



AGENDA

April 25, 2024

BOARD OF APPEALS HEARING

3:00 p.m.

City Council Chambers

311 Vernon Street

Roseville, CA 95678

www.roseville.ca.us

THE CITY OF ROSEVILLE WELCOMES YOUR PARTICIPATION

If an agenda item is open to public comment, such public comment shall be addressed to the chair of the meeting.

Public Comment - Speakers have three minutes under Public Comment to speak on issues that are not listed on the agenda and are within the City's jurisdiction. The Brown Act does not permit any action or discussion on items not listed on the agenda.

Consent Calendar - If applicable, the Consent Calendar consists of routine items that may be approved by one motion. Any person can remove an item from the Consent Calendar to be discussed separately.

Agenda Items - Speakers have five minutes to address items that are listed on the agenda.

Levine Act Provisions - The Levine Act requires a Party (or its agent (s)) to a Proceeding before the City of Roseville that involves any action or consideration to their contract, license, permit, or other entitlement for use, to disclose any campaign contribution made to City elected or appointed officers (including Councilmembers, Planning Commissioners, and members of other City boards and commissions) totaling more than \$250 within the 12 months before the City decision.

Americans with Disabilities Act - Notify the City Clerk or Secretary at least 72 hours in advance if special assistance is required to participate in a meeting including the need of auxiliary aids or services.

Audio/Visual Presentations - If making a presentation regarding an agenda item, audio/visual materials must be submitted to the City Clerk or Secretary at least 72 hours in advance.

Roseville City Clerk 311 Vernon Street, Roseville, CA 916-774-5200 TDD 916-774-5220

1. **CALL TO ORDER**
2. **ROLL CALL (SILENT)**

3. IDENTIFICATION OF CHAIR

4. PLEDGE OF ALLEGIANCE

5. PUBLIC COMMENTS

6. SWEAR IN

7. MATTERS TO BE HEARD

7.1. Appeal of Citation No.: 21176 - Kelley Borden - 532 Alola St.

Appellant: Kelley Borden, 532 Alola St.

Complainant: Jason Houting, 528 Alola St.

Roseville Municipal Code Sections:

7.25.010, Animal Noise, two counts, first offense

7.25.010, Animal Noise, one count, second offense

7.16.010, Failure to License, one count, first offense

A. Staff Report

B. Complaint's Statement

C. Appellant's Response

D. Rebuttals and Panel Questions

E. Panel Discussion

F. Panel Decision

7.2. Appeal of Citation No.: 21175 - Jacob Pennington - 1572 Arncliffe Way

Appellant: Jacob Pennington, 1572 Arncliffe Way

Complainant: Kathe Murphy, 225 Blagdon Ct.

Roseville Municipal Code Sections:

7.12.010, Animal at Large, two counts

7.12.050, Aggressive Behavior, two counts

8.02.240, Animal in City Park, two counts

A. Staff Report

B. Complaint's Statement

C. Appellant's Response

D. Rebuttals and Panel Questions

E. Panel Discussion

F. Panel Decision

8. ADJOURNMENT



BOARD OF APPEALS COMMUNICATION

Title: Appeal of Citation No.: 21176 - Kelley Borden - 532 Alola St.

Contact: Kelly Aye 916-774-5325 kaye@roseville.ca.us

Meeting Date: 4/25/2024

Item #: 5.1.

RECOMMENDATION

Consider the appeal of citation 21176 for the following violations:

Violation: RMC 7.25.010 Animal Noise (3 counts)

Two counts, first offense = \$200

One count, second offense = \$200

A. No person shall own, possess, harbor, control or keep on any premises, any dog, fowl, or other animal, that howls, barks, bays, cries, squawks or makes any other noise so continuously or incessantly for a period of 20 minutes or intermittently for an hour or more as to unreasonably disturb the peace or quiet of any person.

Violation: RMC 7.16.010 Licensing (1 count)

One count, first offense = \$50

A dog over the age of four months must be licensed according to the provisions of this chapter.

BACKGROUND

December 11, 2023 @ approximately 4:10 PM

Roseville Police Animal Control dispatch received an animal noise complaint from complainant Jason Houting regarding 3 barking dogs located at 532 Alola St.

Notes in the call indicated that there had been prior animal noise complaints with an animal noise affidavit completed and a citizen's citation requested by the same complainant. A citizen's citation was issued to dog owner Kelley Borden and had been resolved as of October 29, 2023. This most recent complaint would result in one warning issued to the dog owner, Kelley Borden, before another citizen's cite could be requested.

On December 13th, Animal Control Supervisor S. Cooper mailed an animal noise letter to dog owner, Kelley, notifying her of the barking dog complaint received. There were 2 current dog licenses at the time of this complaint for “Bolt” and “Luna”.

January 2, 2024 @ approximately 11:09 AM

Roseville Police Animal Control dispatch received an animal noise complaint from complainant Jason regarding 3 barking dogs located at 532 Alola St.

Supervisor Cooper contacted Jason who requested to move forward with the complaint process. Supervisor Cooper mailed Jason an animal noise affidavit.

January 15, 2024 @ 07:27 AM

Roseville Police Animal Control received a completed animal noise affidavit from complainant Jason. Jason's log noted the most recent alleged violation for animal noise occurred on January 12, 2024, at 8:00 AM, with a total of 40 minutes of animal noise. Jason noted 3 dogs total and described them as one large black Lab dog, one medium yellow dog (unknown breed), and one small brown dog (unknown breed).

Supervisor Cooper completed citizen's citation #21176 on behalf of Jason against Kelley for Animal Noise, 3 counts.

The violation of RMC 7.25.010 Animal Noise is based on the statements of the complainant and appellant and other evidence provided and were not directly witnessed by Supervisor Cooper.

Upon further review, Supervisor Cooper also determined that one of the 3 subject dogs remained unlicensed and added the violation for one count of RMC 7.16.010 Licensing.

As of April 4, 2024, PetData shows that Kelley has 2 current dog licenses with the City of Roseville:

- “Bolt” 1-year-old, male, white, Pit Bull type dog
 - Roseville dog license # 36787 exp's 03-31-2025
- “Luna” 2-year-old, female, tan/black Labrador Retriever type dog
 - Roseville dog license # 36117 exp's 12-31-2024

Respectfully Submitted,

Sarah Cooper, Animal Control Supervisor

ATTACHMENTS:

Description

7.25.010, Animal Noise

7.16.010 Licensing

Citation

Noise Affidavit

Appeal Form

7.25.010 Animal noise.

A. No person shall own, possess, harbor, control or keep on any premises, any dog, fowl or other animal, that howls, barks, bays, cries, squawks or makes any other noise so continuously or incessantly for a period of 20 minutes or intermittently for an hour or more as to unreasonably disturb the peace or quiet of any person.

B. In determining whether any sound or noise is “unreasonable” under subsection A above, the following shall be considered:

1. The volume of the sound;
2. The proximity of the sound to residential sleeping facilities;
3. The time of the day or night the sound occurs;
4. The duration of the sound; and
5. Whether the sound is intermittent or constant.

C. Any person who shall keep or permit to remain on any premises any animal as defined in subsection A of this section is guilty of a violation of this chapter, provided that during the time that the animal is making such a noise, no person or other animal is trespassing or threatening to trespass or no person is intentionally provoking or intentionally teasing the animal.

D. After determination that a violation of this provision has occurred and prior to issuance of a citation pursuant to Chapter 2.50 of this code, an enforcement officer shall issue at least one warning to the owner or person having care, custody, control or possession of the animal creating the nuisance.

E. This chapter shall not apply to public animal control agencies or shelters, society for the prevention of cruelty to animals shelters, or humane society shelters. (Ord. 6268 § 1, 2020.)

Contact:

City Clerk: 916-774-5263

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Roseville, California Municipal Code

Title 7 ANIMALS

Chapter 7.16 LICENSING

7.16.010 Licensing.

A dog or cat over the age of four months must be licensed according to the provisions of this chapter. (Ord. 6268 § 1, 2020.)

Contact:

City Clerk: 916-774-5263

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CITY OF ROSEVILLE
NOTICE OF CITATION

21176

Date	01-15-2024	Time	0800	Day of Week	Monday
Name (First, Middle, Last)	Kelley Laura Borden				
Residence Address	532 Alola St Roseville CA 95678				
Business Address					

Breed:	3 dogs	Color:	1 lg blk lab	Sex:	
Vehicle Make		Model:	1 med yell scrunk breed	License #:	
Color:			1 sm brown breed		
Location of Violation	532 Alola St				
Date / Time of Violation	01-12-2024 @ 0800 hrs				
Code / Ordinance	Description of Violation				
PMC 7.16.010 License (x 1 count)					
PMC 7.25.010 Animal Noise (x 3 counts)					

☒ VIOLATIONS NOT COMMITTED IN MY PRESENCE, CERTIFIED ON INFORMATION AND BELIEF.

I DECLARE UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA, THAT THE FOREGOING IS TRUE AND CORRECT.

Date: 01-15-2024 Issuing Officer: S. Cooper / 3009
Badge No.

COMPLAINING PARTY

X Signature: Complaint

I HEREBY ACKNOWLEDGE RECEIPT OF THIS CITATION.

X Signature: Complaint

YOU DO NOT NEED TO DO ANYTHING AT THIS TIME.
YOU WILL RECEIVE NOTICE BY MAIL WITHIN 14 DAYS.
CITY ATTORNEY'S OFFICE (916) 774-5325

1 - City Attorney Copy 2 - Defendant Copy 3 - Issue Dept Copy



Roseville Police Department
1051 Junction Blvd
Roseville, CA 95678



COPY

Troy Bergstrom, Chief of Police

Animal Noise Affidavit

This form must be completed before a citizen complaint can be issued. If you elect to sign a citizen complaint against the animal owner, you will be required to testify under oath before a panel of citizens comprising the City of Roseville's Board of Appeals. If you sign a citizen's complaint, this form and the information provided in it will be shared with the animal owner and the Board of Appeals and is considered a public record.

Contact Information:

Your Name: Jason Houting
Your Address: 528 Alola St 1/2
Your Telephone Number: [REDACTED]

Name of Animal Owner: _____
Address of Animal Owner: 532 Alola St

Please complete the information below:

1. Number of animals, animal type, breed, and color
1 Large Black lab, 1 medium Yellow Breed unknown, 1 small brown Breed unknown
2. Time of day that animal noise occurred.
All hours
3. Did the animal make noise for more than 20 minutes without stopping?
☒ Yes
No
4. If the answer to number 3 is no, did the animal make noise intermittently for an hour or more?
☒ Yes
No
5. If something other than 3 or 4 above, please describe:

6. Have you spoken to the animal owner about the noise?
☒ Yes
☒ No
7. If yes, please state the dates and method for speaking to the animal owner (i.e. in person, over phone, etc.) and whether there was improvement.

8. Is the animal inside or outside when it is making noise?
Both

9. In relation to your property, where is the noise taking place? (Example: behind home, two doors down, on side of house, etc.)

behind home, two doors down

10. Does there appear to be any reason for the noise? (Example: people coming to house)

not usually

11. Do you or anyone at your property own any animals that go outdoors?

Yes

No

12. Other relevant information you want to share:

The dogs stay on a balcony over-looking an empty parking lot with large walls that reverberate the dog barks. If the dogs were kept in a location where the fence line could deepen the reverberation, it could make matters better.

Please complete the below log describing animal noise (we encourage you to keep a similar log to track the animal noise):

Date	Time	Comments	Duration
12/24	5:00 p	I left at 5:30, the dogs were still barking	7.2
12/25	5:30 p		30. min
12/31	5:00 p	All evening	hours
1/1	10:am		1.5 hours
1/2	10:am		30. min
1/11	3:30 p	During a work meeting	45 min
1/12	8:00 a		40 min

I state under penalty of perjury that the forgoing information in this Animal Noise Affidavit is true and correct.

Signed: [Signature]

Date: January 12th, 2024

Print Name: Jason Houting

Please Return Form To:

City of Roseville Police Department

Attn: Animal Control

1051 Junction Blvd

Roseville, CA 95678

(916) 774-5090 Phone

(916) 781-2344 Fax



A-

A+

[cityofroseville](#) > [Forms](#) > [Administrative Citation Appe...](#) > [Submissions](#) > Administrative Citation Appe...

View Edit

ADMINISTRATIVE CITATION APPEAL - REQUEST FOR HEARING 2024-01-29 05:19 PM(PST)

Completely fill out all required information prior to submitting. The City Attorney's office will contact you once a hearing date has been set.

Submissions received later than 30 days after the date of the citation notification letter will not be accepted pursuant to Roseville Municipal Code § 2.50.060.

***Name:** Kelley Borden

***Citation
Number:** 21176

***Home
Address:** 532 Alola St

***City** Roseville

***Zip** 95678

Mailing
Address
(if
different
from
above):

532 Alola St

***Phone
Number:**

***Email:**



My little sister was living with me from Jan 2023 - Oct 2023 while she went through her initial cancer treatments. Her black lab was barking, and when we initially got the complaint we started to bring him in when no one was home and worked on training him to not bark. Unfortunately he was persistent, and it was causing tension in our relationship so she and the lab moved out in October 2023. Since then, the black lab has not been back.

In regards to my animals, the white deaf dog and the tan pit/lab mix, they do not make a habit of barking unless provoked. The deaf dog can't hear things to worry about, and my tan dog does not bark unless she sees a stranger or a cat. Since moving into 532 Alola St and getting these dogs, the homeless/transient activity in the Genesis church parking lot has dropped to almost zero. We have been here long enough where the church traffic does not bother my dogs, and they rarely bark Sundays during the traffic. I am a single mom, and having that assurance that my dogs will let me know when a person (or sometimes a stray cat) is in the parking lot that has access to my backyard has given me a lot of relief. Anytime they do bark, it is not for more than a few minutes and only when there is something to bark at. They do play together, and so some play sounds may be heard but nothing out of hand. I have spoken to my next door neighbors (between me and the complaining neighbor) and they have not had any issues.

***Reason
for
Appeal:**

Additionally, my schedule is such that my dogs are inside by 5pm or 8pm at the latest and sleep through the night, so there is no way that they would be the offending party between 8pm - 7am. My neighbors on all sides also have dogs, some large and some small. I think that I have been unfairly targeted since the lab is gone and complaints remain.

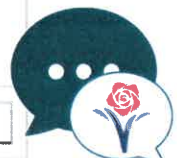
As I have my animals licensed, and no other dogs live here, the licensing citation should be waived. As the problem dog does not reside at the home, and no issues existed prior to the black lab living here, I assert that the neighbor is assuming other dogs that bark are mine and/or has some kind of vendetta against me despite never meeting me because that dog was annoying.

☒ By checking this box, I certify that I am the individual named on the citation and am appealing the administrative citation issued to me.

☒ I certify under penalty of perjury that the information above is true and correct to the best of my knowledge.

Submit

Cancel



LET'S CHAT





BOARD OF APPEALS COMMUNICATION

Title: Appeal of Citation No.: 21175 - Jacob Pennington - 1572 Arncliffe Way
Contact: Kelly Aye 916-774-5325 kaye@roseville.ca.us

Meeting Date: 4/25/2024
Item #: 5.2.

RECOMMENDATION

Consider the appeal of citation 21175 for the following violations:

Violation: RMC 7.12.010 Leash law (2 counts)

Two counts = \$100

No person shall permit or allow any dog to run at large.

RMC Section 7.04.060 defines "at large" as follows:

A. "At large" means the following:

1. Off the premises of the owner or the person having care, custody, control, or possession of the dog unless such dog is restrained by a leash or adequate enclosure. The leash shall not exceed six feet in length and shall be of sufficient strength to restrain the dog and must be held continuously by a responsible person capable of controlling the dog.
2. On the premises of the owner or the person having care, custody, control, or possession of the dog unless such dog is restrained by means adequate and sufficient to prevent the dog from leaving the premises or under the control and in the immediate presence of the owner or person having care, custody, control, or possession of the dog.

Violation: RMC 7.12.050 Aggressive Behavior (2 counts)

Two counts = \$200

No person shall permit or allow any dog, when unprovoked, to engage in any behavior that requires a defensive action by any person to prevent bodily injury when the person and the dog are not on the property of the owner or keeper of the dog.

Violation: RMC 8.02.240 Animals in City Parks (2 counts)

Two counts = \$100

A. Except as otherwise provided in this section, it is unlawful for any person to bring, have, allow,

suffer, or free any animal within the perimeter of any city park or golf course, including but not limited to, any dog, cat, horse, fowl, bovine or other domestic animal, or any reptile or other wild animal. This section does not apply to programs authorized or conducted by the city or to the proper use of a guide dog or assistance animal.

B. The director of parks, recreation and libraries shall have the discretion to designate areas within the city's park system and shall maintain and make available to the public a map identifying such designated areas, where dogs may be exercised on-leash. However, no designated preserve areas owned or managed by the city in accordance with approved operation and management plans may be included in such areas designated for on-leash exercise of dogs, except that Class I bicycle trails may be designated for on-leash exercise of dogs, without regard to whether such trails are located within a preserve area.

Any licensed dog, when accompanied by its owner or by another responsible person capable of controlling the dog, will be allowed in off-leash dog parks so designated as part of the city's park system. It shall be a violation of this section to have, allow, suffer, or free any unlicensed dog within any off-leash dog park.

BACKGROUND

December 20, 2023 @ approximately 2:40 PM

Roseville Police dispatch received a call from complainant Kathe Murphy requesting contact from Animal Control for report of loose, aggressive dogs at HC Elliott Park located at 1421 Cushendall Dr.

Animal Control is not a witness to the reported violations. The violations of RMC Section 7.12.010, 7.12.050, and 8.02.240 are based on the statements of the complainant and appellant.

Animal Control Supervisor S. Cooper contacted Kathe who stated that on November 29th at approximately 4:20 PM, she was at HC Elliott Park in the bark area located on the north-west side of the park, walking back to her house on Blagdon Ct., with her dog "Goose" on leash. She stated there are no walking paths in that park of the park. "Goose" is a 1-year-old, neutered male, blue merle, mini-Aussie, with a current Roseville dog license. A white, male, adult, thin to medium build, jeans, brown hair, facial hair (possibly a mustache), had two dogs off leash. One dog was smaller/medium in size, blue heeler type dog mostly black. The other dog was medium/larger in size, unknown breed, white with black spots and a long tail. The male dog owner was in the grassy area of the park, approximately 50 feet from Kathe, and was on his phone with his back turned. His two dogs, while off leash, ran toward her and her dog. Both dogs circled her and her dog, and the white and black dog tried attacking her dog, biting his rear end. Her dog fought back while she was kicking at the white and black dog during the incident. Her dog's leash wrapped around her, but she didn't fall. The male dog owner was able to quickly grab his dogs and put them in his vehicle. His vehicle was described as a white truck with a large cab and the two dogs' heads were looking outside of the window. She took a photograph of the two dogs in the truck. The male dog owner walked back to grab his chuck-it stick. She asked him if his dogs had current rabies vaccinations, he told her they did, and left. She checked her dog and did not see any injuries, but there was some hair missing on his rear-end. She provided the license plate of the truck and requested the male dog owner be issued a citizen's citation on her behalf for the violations of leash law, aggressive behavior, and animals in city parks.

AC Supervisor S. Cooper located a possible dog owner based on the information from the vehicle's license plate provided by Kathe. The male dog owner's description matched the vehicle's registered owner's CA DL photo. One of the dog's descriptions matched an expired Roseville dog license for a dog at the vehicle's registered owner's address. AC Supervisor S. Cooper attempted to contact the vehicle's registered owner Jacob Pennington via telephone but was unable to leave a voicemail due to the voicemail box not being set up. She attempted to contact another individual at the same residence, Stefania Grana (shown as the dog owner on the expired Roseville dog licenses), via telephone, left a voicemail message regarding the complaint, provided the incident number, and requested Jacob call Animal Control back. Additionally, she mailed a Notice to Comply to Jacob and Stefania's address, warning Jacob for leash law, aggressive behavior, animals in city parks, and to also license his dogs within 10 days. AC Supervisor S. Cooper noted that she had tried to call Jacob regarding an incident that occurred on November 29th, provided the incident number, and requested he call Animal Control to discuss the reported incident.

AC Supervisor S. Cooper completed citizen's citation #21175 on behalf of Kathe, regarding dog owner Jacob, and forwarded the citation to the City Attorney's office for review.

AC Supervisor S. Cooper did not hear back from Jacob nor Stefania.

As of March 27, 2024, PetData shows dog owner Stefania Grana submitted dog license renewals for two dog licenses on January 19, 2024.

"Doc Holliday" is a neutered male, 8-year-old, tri-color Australian Cattle dog.

"Johnny Ringo" is a neutered male, 7-year-old, blue merle Australian Shepherd/Australian Cattle dog mix.

Respectfully Submitted,

Sarah Cooper, Animal Control Supervisor

ATTACHMENTS:

Description

7.12.010 Leash Law

7.12.050 Aggressive Behavior

8.02.240 Animal in City Park

Citation

Appeal Form

Roseville, California Municipal Code

Title 7 ANIMALS

Chapter 7.12 DOGS-RUNNING AT LARGE

7.12.010 Leash law.

No person shall permit or allow any dog to run at large. This section may be cited as the “leash law.” (Ord. 6268 § 1, 2020.)

Contact:

City Clerk: 916-774-5263

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7.12.050 Aggressive behavior.

No person shall permit or allow any dog, when unprovoked, to engage in any behavior that requires a defensive action by any person to prevent bodily injury when the person and the dog are not on the property of the owner or keeper of the dog. (Ord. 6268 § 1, 2020.)

Contact:

City Clerk: 916-774-5263

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Title 8. Parks and Recreation

Chapter 8.02. PARK REGULATIONS

Article II. Regulations

§ 8.02.240. Animals in city parks.

- A. Except as otherwise provided in this section, it is unlawful for any person to bring, have, allow, suffer, or free any animal within the perimeter of any city park or golf course, including but not limited to, any dog, cat, horse, fowl, bovine or other domestic animal, or any reptile or other wild animal. This section does not apply to programs authorized or conducted by the city or to the proper use of a guide dog or assistance animal.
- B. The director of parks, recreation and libraries shall have the discretion to designate areas within the city's park system, and shall maintain and make available to the public a map identifying such designated areas, where dogs may be exercised on-leash. However, no designated preserve areas owned or managed by the city in accordance with approved operation and management plans may be included in such areas designated for on-leash exercise of dogs, except that Class I bicycle trails may be designated for on-leash exercise of dogs, without regard to whether such trails are located within a preserve area.

Any licensed dog, when accompanied by its owner or by another responsible person capable of controlling the dog, will be allowed in off-leash dog parks so designated as part of the city's park system. It shall be a violation of this section to have, allow, suffer, or free any unlicensed dog within any off-leash dog park.

(Ord. 1728 § 1, 1983; Ord. 4154 § 2, 2004)

CITY OF ROSEVILLE
NOTICE OF CITATION

21175

Date	Time	Day of Week
12-22-2023	12:05pm	Friday
Name (First, Middle, Last) Jacob Alan Pennington		
Residence Address 1572 Arncliffe Way Roseville CA 95747		
Business Address _____		

Description of Animal (If Applicable)			
Breed:	2 dogs	Age:	#1 medium Heeler blue/blk
Vehicle Make		License #	#2 med lg wht/blk spots
Model:		Year:	
Location of Violation HC Elliott Park @ 1421 Cushman Dr.			
Date / Time of Violation 11-29-2023 / approx. 4:20pm			
Code / Ordinance		Description of Violation	

Bmc 7.12.010 Leash law x2 counts
Bmc 7.12.050 Aggressive Behavior
x2 counts

Bmc 8.02.240 Animals in city Parks x2 counts

X VIOLATIONS NOT COMMITTED IN MY PRESENCE, CERTIFIED ON INFORMATION AND BELIEF.

I DECLARE UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA, THAT THE FOREGOING IS TRUE AND CORRECT.

Date: 12-22-2023 Issuing Officer: S. Cooper #309
Badge No.

COMPLAINING PARTY

X Signature: Complaint

I HEREBY ACKNOWLEDGE RECEIPT OF THIS CITATION.

X Signature: Complaint

YOU DO NOT NEED TO DO ANYTHING AT THIS TIME.
YOU WILL RECEIVE NOTICE BY MAIL WITHIN 14 DAYS.
CITY ATTORNEY'S OFFICE (916) 774-5325

1 - City Attorney Copy 2 - Defendant Copy 3 - Issue Dept Copy



View Edit

ADMINISTRATIVE CITATION APPEAL - REQUEST FOR HEARING 2024-01-31 05:56 PM(PST)

Completely fill out all required information prior to submitting. The City Attorney's office will contact you once a hearing date has been set.

Submissions received later than 30 days after the date of the citation notification letter will not be accepted pursuant to Roseville Municipal Code § 2.50.060.

***Name:** Jacob Pennington

***Citation Number:** 21175

***Home Address:** 1572 Arncliffe Way

***City** Roseville

***Zip** 95747

Mailing Address (if different from above):

***Phone Number:** [REDACTED]

***Email:** [REDACTED]



I was throwing the ball for my 2 dogs at the north end of HC Elliot park away from any person or other animal. Unknow to me, Kathe Murphy comes up behind me with her dog. She approached me. One of my dogs runs up to Kathe's dog who was barking at my dog yanking on the leash. My dog did not come in contact with her or her dog. At this moment I turn around and command to my dog "load up". My dogs immediately walk to my truck with me behind and I put my dogs in the truck. As I pull away Kathe takes a picture of my license plate.

RMC 7.12.50: My dog in no way engaged in behavior that required defensive action. Kathe stood there completely still while her dog barked at my dog. Also, I was cited for 2 counts. My other dog was by me the whole time.

RMC 8.02.240: I was unaware it was unlawful to "bring, have, allow, suffer, or free" a dog in a Roseville city park. Kathe is apparently unaware of this as well because she was also in the park with her dog.

RMC 7.12.050: I was unaware of the "leash law"

To be clear this is my first offence of having my dogs in a park unleashed and I find the ticketed amount of \$400 completely absurd, especially base of the fact that it was issued with out any proof and was based of 1 individuals untruthful statements.

***Reason
for
Appeal:**

I would like to add that I am a law abiding citizen, a business owner who operates with in the city of Roseville and a service disabled veteran. I try and hold myself to a higher standard than the general public and in no way would I knowingly break any rules or laws.

☒ By checking this box, I certify that I am the individual named on the citation and am appealing the administrative citation issued to me.

☒ I certify under penalty of perjury that the information above is true and correct to the best of my knowledge.

Submit

Cancel



LET'S CHAT

