



Public Health Animal Care and Control Division

NUISANCE ANIMAL NOISE INFORMATION SHEET IMPORTANT!! PLEASE READ BEFORE COMPLETING THE ATTACHED FORM

Enforcement of nuisance animal noise complaints may occur if the following conditions are met:

1. The violation may occur at any time, day or night.
2. The animal must reside in an "R" zone district.
3. The complainants must live within 200 yards of the animal owner.
 - (a) A waiver to the 200-yard requirement may be permitted upon approval of the Waiver Application Form.
4. At least two (2) complaints from separate residences must be filed if only one (1)-neighboring inhabitant within 200 yards of the animal owner.
 - (a) One (1) complaint from a separate residence may be filed if only one (1)-neighboring inhabitant lives within 200 yards of the animal owner.
 - (b) One (1) complaint from a separate residence seeking a waiver of the two-complaint requirement.

Upon receiving your initial complaint regarding nuisance animal noise, San Bernardino County Animal Care and Control will send a courtesy letter to the animal owner to notify the animal owner of the nuisance animal noise complaint in an attempt to allow the animal owner the opportunity to correct the animal noise.

Once the courtesy letter has been sent to the animal owner, the following steps may be taken:

1. Allow a minimum of two (2) weeks from the date the courtesy letter was sent to the animal owner. If the animal noise nuisance continues after there has been no resolution between the parties involved, at least two (2) complainants from different residences must each file and forward a **FORMAL WRITTEN COMPLAINT** with San Bernardino County Animal Control. The complaint forms are attached for you and another neighbor to complete.
2. Upon receipt of two or more completed Nuisance Animal Noise Complaint forms, or one if there is only one neighboring inhabitant or a Waiver Application Form and a waiver of the two complaint rule is granted, San Bernardino County Animal Care & Control will assign an Animal Control Officer to serve a Notice of Violation on the animal owner or keeper. The Notice of Violation will request the animal owner or keeper to abate the animal noise nuisance within fourteen (14) days.
3. After fourteen (14) days from the date the Notice of Violation is issued you continue to experience habitual animal noise, you may report the violation by calling 1-800-472-5609. San Bernardino County Animal Care and Control will assign an Animal Control Officer during regular working hours (7:00 a.m.- 5:00 p.m.) to make contact with the complainant who lodged a complaint, to issue a criminal citation. The Animal Control Officer will prepare a criminal citation to be issued to the animal owner which will require the complainant's signature on the criminal citation that attests that the complainant witnessed the nuisance animal noise violation. If the citation is contested by the animal owner the complainant signing the criminal citation will be required to testify in court regarding the nuisance animal noise violation and may be subject to subpoena.
4. After the complainant signs the criminal citation, the Animal Control officer will issue the citation on behalf of the complainant that signed the criminal citation to the animal owner.
5. For each day the violation occurs and is reported to San Bernardino County Animal Care and Control and the requirements above are met, a citation can be issued to the animal owner at the request of one of the two (2) complainants in the manner outlined in section (4) above.

Direct questions to San Bernardino County Animal Care & Control at 1-800-472-5609

NUISANCE ANIMAL NOISE COMPLAINT FORM

ANIMAL OWNER/KEEPER INFORMATION:

Name: _____ CDL#: _____
 Street Address: _____ Sex: ___ D.O.B.: _____ AGE: _____
 City: _____ State: _____ Hair: _____ Eyes: _____ Ht.: ___ Wt: _____
 Zip Code: _____ Telephone (Work): _____ Telephone (Home): _____
 Mailing Address (if different than above): _____

COMPLAINANT INFORMATION:

Name: _____ CDL. #: _____
 Street Address: _____ Sex: ___ D.O.B.: _____ Age: _____
 City: _____ State: _____ Hair: _____ Eyes: _____ Ht.: ___ Wt: _____
 Zip Code: _____ Telephone (Work): _____ Telephone (Home): _____
 Mailing Address (if different than above): _____

Have you contacted the animal owner and/or keeper to advise them of the nuisance? Yes: _____ No: _____

Please explain the results of the contact, including when contact was made or why you have made no contact:

Please describe the animal noise nuisance including as many details as possible, i.e., dates times, description of animal(s), etc. Additional information may be recorded on the reverse side of this form and you may attach additional information, if necessary.

I hereby affirm under penalty of perjury that the information given by me on this Nuisance Animal Noise Complaint Form, and its attachments, if any, to my knowledge is true and correct. I understand that I will be subject to subpoena.

Signature: _____ Date _____

Return completed Nuisance Animal Complaint Form to:

San Bernardino County Animal Care & Control – Field Services
351 N. Mt View Avenue
San Bernardino, CA 92415-0003

For Clerical Use Only
 Activity #:

NUISANCE ANIMAL NOISE COMPLAINT FORM

ANIMAL OWNER/KEEPER INFORMATION:

Name: _____ CDL#: _____
 Street Address: _____ Sex: ___ D.O.B.: _____ AGE: _____
 City: _____ State: _____ Hair: _____ Eyes: _____ Ht.: ___ Wt: ___
 Zip Code: _____ Telephone (Work): _____ Telephone (Home): _____
 Mailing Address (if different than above): _____

COMPLAINANT INFORMATION:

Name: _____ CDL. #: _____
 Street Address: _____ Sex: ___ D.O.B.: _____ Age: _____
 City: _____ State: _____ Hair: _____ Eyes: _____ Ht.: ___ Wt: ___
 Zip Code: _____ Telephone (Work): _____ Telephone (Home): _____
 Mailing Address (if different than above): _____

Have you contacted the animal owner and/or keeper to advise them of the nuisance? Yes: _____ No: _____

Please explain the results of the contact, including when contact was made or why you have made no contact:

Please describe the animal noise nuisance including as many details as possible, i.e., dates times, description of animal(s), etc. Additional information may be recorded on the reverse side of this form and you may attach additional information, if necessary.

I hereby affirm under penalty of perjury that the information given by me on this Nuisance Animal Noise Complaint Form, and its attachments, if any, to my knowledge is true and correct. I understand that I will be subject to subpoena.

Signature: _____ Date _____

Return completed Nuisance Animal Complaint Form to:

San Bernardino County Animal Care & Control – Field Services
351 N. Mt View Avenue
San Bernardino, CA 92415-0003

San Bernardino County of San Bernardino
Department of Public Health – Animal Care & Control
Nuisance Animal Noise – Waiver Application Form

ANIMAL OWNER/KEEPER INFORMATION:

Name: _____ CDL#: _____
Street Address: _____ Sex: _____ D.O.B. _____ Age: _____
City: _____ State: _____ Hair _____ Eyes: _____ Ht. _____ Wt. _____
Zip Code: _____ Telephone (W) _____ Telephone (H): _____
Mailing Address (if different than above): _____

WAIVER APPLICANT INFORMATION:

Name: _____ CDL#: _____
Street Address: _____ Sex: _____ D.O.B. _____ Age: _____
City: _____ State: _____ Hair _____ Eyes: _____ Ht. _____ Wt. _____
Zip Code: _____ Telephone (W) _____ Telephone (H): _____
Mailing Address (if different than above): _____

Please explain, showing good cause, why San Bernardino County Animal Care & control should grant you a waiver to the two-complainant and/or the 200 yard distance requirement. Specific areas to identify in showing good cause can include, but are not limited to the following: A unique proximity of the animal(s) to your residence whereby only one residence is exposed to the noise; there is a unique physical arrangement whereby only one residence is exposed to the noise; Other residents of the neighborhood are not present when the noise occurs; Other residents within the 200 yard distance own animal(s) which contribute to the noise. Additional information may be recorded on the reverse side of this form and you may attach additional information if necessary. Please list any additional evidence you may have that would clearly prove a violation is occurring.

Multiple horizontal lines provided for writing additional evidence or information.

I hereby affirm under penalty of perjury that the information given by me on this Nuisance Animal Noise Complaint form, and its attachments, if any, to my knowledge is true and correct. I understand I will be subject to subpoena.

Signature: _____ Date: _____

GUIDELINES FOR EVIDENCE

Suggestions for evidence gathering:

1. When making an audio or video recording to submit as evidence, it is important to verify date and time of the record of the recording. For example, a declaration could be taken from a witness who observed the making of the recording; if a speaker phone is available, the recording could incorporate a telephone call to another party, i.e. a telephone operator who audibly states the current date and time while the noise disturbance is being recorded.
2. When making an audio or video recording it is important to demonstrate the relative level of noise created by the animal disturbance. This can be done by incorporating into the recording the voice of a person speaking at the same time the noise disturbance is occurring. It is also important to indicate where the recording is being made (the location) being as descriptive as possible. If you are making a recording outdoors use care that your presence/actions are not stimulating the animal to make noise.
3. A declaration submitted as evidence should:
 - a. State the name, address, and telephone number of the declarant at the beginning and that he or she is at the beginning and that he or she is at least 18 years of age.
 - b. State the date/s, time/s, and nature of the disturbance/s that the declarant witnessed and state where the declarant witnessed the disturbance/s from within the complaining party's home of property.
 - c. State any other details that further describe or clarify the disturbance/s witnessed.
 - d. Conclude with "I declare under penalty of perjury that the above information is true and correct to the best of my knowledge and belief. The declarant should then sign and date the declaration.

A complaining party who submits to Animal Care and Control any evidentiary material (recording declaration, etc.) that is fraudulent or clearly misleading is subject to prosecution under the penal code.