ORDINANCE NO. ____

AN ORDINANCE OF THE NAPA COUNTY BOARD OF SUPERVISORS, STATE OF CALIFORNIA, AMENDING NAPA COUNTY CODE CHAPTER 6.18 (KEEPING OF ROOSTERS) TO ADDRESS CONCERNS REGARDING COCKFIGHTING AND AVIAN DISEASE AND SECTION 18.08.040 (AGRICULTURE) OF CHAPTER 18.08 (DEFINITIONS) RELATING TO THE RAISING AND KEEPING OF ROOSTERS

WHEREAS, on April 11, 2013, Chapter 6.18 (Keeping of Roosters) was added to Title 6 (Animals) of the Napa County Code to regulate the keeping of roosters; and

WHEREAS, prior to April 11, 2013, requirements regarding the keeping of roosters were presented in Sections 18.08.040 (Agriculture), 18.126.030 (Issuance), 18.126.060 (Permit - Issuance Prerequisites), and 18.132.070 (Amortization of Certain Nonconformaties, presently Reserved) of Title 18 (Zoning) of the Napa County Code; and

WHEREAS, cockfighting involves forcing two animals with metal weapons attached to their legs to fight to the death. Although illegal in California, cockfighting continues to persist throughout the state and in Napa County; and

WHEREAS, cockfighting is often associated with other criminal activities, such as drug trafficking, gun violence, illegal weapon sales, and violence against people; and

WHEREAS, yards where roosters are bred and sold for fighting purposes pose a significant risk to the spread of avian diseases; and

WHEREAS, outbreaks of Avian Influenza, a viral infection affecting domestic and wild birds, can have a devastating and deadly impact on poultry and poultry farms throughout California, wiping out entire flocks within a matter of days.

NOW, THEREFORE, the Board of Supervisors of Napa County ordains as follows:

SECTION 1: Section 6.18.010 (Purpose.) of Chapter 6.18 (Keeping of Roosters) of the Napa County Code is amended to read in full as follows:

6.18.010 Purpose.

The intent of this chapter is to limit the number of roosters that may be kept on a single legal parcel, to eliminate the potential for public nuisance, illegal cockfighting and the raising of birds to be used for cockfighting, and for the protection of the health and safety of the residents of Napa County.

SECTION 2: Section 6.18.020 (Definitions.) of Chapter 6.18 (Keeping of Roosters) of the Napa County Code is amended to read in full as follows:

6.18.020 Definitions.

Unless the context requires otherwise, the definitions in this section shall govern the interpretation of the provisions of this chapter.

"Agricultural commissioner" means the Napa County agricultural commissioner-sealer of weights and measures, or the agricultural commissioner's designees.

"Rooster" means any male chicken which is: (1) Six months or older; or (2) Has full adult plumage; or (3) Capable of crowing.

SECTION 3: Section 6.18.030 (Rooster keeping.) of Chapter 6.18 (Keeping of Roosters) of the Napa County Code is amended to read in full as follows:

6.18.030 Rooster keeping.

A. No roosters may be raised or kept on any property within unincorporated Napa County except in accordance with the following schedule:

Parcel Size	Max. No. of Roosters
Less than 0.5 acres	0 roosters
0.5 acres to 1.5 acres	1 rooster
Greater than 1.5 acres	4 roosters

B. Reserved.

C. Reserved.

D. Each individual rooster beyond the rooster limitation in subsection (A) above constitutes a separate violation.

E. Rooster enclosures shall have a minimum set back from residences on adjacent parcels of fifty feet.

F. Nothing in the foregoing is to be construed as approving the keeping of any poultry in contravention of any statute, zoning ordinance, or other law.

G. At all times, roosters shall be provided:

1. Access to water and shelter from the elements (rain, wind, direct sun, etc.);
2. Sufficient room to spread both wings fully and to be able to turn in a complete circle without any impediment and without touching the side of an enclosure; and
3. Clean and sanitary premises that are kept in good repair.

H. Reserved.

I. Notwithstanding any other provision of law, no person shall keep or maintain any rooster by means of a tether attached to an object. Each individual rooster so tethered constitutes a separate violation.

SECTION 4: Section 6.18.040 (Tethering prohibited.) of Chapter 6.18 (Keeping of Roosters) of the Napa County Code is amended to read in full as follows:

6.18.040 Reserved.

SECTION 5: A new Section 6.18.045 (Exemption.) of Chapter 6.18 (Keeping of Roosters) of the Napa County Code is added to read in full as follows:

6.18.045 Exemption.

A. The limitation from subsection 6.18.030 A, shall not apply to entities who have an application for exemption to rooster ordinance which has been approved by the Agricultural Commissioner's Office and the Sherriff's Department in their sole discretion.

B. The following entities are eligible to apply for an exemption: (1) A person who keeps or raises roosters for purposes of food production if the person is subject to local, state, or federal inspection laws or regulations; (2) A public or private school registered with the State Department of Education; (3) A government-operated animal shelter; (4) A 4-H, Future Farmers of America (FFA), or Grange project, if the 4-H, FFA, or Grange has provided written approval for the project to the person keeping or raising the roosters; or (5) A person who owns and breeds poultry for the purpose of lawful exhibition in accordance with accepted poultry raising practices and all laws and regulations governing exhibition.

C. Any person seeking exemption pursuant to this Section shall allow an onsite inspection of the premises by an enforcement officer as defined in Chapters 1.20 and 1.28 upon demand to verify initial and continued eligibility for this exemption.

D. Applicants who have submitted an application by February 1, 2026, may maintain their existing flock while their application is pending.

E. Failure of any person seeking this exemption to comply with any of the provisions of this chapter or applicable law, shall constitute good cause for the denial of any approval, either original or renewal, or for its revocation.

F. An exemption approved under this Section is valid for one year from the date issued and remains valid unless cancelled by the applicant or the Agricultural Commissioner (the parties) with 30 days written notice to the other party. If an approved applicant desires to increase the number of roosters per parcel, the applicant must submit a new application. The exemption may be renewed each year by the Agricultural Commissioner.

SECTION 6: Section 6.18.050 (Liability and enforcement.) of Chapter 6.18 (Keeping of Roosters) of the Napa County Code is amended to read in full as follows:

6.18.050 Liability and enforcement.

A. Any person who violates any of the provisions of this chapter shall be guilty of either an infraction or a misdemeanor.

B. In addition to the penalties set forth in subsection (A), violators of this chapter may be subject to civil enforcement pursuant to Chapters 1.20 and 1.28 and state law.

C. The civil remedies and penalties provided by this subsection are cumulative to each other.

SECTION 7: Section 18.08.040 (Agriculture.) of Chapter 18.08 (Definitions) of the Napa County Code is amended to read in full as follows:

"Agriculture" means the raising of crops or livestock and includes the following:

A. Growing and raising trees, vines, shrubs, berries, vegetables, nursery stock, hay, grain and similar food crops and fiber crops;

B. Grazing of livestock and feeding incidental thereto;

C. Animal husbandry, including, without limitation, the breeding and raising of cattle, sheep, horses, goats, pigs, rabbits and poultry and egg production, except as provided in subsection (G) of this section;

D. Farmworker housing as defined in Section 18.08.294 and is also consistent with the California Employee Housing Act;

E. Sale of agricultural products grown, raised or produced on the premises;

F. Farm management uses meeting all of the standards in subsections (F)(1) through (F)(6) of this section. Farm management shall mean the operation, maintenance and storage of farm machinery, equipment, vehicles and supplies used exclusively for agricultural cultivation and harvesting where all machinery, equipment, vehicles and supplies are leased or owned and operated by the farm manager whether that manager is an owner,

tenant, or agricultural contractor, and regardless of whether properties managed are contiguous or under similar ownership, provided that at least seventy-five percent of the managed acres are within Napa County. Farm management shall not include manufacturing for sale or retail sales of any kind and shall not include businesses devoted to equipment storage, rental or repair rather than farming. Farm management shall not include the operation, maintenance or storage of equipment used for construction of structures, even if those structures are in support of agriculture;

1. Offices used for farm management shall meet the definition of accessory uses in Section 18.08.020;

2. Farm management activities established or expanded after June 30, 2006, alone or in combination with any wineries subject to Section 18.104.220 shall not occupy more than fifteen acres or twenty-five percent of the parcel size, whichever is less;

3. No single farm management building or structure newly constructed or expanded after June 30, 2006 shall exceed five thousand gross square feet. Multiple smaller buildings are permitted as long as they conform to the lot coverage standard in subsection (F)(2) above;

4. Uncovered storage areas shall be screened from preexisting residences on adjacent parcels and from designated public roads defined in Chapter 18.106. Screening shall generally consist of evergreen landscape buffers;

5. Farm managers shall possess all applicable local, state and federal permits and licenses

6. All exterior lighting, including landscape lighting, for farm management uses shall be shielded and directed downward, located as low to the ground as possible, and the minimum necessary for security, safety, or operations. Additionally, motion detection sensors must be incorporated to the greatest extent practical. No flood-lighting or sodium lighting of buildings is permitted, including architectural highlighting and spotting. Low-level lighting shall be utilized in parking areas as opposed to elevated high-intensity light standards. Prior to issuance of any building permit for construction, two copies of a separate detailed lighting plan shall accompany building plans showing the location and specifications for all lighting fixtures to be installed on the property shall be submitted for department review and approval.

G. Agriculture shall not include the raising and keeping of more than one rooster per 0.5 to 1.5 acres and up to four roosters for legal parcels greater than 1.5 acres, except as may be approved for an exemption pursuant to Chapter 6.18.

H. Agriculture shall include the following, but only upon grant of a use permit pursuant to Section 18.124.010, or unless previously issued a small winery certificate of exemption pursuant to subsection (H) of Section 18.16.020 and subsection (I) of Section 18.20.020, or legal existence as a winery prior to July 31, 1974 as provided in subsection (G) of Section 18.16.020 and subsection (H) of Section 18.20.020:

1. Production and processing of agricultural products, including agricultural processing facilities; and

2. Marketing, sales, and other accessory uses that are related, incidental and subordinate to the main agricultural processing use.

SECTION 8: The Board of Supervisors finds that adoption of this Ordinance would not have a significant effect on the environment and therefore CEQA is not applicable. [See Guidelines For the Implementation of the CEQA 14 CCR 15061(b)(3).]

SECTION 9: If any section, subsection, sentence, clause, phrase or word of this Ordinance is for any reason held to be invalid by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The Napa County Board of Supervisors hereby declares it would have passed and adopted this Ordinance and each and all provisions hereof irrespective of the fact that any one or more of said provisions be declared invalid.

SECTION 10: This Ordinance shall be effective thirty (30) days from and after the date of its passage.

SECTION 11: A summary of this Ordinance shall be published at least once five (5) days before adoption and at least once before the expiration of fifteen (15) days after its passage in the Napa Valley Register, a newspaper of general circulation published in Napa County, together with the names of members voting for and against the same.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

The foregoing Ordinance was introduced at a regular meeting of the Napa County Board of Supervisors, State of California, held on the 9th day of December 2025, and passed at a regular meeting of the Napa County Board of Supervisors, State of California, held on the ____ day of _____ 2025, by the following vote:

AYES: SUPERVISORS _____

_____

NOES: SUPERVISORS _____

ABSTAIN: SUPERVISORS _____

ABSENT: SUPERVISORS _____

By: _____

ANNE COTTRELL, Chair of the Board of Supervisors

APPROVED AS TO FORM Office of County Counsel	APPROVED BY THE NAPA COUNTY BOARD OF SUPERVISORS	ATTEST: NEHA HOSKINS Clerk of the Board of Supervisors
By: *Rebekah Reynolds* Deputy County Counsel By: *McKayla McMahon* Code Services Date: November 24, 2025	Date: Processed By: Deputy Clerk of the Board	By:

I HEREBY CERTIFY THAT THE ORDINANCE ABOVE WAS POSTED IN THE OFFICE OF THE CLERK OF THE BOARD IN THE ADMINISTRATIVE BUILDING, 1195 THIRD STREET ROOM 310, NAPA, CALIFORNIA ON _____.

_____, DEPUTY

NEHA HOSKINS, CLERK OF THE BOARD