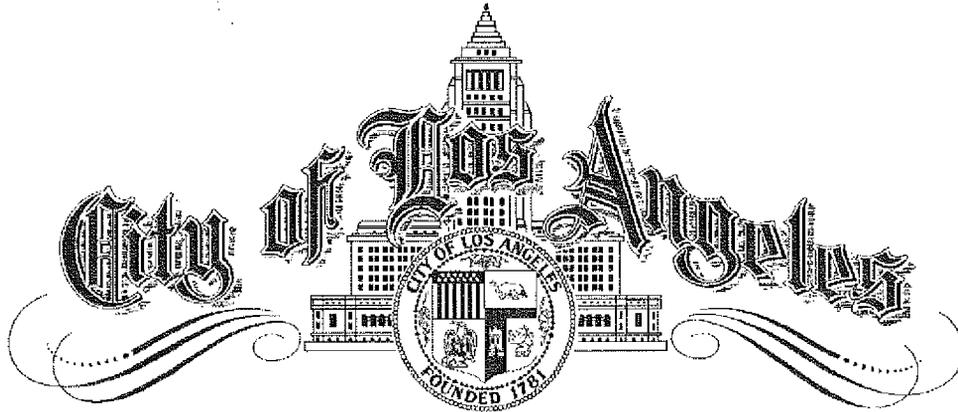


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**CARMEN A. TRUTANICH**  
City Attorney

REPORT NO. R 1 0 - 0 2 8 3

AUG 0 9 2010

**REPORT RE:**

**BUDGET RELATED DRAFT ORDINANCE AMENDING SECTIONS 53.12, 53.15.2  
AND 53.50 OF THE LOS ANGELES MUNICIPAL CODE TO REVISE AND INCREASE  
VARIOUS FEES CHARGED BY THE DEPARTMENT OF ANIMAL SERVICES**

The Honorable City Council  
of the City of Los Angeles  
Room 395, City Hall  
200 North Spring Street  
Los Angeles, California 90012

Council File No. 10-0600-S7

Honorable Members:

Pursuant to your request, this Office has prepared and now transmits for your consideration the attached draft ordinance, approved as to form and legality. The draft ordinance amends Sections 53.12 (a), 53.15.2 (c)(2) and 53.50 (f) of the Los Angeles Municipal Code (LAMC) to revise and increase various fees to be charged and collected by the Department of Animal Services (Department).

The schedule for adoption fees, for kennel and exhibition permit fees and other specific fees currently in the LAMC would be revised to recover costs incurred by the Department for animals sold or redeemed from the shelters, and to more effectively recover the administrative costs associated with kennel permits, animal exhibitions and other services.

Background and Summary of Ordinance Provisions

The fee table in Section 53.12 (a) contains the proposed changes reflected in the City Administrative Officer (CAO) report approved by Council. Section 53.15.2 (c)(2) increases the annual breeding permit fee for a cat or dog from \$120.00 to \$235.00.

The fee table in Section 53.50 (f) contains a list of the annual permit fees for dog and cat kennels, pet shops, zoos, animal rental establishments, animal grooming parlors, stables, pony rides, circuses, rodeos, pet shows, animal acts or exhibitions and miscellaneous animal or reptile establishments in the City. The ordinance would revise those fees consistent with the fee schedule contained in the CAO report to Council.

Fee Notice Requirement

We note that, because this ordinance would impose a new fee or increase existing fees, notice of its proposed adoption should be given in accordance with the provisions of California Government Code sections 66018 and 6062a. Those sections of State law require that prior to adoption of a new or increased fee a public hearing be held and notice of that hearing be published in a newspaper with two publications at least five days apart over a ten day period. The notice period begins the first day of publication, and there must be at least five days intervening between the first and the second publications, not counting the dates of publication.

Council Rule 38 Referral

A copy of the draft ordinance was sent, pursuant to Council Rule 38 to the Department of Animal Services asking that the Department make any comments that they may have directly to the City Council when you consider this matter.

If you have any questions regarding this matter, please contact Assistant City Attorney Dov S. Lesel at (213) 978-8154. He or another member of this Office will be present when you consider this matter to answer any questions you may have.

Sincerely,

CARMEN A. TRUTANICH, City Attorney

By 

PEDRO B. ECHEVERRIA  
Chief Assistant City Attorney

PBE:DL:fa  
Transmittal

**ORDINANCE NO. \_\_\_\_\_**

An ordinance amending Sections 53.12, 53.15.2, and 53.50, Article 3, Chapter V of the Los Angeles Municipal Code to revise various fees to be charged and collected by the Department of Animal Services.

**THE PEOPLE OF THE CITY OF LOS ANGELES  
DO ORDAIN AS FOLLOWS:**

Section 1. Subsection (a) of Section 53.12, Article 3, Chapter V of the Los Angeles Municipal Code is amended to read as follows:

(a) The Department shall charge and collect fees of the types and in the amounts set forth in this Section, or as revised in the manner set forth in this Section, to recover the costs incurred by the City in connection with animals adopted or redeemed from City animal shelters. From time to time the Board of Animal Services Commissioners shall determine the verifiable total costs incurred by the City in connection with animal impoundment and adoption, and develop and recommend to the City Council for approval, a reasonable revised fee schedule for animals adopted or redeemed from the animal shelters, including those adopted through special programs. Upon approval by the City Council, the Department shall promulgate the revised fees in an appropriate manner for the information of the public. Unless revised as set forth herein, the Department shall charge and collect the following fees:

Spay or neuter, dog, cat or rabbit.....	\$40.00
For each dog adopted .....	\$102.00
For each dog redeemed .....	\$47.00
For each cat adopted .....	\$76.00
For each cat redeemed .....	\$21.00
For each dog redeemed, 2nd occurrence .....	\$25.00 additional
For each dog redeemed, 3rd occurrence or more .....	\$50.00 additional
For each cat redeemed, 2nd occurrence.....	\$13.00 additional
For each cat redeemed, 3rd occurrence or more .....	\$26.00 additional
For each equine animal sold or redeemed .....	\$325.00
For each sheep, swine, goat or other animal sold or redeemed.....	\$26.00

For each small pet, reptile or bird sold or redeemed .....	\$17.00
For each rabbit sold or redeemed .....	\$16.00
Relinquishment fee for a dog.....	\$25.00
Relinquishment fee, including pickup, for a dog .....	\$59.00
Relinquishment fee for a cat.....	\$22.00
Relinquishment fee, including pickup, for a cat .....	\$56.00
Relinquishment fee for a rabbit.....	\$18.00
Relinquishment fee for an equine animal .....	\$237.00
Relinquishment fee, including pickup, for an equine animal.....	\$333.00
Relinquishment fee for a small animal.....	\$11.00
Relinquishment fee for other animals .....	\$25.00
Relinquishment fee, including pickup, for other animals.....	\$55.00

For animals held for other than adoption or redemption, the Department may charge the reasonable cost of feeding and caring for them. In addition to the above fees, the Department shall charge and collect fees for implanting a microchip and for spay and neuter and other charges as provided in this Article. For each dog or cat adopted, the above fee includes the cost of a microchip and sterilization. In the case of a dog, the adoption fee may be increased by an additional amount equal to the cost of a license for an altered dog. For each adopted rabbit, the above fee shall be increased by the \$40.00 cost of sterilization.

Sec. 2. Paragraph (2) of Subsection (c) of Section 53.15.2, Article 3, Chapter V of the Los Angeles Municipal Code is amended to read as follows:

(2) Each breeding permit shall be valid for one year from the date of issuance, and may be renewed annually, before its expiration date. Each applicant for such a permit shall pay an annual fee of \$235.00 or such other fee established in the manner set forth in Subsection (a) of Section 53.12 and promulgated by the Department. A separate permit must be obtained for each owned dog or cat that is allowed to breed.

Sec. 3. Subsection (f) of Section 53.50, Article 3, Chapter V of the Los Angeles Municipal Code is amended to read as follows:

(f) **Permit Fees.** The Department, before receiving any application for granting of any permit required by this Section, shall require the payment of an annual permit fee of the type and in the amount set forth in this Section as follows, or as revised in the manner set forth in Subsection (a) of Section 53.12:

1.	Dog Kennel.....	\$305.00
2.	Cat Kennel.....	\$290.00
3.	Pet Shop.....	\$290.00
4.	Zoo .....	\$185.00
5.	Animal Rental Establishment.....	\$265.00
6.	Pet Show, Dog Show, Animal Acts or Exhibitions .....	\$425.00
7.	Alligator Farms, Ostrich Farms and Wild Animals.....	\$290.00
8.	Miscellaneous Animals or Reptile Establishment .....	\$205.00
9.	Circus .....	\$4,000.00
10.	Rodeo .....	\$1,660.00
11.	Homing Pigeons .....	\$290.00
12.	Riding Academy, Livery Stable, Board Stable, Pony Ride, Horse Market or Mule Market .....	\$325.00
13.	Animal Grooming Parlor .....	\$160.00
14.	Filming with Animals.....	\$300.00

The fees imposed herein for a pet show or a dog show may be waived in the event that such show is held in a public park.

Sec. 4. The City Clerk shall certify to the passage of this ordinance and have it published in accordance with Council policy, either in a daily newspaper circulated in the City of Los Angeles or by posting for ten days in three public places in the City of Los Angeles: one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall; one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall East; and one copy on the bulletin board located at the Temple Street entrance to the Los Angeles County Hall of Records.

I hereby certify that this ordinance was passed by the Council of the City of Los Angeles, at its meeting of \_\_\_\_\_.

JUNE LAGMAY, City Clerk

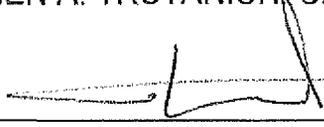
By \_\_\_\_\_ Deputy

Approved \_\_\_\_\_

\_\_\_\_\_  
Mayor

Approved as to Form and Legality:

CARMEN A. TRUTANICH, City Attorney

By  \_\_\_\_\_  
DOV S. LESEL  
Assistant City Attorney

Date 17-20-2010

File No. 10-0600-S7