

Colusa County Ordinance Section 3-1: Running at Large, Generally, And Noise Creating a Public Nuisance

(a) It is unlawful for any owner or person having charge of any horse, mule, jenny, ass, bull, cow, steer, calf, sheep, goat, hog, chicken or other fowl or animal to turn out, cause, allow or permit the same to trespass or stray within any unincorporated city or town, or within one mile of such city or town, in the county or to allow such fowl or animals to run on the lands of another without the written permission of the owner of such lands.

(b) Excluding noise from property not zoned for residential purposes, it shall be unlawful for any person owning or having control of one or more of any fowl or animal, either willfully or through failure to exercise proper control, to allow such fowl or animal to habitually bark, howl, crow, or make any other loud noises in such a manner as to at any time, day or night, cause general annoyance or discomfort to a neighboring inhabitant. The standard of general annoyance or discomfort is a "reasonable person" standard, i.e., the noise is such that a reasonable person, under the same or similar circumstances, would suffer annoyance or discomfort.

(c) Evidence of a violation may be based upon complaints from neighboring inhabitant(s), hereby defined as persons living within two hundred (200) yards of offending property owner or keeper's premises, or if said fowl or animal wanders outside of said premises, within two hundred (200) yards of any place where such fowl or animal wanders outside of said premises. If there is more than one neighboring inhabitant, as defined above, evidence of a violation requires complaints from at least two (2) neighboring inhabitants living in separate residences. If there is only one neighboring inhabitant, evidence of a public nuisance may be based on a complaint from only one (1) person in that household.

(d) Upon receiving an initial complaint from any person, either orally or in writing, the owner(s) or keeper(s) of the fowl or animal that may be violating this section will be sent a courtesy abatement letter. The letter will notify the owner(s) or keeper(s) that Colusa County Animal Control has received a complaint or complaints regarding their animal(s) that may be in violation of this section, describing the substance of the complaint. The letter will also explain they must correct the nuisance within two weeks of the notification or be subject to citation under this code. Upon sending out the initial courtesy abatement letter, Animal Control personnel will enter the date and address of the animal owner or keeper in the Nuisance Animal Letter Log that is kept on file. The Animal Control Officer will follow-up with the original complainant at the end of the two week period. If the nuisance has not been adequately abated the owner(s) of the fowl or animal may be cited.

(e) This section is enforceable in the same manner provided under Chapter 42 Public Nuisance Abatement.