **Responsible Person**:

“A person who allows a barking dog violation to exist, whether through willful action, failure to act, or failure to exercise proper control over a barking dog ... Owner of property upon which a barking dog violation occurs.”



Before Filing a Barking Dog Complaint:

If possible, contact the owner of the barking dog. If the dog is barking when the owner is not home, the owner may not be aware of the problem.

The entire process for the Barking Dog Procedure is as follows:

- ❖ You, as the Complainant, initiate a complaint by submitting a completed Barking Dog Complaint Form* to Orange County Animal Care Services (OCACS). Once the complaint has been processed, an Animal Control Officer shall attempt to contact the Responsible Person to offer information about the Barking Dog Ordinance and provide educational materials. The Responsible Person is given 10 days to remedy the barking violation. If the situation still exists after ten days, you may file a second complaint with OCACS through the Operations Desk. If OCACS is not contacted within 40 days of the initial contact of the responsible party, the complaint will expire. Once the Complainant requests

further action on a second complaint, the Operations Desk Officer shall initiate the issuance of a civil citation.

- ❖ The purpose of issuing a civil citation is to encourage voluntary and complete compliance with the County code to eliminate barking dog nuisances for the protection and benefit of the entire community. If the Complainant requests to have a civil citation issued, an Animal Control Officer shall respond to the complainant’s residence. Before a citation will be issued, the Complainant is required to sign an affidavit under penalty of perjury that the barking dog has disturbed him/her, and the dog is a nuisance as defined by the definition of a barking dog.
- ❖ The Animal Control Officer shall then attempt to contact the Responsible Person. The Responsible Person shall be advised of the second complaint and the request for a civil citation. If after three (3) attempts to contact the Responsible Person, there has been no contact made, the Animal Control Officer may post the citation on the Responsible Person’s property. The

Responsible Person must pay the fine within 15 days or contest the citation at the administration hearing. If the Responsible Person does not appear at the administrative hearing the fine will become due and payable. Payment of the fine shall not excuse the violator from correcting the barking dog violation.

- ❖ The Complainant shall be advised of the necessity of attending the administrative hearing if the Responsible Person contests the citation. If the Complainant does not attend the scheduled hearing, the citation shall be dismissed in favor of the Responsible Person.



Dear Resident,

You have recently contacted Orange County Animal Care Services (OCACS) in regard to a nuisance problem that you are now experiencing. Regrettably, this problem is all too frequent and is very frustrating to those being bothered by the nuisance. According to Orange County Codified Ordinance (OCCO):

Sec. 4-1-3. Definitions: *“Barking dog means a dog that barks, bays, cries, howls, or makes any noise for an extended period of time to the disturbance of any person at any time of day or night, regardless of whether the dog is physically situated in or upon private property. Such extended period of time shall consist of incessant barking for 30 minutes or more in any 24-hour period, or intermittent barking for 60 minutes or more during any 24-hour period. A dog shall not be deemed a “barking dog” for purposes of this Article if, at any time the dog is barking, a person is trespassing or threatening to trespass upon private property in or upon which the dog is situated, or when the dog is being teased or provoked.”*

Sec. 4-1-59.3 Barking dog citation – general: *(a) Any Enforcement Officer has the authority to issue a civil citation to any Responsible Person for a barking dog violation that the Enforcement Officer did not see or hear occur based on a complaint, signed under penalty of perjury, lodged by a member of the community who has been disturbed by the barking dog. A Responsible Person to whom a civil citation is issued shall be liable for and shall pay to the County the fine or fines described in the barking dog citation when due. Where the Responsible Person is a minor under the age of 18 years, the minor’s parents or legal guardian shall be liable for and held responsible for payment of their minor child’s citation fines and/or late penalties. In any case, the Responsible Person (by his/her parents when the Responsible Person is under the age of eighteen) shall have the right to appeal the issuance of the citation pursuant to the provisions of this subarticle.*

This civil citation procedure only applies to the nuisance (barking) of a dog. Any other nuisance complaints such as exotic birds, roosters, etc., must utilize the criminal procedure for OCCO Sec. 4-1-48 Nuisance.

There may be more than one person responsible for a barking dog violation. A “Responsible Person” is defined as any one of the following:

1. A person who allows a barking dog violation to exist, whether through willful action, failure to act, or failure to exercise proper control over a barking dog.
2. A person whose agent, employee, or independent contractor allows a barking dog violation to exist, whether through willful action, failure to act, or failure to exercise proper control over a barking dog.
3. A person who is the owner of, and a person who is a lessee or sublessee with the current right of possession of, real property in or upon which a barking dog violation occurs.

OCACS recommends that neighbors make an attempt to resolve the problem with the nuisance animal owner or other responsible person prior to filing a formal complaint. Sometimes the Responsible Person is unaware of the noise and grateful for the opportunity to address the issue. If a formal complaint is submitted OCACS will attempt contact with the Responsible Person in an effort to help in the resolution of the reported problem. We cannot help resolve this matter however, without your assistance.

This letter is intended to clearly explain both the role of OCACS and your role as the Complainant in the resolution of the problem. Enclosed you will find a Barking Dog Complaint Form. Please complete the complaint form in its entirety and mail to OCACS in the enclosed envelope (To expedite the process, you may

hand deliver the completed form to OCACS or fax it to the Operations Desk at (714) 935-7699). The process of resolving the problem will be set in motion. The civil citation procedure is as follows:

- You, as the Complainant, initiate a complaint in writing by submitting a completed Barking Dog Complaint Form to OCACS. Once the complaint has been processed, an Animal Control Officer shall attempt to contact the Responsible Person to explain the civil citation procedure and try to help resolve the situation.
- The Responsible Person is given 10 days to resolve the situation. If the situation still exists, you may file a second complaint with OCACS through the Operations Desk at (714) 935-6942. If OCACS is not contacted within a reasonable time (as determined by OCACS) of the initial contact of the responsible party, the complaint will expire. Once the Complainant requests further action on a second complaint, the Operations Desk Officer shall initiate the issuance of a civil citation.
- The purpose of issuing a civil citation is to encourage voluntary and complete compliance with the County code to eliminate barking dog nuisances for the protection and benefit of the entire community. The issuance of a civil citation is solely at the County's discretion and is one option the County has to address barking dog violations.
- If the Complainant requests to have a civil citation issued, an Animal Control Officer shall respond to the complainant's residence.
- Before a citation will be issued, the Complainant is required to sign an affidavit under penalty of perjury that the barking dog has disturbed him/her, and the dog is a nuisance as defined by the definition of a barking dog.
- The Complainant shall be advised of the necessity of attending the administrative hearing if the responsible person contests the citation. If the Complainant does not attend the scheduled hearing, the citation shall be dismissed in favor of the Responsible Person.
- The Animal Control Officer shall then attempt to contact the Responsible Person. The Responsible Person shall be advised of the second complaint and the request for a civil citation. The Animal Control Officer shall advise the Responsible Person of the option of paying the fine and abating the nuisance or contesting the citation at the administrative hearing. The Responsible Person may opt to pay the fine immediately to the Animal Control Officer on scene.
- If there has been no contact made with the Responsible Person, the Animal Control Officer may post the citation in a conspicuous place on the Responsible Person's property.
- The Responsible Person must pay the fine within 15 days or contest the citation at the administrative hearing. If the Responsible Person does not appear at the administrative hearing the fine will become due and payable. Payment of the fine shall not excuse the violator from correcting the barking dog violation.

If you have any further questions, please contact the Operations Desk at (714) 935-6942.

Sincerely,

Operations Department
O C Animal Care



BARKING DOG COMPLAINT FORM

COMPLAINANT INFORMATION

COMPLAINANT'S LAST NAME	FIRST NAME	MIDDLE NAME
PHYSICAL ADDRESS	CITY	STATE ZIP CODE
MAILING ADDRESS IF DIFFERENT FROM ABOVE		
TELEPHONE NUMBERS HOME () OTHER ()		

BARKING DOG INFORMATION

OWNER'S LAST NAME	FIRST NAME	MIDDLE NAME
ADDRESS OF BARKING DOG(S)	CITY	STATE ZIP CODE
TELEPHONE NUMBERS HOME () OTHER ()		
DATE OF VIOLATION: (MM/DD/YY)	BARKING DURATION: FROM: (A.M./P.M.) TO: (A..M./P.M.)	CHECK ONE: INCESSANT <input type="checkbox"/> INTERMITTENT <input type="checkbox"/>
DATE OF VIOLATION: (MM/DD/YY)	BARKING DURATION FROM: (A.M./P.M.) TO: (A..M./P.M.)	CHECK ONE: INCESSANT <input type="checkbox"/> INTERMITTENT <input type="checkbox"/>
DESCRIPTION OF BARKING DOG(S) (IF KNOWN)		
(Breed)	(Color)	(Size) (GENDER) M/F
OTHER RESPONSIBLE PARTY'S NAME(S)		
RESPONSIBLE PARTY'S RELATIONSHIP TO OWNER		

Have you attempted to contact the dog(s) owner or any other Responsible Party? Yes No

If yes, name of party contacted and date: _____

What happened?: _____

DATE	SIGNATURE X
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