

Exhibit A

EXHIBIT “A”

SECTION 1. Chapter 8.04 (General) of the El Paso de Robles Municipal Code is hereby amended in its entirety to read as follows:

8.04.010 – Adoption of Title 9 of San Luis Obispo County Code.

- (a) Except as hereinafter provided, the full text and provisions of Title 9 of the San Luis Obispo County Code passed and adopted by the County on November 7, 2023, is hereby incorporated by reference as if fully set forth herein, with the following exemptions:
 - (1) Section 9.03.002 – Animal Keeping Limitations – Dogs and Cats
 - (2) Section 9.03.003 – Animal Keeping Limitations – Variance To
- (b) In the event of any conflict between the provisions of Title 9 of the San Luis Obispo County Code and the City of El Paso de Robles Municipal Code, including this Title 8, the provisions contained in the El Paso de Robles Municipal Code shall control.
- (c) A copy of Title 9 of the San Luis Obispo County Code has been deposited in the office of the City Clerk and shall be at all times maintained by the City Clerk for use and examination by the public.

8.04.020 – Definitions.

If any of the definitions in this section conflict with definitions in other provisions of this Municipal Code or Title 9 of the San Luis Obispo County Code, these definitions shall control. If a word is not defined in this section, or in other provisions of this Code or Title 9 of the San Luis Obispo County Code, the Chief Animal Control Officer of the City or their designee shall determine the correct definition. The Chief Animal Control Officer of the City or their designee shall have the authority to render interpretation and discretion regarding the applicability of any definition set forth in this section.

- (a) “Animal control officer” means any person or agency designated by the City as a law enforcement officer or any personnel other than a law enforcement officer, such as a code enforcement officer, of the City who is authorized to implement the provisions of this Title.
- (b) “Chief Animal Control Officer of the City” means the Chief of Police for the City of El Paso de Robles or their designee.
- (c) “City” means the City of El Paso de Robles.
- (d) “Code” or “Municipal Code” means the Municipal Code for the City of El Paso de Robles.

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- (e) "County" means the County of San Luis Obispo and encompasses the Animal Services Division for the County.
- (f) "Department" encompasses the El Paso de Robles Police Department, the Chief Animal Control Officer of the City, code enforcement personnel for the City, and their duly authorized representatives.
- (g) "Exotic animals" means an animal of a non-domestic order or family, regardless of whether the animal was bred in the wild or in captivity, or any hybrid of an exotic animal. Examples include, but are not limited to, monkeys, foxes, raccoons, and other similar animals which may be wild or menacing by nature.
- (h) "Fowl and poultry" means any animal such as a chicken, duck, turkey, goose, peacock, or other similar animals, excluding chicken hens.
- (i) "Hogs and swine" means any animal member of the swine family, including but not limited to pigs, hogs, and boar.
- (j) "Large animals" means any equine, bovine or other animal similar in size, weight or appearance, including but not limited to a horse, pony, mule, donkey, cow, llama, goat, sheep and ostrich.

8.04.030 Animal Keeping

- (a) Except as provided in this Title or Title 21 of this Code:
 - (1) No person may keep, harbor, or maintain more than any combination of more three (3) dogs over the age of four months, nor more than six (6) cats, whether indoors or outdoors, over the age of four months on any single lot premises, dwelling, or living accommodation located within the City;
 - (2) Nor may any person allow to be kept, harbored, or maintained more than any combination of more three (3) dogs over the age of four months, nor more than six (6) cats, whether indoors or outdoors, over the age of four months on any single lot, premises, dwelling, or living accommodation controlled by them and located within the City.
- (b) The keeping of household pets is an allowed accessory use within all residential zoning districts and shall comply with the requirements of this section and Title 21 of this Code.
- (c) Applicability. This section shall apply to the raising and keeping of animals in all residential zoning districts of the City. (Note: See Sections [21.69.040](#) and 21.69.050 of this Code for regulations of bees, horses, and other large animals).
- (d) Prohibited Animals. The following animals are prohibited in all residential zones: fowl and poultry (excluding chicken hens only) and hogs and swine.

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(e) Exceptions:

- (1) Any person may raise and keep animals in excess of the maximum number allowed per site or raise and keep any prohibited animals subject to conditional use permit approval (see Chapters 21.32 and 21.69 of this Code).
- (2) Upon the issuance of a conditional use permit, a person may raise and keep exotic animals, hogs and swine, or poultry, provided that such activities strictly comply with all terms, conditions, and limitations set forth in the governing permit and are allowed under state law.

8.04.040 – Impersonation of Animal Control Officer.

It is unlawful for any person who has not been designated to the position of an animal control officer to represent themselves to be, or to attempt to act as an animal control officer. Any person who violates this section is guilty of a misdemeanor.

8.04.050 – Authority.

- (a) The Chief Animal Control Officer of the City, animal control officers, and other authorized City personnel and agents shall have the power to issue citations.
- (b) To the extent enforcement is provided for under an agreement between the City and the County, the County is authorized to carry out all duties and responsibilities necessary to enforce the provisions of this Title, including but not limited to investigation, issuance of notices or citations, and coordination with other enforcement agencies or legal authorities, pursuant to and in accordance with the terms of the agreement.
- (c) Notwithstanding the City's adoption of Title 9 of the San Luis Obispo County Code by reference and the County's authority to enforce its provisions, nothing in this Chapter shall be construed to:
 - (1) Preclude the City from enforcing and carrying out the provisions of this Title 8 and all applicable statutes of the state of California, prosecuting violations of this Title, or abating nuisances in accordance with applicable laws.
 - (2) Authorize any use not expressly permitted under Title 21 of this Municipal Code.
 - (3) Limit or eliminate the City's authority over zoning, land use, licensing, and permitting for animal-related operations, including the issuance, denial, or revocation of any approvals, licenses, or permits required under this Municipal Code.

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- (4) Preclude the City Council from setting and imposing fees by resolution or ordinance, including fees for enforcement, permitting, and the recovery of costs associated with services provided by the City under this Title.
- (d) Animal control officers, when acting in the course and scope of their employment, are authorized to carry on their person or in their vehicles loaded firearms or weapons of the type approved by the Chief Animal Control Officer of the City for the limited purpose of use with respect to rabid or injured animals. Each officer shall qualify under California Penal Code Section 832 in the use of firearms before carrying such firearms or weapons.

8.04.060 – Interference with Performance of Duties.

It is unlawful for any person to resist, hinder, or obstruct the Chief Animal Control Officer of the City or any of Department or City employees in the exercise of their duties under this Title. Any person who violates this section shall be guilty of a misdemeanor.

8.04.070 – Fees.

- (a) Whenever fees are to be charged by the City under the provisions of this Title, these fees shall be set by ordinance or resolution of the City Council.
- (b) A fee, including a penalty fee, imposed by the City may be waived if, in the discretion of the Chief Animal Control Officer of the City, it is contrary to interests of justice, would adversely impact animal welfare, or would impose an undue financial hardship upon the payee.

8.04.080 – Penalties.

- (a) No person shall violate any provisions, or fail to comply with any of the mandatory requirements of this Title. Any person violating any of the provisions or failing to comply with any of the mandatory requirements of this Title shall be deemed guilty of an infraction, unless by ordinance it is made a misdemeanor.
- (b) Violations of this Title are punishable as follows:
 - (1) Any person convicted of a misdemeanor under the provisions of this Title shall be punishable by a fine of not more than five hundred dollars, or by imprisonment in the county jail for a period not exceeding six months, or by both such fine and imprisonment.
 - (2) Every violation determined to be an infraction is punishable by a fine of not exceeding fifty dollars for a first violation; a fine not exceeding one hundred

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dollars for a second violation of the same ordinance within 12 months of the first violation; a fine not exceeding two hundred fifty dollars for each additional violation of the same ordinance within the same 12-month period following the first violation.

- (c) Each day upon which a violation occurs or continues to occur shall constitute a separate offense. Nothing in this section shall preclude the use or application of any other remedies, penalties, or procedures established by law.
- (d) The City Council is authorized to update these amounts by ordinance or resolution.
- (e) If enforcement is carried out by the County under an agreement with the City and citations are issued by the County pursuant to this Title, the fines and penalties for violations may be cited and imposed in accordance with the agreement in place at the time of citation issuance and Titles 1 and 9 of the San Luis Obispo County Code.

SECTION 2. Chapters 8.06 (Menacing and Aggressive Animals), 8.08 (Dogs), 8.12 (Cats), 8.16 (Animals, Poultry and Household Pets), and 8.20 (Penalties) of the El Paso de Robles Municipal Code are hereby repealed in their entirety.