

## Westly, Austin

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**From:** David Xaviel <rbdz29@gmail.com>  
**Sent:** Friday, May 24, 2024 7:36 PM  
**To:** City Council  
**Subject:** Ban on dogs on Capitola Beach

I'm writing this to express that the ban on dogs at Capitola Beach is arbitrary and a violation of the 8th Amendment of the US Bill of Rights on excessive fines, an excessive fine being used to harass people, such as my niece, with threats of fines.

The enforcement of this ordinance against dogs on the beach is both shameful and detestable. I will allege that the fine is merely a chance at shaking down out-of-town beachgoers who unknowingly bring their dog or dogs to the beach and don't mind paying the fine because they can afford it. The city of Capitola could just as easily issue permits to have dogs on the beach that require the person to clean up after the dog and ensure the dog does not annoy or attack beachgoers.

Alternatively, the city of Capitola must produce just cause for the enforcement of this ordinance, rather than being a means of revenue or to cease and desist from the violation of the Bill of Rights. I will assume, however, that because of this ordinance--you think citing "rights" is laughable and I will assume that you have no regard for rights but instead, prefer tyranny as a professor from Berkeley I had at SJSU said, "they say tyranny as if it's a bad thing."

good day.

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David Xaviel