

1 **DECLARATION OF STACIE WOOD-LEVIN**

2 I, Stacie Wood-Levin, am petitioning the City of Burbank Animal Shelter Superintendent
3 Brenda Castaneda, to designate the dog “Conan” as vicious and requesting that Sylvia Franco be
4 ordered to surrender “Conan” to the Burbank Animal Shelter to be euthanized. I am also
5 requesting that Sylvia Franco be prohibited from owning, possessing, controlling, or having
6 custody of any animal for a period up to three years.

7 I, Stacie Wood-Levin, hereby declare as follows:

8 1. The facts stated herein are personally known to me, and I have firsthand
9 knowledge thereof. If called upon to do so, I would and could competently testify hereto under
10 oath.

11 2. I am the Senior Animal Control Officer for the City of Burbank Animal Shelter
12 (the “Animal Shelter”). I have worked in this position since 2010. In my role as the Senior
13 Animal Control Officer, I assist with management and daily operation of the Animal Shelter and
14 its employees, including its Animal Control Officers (“ACOs”). As part of my duties and
15 responsibilities as the Senior Animal Control Officer, I coordinate the receipt of complaints
16 about animals within the City of Burbank and the investigations related to those complaints.

17 3. On January 14, 2024, at approximately 4:15 p.m., the Burbank Police Department
18 (“BPD”) contacted the Animal Shelter and requested the assistance of an ACO to document a
19 dog bite incident that occurred in the alleyway near **REDACTED** Burbank,
20 California. ACO Donald Capes was dispatched to the location. By the time ACO Capes reached
21 the location, the victim of the dog bite incident, Deborah Dressi, had already been transported to
22 Providence St. Joseph Medical Center in Burbank. ACO Capes interviewed the owners of the
23 dog involved in the incident, Sylvia Franco and Nelson Grande. Franco and Grande informed
24 ACO Capes that their dog was a gray five-year-old male Pitbull/Labrador mix named “Conan”
25 that was not registered in the City but did have a current rabies vaccine. Franco confirmed that
26 while she was talking to Dressi in the alleyway, “Conan” came out of the gate at the back of the
27 residence and bit Dressi’s arm. Franco also confirmed that she was not able to get “Conan” to
28 release Dressi’s arm and that she was the person who called 911. A true and correct copy of

1 ACO Capes' Bite Report concerning the January 14, 2024, incident is attached hereto as **Exhibit**
2 **"1"**.

3 4. Based on the information Franco provided to ACO Capes, ACO Capes issued a
4 written warning to Franco for violation of Burbank Municipal Code sections 5-1-1001(a) Control
5 of Animal, 5-1-1102 Animal Causing Hazard, 5-1-507 Failure to Register Dog(s), 5-1-510
6 Failure To Show Proof Of Current Rabies Vaccination, and 5-1-703 Shelters Must Be Secure. A
7 true and correct copy of written warning issued by ACO Capes to Franco is attached hereto as
8 **Exhibit "2"**.

9 5. The Animal Shelters' records indicate that ACO Capes continued his
10 investigation on January 14, 2024, and spoke with Drissi after she received medical treatment.
11 Drissi informed ACO Capes that as a result of the dog bites, she received twenty-eight sutures,
12 was referred to a specialist to examine nerve damage she had suffered and was unable to use her
13 right hand. Drissi added that neither Franco nor Grande immediately attempted to help her, that
14 "Conan" bit her arm for approximately three minutes, and that neither Franco nor Grande were
15 able to get "Conan" to release his bite on her arm.

16 6. ACO Capes' investigation also revealed that the Animal Shelter's records showed

17 **REDACTED**
18

19 7. As part of the investigation into the dog bite incident, the Animal Shelter received
20 a copy of the BPD Incident Report concerning the incident. According to the BPD Incident
21 Report that was provided to the Animal Shelter, on January 14, 2024, BPD Officer Garner
22 responded to **REDACTED** regarding a dog bite investigation. Per the Incident Report,
23 when Officer Garner interviewed Franco, she told him that she was talking to Drissi when
24 "Conan" approached Drissi, sniffed her, then suddenly bit her arm. Franco admitted that neither
25 her nor her husband could get "Conan" to release his hold on Drissi for a number of minutes.
26 Officer Garner also reported that he interviewed Drissi at St. Joseph Medical Center and that
27 Drissi stated the attack by "Conan" was unprovoked and that "Conan" is always barking and
28 aggressive when she walks through that alley. Attached hereto as **Exhibit "3"** is a true and

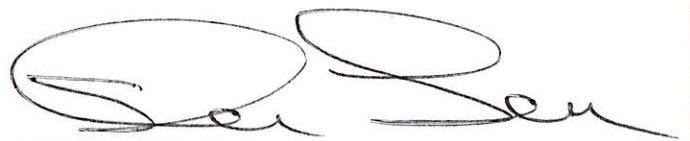
1 correct copy of the BPD Incident Report that was provided to the Animal Shelter regarding the
2 January 14, 2024, dog bite incident. Attached hereto as **Exhibit “4”** are true and correct copies
3 of the photos of Drissi’s injuries that the Animal Shelter received from BPD.

4 8. In the course of my work for the City of Burbank Animal Shelter, I have become
5 and am familiar with the provisions of the California Food and Agriculture Code and the
6 Burbank Municipal Code that pertain to animals.

7 9. Attached hereto as **Exhibit 5** and is a true and correct copy of Burbank Municipal
8 Code § 5-1-1101, Code § 5-1-1602, Code § 5-1-1603 and Code § 5-1-1606.

9 10. A vicious dog is defined by California law as one that, in an unprovoked
10 aggressive manner, causes severe injury to a human. “Severe injury” is specifically defined in the
11 context of a dog attack as an injury that results in muscle tears or disfiguring lacerations or
12 requires multiple sutures. Based on my review of the statements reported by BPD Officer Garner
13 on January 14, 2024, the images and video footage of the injuries suffered by Drissi, the facts set
14 forth in ACO Capes’ Bite Report, Warning Notice, and other records concerning ACO Capes’
15 investigation of the January 14, 2024, dog bite incident involving “Conan”, there is probable
16 cause to believe that Respondent’s dog, “Conan”, is a vicious dog. Accordingly, I am requesting
17 that Sylvia Franco’s dog, “Conan”, be designated as Vicious.

18 I declare under penalty of perjury under the laws of the State of California that the
19 foregoing is true and correct. Executed on June 24, 2024, at Burbank, California.

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22 Stacie Wood-Levin
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VETERINARY PUBLIC HEALTH PROGRAM

Animal Bite Reporting Form

Animal Control, Shelters & Veterinary Clinics



Instructions: Use this form to report animal bites to the Veterinary Public Health Program at the Los Angeles County Department of Public Health. For more information about rabies in Los Angeles County, visit our website: <http://publichealth.lacounty.gov/vet/>.

Date form completed: 1/15/24 Please submit completed form to vet@ph.lacounty.gov OR fax to (213) 481-2375.

1. REPORT INFORMATION			
Report date: <u>1/14/24</u>	Reporter name (victim, owner, etc.): <u>Deborah Drissi</u>	Reporter phone #: REDACTED	Reporter email: REDACTED
2. SHELTER/VETERINARY CLINIC TAKING REPORT			
Facility submitting report: <u>BURBANK ANIMAL SHELTER</u>	Submitter's name: <u>D MALDCAPE</u>	Facility phone #: <u>818-238-3346</u>	
3. PERSON BITTEN			
Bite victim first name: <u>Deborah</u>	Bite victim last name: <u>DRISSI</u>	Date of birth: REDACTED	
Street address (building #, street name, apt/unit#): REDACTED		City: <u>Burbank</u>	State: Zip code: <u>CA 91505</u>
Bite victim phone #: REDACTED		Bite victim email address: REDACTED	
4. DESCRIPTION OF INCIDENT			
Date bitten: <u>1/14/24</u>	Time bitten (AM/PM): <u>2:20pm</u>	Country where incident occurred (if not US):	
Street address where incident occurred: REDACTED		City: <u>Burbank</u>	State: Zip code: <u>CA 91</u>
How bite occurred (explain): <u>VICTIM WALKED DOWN ALLEY, STOPPED TO TALK TO DOG OWNER, DOG BITE OCCURRED WHEN VICTIM APPARENTLY MOVED ARM PRESSED DOG</u>			
5. HUMAN INJURY INFORMATION			
Location of bite(s) (e.g. face, leg, hand, torso): <u>LEFT FOREARM (RIGHT) INDEX FINGER</u>		Side of body affected: <input checked="" type="checkbox"/> L <input type="checkbox"/> R <input checked="" type="checkbox"/> Both	Date treated: <u>1/14/24</u>
Description of treatment: <u>PARAMEDICS TREATED ON SCENE. TAKEN TO HOSPITAL. CLEANSE. ANTI BIOTIC STITILES. PAIN KILLERS</u>			
Treating facility/provider name: <u>ST JOSEPH'S</u>	Provider phone number: <u>818-843-5111</u>	Hospitalized: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Hospital name: <u>PROVIDENCE ST. JOSEPH'S</u>
6. ANIMAL OWNER			
Animal owner first name: <u>SYLVIA FRANCO</u>		Animal owner last name: <u>FRANCO</u>	
Street address (building #, street name, apt/unit#): REDACTED		City: <u>BURBANK</u>	State: Zip code: <u>CA 91505</u>
Animal owner phone #: REDACTED		Animal owner email address: REDACTED	
7. BITING ANIMAL INFORMATION			
Biting animal species: <input checked="" type="checkbox"/> Dog <input type="checkbox"/> Cat <input type="checkbox"/> Other: _____		Breed: <u>PITBULL/mix</u>	Age:
		Animal sex: <input checked="" type="checkbox"/> M <input type="checkbox"/> F <input type="checkbox"/> Unk	Sterilized? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Unk
Animal name: <u>Conan</u>	Animal color: <u>GRAY</u>	Animal vaccinated for rabies? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unk	Date last vaccinated for rabies: <u>9/14/23 - 9/16/24</u>
Animal died: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Euthanized? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	If yes, reason: <u>N/A</u>	Specimen prepared for rabies testing: <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
Animal licensed: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Unk <input type="checkbox"/>	Jurisdiction animal licensed in: <u>BURBANK</u>	License number: <u>N/A</u>	Expiration Date: <u>N/A</u>
Animal impounded: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Shelter: <u>BURBANK</u>	Impound #: <u>N/A</u>	Cage: <u>N/A</u>
8. ADDITIONAL INFORMATION/COMMENTS:			
<u>CHECKED RESIDENCE, DETERMINED SAFE TO KEEP DOG @ HOME FOR QUARANTINE.</u>			



BURBANK ANIMAL SHELTER

AZU-08744 *4120*
43978

WARNING NOTICE

Date Issued 1/14/24 Time Issued 2:40 PM

Date of Violation 1/14/24 Time of Violation 12:20 PM

Name [REDACTED]

Address [REDACTED]

Neighbor(s) Complaint Registration 5 NCF
 Officer Observed 01/14/24

NATURE OF VIOLATION

- Control of Animal(s) - "Leash Law" (B.M.C. 5-1-1001A)
- Animal(s) Causing Hazard (B.M.C. 5-1-1101)
- Creating Public Nuisance - "You **MUST** Pick Up After Your Dog(s)" (B.M.C. 5-1-1102)
- Dog(s) Barking Excessively (B.M.C. 9-3-207)
- Failure to Register Dog(s) (B.M.C. 5-1-507)
- Failure to Show Proof of Current Rabies Vaccination (B.M.C. 5-1-510)
- Cleanliness of Premises Where Animals are Kept - "Sanitation" (B.M.C. 5-1-601)
- Protection from the Elements (B.M.C. 5-1-701)
- Shelter Must Be Secure (B.M.C. 5-1-703)
- Food / Water (B.M.C. 5-1-801)
- Treatment (B.M.C. 5-1-806)
- Failure to Protect from Abuse (B.M.C. 5-1-910)
- Other

CONTACT MADE

YES NO

10 DAYS TO CORRECT VIOLATION
10 DAYS TO CORRECT VIOLATION

These are violations of the Burbank Municipal Code and / or California State Penal Code and **MUST** be discontinued. Failure to comply may result in a citation being issued to appear in the Burbank Municipal Court or a criminal filing being requested through the City Attorney's Office.

Issued By [Signature]

Burbank Animal Shelter - 1150 N. Victory Pl, Burbank, CA 91502 - 818-238-3340
www.BurbankAnimalShelter.org

Incident Report Burbank Police Department (BPD)

24-330

Supplement No
ORIG



200 N. Third Street
Burbank, CA 91502
(818) 238-3333 (Information Desk)
www.burbankca.gov

Reported Date
01/14/2024
Report Type
ANIMAL BITE
Officer
GARNER, T

Administrative Information											
Agency Burbank Police Department (BPD)				DR # 24-330		Supplement No ORIG		Reported Date 01/14/2024		Reported Time 14:10	
CAD Incident No 240140070		Status Report		Call Type Animal Bite							
Location REDACTED									City Burbank		
ZIP Code 91505		Rep Dist 522	Area 1	Beat H	From Date 01/14/2024		From Time 14:00				
Member# 15491/GARNER, T					Assignment Patrol		Entered By 15491		Assignment Patrol	RMS Transfer Successful	
Prop Trans Stat Successful		Property? None	Approving Officer 11827			Approval Date 01/14/2024		Approval Time 17:18:16			
Person Summary											
Invl PI	Invl No 1	Type I	Name DRISSI, DEBORAH						MNI 976836		
Race W	Sex F	DOB REDACTED 1964									
Invl PI	Invl No 2	Type I	Name FRANCO, SYLVIA						MNI 411226		
Race H	Sex F	DOB REDACTED 1964									
Summary Narrative											

CFS: Female was bitten by a dog off leash in an alley. Injury to right forearm and left index finger. Transported to SJMC for medical treatment.

DM

Incident Report Burbank Police Department (BPD)

24-330

Supplement No
ORIG

Person Interviewed 1: DRISSI,DEBORAH									
Involvement Person Interviewed		Invl No 1	Type Individual						
Name DRISSI, DEBORAH								MNI 976836	
Race White (NCIC value)	Sex Female	DOB REDACT/1964	Age 59	Juvenile? No	Height 5'08"	Weight 130#	Hair Color Black	Eye Color Hazel	
PRN 1114286									
Type Home	Address REDACTED								
City Burbank	State California	ZIP Code 91505	Date 01/14/2024						
Type Operator License/Driver License	ID No REDACTED						OLS California		
Phone Type Cell	Phone No REDACTED	Date 01/14/2024							
Person Interviewed 2: FRANCO,SYLVIA									
Involvement Person Interviewed		Invl No 2	Type Individual						
Name FRANCO, SYLVIA								MNI 411226	
Race Hispanic/Mexican/Latin	Sex Female	DOB REDACT/1964	Age 59	Juvenile? No	Height 5'05"	Weight 150#	Hair Color Brown	Eye Color Brown	
PRN 1114287									
Type Home	Address REDACTED								
City Burbank	State California	ZIP Code 91505	Date 01/14/2024						
Type Operator License/Driver License	ID No REDACTED						OLS California		
Phone Type Cell	Phone No REDACTED	Date 01/14/2024							

Narrative

On 01/14/2024, at approximately 1416 hours, I (Officer Garner #15491) responded to REDACTED regarding an animal bite investigation.

Upon my arrival, I contacted PI/Deborah DRISSI and PI/Sylvia FRANCO in the north alley of Magnolia Bl, east of Pass Av.

Burbank Rescue Engine 15 was on scene. BFD firefighters Weiner and Huerta were medically treating DRISSI, who was just bit by FRANCO's Pitbull/Labrador retriever mix dog, Conan. BFD told me that DRISSI was bit on her right forearm and had an injured left index finger.

BFD transported DRISSI to SJMC for medical treatment before I was able to speak with her.

FRANCO Statement

I spoke to FRANCO and she stated the following:

On today's date, at approximately 1400 hours, FRANCO was in the north alley of Magnolia Bl, east of Pass Av. Her residence has a sliding gate that opens to the north alley of Magnolia.

FRANCO stated that she was in the alley, hosing off the ground, because it gets dirty. She had her sliding gate open, which gave access to the alley.

She stated DRISSI was walking in the alley and stopped to talk to her. While speaking to DRISSI, Conan ran through the gate and entered the alley. Conan approached DRISSI and began to sniff her. Suddenly, Conan bit DRISSI's right forearm. FRANCO was unable to get Conan off DRISSI. FRANCO's husband came outside and tried to get Conan off of DRISSI. After a few minutes, Conan let go of DRISSI's forearm.

FRANCO called Burbank PD to report the incident.

Incident Report

Burbank Police Department (BPD)

24-330

Supplement No
ORIG

Narrative

FRANCO stated that Conan is up to date with his vaccines, however he is not registered in the City of Burbank. She stated Conan is approximately 5 years old.

FRANCO stated that DRISSI has history of agitating Conan through the gate. She stated DRISSI has kicked the gate and cursed at the dog.

Animal Control

Burbank Animal Control Officer Capes (#15427) arrived on scene to assist and document the incident.

He confirmed that Conan was up to date on his vaccines, however he was not registered in the City of Burbank.

Follow Up at SJMC

I conducted a follow up investigation at SJMC with DRISSI. I spoke to her and she stated the following:

On today's date, at approximately 1400 hours, DRISSI was walking through the north alley of Magnolia, east of Pass Av.

She stopped to say hi to FRANCO, who was also in the alley.

While speaking to FRANCO, Conan suddenly ran out from behind the gate and entered the alley. DRISSI stated that Conan ran towards her. Conan suddenly jumped up and bit DRISSI's right forearm.

DRISSI attempted to get Conan off her arm, however the dog would not let go. She stated that she fell backwards and fell to the ground. While on the ground, DRISSI used her left hand and attempted to free her arm from Conan's mouth. She also kicked Conan, in an attempt to have Conan let go.

After approximately three minutes, Conan finally let go of DRISSI's arm.

DRISSI stated that whenever she walks through the alley, Conan is always barking and aggressive behind the gate.

DRISSI stated she had injuries to her right forearm and left index finger.

I took photographs of DRISSI's injuries, which were later uploaded to Evidence.com.

This contact was captured on AXON.









EXHIBIT V

5-1-1101: ANIMALS CAUSING HAZARD:

No animal shall be allowed to cause or to constitute a hazard or menace to the health, peace or safety of the community. [Added by Ord. No. 2467; formerly numbered Section 6-83; renumbered by Ord. No. 3058, eff. 2/21/87.]

5-1-1602: DEFINITIONS:

A. As used in this article, the term “potentially dangerous animal” means any of the following:

1. Any animal which, when unprovoked, on two separate occasions within the prior 36-month period, engages in any behavior that requires a defensive action by any person to prevent bodily injury when the person and the animal are off the property of the owner or keeper of the animal;
2. Any animal which, when unprovoked, bites a person causing a less severe injury than as defined in subsection C of this section;
3. Any animal which, when unprovoked, on two separate occasions within the prior 36-month period, has killed, seriously bitten, inflicted injury, or otherwise caused injury attacking a domestic animal off the property of the owner or keeper of the animal.
4. Any animal which, after its owner or keeper has been notified that the animal is not properly licensed, vaccinated, restrained, or maintained so as to be contained on the owner’s property, as required by this chapter, and continues to be in violation of this chapter, and/or is not in compliance with any specific orders made by the hearing officer.
5. Any animal previously determined, by a presiding judicial or administrative officer, to be a potentially dangerous animal which, after its owner or keeper has been notified of this determination, continues behavior described in subsection A of this section or is maintained in violation of Food and Agriculture Code sections [31641](#), [31642](#), or [31643](#) or this article.

B. As used in this article, the term “vicious animal” means any of the following:

1. Any animal which, when unprovoked, in an aggressive manner, inflicts severe injury on or kills a human being;
2. Any animal previously determined, by a presiding judicial or administrative officer, to be a potentially dangerous or vicious animal which, after its owner or keeper has been notified of this determination, continues behavior described in subsections A or B of this section or is maintained in violation of Food and Agriculture Code sections [31641](#), [31642](#), or [31643](#) or this article.

3. Any animal seized under Penal Code section [599a](#) and upon the sustaining of a conviction of the owner or keeper under Penal Code sections [597.5\(a\)](#) or [597b](#).

C. As used in this article, the term “severe injury” means any physical injury to a human being that results in muscle tears or disfiguring lacerations or requires multiple sutures or corrective or cosmetic surgery.

D. As used in this article, the term “enclosure” means a fence or structure suitable to prevent the entry of young children, and which is suitable to confine a potentially dangerous or vicious animal in conjunction with other measures which may be taken by the owner or keeper of the animal. The enclosure shall be designed in order to prevent the animal from escaping. Any enclosure must conform with the requirements of Penal Code section [597t](#).

E. As used in this article, the term “impounded” means taken into the custody of the City’s Animal Shelter. [Added by Ord. No. 24-4,011, eff. 4/19/24.]

5-1-1603: PROCEDURE FOR DECLARING ANIMAL POTENTIALLY DANGEROUS AND/OR VICIOUS:

A. If an animal control officer or a law enforcement officer, hereinafter referred to as the Investigating Officer, has investigated and determined that there exists probable cause to believe that an animal is potentially dangerous or vicious, considering all relevant evidence, and not solely based on the breed of the animal, they shall petition the Superintendent of the City’s Animal Shelter, or their designee, to determine whether the animal is potentially dangerous or vicious. The Superintendent, or their designee, shall thereafter set a hearing pursuant to Food and Agriculture Code section [31621](#) for the purpose of determining whether or not the animal in question should be declared potentially dangerous or vicious.

B. The Superintendent of the City’s Animal Shelter, or their designee, shall notify the owner or keeper of the animal that an administrative hearing to determine whether the animal is potentially dangerous or vicious will be held by serving a notice of the hearing and a copy of the petition, either personally or by first-class mail with return receipt requested. Service shall be deemed complete at the time notice is personally served or deposited in the mail. Failure of any person to receive notice shall not affect the validity of any proceedings under this chapter. The notice shall include the date, time, and location of the administrative hearing, a statement that the purpose is to determine whether the animal (named and described) is a potentially dangerous or vicious animal, and that if the animal in question is found to be potentially dangerous or vicious, certain remedies, up to and including destruction, may be demanded by the City.

C. The hearing shall be held promptly within no less than five working days nor more than ten working days after service of notice upon the owner or keeper of the animal.

D. The Superintendent of the Animal Shelter, or their designee, hereinafter referred to as the Hearing Officer, shall preside over the administrative hearing. The hearing shall be open to the public. At the administrative hearing, the owner or keeper of the animal may present evidence as to why the animal in question should not be declared potentially dangerous or vicious. Failure by the owner or keeper to appear at the hearing results in forfeiture of the privilege to present evidence. The Hearing Officer shall hear and consider all relevant evidence, objections or protests and shall receive testimony under oath relative to the alleged potentially dangerous and/or vicious animal. The Hearing Officer may admit into evidence all relevant evidence, including incident reports and affidavits of witnesses. The Hearing Officer may find, upon a preponderance of evidence, that the animal in question is potentially dangerous or vicious and may make other orders authorized by this article. The hearing may be continued from time to time.

E. If the animal in question is found to be potentially dangerous and/or vicious as defined by Burbank Municipal Code section [5-1-1602](#) et seq., the Hearing Officer may issue any one or more of the following orders:

1. The animal shall be properly licensed by the Animal Shelter and vaccinated against rabies. The Animal Shelter shall include the potentially dangerous or vicious designation in the registration records of the animal. The Animal Shelter may charge a potentially dangerous animal registration fee in addition to the regular licensing fee to provide for the increased costs of maintaining the records of the animal.
2. The animal shall be maintained on the owner or keeper's property, or property occupied by the owner or keeper, hereinafter referred to as the Premises, and shall, at all times, be kept indoors, or in a secure enclosure with a secondary perimeter fenced yard from which the animal cannot escape, and into which children cannot trespass. The animal may not be allowed off the Premises unless it is restrained by a substantial leash, of a fixed length of no more than six feet, humanely muzzled, and under the immediate control of a responsible adult capable of restraining the animal. In the event that the animal escapes from the Premises, the owner or keeper shall immediately notify the City's Animal Shelter.
3. If the animal in question dies or is sold, transferred, or permanently removed from the City, the owner or keeper shall notify the City of the changed condition and new location of the animal, in writing, within two business days of the changed condition.
4. An animal determined to be vicious may be destroyed by the Animal Shelter when it is found, after proceedings set forth in this article, that the release of the animal would create a significant threat to the public health, safety, and welfare.
5. The owner or keeper may be prohibited by the City from owning, possessing, controlling, or having custody of any animal for a period of up to three years, when it is found, after proceedings set forth in this article, that ownership or possession of

an animal by that person would create a significant threat to the public health, safety, and welfare.

6. The owner or keeper shall pay any and all costs incurred by the City in the administration of the processes set forth in this article, including but not limited to, costs incurred by the City for housing, maintaining, feeding and providing care, including medical care for the animal during such time as the animal is in the custody of the City.

7. The owner or keeper may be mandated to spay or neuter the animal, as applicable.

8. The owner or keeper may be ordered to attend animal training/handling classes and submit proof of enrollment and attendance to the Superintendent of the Animal Shelter, or their designee.

9. The owner or keeper may be required to provide evidence to the Superintendent of the Animal Shelter, or their designee, of insurance coverage of no less than \$100,000.00 for combined claims of bodily injury to, or death of, any person, or for damage to property owned by any other person, which may result from the ownership, keeping, or maintenance of the animal, regardless of whether the animal is on the Premises or not.

10. The owner or keeper of the animal may be required to provide a permanent identification by means of an implanted microchip that shall be registered with the City's Animal Shelter. A photograph of the animal may also be required to be kept on record for identification, in addition to registration as a potentially dangerous animal.

F. If it is determined that an animal in question is found to be potentially dangerous, but shall not be destroyed, the Hearing Officer shall impose any other conditions upon the ownership of the animal that are reasonably necessary to protect the public health, safety, and welfare.

G. If the Hearing Officer finds by a preponderance of evidence that the animal which is the subject of the hearing is potentially dangerous and/or vicious, the Hearing Officer shall prepare findings and an order, which shall specify and make specific orders with respect to the animal as authorized by this article. A copy of the findings and order shall be served to the owner or keeper of the animal either personally or by first class postage prepaid no later than ten business days after the conclusion of the hearing. Service shall be deemed complete at the time notice is personally served or deposited in the mail. [Added by Ord. No. 24-4,011, eff. 4/19/24.]

5-1-1606: APPEARANCE OF THE OWNER OR KEEPER NOT REQUIRED TO MAKE ORDERS:

The Hearing Office or the court hearing the appeal may decide all issues for or against the owner or keeper of the animal even if the owner or keeper fails to appear at a hearing. [Added by Ord. No. 24-4,011, eff. 4/19/24.]

The following is a link to the complete Burbank Municipal Code Title 5 Police & Public Safety, Chapter 1 Animals, Article 16. Potentially Dangerous and Vicious Animals section:

<https://www.codepublishing.com/CA/Burbank/#!/Burbank05/Burbank0501.html#5-1-1601>