CITY OF CHULA VISTA | ANIMAL CARE FACILITY

Barking Dog* Complaint Form

***Complainant Information*:**

Complainant's Last Name First Name

Address City State Zip Code

Telephone Number

***Barking Dog Information*:**

Owner's Last Name (if known) First Name

Address of Barking Dog(s) City State Zip Code

Telephone Number (if known)

Date of Barking: (MM/DD/YY) Duration of Barking: From: AM/PM To: AM/PM

Description of Barking Dog(s) (If known)

Breed: Color: Size: Male/Female

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

If yes, name of the party contacted and date of contact:

What Happened? _____

Please attach additional pages if needed.

Declaration Under Penalty of Perjury *I declare under penalty of perjury, under the laws of the State of California, that all statements in this form and any attached additional pages are true and correct to the best of my information and belief.*

Complainant's Signature: Date:

I also understand that if the dog owner appeals the administration citation, I will be required to appear at the hearing and with my signature, promise to appear at the hearing.

Complainant's Signature: Date:

Incomplete forms will not be processed. Please mail or deliver completed form to: CVACF, 130 Beyer Way, Chula Vista, CA 91911

*Please see the definition of "barking dog" in Chula Vista Municipal Code section 6.24.040 on the reverse side.

Chula Vista Municipal Code 6.24.040 Barking dogs, enforcement procedure and nuisance (excerpted)

A. Definitions.

1. “Barking dog” means any dog that barks, bays, cries, howls or makes any noise audible beyond the boundaries of the property on which the dog is situated 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.

a. A dog shall not be deemed a “barking dog” for purposes of these provisions 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, or when the dog is reacting to a property owner’s invitee or by a person attempting to conduct lawful business at the property.

b. Nothing contained herein shall be construed to apply to reasonable noises emanating from legally operated dog and cat hospitals, humane societies, shelters, farm and/or agricultural facilities, or areas where the keeping of animals or fowl is permitted pursuant to City or county codes.

2. “Extended period of time” shall consist of incessant barks, bays, cries, howls, or other noise for 60 minutes or more uninterrupted in any 24-hour period.

3. “Uninterrupted” shall mean barking may not stop for five minutes or more during the 60 minutes.

4. A “responsible person” is defined as any one of the following:

a. 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.

b. 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.

c. 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.

d. A person who possesses, has title to or an interest in, harbors or has control, custody or possession of a barking dog.

5. “Chula Vista Animal Care Facility” (“CVACF”) is the City department responsible for animal control and management. CVACF, and its Officers, are acting under the authority of the CVACF and City Manager and are therefore authorized to utilize the procedures for code compliance and enforcement contained in Chapters 1.20 and 1.41 CVMC.