



JANUARY 5, 2024

11:11 a.m

Divillalo.santabarbara.ca.us: sbcobcountyofsb.org

RE: PROPOSED ROOSTER ORDINANCE

I am Kathryn C. Donovan and I have resided in Tepusquet Canyon since 1962.

In 1985, we were applying to build a Winery, which eventually became Byron Winery, and then eventually sold, and is still operating by another owner.

Before that, from 1975-1985, we were subdividing our land for our family and developed Byron Winery.

In the interim, there were not guidelines that permitted either project.

During the interim, the MEN OF Tepusquet met in our office often, to help with the zoning of our rural area. THE EDRN was the result of many years of planning and fine-tuning: the Zoning-EDRN WAS EVENTUALLY ADOPTED BY THE RESIDENTS OF ALL OF Santa Barbara County for the Agriculture Zoning-EDRN.

We had a committee that worked together, when the Marijuana Grows were beginning to apply for permits. After much discussion and many years, The Marijuana grows ZONING, didn't adhere to the EDRN ZONING and were denied permits.

NOW, OUR TEPUSQUET CANYON RESIDENTS ARE FACED WITH A BUSINESS RAISING FIGHTING COCKS (ROOSTERS) We are an EDRN ZONING AND ANY NEW BUSINESS NEEDS TO APPLY AND ADHERE TO ALL THE ZONING, WATER BUILDING, ROADS, GRADING, ETC. If they follow the rules they may or may not be granted a permit to raise FIGHTING ROOSTERS.

FIRST COMES A LAND USE PERMIT, UNDER AN EDRN ZONING, the GUIDELINES FOR NEW BUSINESSES IN RURAL NEIGHBORHOODS IN ALL OF SANTA BARBARA COUNTY.

Thank you for considering my comments.

Landline; 1-805-937-4705. I HAVE A CELL PHONE BUT NOT RECEPTION WHERE I LIVE

Kathryn C. Donovan - Property Owner

Sarah Mayer

From: Paula Kislak <PK99@cox.net>
Sent: Sunday, January 7, 2024 12:21 PM
To: sbcob
Cc: Das Williams; Laura Capps; Joan Hartmann; Supervisor Nelson; Steve Lavagnino
Subject: LOCAL VET SUPPORTS ROOSTER ORDINANCE

Caution: This email originated from a source outside of the County of Santa Barbara. Do not click links or open attachments unless you verify the sender and know the content is safe.

Dear Supervisors,

As a local veterinarian and I am grateful for your consideration of the rooster limitation ordinance. Since you have received letters already from credible public health, agricultural, law enforcement and animal advocacy experts and veterinarians, I won't get in the weeds.

But I will reiterated that concentrated rooster operations create environments that are detrimental for human health (influenza and other pathogens) and quality of life (noise, odor and gambling and gang elements).

And as a veterinarian, I appreciate the benefit to the roosters themselves also. If recommendations can still be entertained, I would like to present the following for consideration:

-- limit the total number of roosters allowed without a rooster keeping permit to FIVE, regardless of property size (right now up to 20 would be allowed on 20 acre properties)

--only allow rooster keeping permitted operations on very large properties, of 100 acres or more

--increase setbacks for housing/keeping roosters by a factor of four (the current ordinance only requires 25 feet from a property boundary and 150 feet from a dwelling on an adjacent property)

--require roosters housed outdoors to be kept a minimum of 10 feet apart and in covered enclosures (since this will reduce their stimulation by seeing other cocks, etc., which should also reduce noise)

Since most or all municipalities/counties to the south of us have already passed similar limiting legislation, Santa Barbara is on the front line of encroachment from the north and I thank you very much for your interest in this important issue.

Paula Kislak, DVM

Partner, KM Veterinary Services

Board Member, Humane Society Veterinary Medical Association

Phone: 805-705-5530

E mail: PK99@Cox.net

545 Hodges Lane

Santa Barbara CA

Sarah Mayer

From: [REDACTED]
Sent: Sunday, January 7, 2024 9:23 PM
To: sbcob
Cc: Villalobos, David
Subject: Rooster Ordinance

Caution: This email originated from a source outside of the County of Santa Barbara. Do not click links or open attachments unless you verify the sender and know the content is safe.

Hello Honorable Supervisors,

Please limit the number of roosters to 5, change how they are sheltered, update standard of care for all of those animals, keep our neighborhoods safe and quiet.

Also, please keep my name and email confidential for fear of retribution.

Sincerely,

[REDACTED]

Sent from my iPhone

Sarah Mayer

From: [REDACTED]
Sent: Sunday, January 7, 2024 9:38 PM
To: sbcob
Cc: [REDACTED]
Subject: Rooster ordinance

Caution: This email originated from a source outside of the County of Santa Barbara. Do not click links or open attachments unless you verify the sender and know the content is safe.

Dear Honorable Supervisors,

We are writing to ask you to reduce the number of roosters to five in Cebada Canyon, Lompoc, California. Five roosters is reasonable family use.

Currently the roosters are kept in small cages and close together to encourage aggression. We think it is cruel to keep animals in such an inhumane condition.

Given that Cebada Canyon is an Existing, Developed, Residential, Neighborhood (EDRN). Breeding roosters is a business and should require a CUP in an EDRN. An EDRN project should not be "detrimental to the comfort, convenience, general welfare, health, and safety of the neighborhood and is compatible with the surrounding area". Therefore, this cruelty to animals in our neighborhood is detrimental to the comfort and general welfare of the Cebada Canyon community.

Please keep our names confidential for fear of retribution.

Thank you for your time and consideration.

Best regards.

[REDACTED]

Sarah Mayer

From: [REDACTED]
Sent: Monday, January 8, 2024 6:55 AM
To: sbcob
Subject: Rooster Ordinance

Caution: This email originated from a source outside of the County of Santa Barbara. Do not click links or open attachments unless you verify the sender and know the content is safe.

> Hello Honorable Supervisors,
>
> Please limit the number of roosters to 5, change how they are sheltered, update standard of care for all of those animals, keep our neighborhoods safe and quiet.
>
> Also, please keep my name and email confidential for fear of retribution.
>
> Sincerely,
> [REDACTED]



RECEIVED

2024 JAN -8 P 1:33

COURT REPORTERS
BOARD OF SUPERVISORS

California Association for the Preservation of Gamefowl
501-C3 Corporation / Stablished on June 23 1978

THE APG DOES NOT PROMOTE OR SPONSSOR ANY ILLEGAL ACTIVITIES

Ordinance Amending Chapter 7 animals and fowl.
Article 1
Adding article IX (Roosters to the Santa Barbara Country code)

12-13-2023

To: Santa Barbara County board of supervisors.

Respectfully, adopting the proposed ordinance amendments will be a violation to the civil rights under the United States Constitution to all residents of Santa Barbara County, violations that are severe federal crimes which the County, and the individuals involved may be prosecuted for if this ordinance takes place.

For centuries, those who raise, breed, and work with animals have been revered and lauded for what they do. Today, our rights to own and raise animals are under attack by your board of supervisors and departments involved at an increased rate in efforts to govern and enslave the residents of Santa Barbara by your agencies overseeing issues pertaining to animal welfare. For all of us, our animals are part of a very important aspect in OUR lifes. Our animals are a reminder of our ancestral cultures and traditions.

One of the most critical issues on amending the chapter 7 on animals and fowl, is that you and your department would be trying to erase out **OUR** cultures and traditions; our horses, our roosters, our cattle, etc. By you trying to regulate on how we should raise our beloved animals is absurd, since you don't breed animals, you don't live around animals, your livelihood does not depend on the animals around you. "We the people" (The residents of Santa Barbara) **will not accept your proposed ordinances** against our **PRIVATE PROPERTY** and against our way of living.

For us, these traditions represent a link to the past. They allow us to honor our ancestors and pay respect to certain aspects of our culture.

As Americans and Mexicans, we are unique in our personal identity, our culture shapes us to be different than others. It is needed to value our differences by respecting others and or individuality of each of us, because our culture defines us. We only know what we know, which widens the gap of ignorance and indifference. But when you start to understand what you might not know, to try to understand the perspective and experiences of others, and to empathize with them, you lay the foundation for change.

Our farm animals and rooster cultures are a phenomenon through which we experience all aspects of life like protection to love ones, courage, work ethic, respect, honor, and many more.

Our cultural identity is reflected in our attitude, behavior and sense of humor. We must take pride in our cultural identity and avoid the implications of allowing a continued erosion of our heritage.

All traditions not matter how different they may seem to you, the Santa Barbara County and your departments are essential where each of us comes from a different background reason why OUR farm animals cultures and traditions must be respected and protected.

The traditions of farm animals give you an opportunity to do just that. But without understanding the bigger picture, your appreciation can turn into cultural appropriation.

You, the Santa Barbara County board of supervisors and your departments are part of a culture yourself, although you may take many aspects of it for granted. Much of it exists beneath the surface, but you can be sure that it plays a large role in the person you are. It impacts your beliefs and values. It affects your personality and character. A person's culture is sacred.

Millions of people are waking up to the farm animal traditions and cultures as movements like MeToo, Black Lives Matter, and those by the LGBTQ community gain precedence. We're beginning to think more about what life is like in another person's shoes.

So please, take the time to understand OUR traditions and cultures; because we know that these ordinances in reality have nothing to do with the animal welfare but in the contrary, they have all to do with the financial gains to your county by developers and the sick woke movement.

The rule of law provides that all Americans are innocent until proven guilty in a court of law based upon facts and evidence, not emotion and conjecture. Unfortunately for us (animal owners) we will be under attack by your departments if this ordinance takes effect under false claims of animal abuse and anonymous tip lines to convince overzealous prosecutors and sympathetic judges to issue warrants when, in most cases, no facts or actual witnessed evidence would be provided to obtain the warrant.

Here are some examples of the protection that The United States Constitution and the California constitution guarantees to farmers and residents of Santa Barbara County:

ARTICLE III STATE OF CALIFORNIA [SEC. 1 - SEC. 9]

(Article 3 added Nov. 7, 1972, by Prop. 6. Res.Ch. 120, 1972.)

SEC. 1.

The State of California is an inseparable part of the United States of America, and **the United States Constitution is the supreme law of the land.**

***California Const. Art. XI sec.5**

The City codes and ordinances apply only to municipal affairs; which all residents **private properties** in Santa Barbara County are **NOT**.

Also, for your information and perhaps education:

*The enforcement of public codes and ordinances was REPEALED in 1967 per

California Penal Code secs. 853, 1- 853,4*

Ex Parte Young, 209 U.S. at 160, 28

S. Ct. 441:

Counties **cannot** assume legislative powers to regulate federally protected articles livestock in commerce. Counties have no immunity for legislating away property rights **or ownership rights without the Governor's signature, or without going through the state legislature.**

***California government code 100.**

(a) The sovereignty of the state resides in the people thereof, and all writs and processes shall issue in their name.

1) *54950 Declaration of legislative purpose

"In enacting this chapter, the legislature finds and declares that the public commissions, boards and councils and the other public agencies in this State exist to aid in the conduct of the people's business. It is the intent of the law that their actions be taken openly and that their deliberations be conducted openly. The people of this State **DO NOT YIELD SOVEREIGNTY** to the agencies which serve them. The people, in delegating authority, **DO NOT** give their **PUBLIC SERVANTS** the right to decide what is good for the people to know and what is not good for them to know.

The people insist on remaining informed so that they may retain control over the instruments they have created".

Your Board of supervisors have made their ideology no secret, by expressing their desires and promoting their strategies in plain view to nudge public opinion to their point of view. It's no stretch to figure out what they intend to accomplish with their policies when one realizes that the truth behind the veil of their exploitation of animals is **the abolition of animal ownership and a vegan agenda for all**. Your goal is to terrorize animal owners and to destroy their animal related business.

2) **Article 1, sec. 1. Inalienable Rights:**

"All people by nature are free and independent and have inalienable rights.

Among

these are enjoying and defending life, liberty, acquiring, possessing, **protecting property**

and pursuing and obtaining safety, happiness and privacy"

Definition of "**Unalienable**": Not capable of being transferred to another.

Definition of "**Liberty**": The State of being free from control or restriction.

-Freedom from undue or unjust governmental control.

-The right to engage in certain actions without interference or control.

The rule of law provides that all Americans are innocent until proven guilty in a court of law based upon facts and evidence, not emotion and conjecture. Unfortunately for us (animal owners) we will be under attack by your departments if this ordinance takes effect under false claims of animal abuse and anonymous tip lines to convince overzealous prosecutors and sympathetic judges to issue warrants when, in most cases, **no facts or actual witnessed evidence** would be provided to obtain the warrant.

3) **California Civ. Code sec. 3482.5:**

- "It protects any preexisting agricultural enterprise from being declared a nuisance to anybody".

As a result, animal owners and animal related businesses would live with the daily terror that fraudulent claims, that could result in law enforcement arriving at their door and their animals seized without due process. Coupled with this real fear, animal owners in Santa Barbara County would be then exposed to extravagant animal care bonds and charges for temporary animal care, possible sterilization of high value breeding stock, or euthanizing of their animals.

The severity and the future occurrence of these **abuses to our Constitutional rights** strike fear in the heart of animal owners and animal related businesses who know that their livelihood and animals are threatened by the very real possibility of illegal search and seizure or false claims of animal abuse if the ordinance amending chapter 7 animals and fowl, article 1 and adding article IX get conducted.

The attempted restrictions from Santa Barbara County of the free flow of commodities in interstate trade defined as chicken coops, chickens, roosters, eggs, wire and lumber for pens, chicken feed comprised partially of grains grown in other states would be **another Federal Crime 4) Pre-Title 15 U.S.C. sec. 1-7** be committed by you and the Santa Barbara County should you and your department persist on the present Amendment to chapter 7 animals and fowl, article I, and adding article IX.

City, county codes and ordinances CAN NOT be enforced on PRIVATE PROPERTY, unless city pays for the regulatory and actual takings.

California Const. Art. 1 sec. 19:

“Private property may be taking or damage for public use only when just compensation, ascertained by a jury unless waived, has first been paid to, or into court for the owner.

The legislature may provide for possession by the condemner following commencement of eminent domain proceedings upon possessions by the condemner following

commencement of eminent domain proceedings upon deposit in court and prompt

release to the owner of money determined by the court to be the probable amount of just compensation.” **These mean all animals, fowl, etc.**

***Black’s law dictionary 4th edition PROPERTY:**

“That which is peculiar or proper to any person; that which belongs exclusively to one; in the strict legal sense, an aggregate of rights which are guaranteed and protected by government... The term is said to extend to every species of valuable right and interest... More specifically, ownership; the unrestricted and exclusive right to a thing; the right to dispose of a thing in every legal way, to possess it, and to exclude everyone else from interfering **with it”**

The amending of chapter 7 animals and fowl would be an invasion of civil rights against all residents of Santa Barbara County by having their innocent property used against them.

Plazzolo v Rhode Island

53, US606, 150L. Ed 2d 592, 121 S. CT (2001)

Supreme court ruled that municipalities cannot exert any acts of ownership and control over property that is not owned by them

***Santa Barbara County and you will need to compensate for the imposition of city or county codes upon our private properties, for which compensation is required by law If you wish to regulate and control OUR property, and to enforce your county codes upon OUR private property; you are required to justly compensate US first. That is the law. ***

THE COST TO YOU AND YOUR DEPARTMENT IS 3 TIMES THE ACTUAL VALUE OF PRIVATE PROPERTY /Title 18 U.S.C. 1964 (©)

Our Founding Fathers' fundamental motivation behind the construction of the Declaration of Independence and U.S. Constitution was **the protection of private property and its direct link to Freedom and Liberty.**

John Adam's words made it clear, "**Property must be secured, or Liberty cannot exist.**"

And, more than one hundred years later in 1909, William Howard Taft's words still hold true today, "**Next to the right of liberty, the right of property is the most important individual right guaranteed by the Constitution and the one which, united with that of personal liberty, has contributed more to the growth of civilization than any other institution established by the human race.**"

Our animals **are our property, and that private property is protected under the fundamental foundation of our U.S. Constitution -- further reinforced under the Fourth, Fifth, and Fourteenth Amendments.**

To continue the request of any future demands of amending to the chapter 7 animals and fowl article 1 and adding article IX from the County of Santa Barbara will be considered extortion and conspiracy under the rule of law.

We, Americans, Hispanics and all the residents of the state of California will seek legal assistance and pursue any legal remedies available to us by the Constitution of the United States and the Constitution of California, and would seek all available damages and remedies against you and the County of Santa Barbara if you and the board of supervisors should pass this unconstitutional ordinance.

These remedies include but are not limited to:

- (1) Contacting law enforcement to obtain criminal sanctions against you.**
- (2) TRO against you in federal court, suing you civilly for damages we have already incurred as a result of your future actions.**
- (3) Reporting you and your "departments" to Homeland Security.**

We hope we can resolve this manner without the involvement of federal authorities. We are not under any circumstances, however, waiving any legal rights we have presently, or future legal remedies against you and the County of Santa Barbara.

(Sec. 1 added Nov. 7, 1972, by Prop. 6. Res.Ch. 120, 1972.)

SEC. 6.

(d) Personal Right of Action and Jurisdiction of Courts.

Any person who is a resident of or doing business in the State of California shall have standing to sue the State of California to enforce this section, and the Courts of record of the State of California shall have jurisdiction to hear cases brought to enforce this section. The Legislature may provide reasonable and appropriate limitations on the time and manner of suits brought under this section.

(Sec. 6 added Nov. 4, 1986, by Prop. 63. Initiative measure.)

Sincerely:

MARK O. RIES

MARK RIES
2550 CEBADA CANYON ROAD
LOMPOC, CA 93436
(805) 441-3729
guizrc@msn.com

Eduardo RAMOS
3121 AVENA RD
LOMPOC, CA 93436
(805) 245 6442
ERELECTRICMECHWRYCAL@G.MAIL.COM

Porcindo Valencia
3085, 3086 AVENA RD.
LOMPOC CA
(805) 689-3688

LUIS Maya
3111 AVENA RD
LOMPOC CA 93436
805 689 8282
Luis Maya

JASON FINCH
2900 FLORA RD
LOMPOC CA 93436
702 622 4675
JF

Eduardo Medina Herrera
2570 WILD OAK RD
LOMPOC CA 93436
(805) 915-7130
eduardo81medina@yahoo.com

Johnny O Oliva
2625 WILD OAK RD
LOMPOC CA 93436
(805) 637-3949


Eva Maya
1830 TULAROSE RD
LOMPOC CA 93436
Eva Maya

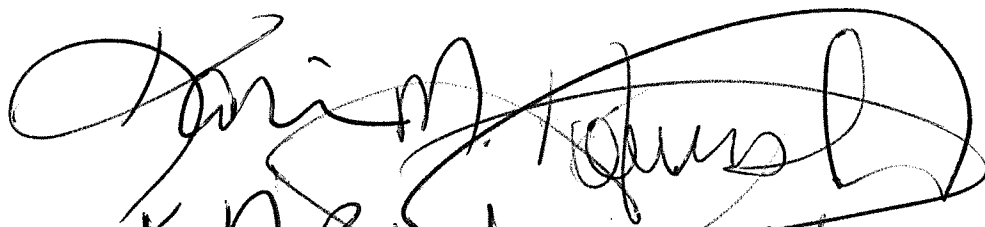
Roberto Bueno
2425 CEBADA CANYON RD
LOMPOC, CA 93436

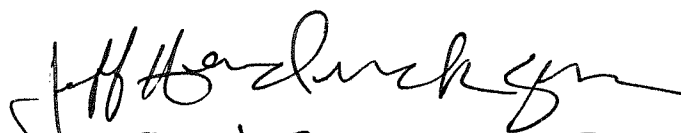
Ruben Bueno

Deana Buono
2425 Cebada Canyon Rd.
unit B.
Lompoc, CA 93436
DBu

GARY E. HAUENSTEIN
3333 Arena Rd
Lompoc, CA 93436

Gary E. Hauenstein



KARIN with an "I"
(805) 944-8110

 JEFF HENDRICKSON
(805) 705-6783