



CITY OF COSTA MESA

P.O. BOX 1200

CALIFORNIA 92628-1200

POLICE DEPARTMENT – ANIMAL CONTROL

714-754-5311

You recently contacted Costa Mesa Animal Control for a warning regarding a barking dog problem. While we understand that animal noise can be disturbing, not all barking is illegal and certain criteria must be met in order for our department to proceed with a formal complaint. **A formal complaint can be filed with our department for recurring barking violations when your attempts to resolve the problem have been unsuccessful.**

When is a dog's barking considered unlawful? According to Costa Mesa Municipal Code Sec. 3-8:

"Barking dog" means a 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. Such extended period of time shall consist of incessant barking, baying, crying, howling or making of any noise for thirty (30) minutes or more in any twenty-four-hour period, or intermittent barking, baying, crying, howling or making any noise for sixty (60) minutes or more during any twenty-four-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.

This is a formal complaint form to be filled out after you have contacted Costa Mesa Animal Control to request a verbal warning to the dog owner. You must be certain on this complaint that you have identified the correct address and dog(s).

Your information is required on this form. If it is not provided, we will be unable to assist you. Please note that once you have filed this formal complaint, your name and address could be made known to the dog owner upon their request.

Forms can be mailed to Costa Mesa Animal Control, P.O. Box 1200, Costa Mesa, CA 92628. You may also deliver the completed form to the front desk of the Police Department at 99 Fair Drive.

Upon receipt of a correctly completed form, a written warning will be issued to the dog owner/responsible party informing them that they have 10 days to reduce the amount of noise to legally allowable limits. Please remember that the dog owner does not have to eliminate all noise from the dog(s). You will be notified by mail when the written warning has been issued.

WHAT HAPPENS AFTER THIS WRITTEN WARNING?

If further violations occur after the 10-day warning, a Civil Citation can be issued to the responsible person on your behalf. No further verbal or written warnings are issued by our department at this point in the complaint process. ***If Costa Mesa Animal Control is not contacted to issue a Civil Citation within 30 days following the end of the 10-day warning period, your complaint will expire and our department's involvement in your complaint will end.*** It is important to have a time limit for each complaint so that enforcement action can be administered in a timely manner to aid in resolution of your problem.

Before a citation will be issued, you will be required to sign an affidavit under penalty of perjury that a violation of law has occurred. You will also be required to attend an administrative hearing if the person who was cited contests the citation. If you do not attend the hearing, the citation will be dismissed in their favor and our department's involvement in your complaint will end.

For more information about barking dog laws and the complaint process, call 714-754-5311. Thank you.

KEEP THIS PAGE FOR YOUR REFERENCE

CITY OF COSTA MESA BARKING DOG COMPLAINT FORM

PLEASE FILL OUT ALL SECTIONS OF THIS FORM AFTER READING PAGE 1

COMPLAINANT'S FULL NAME _____
RESIDENCE ADDRESS _____
PHONE NUMBERS (HOME) _____ (OTHER) _____
DRIVER'S LICENSE OR I.D. NUMBER _____

DOG OWNER'S NAME _____
ADDRESS OF BARKING DOG(S) _____
DESCRIPTION OF BARKING DOG(S) IF KNOWN (BREED, COLOR, SIZE, NAME, ETC.) _____

Demonstrate that you have made attempts to resolve the problem with the dog owner or other responsible party. Remember to include dates. Attach separate sheet if needed.

Demonstrate that this is a problem with chronic violations. Attach separate sheet if needed.

DATE _____ FROM _____ AM / PM TO _____ AM / PM **CIRCLE ONE**: INCESSANT INTERMITTENT
DATE _____ FROM _____ AM / PM TO _____ AM / PM **CIRCLE ONE**: INCESSANT INTERMITTENT
DATE _____ FROM _____ AM / PM TO _____ AM / PM **CIRCLE ONE**: INCESSANT INTERMITTENT

Please sign below indicating you are aware that legal action may be taken against you if any part of your allegation is determined to be untrue.

I DECLARE UNDER PENALTY OF PERJURY AND PURSUANT TO THE LAWS OF THE STATE OF CALIFORNIA THAT THE FOREGOING IS TRUE AND CORRECT. I UNDERSTAND THAT PER CALIFORNIA PENAL CODE SECTION 148.5, PROVIDING FALSE INFORMATION IS A MISDEMEANOR AND COULD SUBJECT ME TO CRIMINAL PROSECUTION AND THAT THE MAXIMUM PUNISHMENT FOR EACH VIOLATION IS SIX (6) MONTHS IN JAIL AND/OR A \$1000 FINE.

Print name _____ Date _____

Signature _____

Mail completed form to Costa Mesa Animal Control, P.O. Box 1200, Costa Mesa, CA 92628 or hand deliver to Costa Mesa Police Department, 99 Fair Drive, Costa Mesa, CA 92626.