

PREAMBLE - April 15, 2024

Ventura County Animal Services received two public comments identifying typographical errors in the proposed revised and amended regulations for rooster keeping. Typographical errors have been corrected in the final revised and amended regulations for rooster keeping.

FINAL REVISED AND AMENDED REGULATIONS FOR ROOSTER KEEPING IN CONFORMANCE WITH THE REQUIREMENTS OF ARTICLE 9, SECTIONS 4494-1 THROUGH 4494-5, OF CHAPTER 4 – ANIMALS, OF DIVISION 4 – PUBLIC HEALTH, OF THE VENTURA COUNTY ORDINANCE CODE

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A. AUTHORITY FOR PROMULGATION OF REGULATIONS

Ventura County Ordinance Code section 4494-3, subdivision (f).

B. PURPOSE

To create a standard procedure for written application, inspection of applicant premises, and issuance of permits when required for the keeping of between 5 and 25 roosters within the unincorporated areas of Ventura County in accordance with the criteria of Article 9 – Roosters, of Chapter 4 – Animals, of Division 4 – Public Health of the Ventura County Ordinance Code, sections 4494-1 through 4494-5.

C. FINDINGS

These regulations are premised on the following findings:

1. Excessive crowding of roosters creates a public noise and odor nuisance.
2. There is a public interest in combatting the crime of cockfighting, including limiting the supply of roosters.
3. Cockfighting operations represent a threat to the health and welfare of fowl in legitimate enterprises and create a public nuisance.
4. The public interest and County of Ventura policy support the reasonable use of property and legitimate agricultural operations and education.
5. A limitation on the number of roosters that may be kept on a parcel helps to prevent the inhumane treatment of roosters by persons who engage in illegal cockfighting.
6. The prevention of illegal cockfighting protects the health and safety of the residents of Ventura County.

D. COMPLIANCE WITH OTHER LAWS AND REGULATIONS

Nothing in these regulations is to be construed as approving the keeping of any poultry in contravention of any statute, zoning ordinance or other law.

E. DEFINITIONS

1. “Breed” means a standard game bird type, breed or strain or a recognized or popular breed or hybrid.

2. **“Comprehensive Plan”** means the revised Comprehensive Plan for Flood Control – Ventura County Watershed Protection District adopted by the Board of Supervisors of the Ventura County Watershed Protection District in 1960, and on file in the office of the Clerk of the Board, as modified or amended by the Board of Supervisors of the Ventura County Watershed Protection District on October 11, 1994, which Comprehensive Plan as modified or amended delineates the number and longitudinal limits of watercourses within the incorporated and unincorporated areas of the Ventura County Watershed Protection District over which the Ventura County Watershed Protection District exercises jurisdiction for flood control zone work.
3. **“Equivalent youth poultry projects”** means projects involving roosters that are equivalent to projects sponsored by Future Farmers of America (FFA) or 4-H, such as a Grange sponsored poultry project involving roosters, or an independent youth poultry project involving roosters with a person showing at county fairs, state fairs and/or poultry shows.
4. **“Legacy rooster”** means a rooster formerly involved in a youth poultry project when the youth has “aged-out” of the project or a rooster that a legitimate poultry hobbyist formerly bred or showed but no longer breeds or shows due to the age or health of the rooster.
5. **“Legitimate poultry hobbyist”** means a person who owns and breeds poultry for exhibition or sale of offspring in accordance with accepted poultry raising practices that comply with applicable federal and state laws and regulations.
6. **“Parcel”** means an area of land having fixed boundaries depicted on or described by a tentative map, final map, parcel map or instrument of conveyance for the purpose of defining land to be held, actually or potentially, in fee title as a discrete unit, or a permit area as determined by the Ventura County Planning Director. Licenses, easements, streets, alleys and similar rights-of-way are not parcels.
7. **“Person”** means any natural person, firm, corporation, organization, company, association, business, trust, joint-stock organization, partnership, joint venture, or club, or the agent, servant, manager, officer, employee, lessee or sublessee of any of them.
8. **“Rooster”** or **“cock”** means any male chicken that is six months old or older, or has full adult plumage, or is capable of crowing.
9. **“Watercourse”** means any natural or artificial watercourse, including any stream, river, creek, ditch, channel, canal, conduit, drain, waterway, gully, ravine or arroyo or wash within the incorporated or unincorporated areas of the Ventura County Watershed Protection District in which waters flow in a definite direction or course either continuously or intermittently, and which has a definite channel, bed and banks:
 - (a) To the extent described in or shown on the Comprehensive Plan;
 - (b) To the extent owned, controlled, improved, operated or maintained by the Ventura County Watershed Protection District; or,
 - (c) To the extent shown on the Master Plan of Drainage for the area within the boundaries of any special zone, established pursuant to the provisions of Sections 6.1 et seq., of the Ventura County Watershed Protection District Act, Water Code Appendix, Chapter 46.

F. ELIGIBILITY FOR ROOSTER KEEPING PERMIT

- 1. Permits may allow an eligible applicant to keep between 5 and 25 roosters per parcel, consisting of up to 5 roosters of the same breed for a maximum of 25 roosters per parcel. Only a person engaged in an FFA or 4-H sponsored poultry project involving roosters, a person engaged in an equivalent youth poultry project involving roosters, an adult or family member of an “aged-out” youth taking care of a legacy rooster, or a legitimate poultry hobbyist is eligible to apply for a rooster keeping permit issued by the Ventura County Animal Services Director, or his or her designee, to keep up to 5 roosters of the same breed for a maximum of up to 25 roosters per parcel.**
- 2. All other persons are eligible to keep, maintain, control or harbor a maximum of 4 roosters per parcel, subject to zoning limits on the number of animals per parcel, without a permit.**
- 3. The documentary proof required to establish eligibility for a rooster keeping permit is set forth in Section G.4.**

G. APPLICATION PROCESS FOR ROOSTER KEEPING PERMIT

- 1. All eligible applicants shall fill out a written application for a rooster keeping permit on a form approved by the Director of Animal Services and submit the application to Ventura County Animal Services. A copy of the approved written application form is attached as Exhibit A.**
- 2. Each application for a rooster keeping permit shall be required to be signed under penalty of perjury under the laws of the state of California by a person eligible to apply for a rooster keeping permit under section F; however, applications submitted on behalf of persons under 18 years of age shall be signed by a parent or legal guardian.**
- 3. A completed and signed application shall be submitted to Ventura County Animal Services along with payment of the application fee for a rooster keeping permit, in an amount approved by resolution of the Ventura County Board of Supervisors.**
- 4. All applicants shall submit the following documentary proof of eligibility with their completed and signed application.**
 - a. Applicants engaged in FFA, 4-H and equivalent youth poultry projects involving roosters or who are taking care of legacy roosters must demonstrate that rooster keeping is/was part of a student/member project by showing proof of involvement in a poultry project within that organization such as with a record book showing active poultry project activities, confirmed poultry project enrollment through County or school administration records, or some other form of documentation of poultry project membership. Independent youth applicants must show confirmation that they raise roosters for show or fair events by submitting recent (within one year) poultry show or fair coop cards or confirmed entries or by some other documentation of poultry project activities. If poultry events have been cancelled due to disease outbreak or other unforeseen circumstances, applicants must submit documentation of cancellation of poultry events and documentation of the last attended poultry show or fair coop card or confirmed entry. Documentation of participation in a youth poultry project must**

7. If the application received is incomplete, or more information is needed to determine whether a rooster keeping permit can be issued, Ventura County Animal Services shall reject the application, and return the application to the applicant with a letter stating the reason for rejection.
8. At any time during the application review process, Ventura County Animal Services may request further documentation from the applicant to proceed with the permit review and approval process.
9. All rooster-keeping permits issued by Ventura County Animal Services will be contingent upon the permittee having voluntarily consented on the permit application form to providing Ventura County Animal Services staff with future access to the affected parcel to conduct an onsite inspection of the portion of the parcel where roosters are being kept, up to four times per year, at Ventura County Animal Service's discretion, upon Ventura County Animal Services providing the permittee with at least 72 hours prior written notice of the planned date of the inspection, with such written notice of inspection to be served via personal service upon the permittee, or by physical posting of written notice of inspection at the affected parcel.
10. All approved eligible applicants shall receive written approval in the form of a rooster keeping permit issued by the Ventura County Animal Services Director, or his or her designee, to keep between 5 and 25 roosters per parcel consisting of up to 5 roosters of the same breed for a maximum of 25 roosters per parcel in zoning designations allowing roosters pursuant to the Ventura County Non-Coastal Zoning Ordinance. All other persons are eligible to keep a maximum of 4 roosters per parcel without a permit in zoning designations allowing roosters and subject to the animal keeping standards of the Ventura County Non-Coastal Zoning Ordinance.
11. All approved and denied applications shall be preserved by the assigned animal control officer in Ventura County Animal Services records for a period of no less than 5 years after the date of approval or denial.

H. INSPECTION PROCESS

1. Every parcel identified on an application must be inspected by an animal control officer prior to approving an application. The assigned animal control officer will contact the applicant to make an appointment for on-site inspection.
2. Throughout the onsite inspection process, the animal control officer will follow Animal Services written policy regarding biosecurity measures for inspection of poultry, including, but not limited to, using protective clothing and other precautions, in order to protect the officer's health and the health of the birds.
3. No more than one parcel shall be inspected by the same officer within a 24-hour period to minimize the spread of disease. Should there be multiple applications pending for inspection, the assigned officer will schedule one inspection per day at least 24 hours apart.
4. Inspecting officers shall inspect to ensure that the following requirements are met for each parcel at issue:
 - a. Rooster enclosures shall have a minimum set back from adjacent residences of 40 feet.
 - b. At all times, roosters shall have access to fresh food and water.

health, welfare and safety including, but not limited to, zoning limits on the number of animals per parcel, parcel size, proximity to neighbors, odor and noise nuisance posed to neighbors (considering noise barriers, if any, and specific times when the roosters are permitted outdoors), sanitation, and the ability to meet animal care standards set forth in Ventura County Ordinance Code section 4494.3. The number and breed of roosters allowed will be listed in the permit.

2. Permittees issued permits pursuant to Ventura County Ordinance Code section 4494-3 shall make the permits available for inspection upon the request of any employee of Ventura County Animal Services, any employee of the Ventura County Agricultural Commissioner, the Ventura County Sheriff, or any person authorized to act on behalf of the Ventura County Sheriff in the enforcement of the provisions of the Ventura County Ordinance Code.
3. Permits shall include: the name of the applicant, the address of the applicant, the street address where the birds are residing, the assessor's parcel number for the parcel where the birds are residing, the number of roosters allowed per breed per parcel, a unique permit number, the date the permit was issued, the date the permit expires, identification of Ventura County Animal Services as the permit issuing entity, and a copy of the logo unique to Ventura County Animal Services.
4. Permits shall be valid for no more than one year from date of issuance.
5. A duplicate copy of every permit issued shall be preserved by the assigned animal control officer in Ventura County Animal Services records for a period of no less than 5 years after the date of issuance.
6. Each individual rooster beyond the rooster limit set forth in a rooster keeping permit constitutes a separate violation of the permit and of Ventura County Ordinance Code section 4494-3.
7. Ventura County Animal Services reserves the right to revoke a permit at any time for noncompliance by a permittee, a parcel owner, or any person occupying, leasing, or subleasing a parcel with the terms of an applicable rooster keeping permit, Ventura County Animal Services regulations for rooster keeping, or Ventura County Ordinance Code sections 4494-3 or 4494-4.
8. Ventura County Animal Services reserves the right to deny renewal of any permit for noncompliance by a permittee, a parcel owner, or any person occupying, leasing, or subleasing a parcel with the terms of an applicable rooster keeping permit, Ventura County Animal Services regulations for rooster keeping, or Ventura County Ordinance Code sections 4494-3 or 4494-4.
9. Any permittee, parcel owner, or person occupying, leasing, or subleasing any parcel who violates Ventura County Ordinance Code sections 4494-3 or 4494-4 after permit approval may be subject to a misdemeanor/infraction pursuant to Ventura County Ordinance Code section 4494-5, or an administrative citation pursuant to Ventura County Ordinance Code section 4493-1, et seq.

J. FEES

Fees for processing rooster keeping permits and related inspection are established by resolution of the Ventura County Board of Supervisors.*

Exhibit A – Application for Rooster Keeping Permit Under Ventura County Rooster Keeping Ordinance

***The Ventura County Board of Supervisors has adopted a full cost recovery policy but also has a long-established practice of waivers or credits of fees for solely youth-oriented non-profit organizations. Ventura County Animal Services will seek full cost recovery fees, except where the Board of Supervisors has authorized the waiver or credit of fees for youth educational projects.**