



**BOARD OF ADMINISTRATIVE APPEALS
ADMINISTRATIVE REVIEW PANEL**

**Council Chambers
200 "H" Street**

**MAY 2, 2013
3:00 P.M.**

3:00 P.M. ROLL CALL: Diana Busenbarrick, Chairperson
Deborah Simpson, Vice Chairperson
Mike Schneider
Maurice Jennings

PLEDGE OF ALLEGIANCE

1. CONSENT CALENDAR

A. APPROVAL OF ADMINISTRATIVE APPEALS MINUTES FOR APRIL 11, 2013

Recommended Action: Motion to approve the minutes

MINUTES

2. APPEALS

A. CITATION NO. 31821 – Appeal of Administrative Citation issued regarding Excessive Barking Dogs for Alejandro Lopez, 2905 Cashew Street, Antioch, CA [§6-1.18]

STAFF REPORT

PUBLIC COMMENTS

WRITTEN/ORAL COMMUNICATIONS

ADJOURNMENT

PLEASE TURN OFF CELL PHONES BEFORE ENTERING COUNCIL CHAMBERS.

**BOARD OF ADMINISTRATIVE APPEALS
ADMINISTRATIVE REVIEW PANEL**

**Regular Meeting
3:00 p.m.**

**April 11, 2013
Council Chambers**

Chairperson Busenbarrick called the meeting to order at 3:00 P.M. on Thursday, April 11, 2013, in the Council Chambers.

ROLL CALL:

Present: Chairperson Busenbarrick, Board Members Schneider and Simpson
Absent: Board Members Jennings and Schleder

Staff Present: City Attorney, Lynn Tracy Nerland
City Clerk, Arne Simonsen
Deputy City Clerk, Christina Garcia
Animal Control Officer, Ada Romero-Gomez
Senior Animal Control Officer, Andrea Sutherland
Minutes Clerk, Kitty Eiden

PLEDGE OF ALLEGIANCE

Chairperson Busenbarrick led the board, staff and public in the Pledge of Allegiance.

1. CONSENT CALENDAR

A. APPROVAL OF ADMINISTRATIVE APPEALS MINUTES FOR NOVEMBER 1, 2012

On motion by Board Member Simpson, seconded by Chairperson Busenbarrick, the Board Members approved the Minutes of November 1, 2012. The motion carried the following vote:

Ayes: Board Member Simpson and Chairperson Busenbarrick
Abstain: Board Member Schneider
Absent: Board Members Jennings and Schleder

City Attorney Nerland explained the manner in which the proceedings would be conducted and reviewed the options available for the Appeals Board.

2. APPEALS

A. CITATION NO. 30251 – Appeal of Administrative Citation issued regarding Excessive Barking Dog for Alejandro Lopez, 2905 Cashew Street, Antioch, CA [§6-1.18]

Animal Control Officer Gomez presented the staff report dated April 4, 2013 recommending that the Board of Administrative Appeals uphold the Administrative Citation No. 30251 for the Violations of Antioch Municipal Code § 6-1.18 **Excessive Barking** on February 16, 2013.

For the record, Animal Control Officer Gomez stated Animal Control had issued a warning and Notices to Correct prior to issuing a Citation.

APPELLANT

Alejandro Lopez, reported he was not at home when the citation had been issued however, he was at the residence at 8:00 A.M. when the complainant stated the barking began. He noted there were parties in the neighborhood and it had been noisy on the date the incidence occurred. He reported officers had been called to his residence fourteen (14) times and only three (3) of the complaints had been founded. He stated he felt his dogs were barking for a reason and under § 6-1.18 there should have been further investigation into why they were barking. He suggested the City code be equal to the County code. He reported he had modified the way his dogs lived and had purchased anti-barking devices for them. He disagreed with reports that indicated his dogs barked all day and night. He resubmitted the petition contained within the staff report that indicated twenty-three (23) of his neighbors had never been disturbed by his dogs or birds.

In response to Board Member Schneider, Mr. Lopez stated the dogs bark however, not consecutively and only when they are responding to someone passing his property.

In response to Chairperson Busenbarrick, Mr. Lopez stated he had received a Notice to Correct in January 2012.

OPPONENTS

David Yount, reported he was the neighbor who had complained regarding the dogs growling and barking at him and the bird squawking. He added that the situation had negatively impacted his quality of life as he has been unable to leave his windows open, use his backyard and or sleep in a bedroom located in the back of the home. He stated he believed the dog barked excessively because it was bored and the owner had never attempted to quiet him. He stated he did not understand why the owner had not taken responsibility, however, since the issuance of the citations; he had corrected the problem.

Kay Gehrmann, Concord resident, stated she visited Mr. Yount and had witnessed the dog barking excessively while she was at his residence.

Chairperson Busenbarrick clarified the decision made on this matter would be based off of City Code.

Board Member Schneider stated given the evidence presented by the City, the burden of proof was on the Appellant to indicate why the barking is reasonable. He noted that had not occurred, therefore, he was making a recommendation to uphold the citation.

Board Member Simpson reported the petition submitted affirmed that the other neighbors had never been disturbed by the Appellant's dogs or birds. She questioned if one neighbor continually complaining, was the frequency, as defined in the City Code that warranted Mr. Lopez paying a \$100.00 citation.

On motion by Board Member Schneider, seconded by Chairperson Busenbarrick, the Board of Administrative Appeals denied the appeal and upheld the Administrative Citation No. 30251 for the Violations of Antioch Municipal Code § 6-1.18 **Excessive Barking** on February 16, 2013. The motion carried the following vote:

Ayes: Board Member Schneider and Chairperson Busenbarrick
Noes: Board Member Simpson
Absent: Board Member Jennings and Schleder

B. CITATION NO. 30254 (second citation received) – Appeal of Administrative Citation issued regarding Excessive Barking Dog for Alejandro Lopez, 2905 Cashew Street, Antioch, CA [§6-1.18]

Animal Control Officer Gomez presented the staff report dated April 4, 2013 recommending that the Board of Administrative Appeals uphold the Administrative Citation No. 30254 for the Violations of Antioch Municipal Code § 6-1.18 **Excessive Barking** on March 7, 2013.

APPELLANT

Alejandro Lopez, reported that at the time the citation was issued, he was not home however, he had confirmed with another neighbor that his dogs had been barking at animals on the fence. He read Antioch Municipal Code § 6-1.18. He noted his dogs barked when Animal Control Officers arrived at his house because they were protecting his property. He stated he had not been careless and he did not ignore the situation. He noted he had witnessed the neighbor provoke his dogs which had caused them to bark. He stated he had attempted to work with the City, Police Department and Animal Control to resolve this matter; however, he could not stop one person from complaining. He stated he no longer owned the bird and he asked for help to resolve the issue.

In response to Chairperson Busenbarrick, Mr. Lopez stated the dogs no longer sleep outside, at night, and they traveled with him when he left the property. He stated when they barked, he would quiet them down in Spanish.

OPPONENTS

David Yount, Antioch resident, clarified his fence was fifteen (15) feet from the barking dogs and it echoed throughout the yard. He stated he had never witnessed the owner attempt to quiet them. He reported that he talked to neighbors who had indicated they had not discussed this matter with Mr. Lopez. He noted that Mr. Lopez had not responded to warnings or the Notices to Correct, however, the problem had been resolved since the citation was issued. He stated if there was any other way he could have rectified the matter, he would have done so and that all he wanted was peace and quiet so he could enjoy his property.

In response to the Board, Mr. Yount clarified that since the citation had been issued, the problem had improved ninety-nine percent (99%).

Officer Gomez clarified Mr. Lopez was warned multiple times by Animal Control and the Antioch Police Department and he was given two Notices to Correct, prior to an Administrative Citation being given.

REBUTTAL

Alejandro Lopez reported that he had invited Mr. Yount to arbitration to resolve the issue and those offers had not been accepted. He noted the dogs had been aggravated by Mr. Yount and out of the 14 calls, only 3 were founded. He stated he wanted proof that his dogs were barking and felt the City should have investigated what caused them to bark. He stated he cared about his surroundings and he had great communication with his neighbors, except for Mr. Yount.

In response to Chairperson Busenbarrick, Mr. Lopez stated he had read the report detailing the calls for service.

Board Member Schnieder stated that prior to this citation, Mr. Lopez had received an administrative warning and was aware of the calls for service. He clarified that proof of the violation, was from the testimony of the Animal Control Officer and the appellant's statement indicating a neighbor had confirmed the dog was barking.

Board Member Simpson remained concerned that all the complaints were from the same person, who acknowledged the situation had improved.

Following discussion, the Board agreed to uphold the citation and mitigate the fine.

On motion by Board Member Schneider, seconded by Chairperson Simpson, the Board of Administrative Appeals unanimously denied the appeal and upheld the Administrative Citation No. 30254 for the Violations of Antioch Municipal Code § 6-1.18 **Excessive Barking** on March 7, 2013 and mitigate the fine from \$200.00 down to \$100.00.

PUBLIC COMMENTS

David Yount, Antioch resident, stated he felt Animal Control and the Antioch Police Department needed to be more responsive when they received calls for disturbing the peace at night.

WRITTEN/ORAL COMMUNICATIONS - None

ADJOURNMENT

Chairperson Busenbarrick adjourned the Administrative Board of Appeals meeting at 3:52 p.m. to the next regularly scheduled meeting on May 2, 2013.

Respectfully Submitted,

Kitty Eiden
Minutes Clerk

CITY OF ANTIOCH
CITY CLERK

RECEIVED

MAR 2013

CITY OF ANTIOCH

ADMINISTRATIVE
CITATION

Citation # 31821

City of Antioch

- ☐ Police Department - (925) 779-6981
☒ Animal Control - (925) 779-6989
☐ Code Enforcement (NIS) - (925) 779-7042
☐ Neighborhood Improvement Program (NIP) - (925) 779-6166

Date of Violation 3/15/13 Time 8:10 ☒ AM ☒ PM Day of Week

Location of Violation 2905 Cashev

Citation Issued To (owner/resident/business) Allegandro Lopez Date Issued 3/15/13

Address if different than violation

City State Zip

Driver's License State DOB

Vehicle License State Year Make Model Color

You are being issued an Administrative Citation for the above violation(s). Additional violations may result in additional Administrative fines and/or legal action.

☐ 1st Violation \$100.00

☐ 2nd Violation \$200.00/\$500.00

☒ 3rd Violation \$500.00/\$1,000.00

Refer to the back of this citation for information on paying the amount indicated.

AMC Violation Code Section	Description of Violations(s)	Fine Amount(s)
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0-1.18	Barking dog	\$ 500.00
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TOTAL DUE:

\$ 500.00

German Shepherd heard barking excessively

Notes:

Issuing Officer G. Johnson ID number 4486 Date 3/15/13

TO AVOID ADDITIONAL CITATIONS, YOU MUST ABATE THE ABOVE VIOLATION(S) ON OR BEFORE:

Questions regarding this citation, call the issuing Department above. Mail payment to:

City of Antioch
 Finance Department
 P.O. Box 5007
 Antioch, CA 94531-5007

To pay in person, the Cashiers are located on the first Floor of City Hall, Third & "H" Streets, Antioch, California
 Monday - Thursday - 8:00 a.m. - 5:00 p.m., (subject to change) except holidays.

REV. 10/11

See Reverse Side

CITY OF ANTIOCH
925-779-7055

REC#: 00580285 3/21/2013 9:33 AM
 OPER: AJ3 TERM: 003
 REF#:

ACCT #: XXXX-XXXX-XXXX-3343
 AUTH #: 103139
 TRAN #: 000000004900

TRAN: 176.0000 ANIMAL Citation fees
 2905 CASHEW
 CIT#31821
 Late Fee 500.00CR

TENDERED: 500.00 CREDIT CARD
 APPLIED: 500.00-

CHANGE: 0.00

The reason for appealing both of these citations is because my dogs are not a nuisance, and do not deserve to be treated as so. My dogs are being aggravated to bark by my neighbor directly behind my property "2912 Almondridge Drive". I have personally caught the neighbor bagging and sweeping our a joining fence at night in the complete darkness, there for causing my dogs to bark. He calls animal control services and then goes to he's yard to assure my dogs continue to bark, so the officer responding can confirm the barking. I've collected signatures for a petition that I've put together concerning the so called consecutive barking. I went around the entire street I live on as well as Almondridge Drive because that's where the complaints have come from. I collected 23 plus signatures stating my dogs are not a nuisance to our neighborhood. I find myself in a difficult position to pay these fines, while having other expenses in life to pay. This has been going on for a year and a half. We were told the individual complaining felt animal services was not doing there job and spoke to there lieutenant in charge. About a week later of being told that that's when the citations started. I all so want to state I purchased 2 anti bark collars last year, I have all so purchased a outside anti bark device for my back yard this year and my dogs and birds are put in at night and are not let out until 10am or so sense the neighbors complaint started in the January 2012.

**STAFF REPORT TO THE BOARD OF ADMINISTRATIVE APPEALS FOR
CONSIDERATION AT THE HEARING OF APRIL 11, 2013**

PREPARED BY: Gabrielle Johnson, Animal Control Officer

DATE: May 2, 2013

SUBJECT: Administrative Citation No. 31821
Issued on March 15, 2013 – 2905 Cashew Street
Violation of Antioch Municipal Code § 6-1.18 - Excessive Barking Dog

REQUEST:

Appellate Alejandro Lopez requests a hearing to appeal the decision of the **THIRD** Administrative Citation (No. 31821) issued on March 15, 2013 citing Violation of the Antioch Municipal Code:

§6-1.18 BARKING OR HOWLING DOGS: *No person shall allow any dog which he owns, keeps, harbors, or controls within the City to bark or howl with such frequency, or in such manner, as to disturb the peace of the immediate neighborhood.*

BACKGROUND INFORMATION:

Responsible Dog Owner:

Alejandro Lopez – 2905 Cashew Street, Antioch CA, 94509

Please see Attachment 'A' regarding the initial background information which includes the supporting documentation for the dates of calls for service, event numbers, Notices to Correct, and Administrative Citation No. 30251 (first citation received).

- February 21, 2013; 2:29PM: Antioch Animal Services responds to a call for service regarding barking dogs (**See attached Event #13-015879**). ACO Johnson closes the call and is unable to hear excessive barking from the residence.
- February 21, 2013; 7:18PM: Antioch Animal Services response to a call for service regarding barking dogs (**See attached Event #13-016044**). ACO Johnson closes the call and notes that she was able to hear dogs barking on and off but nothing

excessive. She also notes Dog Owners were not home at time of call so she was unable to make contact but left her business card for contact.

- February 21, 2013; 10:32 PM: Antioch Police Department responds to a call for service regarding barking dogs (**See attached Event #13-016091**). APD Officer Gonzalez was unable to hear excessive barking from the residence.
- February 22, 2013: Antioch Animal Services response to a call for service regarding barking dogs (**See attached Event #13-016420**). I closes the call and noted unable to hear excessive barking. She also notes she made contact with Dog Owner Mr. Lopez and again, advised him about the barking dog complaints.
- March 7, 2013: Antioch Animal Services responds to a call for service regarding barking dogs (**See attached Event #13-020492**). Officer Gomez was able to confirm both dogs barking. She left a **SECOND** Administrative Citation No. 30254 in the amount of \$200.00 for Violation of Antioch Municipal Code §6-1.18 Excessive Barking. (**See attached Administrative Citation No. 30254**).
- March 15, 2013: I was dispatched to a call about dogs barking at 2905 Cashew St. (**See attached Event #13-023112**). When I arrived I parked in front of 2904 Cashew St. (directly across the street from 2905). On my arrival I was able to hear dog barking from the neighborhood. It sounded like a large dog from 2905 slammed on the fence near the street. Other dogs in the area were barking. Neighbors from 2904 Cashew St. came out to speak with me almost 30 minutes after I arrived about the barking dogs in the neighborhood. I was informed by the couple at the address that the dog(s) at 2905 Cashew St. can be heard barking most of the time but they were more concerned about dog barking immediately behind their, residence on Filbert St. The barking from 2905 Cashew St. is not near their bedroom or living room so they don't complain. Excessive barking was heard for 2905 Cashew St. and the dog owner was given a **THIRD** Administrative citation of \$500.00 (**See attached Administrative Citation No. 31821**). Excessive barking was located and heard from 2931 Filbert as well. Residents at 2931 Filbert St. were also cited for no rabies x4 and no license x4, and for not having a Dog Fancier Permit.

RECOMMENDATION:

Due to the excessive barking, it is Staff's recommendation to uphold the Administrative Citation No. 31821 (*third citation issued*) for the Violations of Antioch Municipal Code § 6-1.18 Excessive Barking on March 15, 2013.

RECEIVED						
Receive Time 02/21/2013 10:09:57		Clear Time 2/21/2013 2:29:55 PM		Call Taker ROMERO, ADA ID: 4675		Position AS10560
Classification 1091M		Priority 4		How Receive P	Services Police	
Address CASHEW ST / BEECHNUT ST, ANTIOCH						
Police Agency PD		District		Beat 2	Station	Zone 209
REPORTING OFFICER:						
Name DAVID YOUNT				Phone		
Address				Info		
SYNOPSIS						
BARKING DOG. RP SAYS DOG HAS BEEN BARKING NON STOP SINCE 8:30AM						
DISPOSITIONS						
Closing Class ANML	Event Dispo 6	Location		Unit Code	Agency: Case Number PD:	Primary Staff JOHNSON, GABRIELLE 4486
UNIT HISTORIC: ADJUSTMENTS:						
Time 02/21/2013 10:46:40			Operator SPAINHOWER, MARLA ID: 3793			Position CAD3
Supplement W8 ADVD						
Time 02/21/2013 12:25:57			Operator SPAINHOWER, MARLA ID: 3793			Position CAD3
Supplement W8 ADVD						
Time 02/21/2013 13:59:28		Unit K4	Status D	Operator GIRARD, JEANNINE ID: 3951		Position CAD4
Time 02/21/2013 13:59:32		Unit K4	Status 49E	Operator JOHNSON, GABRIELLE ID: 4486		Position VM765
Time 02/21/2013 14:07:59		Unit K4	Status 97E	Operator JOHNSON, GABRIELLE ID: 4486		Position VM765
Time 02/21/2013 14:10:31			Operator JOHNSON, GABRIELLE ID: 4486			Position VM765
Supplement PARKED IN BETWEEN 2909 AND 2015 NO BARKING HEARD						
Time 02/21/2013 14:12:44			Operator JOHNSON, GABRIELLE ID: 4486			Position VM765
Supplement STREET IS QUIET. SMALL NATIVE BIRDS IN BUSH NEXT TO VEHICLE CHIRPING, NO OTHER ANIMAL SOUNDS HEARD						
Time 02/21/2013 14:23:14			Operator JOHNSON, GABRIELLE ID: 4486			Position VM765
Supplement A WOMEN WALKED BY WITH A STROLLER TALKING ON THE PHONE. NO BARKING HEARD FROM 2905.						
Time 02/21/2013 14:25:10			Operator JOHNSON, GABRIELLE ID: 4486			Position VM765
Supplement A SINGLE DOG CAN BE HEARD BARKING OFF IN THE DISTANCE, UNABLE TO LOCATE WICH DIRECTION. STILL NO ANIMAL NOISES FROM ADDRESSES AT MY LOCATION.						

**Antioch Police Department
Event Report**

Page 2 of 2

Time: 03/13/2013 11:58:55

Event: 13-015879

Time 02/21/2013 14:27:36		Operator JOHNSON, GABRIELLE ID: 4486		Position VM765	
Supplement NO ANIMAL NOISES OR BARKING NOISES HEARD.					
Time 02/21/2013 14:29:55		Unit K4		Dissociate Status D	
STAFF					
Police Unit K4		Staff JOHNSON, GABRIELLE ID: 4486			
RESPONSE TIMES					
	Event	Police			
Receive	02/21/2013 10:09:57				
Save	02/21/2013 10:10:43				
Dispatch	02/21/2013 13:59:28	02/21/2013 13:59:28			
Enroute	02/21/2013 13:59:32	02/21/2013 13:59:32			
Arrive	02/21/2013 14:07:59	02/21/2013 14:07:59			
Last Clear	02/21/2013 14:29:55	02/21/2013 14:29:55			
No. of Units	1	1			

Antioch Police Department
Event Report

Page 1 of 2

Time: 03/13/2013 11:59:55

Event: 13-016044

RECEIVED INFORMATION					
Receive Time 02/21/2013 18:11:36	Clear Time 2/21/2013 7:18:00 PM	Call Taker NORRIS, VINCE ID: 4500		Position CAD6	
Classification 415BD	Priority 4	How Receive P	Services Police		
Address CASHEW ST / BEECHNUT ST, ANTIOCH					
Police Agency PD	District	Beat 2	Station	Zone 209	
REPORTING PARTIES					
Name DAVID YOUNT			Phone		
Address ALMONDRIDGE DR, ANTIOCH			Info		
SYNOPSIS					
DOG BARKING AT HIS LOCATION..PER EMAIL ON CALL ANIMAL CONTROL IS TO BE CALLED OUT..					
DISPOSITIONS					
Closing Class ANML	Event Dispo 9	Location	Unit Code	Agency: Case Number PD:	Primary Staff JOHNSON, GABRIELLE 4486
UNIT HISTORIES / SUPPLEMENTS					
Time 02/21/2013 18:18:54	Unit K4	Status D	Operator JOHNSON, GABRIELLE ID: 4486		Position VM761
Time 02/21/2013 18:23:03	Unit K4	Status D	Operator ESQUIBELL, RACHELLE ID: 5205		Position CAD2
Time 02/21/2013 18:23:33	Unit K4	Status 49E	Operator JOHNSON, GABRIELLE ID: 4486		Position VM761
Time 02/21/2013 18:33:30	Unit K4	Status 97E	Operator JOHNSON, GABRIELLE ID: 4486		Position VM761
Time 02/21/2013 18:34:34			Operator JOHNSON, GABRIELLE ID: 4486		Position VM761
Supplement NO BARKING ON ARRIVAL IM PARKED INFRONT OF 2909 CASHEW					
Time 02/21/2013 18:35:55			Operator JOHNSON, GABRIELLE ID: 4486		Position VM761
Supplement NEIGHBORS ACCROSS THE WAY FROM 2905 ARE WORKING OUT OF THEIR GARAGE					
Time 02/21/2013 18:38:25			Operator JOHNSON, GABRIELLE ID: 4486		Position VM761
Supplement GARAGE DOOR CLOSED A FEW BARKS FROM 2905 BUT STOP AND WAS NOT EXCESSIVE.					
Time 02/21/2013 18:40:28			Operator JOHNSON, GABRIELLE ID: 4486		Position VM761
Supplement ANOTHER GARAGE DOOR OPENED 2908 DOG BARKED EITHER FROM 2909 OR 2905 UNABLE TO TELL					
Time 02/21/2013 18:42:12			Operator JOHNSON, GABRIELLE ID: 4486		Position VM761
Supplement TWO DOGS ARE NOW BARKING FROM DIFFRENT YARDS POSS FROM NEXT STREET OVER. BOTH DOGS WENT BACK A FORTH AND THAN STOPPED.					
Time 02/21/2013 18:47:20			Operator JOHNSON, GABRIELLE ID: 4486		Position VM761

**Antioch Police Department
Event Report**

Page 2 of 2

Time: 03/13/2013 11:59:55

Event: 13-016044

Supplement
REAR LIGHT IN YARD BEHIND 2905 IS ON DOG FROM 2905 BARKED NEAR BACK FENCE THAN BARKING STOPPED.

Time 02/21/2013 18:50:49	Operator JOHNSON, GABRIELLE ID: 4486	Position VM761
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Supplement
DOG IS BARKING ON AND OFF FROM 2905 SOUNDS LIKE THE SHEP FROM THIS ADDRESS

Time 02/21/2013 19:09:31	Operator JOHNSON, GABRIELLE ID: 4486	Position VM761
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Supplement
NO BARKING HEARD IN A WHILE. NO EXCESSIVE BARKING HEARD

Time 02/21/2013 19:17:23	Operator JOHNSON, GABRIELLE ID: 4486	Position VM761
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Supplement
ONCE I GOT OUT OF THE CAR AND MOVED TOWARD THE HOUSE THE DOG STARTED BARKING. I LEFT MY CARD ON THE FRONT DOOR NO ONE IS HOME. DOG WAS OBSERVED BARKING ON A FEW OCCASIONS BUT NOTHING EXCESSIVE DURING THE BARKING PERIODS. THE DOG IS REACTIVE TO OTHER SOUNDS

Time 02/21/2013 19:18:00	Unit K4	Dissociate Status 19
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STAFF

Police Unit K4	Staff JOHNSON, GABRIELLE ID: 4486
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RESPONSE TIMES

	Event	Police	
Receive	02/21/2013 18:11:36		
Save	02/21/2013 18:12:21		
Dispatch	02/21/2013 18:18:54	02/21/2013 18:18:54	
Enroute	02/21/2013 18:23:33	02/21/2013 18:23:33	
Arrive	02/21/2013 18:33:30	02/21/2013 18:33:30	
Last Clear	02/21/2013 19:18:00	02/21/2013 19:18:00	
No. of Units	1	1	

**Antioch Police Department
Event Report**

Page 1 of 2

Time: 03/13/2013 12:00:09

Event: 13-016091

INCIDENT INFORMATION					
Receive Time 02/21/2013 20:45:39	Clear Time 2/21/2013 10:32:39 PM	Call Taker ESQUIBELL, RACHELLE ID: 5205		Position CAD2	
Classification 415BD	Priority 4	How Receive P	Services Police		
Address CASHEW ST / BEECHNUT ST, ANTIOCH					
Police Agency PD	District	Beat 2	Station	Zone 209	
REPORTING PARTIES					
Name YOUNT,DAVID			Phone		
Address ALMONDRIDGE DR, ANTIOCH			Info Contact		
SYNOPSIS					
RP CALLED BACK VERY UPSET SAID DOG IS STILL BARKING...REQ OFCR RESPOND...RP IS REQ CONTACT					
DISPOSITIONS					
Closing Class ANML	Event Dispo 9	Location	Unit Code	Agency: Case Number PD:	Primary Staff GONZALEZ, ADRIAN 4336
UNIT HISTORIES / SUPPLEMENTS					
Time 02/21/2013 22:18:28	Unit Z2	Status D	Operator GIRARD, JEANNINE ID: 3951		Position CAD4
Time 02/21/2013 22:19:35	Unit Z2	Status 49E	Operator GONZALEZ, ADRIAN ID: 4336		Position VM30
Time 02/21/2013 22:28:40	Unit Z2	Status 97E	Operator GONZALEZ, ADRIAN ID: 4336		Position VM30
Time 02/21/2013 22:30:09			Operator GONZALEZ, ADRIAN ID: 4336		Position VM30
Supplement DAVID YOUNT JUST WANTS CONTACT FROM AC OFFICER SOUTHERLAND. HE WANTS TO BE CONTACTED AT WHEN I ARRIVED I HEARD NO DOG.					
Time 02/21/2013 22:32:39	Unit Z2	Dissociate Status 8			
STAFF					
Police Unit Z2	Staff GONZALEZ, ADRIAN ID: 4336				
RESPONSE TIMES					
	Event	Police			
Receive	02/21/2013 20:45:39				
Save	02/21/2013 20:48:27				
Dispatch	02/21/2013 22:18:28	02/21/2013 22:18:28			
Enroute	02/21/2013 22:19:35	02/21/2013 22:19:35			
Arrive	02/21/2013 22:28:40	02/21/2013 22:28:40			

Antioch Police Department
Event Report

Page 2 of 2

Time: 03/13/2013 12:00:09

Event: 13-016091

Last Clear	02/21/2013 22:32:39	02/21/2013 22:32:39	
No. of Units	1	1	

Antioch Police Department
Event Report

Page 1 of 2

Time: 03/13/2013 12:00:51

Event: 13-016420

INCIDENT INFORMATION					
Receive Time 02/22/2013 20:42:29	Clear Time 2/22/2013 9:51:33 PM	Call Taker LEE, JENNIFER ID: 4460		Position CAD4	
Classification 415BD	Priority 4	How Receive P	Services Police		
Address CASHEW ST / BEECHNUT ST, ANTIOCH					
Police Agency PD	District	Beat 2	Station	Zone 209	
SYNOPSIS					
DOGS ARE BARKING AGAIN,,, UNSURE IF OWNERS ARE HOME					
DISPOSITIONS					
Closing Class ANML	Event Dispo 6	Location	Unit Code	Agency: Case Number PD:	Primary Staff JOHNSON, GABRIELLE 4486
UNIT HISTORIES / SUPPLEMENTS					
Time 02/22/2013 20:45:37		Operator LEE, JENNIFER ID: 4460		Position CAD4	
Supplement K4 ADVD AND WILL BE 49					
Time 02/22/2013 20:53:39	Unit K4	Status D	Operator JOHNSON, GABRIELLE ID: 4486		Position VM761
Time 02/22/2013 20:56:27	Unit K4	Status 49E	Operator JOHNSON, GABRIELLE ID: 4486		Position VM761
Time 02/22/2013 21:08:31	Unit K4	Status 97E	Operator JOHNSON, GABRIELLE ID: 4486		Position VM761
Time 02/22/2013 21:09:11		Operator JOHNSON, GABRIELLE ID: 4486		Position VM761	
Supplement NO BARKING HEARD ON ARRIVAL					
Time 02/22/2013 21:10:49		Operator JOHNSON, GABRIELLE ID: 4486		Position VM761	
Supplement GARAGE LIGHT IS ON AT 2905 LOOKS LIKE THE DOGS HAVE ACCESS TO THE GARAGE AND BACK YARD					
Time 02/22/2013 21:14:56		Operator JOHNSON, GABRIELLE ID: 4486		Position VM761	
Supplement CAT IS CRYING IN THE AREA DOG STARTED BARKING A LITTLE. SEEMS LIKE OWNERS ARE HOME AND WALKED FROM HOUSE TO SIDE YARD AND DOG WAS QUITE					
Time 02/22/2013 21:17:59		Operator JOHNSON, GABRIELLE ID: 4486		Position VM761	
Supplement THE CAT IS STILL CRYING EXTREMELY LOUD FROM NEAR MY LOCATION.BUT DOG IS NOT BARKING.					
Time 02/22/2013 21:23:21		Operator JOHNSON, GABRIELLE ID: 4486		Position VM761	
Supplement SMALL DOG CAN BE HEARD BARKING IN THE DISTANCE POSS NEXT STREET OVER.					
Time 02/22/2013 21:27:20		Operator JOHNSON, GABRIELLE ID: 4486		Position VM761	
Supplement SMALL DOG STILL BARKING OFF IN DISTANCE NO BARKING HEARD FROM 2905.					
Time 02/22/2013 21:35:12		Operator JOHNSON, GABRIELLE ID: 4486		Position VM761	

**Antioch Police Department
Event Report**

Page 2 of 2

Time: 03/13/2013 12:00:51

Event: 13-016420

Supplement			
SOUNDS LIKE DOG IS NO LONGER OUTSIDE YARD IS VERY QUIET. OWNER MAY HAVE BROUGHT THE DOG INSIDE. GARAGE LIGHT IS OFF HOUSE LIGHTS			
Time		Operator	
02/22/2013 21:48:36		JOHNSON, GABRIELLE ID: 4486	
		Position	
		VM761	
Supplement			
NO BARKING HEARD. OWNER WAS HOME AND TALKED TO HIM ABOUT THE DOG BARKING COMPLAINTS.			
Time		Unit	Dissociate Status
02/22/2013 21:51:33		K4	19
STAFF			
Police Unit		Staff	
K4		JOHNSON, GABRIELLE ID: 4486	
RESPONSE TIMES			
	Event	Police	
Receive	02/22/2013 20:42:29		
Save	02/22/2013 20:43:37		
Dispatch	02/22/2013 20:53:39	02/22/2013 20:53:39	
Enroute	02/22/2013 20:56:27	02/22/2013 20:56:27	
Arrive	02/22/2013 21:08:31	02/22/2013 21:08:31	
Last Clear	02/22/2013 21:51:33	02/22/2013 21:51:33	
No. of Units	1	1	

**Antioch Police Department
Event Report**

Page 1 of 2

Time: 03/13/2013 12:01:24

Event: 13-020492

INCIDENT INFORMATION					
Receive Time 03/07/2013 18:34:49	Clear Time 3/7/2013 7:23:42 PM	Call Taker NORRIS, VINCE ID: 4500		Position CAD6	
Classification 415BD	Priority 4	How Receive P	Services Police		
Address CASHEW ST / BEECHNUT ST, ANTIOCH					
Agency PD	District	Beat 2	Station	Zone 209	
REPORTING PARTIES					
Name DAVID YOUNT			Phone		
Address ALMONDRIDGE DR, ANTIOCH			Info		
SYNOPSIS					
DOG BARKING....CALLOUT AC PER PREM INFO					
DISPOSITIONS					
Closing Class ANML	Event Dispo 7	Location	Unit Code	Agency: Case Number PD:	Primary Staff ROMERO, ADA 4675
UNIT HISTORIES / SUPPLEMENTS					
Time 03/07/2013 18:37:16		Operator NORRIS, VINCE ID: 4500		Position CAD6	
Supplement AC ADVISED					
Time 03/07/2013 18:41:36	Unit K3	Status D	Operator SOARES, ANITA ID: 3958		Position CAD3
Time 03/07/2013 18:41:42	Unit K3	Status 49E	Operator ROMERO, ADA ID: 4675		Position VM761
Time 03/07/2013 18:46:51	Unit K3	Status 97E	Operator ROMERO, ADA ID: 4675		Position VM761
Time 03/07/2013 19:09:25		Operator ROMERO, ADA ID: 4675		Position VM761	
Supplement UPOUN MY ARRIVAL I WAS ABLE TO HEAR BOTH LARGE AND SMALL DOG EXCESSIVELY BARKING. I PARKED MY VAN IFO NEIGHBORS RES TO THE RIGHT OF 2905 CASHEW NEAR BEWARE OF DOG SIGN ON FENCE SIDE. I WAS ABLE TO CONFIRM BARKING FROM 6:40 UNTILL MY DEPARTION TIME. NO ANSWER AT RES. LEFT CITE FOR D/O ALEJANDRO LOPEZ FOR EXCESSIVE BARKING AND ADVISED 2ND ADMIN WILL BE MAILED OUT AT \$200					
Time 03/07/2013 19:12:44	Unit K3	Dissociate Status 7OD			
POLICE UNIT / STAFF					
Police Unit K3	Staff ROMERO, ADA ID: 4675				
RECEIVED / SAVED					
	Event	Police			
Receive	03/07/2013 18:34:49				
Save	03/07/2013 18:35:35				

Antioch Police Department
Event Report

Page 2 of 2

Time: 03/13/2013 12:01:24

Event: 13-020492

Dispatch	03/07/2013 18:41:36	03/07/2013 18:41:36	
Enroute	03/07/2013 18:41:42	03/07/2013 18:41:42	
Arrive	03/07/2013 18:46:51	03/07/2013 18:46:51	
Last Clear	03/07/2013 19:12:44	03/07/2013 19:12:44	
No. of Units	1	1	

**Antioch Police Department
Event Report**

Page 1 of 3

Time: 04/13/2013 15:15:13

Event: 13-023112

INCIDENT INFORMATION					
Receive Time 03/15/2013 19:30:11	Clear Time 3/15/2013 20:43:20	Call Taker NORRIS, VINCE ID: 4500		Position CAD5	
Classification 415BD	Priority 4	How Receive P	Services Police		
Address CASHEW ST / BEECHNUT ST, ANTIOCH					
Pc Agency PD	District	Beat 2	Station	Zone 209	
REPORTING PARTIES					
Name DAVID YOUNT			Phone		
Address			Info		
SYNOPSIS					
DOGS BARKING AGAIN..CALLING OUT ON CALL AC UNIT PER ADDRESS INFO					
DISPOSITIONS					
Closing Class ANML	Event Dispo 7	Location	Unit Code	Agency: Case Number PD:	Primary Staff JOHNSON, GABRIELLE 4486
UNIT HISTORIES / SUPPLEMENTS					
Time 03/15/2013 19:32:26		Operator NORRIS, VINCE ID: 4500		Position CAD5	
Supplement AC ADVISED					
Time 03/15/2013 19:42:17	Unit K4	Status D	Operator JOHNSON, GABRIELLE ID: 4486		Position VM765
Time 03/15/2013 19:43:20	Unit K4	Status D	Operator IMPASTATO, NICKI ID: 4317		Position CAD6
Time 03/15/2013 19:43:25	Unit K4	Status 49E	Operator JOHNSON, GABRIELLE ID: 4486		Position VM765
Time 03/15/2013 19:57:01	Unit K4	Status 97E	Operator JOHNSON, GABRIELLE ID: 4486		Position VM765
Time 03/15/2013 19:58:07			Operator JOHNSON, GABRIELLE ID: 4486		Position VM765
Supplement A SMALL DOG IS BARKING SOUTH OF THIS AREA UNSURE WHICH ADDRESS.					
Time 03/15/2013 19:58:54			Operator JOHNSON, GABRIELLE ID: 4486		Position VM765
Supplement CATS ARE CRYING ON STREET					
Time 03/15/2013 19:59:41			Operator JOHNSON, GABRIELLE ID: 4486		Position VM765
Supplement SECOND DOG BARKING FAR OFF IN THE DISTANCE					
Time 03/15/2013 20:00:34			Operator JOHNSON, GABRIELLE ID: 4486		Position VM765
Supplement A LOUD BANG ON THE FENCE SHEP FROM 2905 NOW BARKING					
Time 03/15/2013 20:02:27			Operator JOHNSON, GABRIELLE ID: 4486		Position VM765

Antioch Police Department
Event Report

Page 2 of 3

Time: 04/13/2013 15:15:13

Event: 13-023112

Supplement				
DOG STOPPED BARKING				
Time	Operator		Position	
03/15/2013 20:03:06	JOHNSON, GABRIELLE ID: 4486		VM765	
Supplement				
SMALL DOG EAST OF LOCATION STILL BARKING				
Time	Operator		Position	
03/15/2013 20:03:57	JOHNSON, GABRIELLE ID: 4486		VM765	
Supplement				
SMALL SOUNDS TO BE BEHIND 2904,2908 CASHEW				
Time	Operator		Position	
03/15/2013 20:05:45	JOHNSON, GABRIELLE ID: 4486		VM765	
Supplement				
SMALL DOG EAST OF LOCATION STOPPED.				
Time	Operator		Position	
03/15/2013 20:06:48	JOHNSON, GABRIELLE ID: 4486		VM765	
Supplement				
2905 SHEP IS BARKING AGAIN AT BACK FENCE IT SOUNDS LIKE				
Time	Operator		Position	
03/15/2013 20:09:47	JOHNSON, GABRIELLE ID: 4486		VM765	
Supplement				
SHEP IS BARKING UP AND DOWN THE FENCE LINE FROM THE BACK OF THE BACK TO THE SIDE YARD				
Time	Operator		Position	
03/15/2013 20:10:45	JOHNSON, GABRIELLE ID: 4486		VM765	
Supplement				
SMALL DOG STARTED BARKING AGAIN SHEP STILL BARKING				
Time	Operator		Position	
03/15/2013 20:13:06	JOHNSON, GABRIELLE ID: 4486		VM765	
Supplement				
SHEP STOPPED BARKING, SMALL DOG STILL BARKING. A TABLE SAW IS NOW ON EAST OF THIS LOCATION				
Time	Operator		Position	
03/15/2013 20:18:11	JOHNSON, GABRIELLE ID: 4486		VM765	
Supplement				
SHEP BARKING AGAIN				
Time	Operator		Position	
03/15/2013 20:26:23	JOHNSON, GABRIELLE ID: 4486		VM765	
Supplement				
SHEP IS STILL BARKING. AN ADMN CITE WAS GIVEN FOR BARKING 3RD VIOLATION. SMALL DOG BACKING EAST OF LOCATION IS FROM POSS 2931 FILBERT. RES AT 2904 SAY THE FOUR DOGS THERE BARKING CONSTANTLY				
Time	Unit	Status	Operator	Position
03/15/2013 20:32:21	K4	49E	IMPASTATO, NICKI ID: 4317	CAD6
Location				
2931 FILBERT ST				
Time	Unit	Status	Operator	Position
03/15/2013 20:33:09	K4	97E	JOHNSON, GABRIELLE ID: 4486	VM765
Location				
2931 FILBERT ST				
Time	Operator		Position	
03/15/2013 20:40:42	JOHNSON, GABRIELLE ID: 4486		VM765	
Supplement				
SMALL DOGS CAN BE HEARD IN THE GARAGE AND MAIN IN THE BACK YARD FROM 2931 FILBERT. NO ANSWER AT THE DOOR. LEFT A NTC FOR DOG OWNER FOR BARKING, NO DOG PERMIT AND NO LICENSEX4 AND NO RABIESX4				
Time	Operator		Position	
03/15/2013 20:41:54	JOHNSON, GABRIELLE ID: 4486		VM765	

**Antioch Police Department
Event Report**

Page 3 of 3

Time: 04/13/2013 15:15:13

Event: 13-023112

Supplement

2905 CHASEW WAS ADMN CITED FOR BARKNG AND 2931 FILBERT WAS CITED A NTC FOR BARKING, NO RABIESX4 AND NO LICENSEX4 AND NO PERMIT.

Time 03/15/2013 19:43:17	Unit K4	Dissociate Status 8
Time 03/15/2013 20:43:20	Unit K4	Dissociate Status 19

STAFF

Police Unit K4	Staff JOHNSON, GABRIELLE ID: 4486
--------------------------	---

RESPONSE TIMES

	Event	Police	
Receive	03/15/2013 19:30:11		
Save	03/15/2013 19:30:44		
Dispatch	03/15/2013 19:42:17	03/15/2013 19:42:17	
Enroute	03/15/2013 19:43:25	03/15/2013 19:43:25	
Arrive	03/15/2013 19:57:01	03/15/2013 19:57:01	
Last Clear	03/15/2013 20:43:20	03/15/2013 20:43:20	
No. of Units	1	1	

1 CITY OF ANTIOCH
2 Third and "H" Streets
3 P.O. Box 5007
4 Antioch, CA 94531-5007
5 925-779-7015; FAX 925-779-7003

6 ADMINISTRATIVE CITATION APPEAL HEARING

7 ANTIOCH MUNICIPAL CODES: § 6-1.18

9 In re the Matter of:

10 ALEJANDRO LOPEZ [APPELLANT]

Uphold Administrative Citation for violation of
Municipal Code § 6-1.18
Citation No. 31821

11 DECISION OF BOARD OF ADMINISTRATIVE
12 APPEALS

14 I. GENERAL FINDINGS:

- 15 1. Administrative Citation for violation of Antioch Municipal Code: § 6-1.18. At all relevant
16 times Appellant was the sole owner of dog and/or the responsible party.
- 17 2. Appellant appealed the Administrative Citation for Municipal Code § 6-1.18, which is the only
18 item at issue for today's hearing.
- 19 3. An Administrative Appeals Board Hearing regarding the Appellant's appeal of the
20 Administrative Citation was set for May 2, 2013, and the Appellant was duly notified by the
21 City Clerk.

22 II. SPECIFIC FINDINGS:

23 An Administrative Appeals Board Hearing regarding Appellant's appeal of the Administrative
24 Citation was duly held on April 11, 2013, at 3PM. Evidence, both oral and documentary, was taken
and based on the preponderance of said evidence; the following specific findings are made:

- 25 1. On January 11, 2012, Antioch Animal Services receives a call for service regarding barking
26 dogs. No contact is able to be made with dog owners. A Notice to Correct is given for
licensing, proof of rabies vaccines and barking.
- 27 2. May 01, 2012- February 16, 2013: Antioch Police Department and Antioch Animal Services
28 receives and responds to multiple calls for service regarding barking dogs and excessive animal
noise. Some calls for service are closed with validation of noise and some are closed without
validation of noise. Dog owners are advised on several occasions about excessive barking.

3. On February 16, 2012, Antioch Animal Services responds to a call for service regarding barking dogs. Animal Control Officer Gomez is able to confirm excessive barking from residence for at least twenty minutes. An Administrative Citation was issued for violation of Antioch Municipal Code: § 6-1.18. Dog owners were not home at time of call and were unavailable for contact.
4. February 21, 2013 and February 22, 2013: Additional calls for service regarding barking dogs are received and responded to by Antioch Police Department and Antioch Animal Services. No excessive barking is able to be confirmed.
5. On March 07, 2013 Antioch Animal Services responds to a call for service regarding barking dogs. Animal Control Officer Gomez is able to confirm excessive barking and documents time frame between 6:40PM until departing time of call for service 7:00PM. A second Administrative Citation was issued for the violation of Antioch Municipal Code § 6-1.18. Dog Owners were not home at time of call and were unavailable for contact.
6. March 15, 2013 Antioch Animal Services responded to a call of dog barking. Antioch Animal Services responded to a barking dog where excessive barking was heard. An Administrative Citation was issued for violation of Antioch Municipal Code: § 6-1.18. Dog owner was not home at time of call and were unavailable for contact.
7. April 11, 2013 Two Administrative Citations were appealed and upheld by Antioch Board of Administered Appeals.
8. The City has the ability to issue an Administrative Citation pursuant to AMC § §6-1.18 No person shall allow any dog he owns, keeps, harbors, or controls within the city to bark or howl with such frequency, or in such a manner, as to disturb the peace of the immediate neighborhood.

Based on a preponderance of evidence, the Board finds that there was probable cause for the City to issue an Administrative Citation and the appeal is denied.

III. NOTICE:

Notice of this decision shall be given to the Appellant, by mailing a copy of these Findings and Decision by first class U.S. Mail, addressed to Alejandro Lopez, 2905 Cashew St, Antioch, CA, 94509.

Dated: May 2, 2013

CHAIRPERSON OF THE BOARD

Notice of Right To Appeal Decision: Any person aggrieved by an Administrative Board of Appeals may obtain review of the decision by the Contra Costa Superior Court, 725 Court Street, Martinez, CA, 94553, by filing with the Court a petition for writ of mandate pursuant to section 1094.6 of the California Government Code.



April 17, 2013

Alejandro Lopez
2905 Cashew Street
Antioch, CA 94509

RE: Notice of Decision – Administrative Appeals Hearing
Property Address: 2905 Cashew Street, Antioch
Citation Date: 02/16/13
Citation #: 30254

Dear Mr. Lopez,

This letter will confirm the decision rendered by the Board of Administrative Appeals on April 11, 2013, regarding the appeal of Citation #30254 issued regarding Excessive Barking Dogs [\$6-1.18]. The Board ruled to partially approve your appeal and reduce the citation fee by \$100.

A refund in the amount of \$100 is enclosed.

Sincerely,


CHRISTINA GARCIA
Deputy City Clerk

cc: Animal Services

Enclosures

Office of the City Clerk
200 H Street
P. O. Box 5007
Antioch CA 94531-5007
(925) 779-7009

CITY OF ANTIOCH)
BOARD OF ADMINISTRATIVE APPEALS)^{SS}


CHRISTINA GARCIA, Deputy City Clerk
Board of Administrative Appeal

1 CITY OF ANTIOCH
2 Third and "H" Streets
3 P.O. Box 5007
4 Antioch, CA 94531-5007
5 925-779-7015; FAX 925-779-7003

6 ADMINISTRATIVE CITATION APPEAL HEARING
7 ANTIOCH MUNICIPAL CODES: § 6-1.18
8

9 In re the Matter of:

10 ALEJANDRO LOPEZ [APPELLANT]
11

Uphold Administrative Citation for violation of
Antioch Municipal Code§ 6-1.18

citation # 30254

12 DECISION OF BOARD OF ADMINSTRATIVE
13 APPEALS

14 I. GENERAL FINDINGS:

- 15 1. Administrative Citation for violation of Antioch Municipal Code: § 6-1.18. At all relevant times
16 Appellant was the sole owner of both dogs and/or the responsible party.
- 17 2. Appellant appealed the Administrative Citation for Antioch Municipal Code § 6-1.18, which is
18 the only item at issue for today's hearing.
- 19 3. An Administrative Appeals Board Hearing regarding the Appellant's appeal of the
20 Administrative Citation was set for April 11, 2013, and the Appellant was duly notified by the
21 City Clerk.

22 II. SPECIFIC FINDINGS:

23 An Administrative Appeals Board Hearing regarding Appellant's appeal of the Administrative
24 Citation was duly held on April 11, 2013, at 3:00PM. Evidence, both oral and documentary, was
25 taken and based on the preponderance of said evidence; the following specific findings are made:

- 26 1. On January 11, 2012, Antioch Animal Services receives a call for service regarding barking dogs.
27 No contact is able to be made with Dog Owners..A Notice to Correct is given for No Dog
28 Licensing, No Proof of Rabies Vaccination and Excessive Barking.
2. May 01, 2012- February 16, 2013: Antioch Police Department and Antioch Animal Services
receives and responds to multiple calls for service regarding barking dogs and excessive animal
noise. Some calls for service are closed with validation of noise and some are closed without
validation of noise. Dog Owners are advised on several occasions about excessive barking.

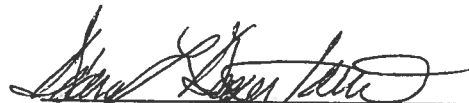
- 1 3. On February 16, 2013, Antioch Animal Services responds to a call for service regarding barking
2 dogs. Animal Control Officer Gomez is able to confirm excessive barking from residence for at
3 least twenty minutes. An Administrative Citation was issued for Violation of Antioch Municipal
4 Code § 6-1.18. Dog Owners were not home at time of call and were unavailable for contact.
5
6 4. February 21, 2013 and February 22, 2013: Additional calls for service regarding barking dogs are
7 received and responded to by Antioch Police Department and Antioch Animal Services. No
8 excessive barking is able to be confirmed.
9
10 5. On March 07, 2013 Antioch Animal Services responds to a call for service regarding barking
11 dogs. Animal Control Officer Gomez is able to confirm excessive barking and documents time
12 frame between 6:40PM until departing time of call for service 7:00PM. A SECOND
13 Administrative Citation was issued for the Violation of Antioch Municipal Code § 6-1.18. Dog
14 Owners were not home at time of call and were unavailable for contact.
15
16 6. The City has the ability to issue an Administrative Citation pursuant to Antioch Municipal Code
17 §6-1.18 No person shall allow any dog he owns, keeps, harbors, or controls within the City to
18 bark or howl with such frequency, or in such a manner, as to disturb the peace of the immediate
19 neighborhood.

20 Based on a preponderance of evidence, the Board finds that there was probable cause for the City to issue an
21 Administrative Citation and the appeal is denied. *but fine reduced to \$100.*

22 III. NOTICE:

23 Notice of this decision shall be given to the Appellant, by mailing a copy of these Findings and
24 Decision by first class U.S. Mail, addressed to Alejandro Lopez, 2905 Cashew Street, Antioch, CA,
25 94509.

26 Dated: April 11, 2013

27 
28 CHAIRPERSON OF THE BOARD

29 **Notice of Right To Appeal Decision:** Any person aggrieved by an Administrative Board of Appeals may obtain
30 review of the decision by the Contra Costa Superior Court, 725 Court Street, Martinez, CA, 94553, by filing with
31 the Court a petition for writ of mandate pursuant to section 1094.6 of the California Government Code.

CITY OF ANTIOCH FIELD CHECK

200279

DATE 4-17-13PAY TO Alejandro Lopez

VENDOR NO. _____

INVOICE / RECEIPT NO.	AMOUNT	DESCRIPTION	ACCOUNT CODE
Cite # 30254	\$100. ⁰⁰	REFUND PARTIAL CITE FEE	214332046020
TOTAL ►	\$100. ⁰⁰		

EMPLOYEE WORK PHONE NO. (925) 779-6989 EMPLOYEE NAME (PRINT) MONIKA HELGENIO

DETACH AND RETURN CHECK STUB, GREEN FINANCE COPY AND RECEIPT TO FINANCE DEPARTMENT NEXT BUSINESS DAY

CITY OF ANTIOCH
FIELD CHECK WARRANT

P.O. BOX 5007

ANTIOCH, CALIFORNIA 94531-5007 • (925) 779-7055

BANK OF THE WEST
WALNUT CREEK, CA 94596

200279

90-78/1211

DATE 4-17-13
VOID AFTER 100 DAYSPAY ONE HUNDRED DOLLARS & NO CENTS DOLLARS

AMOUNT
\$ <u>100.⁰⁰</u>
VOID IF AMOUNT OVER \$100.00

TO THE ORDER OF

ALEJANDRO LOPEZ
2905 CASHEN STREET
ANTIOCH, CA 94509SIGNATURE M. Helgenio DEPARTMENT _____**NON-NEGOTIABLE**

DRIVER'S LICENSE NO. _____

VENDOR — CHECK EMPLOYEE ID CARD OR DRIVER'S LICENSE NUMBER

⑈ 200 279 ⑈ ⑆ 1 2 1 100 78 2 ⑆ 0 1 3 7 7 5 7 3 4 ⑈

City of Antioch
Citation Appeal Application

RECEIVED

MAR 18 2013

**CITY OF ANTIOCH
CITY CLERK**

CITY OF ANTIOCH
ATTN: CITY CLERK
P.O. BOX 5007
ANTIOCH, CA 94531-5007
(925) 779-7009

Date of Citation: 03-07-13

Citation #: 30254

Name: Alejandro Lopez

Property Address: 2905 Cashew Street
Antioch, CA 94509

Mailing Address: SAME AS ABOVE

Home Phone: _____

Work Phone: _____

REASON FOR APPEAL

I have attached my reason on a separate sheet as well as a copy of a petition.

Signature

A Lopez

Date

3/16/2013

The reason for appealing both of these citations is because my dogs are not a nuisance, and do not deserve to be treated as so. My dogs are being aggravated to bark by my neighbor directly behind my property "2912 Almondridge Drive". I have personally caught the neighbor bagging and sweeping our a joining fence at night in the complete darkness, there for causing my dogs to bark. He calls animal control services and then goes to he's yard to assure my dogs continue to bark, so the officer responding can confirm the barking. I've collected signatures for a petition that I've put together concerning the so called consecutive barking. I went around the entire street I live on as well as Almondridge Drive because that's where the complaints have come from. I collected 23 plus signatures stating my dogs are not a nuisance to our neighborhood. I find myself in a difficult position to pay these fines, while having other expenses in life to pay. This has been going on for a year and a half. We were told the individual complaining felt animal services was not doing there job and spoke to there lieutenant in charge. About a week later of being told that that's when the citations started. I all so want to state I purchased 2 anti bark collars last year, I have all so purchased a outside anti bark device for my back yard this year and my dogs and birds are put in at night and are not let out until 10am or so sense the neighbors complaint started in the January 2012.

CITY OF ANTONIO
925-779-7055

REC#: 00579485 3/18/2013 1:50 PM
OPER: AJ3 TERM: 003
REF#: 308

TRAN: 176.0000 ANIMAL Citation fees
JEANNETTE LOPEZ
CIT#30254
Late Fee 200.00CR

TENDERED: 200.00 CHECK
APPLIED: 200.00-

CHANG

3/16/2013

Mr. & Mrs. Lopez
2905 Cashew Street, Antioch Ca, 94509

Petition:

We are owners to property address stated above, we own a small and a Large dog as well as some small parakeets. Its come to our attention that one of our neighbors has had a few issues with the dogs barking and the birds chirping. As neighbors we would like to ask for signatures to support that our pets are not a problem or a nuisance to our neighborhood.

We the undersigned are neighbors to Mr. & Mrs. Lopez and affirm that I have never been disturbed by their dogs barking or their Birds chirping.

Name:	Address: # & street	Signature:
Dilbert D. Scott Sr.	2852 Cashew St.	W. Scott
Andre Brewer	2904 Cashew St.	Andre Brewer
Rogue Salinas	2800 Cashew St	Rogue Salinas
John Alekunjio	2908 Cashew St.	John Alekunjio
Lee Naranjo	2912 Cashew St.	Lee Naranjo
ELE ROSA	2904 CASHW ST 94509	ELE ROSA
Sharon Wilson	2901 Cashew St 94509	Sharon Wilson
Barry Powell	2916 Cashew St 94509	Barry Powell
Shaquana Monroe	2927 CASHW ST 94509	Shaquana Monroe
JOAN LINDAUST	2920 ALMONDRIDGE DR 94509	Joan Lindaust
Bill Nelson	2916 Almondridge Dr 94509	Bill Nelson
Paul Sherman	2908 Almondridge Dr 94509	Paul Sherman
Vincent Rodriguez	2904 Almondridge Dr	Vincent Rodriguez
Samantha Canha	2900 Almondridge Dr.	Samantha Canha
Steven A. Rodriguez	2904 Almondridge Dr. Ant 94509	Steven A. Rodriguez
Jaydy Tapia	2824 Almondridge Dr. Ant.	Jaydy Tapia
MARCO BARTISTA	2816 ALMONDRIDGE DR ANT	MARCO BARTISTA
GERO JOHNSON	2320 ALMONDRIDGE DR ANT.	GERO JOHNSON

ADMINISTRATIVE
CITATION

Citation # 30254

City of Antioch

- ☐ Police Department - (925) 779-6981
☒ Animal Control - (925) 779-6989
☐ Code Enforcement (NIS) - (925) 779-7042
☐ Neighborhood Improvement Program (NIP) - (925) 779-6166

Date of Violation 3-07-13 Time 7:00 AM PM Day of Week THURSDAY

Location of Violation 2405 cashew

Citation Issued To (owner/resident/business) Alejandro Lopez Date Issued

Address if different than violation

City Antioch State CA ZIP 94509

Driver's License State DOB

Vehicle License State Year Make Model Color

You are being issued an Administrative Citation for the above violation(s). Additional violations may result in additional Administrative fines and/or legal action.

☐ 1st Violation \$100.00

☒ 2nd Violation \$200.00/\$500.00

☐ 3rd Violation \$500.00/\$1,000.00

Refer to the back of this citation for information on paying the amount indicated.

AMC Violation Code Section	Description of Violation(s)	Fine Amount(s)
61.18	excessive barking	\$ 200.00
		\$
		\$
		\$
		\$
		\$
TOTAL DUE:		\$ 200.00

On 3-7-13 from 6:40pm to 7pm I was able to confirm excessive barking from both dogs on property

Notes: Issuing Officer A. Gomez ID number 4675 Date 3-07-13

TO AVOID ADDITIONAL CITATIONS, YOU MUST ABATE THE ABOVE VIOLATION(S) ON OR BEFORE:

Questions regarding this citation, call the issuing Department above. Mail payment to:

City of Antioch
Finance Department
P.O. Box 5007
Antioch, CA 94531-5007

To pay in person, the Cashiers are located on the first Floor of City Hall, Third & "H" Streets, Antioch, California
Monday - Thursday - 8:00 a.m. - 5:00 p.m., (subject to change) except holidays.

**STAFF REPORT TO THE BOARD OF ADMINISTRATIVE APPEALS FOR
CONSIDERATION AT THE HEARING OF APRIL 11, 2013**

PREPARED BY: Ada Gomez, Animal Control Officer
DATE: April 4, 2013
SUBJECT: Administrative Citation No. 30254
Issued on March 7, 2013 – 2905 Cashew Street
Violation of Antioch Municipal Code § 6-1.18 - Excessive Barking Dog

REQUEST:

Appellate Alejandro Lopez requests a hearing to appeal the decision of the second Administrative Citation (No. 30254) issued on March 7, 2013 citing Violation of the Antioch Municipal Code:

§6-1.18 BARKING OR HOWLING DOGS: *No person shall allow any dog which he owns, keeps, harbors, or controls within the City to bark or howl with such frequency, or in such manner, as to disturb the peace of the immediate neighborhood.*

BACKGROUND INFORMATION:

Responsible Dog Owner:

Alejandro Lopez – 2905 Cashew Street, Antioch CA, 94509

Please see Attachment 'A' regarding the initial background information which includes the supporting documentation for the dates of calls for service, event numbers, Notices to Correct, and Administrative Citation No. 30251 (first citation received).

- February 21, 2013; 2:29PM: Antioch Animal Services responds to a call for service regarding barking dogs (**See attached Event #13-015879**). ACO Johnson closes the call and is unable to hear excessive barking from the residence.
- February 21, 2013; 7:18PM: Antioch Animal Services response to a call for service regarding barking dogs (**See attached Event #13-016044**). ACO Johnson closes the call and notes that she was able to hear dogs barking on and off but nothing

excessive. She also notes Dog Owners were not home at time of call so she was unable to make contact but left her business card for contact.

- February 21, 2013; 10:32 PM: Antioch Police Department responds to a call for service regarding barking dogs (**See attached Event #13-016091**). APD Officer Gonzalez closes the call and notes he was unable to hear excessive barking from the residence.
- February 22, 2013: Antioch Animal Services response to a call for service regarding barking dogs (**See attached Event #13-016420**). ACO Johnson closes the call and notes she was unable to hear excessive barking. She also notes she made contact with Dog Owner Mr. Lopez and again, advised him about the barking dog complaints.
- March 7, 2013: Antioch Animal Services responds to a call for service regarding barking dogs (**See attached Event #13-020492**). Upon my arrival, I was able to hear both dogs barking from the backyard of 2905 Cashew Street I parked my vehicle adjacent to the address 2905 Cashew Street, in front of the neighboring house. I was able to confirm that both dogs on the property barked excessively from 6:40PM until my departing time of 7:00PM. The Dog Owners were not home at the time of the call and I was unable to make contact. I left a second Administrative Citation No. 30254 in the amount of \$200.00 for Violation of Antioch Municipal Code §6-1.18 Excessive Barking and advised on the citation that I was able to confirm excessive barking at the time of call for service (**See attached Administrative Citation No. 30254**).

RECOMMENDATION:

At the time of this writing, additional calls for service were requested and Officer Johnson responded and issued a third Administrative Citation for Excessive Barking (Event #13-023112). Due to the excessive and unabated barking, it is Staff's recommendation to uphold the Administrative Citation No. 30254 (*second citation issued*) for the Violations of Antioch Municipal Code § 6-1.18 Excessive Barking on March 07, 2013.

Antioch Police Department
Event Report

Page 1 of 2

Time: 03/13/2013 11:58:55

Event: 13-015879

Receive Time 02/21/2013 10:09:57						Clear Time 2/21/2013 2:29:55 PM		Call Taker ROMERO, ADA ID: 4675		Position AS10560	
Classification 1091M			Priority 4		How Receive P			Services Police			
Address CASHEW ST / BEECHNUT ST, ANTIOCH											
Po Agency PC		District		Beat 2		Station		Zone 209			
Name DAVID YOUNT						Phone					
Address						Info					
BARKING DOG. RP SAYS DOG HAS BEEN BARKING NON STOP SINCE 8:30AM											
Closing Class ANML		Event Dispo 6		Location		Unit Code		Agency: Case Number PD:		Primary Staff JOHNSON, GABRIELLE 4486	
Time 02/21/2013 10:46:40				Operator SPAINHOWER, MARLA ID: 3793				Position CAD3			
Supplement W8 ADV D											
Time 02/21/2013 12:25:57				Operator SPAINHOWER, MARLA ID: 3793				Position CAD3			
Supplement W8 ADV D											
Time 02/21/2013 13:59:28		Unit K4		Status D		Operator GIRARD, JEANNINE ID: 3951				Position CAD4	
Time 02/21/2013 13:59:32		Unit K4		Status 49E		Operator JOHNSON, GABRIELLE ID: 4486				Position VM765	
Time 02/21/2013 14:07:59		Unit K4		Status 97E		Operator JOHNSON, GABRIELLE ID: 4486				Position VM765	
Time 02/21/2013 14:10:31				Operator JOHNSON, GABRIELLE ID: 4486				Position VM765			
Supplement PARKED IN BETWEEN 2909 AND 2015 NO BARKING HEARD											
Time 02/21/2013 14:12:44				Operator JOHNSON, GABRIELLE ID: 4486				Position VM765			
Supplement STREET IS QUIET. SMALL NATIVE BIRDS IN BUSH NEXT TO VEHICLE CHIRPING, NO OTHER ANIMAL SOUNDS HEARD											
Time 02/21/2013 14:23:14				Operator JOHNSON, GABRIELLE ID: 4486				Position VM765			
Supplement A WOMEN WALKED BY WITH A STROLLER TALKING ON THE PHONE. NO BARKING HEARD FROM											
Time 02/21/2013 14:25:10				Operator JOHNSON, GABRIELLE ID: 4486				Position VM765			
Supplement A SINGLE DOG CAN BE HEARD BARKING OFF IN THE DISTANCE, UNABLE TO LOCATE WICH DIRECTION. STILL NO ANIMAL NOISES FROM ADDRESSES AT MY LOCATION.											

**Antioch Police Department
Event Report**

Page 2 of 2

Time: 03/13/2013 11:58:55

Event: 13-015879

Time 02/21/2013 14:27:36		Operator JOHNSON, GABRIELLE ID: 4486		Position VM765	
Supplement NO ANIMAL NOISES OR BARKING NOISES HEARD.					
Time 02/21/2013 14:29:55		Unit K4		Dissociate Status D	
Police Unit K4		Staff JOHNSON, GABRIELLE ID: 4486			
	Event	Police			
Receive	02/21/2013 10:09:57				
Save	02/21/2013 10:10:43				
Dispatch	02/21/2013 13:59:28	02/21/2013 13:59:28			
Enroute	02/21/2013 13:59:32	02/21/2013 13:59:32			
Arrive	02/21/2013 14:07:59	02/21/2013 14:07:59			
Last Clear	02/21/2013 14:29:55	02/21/2013 14:29:55			
No. of Units	1	1			

Antioch Police Department
Event Report

Page 1 of 2

Time: 03/13/2013 11:59:55

Event: 13-016044

Receive Time 02/21/2013 18:11:36	Clear Time 2/21/2013 7:18:00 PM	Call Taker NORRIS, VINCE ID: 4500	Position CAD6
Classification 415BD	Priority 4	How Receive P	Services Police
Address CASHEW ST / BEECHNUT ST, ANTIOCH			
Police Agency PD	District	Beat 2	Station 209
Name DAVID YOUNT		Phone	
Address ALMONDRIDGE DR, ANTIOCH		Info	
DOG BARKING AT HIS LOCATION..PER EMAIL ON CALL ANIMAL CONTROL IS TO BE CALLED OUT..			
Closing Class ANML	Event Dispo 9	Location	Unit Code
Agency: Case Number PD:		Primary Staff JOHNSON, GABRIELLE 4486	
Time 02/21/2013 18:18:54	Unit K4	Status D	Operator JOHNSON, GABRIELLE ID: 4486
Time 02/21/2013 18:23:03	Unit K4	Status D	Operator ESQUIBELL, RACHELLE ID: 5205
Time 02/21/2013 18:23:33	Unit K4	Status 49E	Operator JOHNSON, GABRIELLE ID: 4486
Time 02/21/2013 18:33:30	Unit K4	Status 97E	Operator JOHNSON, GABRIELLE ID: 4486
Time 02/21/2013 18:34:34	Operator JOHNSON, GABRIELLE ID: 4486		Position VM761
Supplement NO BARKING ON ARRIVAL IM PARKED INFRONT OF CASHEW			
Time 02/21/2013 18:35:55	Operator JOHNSON, GABRIELLE ID: 4486		Position VM761
Supplement NEIGHBORS ACCROSS THE WAY FROM ARE WORKING OUT OF THEIR GARAGE			
Time 02/21/2013 18:38:25	Operator JOHNSON, GABRIELLE ID: 4486		Position VM761
Supplement GARAGE DOOR CLOSED A FEW BARKS FROM BUT STOP AND WAS NOT EXCESSIVE.			
Time 02/21/2013 18:40:28	Operator JOHNSON, GABRIELLE ID: 4486		Position VM761
Supplement ANOTHER GARAGE DOOR OPENED DOG BARKED EITHER FROM OR UNABLE TO TELL			
Time 02/21/2013 18:42:12	Operator JOHNSON, GABRIELLE ID: 4486		Position VM761
Supplement TWO DOGS ARE NOW BARKING FROM DIFFRENT YARDS POSS FROM NEXT STREET OVER. BOTH DOGS WENT BACK A FORTH AND THAN STOPPED.			
Time 02/21/2013 18:47:20	Operator JOHNSON, GABRIELLE ID: 4486		Position VM761

**Antioch Police Department
Event Report**

Page 2 of 2

Time: 03/13/2013 11:59:55

Event: 13-016044

Supplement			
REAR LIGHT IN YARD BEHIND. IS ON DOG FROM. BARKED NEAR BACK FENCE THAN BARKING STOPPED.			
Time	Operator		Position
02/21/2013 18:50:49	JOHNSON, GABRIELLE ID: 4486		VM761
Supplement			
DOG IS BARKING ON AND OFF FROM SOUNDS LIKE THE SHEP FROM THIS ADDRESS			
Time	Operator		Position
02/21/2013 19:09:31	JOHNSON, GABRIELLE ID: 4486		VM761
Supplement			
NO BARKING HEARD IN A WHILE. NO EXCESSIVE BARKING HEARD			
Time	Operator		Position
02/21/2013 19:17:23	JOHNSON, GABRIELLE ID: 4486		VM761
Supplement			
ONCE I GOT OUT OF THE CAR AND MOVED TOWARD THE HOUSE THE DOG STARTED BARKING. I LEFT MY CARD ON THE FRONT DOOR NO ONE IS HOME. DOG WAS OBSERVED BARKING ON A FEW OCCASIONS BUT NOTHING EXCESSIVE DURING THE BARKING PERIODS. THE DOG IS REACTIVE TO OTHER SOUNDS			
Time	Unit	Dissociate Status	
02/21/2013 19:18:00	K4	19	
Police Unit	Staff		
K4	JOHNSON, GABRIELLE ID: 4486		
	Event	Police	
Receive	02/21/2013 18:11:36		
Save	02/21/2013 18:12:21		
Dispatch	02/21/2013 18:18:54	02/21/2013 18:18:54	
Enroute	02/21/2013 18:23:33	02/21/2013 18:23:33	
Arrive	02/21/2013 18:33:30	02/21/2013 18:33:30	
Last Clear	02/21/2013 19:18:00	02/21/2013 19:18:00	
No. of Units	1	1	

**Antioch Police Department
Event Report**

Page 1 of 2

Time: 03/13/2013 12:00:09

Event: 13-016091

Receive Time 02/21/2013 20:45:39					Clear Time 2/21/2013 10:32:39 PM		Call Taker ESQUIBELL, RACHELLE ID: 5205		Position CAD2																			
Classification 415BD		Priority 4		How Receive P		Services Police																						
Address CASHEW ST / BEECHNUT ST, ANTIOCH																												
Police Agency PD		District		Beat 2		Station		Zone 209																				
Name YOUNT, DAVID																												
Phone																												
Address ALMONDRIDGE DR, ANTIOCH																												
Info Contact																												
<p>RP CALLED BACK VERY UPSET SAID DOG IS STILL BARKING...REQ OFCR RESPOND...RP IS REQ CONTACT</p>																												
Closing Class ANML		Event Dispo 9		Location		Unit Code		Agency: Case Number PD:		Primary Staff GONZALEZ, ADRIAN 4336																		
Time 02/21/2013 22:18:28		Unit Z2		Status D		Operator GIRARD, JEANNINE ID: 3951				Position CAD4																		
Time 02/21/2013 22:19:35		Unit Z2		Status 49E		Operator GONZALEZ, ADRIAN ID: 4336				Position VM30																		
Time 02/21/2013 22:28:40		Unit Z2		Status 97E		Operator GONZALEZ, ADRIAN ID: 4336				Position VM30																		
Time 02/21/2013 22:30:09						Operator GONZALEZ, ADRIAN ID: 4336				Position VM30																		
Supplement DAVID YOUNT JUST WANTS CONTACT FROM AC OFFICER SOUTHERLAND. HE WANTS TO BE CONTACTED AT WHEN I ARRIVED I HEARD NO DOG.																												
Time 02/21/2013 22:32:39		Unit Z2		Dissociate Status 8																								
Police Unit Z2		Staff GONZALEZ, ADRIAN ID: 4336																										
<table border="1"> <thead> <tr> <th></th> <th>Event</th> <th>Police</th> </tr> </thead> <tbody> <tr> <td>Receive</td> <td>02/21/2013 20:45:39</td> <td></td> </tr> <tr> <td>Save</td> <td>02/21/2013 20:48:27</td> <td></td> </tr> <tr> <td>Dispatch</td> <td>02/21/2013 22:18:28</td> <td>02/21/2013 22:18:28</td> </tr> <tr> <td>Enroute</td> <td>02/21/2013 22:19:35</td> <td>02/21/2013 22:19:35</td> </tr> <tr> <td>Arrive</td> <td>02/21/2013 22:28:40</td> <td>02/21/2013 22:28:40</td> </tr> </tbody> </table>												Event	Police	Receive	02/21/2013 20:45:39		Save	02/21/2013 20:48:27		Dispatch	02/21/2013 22:18:28	02/21/2013 22:18:28	Enroute	02/21/2013 22:19:35	02/21/2013 22:19:35	Arrive	02/21/2013 22:28:40	02/21/2013 22:28:40
	Event	Police																										
Receive	02/21/2013 20:45:39																											
Save	02/21/2013 20:48:27																											
Dispatch	02/21/2013 22:18:28	02/21/2013 22:18:28																										
Enroute	02/21/2013 22:19:35	02/21/2013 22:19:35																										
Arrive	02/21/2013 22:28:40	02/21/2013 22:28:40																										

Antioch Police Department
Event Report

Page 2 of 2

Time: 03/13/2013 12:00:09

Event: 13-016091

Last Clear	02/21/2013 22:32:39	02/21/2013 22:32:39	
No. of Units	1	1	

Antioch Police Department
Event Report

Page 1 of 2

Time: 03/13/2013 12:00:51

Event: 13-016420

<div> <div>Receive Time</div> <div>02/22/2013 20:42:29</div> </div> <div> <div>Clear Time</div> <div>2/22/2013 9:51:33 PM</div> </div> <div> <div>Call Taker</div> <div>LEE, JENNIFER ID: 4460</div> </div> <div> <div>Position</div> <div>CAD4</div> </div>									
<div> <div>Classification</div> <div>415BD</div> </div>		<div> <div>Priority</div> <div>4</div> </div>		<div> <div>How Receive</div> <div>P</div> </div>		<div> <div>Services</div> <div>Police</div> </div>			
<div>Address</div> <div>CASHEW ST / BEECHNUT ST, ANTIOCH</div>									
<div> <div>Police Agency</div> <div>PD</div> </div>		<div> <div>District</div> <div></div> </div>		<div> <div>Beat</div> <div>2</div> </div>		<div> <div>Station</div> <div></div> </div>		<div> <div>Zone</div> <div>209</div> </div>	
<div>DOGS ARE BARKING AGAIN,,, UNSURE IF OWNERS ARE HOME</div>									
<div> <div>Closing Class</div> <div>ANML</div> </div> <div> <div>Event Dispo</div> <div>6</div> </div> <div> <div>Location</div> <div></div> </div> <div> <div>Unit Code</div> <div></div> </div> <div> <div>Agency: Case Number</div> <div>PD:</div> </div> <div> <div>Primary Staff</div> <div>JOHNSON, GABRIELLE 4486</div> </div>									
<div> <div>Time</div> <div>02/22/2013 20:45:37</div> </div>				<div> <div>Operator</div> <div>LEE, JENNIFER ID: 4460</div> </div>		<div> <div>Position</div> <div>CAD4</div> </div>			
<div> <div>Supplement</div> <div>K4 ADVD AND WILL BE 49</div> </div>									
<div> <div>Time</div> <div>02/22/2013 20:53:39</div> </div>		<div> <div>Unit</div> <div>K4</div> </div>	<div> <div>Status</div> <div>D</div> </div>	<div> <div>Operator</div> <div>JOHNSON, GABRIELLE ID: 4486</div> </div>		<div> <div>Position</div> <div>VM761</div> </div>			
<div> <div>Time</div> <div>02/22/2013 20:56:27</div> </div>		<div> <div>Unit</div> <div>K4</div> </div>	<div> <div>Status</div> <div>49E</div> </div>	<div> <div>Operator</div> <div>JOHNSON, GABRIELLE ID: 4486</div> </div>		<div> <div>Position</div> <div>VM761</div> </div>			
<div> <div>Time</div> <div>02/22/2013 21:08:31</div> </div>		<div> <div>Unit</div> <div>K4</div> </div>	<div> <div>Status</div> <div>97E</div> </div>	<div> <div>Operator</div> <div>JOHNSON, GABRIELLE ID: 4486</div> </div>		<div> <div>Position</div> <div>VM761</div> </div>			
<div> <div>Time</div> <div>02/22/2013 21:09:11</div> </div>				<div> <div>Operator</div> <div>JOHNSON, GABRIELLE ID: 4486</div> </div>		<div> <div>Position</div> <div>VM761</div> </div>			
<div> <div>Supplement</div> <div>NO BARKING HEARD ON ARRIVAL</div> </div>									
<div> <div>Time</div> <div>02/22/2013 21:10:49</div> </div>				<div> <div>Operator</div> <div>JOHNSON, GABRIELLE ID: 4486</div> </div>		<div> <div>Position</div> <div>VM761</div> </div>			
<div> <div>Supplement</div> <div>GARAGE LIGHT IS ON AT .LOOKS LIKE THE DOGS HAVE ACCESS TO THE GARAGE AND BACK YARD</div> </div>									
<div> <div>Time</div> <div>02/22/2013 21:14:56</div> </div>				<div> <div>Operator</div> <div>JOHNSON, GABRIELLE ID: 4486</div> </div>		<div> <div>Position</div> <div>VM761</div> </div>			
<div> <div>Supplement</div> <div>CAT IS CRYING IN THE AREA DOG STARTED BARKING A LITTLE. SEEMS LIKE OWNERS ARE HOME AND WALKED FROM HOUSE TO SIDE YARD AND DOG WAS QUITE</div> </div>									
<div> <div>Time</div> <div>02/22/2013 21:17:59</div> </div>				<div> <div>Operator</div> <div>JOHNSON, GABRIELLE ID: 4486</div> </div>		<div> <div>Position</div> <div>VM761</div> </div>			
<div> <div>Supplement</div> <div>THE CAT IS STILL CRYING EXTREMELY LOUD FROM NEAR MY LOCATION.BUT DOG IS NOT BARKING.</div> </div>									
<div> <div>Time</div> <div>02/22/2013 21:23:21</div> </div>				<div> <div>Operator</div> <div>JOHNSON, GABRIELLE ID: 4486</div> </div>		<div> <div>Position</div> <div>VM761</div> </div>			
<div> <div>Supplement</div> <div>SMALL DOG CAN BE HEARD BARKING IN THE DISTANCE POSS NEXT STREET OVER.</div> </div>									
<div> <div>Time</div> <div>02/22/2013 21:27:20</div> </div>				<div> <div>Operator</div> <div>JOHNSON, GABRIELLE ID: 4486</div> </div>		<div> <div>Position</div> <div>VM761</div> </div>			
<div> <div>Supplement</div> <div>SMALL DOG STILL BARKING OFF IN DISTANCE NO BARKING HEARD FROM</div> </div>									
<div> <div>Time</div> <div>02/22/2013 21:35:12</div> </div>				<div> <div>Operator</div> <div>JOHNSON, GABRIELLE ID: 4486</div> </div>		<div> <div>Position</div> <div>VM761</div> </div>			

**Antioch Police Department
Event Report**

Page 2 of 2

Time: 03/13/2013 12:00:51

Event: 13-016420

Supplement			
SOUNDS LIKE DOG IS NO LONGER OUTSIDE YARD IS VERY QUIET. OWNER MAY HAVE BROUGHT THE DOG INSIDE. GARAGE LIGHT IS OFF HOUSE LIGHTS			
Time 02/22/2013 21:48:36		Operator JOHNSON, GABRIELLE ID: 4486	
		Position VM761	
Supplement			
NO BARKING HEARD. OWNER WAS HOME AND TALKED TO HIM ABOUT THE DOG BARKING COMPLAINTS.			
Time 02/22/2013 21:51:33	Unit K4	Dissociate Status 19	
Police Unit K4		Staff JOHNSON, GABRIELLE ID: 4486	
	Event	Police	
Receive	02/22/2013 20:42:29		
Save	02/22/2013 20:43:37		
Dispatch	02/22/2013 20:53:39	02/22/2013 20:53:39	
Enroute	02/22/2013 20:56:27	02/22/2013 20:56:27	
Arrive	02/22/2013 21:08:31	02/22/2013 21:08:31	
Last Clear	02/22/2013 21:51:33	02/22/2013 21:51:33	
No. of Units	1	1	

Antioch Police Department
Event Report

Page 1 of 2

Time: 03/13/2013 12:01:24

Event: 13-020492

Receive Time 03/07/2013 18:34:49					Clear Time 3/7/2013 7:23:42 PM		Call Taker NORRIS, VINCE ID: 4500		Position CAD6	
Classification 415BD			Priority 4		How Receive P			Services Police		
Address CASHEW ST / BEECHNUT ST, ANTIOCH										
Police Agency PD			District		Beat 2		Station		Zone 209	
Name DAVID YOUNT						Phone				
Address ALMONDRIDGE DR, ANTIOCH						Info				
DOG BARKING....CALLOUT AC PER PREM INFO										
Closing Class ANML		Event Dispo 7		Location		Unit Code		Agency: Case Number PD:		Primary Staff ROMERO, ADA 4675
Time 03/07/2013 18:37:16				Operator NORRIS, VINCE ID: 4500				Position CAD6		
Supplement AC ADVISED										
Time 03/07/2013 18:41:36		Unit K3		Status D		Operator SOARES, ANITA ID: 3958			Position CAD3	
Time 03/07/2013 18:41:42		Unit K3		Status 49E		Operator ROMERO, ADA ID: 4675			Position VM761	
Time 03/07/2013 18:46:51		Unit K3		Status 97E		Operator ROMERO, ADA ID: 4675			Position VM761	
Time 03/07/2013 19:09:25				Operator ROMERO, ADA ID: 4675				Position VM761		
Supplement UPOUN MY ARRIVAL I WAS ABLE TO HEAR BOTH LARGE AND SMALL DOG EXCESSIVELY BARKING. I PARKED MY VAN IFO NEIGHBORS RES TO THE RIGHT OF CASHEW NEAR BEWARE OF DOG SIGN ON FENCE SIDE. I WAS ABLE TO CONFIRM BARKING FROM 6:40 UNTILL MY DEPARTION TIME. NO ANSWER AT RES. LEFT CITE FOR D/O ALEJANDRO LOPEZ FOR EXCESSIVE BARKING AND ADVISED 2ND ADMIN WILL BE MAILED OUT AT \$200										
Time 03/07/2013 19:12:44		Unit K3		Dissociate Status 7OD						
Police Unit K3			Staff ROMERO, ADA ID: 4675							
Event		Police								
Receive		03/07/2013 18:34:49								
Save		03/07/2013 18:35:35								

Antioch Police Department
Event Report

Page 2 of 2

Time: 03/13/2013 12:01:24

Event: 13-020492

Dispatch	03/07/2013 18:41:36	03/07/2013 18:41:36	
Enroute	03/07/2013 18:41:42	03/07/2013 18:41:42	
Arrive	03/07/2013 18:46:51	03/07/2013 18:46:51	
Last Clear	03/07/2013 19:12:44	03/07/2013 19:12:44	
No. of Units	1	1	

1 CITY OF ANTIOCH
2 Third and "H" Streets
3 P.O. Box 5007
4 Antioch, CA 94531-5007
5 925-779-7015; FAX 925-779-7003

6 ADMINISTRATIVE CITATION APPEAL HEARING

7 ANTIOCH MUNICIPAL CODES: § 6-1.18

9 In re the Matter of:

10 ALEJANDRO LOPEZ [APPELLANT]

Uphold Administrative Citation for violation of
Antioch Municipal Code § 6-1.18

11 DECISION OF BOARD OF ADMINISTRATIVE
12 APPEALS

13
14 I. GENERAL FINDINGS:

- 15 1. Administrative Citation for violation of Antioch Municipal Code: § 6-1.18. At all relevant times
16 Appellant was the sole owner of both dogs and/or the responsible party.
- 17 2. Appellant appealed the Administrative Citation for Antioch Municipal Code § 6-1.18, which is
18 the only item at issue for today's hearing.
- 19 3. An Administrative Appeals Board Hearing regarding the Appellant's appeal of the
20 Administrative Citation was set for April 11, 2013, and the Appellant was duly notified by the
21 City Clerk.

22 II. SPECIFIC FINDINGS:

23 An Administrative Appeals Board Hearing regarding Appellant's appeal of the Administrative
24 Citation was duly held on April 11, 2013, at 3:00PM. Evidence, both oral and documentary, was
25 taken and based on the preponderance of said evidence; the following specific findings are made:

- 26 1. On January 11, 2012, Antioch Animal Services receives a call for service regarding barking dogs.
27 No contact is able to be made with Dog Owners. A Notice to Correct is given for No Dog
28 Licensing, No Proof of Rabies Vaccination and Excessive Barking.
2. May 01, 2012- February 16, 2013: Antioch Police Department and Antioch Animal Services
receives and responds to multiple calls for service regarding barking dogs and excessive animal
noise. Some calls for service are closed with validation of noise and some are closed without
validation of noise. Dog Owners are advised on several occasions about excessive barking.

- 1 3. On February 16, 2013, Antioch Animal Services responds to a call for service regarding barking
2 dogs. Animal Control Officer Gomez is able to confirm excessive barking from residence for at
3 least twenty minutes. An Administrative Citation was issued for Violation of Antioch Municipal
4 Code § 6-1.18. Dog Owners were not home at time of call and were unavailable for contact.
- 5 4. February 21, 2013 and February 22, 2013: Additional calls for service regarding barking dogs are
6 received and responded to by Antioch Police Department and Antioch Animal Services. No
7 excessive barking is able to be confirmed.
- 8 5. On March 07, 2013 Antioch Animal Services responds to a call for service regarding barking
9 dogs. Animal Control Officer Gomez is able to confirm excessive barking and documents time
10 frame between 6:40PM until departing time of call for service 7:00PM. A SECOND
11 Administrative Citation was issued for the Violation of Antioch Municipal Code § 6-1.18. Dog
12 Owners were not home at time of call and were unavailable for contact.
- 13 6. The City has the ability to issue an Administrative Citation pursuant to Antioch Municipal Code
14 §6-1.18 No person shall allow any dog he owns, keeps, harbors, or controls within the City to
15 bark or howl with such frequency, or in such a manner, as to disturb the peace of the immediate
16 neighborhood.

17 Based on a preponderance of evidence, the Board finds that there was probable cause for the City to issue an
18 Administrative Citation and the appeal is denied.

19 III. NOTICE:

20 Notice of this decision shall be given to the Appellant, by mailing a copy of these Findings and
21 Decision by first class U.S. Mail, addressed to Alejandro Lopez, 2905 Cashew Street, Antioch, CA,
22 94509.

23 Dated: April 11, 2013

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CHAIRPERSON OF THE BOARD

Notice of Right To Appeal Decision: Any person aggrieved by an Administrative Board of Appeals may obtain
review of the decision by the Contra Costa Superior Court, 725 Court Street, Martinez, CA, 94553, by filing with
the Court a petition for writ of mandate pursuant to section 1094.6 of the California Government Code.

1 CITY OF ANTIOCH
2 Third and "H" Streets
3 P.O. Box 5007
4 Antioch, CA 94531-5007
5 925-779-7015; FAX 925-779-7003

6 ADMINISTRATIVE CITATION APPEAL HEARING

7 ANTIOCH MUNICIPAL CODES: § 6-1.18

8
9 In re the Matter of:

10 ALEJANDRO LOPEZ [APPELLANT]

Uphold Administrative Citation for Violation of
Antioch Municipal Code § 6-1.18

CITATION # 30251

DECISION OF BOARD OF ADMINISTRATIVE
APPEALS

11
12
13 I. GENERAL FINDINGS:

- 14
- 15 1. Administrative Citation for violation of Antioch Municipal Code: § 6-1.18. At all relevant times
16 Appellant was the sole owner of both dogs and/or the responsible party.
 - 17 2. Appellant appealed the Administrative Citation for Antioch Municipal Code § 6-1.18, which is
18 the only item at issue for today's hearing.
 - 19 3. An Administrative Appeals Board Hearing regarding the Appellant's appeal of the
20 Administrative Citation was set for April 11, 2013, and the Appellant was duly notified by the
21 City Clerk.

22 II. SPECIFIC FINDINGS:

23 An Administrative Appeals Board Hearing regarding Appellant's appeal of the Administrative
24 Citation was duly held on April 11, 2013, at 3:00 PM. Evidence, both oral and documentary, was
25 taken and based on the preponderance of said evidence, the following specific findings are made:

- 26 1. On January 11, 2012, Antioch Animal Services receives a call for service regarding barking dogs.
27 No contact is able to be made with Dog Owners. A Notice to Correct is given for No Dog
28 Licensing, No Proof of Rabies Vaccination and Excessive Barking.

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2. May 01, 2012- February 16, 2013: Antioch Police Department and Antioch Animal Services receives and responds to multiple calls for service regarding barking dogs and excessive animal noise. Some calls for service are closed with validation of noise and some are closed without validation of noise. Dog Owners are advised on several occasions about excessive barking.
 3. On February 16, 2013: Antioch Animal Services responds to a call for service regarding barking dogs. Animal Control Officer Gomez is able to confirm excessive barking from residence for at least twenty minutes. An Administrative Citation was issued for Violation of Antioch Municipal Code § 6-1.18. Dog Owners were not home at time of call and were unavailable for contact.
 4. The City has the ability to issue an Administrative Citation pursuant to Antioch Municipal Code §6-1.18 No person shall allow any dog he owns, keeps, harbors, or controls within the City to bark or howl with such frequency, or in such a manner, as to disturb the peace of the immediate neighborhood.

11 Based on a preponderance of evidence, the Board finds that there was probable cause for the City to issue an
12 Administrative Citation and the appeal is denied.

13 III. NOTICE:

14 Notice of this decision shall be given to the Appellant, by mailing a copy of these Findings and
15 Decision by first class U.S. Mail, addressed to Alejandro Lopez, 2905 Cashew Street, Antioch, CA,
16 94509.

17 Dated: April 11, 2013

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CHAIRPERSON OF THE BOARD

20 **Notice of Right To Appeal Decision:** Any person aggrieved by an Administrative Board of Appeals may obtain
21 review of the decision by the Contra Costa Superior Court, 725 Court Street, Martinez, CA, 94553, by filing with
the Court a petition for writ of mandate pursuant to section 1094.6 of the California Government Code.

City of Antioch
Citation Appeal Application

RECEIVED

MAR 18 2013

CITY OF ANTIOCH
CITY CLERK

CITY OF ANTIOCH
ATTN: CITY CLERK
P.O. BOX 5007
ANTIOCH, CA 94531-5007
(925) 779-7009

Date of Citation: 02-16-13

Citation #: 30251

Name: Alejandro López

Property Address: 2905 Cashew street
Antioch, CA 94509

Mailing Address: Same as above

Home Phone:

Work Phone:

REASON FOR APPEAL

I have attached my reason on a separate sheet as well as a copy of a petition

Signature

A López

Date

3/16/2013

The reason for appealing both of these citations is because my dogs are not a nuisance, and do not deserve to be treated as so. My dogs are being aggravated to bark by my neighbor directly behind my property "2912 Almondridge Drive". I have personally caught the neighbor bagging and sweeping our a joining fence at night in the complete darkness, there for causing my dogs to bark. He calls animal control services and then goes to he's yard to assure my dogs continue to bark, so the officer responding can confirm the barking. I've collected signatures for a petition that I've put together concerning the so called consecutive barking. I went around the entire street I live on as well as Almondridge Drive because that's where the complaints have come from. I collected 23 plus signatures stating my dogs are not a nuisance to our neighborhood. I find myself in a difficult position to pay these fines, while having other expenses in life to pay. This has been going on for a year and a half. We were told the individual complaining felt animal services was not doing there job and spoke to there lieutenant in charge. About a week later of being told that that's when the citations started. I all so want to state I purchased 2 anti bark collars last year, I have all so purchased a outside anti bark device for my back yard this year and my dogs and birds are put in at night and are not let out until 10am or so sense the neighbors complaint started in the January 2012.

CITY OF ANTIOCH
925-779-7055

REC#: 00579484 3/18/2013 1:49 PM
OPER: AJ3 TERM: 003
REF#: 307

TRAN: 176.0000 ANIMAL Citation fees
JEANNETTE LOPEZ
CIT #30251
Late Fee 100.00CR

TENDERED: 100.00 CHECK
APPLIED: 100.00-

CHANGE: —

3/16/2013

Mr. & Mrs. Lopez
2905 Cashew Street, Antioch Ca, 94509

Petition:

We are owners to property address stated above, we own a small and a Large dog as well as some small parakeets. Its come to our attention that one of our neighbors has had a few issues with the dogs barking and the birds chirping. As neighbors we would like to ask for signatures to support that our pets are not a problem or a nuisance to our neighborhood.

We the undersigned are neighbors to Mr. & Mrs. Lopez and affirm that I have never been disturbed by their dogs barking or their Birds chirping.

Name:	Address: # & street	Signature:
Dilbert O. Scott Sr.	2852 Cashew St	Wyl [Signature]
Hudne Brewer	2904 Cashew St.	Ann Brewer [Signature]
ROQUE JALINOS	2800 Cashew St	ROQUE JALINOS [Signature]
John Alekunjio	2908 Cashew St.	John Alekunjio [Signature]
Lee Naranjo	2912 Cashew St.	Lee Naranjo [Signature]
ERIE POIR	2904 CASHW ST 94509	[Signature]
Sharon Wilson	2901 Cashew St 94509	Sharon Wilson [Signature]
Barry Powell	2916 Cashew St 94509	Barry Powell [Signature]
Shaquana Monroe	2927 CASHW ST 94509	Shaquana Monroe [Signature]
JOHN LINDENST	2920 ALMONDRIDGE DR 94509	[Signature]
Bill Nelson	2916 Almondridge Dr 94509	Bill Nelson [Signature]
Paul Sherman	2908 Almondridge Dr 94509	Paul Sherman [Signature]
Vicent Rodriguez	2904 Almondridge Dr	Vicent Rodriguez [Signature]
Samantha Canha	2900 Almondridge Dr.	Samantha Canha [Signature]
Steven A. Rodriguez	2904 Almondridge Dr. Ant 94509	Steven A. Rodriguez [Signature]
Jaydy Tapia	2824 Almondridge Dr Ant.	Jaydy Tapia [Signature]
MARCO BUSTITA	2816 ALMONDRIDGE DR ANT	[Signature]
STEVEN JOHNSON	2820 ALMONDRIDGE DR ANT.	[Signature]

**ADMINISTRATIVE
CITATION**

Citation # **30251**

City of Antioch

- ☐ Police Department - (925) 779-6981
☒ Animal Control - (925) 779-6989
☐ Code Enforcement (NIS) - (925) 779-7042
☐ Neighborhood Improvement Program (NIP) - (925) 779-6166

Date of Violation 2-10-13 Time 9 ☐ AM ☒ PM Day of Week Sat

Location of Violation 2905 Cashew St.

Citation Issued To (owner/resident/business) Alexandro Lopez Date Issued

Address if different than violation

City Antioch State CA Zip 94509

Driver's License State DOB

Vehicle License State Year Make Model Color

You are being issued an Administrative Citation for the above violation(s). Additional violations may result in additional Administrative fines and/or legal action.

- ☒ 1st Violation \$100.00
☐ 2nd Violation \$200.00/\$500.00
☐ 3rd Violation \$500.00/\$1,000.00
- Refer to the back of this citation for information on paying the amount indicated.

AMC Violation Code Section	Description of Violation(s)	Fine Amount(s)
<u>6-1.18</u>	<u>excessive barking</u>	<u>\$ 100.00</u>
		\$
		\$
		\$
		\$
		\$

TOTAL DUE: \$ 100.00

Notes:

Issuing Officer A. Gomez ID number 4675 Date 2-10-13

TO AVOID ADDITIONAL CITATIONS, YOU MUST ABATE THE ABOVE VIOLATION(S) ON OR BEFORE:

Questions regarding this citation, call the issuing Department above. Mail payment to:

City of Antioch
Finance Department
P.O. Box 5007
Antioch, CA 94531-5007

To pay in person, the Cashiers are located on the first Floor of City Hall, Third & "H" Streets, Antioch, California
Monday - Thursday - 8:00 a.m. - 5:00 p.m., (subject to change) except holidays.

REV. 10/11

See Reverse Side

NIS COPY

**STAFF REPORT TO THE BOARD OF ADMINISTRATIVE APPEALS FOR
CONSIDERATION AT THE HEARING OF APRIL 11, 2013**

PREPARED BY: Ada Gomez, Animal Control Officer
DATE: April 4, 2013
SUBJECT: Administrative Citation No. 30251
Issued on February 16, 2013 – 2905 Cashew Street
Violation of Antioch Municipal Code § 6-1.18 - Excessive Barking Dog

REQUEST:

Appellate Alejandro Lopez requests a hearing to appeal the decision of Administrative Citation Number 30251 issued on February 16, 2013 citing Violation of the Antioch Municipal Code:

§6-1.18 BARKING OR HOWLING DOGS: *No person shall allow any dog which he owns, keeps, harbors, or controls within the City to bark or howl with such frequency, or in such manner, as to disturb the peace of the immediate neighborhood.*

BACKGROUND INFORMATION:

Responsible Dog Owner:

Alejandro Lopez – 2905 Cashew Street, Antioch CA, 94509

- January 11, 2012: Antioch Animal Services responds to a call for service regarding excessive barking dogs (**See attached Event #12-003304**). Reporting party complains that there are two dogs on the property that bark all day and night. Contact was unable to be made with Dog Owner at that time. A Notice to Correct was left for No Dog Licenses (x 2 dogs) and No Proof of Rabies (x 2 dogs). Dog Owners were advised about barking complaints on Notice to Correct.
- May 1, 2012: Antioch Animal Services responds to a call for service regarding two barking dogs as well as loud birds (**See attached Event #12-039262**). A Notice to Correct is left by ACO Johnson (**See attached citation #26-C131109**). ACO Johnson was able to make contact with Animal Owner Alejandro Lopez and advised him of the noise complaints.

Citation # 30251 – LOPEZ

- October 2, 2012: Antioch Animal Services responds to a call for service regarding barking dogs and loud birds (**See attached Event #12-092995**). No barking dogs were heard.
- November 11, 2012: Antioch Police Department responds to a call for service regarding loud birds (**See attached Event #12-106371**). APD Officer Kidd closes the call and notes that he was unable to make contact with residents at 2905 Cashew Street but did hear a loud bird in backyard.
- December 3, 2012: Antioch Police Department responds to a call for service regarding loud bird (**See attached Event #12-113281**). APD Officer Kidd closes the call and notes he heard a bird in the backyard of residence. Officer Kidd also notes he was able to make contact with residents at 2905 Cashew Street.
- December 9, 2012: Antioch Police Department responds to a call for service regarding a loud bird and barking dogs from 2905 Cashew Street (**See attached Event #12-115217**). APD Officer Chang closes the call and is unable to hear barking dogs or bird noise from the residence.
- February 16, 2013; 4:56PM: Antioch Animal Services responds to a call for service regarding an ongoing animal noise complaint (**See attached Event # 13-014487**). ACO Johnson closes the call and is unable to hear excessive animal noises.
- February 16, 2013; 10:07PM: *Antioch Animal Services responds to a call for service regarding barking dogs (**See attached Event #13-014563**). The Neighborhood was quiet for the first 15 minutes while I was on scene, but then both dogs started barking from the backyard of 2905 Cashew Street and continued for the next 20 minutes (mostly large dog barking). I was unable to make contact with the Dog Owners at the time of the call due to the residents not being home. I left Administrative Citation No. 30251 in the amount of \$100.00 for Violation of Antioch Municipal Code §6-1.18: Excessive Barking and advised the owner on the citation that I was able to confirm excessive barking at the time of the call for service (**See attached Administrative Citation # 30251**).*

RECOMMENDATION:

At the time of this writing, additional calls for service were requested. Due to the excessive and unabated barking, it is Staff's recommendation to uphold the Administrative Citation No. 30251 for the Violations of Antioch Municipal Code § 6-1.18 Excessive Barking on February 16, 2013.

Antioch Police Department
Event Report

Page 1 of 2

Time: 03/13/2013 11:54:07

Event: 12-003304

DISPATCH INFORMATION				
Receive Time 01/11/2012 12:51:41	Clear Time 1/11/2012 4:33:59 PM	Call Taker HELGEMO, MONIKA ID: 1950	Position AS10559	
Classification 1091M	Priority 4	How Receive P	Services Police	
Address CASHEW ST / ALMONDRIDGE DR, ANTIOCH				
Police Agency PD	District	Beat 2	Station	Zone 209
REPORTING INFORMATION				
Name DAVID YOUNG			Phone	
Address			Intro	
1 LARGE 1 SMALL DOG BARKING ALL DAY AND NIGHT. THEY JUST MOVED IN A COUPLE OF MONTHS AGO. 2 ND COMPLAINT. NO DOGS CURR				
DISPOSITION				
Closing Class ANML	Event Dispo 9	Location	Unit Code	Agency: Case Number PD: ROMERO, ADA 4675
SUPPLEMENTAL INFORMATION				
Time 01/11/2012 16:13:36	Unit K4	Status D	Operator IMPASTATO, NICKI ID: 4317	Position CAD5
Time 01/11/2012 16:13:40	Unit K4	Status 49E	Operator ROMERO, ADA ID: 4675	Position VM761
Time 01/11/2012 16:26:43	Unit K4	Status 97E	Operator ROMERO, ADA ID: 4675	Position VM761
Time 01/11/2012 16:33:56			Operator ROMERO, ADA ID: 4675	Position VM761
Supplement NO ANSWER AT RES LEFT CITE FOR NO LICX2 AND NO PROOF OF RABIES WITH CARD FOR CONTACT ALSO ADVISED ABOUT BARKING COMPLAINTS				
Time 01/11/2012 16:33:59	Unit K4	Dissociate Status 8		
RELEASE				
Police Unit K4	Staff ROMERO, ADA ID: 4675			
DISPATCH HISTORY				
	Event	Police		
Receive	01/11/2012 12:51:41			
Save	01/11/2012 12:54:07			
Dispatch	01/11/2012 16:13:36	01/11/2012 16:13:36		
Enroute	01/11/2012 16:13:40	01/11/2012 16:13:40		

Antioch Police Department
Event Report

Page 2 of 2

Time: 03/13/2013 11:54:07

Event: 12-003304

Arrive	01/11/2012 16:26:43	01/11/2012 16:26:43	
Last Clear	01/11/2012 16:33:59	01/11/2012 16:33:59	
No. of Units	1	1	

**Antioch Police Department
Event Report**

Page 1 of 2

Time: 03/23/2013 09:27:31

Event: 12-039262

RECEIVED INFORMATION					
Receive Time 05/01/2012 12:08:07		Clear Time 5/1/2012 1:13:44 PM		Call Taker SUTHERLAND, ANDREA ID: 2972	
Position AS10560		Classification 1091M		Priority 4	
How Receive P		Services Police			
Address CASHEW ST / ALMONDRIDGE DR, ANTIOCH					
Police Agency PD		District		Beat 2	
Station		Zone 209			
MEMORANDUM PARTIES					
Name REFUSED				Phone	
Address				Info	
EXCERPTS - COMPLAINT					
BARKING COMPLAINT AT THIS ADDRESS AND TWO LOUD PARROTS AS WELL. RP CAN NOT GET ANY SLEEP.					
DISPOSITION					
Closing Class ANML		Event Dispo 7		Location	
Unit Code		Agency: Case Number PD:		Primary Staff JOHNSON, GABRIELLE 4486	
INVESTIGATION / SUPPLEMENT					
Time 05/01/2012 12:15:48			Operator REZENTES, KAREN ID: 2315		Position CAD4
Supplement NOT A BITE PER MONICA					
Time 05/01/2012 12:31:09		Unit K5	Status D	Operator SOARES, ANITA ID: 3958	
Position CAD3		Unit K5		Status 49E	
Operator JOHNSON, GABRIELLE ID: 4486		Position VM765			
Time 05/01/2012 12:37:57		Unit K5	Status 97E	Operator JOHNSON, GABRIELLE ID: 4486	
Position VM765		Unit K5		Status 97E	
Operator JOHNSON, GABRIELLE ID: 4486		Position VM765			
Time 05/01/2012 12:49:41			Operator JOHNSON, GABRIELLE ID: 4486		Position VM765
Time 05/01/2012 13:11:51			Operator JOHNSON, GABRIELLE ID: 4486		Position VM765
Supplement VIOLATION WAS LEFT FOR BARKING DOGS. D/O WAS UNSET THAT HIS NEIGHBORS DONT COME AND TALK TO HIM ABOUT HIS DOGS. HE WOULD LIKE TO KNOW WHO IT IS OR IF I CAN CALL AND TELL THEM NOT TO CALL US BUT TO COME TO HIM. HE TELLS THE CITY IS GETTING HIM JUST FOR HIS MONEY AND HIS WIFE SAYS THAT SHE IS HOME ALL DAY AND THE DOGS DONT BARK. THEY WANT TO FIGHT IT AND I GAVE THEM THE AAS NUMBER TO CALL. AND MY NAME.					
Time 05/01/2012 13:13:43		Unit K5		Dissociate Status D	
12-0392					
Police Unit K5		Staff JOHNSON, GABRIELLE ID: 4486			
12-0392					
Event		Police			
Receive 05/01/2012 12:08:07					
Save 05/01/2012 12:09:24					

Antioch Police Department
Event Report

Page 2 of 2

Time: 03/23/2013 09:27:31

Event: 12-039262

Dispatch	05/01/2012 12:31:09	05/01/2012 12:31:09	
Enroute	05/01/2012 12:37:57	05/01/2012 12:37:57	
Arrive	05/01/2012 12:49:41	05/01/2012 12:49:41	
Last Clear	05/01/2012 13:13:43	05/01/2012 13:13:43	
No. of Units	1	1	

26-C131109

☐ NOTICE TO APPEAR
☒ NOTICE TO CORRECT

CITY OF ANTIOCH

ANTIOCH POLICE DEPT.
 ANTIOCH ANIMAL SERVICES
 300 "L" STREET
 ANTIOCH, CA 94509
 779-6989

DOCKET NO./C.R. NO.

DATE	10/2	2012	TIME	3:56 PM	DAY OF WEEK	Tue	
NAME FIRST, MIDDLE, LAST	Alejandro Lopez						
RES	Cashew St						
CITY							
BL	ISS ADDRESS					PHONE	
DRIVERS LICENSE NO.	STATE			CLASS	BIRTHDATE		
SEX	M	F	HAIR	EYES	HEIGHT	WEIGHT	OTHER DES.
DESCRIPTION OF ANIMAL(S)						LICENSE NO.	
German Shep Parrot							

OWNER IF DIFFERENT FROM ABOVE

VIOLATION(S)	CODE	SECTION	DESCRIPTION	INFRACTION
6-1.18 Barking/Noise				
6-1.18 Barking/Noise				
6-1.18 Barking/Noise				
6-1.18 Barking/Noise				

LOCATION OF VIOLATIONS

REMARKS	CASE #
Complaints about barking and Parrot yelling	

☐ OFFENSE(S) NOT COMMITTED IN MY PRESENCE CERTIFIED ON INFORMATION AND BELIEF.
 I CERTIFY UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT
 EXECUTED ON THE DATE SHOWN ABOVE AT ANTIOCH, CALIF

ISSUING OFFICER

G. Johnson

SERIAL NO.

4/86

NAME OF ARRESTING OFFICER-IF DIFFERENT FROM ABOVE

SERIAL NO.

VACATION DATES

☐ WITHOUT ADMITTING GUILT, I
 PROMISE TO APPEAR AT THE
 TIME AND PLACE CHECKED
 BELOW.

☒ I PROMISE TO CORRECT AND
 GIVE PROOF OF CORREC-
 TION TO CITING AGENCY
 WITHIN 10 DAYS.

SIGNATURE X

on site

BEFORE A JUDGE OR A CLERK OF THE MUNICIPAL OR JUSTICE COURT
 TELEPHONE 427-8170 (ADDRESS) 1000 CENTER DR., PITTSBURG, CA.

<input type="checkbox"/> DATE	TIME
20	M
<input type="checkbox"/> OR YOU MAY APPEAR ON THE NIGHT(S) OF	AT P.M.

FORM APPROVED BY THE JUDICIAL COUNCIL OF CALIFORNIA

(S) 4-25-88 P.C. 853.9

SEE REVERSE SIDE

COURT COPY

**Antioch Police Department
Event Report**

Page 1 of 2

Time: 03/23/2013 09:27:53

Event: 12-092995

RECEIVED INFORMATION					
Receive Time 10/02/2012 11:19:31	Clear Time 10/2/2012 4:03:14 PM	Call Taker HELGEMO, MONIKA ID: 1950		Position AS10559	
Classification 1091M	Priority 4	How Receive P	Services Police		
Address CASHEW ST / ALMONDRIDGE DR, ANTIOCH					
Police Agency PD	District	Beat 2	Station	Zone 209	
REPORT INFORMATION					
Name MR. YOUNG			Phone		
Address REFUSED			Info		
SYNOPSIS					
R/P PHONED TO MAKE A COMPLAINT REGARDING PARROT AND GERMAN SHEPHERD BARKING AND YELLING DURING THE DAY. R/P BECAME IRATE WHEN I ASKED FOR HIS ADDRESS AND CONTACT NUMBER. REFUSED TO GIVE ANY OF THAT. BOTH DOGS ARE CURR IN CHAMELEON...OWNER IS ALEJANDO LOPEZ...					
DISPOSITION					
Closing Class ANML	Event Dispo 7	Location	Unit Code	Agency: Case Number PD:	Primary Staff JOHNSON, GABRIELLE 4486
UNIT ASSIGNMENT / SUPPLEMENT					
Time 10/02/2012 15:39:18	Unit K5	Status D	Operator KEAS, CANDACE ID: 3965		Position CAD2
Time 10/02/2012 15:40:01	Unit K5	Status 49E	Operator JOHNSON, GABRIELLE ID: 4486		Position VM761
Time 10/02/2012 15:51:42	Unit K5	Status 97E	Operator JOHNSON, GABRIELLE ID: 4486		Position VM761
Time 10/02/2012 16:01:25			Operator JOHNSON, GABRIELLE ID: 4486		Position VM761
Supplement NO BARKING OR PARROT NOISES HEARD LEFT CITATION.					
Time 10/02/2012 16:03:14	Unit K5	Dissociate Status D			
OFFICER					
Police Unit K5	Staff JOHNSON, GABRIELLE ID: 4486				
TRANSACTION / DISPATCH					
	Event	Police			
Receive	10/02/2012 11:19:31				
Save	10/02/2012 11:22:54				
Dispatch	10/02/2012 15:39:18	10/02/2012 15:39:18			
Enroute	10/02/2012 15:40:01	10/02/2012 15:40:01			

Antioch Police Department
Event Report

Page 2 of 2

Time: 03/23/2013 09:27:53

Event: 12-092995

Arrive	10/02/2012 15:51:42	10/02/2012 15:51:42	
Last Clear	10/02/2012 16:03:14	10/02/2012 16:03:14	
No. of Units	1	1	

**Antioch Police Department
Event Report**

Page 1 of 2

Time: 03/13/2013 11:55:54

Event: 12-106371

Receive Time 11/11/2012 12:12:42						Clear Time 11/11/2012 1:13:00 PM		Call Taker MALSOM, STACEY ID: 4045		Position CAD6	
Classification 415N		Priority 3		How Receive P		Services Police					
Address CASHEW ST / BEECHNUT ST, ANTIOCH											
Police Agency PD		District		Beat 2		Station		Zone 209			
Name YOUNT, DAVID						Phone					
Address ALMONDRIDGE DR, ANTIOCH						Info Contact					
RP SAYS NBR HAS A VERY LOUD BIRD IN THE BACKYARD..RP REQ CONTACT											
Closing Class ANML		Event Dispo 9		Location		Unit Code		Agency: Case Number PD:		Primary Staff KIDD, CHRISTOPHER 4470	
Time 11/11/2012 12:58:22		Unit X22		Status D		Operator KEAS, CANDACE ID: 3965				Position CAD4	
Time 11/11/2012 12:58:35		Unit X22		Status 49E		Operator KIDD, CHRISTOPHER ID: 4470				Position VM28	
Time 11/11/2012 13:09:08		Unit X22		Status 97E		Operator KIDD, CHRISTOPHER ID: 4470				Position VM28	
Time 11/11/2012 13:11:55						Operator KIDD, CHRISTOPHER ID: 4470				Position VM28	
Supplement CONTACTED RP REGARDING THE BIRD. ATC RES WITH NEG RESULTS. I HEARD THE BIRD AND IT WAS VERY LOUD.											
Time 11/11/2012 13:13:00		Unit X22		Dissociate Status 8							
Police Unit X22		Staff KIDD, CHRISTOPHER ID: 4470									
Event		Police									
Receive		11/11/2012 12:12:42									
Save		11/11/2012 12:13:06									
Dispatch		11/11/2012 12:58:22 11/11/2012 12:58:22									
Enroute		11/11/2012 12:58:35 11/11/2012 12:58:35									
Arrive		11/11/2012 13:09:08 11/11/2012 13:09:08									

Antioch Police Department
Event Report

Page 2 of 2

Time: 03/13/2013 11:55:54

Event: 12-106371

Last Clear	11/11/2012 13:13:00	11/11/2012 13:13:00	
No. of Units	1	1	

Antioch Police Department
Event Report

Page 1 of 2

Time: 03/13/2013 11:56:27

Event: 12-113281

Receive Time 12/03/2012 12:36:35					Clear Time 12/3/2012 1:25:05 PM		Call Taker SOARES, ANITA ID: 3958		Position CAD4		
Classification 415N		Priority 3		How Receive P		Services Police					
Address CASHEW ST / BEECHNUT ST, ANTIOCH											
Police Agency PD		District		Beat 2		Station		Zone 209			
Name YOUNT, STEVE								Phone			
Address								Info			
NBRB BIRD BEING LOUD IN THEIR YARD RP DOESNT HAVE A PHONE # FOR CONTACT											
Closing Class ANML		Event Dispo 9		Location		Unit Code		Agency: Case Number PD:		Primary Staff KIDD, CHRISTOPHER 4470	
Time 12/03/2012 13:07:42		Unit X22		Status D		Operator KEAS, CANDACE ID: 3965			Position CAD2		
Time 12/03/2012 13:08:09		Unit X22		Status D		Operator KEAS, CANDACE ID: 3965			Position CAD2		
Comment WA											
Time 12/03/2012 13:09:51		Unit X22		Status 49E		Operator KIDD, CHRISTOPHER ID: 4470			Position VM11		
Comment WA											
Time 12/03/2012 13:24:32				Operator KIDD, CHRISTOPHER ID: 4470				Position VM11			
Supplement CONTACTED RESIDENT AND ADVISED THEM OF THE COMPLAINT. RESIDENT ADVISED SHE HAS BEEN WORKING WITH AC REGARDING THE RP'S CONSTANT CALLS ON HER. I HEARD THE BIRD IN THE BACKYARD. RESIDENT ADVISED SHE WOULD GIVE AC A CALL TO FIND OUT WHAT THE NEXT STEPS ARE.											
Time 12/03/2012 13:25:02		Unit X22		Status 97E		Operator KIDD, CHRISTOPHER ID: 4470			Position VM11		
Comment WA											
Time 12/03/2012 13:25:05		Unit X22		Dissociate Status 8							
Police Unit X22											
Staff KIDD, CHRISTOPHER ID: 4470											
Event											
Police											

Antioch Police Department
Event Report

Page 2 of 2

Time: 03/13/2013 11:56:27

Event: 12-113281

Receive	12/03/2012 12:36:35		
Save	12/03/2012 12:37:06		
Dispatch	12/03/2012 13:07:42	12/03/2012 13:07:42	
Enroute	12/03/2012 13:09:51	12/03/2012 13:09:51	
Arrive	12/03/2012 13:25:02	12/03/2012 13:25:02	
Last Clear	12/03/2012 13:25:05	12/03/2012 13:25:05	
No. of Units	1	1	

Antioch Police Department
Event Report

Page 1 of 2

Time: 03/13/2013 11:56:56

Event: 12-115217

<div>Receive Time 12/09/2012 12:51:57</div> <div>Clear Time 12/9/2012 5:41:25 PM</div> <div>Call Taker SOARES, ANITA ID: 3958</div> <div>Position CAD3</div>					
<div>Classification 415N</div>		<div>Priority 3</div>		<div>How Receive P</div> <div>Services Police</div>	
<div>Address CASHEW ST / BEECHNUT ST, ANTIOCH</div>					
<div>Agency</div>		<div>District</div>		<div>Beat 2</div> <div>Station</div> <div>Zone 209</div>	
<div>Name ANON</div> <div>Phone</div>					
<div>Address</div>				<div>Info</div>	
<p>LOUD BIRD AND DOG ONGOING PROBLEM RP WAS TOLD BY AC TO CALL WHEN THIS IS HAPPENING</p>					
<div>Closing Class MSDS</div> <div>Event Dispo 6</div> <div>Location</div> <div>Unit Code</div> <div>Agency: Case Number PD:</div> <div>Primary Staff CHANG, TED 4362</div>					
<div>Time 12/09/2012 12:54:09</div>		<div>Operator MCDONALD, PAMELA ID: 5097</div>			<div>Position CAD2</div>
<div>Supplement W3 ADVD</div>					
<div>Time 12/09/2012 13:25:21</div>		<div>Operator MALSOM, STACEY ID: 4045</div>			<div>Position CAD4</div>
<div>Supplement W3 ADVD VIA MDS</div>					
<div>Time 12/09/2012 17:23:43</div>	<div>Unit Y2</div>	<div>Status D</div>	<div>Operator GIRARD, JEANNINE ID: 3951</div>		<div>Position CAD6</div>
<div>Time 12/09/2012 17:23:46</div>	<div>Unit Y2</div>	<div>Status 49E</div>	<div>Operator CHANG, TED ID: 4362</div>		<div>Position VM25</div>
<div>Time 12/09/2012 17:31:25</div>	<div>Unit Y2</div>	<div>Status 97E</div>	<div>Operator CHANG, TED ID: 4362</div>		<div>Position VM25</div>
<div>Time 12/09/2012 17:35:34</div>		<div>Operator CHANG, TED ID: 4362</div>			<div>Position VM25</div>
<div>Supplement QUIET UPON ARRIVAL. SPOKE TO NEIGHBORS WHO STATED RP IS NEIGHBORHOOD PROBLEM. THE NEIGHBOR DOG ONLY BARKS WHEN SIRENS NERBY AND A SMALL BIRD IN REAR YARD, BUT NOT A NUISANCE. STATED RP IS A NEIGHBORHOOD PROBLEM.</div>					
<div>Time 12/09/2012 17:41:25</div>	<div>Unit Y2</div>	<div>Dissociate Status 97E</div>			
<div>Police Unit Y2</div> <div>Staff CHANG, TED ID: 4362</div>					

Antioch Police Department
Event Report

Page 2 of 2

Time: 03/13/2013 11:56:56

Event: 12-115217

	Event	Police	
Receive	12/09/2012 12:51:57		
Save	12/09/2012 12:52:48		
Dispatch	12/09/2012 17:23:43	12/09/2012 17:23:43	
Enroute	12/09/2012 17:23:46	12/09/2012 17:23:46	
Arrive	12/09/2012 17:31:25	12/09/2012 17:31:25	
Last Clear	12/09/2012 17:41:25	12/09/2012 17:41:25	
No. of Units	1	1	

Antioch Police Department
Event Report

Page 1 of 2

Time: 03/13/2013 11:57:50

Event: 13-014487

Receive Time 02/16/2013 16:22:00						Clear Time 2/16/2013 4:56:10 PM		Call Taker JOHNSON, GABRIELLE ID: 4486		Position AS10613	
Classification 1091M			Priority 4		How Receive P			Services Police			
Address CASHEW ST / BEECHNUT ST, ANTIOCH											
Police Agency PD			District			Beat 2		Station		Zone 209	
ON GOING ANIMAL NOISE COMPLAINT.											
CLOSING CLASS											
Closing Class ANML		Event Dispo 5		Location		Unit Code		Agency: Case Number PD:		Primary Staff JOHNSON, GABRIELLE 4486	
TIME											
Time 02/16/2013 16:32:57		Unit K4		Status D		Operator IMPASTATO, NICKI ID: 4317				Position CAD5	
Time 02/16/2013 16:33:07		Unit K4		Status 49E		Operator JOHNSON, GABRIELLE ID: 4486				Position VM761	
Time 02/16/2013 16:42:25		Unit K4		Status 97E		Operator JOHNSON, GABRIELLE ID: 4486				Position VM761	
Time 02/16/2013 16:45:40						Operator JOHNSON, GABRIELLE ID: 4486				Position VM761	
Supplement NO CAR IN DRIVEWAY NO BARKING HEARD ON ARRIVAL. NATIVE BIRDS CAN BE HEARD IN TREES AND BUSHES AROUND THE AREA. DOGS FROM CAN BE SEEN UNDER THE SIDE FENCE. BOTH DOGS ARE NOT BARKING AT THIS TIME.											
Time 02/16/2013 16:46:48						Operator JOHNSON, GABRIELLE ID: 4486				Position VM761	
Supplement KIDS ARE PLAYING AND YELLING IN THE STREET, SIDE NEIGHBORS ARE OUT AND TALKING LOUD AND YELLING. DOGS ARE STILL NOT BARKING.											
Time 02/16/2013 16:49:13						Operator JOHNSON, GABRIELLE ID: 4486				Position VM761	
Supplement BIRDS IN A CAGE CAN BE SOFTLY HEARD TWEETING. I BELIEVE BIRD CAGE IS ON THE EAST SIDE OF THE HOUSE IN THE SIDE YARD WHERE THE DOGS APPEAR TO BE LOUNGING.											
Time 02/16/2013 16:55:29						Operator JOHNSON, GABRIELLE ID: 4486				Position VM761	
Supplement NO BARKING HEARD AT NO BARKING HEARD FROM THIS AREA AND NO EXCESSIVE ANIMAL NOISES HEARD FROM OR FROM THIS AREA.											
Time 02/16/2013 16:56:00						Operator JOHNSON, GABRIELLE ID: 4486				Position VM761	
Supplement NO EXCESSIVE ANIMAL NOISES HEARD.											
Time 02/16/2013 16:56:10		Unit K4		Dissociate Status 19							
POLICE UNIT											
Police Unit K4		Staff JOHNSON, GABRIELLE ID: 4486									

Antioch Police Department
Event Report

Page 2 of 2

Time: 03/13/2013 11:57:50

Event: 13-014487

	Event	Police	
Receive	02/16/2013 16:22:00		
Save	02/16/2013 16:24:23		
Dispatch	02/16/2013 16:32:57	02/16/2013 16:32:57	
Enroute	02/16/2013 16:33:07	02/16/2013 16:33:07	
Arrive	02/16/2013 16:42:25	02/16/2013 16:42:25	
Last Clear	02/16/2013 16:56:10	02/16/2013 16:56:10	
No. of Units	1	1	

Antioch Police Department
Event Report

Page 1 of 2

Time: 03/13/2013 11:58:29

Event: 13-014563

Receive Time 02/16/2013 21:11:54						Clear Time 2/16/2013 10:07:43 PM		Call Taker MCDONALD, PAMELA ID: 5097		Position CAD2	
Classification 415BD		Priority 3		How Receive P		Services Police					
Address CASHEW ST / BEECHNUT ST, ANTIOCH											
Police Agency PD		District		Beat 2		Station		Zone 209			
Name DAVID YOUNT						Phone					
Address						Info					
BARKING DOG COMPLAINT...											
Closing Class ANML		Event Dispo 7		Location		Unit Code		Agency: Case Number PD:		Primary Staff ROMERO, ADA 4675	
Time 02/16/2013 21:14:03				Operator MCDONALD, PAMELA ID: 5097				Position CAD2			
Supplement PER MONICA IN AC IF SOMEONE CALLS ABOUT A BARKING DOG AT THIS ADDRESS ANYTIME DAY OR NIGHT AC ON CALL IS TO BE CALLED OUT TO RESPOND											
Time 02/16/2013 21:16:22				Operator MCDONALD, PAMELA ID: 5097				Position CAD2			
Supplement AC ADVD											
Time 02/16/2013 21:23:53		Unit K3	Status D	Operator ESQUIBELL, RACHELLE ID: 5205				Position CAD6			
Time 02/16/2013 21:23:56		Unit K3	Status 49E	Operator ROMERO, ADA ID: 4675				Position VM761			
Time 02/16/2013 21:31:52		Unit K3	Status 97E	Operator ROMERO, ADA ID: 4675				Position VM761			
Time 02/16/2013 22:07:20				Operator ROMERO, ADA ID: 4675				Position VM761			
Supplement I WAS CLEARLY ABLE TO HEAR EXCESSIVE BARKING COMING FROM RES CASHEW. NO ONE HOME AT RES BUT LARGE DOG AND SMALL DOG CAN BE HEARD IN BACKYARD OF RES. NOTHING WAS HEARD DURING THE FIRST 15MIN OF MY ARRIVAL BUT AFTER 15MINS DOGS (MAINLY LARGE DOG) CONTINUED TO EXCESSIVELY BARK FOR ANOTHER 20MINS. LEFT CITE FOR DOG OWNER ALEJANDRO LOPEZ FOR 6-1.18 EXCESSIVE BARKING AND ADVISED I WAS ABLE TO HEAR BARKING.											
Time 02/16/2013 22:07:43		Unit K3	Dissociate Status 8								
Police Unit K3		Staff ROMERO, ADA ID: 4675									

Antioch Police Department
Event Report

Page 2 of 2

Time: 03/13/2013 11:58:29

Event: 13-014562

	Event	Police	
Receive	02/16/2013 21:11:54		
Save	02/16/2013 21:13:16		
Dispatch	02/16/2013 21:23:53	02/16/2013 21:23:53	
Enroute	02/16/2013 21:23:56	02/16/2013 21:23:56	
Arrive	02/16/2013 21:31:52	02/16/2013 21:31:52	
Last Clear	02/16/2013 22:07:43	02/16/2013 22:07:43	
No. of Units	1	1	

1 CITY OF ANTIOCH
2 Third and "H" Streets
3 P.O. Box 5007
4 Antioch, CA 94531-5007
5 925-779-7015; FAX 925-779-7003

6 ADMINISTRATIVE CITATION APPEAL HEARING

7 ANTIOCH MUNICIPAL CODES: § 6-1.18

8
9 In re the Matter of:

10 ALEJANDRO LOPEZ [APPELLANT]

Uphold Administrative Citation for Violation of
Antioch Municipal Code § 6-1.18

DECISION OF BOARD OF ADMINISTRATIVE
APPEALS

11
12
13 I. GENERAL FINDINGS:

- 14
15 1. Administrative Citation for violation of Antioch Municipal Code: § 6-1.18. At all relevant times
16 Appellant was the sole owner of both dogs and/or the responsible party.
17 2. Appellant appealed the Administrative Citation for Antioch Municipal Code § 6-1.18, which is
18 the only item at issue for today's hearing.
19 3. An Administrative Appeals Board Hearing regarding the Appellant's appeal of the
20 Administrative Citation was set for April 11, 2013, and the Appellant was duly notified by the
21 City Clerk.

22 II. SPECIFIC FINDINGS:

23 An Administrative Appeals Board Hearing regarding Appellant's appeal of the Administrative
24 Citation was duly held on April 11, 2013, at 3:00 PM. Evidence, both oral and documentary, was
25 taken and based on the preponderance of said evidence, the following specific findings are made:

- 26 1. On January 11, 2012, Antioch Animal Services receives a call for service regarding barking dogs.
27 No contact is able to be made with Dog Owners. A Notice to Correct is given for No Dog
28 Licensing, No Proof of Rabies Vaccination and Excessive Barking.

1 2. May 01, 2012- February 16, 2013: Antioch Police Department and Antioch Animal Services
2 receives and responds to multiple calls for service regarding barking dogs and excessive animal
3 noise. Some calls for service are closed with validation of noise and some are closed without
4 validation of noise. Dog Owners are advised on several occasions about excessive barking.

5 3. On February 16, 2013: Antioch Animal Services responds to a call for service regarding barking
6 dogs. Animal Control Officer Gomez is able to confirm excessive barking from residence for at
7 least twenty minutes. An Administrative Citation was issued for Violation of Antioch Municipal
8 Code § 6-1.18. Dog Owners were not home at time of call and were unavailable for contact.

9 4. The City has the ability to issue an Administrative Citation pursuant to Antioch Municipal Code
10 §6-1.18 No person shall allow any dog he owns, keeps, harbors, or controls within the City to
11 bark or howl with such frequency, or in such a manner, as to disturb the peace of the immediate
12 neighborhood.

13 Based on a preponderance of evidence, the Board finds that there was probable cause for the City to issue an
14 Administrative Citation and the appeal is denied.

15 III. NOTICE:

16 Notice of this decision shall be given to the Appellant, by mailing a copy of these Findings and
17 Decision by first class U.S. Mail, addressed to Alejandro Lopez, 2905 Cashew Street, Antioch, CA,
18 94509.

19 Dated: April 11, 2013

20 _____
21 CHAIRPERSON OF THE BOARD

22 **Notice of Right To Appeal Decision:** Any person aggrieved by an Administrative Board of Appeals may obtain
23 review of the decision by the Contra Costa Superior Court, 725 Court Street, Martinez, CA, 94553, by filing with
24 the Court a petition for writ of mandate pursuant to section 1094.6 of the California Government Code.
25
26
27
28