



**BOARD OF ADMINISTRATIVE APPEALS
ADMINISTRATIVE REVIEW PANEL**

**Council Chambers
200 "H" Street**

**JUNE 7, 2012
3:00 P.M.**

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

PLEDGE OF ALLEGIANCE

1. CONSENT CALENDAR

A. APPROVAL OF ADMINISTRATIVE APPEALS MINUTES FOR APRIL 26, 2012

Recommended Action: Motion to approve the minutes

MINUTES

2. APPEALS

A. CITATION NO. 30040 – Appeal of Administrative Citation issued regarding No Dog Licensing, No Proof of Rabies Vaccination, and Excessive Barking of two dogs for Jennifer Campbell, 5116 Equestrian Way, Antioch, CA [§6-1.20(b), §6-12.2, §6-1.18]

B. Appeal to reverse Potentially Dangerous Animal decision for dog “Mono” (A506433), for Adan Flores, 1150 Rockspring Way, Antioch [§6-1.22 (A)(b)]

STAFF REPORT

PUBLIC COMMENTS

STAFF REPORT

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 26, 2012
Council Chambers**

Chairperson Busenbarrick called the meeting to order at 3:02 P.M. on Thursday, April 26, 2012, in the Council Chambers.

ROLL CALL:

Present: Chairperson Busenbarrick, Board Members Simpson and Schneider
Absent: Board Member Lieder

Staff Present: City Clerk Skaggs
Acting Deputy City Clerk, Christina Garcia
City Attorney, Lynn Tracy Nerland
Minutes Clerk, Kitty Eiden
Antioch Police Officer Ward

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 JANUARY 28, 2010
AND APRIL 15, 2010**

On motion by Board Member Schneider, seconded by Board Member Simpson, the Board of Administrative Appeals unanimously approved the minutes of January 28, 2010, and April 15, 2010.

2. APPEALS

**A. CITATION NO. 6152/E#12-025094 – Appeal of Administrative Citation
received for failure to remove siren and turn down music for Brett Kuntze,
1604 S. Francisco Court, Antioch [§5-17.03]**

City Attorney Nerland introduced the item before the Administrative Appeals Board and clarified the process for hearing the appeal.

Officer Ward reported he had responded to a noise complaint call for 1604 South Francisco Court. When he arrived, he could hear loud banging noises coming from this residence, in excess of 200 feet. Officer Ward stated he then spoke to neighbors. The neighbors indicated a siren and banging noises could be heard from 1604 South Francisco Court at all hours of the day and night and it had been an ongoing problem for many years. Officer Ward noted there

had been 12 police calls for service, this year, for similar complaints. He indicated when he arrived at the home, he saw speakers set up projecting noise toward the street and when he rang the doorbell activating a light alerting the homeowner, someone approached the door but did not answer it. He noted his failed attempt to contact the resident was followed by the noise increasing, so he then issued an administrative citation, which was left in a drop box into the garage. He explained the citation was issued without the proper municipal code; therefore a second citation was sent with instructions to disregard the first initial citation. He explained that any attempts to contact the homeowner to explain the secondary citation were unsuccessful.

APPELLANT

Debbie Whittaker, Certified American Sign Language Translator (CASLT) for Mr. Kuntze, indicated he had been a victim of torture and abuse by people he was unable to indentify. He noted police call logs do not tell the entire story and lengthy conversations with Antioch Police had not resolved his concerns. He stated these violations were made for defensive purposes and he disagreed with the citation.

Board Member Schneider requested Mr. Kuntze elaborate on the purpose for his defensive measures.

Debbie Whittaker, (CASLT) for Mr. Kuntze, stated he felt he needed to defend himself through communication and the Board of Administrative Appeals was his final course of action. He stated he did not feel he was in violation, as no one was listening to him and he needed to make noise to try to protect his sanity from things that had been done to him for years. He stated he does not know what or who is responsible and he felt time had run out to get this resolved.

Chairperson Busenbarrick requested Mr. Kuntze explain what is being done to him.

Debbie Whittaker, (CASLT) for Mr. Kuntze, stated he did not know who it was although he suspected some of his neighbors. He stated they use a leaf blower, vibrations, and vent fumes through the floor of his garage. He stated it seemed they were using some type of cyanide and toxins to affect his body and cause him pain.

Chairperson Busenbarrick questioned if Mr. Kuntze had attempted to communicate with neighbors about what he was experiencing.

Debbie Whittaker, (CASLT) for Mr. Kuntze, stated the neighbors were not approachable and they do not know sign language or try to communicate with him. He stated he felt it was some type of discrimination.

OPPONENTS

Ronald Daniel, 1600 S. Francisco Court, Antioch, reported the noise from this residence is constant and occurred at all times of the day and night. He stated since Mr. Kuntze's parents had passed away, he had been demonstrating erratic behavior, which they had reported to the Antioch Police Department. He noted he had been accused of putting pipes into the ground to blow fumes into his house and further noted he had been unable to smell any fumes when Mr. Kuntze complained about them. Additionally, he noted Mr. Kuntze ran water constantly which flooded his property.

In response to Board Member Simpson, Mr. Daniel stated he communicated with Mr. Kuntze by writing.

Gary Ebersole, 1605 S. Francisco Ct., Antioch, corroborated what had been said with regard to noise coming from the residence and stated he felt Mr. Kuntze was unapproachable. He stated this situation should have been addressed a long time ago.

Jacob Sterling Silver, 6313 Bridgehead Road, Antioch, stated he was an acquaintance of Mr. Daniel and he felt Mr. Kuntze was a threat, violent, and in need of medical attention. He voiced his support for the Board to uphold the citation.

Don Moore, 3134 S. Francisco Way., Antioch, reported Mr. Kuntze played his drums non-stop and could be very violent for no apparent reason.

Dean Hurney, 1612 S Francisco Court, Antioch, corroborated previous speaker's comments regarding loud noise coming from the residence. He stated he and his neighbors would just like to live in peace and quiet.

In response to Board Member Simpson, Mr. Hurney indicated the erratic behavior began approximately 5 years ago, after Mr. Kuntze's mother passed away.

REBUTTAL

Debbie Whittaker, (CASLT) for Mr. Kuntze, stated there was some truth in what the neighbors had said, however, the noise he made was for defensive purposes. He stated he was ignored when he tried to approach the neighbors and his health had been ruined. He stated he was a victim of his neighbor's conduct and he urged them to stop. He stated he was unable to gain any proof or catch them releasing chemicals into his home, due to the fact that he is deaf. He requested his citation fees be returned to him.

Chairperson Busenbarrick requested Mr. Kuntze communicate what the reason was he created the noise.

Debbie Whittaker, (CASLT) for Mr. Kuntze, stated he used noise to stop them from doing what they were doing.

In response to Board Member Simpson, Debbie Whittaker, (CASLT) for Mr. Kuntze, stated the neighbors were releasing fumes and they were in some kind of conspiracy to possibly affect his health and damage him physically.

City Attorney Nerland stated the public comment portion of this matter was closed and it was for the Board to consider the matter.

On motion by Board Member Schneider, seconded by Board Member Simpson, the Board of Administrative Appeals unanimously upheld the citation and denied the appeal with the adoption of the decision of Administrative Appeals Board with findings dated April 26, 2012, attached to the staff report.

City Attorney Nerland stated the decision would be put in writing and given to the appellant.

PUBLIC COMMENTS – None

WRITTEN COMMUNICATIONS – None

ORAL COMMUNICATIONS

Deputy Director of Community Development Graham reported the City Council authorized the hiring of a Code Enforcement Officer, and as a result they would be generating citations and appeals again and the frequency of the Board of Administrative Appeals meetings would increase.

In response to Deputy Director of Community Development Graham, Chairperson Busenbarrick stated a Code Enforcement Presentation could be agendized for a future meeting.

City Attorney Nerland thanked the Board Members for their attendance this afternoon. She reported the City would be advertising for Board terms which were expiring. She noted depending on interest, staff may be approaching Council with regards to increasing term limits for those currently serving, particularly since the Board was suspended for a period of time when there was no Code Enforcement Officer.

ADJOURNMENT

Chairperson Busenbarrick adjourned the Administrative Board of Appeals meeting at 3:45 p.m. to the next regularly scheduled meeting.

Respectfully Submitted,

Kitty Eiden
Minutes Clerk

STAFF REPORT TO THE ADMINISTRATIVE REVIEW PANEL FOR CONSIDERATION AT THE HEARING OF JUNE 7TH 2012

PREPARED BY: Ada Gomez, Animal Control Officer

DATE: June 7th 2012

SUBJECT: Animal Services Case No. A12-000039 – 5116 Equestrian Way

Violation of Antioch Municipal Code § 6-1.20(b), 6-1.12.2, and 6-1.18

REQUEST:

Appellate Jennifer Campbell requests a hearing to appeal the decision of an Administrative Citation #30041 issued on March 17, 2012 citing violation of the Antioch Municipal Codes:

§6-1.20(b) **UNLAWFUL ACTS:** *It shall be unlawful for any person owning, harboring, possessing, or collecting any animal knowingly to Permit any dog over the age of four months to be unlicensed.*

§6-1.12.2 **RABIES VACCINATION REQUIRED:** *Every dog owner shall procure a rabies vaccination by a licensed veterinarian upon the dog attaining the age of four months and at intervals not later than the expiration date on the vaccination certificate.*

§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:

- Jennifer Campbell – 5116 Equestrian Way, Antioch Ca, 94531

2A
06-07-12

February 19, 2012 Antioch Police Dispatch receives a call for service regarding excessive barking **(See attached Event # 12-015413)** Reporting party complains that the barking dogs have become hoarse from barking all day.

March 01, 2012 Antioch Animal Services responded to a call for service regarding two aggressive barking dogs. **(See attached Event # 12-018957)** A notice to correct was left for No license x2, No proof of rabiesx2, and advised of barking complaints. Ten days was given for dog owner to comply. **(See attached Notice to correct # 26-C133421)**

March 17, 2012 Antioch Animal Services responded to a call for service regarding two aggressive barking dogs. Review of address reveals multiple barking dog complaints and notice to correct previously left with no response from dog owner. Administrative citation was issued for dog owner Jennifer Campbell. **(See attached Administrative Citation # 30041)**

March 26, 2012 Ms. Campbell files a Citation Appeal Application **(See attached Citation Appeal)** Ms. Campbell also advised second dog on property "Bogart" (A102819) male/neutered, 3 year, tri-colored, Saint Bernard had been adopted through East Bay Animal Rescue.

April 04, 2012 Ms. Campbell purchases a one year, unaltered Antioch dog license for "Trinity" (A102818) a female, 9 months, fawn/black, Cane Corso.

May 18, 2012 Animal Control Officer Ada Gomez assigned to 5116 Equestrian Way barking case receives an email statement from complaining party Larry Thomas. **(See attached email)**

RECOMMENDATION:

Staff recommendation is to uphold the Administrative Citation for the violations of Antioch Municipal Codes §6-1.20(b), 6-1.12.2, and 6-1.18

Romero, Ada

From: lathoma@comcast.net
Sent: Friday, May 18, 2012 10:20 AM
To: Romero, Ada
Cc: lathoma@comcast.net
Subject: Fwd:
Attachments: DSCN0868.jpg; DSCN0869.jpg; DSCN0870.jpg; DSCN0919.jpg; DSCN0933.jpg; DSCN0934.jpg; DSCN0937.jpg; DSCN0938.jpg

The following is a Statement of Facts/Affidavit from complainant neighbor who has witnessed and documented, with the help of fellow neighbors, the constant barking and aggressive activity of the owners dog at 5116 Equestrian Way, Antioch, California 94531.

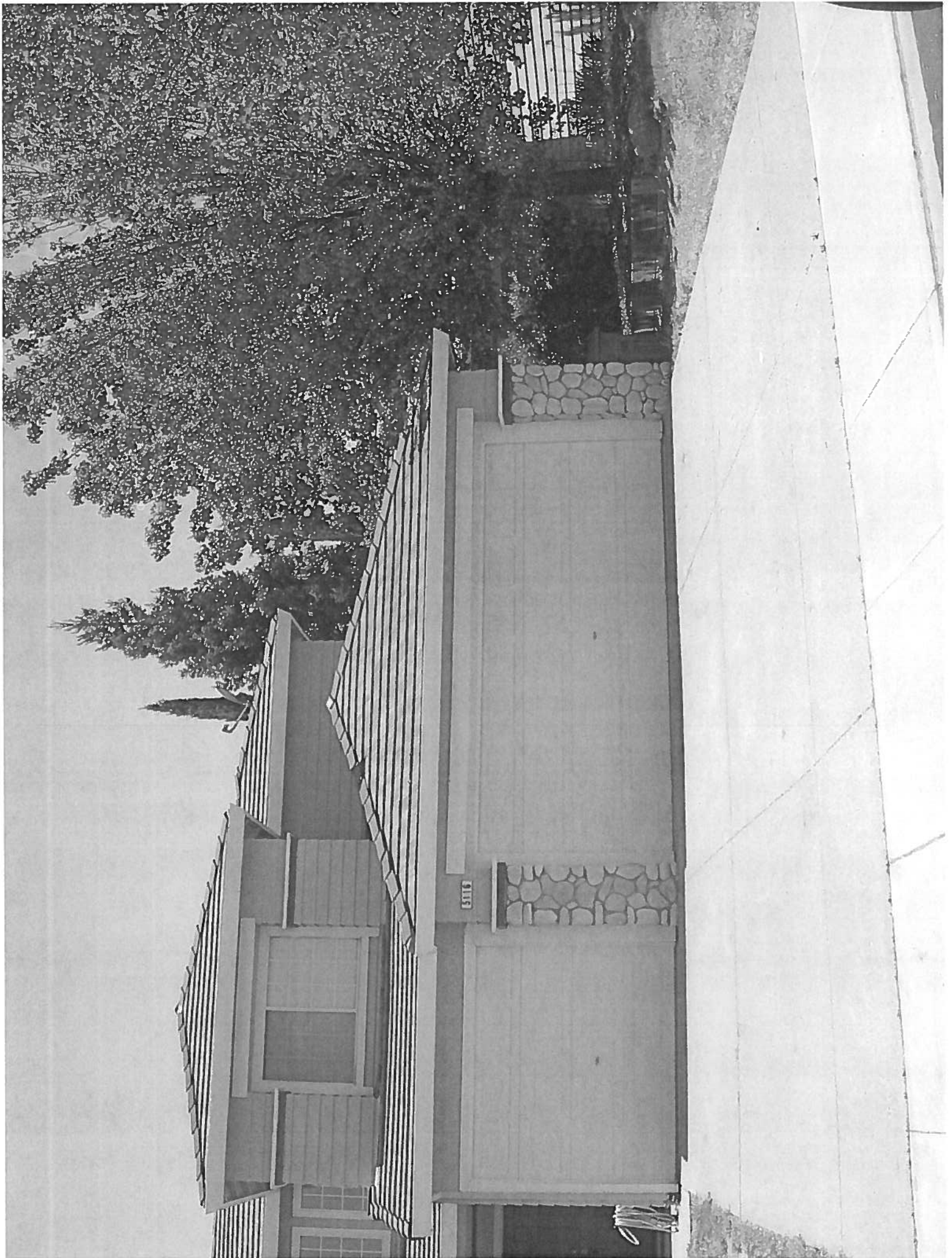
By way of history, this residence has been surveilled by neighbors and the Neighborhood Watch for the past year or so due to vacancy/occupancy issues, suspicious occupancy, property neglect, and barking dogs. Although the residence is owned, it is mostly unoccupied except for an occasional visit by the owner or an unknown family/friends once or twice a week, or just the weekend, or on a holiday, and their dog is always with them (a Pitbull or Pitbull mix). It is during these "visits" that the dog becomes an issue due to its constant barking and aggressive behavior wherein it charges the neighbors fence growling trying to get through instilling fear in the neighbors that the dog is going to cause bodily injury and property damage.

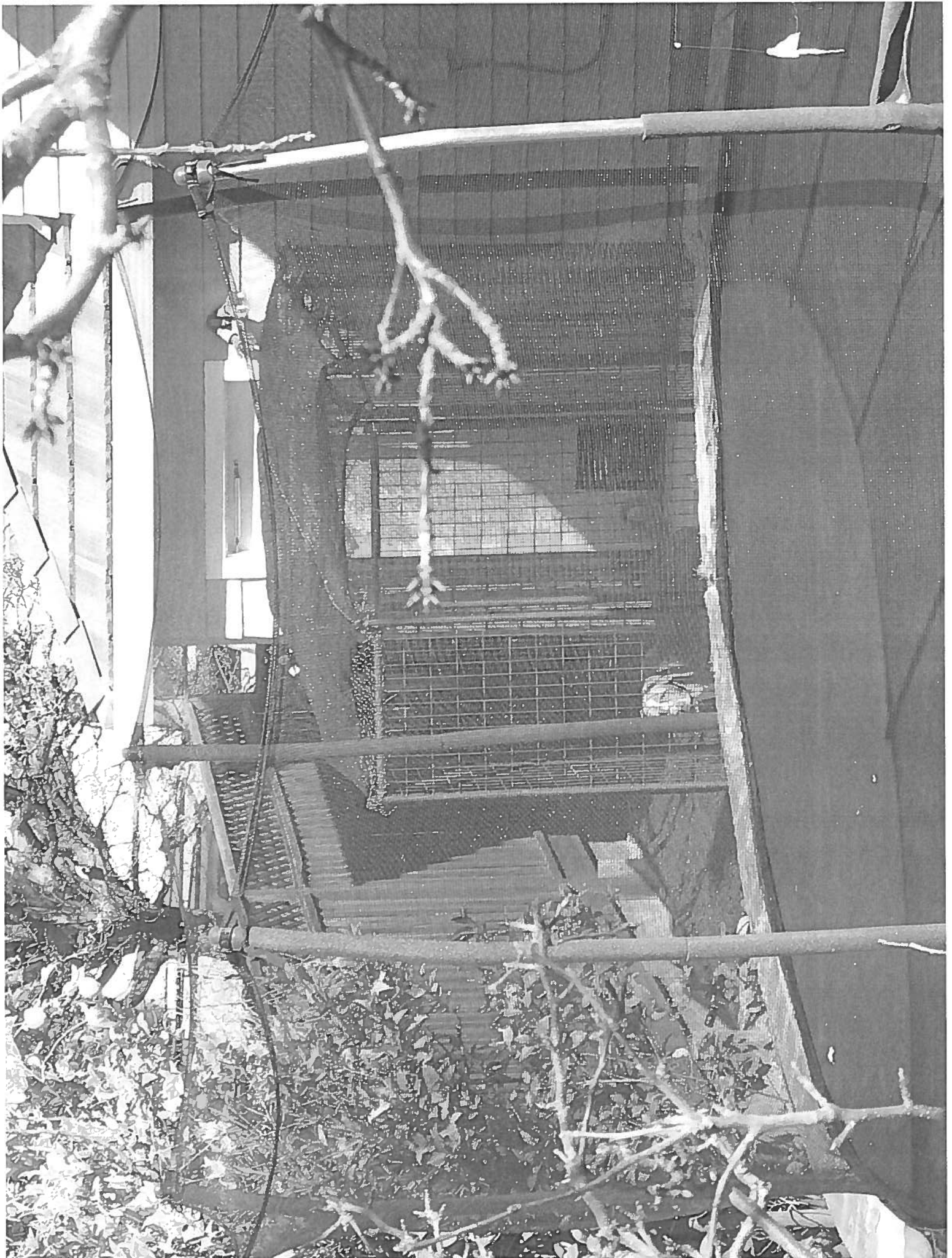
As to the complaint filed with Animal Control, it was during the week of February 13, 2012 that conditions and exposure changed for the worse at that residence. To wit: two dogs of Pitbull or Pitbull mix started barking non-stop all day long into the night every day. On investigation, it was observed that the dogs were in fact caged in the back yard behind the garage. Further, during that week, there was no one home. All the neighbors could do was to yell and scream at the dogs, and to notify the police and Animal Control. Finally, on Sunday, February 19, 2012, after listening to the non-stop barking, a complaint was filed with Animal Control, and the police were again notified. The barking continued through Thursday March 1, 2012 which prompted another complaint call. By March 17, 2012, the barking was simply out of control, the owner did nothing about it, so another complaint was filed. The last few weeks of April 2012, the dogs were gone and only one returned on occasion when the residence was "visited" by the owner or other occupants. During this "visitation" the dog barks and runs at will, is aggressive at fence lines, and only retreats when neighbors yell and the owner or occupants make the dog go inside.

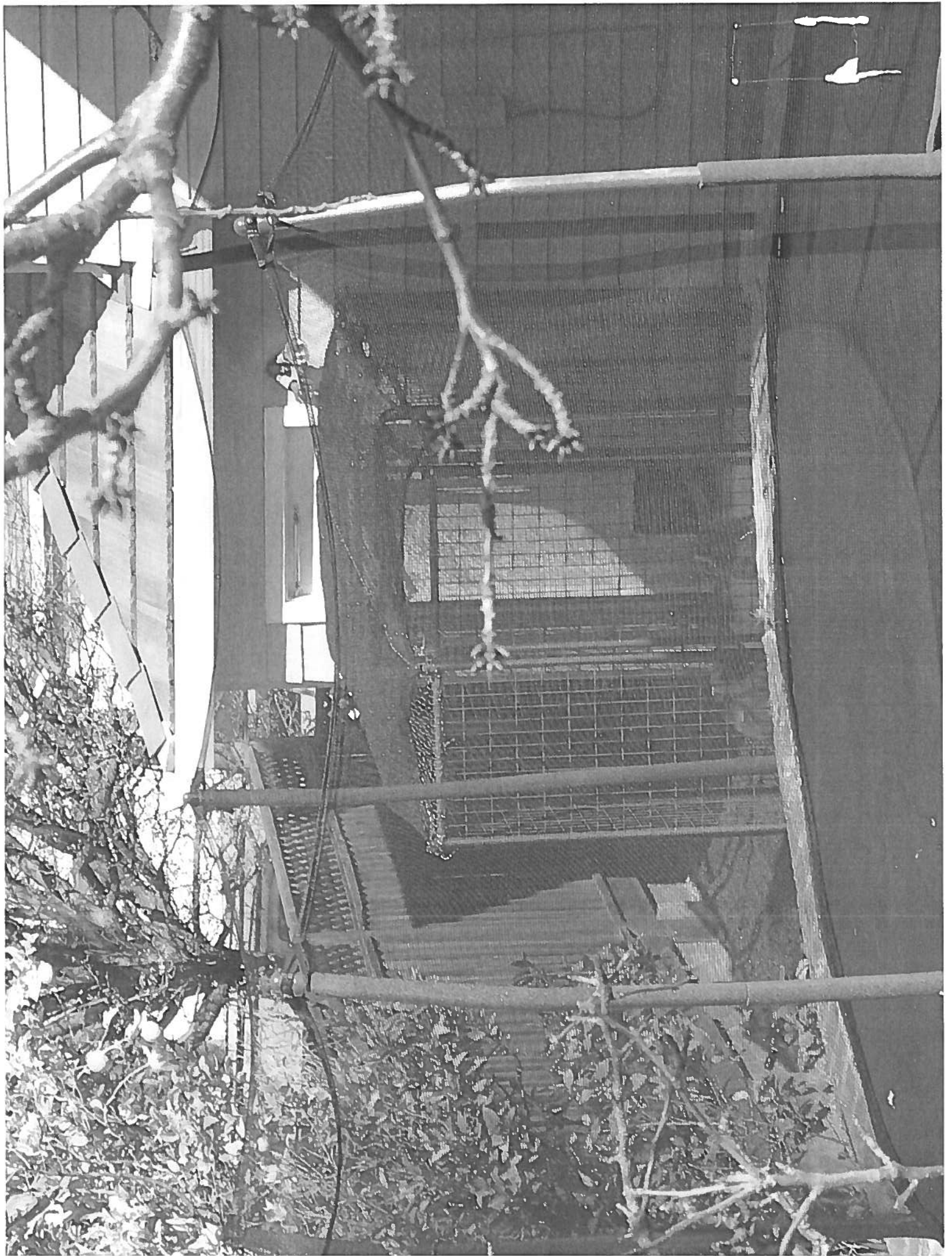
Currently, when the residence is "visited" by the owner or occupants the dog (its called Buddy) is always with them and continues its habit of constant barking, growling, and slamming itself against the fenceline trying to get through. The owner simply does not control this dog, and does little to quash its aggressive behavior. Again, it's difficult for neighbors to enjoy sitting in their backyard or having friends at a backyard barbecue while the dog is behaving as described.

Photographs are attached showing the residential layout, the dog, the cage, and the backyard. Disregard the one photo taken at 3:30 AM one particular night last month - that is for a separate matter.

The foregoing is truthful and accurate under penalty of perjury.







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: § 6-1.20(b), 6-1.12.2, AND 6-1.18

8
9 In re the Matter of:

10 JENNIFER CAMPBELL [APPELLANT]

Uphold Administrative Citation for violation of
Municipal Codes § 6-1.20(b), 6-1.12.2, and 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 Codes: §6-1.20(b), 6-1.12.2, and 6-
16 1.18. At all relevant times Appellant was the sole owner of dog and/or the responsible party.
- 17 2. Appellant appealed the Administrative Citation for Municipal Codes § 6-1.20(b), 6-1.12.2, and 6-
18 1.18, which are the only items 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 June 07, 2012, 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 June 07, 2012, at 3PM. Evidence, both oral and documentary, was taken
25 and based on the preponderance of said evidence; the following specific findings are made:

- 26 1. On February 19, 2012 Antioch Police Dispatch receives a call for service regarding barking dogs.
- 27 2. On March 01, 2012 Antioch Animal Services responds to a call for service regarding aggressive
28 barking dogs. No contact is made at residence with dog owner. A Notice to Correct is left for
violations §6-1.20(b), 6-1.12.2, 6-1.18, and advised of barking complaints. Dog owner is given
ten days to correct.

City of Antioch
Citation Appeal Application

RECEIVED

MAR 27 2012

**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: 3-17-12

Citation #: 30041

Name: Jennifer Campbell

Property Address: 5116 Equestrian way, Antioch, Ca. 94531

Mailing Address: same as above

Home Phone: (925) 435-4178

Work Phone: (925) 687-7346

REASON FOR APPEAL

One of the dogs is a foster associated with East Bay Animal Rescue. "Bogart" was current on vaccinations but not licensed since he has not been adopted. Since the citation, Bogart has been adopted and is no longer in my care. The other dog in question is Trinity, my 6-month-old puppy I recently rescued and she is also current on all vaccinations, but hasn't been licensed because she is getting spayed this Friday and I will register her with the county immediately thereafter since this will make her licensing fee cheaper. As for the barking complaints, I rarely leave my dog alone and she is a guard dog for the property since I was burglarized last year. I can keep her in the house instead of the garage to ensure this complaint subsides. I realize the initial "notice to correct" expired as I was gathering documentation for proof of salaries and opportunity to leave work during the week to comply. I am asking for dismissal of violations please (proof of salaries attached)

Signature

Jennifer Campbell

Date

3-26-12



C E R T I F I C A T E O F R A B I E S V A C C I N A T I O N

Karl Lentz, D.V.M.
Phillip Bedros, D.V.M.
Melissa Leonhardt, D.V.M.

All Bay Animal Hospital
1739 Willow Pass Rd., Concord, CA 94520

Tel (925) 687-7346
Fax (925) 687-8189
www.allbayanimalhospital.com

All Bay Animal Hospital
1739 Willow Pass Rd
Concord, CA 94520
(925) 687-7346

Owner...: Jennifer Campbell
2254 Pepper Dr.
Concord, CA 94520

Phone...: (925) 435-4178
Animal...: Trinity
DOB....: 8/21/2011 6 Mos. 1 Wks. 3 Days
Chip ID:
Breed...: Cane Corso
Color...: Fawn/Black
Species: Canine
Sex....: Female

Vaccination Given: 1/12/12
ReVaccination Due: 1/12/13

Tag #...: 2012
MFR...: Fort Dodge
Brand...: Rabac 3
Serial Lot #: 1215348A
Method of Admin: Subcutaneously

THIS IS TO CERTIFY that the above described animal has been vaccinated against Rabies, with a killed virus vaccine.

Annual physical exams and vaccinations will help keep your pets happy, healthy and free from infectious diseases.

PLEASE KEEP THIS CERTIFICATE AS IT IS PROOF OF VACCINATION
AND MAY BE REQUIRED TO LICENSE YOUR PET!

ALL BAY ANIMAL HOSPITAL
1739 Willow Pass Rd.
Concord, CA 94520
(925) 687-7346

HOSPITAL STAMP: _____

Today's Date: 3/2/2012 Veterinarian: Dr. Karl Lentz



C E R T I F I C A T E O F R A B I E S V A C C I N A T I O N

Karl Lentz, D.V.M.
Phillip Bedros, D.V.M.
Melissa Leonhardt, D.V.M.

All Bay Animal Hospital
1739 Willow Pass Rd., Concord, CA 94520

Tel (925) 687-7346
Fax (925) 687-8189
www.allbayanimalhospital.com

All Bay Animal Hospital
1739 Willow Pass Rd
Concord, CA 94520
(925) 687-7346

Owner...: EBARR
5433 Clayton Rd. Unit K-#125
Clayton, CA 94517

Phone...: (925) 321-4215
Animal..: Bogart
DOB....: 8/17/2008 3 Yrs. 6 Mos.
Chip ID: 075790340
Breed...: Saint Bernard
Color...: Tri
Species: Canine
Sex.....: Neutered Male

Vaccination Given: 2/28/2012
ReVaccination Due: 2/28/2015

Tag #...: 2012
MFR...: Rabvac 3
Brand...: Fort Dodge
Serial Lot #: 1215352A
Method of Admin: Subcutaneously

THIS IS TO CERTIFY that the above described animal has been vaccinated against Rabies, with a killed virus vaccine.

Annual physical exams and vaccinations will help keep your pets happy, healthy and free from infectious diseases.

PLEASE KEEP THIS CERTIFICATE AS IT IS PROOF OF VACCINATION
AND MAY BE REQUIRED TO LICENSE YOUR PET!

HOSPITAL STAMP: _____

ALL BAY ANIMAL HOSPITAL
1739 Willow Pass Rd.
Concord, CA 94520
(925) 687-7346

Today's Date: 3/2/2012

Veterinarian: Dr. Karl Lentz

Our Mission at EBARR

**We provide a home for
animals in need**

**We believe in the health and welfare
of all animals and we will never
discriminate against breed or size.**

As part of our family, all
animals will receive training,
socialization, a full medical
package and a loving home.
We will serve as an adoption
option and educational
resource for the community.



Our goal is to one day
open a full service
sanctuary in California for
all animals in need of a
home.

**East Bay Animal Rescue & Refuge is a
non-profit animal rescue and is 100%
dependant on public donations.**

**WE ARE ONE OF THE FEW RESCUE
ORGANIZATIONS THAT WILL
ACCEPT ANIMALS FROM THE
COMMUNITY.***

Help us help the animals. Your donations will support
our programs that provide direct aid for the animals.
Mail your donation to the address below or online at
<http://ebarr.org>. EBARR is a public charity
incorporated under Section 501(c)(3) of the Internal
Revenue Service Code. All contributions are tax
deductible to the extent the law allows.

Name: _____

Address: _____

City: _____

State: _____ Zip: _____

Email: _____

Phone: _____

Donation amount: _____



East Bay Animal Rescue & Refuge

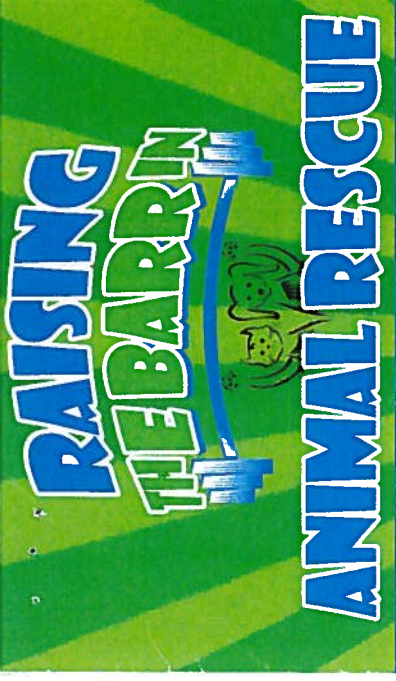
5433 Clayton Rd. Unit K-#125 Clayton, CA. 94517

Phone: (925) 429-2785

Email: animalrescue@ebarr.org

<http://ebarr.org>

Join Us on Facebook



EAST BAY ANIMAL RESCUE & REFUGE

Adopt a Pet Foster & Volunteer

How EBARR got its start

(925) 429-2785

EBARR is a shelter free rescue

Ray Gonzales & Cynthia DeRita

All of our animals receive an extensive medical package. Every animal is seen by our veterinarian and provided the following:

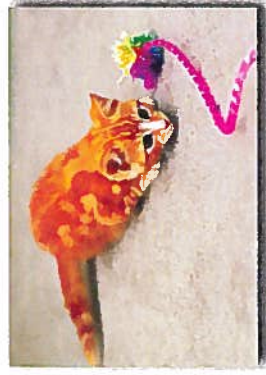


- 🐾 **Alteration**
- 🐾 **Vaccinations**
- 🐾 **Flea Treatment**
- 🐾 **Microchip**
- 🐾 **Deworming**
- 🐾 **Blood parasite test and prevention**
- 🐾 **Intestinal parasite exam**
- 🐾 **A general health exam, where any and all issues are addressed and treated.**
- 🐾 **In addition, for cats and kittens we test for Leukemia and Aids.**

All animals adopted from us come with a receipt, listing all services provided from our veterinarian.

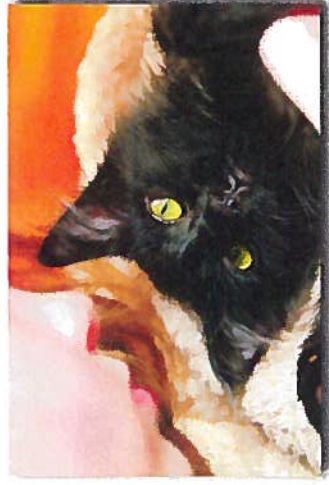
Visit us at ebarr.org to see animals currently available for adoption.

All of the EBARR animals waiting for adoption are in foster homes. The number of animals we can help at one time is relevant to how many foster homes there are available.



Fostering a pet can be a rewarding experience for the entire family. Animals provide countless hours of entertainment and enrichment. Many families love the idea of fostering so they can teach their children the value of responsibility of caring for an animal.

Foster families also should feel proud that they have helped save a life of an orphaned animal.



EBARR was founded by Cynthia DeRita and Ray Gonzales in 2008. It was born out of our belief that there was a need in the community for a high quality rescue group that accepts cats and dogs (under certain conditions) from the community. Since our inception we have had thousands of adoptions of orphaned animals. Many of them community surrenders and cats and dogs that were at risk of being euthanized at local animal shelters.

EBARR has lofty goals in the future to open an animal sanctuary and full service animal care facility; that will have boarding, vet care, education center, adoption center, training & grooming facilities.

ADOPTIONS HELD EVERY WEEKEND

BECOME A PET FOSTER

VISIT EBARR.ORG TO FIND OUT MORE

ADMINISTRATIVE
CITATION

Citation # 30041

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 3-17-12 Time 8:52 AM ☒ PM Day of Week Sat

Location of Violation 5110 EQUESTRAIN

Citation Issued To (owner/resident/business) Jennifer Campbell Date Issued 3-17-12
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)
6-1.20(b)	NO LICENSE x 2	\$ 200 ⁰⁰
6-1.12.2	NO HABIES proof x 2	\$ 200 ⁰⁰
6-1.18	excessive barking	\$ 100 ⁰⁰
		\$
TOTAL DUE:		\$ 500 ⁰⁰

YOU were issued a notice to correct on 3-1-12 and failed to do so.

Notes:

Issuing Officer A. Romero ID number 4675 Date 3-17-12

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

VIOLATION COPY

CITY OF ANTIOCH
P.O. BOX 5007
ANTIOCH, CA 94531-5007

ORDER: You are ordered to immediately cease this commission of the Municipal Code violation(s) listed on the reverse of this Administrative Citation.

ADMINISTRATIVE CITATION: Pursuant to Section 1-2.01(E) of the Antioch Municipal Code, each day the violation continues is a separate and distinct offense and subject to additional citations. Fines per each count of the Antioch Municipal Code Section violated are as follows: first Citation \$100.00, second Citation \$200.00, third and subsequent Citations \$500.00. Notwithstanding the above, violations of local building and safety codes are punishable by fines of \$500 for second Citation and \$1,000 for third and subsequent Citations.

RIGHTS OF APPEAL: You have the right to contest this Administrative Citation at a public hearing before a "Administrative Review Panel" ("ARP") To request a hearing, you must pay an advance deposit in the full amount of the fine and submit that amount with the written appeal either by mail to the City Clerk, P.O. Box 5007, Antioch, CA 94531-5007, or in person to the City Clerk's office at City Hall, Third & " Streets, Antioch, **within ten (10) days from the date of the Administrative Citation.** A properly filed appeal will result in written notification of the date and time set for your hearing. Failure to appear at your hearing will constitute a failure to exhaust your administrative remedies. Any person who requests an appeal of an administrative citation and is unable to make the advance deposit of the fine required under AMC §1-5.05(B) may file an advance deposit hardship waiver application. Applications may be obtained from the City Clerk's Office at the above address and must be submitted with the appeal request.

HOW TO PAY FINE: The amount of the Administrative Fine(s) is listed on the reverse of this Administrative Citation and must be paid to the City of Antioch within **ten (10) days** from the date of this Citation. You may pay and deliver the Administrative Fine(s) to the City by mail (P.O. Box 5007, Antioch, CA 94531-5007) or in person to the Cashiers in the Finance Department, First Floor of City Hall, Third & "H" Streets, Antioch. Payment should be in the form of a personal check, cashier's check, money order, VISA, Master Card or Discover Card. Unless you have requested a hearing to appeal the Administrative Citation, you will be subject to the imposition of a **ten percent (10%) late payment** penalty if the Administrative Fine(s) **if not paid.** Payment of Administrative Fine(s) does not permit any continuation or repeated occurrence of the Municipal Code violation(s) listed on this Administrative Citation.

CONSEQUENCES OF FAILURE TO PAY THE FINE(S): The City will collect any unpaid Administrative Citation fines or late payment charges by use of all available legal means, including, but not limited to, those means available for the collection of judgments, special assessment liens on real property and all actions for recovery of money. The City has the authority to collect all costs and attorney fees associated with the filing of such action.

RIGHT TO JUDICIAL REVIEW: Any person aggrieved by an administrative decision of the ARP on an Administrative Citation may obtain review of the administrative decision by filing a petition for review with the Superior Court in Contra Costa County in accordance with the timelines and provisions set forth in California Government Code Section 53069.4

IMPORTANT
PLEASE HAVE THE INFORMATION ON THIS FORM
TRANSLATED FOR YOU.

Antioch Police Department
Event Report

Page 1 of 2

Time: 03/27/2012 16:55:49

Event: 12-024163

INCIDENT INFORMATION

Receive Time 03/17/2012 11:56:38	Clear Time 3/17/2012 2:57:22 PM	Call Taker HELGEMO, MONIKA ID: 1950	Position AS10559
Classification 1091M	Priority 4	How Receive P	Services Police
Address 5116 EQUESTRIAN WY / BERRYDALE WY, ANTIOCH			
Police Agency PD	District	Beat 3	Station 610

REPORTING PARTIES

Name LARRY THOMAS	Phone
Address	Info

SYNOPSIS

2 AGGRESSIVE DOGS ON PROPERTY THAT ARE BARKING ALL THE TIME. HAVE MULTI COMPLAINTS AND 3-1-12 A NOTICE TO CORRECT WAS LEFT. NOTHING CURR IN CHAMELEON.

DISPOSITIONS

Closing Class ANML	Event Dispo 9	Location	Unit Code	Agency: Case Number PD:	Primary Staff ROMERO, ADA 4675
------------------------------	-------------------------	----------	-----------	-----------------------------------	--

UNIT HISTORIES / SUPPLEMENTS

Time 03/17/2012 14:38:03	Unit K4	Status D	Operator CLONINGER, NAHLEEN ID: 4499	Position CAD5
Time 03/17/2012 14:38:06	Unit K4	Status 49E	Operator CLONINGER, NAHLEEN ID: 4499	Position CAD5
Time 03/17/2012 14:51:54	Unit K4	Status 97E	Operator ROMERO, ADA ID: 4675	Position VM765
Time 03/17/2012 14:57:07			Operator ROMERO, ADA ID: 4675	Position VM765

Supplement

NO ANSWER AT RES. LEFT ADMIN CITE FOR JENNIFER CAMPBELL FOR NO LICX2, NO PROOF OF RABIESX2, AND EXCESSIVE BARKING= \$500

Time 03/17/2012 14:57:22	Unit K4	Dissociate Status 8
------------------------------------	-------------------	-------------------------------

STAFF

Police Unit K4	Staff ROMERO, ADA ID: 4675
--------------------------	--------------------------------------

RESPONSE TIMES

	Event	Police
Receive	03/17/2012 11:56:38	
Save	03/17/2012 11:59:04	
Dispatch	03/17/2012 14:38:03	03/17/2012 14:38:03
Enroute	03/17/2012 14:38:06	03/17/2012 14:38:06
Arrive	03/17/2012 14:51:54	03/17/2012 14:51:54

Antioch Police Department
Event Report

Page 2 of 2

Time: 03/27/2012 16:55:49

Event: 12-024163

Last Clear	03/17/2012 14:57:22	03/17/2012 14:57:22	
No. of Units	1	1	

26-C133421

CITY OF ANTIOCH

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

☐ NOTICE TO APPEAR
☒ NOTICE TO CORRECT

DOCKET NO./C.R. NO.

DATE 3-01-2012 TIME 2:56 P M DAY OF WEEK Thurs

NAME (FIRST, MIDDLE, LAST)

RESIDENCE ADDRESS

BUSINESS ADDRESS

CITY

PHONE

DRIVERS
LICENSE
NO.

STATE

CLASS

BIRTHDATE

SEX

HAIR

EYES

HEIGHT

WEIGHT

OTHER DES.

DESCRIPTION OF ANIMAL(S)

LICENSE NO.

OWNER IF DIFFERENT FROM ABOVE

VIOLATION(S) CODE SECTION DESCRIPTION INFRACTION:

6-1.20(b) NO license x 2
6-1.12.2 NO proof of Rabies x 2

LOCATION OF VIOLATIONS

REMARKS

Be advised we have also received
barking complaints

CASE #

☐ 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

SERIAL NO.

NAME OF ARRESTING OFFICER-IF DIFFERENT FROM ABOVE

SERIAL NO.

VACATION DATES
TO

☐ 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 30 DAYS.

SIGNATURE

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

DATE 20 TIME M

☐ OR YOU MAY APPEAR
ON THE NIGHT(S) OF

AT

P.M.

FORM APPROVED BY THE JUDICIAL COUNCIL OF CALIFORNIA
(S) 4-29-88 P.C. 853.9

SEE REVERSE SIDE

ANIMAL SERVICE COPY

Antioch Police Department
Event Report

Page 1 of 2

Time: 03/27/2012 16:55:30

Event: 12-018957

INCIDENT INFORMATION

Receive Time 03/01/2012 14:11:46	Clear Time 3/1/2012 3:00:47 PM	Call Taker PATO, ALICIA ID: 4142	Position AS10560
Classification 1091M	Priority 4	How Receive P	Services Police
Address 5116 EQUESTRIAN WY / BERRYDALE WY, ANTIOCH			
Police Agency PD	District	Beat 3	Station 610

REPORTING PARTIES

Name LARRY THOMAS	Phone
Address	Info

SYNOPSIS

RP STATES 2 AGGRESSIVE DOGS IN KENNEL IN BACK YARD AT PROPERTY. NON STOP BARKING.

DISPOSITIONS

Closing Class ANML	Event Dispo 9	Location	Unit Code	Agency: Case Number PD:	Primary Staff ROMERO, ADA 4675
------------------------------	-------------------------	----------	-----------	-----------------------------------	--

UNIT HISTORIES / SUPPLEMENTS

Time 03/01/2012 14:32:42	Unit K4	Status D	Operator SIMONELLI, KORINA ID: 4074	Position CAD4
Time 03/01/2012 14:33:20	Unit K4	Status 49E	Operator ROMERO, ADA ID: 4675	Position VM761
Time 03/01/2012 14:54:37	Unit K4	Status 97E	Operator ROMERO, ADA ID: 4675	Position VM761
Time 03/01/2012 15:00:41			Operator ROMERO, ADA ID: 4675	Position VM761
Supplement NO BARKING HEARD. NO ANSWER AT RES LEFT CITE FOR NO LICX2, NO PROOF OF RABIESX2, AND ADVISED OF BARKING COMPLAINTS				
Time 03/01/2012 15:00:47	Unit K4	Dissociate Status 8		

STAFF

Police Unit K4	Staff ROMERO, ADA ID: 4675
--------------------------	--------------------------------------

RESPONSE TIMES

	Event	Police	
Receive	03/01/2012 14:11:46		
Save	03/01/2012 14:13:48		
Dispatch	03/01/2012 14:32:42	03/01/2012 14:32:42	
Enroute	03/01/2012 14:33:20	03/01/2012 14:33:20	
Arrive	03/01/2012 14:54:37	03/01/2012 14:54:37	

Antioch Police Department
Event Report

Page 2 of 2

Time: 03/27/2012 16:55:30

Event: 12-018957

Last Clear	03/01/2012 15:00:47	03/01/2012 15:00:47	
No. of Units	1	1	

Antioch Police Department
Event Report

Page 1 of 1

Time: 03/27/2012 16:55:10

Event: 12-015413

INCIDENT INFORMATION

Receive Time 02/19/2012 15:39:47	Clear Time 2/19/2012 3:41:58 PM	Call Taker CLONINGER, NAHLEEN ID: 4499	Position CAD2
Classification 415BD	Priority 4	How Receive P	Services Police
Address 5116 EQUESTRIAN WY / BERRYDALE WY, ANTIOCH			
Police Agency PD	District	Beat 3	Station 610

REPORTING PARTIES

Name VIRGINIA THOMAS	Phone (925)778-7155
Address 5119 PIONEER WY, ANTIOCH	Info Contact

SYNOPSIS

NON STOP BARKING FROM THIS DOG - RP SAYS THE DOG IS HOARSE AND HAS RIGHTS TO AND SHE SHOULDNT BE HELD HOSTAGE IN HER HOME.. UPSET THAT A/C HAS NOT RETURNED MESSAGES ON THEIR DAYS OFF.

DISPOSITIONS

Closing Class ANML	Event Dispo P	Location	Unit Code	Agency: Case Number PD:	Primary Staff CLONINGER, NAHLEEN 4499
------------------------------	-------------------------	----------	-----------	-----------------------------------	---

RESPONSE TIMES

	Event	Police	
Receive	02/19/2012 15:39:47		
Save	02/19/2012 15:41:38		
Dispatch			
Enroute			
Arrive			
Last Clear			
No. of Units	0	0	

**STAFF REPORT TO THE ADMINISTRATIVE REVIEW PANEL FOR
CONSIDERATION AT THE HEARING OF JUNE 7TH 2012**

PREPARED BY: Ada Gomez, Animal Control Officer

DATE: June 7th 2012

SUBJECT: **DANGEROUS ANIMAL DECLARATION**

Animal Services Case No. A12-000043 – 1150 Rockspring Way

Violation of Antioch Municipal Code § 6-1.22

DANGEROUS DOGS AND ANIMAL (A) POTENTIALLY DANGEROUS ANIMAL(b)

REQUEST:

Appellate Adan Flores requests a hearing to appeal the decision of a Dangerous Animal Determination, declared on May 12, 2012 citing violations of the Antioch Municipal Code § 6-1.22 DANGEROUS DOGS AND ANIMALS (A) (b) which in part describes a Potentially Dangerous Dog or Animal as... **(b) Any dog or animal which when unprovoked, bites a person causing less severe injury than as defined herein as a SEVERE INJURY.**

BACKGROUND INFORMATION:

Responsible Dog owner:

- Adan Flores – 1150 Rockspring Way, Antioch, CA 94531

Responsible Dog:

- "Mono" # A506433 – Neutered/Male, 3 years, Samoyed, Current License (expires 2013) Current Rabies Vaccination (expires 2013)

Antioch Police Department Officer Ward responded to a call for service for a dog bite on April 30, 2012. (See attached Event # 12-038816 and Photos)

2B
06-07-12

May 01, 2012 Acting Animal Control Officer Johnson receives a bite report and tries to make contact with dog owner. **(See attached Event # 12-039297)** Johnson leaves cite regarding quarantine of biting animal. **(See attached Cite # 126785)**

May 05, 2012 Dog owner Adan Flores turns dog "Mono" (A506433) over to Antioch Animal Service for quarantine and Potentially Dangerous Animal investigation.

May 12, 2012 Supervisor Helgemo determines "Mono" (A056433) to be a "Potentially Dangerous Animal" under municipal Code § 6-1.22 (A) (b) *Any dog or animal which, when unprovoked, bites a person causing a less severe injury as defined herein as SEVERE INJURY. (See attached declaration and terms and conditions of confinement)* Mr. Flores is also notified of determination via phone and later comes in to Antioch Animal Services to obtain a copy of declaration letter and terms and conditions of confinement. After reviewing terms and conditions of confinement, Flores decides to surrender dog "Mono" (A56433) for euthanasia to Animal Services. Later that afternoon Mr. Flores returns to Animal Services to advise he has changed his mind and would now like to comply with terms and conditions of confinement. Total amount of surrender is refunded.

May 15, 2012 Mr. Flores appealed the declaration of the dog known as "Mono" (A56433)

RECOMMENDATION:

Staff recommendation is to uphold the Declaration of Potentiality Dangerous Animal under Municipal Code § 6-1.22 (A) (b)

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

7 POTENTIALLY DANGEROUS ANIMAL APPEAL HEARING
8 CHAPTER 6-1.22, Section (A) (b) ANTIOCH MUNICIPAL CODE
9

10 In re the Matter of:

11 ADAN FLORES [APPELLANT]
12

Potentially Dangerous Animal Declaration, with terms
and conditions of confinement, for the dog known as
"Mono"

DECISION OF BOARD OF ADMINISTRATIVE
APPEALS

13
14 I. GENERAL FINDINGS:

- 15 1. The Potentially Dangerous Animal declaration, with terms and conditions of confinement,
16 concerns a code violation by the dog known as "Mono" [A506433] for violation of AMC § 6-
17 1.22 (A) (b) (potentially dangerous animal). At all relevant times Appellant was the sole owner
of dog and/or the responsible party.
- 18 2. Appellant appealed the Potentially Dangerous Animal Declaration, with terms and conditions
19 of confinement for dog, which are the only items at issue for today's hearing.
- 20 3. An Administrative Appeals Board Hearing regarding the Appellant's appeal of the Potentially
21 Dangerous Animal Declaration, with terms and conditions of confinement, was set for June 07,
22 2012, and the Appellant was duly notified by the City Clerk.

23 II. SPECIFIC FINDINGS:

24 An Administrative Appeals Board Hearing regarding Appellant's appeal of the Potentially Dangerous
25 Animal Declaration, with terms and conditions of confinement, for the dog known as "Mono" was
duly held on June 07, 2012, at 3PM. Evidence, both oral and documentary, was taken and based on
the preponderance of said evidence; the following specific findings are made:

- 26 1. On April 30, 2012, Antioch Police Department dispatch received a call for service of a dog bite.
27 The citizen recognized the dog belonging to a neighbor a few homes down from her residence.
28 APD Officer Ward was dispatched to the call for service, he was unable to locate dog in
question or make contact with dog owner. Officer Ward took pictures of the injury and made a
report for Animal Services to follow up.

2. On May 01, 2012 Acting ACO Johnson received the bite report and was dispatched to 1150 Rockspring Way, in attempt to make contact with dog owner and impound dog in question. Johnson was unable to make contact with dog owner. A cite was left for violation of quarantine, refusal to display biting animal, and not reporting a biting animal. Johnson also gave notice that dog in question needed to be turned over to Antioch Animal Services for quarantine.
3. On May 05, 2012 Dog owner Mr. Flores turned over "Mono" for quarantine and "Potentially Dangerous Animal" investigation. Flores was given quarantine information and was advised the supervisor would review investigation and determine if "Mono" fit into municipal code 6-1.22(b) under "Potentially Dangerous Animal" and if so what stipulations would follow.
4. On May 12, 2012 Mr. Flores was notified via phone of the determination. Mr. Flores than came in to Antioch Animal Services to pick up a copy of Declaration letter and terms and condition of confinement. After reviewing letter and terms and conditions Mr. Flores advised that he would like to surrender "Mono" to Antioch Animal Services. Mr. Flores paid a total of \$298.00 for quarantine and surrender fees. Later that afternoon Mr. Flores returned to advised he had changed his mind, and now wanted to comply with terms and conditions of confinement. The full amount of \$298.00 was refunded to Mr. Flores. On that same Mr. Flores was issued, through first class U.S. Mail, a letter stating that the dog, known as "Mono" was declared Potentially Dangerous Animals and that the dog would be returned to him provided he sign a Potentially Dangerous Animal Declaration with terms and conditions of confinement. A copy of the appeal process and hardship waiver was also attached.
5. On May 15, 2012, Mr. Flores appealed the declaration of the dog known as "Mono".
6. The City has the ability to declare a dog Potentially Dangerous pursuant to AMC § 6-1.22 (A)(b) which in part defines a Potentially Dangerous Animal as: "Any dog or animal which, when unprovoked, bites a person causing a less than severe injury as defined herein as a SEVERE INJURY.

Based on a preponderance of evidence, the Board finds that there was probable cause for the City to declare the dogs, known as "Mono" Potentially Dangerous Animals with terms and conditions of confinement 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 Adan Flores, 1150 Rockspring Way, Antioch, CA, 94531.

Dated: June 07, 2012

CHAIRPERSON OF THE BOARD

1 **Notice of Right To Appeal Decision:** Any person aggrieved by an Administrative Board of Appeals may obtain
2 review of the decision by the Contra Costa Superior Court, 725 Court Street, Martinez, CA, 94553, by filing with
3 the Court a petition for writ of mandate pursuant to section 1094.6 of the California Government Code.
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

RECEIVED

MAY 15 2012

CITY OF ANTIOCH
CITY CLERK

City of Antioch
Decision Appeal Application

CITY OF ANTIOCH
925-779-7055

RECH: 00503192 5/15/2012 4:50 PM
OPER: FV3 TERM: 003
REF#: V

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

ACCT #: XXXX-XXXX-XXXX-8432
AUTH #: 01200B
TRAN #: 000000001151

TRAN: 132.0000 Other Sv Chg-Copies
APPEAL FLORES, ADAN
Other Service Chrg 792.00CR

Date of Decision: 05-12-2012

TENDERED: 792.00 CREDIT CARD
APPLIED: 792.00-

Name: Adan Flores

CHANGE: 0.00

Property Address: 1150 Rockspring way Antioch Ca. 94531

Mailing Address: Same

Home Phone: (925) 755-0514

Work Phone: 925-813-9981

REASON FOR APPEAL

I know it my Dog is Not Dangerous animal

Signature

Adan Flores

Date

05-15-2012



May 12, 2012

Adan Flores
1150 Rockspring Way
Antioch, CA 94531

RE: Declaration of Potentially Dangerous Animal

- **"Mono", a male, white Samoyed ID# A506433**

Dear Mr. Flores:

Your dog, "Mono" has been found to be in violation of Antioch Municipal Code § 6-1.22, Section (A) *Potentially Dangerous Animal* (b) based on an incident occurred on April 29, 2012.

*(b) Any dog or animal which, when unprovoked, bites a person causing a less severe injury than as defined herein as a **SEVERE INJURY** Accordingly, the Antioch Animal Services, a division of the Antioch Police Department, has determined that there exists probable cause that your dogs are "Potentially Dangerous Animals" under the Antioch Municipal Code and Article 2 of Chapter 9 of the California Food and Agricultural Code.*

Your dog, having been declared a "*Potentially Dangerous Animal*," may be returned to you if you do all of the following by **5:00 p.m. on May 30, 2012:**

- 1) Sign the "*Potentially Dangerous Animal Declaration: Terms and Conditions*" and comply with all of the terms and conditions of confinement. A copy of this agreement has been included; and
- 2) Pay the required fees.

To date the fees for your dog(s) are \$237.00 and board increases by \$17.00 per day per animal starting on May 12, 2012:

- Quarantine: \$215.00
- Microchip: \$22.00

Total: \$237.00 plus boarding fees

The dogs will be deemed surrendered to the City to be humanely euthanized, if you do not by May 30, 2012 at 5pm: sign the Agreement: fulfill all Terms and Conditions; and pay \$237.00 plus boarding costs of \$17.00 per day per dog to the date of redeeming the dogs. If you no longer wish to keep the dogs, you may come into the Animal Services Shelter to surrender them earlier.

Animal Services is open to the public Tuesday through Thursday 10 a.m. to 5 p.m. and Saturday from 10 a.m. to 5:00 p.m. Please check the City's website: <http://www.ci.antioch.ca.us/CityGov/Police/AntiochAnimalSvcs/default.htm#> or call the Animal Services Shelter regarding any holiday closures.

If you wish to contest the finding that the dogs are "Potentially Dangerous Animals," then you must file a written request and pay those fees listed above totaling \$237.00, plus a \$504.00 Dangerous Animal Investigation Fee, to the City Clerk's Office no later than **May 30, 2012 by 5:00 p.m.** in order to schedule a hearing with the Board of Administrative Appeals. The City Clerk's office is located at 200 'H' Street, Antioch, CA 94509. You may also mail your written request with full payment to the City Clerk's Office, P.O. Box 5007, Antioch, CA 94531-5007, to be received no later than **May 30, 2012 by 5:00 p.m.** The Clerk's Office hours are Monday through Thursday, 8:00 a.m. to 5:00 p.m. except City holidays. **If both the written appeal request and fees are not received by May 30, 2012, 5:00 p.m., then the City will deem that you have surrendered the dogs to the City to be humanely euthanized.**

Boarding fees for the dog(s) will still be due with the amount depending on the final action of the Board of Administrative Appeals.

The \$504.00 Dangerous Animal Investigation Fee may be deferred until the Board of Administrative Appeals makes a decision if you complete and submit the Hardship Waiver Application with supporting documentation to the City Clerk's Office **by 5:00 p.m. on May 30, 2012.**

Should you have any questions concerning this matter, please feel free to contact Antioch Animal Services at (925) 779-6989.

Respectfully,

A handwritten signature in cursive script, appearing to read "M. Helgemo".

Officer Monika Helgemo, #1950

Supervisor of Animal Services

Antioch Police Department

300 L Street

Antioch, CA 94509

Enc.: Dangerous Animal Declaration Terms and Conditions
Hardship Waiver Application

Antioch Animal Services
Police Department

300 L Street, Antioch, CA 94509-1100



Allan Cantando
Chief of Police

(925) 779-6989

ANTIOCH ANIMAL SERVICES **DANGEROUS ANIMAL DECLARATION** **TERMS AND CONDITIONS**

Dog Owner:

Adan Flores
1150 Rockspring Way
Antioch, CA 94531

Pursuant to Antioch Municipal Code Section 6-1.22, on May 12, 2012, the following animal is declared to be a **POTENTIALLY DANGEROUS ANIMAL**.

- **"Mono", a white, female, Samoyed, Animal ID #A506433**

The Owner or Custodian of the above described dog is hereby directed to keep the animal under strict restraint and control at all times. An Animal Control Officer of the City of Antioch may seize the animal and petition to have it humanely euthanized in the event the animal is found in violation of any restriction and/or condition outlined below:

1. If not all Owners of the subject dog sign this Agreement, the signing Owner represents that he/she has the authority of the other Owners to sign on their behalf. _____
2. Antioch Animal Services shall have the authority, at reasonable times, to inspect and approve the area of confinement of the declared Potentially Dangerous Dog. _____
3. Adult Owner(s) and dog **must** enroll in, and satisfactorily complete, a basic obedience/aggressive dog training course within 90 days of release.

Proof of satisfactory completion must be presented to Antioch Animal Services within 5 business days of completion. _____

4. Prior to release, the dog shall be micro-chipped for permanent identification at the Owner's expense and the identification numbers registered with Home Again Pet Recovery as provided in the microchip information packet at the Owner's expense. _____
5. Prior to release, the dog shall be spayed or neutered at the Owner's expense. An employee of Antioch Animal Services will transport the dog to an Antioch Veterinarian approved by the Owner. _____
6. The dog when in public, must wear a humane muzzle, a dog harness and be restrained by a leash not exceeding 6 feet in length and under the control of a competent adult. _____
7. The dog shall not be allowed loose in the front yard. _____
8. The dog must not be left unattended or tethered in the front yard. _____
9. Owner must post a "BEWARE OF DOG" sign at each entry gate to rear/side yards. The sign must depict the head of a growling dog. _____
10. An adult must be present and supervising the dog when it is loose in the side and/or rear yards. _____
11. Owner is required to have a large outside dog kennel. [See attached for Kennel Requirements] When the dog is unsupervised in the side and/or rear yard, it must be kept in a totally enclosed kennel with gates locked. The kennel must be inspected and approved by an Animal Control Officer prior to release of the dog. _____
12. Exit gates and/or doors from premises must be self-closing, self-latching and in good operating order. _____
13. A security screen door must be properly installed on the front door entrance of the premises. _____
14. Doors leading from the rear of side yards and/or residence into garage must be self-closing, self-latching and in good operating order. _____
15. The dog must be kept current on rabies vaccination and dog license. _____
16. Owner must immediately contact Antioch Animal Services whenever the dog escapes the Owner's premises or whenever they bite a human or animal. _____

- 17. Owner must comply with all applicable animal care and control laws.

- 18. Owner must advise any and all caregivers/custodians of the dog of these terms and conditions. _____
- 19. All fees owing to the City of Antioch will be paid prior to release of the dog. _____
- 20. The Owner or Keeper of the declared Potentially Dangerous Animal must present to the Supervisor of Animal Services proof that the Owner or Keeper has procured liability insurance from an insurer licensed to practice in the state of California, in a single incident amount of not less than one hundred thousand dollars for each animal, for injury to or death of any person or persons, or loss or damage to any property caused by or resulting from any act of such animal. Liability insurance shall not be canceled unless the Owner or Keeper ceases to own or keep the animal prior to expiration of that insurance. Coverage shall be evidenced by a certificate issued by the insurer. The Owner shall also provide documentation from the insurer warranting that the insurer will provide Antioch Animal Services at least thirty days advance notice of cancellation of insurance. _____

Please be advised that the owner of the property where the dog resides will be notified of the animal's "Potentially Dangerous Animal" status and a copy of this declaration will be issued as a courtesy through registered mail.

Owner acknowledges that the above-described dog has been declared to be a **"POTENTIALLY DANGEROUS ANIMAL"**, and agrees to comply with the Terms and Conditions of this agreement and acknowledges that any violation of these terms and conditions may result in Antioch Animal Services seizing the dog and recommending that the animal be euthanized.

CITY OF ANTIOCH:

ANIMAL OWNER:

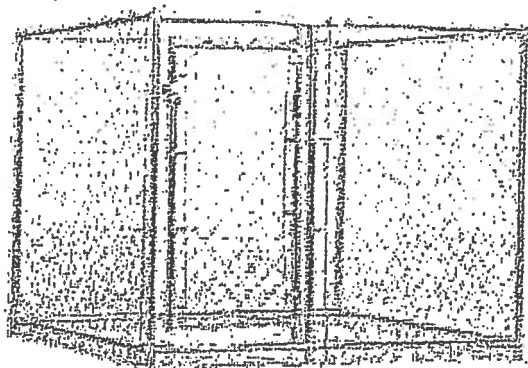
By: _____
Animal Services Representative

By: _____

Date: _____

Date: _____

PDA KENNEL REQUIREMENTS



Kennel Requirements:

Kennel will need to be covered w/ secured wire.

Kennel will need to be cemented into ground.

Door(s) to kennel must have locks installed.

Kennel needs to have shelter, food/water bowls inside.

Dog must have ample room to turn around in.

* Kennel must be inspected and approved by Animal Control Officer prior to release of dog.

26-C 126785

CITY OF ANTIOCH

- ☐ NOTICE TO APPEAR
☐ NOTICE TO CORRECT

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

DOCKET NO./C.R. NO.

DATE	5/11	20	TIME	2:42	P	DAY OF WEEK	Tuesday
NAME (FIRST, MIDDLE, LAST)							
Adan Flores							
RESIDENCE ADDRESS							
1150 Rockspring Way							
CITY							
Antioch							
BUSINESS ADDRESS							
PHONE							

DRIVERS LICENSE NO.	STATE	CLASS	BIRTHDATE
SEX	HAIR	EYES	HEIGHT
M	F	WEIGHT	OTHER DES.
DESCRIPTION OF ANIMAL(S)			LICENSE NO.

1 White ~~coyote~~ Samoyed "mono"

OWNER IF DIFFERENT FROM ABOVE

VIOLATION(S)	CODE	SECTION	DESCRIPTION	<input type="checkbox"/> INFRACTION:
--------------	------	---------	-------------	--------------------------------------

6-1.20 (A) violation of quarantine x1
 6-1.20 (H) Refusal to display Animal x1
 6-1.37 not reporting a biting Animal x1

REMARKS: Bring dog to 300 "L" Street
 Antioch CA 94509 by 5pm

☐ OFFENCE(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

Officer G. Johnson
 NAME OF ARRESTING OFFICER-IF DIFFERENT FROM ABOVE
 SERIAL NO. 4486
 VACATION DATES TO

☐ WITHOUT ADMITTING GUILT, I PROMISE TO APPEAR AT THE TIME AND PLACE CHECKED BELOW.
☒ I PROMISE TO CORRECT AND GIVE PROOF OF CORRECTION 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) 45 CIVIC AVE., PITTSBURG, CA.

<input type="checkbox"/> DATE	20	TIME	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) 4-29-88 P.C. 853.9

SEE REVERSE SIDE

COURT COPY

Antioch Police Department
Event Report

Page 1 of 2

Time: 05/10/2012 10:42:27

Event: 12-039297

INCIDENT INFORMATION

Receive Time 05/01/2012 13:47:50	Clear Time 5/1/2012 2:53:37 PM	Call Taker HELGEMO, MONIKA ID: 1950	Position AS10559
Classification 1091B	Priority 4	How Receive P	Services Police
Address 1150 ROCKSPRING WY / GLENHOLLOW WY, ANTIOCH			
Police Agency PD	District	Beat 3	Station 505

REPORTING PARTIES

Name SARA BRANDLEY	Phone [REDACTED]
Address 1162 ROCKSPRING WY, ANTIOCH	Info

SYNOPSIS

A WHITE SAMOYED BIT THE R/P THIS MORNING..SEE EVENT 12-038816. DOG WENT THREW 3 FENCES AND THEN INTO YARD AND BIT HER. DOG IS MONO CURR LICENSE...IMPOUND FOR PDA...

DISPOSITIONS

Closing Class ANML	Event Dispo 7	Location	Unit Code	Agency: Case Number PD:	Primary Staff JOHNSON, GABRIELLE 4486
------------------------------	-------------------------	----------	-----------	-----------------------------------	---

UNIT HISTORIES / SUPPLEMENTS

Time 05/01/2012 14:19:45	Unit K5	Status D	Operator GACKOWSKI, NICOLE ID: 2701	Position CAD2
Time 05/01/2012 14:32:17	Unit K5	Status 97E	Operator JOHNSON, GABRIELLE ID: 4486	Position VM765
Time 05/01/2012 14:53:19			Operator JOHNSON, GABRIELLE ID: 4486	Position VM765
Supplement NO ANSWER AT DOOR, LEFT CITE FOR VIOLATION OF QUARANTINE, REFUSAL TO DISPLAY ANIMAL, AND NOT REPORTING A BITING DOG. LEFT NOTE TO TURN IN DOG TODAY AT 300 L STREET ANTIOCH CA 94509 ASAP OR BY 5PM TODAY. ASLSD LEFT NUMBER AND NAME TO CALL.				

Time 05/01/2012 14:53:37	Unit K5	Dissociate Status 19
------------------------------------	-------------------	--------------------------------

STAFF

Police Unit K5	Staff JOHNSON, GABRIELLE ID: 4486
--------------------------	---

RESPONSE TIMES

	Event	Police
Receive	05/01/2012 13:47:50	
Save	05/01/2012 13:53:49	
Dispatch	05/01/2012 14:19:45	05/01/2012 14:19:45
Enroute	05/01/2012 14:32:17	05/01/2012 14:32:17
Arrive	05/01/2012 14:32:17	05/01/2012 14:32:17
Last Clear	05/01/2012 14:53:37	05/01/2012 14:53:37

Antioch Police Department
Event Report

Page 2 of 2

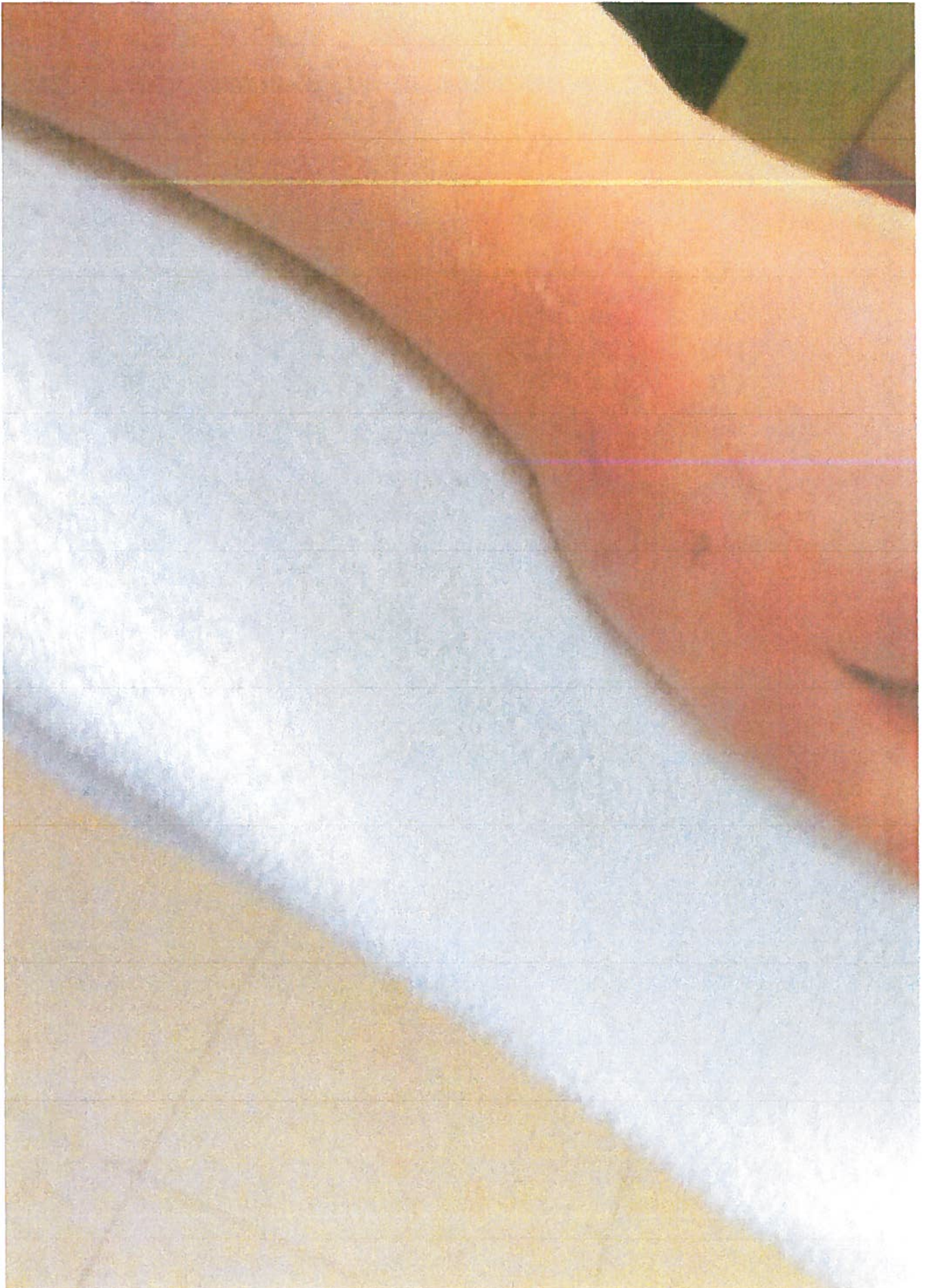
Time: 05/10/2012 10:42:27

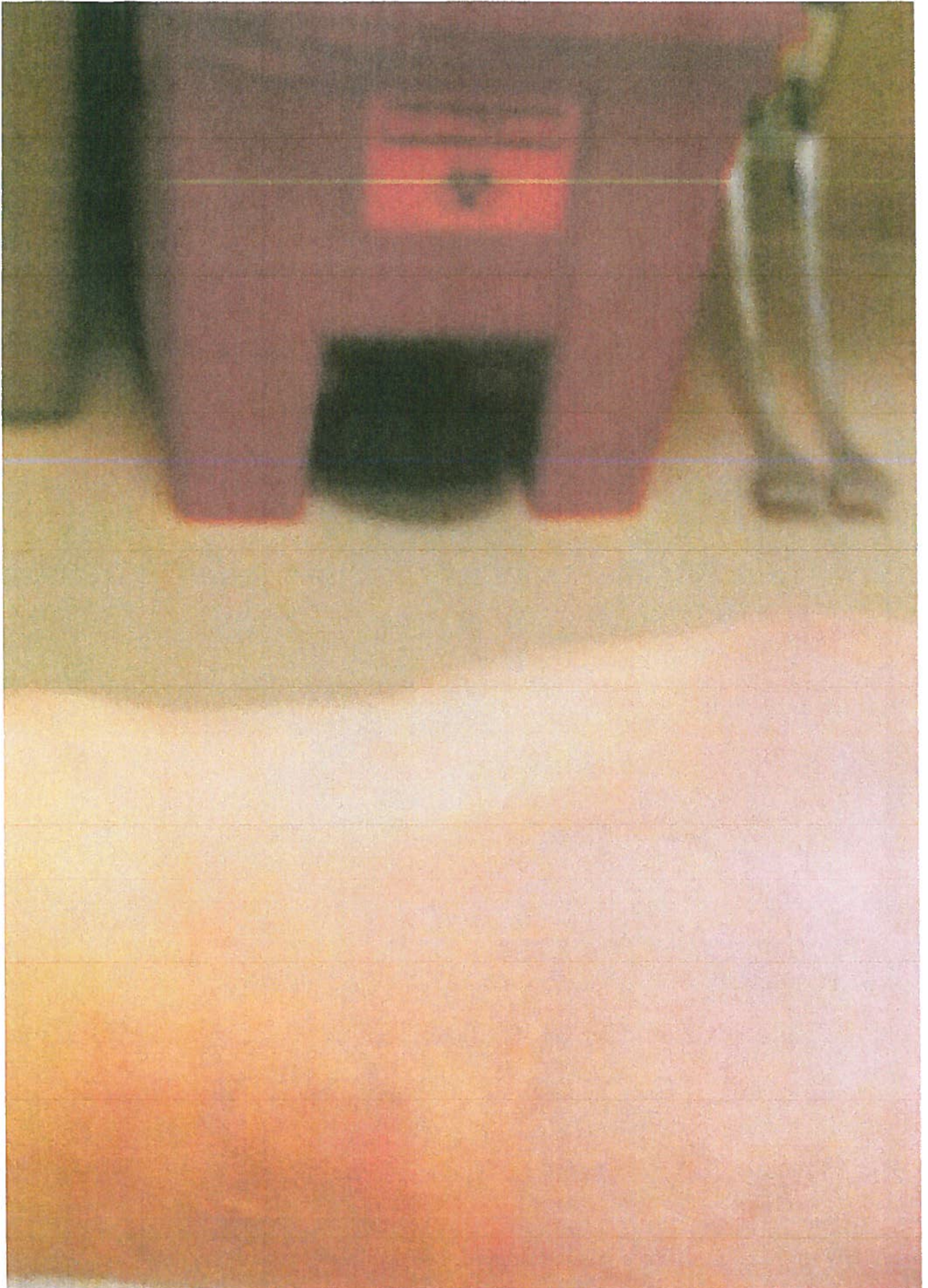
Event: 12-039297

No. of Units	1	1	
--------------	---	---	--













Antioch Police Department
Event Report

Page 1 of 2

Time: 05/10/2012 10:42:49

Event: 12-038816

INCIDENT INFORMATION

Receive Time 04/30/2012 07:27:12	Clear Time 4/30/2012 9:23:28 AM	Call Taker ADAIR, PAT ID: 2198	Position CAD5
Classification 1091A/1091B	Priority 2	How Receive P	Services Police
Address 1162 ROCKSPRING WY / GLENHOLLOW WY, ANTIOCH			
Police Agency PD	District	Beat 3	Station 505

REPORTING PARTIES

Name BRANDLEY, SARA	Phone
Address	

SYNOPSIS

WHI HUSKY BROKE THRU HER FENCE LAST NIGHT AND TRIED TO BITE HER...DOG IS STILL RUNNING LOOSE THRU NBRHOOD...DOG LIVES AT 1150 ROCKSPRING BUT RES ISNT ANSWERING THE DOOR.....

DISPOSITIONS

Closing Class ANML	Event Dispo A	Location	Unit Code	Agency: Case Number PD: 12-004110	Primary Staff WARD, NICHOLAS 4090
------------------------------	-------------------------	----------	-----------	---	---

UNIT HISTORIES / SUPPLEMENTS

Time 04/30/2012 08:18:24	Operator GACKOWSKI, NICOLE ID: 2701	Position CAD2		
Supplement RP NOW SAYING THE DOG BIT HER 10 AGO....DOG LS NEAR HIS OWN FENCE...NO MEDICAL NEEDED				
Time 04/30/2012 08:29:42	Unit X23	Status D	Operator ADAIR, PAT ID: 2198	Position CAD5
Time 04/30/2012 08:30:37	Unit X23	Status 49E	Operator WARD, NICHOLAS ID: 4090	Position VM30
Time 04/30/2012 08:43:12	Unit X23	Status 97E	Operator WARD, NICHOLAS ID: 4090	Position VM30
Time 04/30/2012 09:23:28	Unit X23	Dissociate Status 8		

STAFF

Police Unit X23	Staff WARD, NICHOLAS ID: 4090
---------------------------	---

RESPONSE TIMES

	Event	Police
Receive	04/30/2012 07:27:12	
Save	04/30/2012 07:28:31	
Dispatch	04/30/2012 08:29:42	04/30/2012 08:29:42
Enroute	04/30/2012 08:30:37	04/30/2012 08:30:37
Arrive	04/30/2012 08:43:12	04/30/2012 08:43:12

Antioch Police Department
Event Report

Page 2 of 2

Time: 05/10/2012 10:42:49

Event: 12-038816

Last Clear	04/30/2012 09:23:28	04/30/2012 09:23:28	
No. of Units	1	1	

Supplemental Case Report Antioch Police Department

CA0070100 - 300 L Street (925)779-6900

CASE NO: 12004110

EVENT NO: 12038816

Classification: INFO () -

Officer ID: WARD #4090

Location Name:

Location: 1162 ROCKSPRING WY ANTIOCH

XStreet: GLENHOLLOW WY

2nd XStreet:

Beat: 3

Occurred	Date	Time	Day
On/From	04/30/2012	07:00	Mon
To	04/30/2012	07:27	Mon
Received	04/30/2012	07:27	Mon

Supplemental Case Report
Antioch Police Department

CA0070100 - 300 L Street (925)779-6900

CASE NO: 12004110

EVENT NO: 12038816

REPORT - 1

Officer ID: WARD #4090

Supervisor: SMITH #2310

VIC Victim

BRAMBLEY, SARAH VIRGINIA

Race: White

Sex: F

DOB

Type: PERSON

Height: [REDACTED]

Weight: [REDACTED]

Hair:

in

ADDRESS INFORMATION

Address Type: PERSONAL/HOME

Phone:

Address: 1162 ROCKSPRING WY ANTIOCH CA 94509

Time at Address:

Comments:

School:

Grade #:

Occupation:

Employer:

How long:

Work Hrs:

Language:

Clothing:

Crime Type:

Suspect Status:

Additional Info:

Comments:

IDENTIFICATION NUMBERS

Identification:

Issued By:

ID No:

Drivers License

Social Security Card

NARRATIVE

On 4/30/12 at approximately 0800 hours, I was dispatched to 1162 Rockspring Way, for a report of a dog bite.

When I arrived, I spoke to Sarah Brambley, who told me the following in summary. Last night at approximately 0304 hours, she heard a dog barking in her backyard. This morning when she went out to remove her garbage cans from her backyard to put them out front, she saw a white husky which was covered in mud in her backyard. She recognized the dog as belonging to 1150 Rockspring Way. The dog had apparently broken through her side fence and come into her yard. The dog did not seem aggressive at first, and as she was moving her garbage cans out, the dog ran up and bit her in the left hand before running back through the fence. She suffered a minor cut and irritation to the bite area. The dog then took off, running back for several yards before disappearing out of sight. An area check was conducted, but the dog was not located.

I went to the address of 1150 Rockspring Way, but no one was home. The dog was not located. Animal Control was notified, and I took photos of her injury.

There are several people listed in RMS at the responsible owners address, there is no way to know who the owner is at this time.

No one in the area saw the dog.

Supplemental Case Report
Antioch Police Department

CA0070100 - 300 L Street (925)779-6900

CASE NO:

12004110

EVENT NO:

12038816

REPORT - 1

Officer ID: WARD #4090

Supervisor: SMITH #2310

NARRATIVE

(Cont'd)

The dog was not in the area or at 1150 Rockspring Way.

Animal control did not respond because the dog was not located.

The bite mark was a small red skin abrasion. No medical needed.

Nothing further.