S. Tahoe makes vicious dog laws less restrictive

By Kathryn Reed

When South Lake Tahoe's vicious animal ordinance becomes law in mid-December, it will mean a loosening of government regulations.

The city has been studying the ordinance for several months per the request of Councilman Bruce Grego. He with Councilman Tom Davis made up the subcommittee that worked with staff to come up with the new language.

The ordinance was approved Nov. 20 and takes effect 30 days later.

The city was operating under El Dorado County's ordinance, which was modeled after the state regulations, but more restrictive. The state allows for cities and counties to create dog rules that are less restrictive.

"When there is a dog-on-dog fight it will not constitute a vicious dog," City Manager Nancy Kerry explained.

The current county ordinance says any dog caught off its property three times is vicious, any dog fight makes the animals vicious, and complaints by a neighbor against a dog could render it with the label of being vicious. These are the rules the five councilmembers agreed were too stringent.

Kerry said one of the major differences between the city and county ordinances is judges will now have the discretion to look at the history of the dog's behavior and consider previous complaints. With the county regs, the judge has no discretion.

The new ordinance defines a potentially dangerous dog as:

• When unprovoked it bites a person;

• On two separate occasions in a two-year period unprovoked and off the owner's property, causes a person to act defensively to prevent injury.

A potentially dangerous dog does not include:

• A dog that bites or causes a domestic animal to act defensively to prevent injury if the animal was aggravating the dog;

• A dog that bites or causes a person to act defensively to prevent injury, if the person was committing a willful trespass on the owner's premises, was aggravating the dog, or was committing a crime;

• A dog that protects/defends a person on its immediate vicinity from unjustified attack.