



BOARD OF SUPERVISORS  
AGENDA LETTER

Agenda Number:

Clerk of the Board of Supervisors  
105 E. Anapamu Street, Suite 407  
Santa Barbara, CA 93101  
(805) 568-2240

**Department Name:** Public Health  
**Department No.:** 041  
**For Agenda Of:** Set Hearing: 12/12/23  
1<sup>st</sup> Reading: 01/09/24  
2<sup>nd</sup> Reading: 01/23/24  
**Placement:** Departmental 01/09/24  
Administrative 01/23/24  
**Estimated Time:** 60 Min – 01/09/24  
**Continued Item:** No  
**If Yes, date from:**  
**Vote Required:** Majority

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**TO:** Board of Supervisors  
**FROM:** Department Mouhanad Hammami, Director  
Director(s) Public Health Department  
Contact Info: Lars Seifert, Division Chief, Regulatory Services (805) 681-4934  
Sarah Aguilar, Animal Services Director (805) 698-0212  
**SUBJECT:** Ordinance Amending Chapter 7 Animals and Fowl, Article I and Adding Article IX, Roosters to the Santa Barbara County Code

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**County Counsel Concurrence**

As to form: Yes

**Auditor-Controller Concurrence**

As to form: N/A

**Other Concurrence:** N/A

As to form:

**Recommended Actions:**

That the Board of Supervisors:

On December 12, 2023, set a public hearing on the Departmental Agenda of January 9, 2024 to consider recommendations to amend Santa Barbara County Code Chapter 7, Article I, and to add Article IX, Roosters, to regulate and to limit the number of roosters by parcel size that may be kept on a single premise in Santa Barbara County.

On January 9, 2024:

- a) Approve the introduction (First Reading) of an Ordinance to amend Santa Barbara County Code, Chapter 7, titled Animals and Fowl, Article I (General), sections 7-1 and 7-5 through 7-7, and to add Article IX (Roosters);
- b) Read the title of the Ordinance and waive full reading of the Ordinance; and
- c) Continue the hearing to the Administrative Agenda of January 23, 2024 to consider adoption of the ordinance amendments, as follows:

On January 23, 2024

- i) Consider and approve the adoption of the Ordinance (Second Reading) to amend Santa Barbara County Code, Chapter 7, titled Animals and Fowl, Article I (General), sections 7-1 and 7-5 through 7-7, and to add Article IX (Roosters); and
- ii) Determine that the recommended actions are not a Project within the meaning of California Environmental Quality Act (CEQA), pursuant to Section 15378(b)(5) of the CEQA Guidelines, because the actions are organizational or administrative activities of government that will not result in direct or indirect physical changes in the environment.

**Summary Text:**

This item is on the agenda to consider adoption of an Ordinance amending Chapter 7, Animals and Fowl, Article I and adding Article IX, Roosters to the Santa Barbara County Code. The proposed amendments seek to regulate and to limit the number of roosters by parcel size that may be kept on a single premise in Santa Barbara County. Limiting the number of roosters on a single premise protects the health and safety of the County’s residents and the quiet enjoyment of their homes by minimizing public nuisances, illegal cockfighting, and the raising of birds used for cockfighting. The proposed amendment also authorizes the Animal Services Director to adopt standards for the care and comfort of animals kept in rooster keeping operations. The Ordinance adds permit standards for rooster keeping operations in Santa Barbara County to ensure clean, safe, and sanitary conditions are maintained at all times.

**Background:**

In recent months, residents living in rural, unincorporated agriculturally zoned parcels have called attention to the often-crowded conditions of large-scale rooster operations on agricultural properties in Santa Barbara County. This large-scale breeding and warehousing of roosters has led to adverse impacts to adjacent properties due to noise and activities that are not associated with commercial poultry ranching, reasonable family uses, educational poultry projects, or other legitimate agricultural operations.

On July 11, 2023, your Board directed Animal Services staff, in consultation with the Agricultural Commissioner, to draft an ordinance amending Chapter 7 of the County Code, Animals and Fowl, and return to the Board of Supervisors with the proposed ordinance regulating and limiting the number of allowable roosters by parcel size in unincorporated Santa Barbara County.

**Ordinance to Amend Chapter 7, Animals and Fowl:**

In summary, the recommended actions include approval of the proposed ordinance (Attachment A) amending Chapter 7, Animals and Fowl, Article I, which establishes a new definition of a rooster keeping operation in the county, and defines the associated application and permitting requirements for rooster keeping operations (similar to a kennel permit). Article IX (Roosters), as added, requires persons keeping roosters in numbers exceeding the limits listed in the table below to apply for and to obtain a permit to keep or maintain more roosters based on the applicable property size of a premise. For example, a person with a property size between five acres to twenty acres can keep a maximum of five (5) roosters without a county permit, but may also be eligible to obtain a rooster keeping operation permit from Animal Services to keep up to twenty-five (25) roosters. For those properties that are sized at less than one acre in gross area, a person will not be eligible to obtain a rooster keeping operation permit to keep additional roosters above the maximum number of roosters specified below:

<b>Property Size of Premise (Gross Area)</b>	<b>Maximum Number of Roosters Allowed</b>	<b>Eligible for Rooster Keeping Operation Permit (Up to 25 Roosters)</b>
Less than one acre; non-agricultural zones	None	No
Less than one acre; agricultural zones	One (1)	No
More than one acre to five acres	Two (2)	Yes
More than five acres to twenty acres	Five (5)	Yes
More than twenty acres	Twenty (20)	Yes

Rooster keeping operation permits shall not allow more than twenty-five (25) roosters (i.e. male chickens older than six months with full adult plumage) to be kept or maintained on any premise regardless of the property size of the premise. An exception to the proposed limits applies to any member of a local chapter of 4-H or Future Farmers of America (FFA), or to other educational poultry projects provided that the number of roosters does not exceed the number of roosters specified in the project documentation.

Enforcement of this chapter may be conducted by animal control officers under the direct supervision of the animal services director, or by any peace officer having the jurisdictional authority to do so. Persons who violate the Ordinance may be found guilty of an infraction, or subject to civil action to ensure compliance.

A markup version of this Ordinance indicating the proposed amendments and additions to Chapter 7 is included in Attachment B.

**Agricultural Advisory Committee:**

Stakeholder outreach presentations were provided to the County’s Agricultural Advisory Committee (AAC) on September 14, 2023 and October 12, 2023 to seek input and feedback on setting appropriate limits for rooster keeping on agricultural properties. On October 12, 2023, the AAC voted to recommend the limits proposed in this Ordinance, and to support the rooster keeping standards as consistent with legitimate agricultural uses and the quiet enjoyment of properties in the unincorporated county.

**Fiscal Analysis:**

Adopting the proposed ordinance amendments will add two new fees: 1) an annual operating permit fee for a rooster keeping operation; and 2) a complaint investigation fee (for justified complaints) to recover the costs of inspections and investigations by Animal Services. The fees have been reviewed by the Auditor-Controller and are established to match the existing officer hourly rate and the annual permit fee for catteries, kennels, pet store or grooming shop as last amended by your Board on February 3, 2015 because of the similarities in terms of scope of operation and inspection time. Santa Barbara County Animal Services (SBCAS) will return to your Board to amend established fees if the costs of inspections, investigations, and any other fee-associated activity exceed the costs recovered by SBCAS in the administration of this Chapter. At this time, it is unknown how many rooster keeping operations will seek a permit. In addition, the level of complaint activity and any associated investigation fees are an unknown. Therefore, no estimate for revenue increases can be made. There are no one-time costs associated with this ordinance.

**Staffing Impacts:**

There may be a minimal increase in animal control officer staff workload (estimated 0.10 to 0.20 FTEs) as a result of adopting the proposed ordinance. Annual workload volumes will be assessed in FY 24-25 following the effective date of the ordinance and SBCAS will return to your Board if staffing impacts are realized.

**Special Instructions:**

- A. Request that the Clerk of the Board publish notice in accordance with Government Code section 25124 in the *Santa Barbara Independent*, a newspaper of general circulation in Santa Barbara County; and
- B. Request the Clerk of the Board to provide a copy of the signed ordinance and minute order to the Public Health Department, Attention: [PHDGROUPEContractsUnit@sbcphd.org](mailto:PHDGROUPEContractsUnit@sbcphd.org).

**Attachments:**

- A. Ordinance amending Chapter 7 of the Santa Barbara County Code (Final)
- B. Ordinance amending Chapter 7 of the Santa Barbara County Code (Mark Up)
- C. Notice of Public Hearing
- D. Notice of CEQA Exemption

**Authored by:**

Lars Seifert, Division Chief, Public Health Department  
Sarah Aguilar, CAWA Animal Services Director

**cc:**

Jose Chang, Agricultural Commissioner, Santa Barbara County  
Jeffrey Wilson, Assistant Director, Planning & Development, Santa Barbara County