

COUNTY OF LAKE

Animal Care & Control
4949 Helbush Drive
Lakeport, CA 95453
Phone: (707) 263-0278
Fax: (707) 263-5067

William Davidson
Director

VICIOUS ANIMAL ABATEMENT ORDER
(Lake County Code Section 4-14)

Date of Notice: 05/17/2017

Reference Case #: 2017-05-0006

Name: Jack Eugene Lodge / Briana Lodge

Physical Address: 6726 State Blvd., Lucerne, CA. 95458

Mailing Address: P.O. Box 1803, Nice, CA. 95464

Phone: 707-274-8242

YOU ARE HEREBY notified that the Lake County Animal Care & Control Director has determined that you are the owner/possessor of a vicious animal(s) which is (are) described as:

“Manson” A dark brown, neutered male, pit-bull type dog, 5yrs old.

The vicious animal is located at: 6726 State Blvd., Lucerne, CA. 95458

The findings of the investigation are as follows:

Your dog has been deemed vicious based on the April 30, 2017 attack on “Willy” a small black terrier who was walking on Rancho Vista Drive, a county road, on leash with his owner. “Willy” was seriously injured and has been to the veterinarian multiple times to treat his wounds.

On March 29, 2015 “Manson” attacked another dog. That dog was also on leash with her owner on a public road. She was taken to the Veterinarian but medical treatment was insufficient. She died from her wounds the day after “Manson” attacked her.

This finding is in accordance with Lake County Code Section 4-14.1 (a):

(2)

An attack, without provocation, on another animal or livestock which occurs off of the property of the owner of the attacking animal.

Therefore, the Director of Animal Care & Control has imposed the following conditions:

1. Written proof (a true copy) of a public liability insurance policy in the single incident amount of \$50,000 for bodily injury or death of any person(s) or for damage to property which may result from the ownership or maintenance of such animal. Such insurance policy shall provide that no cancellation of the policy may be made unless ten (10) days written notice is first given to the Lake County Animal Care & Control Department.
2. Posting of "Beware of Dog" signs on all sides of the property.
3. Obtain and keep current at all times, a County of Lake dog license, rabies vaccination, and have canine micro-chipped for identification purposes.
4. Allow right of entry for inspection of kennel facilities and canine by Lake County Animal Care & Control.
5. Canine is allowed outside of the kennel or house only on a six foot maximum length leash and must be muzzled. A competent adult (18 years or older) must be in control of that leash. The dog MUST remain on the dog owner's property AT ALL TIMES unless being transported for veterinary care or to Lake County Animal Care and Control.
6. Construction of an 8' x 8' foot (minimum size for 1 dog) kennel with a concrete floor, and a solid roof to provide shelter from the elements and confinement of said canine. The door to the kennel must be padlocked at all times except when removing the dog from the kennel and returning the dog to the kennel. The kennel cannot be accessible to the public.

If at any time this structure is altered in any way, Lake County Animal Control must be notified immediately.

7. Photographing of canine for identification purposes
8. Canine is to be kept at: 6726 State Blvd., Lucerne, CA. 95464.

If "Manson" is ever relocated to another address at any time from this date until the end of his life, Lake County Animal Control must be notified immediately.

YOU ARE FURTHER NOTIFIED that you must comply with the Abatement Order within five (5) days of this notice or file a request for a hearing before the Lake County Board of Supervisors. Filing a timely appeal will result in a stay of the Abatement Order, until a determination is made by the Lake County Board of Supervisors pursuant to Code Section 4-14.4 (d) of the Lake County Code.

If after five (5) days the Lake County Animal Care & Control Department has not received proof of compliance with the Abatement Order or Notification that an appeal has been filed, The Animal Care & Control Department will take steps to seize the animal (if not already in Animal Care & Control Custody).

Date: 5/17/17 Issue by: [Signature]

Received by: [Signature] Date: 5-24-17

Proof of Service by: [Signature] Date: 5/24/17

Residence Posted by: _____ Date: _____

Proof of Certified Mail Service by: _____ Date: _____

Martin Lovrin Approval: [Signature] Date: 5/24/17

Landlord Contact Information:

Phone:

Mailing Address: Martin E Lovrin
5860 E. Hwy 20 #19
Lucerne, CA. 95458

*****YOU MUST COMPLY WITH ALL ABOVE LISTED ABATEMENT CONDITIONS AND REQUEST AN INSPECTION OR REQUEST A HEARING BY CONTACTING THE LAKE COUNTY BOARD OF SUPERVISORS CLERK'S OFFICE AT (707) 263-2368 ON OR BEFORE 05/24/2017 at 5pm.**

FAILURE TO COMPLY WITH ABATEMENT ORDER OR IMPOUND

In the event that an owner and/or possessor fails to comply with an Abatement Order, the Animal Care & Control Director may take one or more of the following actions:

- 1) Issue a citation to the owner/possessor for a violation of the above code section. Each day that the violation continues to occur is considered a separate offense.
- 2) Refer the matter to the District Attorney or County Counsel for prosecution of the alleged violation or for abatement of the public nuisance.
- 3) Impound the animal in accordance with County Code. The owner/possessor may redeem an impounded animal prior to its final disposition by the Animal Care & Control Director provided that the owner/possessor agrees to comply and is able to comply with the abatement order and has paid all applicable fees and charges. In the event the owner/possessor does not file a timely appeal or redeem the impounded animal within fourteen (14) days after a written notice has been sent to the last address of the owner as shown on the abatement records, notifying said owner that said vicious animal(s) will become the property of the County of Lake and will be humanely destroyed unless redeemed within fourteen (14) days after the mailing date of the notice, and the Animal Care & Control Director shall humanely destroy the subject vicious animal(s). Said written notice shall also advise the owner/possessor of their right to a hearing and an opportunity to be heard on the question of whether the animals should become the property of the County of Lake and be humanely destroyed. The notice shall be served upon the owner/possessor either personally or by registered or certified mail, return receipt requested.

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4. Allow right of entry for inspection of kennel facilities and canine by Lake County Animal Care & Control.
5. Canine is allowed outside of the kennel or house only on a six foot maximum length leash and must be muzzled. A competent adult (18 years or older) must be in control of that leash. The dog **MUST** remain on the dog owner's property **AT ALL TIMES** unless being transported for veterinary care or to Lake County Animal Care and Control.
- 6a. Construction of an 8' x 8' foot (minimum size for 1 dog) kennel with a concrete floor, and a solid roof to provide shelter from the elements and confinement of said canine. If the current back porch structure is improved the wire must go all the way up to and be attached to the roof. The wire must also be properly fixed to the floor. If at any time this structure is altered in any way, Lake County Animal Control must be notified immediately.
- 6b. Construction of a secured entry way. This may include any sturdy fencing with a gate. The fencing and gate must be 4 feet tall or higher. The gate must remain closed at all times except when being used for entry or exit. If at any time this structure is altered in any way, Lake County Animal Control must be notified immediately.
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Date: 5/17/17 Issue by: Nellie J. [Signature]

Received by: _____ Date: _____

Proof of Service by: [Signature] Date: 5/17/17

Residence Posted by: Aliqua Brisson Date: 5/17/17

Proof of Certified Mail Service by: _____ Date: _____

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- 2) Refer the matter to the District Attorney or County Counsel for prosecution of the alleged violation or for abatement of the public nuisance.

3) Impound the animal in accordance with County Code. The owner/possessor may redeem an impounded animal prior to its final disposition by the Animal Care & Control Director provided that the owner/possessor agrees to comply and is able to comply with the abatement order and has paid all applicable fees and charges. In the event the owner/possessor does not file a timely appeal or redeem the impounded animal within fourteen (14) days after a written notice has been sent to the last address of the owner as shown on the abatement records, notifying said owner that said vicious animal(s) will become the property of the County of Lake and will be humanely destroyed unless redeemed within fourteen (14) days after the mailing date of the notice, and the Animal Care & Control Director shall humanely destroy the subject vicious animal(s). Said written notice shall also advise the owner/possessor of their right to a hearing and an opportunity to be heard on the question of whether the animals should become the property of the County of Lake and be humanely destroyed. The notice shall be served upon the owner/possessor either personally or by registered or certified mail, return receipt requested.