

BEFORE THE BOARD OF SUPERVISORS  
OF THE COUNTY OF FRESNO  
STATE OF CALIFORNIA  
ORDINANCE NUMBER \_\_\_\_\_

AN ORDINANCE OF FRESNO COUNTY, STATE OF CALIFORNIA,  
TO ADD CHAPTER 9.05 TO TITLE 9 OF THE FRESNO COUNTY  
ORDINANCE CODE, RELATING TO THE BREEDING, TRANSFER  
AND SALE OF DOGS AND CATS

The Board of Supervisors of the County of Fresno ordains as follows:

**Section 1. FINDINGS.** The Board of Supervisors of the County of Fresno hereby finds  
and declares as follows:

**WHEREAS**, Fresno County is experiencing a dire crisis due to the overpopulation  
of dogs and cats; and

**WHEREAS**, the current dog and cat population in the Fresno County Animal Shelter  
(Animal Services) has exceeded kennel capacity; and

**WHEREAS**, current shelter overpopulation creates additional problems for shelter  
dogs and cats, and escalates costs of animal care and control and poses an increasing  
threat to public health and safety; and

**WHEREAS**, the County Board of Supervisors finds that enhanced regulation of dog  
and cat breeding and transfers is crucial to mitigate Fresno County's pet overpopulation  
crisis.

**Section 2.** The Ordinance Code of the County of Fresno is hereby amended by adding  
Chapter 9.05 to Title 9 to read as follows:

Chapter 9.05 – BREEDING, TRANSFER AND SALE OF DOGS AND CATS

Section 9.05.010 - Title, Purpose, and Intent

Section 9.05.020 - Definitions

1 Section 9.05.030 - Unaltered Dog License

2 Section 9.05.040 - Breeding Permit Requirements

3 Section 9.05.050 - Sale and Other Transfer of Dogs and Cats

4 Section 9.05.060 - Enforcement of Dog and Cat Breeding Permits, Provisions and  
5 Penalties

6  
7 9.05.010 - Title, Purpose, and Intent

8 This Chapter shall be known as the Breeding, Transfer and Sale of Dogs  
9 and Cats Ordinance. The Board of Supervisors for the County of Fresno (Board) finds and  
10 declares that there exists a serious pet overpopulation problem of dogs and cats within  
11 the unincorporated areas of Fresno County that has resulted in a threat to public safety  
12 and health, inhumane treatment of animals, euthanasia of healthy animals at the local  
13 animal services, and escalating costs for animal care and control. The Board finds that  
14 uncontrolled breeding is a cause and, without further action this problem and its serious  
15 consequences will remain unabated and will increase in severity.

16 The Board finds that part of the solution is for all dogs and cats over the age  
17 of four (4) months to be spayed or neutered, unless their owners purchase from the County  
18 a license for dogs described in Section 9.05.030, for the privilege of maintaining the dog  
19 unaltered and/or a breeding permit for dogs or cats to allow them to breed as provided in  
20 Section 9.05.040. Further, the Board finds that regulation of the transfer of dogs and cats  
21 will help alleviate the County's pet overpopulation crisis by allowing County control over  
22 enforcement of dog and cat breeding provisions and limiting the means of obtaining a dog  
23 or cat.

24  
25 9.05.020 - Definitions.

26 The following words and terms used in this Chapter are defined for the  
27 purpose thereof as follows:

28 A. "Accidental Breeding" means an unplanned or accidental mating  
29 between unaltered dogs or cats that occurs without the owner's intention  
30 due to unforeseen circumstances or lack of preventative measures.

31 B. "Adoption Event" means a planned event with signage indicating in

1 writing that the event is an “Adoption Event”, often scheduled and time-  
2 bound where dogs and or cats from – government agencies, nonprofit  
3 animal rescue organizations exempt from taxation under Internal  
4 Revenue Code section 501(c)(3), humane societies or societies for the  
5 prevention of cruelty to animals if such societies are incorporated under  
6 the provisions of the California Corporations Code Section 10400 and the  
7 Nonprofit Public Benefit Corporation Law in Part 2 of the California  
8 Corporations Code, beginning at Section 5110 – are brought together  
9 with potential adopters.

10 C. “Alter” means to spay or neuter.

11 D. “At large” means any animal when it is off the property (located in an  
12 unincorporated area of Fresno County) of its owner thereof and it is not  
13 restrained by leash under the immediate control of a person physically  
14 capable of retaining control of the animal. At large shall also mean when  
15 an animal is on the property of its owner or possessor but there is no  
16 fence or adequate enclosure on such property sufficient to prevent  
17 ingress and egress of the animal or the animal is not under the immediate  
18 presence of its owner.

19 E. “Breeder” means a person who owns and breeds a dog or cat and sells  
20 the offspring for money or other consideration.

21 F. “Cat” means a cat of any age or gender.

22 G. “County business days” means the days of the week the County is open  
23 for business, excluding County holidays.

24 H. “Dog” means a dog of any age or gender.

25 I. “Neuter” means a surgical removal of both testes.

26 J. “Offspring” means the product of the reproductive processes of a cat or  
27 dog.

28 K. “Owner” means the legal owner and/or anyone in lawful possession of or  
29 in charge of a dog or cat.

30 L. “Person” means any person, firm, company, association or corporation,  
31 their agents or employees.

1 M. "Spay" means surgical removal of both ovaries and the uterus.

2 N. "Unaltered" means a dog or cat that has not been spayed or neutered.

3  
4 9.05.030 - Unaltered Dog License.

5 A. No person shall own a dog or cat that is over the age of four (4) months  
6 in the County that is not spayed or neutered unless, in the case of dogs,  
7 the owner has applied for and received an unaltered dog license or, in  
8 the case of dogs and cats, the owner has applied for and received a  
9 breeding permit pursuant to this Chapter.

10 B. No owner of an unaltered female dog or cat shall allow the dog or cat to  
11 breed without first obtaining a breeding permit pursuant to this Chapter.

12 C. A violation of this Section 9.05.030 is punishable pursuant to Section  
13 9.05.060.

14  
15 9.05.040 - Breeding Permit Requirements.

16 A. No person shall cause or allow any dog or cat owned, harbored or kept  
17 within the County to breed without first obtaining a breeding permit, as  
18 described below.

19 B. Applications for a breeding permit pursuant to this Chapter shall be filed  
20 with Animal Services on a form prescribed by the County Administrative  
21 Officer or his or her designee. Each applicant must pay a non-refundable  
22 administrative application fee of \$50 separate from the amount that will  
23 be due for the cost of a permit if granted. The fee for a breeding permit  
24 shall be set in the Master Schedule of Fees. Said permit fees will be put  
25 into a fund for use by Animal Services.

26 C. The Sheriff, or his or her designee shall conduct a background check of  
27 any applicant(s) for a breeding permit. The County shall not issue a  
28 breeding permit to any applicant for whom the Sheriff or his or her  
29 designee determines the background to be unacceptable. Breeding  
30 permits shall not be issued to any applicant(s) who are under the age of  
31 eighteen (18), or who have violated any section of this Chapter, or any of

1 Sections 596 through 599 of the California Penal Code, or to persons  
2 responsible for dogs which have been declared vicious or dangerous  
3 under Section 9.04.300 of Chapter 9.04 or otherwise have previously  
4 bitten any person, or to persons responsible for any breed of dog which  
5 is disproportionately responsible for dog bite complaints within the  
6 County, or to persons responsible for any breed of dog which is  
7 disproportionately euthanized within the County. Breeding permits shall  
8 not be issued for the purposes of breeding any dog breeds that are not  
9 recognized by the American Kennel Club, or that are not commonly  
10 accepted as established dog mixes by the public, e.g. poodle mixes such  
11 as Labradoodles or Goldendoodles (or any other organization  
12 determined by the County Administrative Officer or his or her designee  
13 to be a generally recognized leading national breeding organization) and  
14 shall not be issued for the purpose of mixing breeds.

15 D. Applications for a breeding permit for a dog will require the owner to  
16 possess an unaltered dog license and possess a business tax license  
17 certificate from the County Administrative Officer or his or her designee;  
18 and to maintain the certificate while in operation. Applications for a  
19 breeding permit for a cat will require the owner to possess a business tax  
20 license certificate from the County Administrative Officer or his or her  
21 designee, and to maintain the certificate while in operation.

22 E. The term breeding permit shall mean a written authorization, issued  
23 annually by the County Administrative Officer or his or her designee,  
24 giving its lawful holder permission to breed a dog or cat.

25 F. Each breeding permit shall be valid for one (1) year from the date of  
26 issuance and may be renewed annually before its expiration date.

27 G. Each applicant for such permit shall pay an annual fee as specified in the  
28 Master Fee Schedule.

29 H. A separate permit must be obtained for each owned dog or cat which is  
30 allowed to breed.

31 I. The County Administrative Officer or his or her designee shall administer

1 an animal breeding permit program to allow the breeding of unaltered  
2 dogs and cats consistent with criteria and according to procedures  
3 established by the County Administrative Officer or his or her designee.  
4 Under no circumstances shall such permit be issued to a person who has  
5 been convicted of animal cruelty or neglect.

6 J. In addition to the criteria and procedures established by the County  
7 Administrative Officer pursuant to this Chapter, all breeding permits shall  
8 contain the following terms and conditions:

- 9 1. The owner of an unaltered female dog or cat shall not allow the  
10 whelping or queening of more than one (1) litter within the  
11 permit year.
- 12 2. The following dogs are exempt from both the application fee  
13 and breeding permit fee requirements but are subject to other  
14 requirements of this Chapter and Chapter 9.04 to the extent  
15 such requirements do not conflict with State or federal Law:
  - 16 a. Dogs documented as having been trained and actively  
17 used by law enforcement agencies for law enforcement  
18 or rescue activities, the offspring of which are to be used  
19 for the same purposes.
  - 20 b. Dogs documented as guide, signal or service dogs  
21 pursuant to the California Penal Code or the California  
22 Business and Professions Code, the offspring of which  
23 are to be used for the same purposes.

24 K. An owner shall only be allowed up to three (3) breeding permits per  
25 household. Anyone wanting more than three (3) breeding permits must  
26 apply for a Kennel license as per Section 9.04.050 of Chapter 9.04.

27  
28 9.05.050 - Sale and Other Transfer of Dogs and Cats.

29 A. No offspring of any dog or cat may be sold, adopted, bartered, or  
30 otherwise transferred, whether for compensation or otherwise, until such  
31 offspring has reached the age of at least eight (8) weeks.

- 1 B. No person shall present any dog or cat for sale, barter, exchange, or  
2 adoption, whether for compensation or otherwise, in any public place  
3 within the County. The term public place shall include, but not be limited  
4 to streets, highways, sidewalks, businesses, shopping malls, flea  
5 markets, swap meets, and areas in front of commercial establishments.  
6 This prohibition shall not apply to:
- 7 1. Government agencies, nonprofit animal rescue organizations  
8 exempt from taxation under Internal Revenue Code section  
9 501(c)(3); or humane societies or societies for the prevention  
10 of cruelty to animals if such societies are incorporated under  
11 the provisions of the California Corporations Code Section  
12 10400 and the Nonprofit Public Benefit Corporation Law in Part  
13 2 of the California Corporations Code, beginning at Section  
14 5110. This exception to the prohibition also applies to Section  
15 9.04.115 of Chapter 9.04 Adoption Events at swap meets  
16 allowed.
  - 17 2. Permitted dog or cat shows.
  - 18 3. Permitted pet stores which sell or otherwise transfer dogs or  
19 cats, whether for compensation or otherwise, within the store  
20 pursuant to Health and Safety Code Section 122350 et seq.
- 21 C. Notwithstanding the exceptions provided in Section 9.05.050(B)(1), no  
22 person shall present any dog or cat for sale, barter, exchange, or  
23 adoption, whether for compensation or otherwise, on private property  
24 within the County, or the internet when social media and or websites are  
25 used to engage the public for the purpose of the sale, barter, exchange,  
26 or adoption of a dog or cat within Fresno County, without first obtaining a  
27 breeding permit and business license from the County, regardless of  
28 whether the dog or cat to be sold, bartered, exchanged, or adopted,  
29 whether for compensation or otherwise was bred or born in the County.
- 30 D. The owner of an unaltered dog must prominently display their unaltered  
31 dog license and business license in any advertisement to the public for

1 sale, adoption, barter or transfer (whether for compensation or otherwise)  
2 of said unaltered dog, and in the case of such dog's offspring display of  
3 the breeding permit is also required. The owner must provide the  
4 unaltered dog license number and business license to any person who  
5 purchases, adopts or receives an unaltered dog, as well as the breeding  
6 permit if their offspring are for sale, and the same information is required  
7 on any receipt of sale or transfer document.

8 E. Any advertisement to the public for the sale, adoption, barter or transfer  
9 (whether for compensation or otherwise) of any offspring of a cat must  
10 include the prominent display of the owner's breeding permit and  
11 business license. The owner must provide the breeding permit and  
12 business license information to any person who purchases, adopts or  
13 receives the offspring of a cat and the same information shall be included  
14 on any receipt of sale or transfer document.

15 F. No person shall give away any dog or cat as a prize or as an inducement  
16 to enter into any contest, lottery, drawing, game or competition.

17 G. No person shall give away any dog or cat as an inducement to enter a  
18 place of business.

19 H. No person shall sell or give away any dog or cat in any public place or in  
20 front of any business not owned by him/her or at any swap meet except  
21 for the entities described in Chapter 9.04.115.

22 I. No person shall sell, barter, exchange or offer for adoption, whether for  
23 compensation or otherwise, any dog or cat to any minor under the age of  
24 eighteen (18) years.

25 J. Failure to display the breeding permit number or unaltered dog license  
26 number and include it in any advertisement for sale, adoption or other  
27 transfer of dogs and cats is an infraction punishable in accordance with  
28 Subsection 9.05.060(G) below.

29 K. Any person who offers or provides, whether for compensation or  
30 otherwise, any dog or cat for sale or other type of transfer, shall disclose  
31 to the transferee written information regarding the license and permit



requirements of the County applicable to the transferred dog or cat.

- L. Possession of a valid permit under this Section of the Code does not entitle the permit holder to engage in activity which is otherwise prohibited by law.

#### 9.05.060 - Enforcement of Dog and Cat Permits, Provisions and Penalties.

- A. Any dog owner found by the County to be in violation of Section 9.05.030 of this Chapter (Unaltered Dog License requirement) may correct the violation(s) by obtaining the necessary license(s) no later than thirty (30) days from the date the County first provided the owner with a notice of violation. If the owner fails to correct the violation(s) in the manner described, a civil penalty of one thousand dollars (\$1,000) per dog in violation will be issued to the dog(s) owner. Failure to pay the civil penalty and to resolve the continuing violation of this Section within thirty (30) days of the imposition of the civil penalty shall become a misdemeanor and punishable by up to six (6) months in jail.
- B. Any cat or dog owner found by the County to be in violation of the breeding permit requirements of this Chapter as a result of an accidental breeding may correct the violation(s) by providing conclusive proof to the County Office Administrator or his or her designee that their dog(s) or cat(s) have been spayed or neutered, or by obtaining the necessary permit(s) in this Chapter, no later than thirty (30) days from the date when the County first provided the owner with a notice of violation. If the owner fails to correct the violation(s) in the manner described, a civil penalty of one thousand dollars (\$1,000) per dog or cat will be issued to the dog or cat owner. This penalty shall not be waived by the County upon the transfer or abandonment of the dog(s) or cat(s) by the non-compliant owner. This penalty shall be in addition to any other applicable civil or criminal penalties. Failure to pay the civil penalty and to resolve the continuing violation of this Section within thirty (30) days of the imposition of the civil penalty shall become a misdemeanor punishable by up to six

1 (6) months in jail.

2 C. If the County Administrative Officer or his or her designee finds evidence  
3 indicating that a dog or cat owner intentionally violated the breeding  
4 permit and or unaltered dog requirements of this Chapter then the dog or  
5 cat owner shall be immediately issued a civil penalty of one thousand  
6 dollars (\$1,000) and be required to spay or neuter his or her dog(s) or  
7 cat(s) and obtain a breeding permit(s) and unaltered dog or cat license(s)  
8 required under this Chapter. Failure to pay the civil penalty and to resolve  
9 the continuing violation of this Section within thirty (30) days of the  
10 imposition of the civil penalty shall become a misdemeanor punishable  
11 by up to six (6) months in jail.

12 D. A second violation of the same Code Section within one (1) year from the  
13 date of the first violation, is punishable by six (6) months in jail and an  
14 additional \$1,000 penalty per dog or cat.

15 E. The County may revoke any permit issued pursuant to this Chapter upon  
16 a finding that the permit holder has violated its terms and conditions.  
17 Such finding shall be made after an administrative hearing pursuant to  
18 Chapter 1.13 of this Code.

19 F. Any appeal of a civil penalty imposed for a violation(s) of this Chapter will  
20 require following the procedures described in Chapter 1.13 of this Code.

21 G. Except as specifically mentioned in Subsection A., B., C. and D. of this  
22 Section, failure to comply with any of the requirements of this Chapter  
23 shall be an infraction punishable by the following:

- 24 1. A fine not exceeding one hundred dollars (\$100) for a first  
25 violation.
- 26 2. A fine not exceeding two hundred dollars (\$200) for a second  
27 violation of the same ordinance within one (1) year of the first  
28 violation.
- 29 3. A fine not exceeding five hundred dollars (\$500) for each  
30 additional violation of the same ordinance within one (1) year  
31 of the first violation.

1 Severability

2 If any section, subsection, sentence, clause, word, or phrase of this ordinance is  
3 held to be unconstitutional or otherwise invalid for any reason, such decision shall not  
4 affect the validity of the remainder of this ordinance. The Board of Supervisors hereby  
5 declares that it would have passed this ordinance, and each section, subsection, sentence,  
6 clause, word, or phrase thereof, irrespective of the fact that one or more sections,  
7 subsections, sentences, words, or phrases be declared invalid or unconstitutional.

8  
9 Effective Date

10 This ordinance shall take effect (the "Effective Date") and be in force and effect  
11 thirty (30) days after the second reading hereof by the Board of Supervisors and its  
12 passage.

13 The foregoing was passed and adopted by the following vote of the Board of  
14 Supervisors of the County of Fresno this \_\_\_\_\_ day of \_\_\_\_\_, 2025, to wit:

15  
16 AYES:

17 NAYS:

18 ABSENT:

19 ABSTAINED:

20 \_\_\_\_\_  
21 Ernest Buddy Mendes  
22 Chairman of the Board of Supervisors  
of the County of Fresno

23 Attest:

24 Bernice E. Seidel  
25 Clerk of the Board of Supervisors  
County of Fresno, State of California

By: \_\_\_\_\_

Deputy