

CITY OF CALISTOGA

NAPA VALLEY, CA



POLICE DEPARTMENT
1235 Washington Street
Calistoga, California 94515
(707) 942-2810

Date _____

Dear Sir or Madam:

Please find enclosed some information to assist you and your neighbor in resolving his/her barking dog issue.

We encourage you to work with your neighbor to resolve this issue. Many dog owners are unaware that their dog may be a nuisance while they are not at home or that it disturbs their neighbors. Many dog owners react well to such friendly approaches and such an approach may avoid a defensive and uncooperative attitude developing out of an official visit by the Police Department.

Your neighbor has been contacted or will be contacted soon and will be given a barking dog solution packet. We hope this information will help your neighbor solve the problem.

Please complete the barking dog diary as accurately as possible. This will help you neighbor solve the barking and if necessary, will be required if a formal complaint is filed.

Please contact me at 942-2810 if I can be of further assistance.

Name of Police Officer and ID#

Enclosures: CMC 6.04.185 & 8.20.020, Information on why dogs bark and tips to control barking, Barking dog diary

Estimados senores:

Este es information para ayudarle a usted y sus vecinos en resolverse los asuntos de los perros que ladran.

Nosotros les pidemos que trabajen con sus vecino's para resolver este asunto. Muchos duenos de loa perros son ignorantes que sus perros pueden ser un fastido mientras uste no esta en casa y eso puede molestar a sus vecinos.

Muchos duenos de perros reaccionan bien a tales enfoques amistosos y tal enfoque pusede evitar un desarrollo defensivo y poco despuesto a cooperar y eso resultara en una visita official del departameno de policia.

Su vecino ha sido contactado o sera contactado pronto y sera dado un paquete de la solucion de perro que ladra. Esperamos que esta informacion lo ayudara a resolver el problema.

Por favor complete el diario de peroo que ladra lo mas exacto possible. Esto ayudara a su vecino resuelve el perro que ladra y si necesario, sera requerido una queja formal para el archivo.

Por favor contaqcteme al 942-2810 para mas asistencia.

Incluido: Informacion en por que perros ladran e inclinan para controlar ladrar, Ladrando diario de perro.

COMPLAINT INFORMATION

Nuisance barking complaints are difficult to deal with for a number of reasons:

- ❖ Each individual person will have a different view as to what is a noise nuisance. This will vary from the location of the dog to the complainant, noise tolerance level of complainant, type of barking and time/length of barking.
- ❖ Information supplied by complainant is based on personal recollection and findings, as to how the barking affects that individual.

Nuisance Barking Can Be Defined As Follows:

- ❖ Dog regularly barking at every person or dog passing property or using part of the street, with barking continuing for a period to time.
- ❖ Dog regularly barking, howling or whining for periods in excess of ten minutes when the owners are absent or ignoring the dog.
- ❖ Dog aggressively rushing, jumping, barking or growling at any of the fences.
- ❖ Dog regularly barking during the night.
- ❖ Dog regularly barking at the neighbors.
- ❖ Dog barking excessively for no reason or no apparent reason.

The correctness of information relating to the reason, time, date, date and duration of barking is crucial if the matter is to proceed to court. If information collected is not accurate or legitimate, legal action may be lost. Video or audio taping of dog is usually not admissible in court.

Identification of the dog barking is essential. Noise can and will travel in different directions. Ensure the location of the barking dog is correct. Sometimes complainants make the mistake of accusing a dog for nuisance barking when it is another dog causing the problem.

In certain situations, the complainant can unintentionally worsen the dog's barking. This can happen by one of the following actions:

- ❖ Verbally abusing the dog in an aggressive manner. From the dog's point of view, yelling sounds like you are joining in the merriment.
- ❖ Hitting the dog or fence.
- ❖ Hosing or throwing objects at the dog.
- ❖ Teasing the dog through the fence (by children or neighbor).
- ❖ Neighbor's cats entering the dog's property or walking along fence line (if this is the case the neighbor must restrain cats from dog's yard).
- ❖ Standing on ladder peering over fence while videoing appears very threatening to a dog.

Have the circumstances of the dog owner or complainant changed? Barking may increase if changes have been made to the dog's environment e.g., owners change of work hours, someone leaving house, new person in house, new neighbors, change in the number of dogs, new baby in house, etc.

The complainant should consider doing everything within their power to ensure that they or something /someone within their control is not the cause of the nuisance barking. This in conjunction with the dog owner's efforts will help reduce the barking. Making friends with the dog helps. Check with the owner about tossing the dog a treat or other ways you can befriend the dog.

Some dog owners find it extremely difficult to believe that their dog is causing a nuisance by barking while they are not home. A dog will not usually be barking when the owner is arriving home. Dogs generally tend to bark less when their owners are at home.

The dog owner should be informed as soon as the barking becomes excessive. If the complainant is to directly approach the dog owner, it is important to be civilized when explaining the problem to the dog owner. This is where the Barking Dog Diary would be helpful.

It is important that a barking dog issue is not made up out of hostility between two neighbors, a neighborhood dispute or a dislike of the neighbor. The barking nuisance should be considered in detachment to all other matters and is not used as a form of revenge or retaliation against a neighbor, as the dog's life may be at issue here.

The complainant should remember that as much as the barking may be disrupting their life, the dog owner would need sufficient time to deal with the problem. The complainant's support and information will greatly assist the dog owner in this area.

BARKING DOG DIARY

Address of Barking Dog _____

Start time of barking							
End time of barking							
Type of barking							
: Constant							
: Intermittent							
: As soon as gone							
: Within how many minutes							
: In house							
: In garage							
: In yard - free							
: In yard - tied							
Where barking takes place							
: Run along fence							
: Sit/stand in one spot							
: Other:							
What was the dog, which							
: Mail person							
: Delivery							
: Passerby							
: Another dog							
Cat							
Birds							
Other							
: Nothing you can see							
Why do you think the dog barks?							

Upon completion of diary, call the Calistoga Police Department at 942-2810.
 Complainant's must be prepared to go to court and provide testimony if required.

Complainant's Name _____

Complainant's Address _____

Complainant's Telephone _____

installments as collections are made. The Council shall have the right to reject any and all bids and also to accept a bid other than the lowest bid if the Council determines that, because of experience, financial responsibility, or other cause determined by Council to be sufficient, the acceptance of such lower bid is for the best interest of the City.

2. All contracts awarded on this basis may contain such terms and conditions as the Council may determine at the time of calling for bids to be necessary and proper. By its resolution calling for bids, the Council shall prescribe the terms and conditions to be included in the contract awarded and a record of such terms and conditions to be included shall be kept in the office of the City Clerk for examination by prospective bidders. The call for bids issued by the Clerk shall refer to the record on file with the Clerk for a statement of the exact terms and conditions upon which the contract will be made.

C. All contracts shall be executed on behalf of the City by the Mayor and the City Clerk. Any contract issued under subsection (B) of this section shall contain such provisions as the Council may at the time of calling for bids determine to be necessary or proper.

D. No contract entered into under this section shall bar the Council from amending this chapter from time to time in any way considered by the Council to be desirable or proper, including changes in the garbage and rubbish rates prescribed in CMC 8.16.050; provided, however, that in the event that any amendment substantially affects the operations of the contractor, the contractor may provide that the contractor shall have the option to terminate the contract upon notice to be provided in said contract. (Ord. 397 §§ 2, 3, 1984; prior code § 9.2-14).

Chapter 8.20

NUISANCES

Sections:

- 8.20.010 Persistent noise – Declared nuisance – Abatement.
- 8.20.020 General noise regulations.
- 8.20.025 Construction activity – Noise – Prohibited hours.
- 8.20.030 Businesses offensive to senses prohibited.
- 8.20.040 Offensive premises prohibited.
- 8.20.050 Filth or rubbish on premises or in waterways prohibited.

8.20.010 Persistent noise – Declared nuisance – Abatement.

A. The persistent maintenance and emission of any noise or sound produced by human, animal, electrical, radio or mechanical means between the hours of 10:00 p.m., and 7:00 a.m., next ensuing, which by reason of its raucous or nerve-racking nature, disturbs the peace, quiet or comfort, or is injurious to the health of any person, constitutes a public nuisance.

B. Whenever the existence of any such nuisance comes to the attention of the Chief of Police, it shall be the Chief's duty to notify in writing the occupant of the premises upon which said nuisance exists, specifying the measures necessary to abate such nuisance, and unless the same is abated within 48 hours thereafter the occupants so notified shall be guilty of a violation of this chapter and the Chief of Police shall summarily abate such nuisance.

8.20.020 General noise regulations.

A. It is unlawful for any person, firm or corporation to use or operate or cause to be used or operated any mechanical device, machine, apparatus or instrument for intensification or amplification of the human voice or any sound or noise, in any public or private place in such a manner that the peace and good order of the neighborhood is disturbed, or that persons owning, using or occupying the property in the neighborhood are disturbed or annoyed, unless the amplification or intensification has been previously approved through an established permit process.

B. Notwithstanding any other provisions of this code, and in addition thereto, it is unlawful for any person willfully to make or continue, or cause to be made or continued, any loud, unnecessary or unusual noise which disturbs the peace and quiet of

E. Whenever any animal is bitten by an animal having, or suspected of having, rabies, the owner or person having custody or possession of the animal so bitten shall immediately notify the County Health Officer or the Animal Control Officer and shall restrain or confine such animal. The County Health Officer or the Animal Control Officer is authorized to quarantine any animal so bitten, or suspected of having been so bitten, for such period of time as is necessary to determine whether or not the animal has rabies.

F. Whenever any animal is quarantined, it is unlawful for the owner, or any other person, to violate the quarantine by removing the animal from the premises, allowing it to run at large, destroying it without authorization, concealing it from the County Health Officer or the Animal Control Officer, or disobeying any other quarantine restriction that may have been imposed by the County Health Officer or the Animal Control Officer. (Ord. 380 § 2, 1982).

6.04.170 Removal of dead or live animals.

The owner of any animal may request the Animal Control Officer to pick up and dispose of such animal or the body thereof, and the fee for such service shall be as set forth in the Napa County Code. (Ord. 380 § 2, 1982).

6.04.180 Ranch dogs.

Notwithstanding any other provision contained in this chapter, the owner or the person actually in control of the operation of any ranch, not less than 40 acres in area, who uses a dog or dogs for the purpose of assisting in the control or herding of livestock shall not be required to keep a license tag attached to the dog or dogs while upon the premises of the ranch. (Ord. 380 § 2, 1982).

6.04.185 Prohibited conduct.

A. No owner or possessor of any animal shall cause or permit it to do any of the following:

1. To trespass upon any private property without the consent of the owner thereof, and to knowingly permit the animal to remain upon the property or to habitually continue to trespass thereon.

2. To suffer or permit such animal to habitually bark or meow or act in such a manner as to continuously disturb the peace of any citizen or to be a public nuisance.

3. To be without proper and adequate food, water, shelter, care, and attention as described in Section 597(f) of the Penal Code.

B. No person shall leave a dog or other animal in any unattended motor vehicle without adequate ventilation, sanitary conditions, or in such a manner as to subject the animal to extreme temperatures which may adversely affect the animal's health or safety.

1. Any animal control officer or law enforcement officer who witnesses a violation of this section shall have the right to impound the animal if, in the officer's opinion, the animal's health or safety is or will be thereby endangered. (Ord. 511 § 1, 1995).

6.04.190 Violation - Penalty.

Any person interfering or opposing any City official performing any duty imposed upon him or her by this chapter shall be deemed guilty of a misdemeanor.