



## **MINUTES**

August 28, 2025

### **BOARD OF APPEALS HEARING**

3:00 p.m.  
City Council Chambers  
311 Vernon Street  
Roseville, CA

**1. CALL TO ORDER**

Chairperson Bob Schmitt called the meeting to order at 3:00 p.m. in the City Council Chambers.

**2. ROLL CALL (SILENT)**

The following Hearing Panel members were present:

Bob Schmitt  
Sharon Lawin  
Tod Rutherford

The following Staff members were present:

Travis Cochran, Deputy City Attorney  
Kelly Aye, Secretary of the Board

**3. IDENTIFICATION OF CHAIR**

Chairperson for the August 28, 2025 hearing was Bob Schmitt.

**4. PLEDGE OF ALLEGIANCE**

Chairperson Bob Schmitt led the audience in the Pledge of Allegiance.

**5. PUBLIC COMMENT**

No one from the public offered any comments.

**6. SWEAR IN**

Chairperson Bob Schmitt administered the Oath to those in attendance who would be offering testimony at the hearing.

**7. MATTERS TO BE HEARD**

**7.1. Administrative Citation No. 22324**

Appellant: William Tanner, 649 Paddlewheel Court, Roseville, CA 95747

- Roseville Municipal Code Section 7.62.020, Animals in motor vehicles

The appellant, William Tanner, was not present at the time his hearing was called. A recess was called at 3:05 pm to allow Mr. Tanner his 15 minutes from the commencement of the hearing to appear per the Administrative Hearing Procedures.

The hearing was called back to order at 3:09 pm at the arrival of Mr. Tanner.

**A. Staff Report:**

Animal Control Officer Nicole Sammons offered testimony in regards to the Staff Report (Exhibit 7.1-A) and Notice of Citation (Exhibit 7.1-B) and answered panel questions.

Per RMC Section 2.50.060(D), the Staff Report was submitted to the City of Roseville Attorney's Office prior to the hearing and was provided to the Appellant and the panel members in advance of the hearing.

**B. Appellant's Response:**

Request for Hearing:

Appellant's Request for Hearing form (Exhibit 7.1-C) was received by the Roseville City Attorney's Office on June 19, 2025 and was provided to the panel in advance of the hearing for review.

William Tanner presented a slide-show with images over the media screen (Exhibit 7.1-D) and offered testimony in support of the appeal and answered panel questions.

**C. Rebuttals and Panel Questions:**

Animal Control Officer Nicole Sammons offered rebuttal testimony and answered panel questions.

Appellant William Tanner offered rebuttal testimony and answered panel questions.

D. Panel Discussion and Decision:

The panel discussed the evidence and testimony presented for Administrative Citation no. 22324.

In regard to Roseville Municipal Code Section 7.62.020, Animals in motor vehicles, a motion was made by Panel Member Sharon Lawin and seconded by Panel Member Tom Rutherford to

☒ DENY THE APPEAL AND UPHOLD THE CITATION because the City/Complainant proved by a preponderance of the evidence that the violation(s) occurred and that the appellant is the responsible party.

☐ GRANT THE APPEAL AND DISMISS THE CITATION because the City/Complainant did not prove by a preponderance of the evidence:

☐ That the violation(s) occurred; and/or

☐ That the appellant is the responsible party.

☐ DENY THE APPEAL AND UPHOLD THE CITATION but waive the fine in the interest of justice.

☐ DENY THE APPEAL AND UPHOLD THE CITATION because the appellant failed to appear.

☐ GRANT THE APPEAL AND DISMISS THE CITATION because the City/Complainant failed to appear.

☐ GRANT THE APPEAL AND DISMISS THE CITATION at the request of the City/Complainant.

The motion passed with the following vote:

AYES: Schmitt, Lawin, Rutherford

NOES: none

**E. Panel Decision:**

The panel decided to deny the appeal of Administration Citation No. 22324 and uphold the charge of Roseville Municipal Code Section 7.62.020, because the City/Complainant proved by a preponderance of the evidence that the violation occurred and that the appellant is the responsible party.

Chairperson Bob Schmitt signed the decision form (Exhibit 7.1-E), asked the Appellant to see staff for the paperwork, and informed the parties that they may file a petition for review with the Superior Court in Placer County within 20 days.

**7.2. Administrative Citation No. 22495**

The appellant dropped the appeal and paid the citation in full prior to the hearing, therefore, no hearing was held for Administrative Citation no. 22495.

**8. ADJOURNMENT**

A motion was made by Panel Member Sharon Lawin and seconded by Panel Member Tom Rutherford to adjourn the hearing.

AYES: Schmitt, Lawin, Rutherford

NOES: none

Chairperson Bob Schmitt adjourned the August 28, 2025 hearing at 3:34 p.m.

Kelly Aye  
Legal Assistant



Roseville Police Department  
1051 Junction Blvd  
Roseville, CA 95678

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Troy Bergstrom, Chief of Police

### **Administrative Citation Appeal Hearing Staff Report**

Date of Hearing: Thursday, August 28, 2025 @ 3:00 PM  
Appellant: William Tanner @ 649 Paddlewheel Ct.  
Citation: 22324

#### **Violation: RMC 7.62.020 Animals in motor vehicles (1 count)**

"Notwithstanding Section [7.62.010](#) of this code, a person shall not leave or confine an animal in any unattended motor vehicle under conditions that endanger the health or well-being of an animal due to heat, cold, lack of adequate ventilation, or lack of food or water, or other circumstances that could reasonably be expected to cause suffering, disability, or death to the animal."

#### **Narrative:**

The following narrative is regarding the specific Animal Control incident regarding the citation subject to this appeal (Citation #22324).

On May 16, 2025, at approximately 1610 hours, Roseville Police Animal Control dispatch received a call from a concerned citizen to report a cattle type dog was left unattended inside a silver Subaru in the parking lot of David's Bridal (1140 Galleria Blvd. #100). The reporting party advised that the cattle dog was panting and had been in the vehicle for approximately 15 minutes.

Roseville Police dispatch obtained a vehicle license plate from the reporting party. The police dispatcher placed the registered owners address in the call. It was noted that the registered owner of the silver Subaru resided within the city limits of Roseville.

Using the city of Roseville pet licensing system, I attempted to look up a phone number for the dog owner. I located two phone numbers which I attempted to call, however there was no answer.

I arrived at David's Bridal at approximately 4:33 PM. Upon arrival, I noticed the cattle type dog was inside the vehicle panting. I attempted to open the doors on the vehicle; however the vehicle was locked.

At approximately 4:37PM I used by department issued temperature gun to take a reading of the temperature of the inside of the vehicle. At 4:37PM the temperature read 108 degrees inside the vehicle.

I began to fill out an Animal Distress form which requires that two temperature readings of the vehicle be taken. I completed another temperature reading at approximately 4:42 PM, the temperature was 112.5 degrees inside the vehicle.

While I was completing the animal distress report a male pushing a female in a wheelchair arrived at the vehicle. The male identified himself as William Tanner. I asked William if the Subaru that I was parked behind was his, to which he stated yes. I asked William why his dog was left unattended inside his vehicle, and he stated "Why wouldn't he be. He likes going with us." I advised William that the current temperature outside was 92 degrees, which William did not believe. I advised William that I used my temperature gun and that it was 108 degrees inside the vehicle. William again was argumentative and did not believe me. Again, I used my temperature gun inside the vehicle onto the driver side floorboard where the dog was sitting, and it read 112.5 degrees. William again did not believe me and requested that I temperature read the vehicle again, this time opening the driver side door of the car. This time I pointed the temperature gun at the floorboard at it read 104 degrees. William stated that the dog was fine because it was in the shade on the floorboard. I advised William he would be receiving a citation for leaving his dog unattended inside a motor vehicle under conditions that could endanger the health or well-being due to heat.

Respectfully Submitted,  
N. Sammons, Badge #3075  
Animal Control Officer

CITY OF ROSEVILLE  
NOTICE OF CITATION

22324

|      |         |      |         |             |        |
|------|---------|------|---------|-------------|--------|
| Date | 5/16/25 | Time | 1726hrs | Day of Week | Friday |
|------|---------|------|---------|-------------|--------|

Name (First, Middle, Last)  
William Sherman TannerResidence Address  
649 Paddlewheel Ct.  
Roseville, CA 95747

Business Address

Driver's Lic. No. State Class Date of Birth

Description of Animal (if Applicable)  
Breed: Aussie Color: tri Age: 13YO Sex: NM

Vehicle Make License #:

Model: Year:

Location of Violation  
1140 Galleria Blvd. Suite 100Date / Time of Violation  
5/16/25 1637hrs

Code / Ordinance Description of Violation

RMC 7.62.020 Animal in Motor Veh

☐ 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: 5/16/25 Issuing Officer: N. Sammons #3075  
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

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**Administrative Citation Appeal – Request For Hearing 2025-06-19 04:15 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:** William Tanner

**\*Citation  
Number:** 22324

**\*Home  
Address:** 649 Paddlewheel Ct

**\*City** Roseville

**\*Zip** 95747

**Mailing  
Address  
(if  
different  
from  
above):**

**\*Phone  
Number:** [REDACTED]

**\*Email:** [REDACTED]

Dear Mr. Cochran:

I ask for you to reconsider the ticket an officer gave me for "endangering" Toby, our family dog May 16, 2025 given the following information that the office may not have known as well as to examine how the ticket was administered.

Toby is a cared and loved family member and particularly loves my 97 year old Mom, Dorothy. Toby has a severe attachment disorder that leads him to whine, whimper and bark when Dorothy leaves Toby at the house which our neighbors can attest.

Dorothy recently had a stroke that has weakened her right side of body and left her wheelchair bound. I am Dorothy's primary caregiver. On the day of the ticket, I took my Mom on a short outing to REI to look for shoes for her and to treat her to ice cream at Handel's. We took Toby because Toby gets anxious when not with Dorothy.

The trip was short, about an hour. Toby stayed in the car with the windows down and a bowl of water in the driver's side passenger footwell. After REI, due to the difficulty getting Dorothy into and out of the car and loading the heavy wheelchair into the car, we felt we could go to Handel's without stopping at the car.

**\*Reason  
for  
Appeal:**

While Toby was in the car, I believe a woman saw him and may have felt that he looked distressed. I suspect, though, that if Toby looked distressed, it was because his attachment disorder makes him anxious without Dorothy. The woman called Animal Control. The officer measured the car footwell temperature at 103 degrees which is where Toby was when we returned to the car. I believe Toby spent the majority of the time at a lower temperature because the car was air conditioned when we parked the car.

I not only felt that bringing Toby with us (rather than leaving him at home) benefitted his anxiety, I feel Toby is in good health because we routinely run 4 miles together which was unknown to the officer. I did not think that the day was hot nor that the 1 hour in the car would stress him. In retrospect, I have seen my friend's dog run around with other dogs at a dog park in Phoenix with temperatures in the evening over 100 degrees (in 2024, Phoenix had 143 days over 100 degrees).

Toby has 3 choices when Dorothy goes on a shopping trip: come with her, stay at home, or be drugged. That someone would consider me endangering Toby has made me reconsider bringing Toby with us even when I think he would rather be with Dorothy. Unfortunately, neighbors have texted me about Toby's whining and barking when he is alone at home. A friend has told me that I should probably medicate him when we leave him at home because that does not bother other people. Do you have suggestions?

☒ 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

**TO VIEW A COPY OF THE  
EXHIBIT ON FILE,  
PLEASE CONTACT THE CITY  
ATTORNEY'S OFFICE**



City Attorney  
311 Vernon Street  
Roseville, California 95678

Exhibit 7.1-E

## CITATION APPEAL DECISION

Name of Appellant: William Tanner

Administrative Citation No. 22324

Roseville Municipal Code Section: 7.62.020, Animal in Motor Vehicle

- ☒ DENY THE APPEAL AND UPHOLD THE CHARGE because the City or Complainant proved by a preponderance of the evidence that the violation(s) occurred and that the Appellant is the responsible party.
- ☐ DENY THE APPEAL AND UPHOLD THE CHARGE because the Appellant failed to appear.
- ☐ GRANT THE APPEAL AND DISMISS THE CHARGE because the City or Complainant did not prove by a preponderance of the evidence:
- ☐ That the violation(s) occurred; and/or
- ☐ That the Appellant is the responsible party.
- ☐ DENY THE APPEAL AND UPHOLD THE CHARGE but waive the fine in the interest of justice.
- ☐ GRANT THE APPEAL AND DISMISS THE CHARGE because the City/Complainant failed to appear.
- ☐ GRANT THE APPEAL AND DISMISS THE CHARGE at the request of the City/Complainant.

Dated: 8/28/2025

By: Robert R. Schmitt  
Hearing Panel Chairperson

**Notice to Appellant:** Under California Government Code Section 53069.4, any appeal of today's Hearing Panel decision must be filed with Placer County Superior Court within twenty (20) days of today's date.