



Westminster Police Department
8200 Westminster Boulevard, Building 5
Westminster, CA 92683
(714) 548-3201 — Animal Control
www.westminster-ca.gov

INFORMATION AND INSTRUCTIONS FOR COMPLETION OF THE BARKING DOG COMPLAINT INFORMATION FORM

In order to provide the most efficient method to resolve barking dog cases, the Westminster Police Department Animal Control Unit has developed a formal procedure to effectively abate barking dog nuisances. Here is a basic outline of the process:

- The complainant must request a Barking Dog Complaint Information form in person or by telephone to the Animal Control Unit. If a form is requested by telephone, it will be mailed to the complainant.
- Please complete the form entirely, following the specific instructions on the reverse side, and return the form to the Animal Control Unit in person or by mail. ***Please type or print legibly within the boxes.*** Omitted or vague information will cause for the form to be returned to complainant, thus delaying the process.
- Once the form is returned, an Animal Control Officer will review it and if he or she determines that a violation exists, a 10 day formal warning notice to comply will be mailed to the nuisance dog owner. Please allow the 10 days to lapse before filing a second complaint allowing the nuisance dog owner an opportunity to correct the violation.
- If the violation persists beyond the 10 day notice to comply, the complainant must contact the Animal Control Unit by telephone or in person and file a second complaint.
- When a second complaint is received within 30 days, however, no sooner than 10 days from the first complaint, an Animal Control Officer will be dispatched to the location where the nuisance exists. The Animal Control Officer will make personal contact with the nuisance dog owner, advise them of the complaint, and issue an immediate notice to comply. The time frame of the notice is based on the Animal Control Officer's discretion; however, in no case shall it be later than 7 days.
- If the nuisance dog owner has failed to comply with the Animal Control Officer's orders and a third complaint is received in person or by telephone from the complainant, the complainant is instructed to contact the Animal Control Unit when the nuisance is occurring. At that time, an Animal Control Officer will be dispatched to the location where the nuisance exists and monitor for a violation. A violation only exists if the nuisance dog is barking continuously for at least 20-25 minutes.
- If the nuisance is occurring outside of the Animal Control operating hours, the complainant is instructed to contact the Westminster Police Department Dispatch and if a Police Officer is available, he or she will be dispatched to the location and monitor for a violation.
- If it is determined by the Animal Control or Police Officer that a violation did occur, the nuisance dog owner is issued an administrative citation.
- If all these methods have failed and the nuisance dog owner has not corrected the nuisance after an administrative citation has been issued, the case will be forwarded to the City Attorney for review. The City Attorney will determine if a criminal complaint will be filed in court.
- If there are no additional complaints within 30 days of the first complaint being filed, the Animal Control Officer will assume that matter has been resolved by means of the 10 day formal warning notice to comply and the case will be closed.
- If a second complaint is filed after 30 days of the first complaint being filed, the case shall be reopened and the complainant must complete a new Barking Dog Complaint Information Form.

SEE REVERSE SIDE FOR INSTRUCTIONS

INSTRUCTIONS FOR COMPLETION OF FORM

COMPLAINANT INFORMATION: The complainant information shall be the person/victim of the nuisance dog report. The complainant must provide their full name, address, telephone number(s), date of birth, and a California Driver License or Identification Card number.

The complainant's information will be kept anonymous during the initial stages of the report. Keep in mind the complainant is reporting a crime. In order for a crime to exist, there must be a victim. The Animal Control Officer cannot be the victim for you. The Animal Control Officer is required to generate a police report and conduct an investigation. Without a complainant/victim, there will be no investigation initiated. If the investigation leads to a citation and/or hearing, the complainant information may be revealed at that time.

DOG OWNER INFORMATION: The complainant must provide the address of where the nuisance dog exists. Please provide the name of the dog owner if it is known. If name is not known you may leave that section blank, however, the address is required.

COMPLAINT INFORMATION: The complainant must list all dogs causing a nuisance. Please provide at minimum the size, color, and type of hair for the dog or dogs. Listing specific details such as breeds and names of the dogs will be useful in the investigation.

A minimum of three (3) dates and specific times of continuous barking is required. Please note whether the time is *a.m.* or *p.m.* Any dog or dogs listed on the form will be included during the dates and times listed as causing a nuisance. Based on the information listed, the Animal Control Officer will determine if the animal noise ordinance has been violated.

EXAMPLE:

Small	Terrier mix, brown (wire-haired)	1/1/13	6:00am	9:00am
Medium	American Eskimo, white, long hair	1/2/13	7:00am	8:30am
Large	German Shepherd, black/tan "Bear"	1/3/13	6:30am	9:30am

Please answer the questions related directly to the nuisance complaint with clear and concise responses.

ADDITIONAL WITNESSES: The complainant may provide additional witnesses that have also been affected by the nuisance dog. Witnesses must reside at a different residence from that of the main complainant and within the immediate vicinity of where the nuisance dog exists. Witnesses must be willing to provide their full information and a statement to the Animal Control Officer when requested at any time during the investigation.

DECLARATION: The complainant must read the declaration and sign and date the report. Please note that submitting a false report is a criminal offense.

CONCLUSION

We sincerely hope that this procedure which has been developed will work efficiently to solve the nuisance dog problem. The criminal process may not always be the best solution to solving the problem; therefore we encourage citizens to attempt to solve the problem by reaching out to their neighbors or by using local mediation services if available. An additional remedy to the complainant is to file their own civil action lawsuit against the dog owner in court and attempt to receive a restraining order.

If you have any questions regarding this process, please contact the Westminster Police Department Animal Control Unit at (714) 548-3201.

Any information that is vague, unclear, missing, or not legible will cause the form to be returned to the complainant for clarification thus delaying the process.