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BRENDA F. BARNETTE  
GENERAL MANAGER

LINDA J. BARTH  
ASST. GENERAL MANAGER

KATHLEEN J. DAVIS  
INTERIM GENERAL MANAGER

November 15, 2010

Public Safety Committee  
Los Angeles City Council  
c/o City Clerk  
City Hall Room 395  
ATTN: John A. White

RE: Council File Council File: 10-0982, Number of Cats/Dogs Owned by Residents

Dear Councilmember Smith and Honorable Members:

On July 19, 2010, the Public Safety Committee convened a public hearing on a motion, made by Councilmember Rosendahl and seconded by Councilmember Koretz, to increase the number of dogs and cats that can be owned at a residence to five dogs and five cats, from the current limitation of three dogs and three cats. At that hearing, the Department of Animal Services was directed to analyze the proposal and present it to the Board of Animal Services Commissioners for formal input and recommendation back to the City Council. After significant research and public participation, including comments received from the public in two Town Hall meetings that were widely publicized by the major networks and other media outlets, the Department presented a detailed report and recommendations to the Board at their meeting of October 12, 2010. A follow-up report with minor modifications was presented to the Board and approved at the meeting of November 9, 2010. At the Board's instruction, I am forwarding the reports and factual data attached to the reports, along with the Board's enthusiastic endorsement of the proposed changes, asking that the Public Safety Committee support the recommendation and forward it to the full City Council.

Summarized below are the key considerations in amending the Los Angeles Municipal Code (LAMC) which the Department recommends that the Council consider:

1. Section 53.00 Definitions, should be amended so that "Cat Kennel" is defined as six or more cats and "Dog Kennel" is defined as six or more dogs;
2. Specify that only three cats are permitted on a premises unless if more than three cats up to a maximum of five are all owned cats and are all kept indoors at all times;

501010A 1P 0410-02

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3. Section 53.66 Guard Dogs, should be amended to limit the number guard dogs which can be licensed at one premises to two and provide that no other dogs can be licensed on a premises where one or two guard dogs are licensed.

The Board also adopted a recommendation that the Council request that the Planning Department identify other LAMC amendments necessary to ensure consistency with the Council's final decisions.

In the October 6, 2010, report, a suggestion was included that dogs and cats fostered under an agreement with the Department be exempt from the pet limits. As the Department is only in the early phases of launching a foster program for adult pets, we recommend deferring discussion of including that exemption at this time.

The Department concludes that the proposed ordinance as recommended by the Department may be exempt from environmental review under CEQA. Additional information supporting that conclusion is encompassed in the November 9, 2010, report to the Board.

The Board and the Department consider this increase in the pet limits as a progressive and important lifesaving step that brings the City closer to our humane goals. In fact, I consider your support of this increase to be critical step in my being able to meet the goals that you hired me to bring about for our department. Members of the Board and I stand ready to provide any additional information or assistance needed by the Committee or the Council to move forward on these LAMC amendments.

We greatly appreciate your request for our input. Please do not hesitate to contact me with any questions at 213-482-9558.

Very truly yours,



Brenda F. Barnette  
General Manager

Attachment – Board Reports and Attachments

cc: Mayor Antonio R. Villaraigosa  
Councilmember Bill Rosendahl  
Councilmember Paul Koretz  
Board of Animal Services Commissioners  
Dov Lesel, City Attorney's Office  
Jim Bickhart, Office of the Mayor  
File



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**BRENDA F. BARNETTE**  
General Manager

**Report to the Board of Animal Services Commissioners**

**BRENDA F. BARNETTE, General Manager**

**COMMISSION MEETING DATE:** October 12, 2010 **PREPARED BY:** Brenda Barnette

**REPORT DATE:** October 6, 2010

**TITLE:** General Manager

**SUBJECT:** Increasing Limits on Dogs from Three to Five Per Property and Increasing the Limit on Cats from Three to Five (Indoors) Per Property and Reducing the Number of Guard Dogs to Two Per Property

**BOARD ACTION RECOMMENDED:**

That the Board request that the Mayor, and subsequently the City Council:

1. Direct the City Attorney to prepare an ordinance amending the Los Angeles Municipal Code (LAMC) Section 53.00 Definitions, to provide that Cat Kennel is defined as six or more cats and Dog Kennel is defined as six or more dogs, as described more fully in the body of this report excluding animals in temporary foster care;
2. Direct the City Attorney to amend LAMC 53.66 Guard Dogs, to limit the number guard dogs which can be licensed at one premises to two and that no other dogs can be licensed on a premises where one or two guard dogs are licensed; and,
3. Request that the Planning Department identify other LAMC amendments necessary to ensure consistent change in the Cat Kennel and Dog Kennel definitions and direct the City Attorney to include those changes in the subject ordinance.

**SUMMARY:**

Currently, a pet owner in Los Angeles is permitted to keep a maximum of three dogs and three cats over four months of age. This limitation is codified in LAMC Section 53.00 by defining a kennel as having four or more dogs or four or more cats, without regard for the purpose of the kennel as being private or commercial; kennels must be

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Subject: Increasing Limits on Dogs from Three to Five Per Property and Increasing the Limit on Cats from Three to Five (Indoors) Per Property and Reducing the Number of Guard Dogs to Two Per Property

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permitted (LAMC 53.50) and can be located in a few planning zones, mostly light industrial zones. The last revision to this language was in 1987. Kennel definitions and pet limits appear elsewhere in the LAMC in sections related to land use and zoning.

On June 4, 2010, Councilmember Bill Rosendahl introduced a motion, seconded by Councilmember Paul Koretz, to amend the LAMC to raise the number of dogs and cats that a City resident may own from three to five (Council File No. 10-0982). The motion would increase the number of stray animals that could be placed in homes and it would increase revenue from the additional licenses sold on more dogs. The Public Safety Committee, at their meeting on July 19, 2010, directed the Department to present the proposal to the Board for consideration and report back to Council.

The Department added the provision to reduce the number of guard dogs to two (over the age of 4 months) per property. The Department has observed that a significant number of the guard dogs are not licensed, are not spayed or neutered and that it is not unusual to see too many dogs for one property. Incidents of dog bites are more prevalent if the dogs are not spayed or neutered and there is also more dog to dog aggression among unaltered dogs.

The Department, Found Animals nonprofit, and Best Friends nonprofit did extensive research taking a look at similar communities where there are much higher or no pet limits to study the impact on community safety and animals' lives saved. The Department held two well publicized Town Hall Meetings to hear the thoughts of the community. The Department sent out a news release to local media outlets and others on our contact list and local bloggers picked up the news and helped publicize the events. The first Town Hall Meeting held on September 16, 2010, at the East Valley Center was attended by representatives of three major television stations as well as other news reporters who then helped publicize the second Town Hall Meeting that was held on September 22<sup>nd</sup> at the West Los Angeles Center. The community members who attended the Town Hall Meetings (approximately 225 total) represented a diverse cross section of our community such as dog trainers, pure-bred dog enthusiasts, rescuers, dog walkers, neighborhood associations, foster care volunteers, department staff and apartment owners. Each person who wanted to speak was allowed 3 minutes to express his/her thoughts. There were a few dissenters, but the community members who attended were overwhelmingly in support of raising the pet limits in Los Angeles.

The Department has not been able to substantiate some of the statements made in opposition to increasing the pet limits. For example, the apartment/condo owners are in unique settings where they impose their own pet limits so having the City increase pet limits will not impact them at all. According to The National Canine Research Council, after two decades of intensive research, they found that "There is a widespread misperception that dogs pose a significant danger, and are becoming increasingly more dangerous. ...Intense media focus on individual incidents has contributed greatly to this misperception". According to Ms. Jade writing for The Dog Press Legislative Reporter



Subject: Increasing Limits on Dogs from Three to Five Per Property and Increasing the Limit on Cats from Three to Five (Indoors) Per Property and Reducing the Number of Guard Dogs to Two Per Property

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(2007) in an article titled Dog Bite Statistics, 68% of the fatalities were inflicted by a single dog and not by a pack of free roaming dogs. Further, Over 95% of the deaths by dogs to children under the age of one year occurred with an infant who was left unsupervised and of the fatalities for children 2 years old, 87% occurred when the child was left unattended. The single dog attacks occurred by the family dog.

Attached is a document published by Found Animals that supports increased pet limits and show data from a variety of communities for comparison. The Southern California Veterinary Medical Association (SCVMA), representing approximately 1500 veterinarians, voted to support increasing the pet limits to 5 dogs and 5 cats per household.

In the City, as in many other jurisdictions, the number limit for dogs or cats is arbitrary, that is, there is not a specific reason that three cats or three dogs is the limit. In practice, the limit laws are not well known among residents and most pet guardians would learn about the limits only if there were other reasons for an encounter with animal control personnel, such as a complaint made that must be investigated. It appears that in practice we believe that the community should be allowed to have more than three animals because people do have more than three making the current limit law is out of step with current practice. We are unaware of these specific households unless a problem is reported. Generally speaking, and again typical for jurisdictions whether there are limits or no limits, the Department exercises concern about the number of animals at a property principally in connection with cruelty or inhumane conditions, dangerous animals, and nuisances.

Not enforcing the limit law is not appropriate. This undermines the overall authority of government and creates a dangerous precedent. It also makes "criminals" out of many of our rescue partners in the community.

Conversely, there can be situations in which complaints lead to enforcement of limit laws despite a lack of any serious humane or public safety concern, because of neighboring property owner complaints, for example. These and other consequences of a strict and low pet limit could result in pets surrendered to rescue and the Department, thereby increasing pet intake and adding to the number of pets needing new homes.

Changing the law would have the positive inverse effect: it would expand the ability of persons to legally care for more pets and provide a platform for exciting the public about adding a pet to the family from their local animal care center or rescue organization. In the cases that circumstances warrant stricter limitations as a proactive step to protect persons or animals, the LAMC sections on Administrative Hearings could also be amended to provide explicitly that reductions in the number of pets allowed would be a potential condition for re-licensing after violations of barking or dangerous animal regulations. We recommend that the pet limit increase include stating that the five cats



Subject: Increasing Limits on Dogs from Three to Five Per Property and Increasing the Limit on Cats from Three to Five (Indoors) Per Property and Reducing the Number of Guard Dogs to Two Per Property

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to be indoors, which benefits the safety of cats and also reduces the possibility of cats being turned to the Department as strays.

Beyond the legitimate need to limit pets where animal or human safety requires action, which can be managed as mentioned above as a condition subsequent to an administrative hearing, any actual benefit of pet limits are difficult to quantify. A jurisdiction with decades of no limits on cats, such as San Diego County, has a higher live release rate than our Department. This suggests that limits in the City do not appear to have had a direct impact on the City's efforts to reduce cat euthanasia. Dog and cat limits are unrelated to animal hoarding and fighting, which in the former case are the manifestation of mental illness and in the latter case deliberate illegal activities.

The Department is committed to improving the humane treatment of animals and increasing the number of pets which are living in loving homes. Austere limits on the number of pets, difficult and restrictive permitting requirements, and laws which may motivate people to avoid licensing dogs for fear of triggering enforcement of limits are not beneficial to animals and will likely hamper efforts to increase pet adoptions and revenue.

Increasing the number of animals that may be maintained on any single premises will increase the possibility of animals being adopted from the Department, and likely decrease intake of strays and surrendered pets over the limit. If residents are allowed to keep more dogs and cats more adoptions and less euthanasia may result.

We learned that raising the pet limits will help us save more animals' lives and will increase revenues through dog licenses. Here are a few facts to consider:

1. Oahu, Hawaii is an island with a high population and limited land mass. If you live in a residential area, you can have no more than ten dogs, aged 4-months or older. There is no law governing the number of cats, birds or other companion animals you may keep.
2. Riverside County's limit is nine cats before a kennel permit is required. San Diego County and Santa Barbara County have no cat limits.
3. The City of Santa Monica has no number limit on either dogs or cats.
4. These cities are not having any increased problems with dangerous dogs or hoarders. In fact, the City Attorney for Santa Monica specifically said that there is no discussion of adding limits.
5. **For the last 10 years, the City of San Diego has not had a cat limit. The limit on dogs is 6. The Live Save rate for San Diego County Animal Services that covers both the City and the County is 82% for dogs and 54% for cats (FY 2008-09 with intake of 48,878). During this same FY 2008-09. The Live Save rate for Los Angeles is 73% for dogs and just under 39% for cats.**



Subject: Increasing Limits on Dogs from Three to Five Per Property and Increasing the Limit on Cats from Three to Five (Indoors) Per Property and Reducing the Number of Guard Dogs to Two Per Property

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**FISCAL IMPACT:**

Licensing of dogs is the City's mechanism to ensure that dogs are vaccinated and that they receive the proper care. If dog licensing procedures and related regulations are conducive to licensing, the City will licensing more dogs. Increasing pet limits may result in additional revenue as persons with more than three dogs are willing to license the additional dogs without enforcement fears, and this may also highlight an opportunity for other pet enthusiasts to add a companion animal to their families which would result in additional revenue from more dogs and cats adopted and dogs licensed. Currently only about 5% of the (6,000) licensed dogs are from three dog families therefore it is unlikely that there would suddenly be an enormous number of 4 or 5 dog families. In random polling, community members know their limits and self regulate. If the current families who license their dogs added one dog and one dog license, the annual revenue for the City at \$20 per license could be very significant.

**COMMENT:**

The Mayor and the City Council heard the voices of the community and unanimously appointed me to bring a more progressive animal welfare agenda to the City of Los Angeles. I was directed to help create a more humane community, a safer community and a community that finds non lethal methods to care for the animals residing here in The City of Angels. I commend Council members Rosendahl and Koretz for introducing this humane and life-saving motion and I'm asking you to approve the recommendations contained herein giving me an important tool to do the work I was hired to carry out.

**Attachment:**

FoundAnimals. Pet Limit Laws. A Brief Summary

Approved:

  
Brenda F. Barnette, General Manager

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**BOARD ACTION:**

_____ Passed	Disapproved _____
_____ Passed with noted modifications	Continued _____
_____ Tabled	New Date _____

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**BRENDA F. BARNETTE**  
General Manager

**Report to the Board of Animal Services Commissioners**

**BRENDA F. BARNETTE, General Manager**

**COMMISSION MEETING DATE:** November 9, 2010 **PREPARED BY:** Brenda Barnette

**REPORT DATE:** November 5, 2010

**TITLE:** General Manager

**SUBJECT:** Modifications on Recommendations to Increase Limits on Cats from Three to Five (Indoors)

**BOARD ACTION RECOMMENDED:**

That the Board request that the Mayor, and subsequently the City Council, direct the City Attorney, when preparing the ordinance amending the Los Angeles Municipal Code (LAMC) Section 53.00 Definitions, to provide that Cat Kennel is defined as six or more cats and Dog Kennel is six or more dogs, to:

1. Further specify that only three cats are permitted on a premises unless if more than three cats up to a maximum of five are all owned cats and are all kept indoors at all times;
2. To exclude feral cats; and,
3. To defer an exemption for animals in foster care under this proposal.

**SUMMARY:**

On October 6, 2010, the Board considered and approved recommendations to the City Council in response to a motion (Rosendahl-Koretz, Council File No. 10-0982) to increase the number of dogs and cats an owner may have from three to five. Currently, a pet owner in Los Angeles is permitted to keep a maximum of three dogs and three cats over four months of age on a premises (LAMC Section 53.00 defines a kennel as having four or more dogs or four or more cats). The list of recommendations approved by the Board to convey to Council in regard to increasing the limits are as follows.

- Section 53.00 Definitions, should be amended so that "Cat Kennel" is defined as six or more cats and "Dog Kennel" is defined as six or more dogs.

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Subject: Modifications on Recommendations to Increase Limits on Cats from Three to Five (Indoors)

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- Provide that the cats must be kept indoors.
- Exempt animals in foster care by permitting more than five dogs or cats at one time.
- Section 53.66 Guard Dogs, should be amended to limit the number guard dogs which can be licensed at one premises to two and provide that no other dogs can be licensed on a premises where one or two guard dogs are licensed.
- The Planning Department should be requested to identify other LAMC amendments necessary to ensure consistency with the Council's final decisions.

At the October 6, 2010, Board meeting, the City Attorney stated that the Department would also need to provide clearance on what actions should be recommended relative to compliance with the California Environmental Quality Act (CEQA). We expect that CEQA clearance will be effectuated prior to or in the report transmitting the actual ordinance to City Council, based on the Department's determination of the facts. While conferring with the City Attorney in preparation for transmitting the recommendations to the Council's Public Safety Committee, we identified the need to clarify details on the original recommendations and to provide additional information in preparation for compliance with CEQA at the appropriate point in the legislative process.

One clarification is in regard to cats and keeping them indoors. Under current law (LAMC Section 53.06) cats not in heat may roam out-of-doors in the City. The change in pet limits is fundamentally a life-saving measure and keeping cats indoors is one of the most effective steps cat owners can take to protect their cats. For that reason, the Department would prefer to modify the law to require that all cats be kept indoors, whether one cat or more, up to the limit approved. However, that is beyond the scope of the pet limit change proposed in the Council motion and presents impacts on enforcement procedures and resources. At the same time, increasing the number of roaming cats is an unacceptable consequence and itself in conflict with the goal of saving more cats' lives. The recommendation and resulting ordinance must be clear that persons with three or fewer cats are subject to all existing rules without any change, and that persons who desire to take in a fourth cat or a fourth and fifth cat must then agree to keep all four or five cats indoors. The language must also make clear that changes to the number of cats permitted per property do not apply to non-owned roaming stray cats which may be feral. This proposed modification simplifies enforcement, since either the four or five cats are kept indoors or one or more can be seen by an Officer outside, and it simplifies compliance for residents who have more than three cats.

Among the recommendations in the October 6, 2010, report was one about exempting animals fostered from the Department. Concurrent with the October Board report we launched a new program for volunteers to foster healthy, sterilized, juvenile, adult, and senior stray animals to alleviate crowding of animals in care centers, give animals a break from the tension of a kennel environment, and in some cases, to provide animals love, training, and socialization that will make them more adoptable when returned. As this new program is in the early implementation phase, we recommend deferring



**Subject: Modifications on Recommendations to Increase Limits on Cats from Three to Five (Indoors)**

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discussion of exempting dogs and cats fostered under an agreement with the Department and not proceeding with any exemption of fosters as part of the pet limit change at this time.

The Department concludes that the proposed ordinance may be exempt from environmental review under CEQA because it is subject to the CEQA common sense exemption: it can be seen with certainty that there is no possibility the ordinance may have a significant environmental effect because the potentially increased number of dogs at a premises remain subject to the same public health and safety laws such as vaccinations and confinement to property without a leash, and in the case of cats, feral cats are excluded from the proposed changes and persons who elect to have more than the currently allowed three cats must keep all cats owned indoors at all times, effectively reducing the total number of cats roaming outside in the environment. [State CEQA Guidelines 15061(b)(3).] The proposed ordinance also may be exempt from CEQA environmental review under the Class 5 Categorical Exemption, which exempts minor alterations in land use limitations in areas with an average slope of less than 20%, which do not result in any changes in land use or density. [State CEQA Guidelines 15305; City CEQA Guidelines Art.III, 1.e]. The proposed ordinance may also fall within this exemption because the Planning Code changes are limited to the change in kennel definitions and as stated above there is no change to the manner of keeping dogs while for cats the LAMC amendment will result in either no change or a reduction in the number of cats outside on public and private land.

**FISCAL IMPACT:**

This clarification on cats, modifying the earlier recommendations, will have no direct major revenue or expenditure implications, but may help mitigate some expenses. The cost of resources needed to enforce the ordinance and some small number of complaints about too many cats would be slightly less if all persons with five animals had to keep them indoors.

Approved:

Brenda F. Barnette  
**Brenda F. Barnette, General Manager**

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**BOARD ACTION:**

_____ Passed	Disapproved _____
_____ Passed with noted modifications	Continued _____
_____ Tabled	New Date _____





## **Pet Limit Laws**

**A Brief Summary**

Note: Because the Found Animals Foundation is a private operating foundation, we do not engage in lobbying. All information included in this presentation is for informational purposes only and should not be seen as in support of a specific policy position.

November 15, 2010

## Executive Summary

- **Based on recent population estimates and census data, there are approximately 1,178,000 total households in the City of Los Angeles.**
  - In 2009, 7,600 dogs and 11,938 cats were euthanized in City of Los Angeles Animal Shelters.
    - If an additional 2% of the current dog-owning households chose to adopt another dog from LAAS in 2009, no healthy/adoptable dogs would have been euthanized.
    - If an additional 3.4% of the current cat-owning households chose to adopt a cat from LAAS in 2009, no healthy/adoptable cats would have been euthanized.
- **Current pet limits in the City of Los Angeles:**
  - 3 dogs and/or 3 cats
- **Of the 5 largest municipalities in the US:**
  - 3 (New York, Chicago, and Phoenix) have no limit on the number of dogs OR cats
- **Of the 10 largest municipalities in the US:**
  - Dallas\* and San Jose are the only cities with similar dog and cat limits to the City of Los Angeles
  - 6 municipalities do not limit the number of dogs owned or have a higher limit than LA
  - 5 municipalities do not regulate the number of cats

\*Dallas' pet limits are determined based on the owner's lot size, and there is a limit on the total number of pets, not on dogs or cats. A person on less than a ½ acre lot can own up to 6 dogs OR cats.



## Pet Limits in Other Cities

### Sampling of the cities that currently have no dog or cat limits:

- New York City, Chicago, Phoenix, Santa Monica, Calgary, El Paso, Boston, Nashville, Austin, Jacksonville

### Sampling of the cities that have a pet limit similar to Los Angeles:

- Arcadia, San Marino, Bell Gardens, Santa Fe Springs, Culver City, West Hollywood, Buena Park, San Francisco, Irvine, San Clemente

### Many cities choose to regulate the number of dogs a person can own, but set no such regulations for cats. A few examples:

- San Diego City and County (Up to 6 Dogs allowed; no cat limit)
- Santa Ana, Houston, Honolulu, Rolling Hills

### Finally, many cities have dog and cat limits that are higher than Los Angeles:

- |  |                                   |
|--|-----------------------------------|
| -Los Angeles County (3 dogs, 5 cats)             | -Honolulu (10 dogs, no cat limit) |
| -Laguna Beach (4 dogs, 4 cats)                   | -Riverside (4 dogs, 9 cat)        |
| -Santa Clarita (4 dogs, 10 cats—must be altered) | -Beverly Hills (3 dogs, 5 cats)   |
| -Philadelphia (Up to 12 total)                   | -Oklahoma City (4 dogs, 4 cats)   |
| -San Antonio (Up to 8 total)                     | -Oxnard (4 dogs, 4 cats)          |

## Arguments For/Against Keeping Current Pet Limits

- **In Favor of Pet Limits:**
  - Belief that imposing restrictions on pets will reduce the prevalence of hoarding cases
  - Belief that pet limits will cut down on the number of nuisance complaints within the community
  - Belief that pet limits decrease the number of dog bites in the community
  - Belief that increased numbers of pets owned per household will lead to a public health problem
- **Against Current Pet Limits:**
  - Belief that pet limits have no impact on hoarding behavior, as recent studies indicate this is linked to psychological disorder
  - Belief that by increasing pet limits or abolishing them completely, more animals will be adopted from city shelters, and therefore fewer animals will be euthanized
  - Belief that current city laws adequately address the issues of nuisances, loose animals, and sanitation
  - Belief that by increasing or abolishing pet limits, pet owners will be able to license more pets, which will lead to increased revenue for the city's general fund and the spay & neuter trust fund



## Responses to Pet Limit Arguments

### Hoarding and Dangerous Dog Concerns

#### Hoarding

- Santa Monica has no pet limit and has had 3 hoarding busts in the past 10 years. The City Attorney for Santa Monica has said there is no discussion of imposing a limit on dogs or cats.
- Rodrigo Silva, Director of Maricopa County Animal Care and Control, states that although there are no pet limits in Maricopa County he doesn't believe "that Maricopa County has a greater incidence of hoarding or nuisance complaints than anywhere else." He estimates there are between 2-4 hoarding cases per year in the entire county.
- Hoarding is not currently recognized as a psychological disorder but is often listed as a symptom of other disorders. Based on new research, hoarding is being considered for addition to the DSM-V, as its own psychological disorder. (more information provided in the appendix)

#### Dog Bites/Dangerous Dog Issues

- In Maricopa County, Arizona, where there are no pet limits, dog bites have gone down by 16% per capita in the past 4 years.
- In Calgary, there is no pet limit and yet there has been a decrease in the number of dog bites and aggressive dog incidents in recent years, despite an increase in both the human and pet population.
  - In 1985, 1938 aggressive dog complaints were filed, of which 621 were bites. In 2008, 340 incidents were reported, 145 of which were bites.

## Responses to Pet Limit Arguments Public Safety & Nuisance Concerns

Many of the concerns about increasing or eliminating pet limits are addressed by municipal code statutes:

### SEC. 53.06. ANIMALS AT LARGE.

No person owning or having possession, charge, custody or control of any animal, except cats which are not in heat or season, shall cause, permit or allow the animal to stray, run, or in any manner to be at large in or upon any public street, sidewalk or park, except as otherwise expressly provided in section [63.44](#) of this Code, or in the bed of the Los Angeles River or upon any unenclosed lot or land.

### SEC. 53.34.1. MENACING DOGS.

No person, owning or having custody or control of any dog, whether or not restrained by a substantial chain or leash, shall permit the dog to unlawfully assault, threaten or menace any human being or other animal upon any public street, sidewalk, park or other public property, or in or upon the premises or private property of another.

### SEC. 53.63. BARKING DOG NOISE.

It shall be unlawful for any person to permit any dog or dogs under his or her charge, care, custody or control to emit any excessive noise after the Department has issued a written notice advising the owner or custodian of the alleged noise and the procedures as set forth below have been followed. For purposes of this section, the term “excessive noise” shall mean noise which is unreasonably annoying, disturbing, offensive, or which unreasonably interferes with the comfortable enjoyment of life or property of one or more persons occupying property in the community or neighborhood.



# Responses to Pet Limit Arguments

## Impact on Adoptions and Licensing Revenue

### Impact on Adoptions

- Argument states that by increasing/eliminating pet limits, adoption figures will increase and euthanasia will decrease.
  - But, a recent study indicates that only 19% of people acquire dogs from animal shelters and only 22% acquire cats from a shelter.
  - So, no guarantee that a change in pet limits would lead to more people adopting from shelters.
- Based on recent data, in order to eliminate euthanasia of healthy/adoptable dogs and cats at LAAS shelters, approximately 2% of the current dog-owning households in the city would need to choose to adopt another dog and approximately 3.4% of the cat-owning households in the city would need to adopt another cat.

### Impact on Licensing Revenue

- Argument states that by allowing people to own more pets, they would be able to license more pets and therefore licensing compliance and revenue would increase. As a result, more money would be available to subsidize low-cost spay/neuter in the spay & neuter trust fund.
  - But, estimates indicate that only 30% of Angelenos currently license their dogs, and cat licensing is NOT currently a requirement.
  - So, cat licensing is unlikely to change, and dog licensing may not increase.
  - However, if all of the dogs euthanized in 2009 had been adopted and licensed, there would be an additional \$53,000 in the Spay & Neuter Trust Fund to subsidize sterilization procedures.

## Outcome Statistics

- **City & County of San Diego:**

- No Cat Limit/6 Dog Limit
- The Live Save rate for San Diego County Animal Services that covers both the City and the County is **82%** for dogs and **54%** for cats (FY 2008-09 with intake of 48,878).
- During this same time, the Live Save rate for Los Angeles is 73% for dogs and just under 39% for cats.

- **Calgary**

- No Pet Limit
- The live save rate for dogs in Calgary in recent years (2007) has been roughly **95%** and **78%** for cats.
- In comparison, the 2007 live save rate in Los Angeles was 72% for dogs and 41% for cats.

- **LA County**

- Limit of 3 dogs and up to 5 cats in certain areas.
- In 2009, the live save rate was **54%** for dogs and **14%** for cats.



## Policy Alternatives

### Pet Limits in the City of Los Angeles

#### Option One:

Maintain the status quo

- 3 Dogs, 3 Cats per household

#### Option Two:

Increase Both Dog and Cat Limits

- 5 Dogs, 5 Cats per household as proposed by Councilmember Rosendahl

#### Option Three:

Increase only Dog OR Cat Limits

- Potential Scenarios:

- 3 Dogs and No limit on Cats per household

- 3 Dogs and 5 Cats per household

- 5 Dogs and 3 Cats per household

#### Option Four:

Eliminate Limits Entirely

- No limit on the number of dogs or cats per household in the City of Los Angeles

# Appendix

## Additional Los Angeles Municipal Codes



## Los Angeles City Municipal Codes

- **SEC. 53.06. ANIMALS AT LARGE.**

- No person owning or having possession, charge, custody or control of any animal, except cats which are not in heat or season, shall cause, permit or allow the animal to stray, run, or in any manner to be at large in or upon any public street, sidewalk or park, except as otherwise expressly provided in section [63.44](#) of this Code, or in the bed of the Los Angeles River or upon any unenclosed lot or land.

- **SEC. 53.28. HARBORING OF UNLICENSED DOGS.**

- No person shall have, harbor or keep any unlicensed dog that is over the age of four months.

- **SEC. 53.30. KEEPING OF DISEASED OR CRIPPLED ANIMALS.**

- No person shall have, keep, or harbor any animal which is known or believed by him to be infected with any dangerous or communicable disease, or which is in an incurable crippled condition, or which is afflicted with any painful disease which is believed by such person to be incurable, except as in this article otherwise provided.

- **SEC. 53.33. VICIOUS ANIMALS - PRIVATE PREMISES.**

- (a) No person, owning or having custody or control of any dog, other than a sentry dog, or any other animal known by such person to be vicious or dangerous, shall permit it to run at large, or permit it to run loose on or within the premises of such person in such a manner as to endanger the life or limb of any person lawfully entering such premises. For the purposes of this section “sentry dog” shall mean a dog trained to work without supervision in a fenced facility to deter or to detain persons found within the facility.

- another.

- **SEC. 53.63. BARKING DOG NOISE.**

- It shall be unlawful for any person to permit any dog or dogs under his or her charge, care, custody or control to emit any excessive noise after the Department has issued a written notice advising the owner or custodian of the alleged noise and the procedures as set forth below have been followed. For purposes of this section, the term “**excessive noise**” shall mean noise which is unreasonably annoying, disturbing, offensive, or which unreasonably interferes with the comfortable enjoyment of life or property of one or more persons occupying property in the community or neighborhood.

## Los Angeles City Municipal Codes Continued

- **SEC. 53.34. ANIMALS AT LARGE.**

- A person who owns or is in charge of or controls or who possesses a dog or other animal who permits, allows or causes the dog or other animal to run, stray, be uncontrolled or in any manner be in, upon, or at large upon a public street, sidewalk, park or other public property or in or upon the premises or private property of another person is guilty of a misdemeanor if said dog or other animal bites, attacks or causes injury to any human being or other animal.

- **SEC. 53.34.1. MENACING DOGS.**

- No person, owning or having custody or control of any dog, whether or not restrained by a substantial chain or leash, shall permit the dog to unlawfully assault, threaten or menace any human being or other animal upon any public street, sidewalk, park or other public property, or in or upon the premises or private property of another.

- **SEC. 53.34.4. DANGEROUS ANIMAL - PROCEDURES.**

- **Dangerous Animal - Disposition.**

- 1. It shall be unlawful for any person to own, possess, harbor or keep any dog or other animal declared by the Department, after a hearing, to be dangerous.

- **SEC. 53.63. BARKING DOG NOISE.**

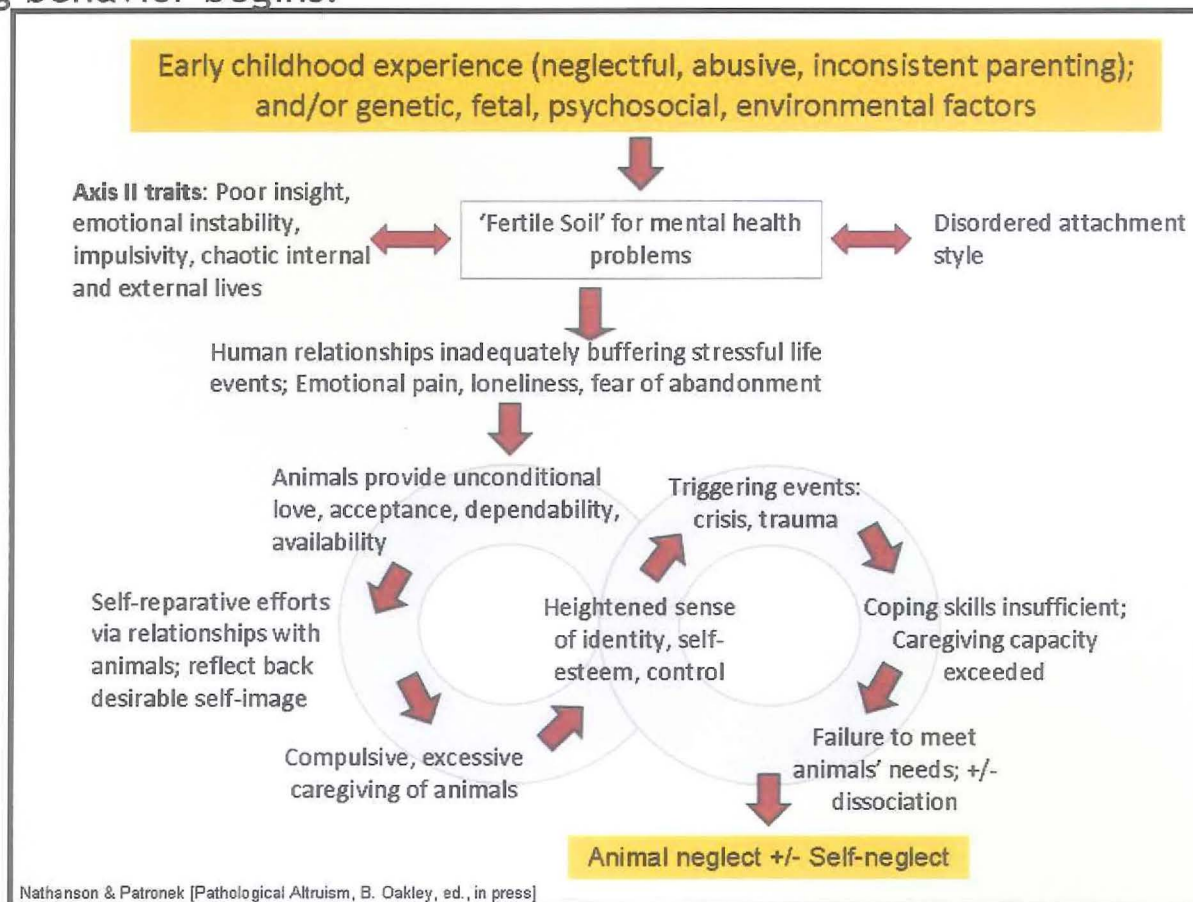
- It shall be unlawful for any person to permit any dog or dogs under his or her charge, care, custody or control to emit any excessive noise after the Department has issued a written notice advising the owner or custodian of the alleged noise and the procedures as set forth below have been followed. For purposes of this section, the term “excessive noise” shall mean noise which is unreasonably annoying, disturbing, offensive, or which unreasonably interferes with the comfortable enjoyment of life or property of one or more persons occupying property in the community or neighborhood.



## Appendix Hoarding

# Hoarding

The Hoarding of Animals Research Consortium has developed the following diagram to explain how hoarding behavior begins:





# Hoarding

## Overview

- According to the Hoarding of Animals Research Consortium (HARC) at Tufts University, a recent (June 2010) in-depth review by eminent psychologists explains the differences between OCD and hoarding, and suggests there is sufficient evidence for creation of a new disorder, provisionally called hoarding disorder, in DSM-V.
- Additionally, HARC states:
  - “Many characteristics of animal hoarding are very similar to those exhibited by hoarders of inanimate objects. There is growing awareness that object hoarding is associated with a wide variety of clinical diagnoses besides OCD, psychologists are currently considering whether hoarding should be a separate disorder in DSM-V.

## Hoarding Research Findings:

- According to author Gary Patronek,
  - Animal hoarding “should at least be considered a warning sign for early stages of dementia or for as yet unspecified psychiatric conditions”  
Source: <http://www.tufts.edu/vet/hoarding/pubs/pubhlthrep.pdf>
- Patronek and the HARC also state:
  - “Hoarding of inanimate objects is seen in a variety of psychological disorders, but is most commonly seen in OCD. Two to three percent of the human population suffers from OCD, and 15 to 30 percent of those have hoarding as a primary symptom.”  
Source: <http://www.tufts.edu/vet/hoarding/pubs/municipallawyer.pdf>
- Patronek defines animal hoarding as:
  - “pathological human behavior that involves a compulsive need to obtain and control animals, coupled with a failure to recognize their suffering,”  
Source: Patronek, Gary J. “Animal hoarding: its roots and recognition.” Veterinary Medicine 101.8 (2006): 520



**CITY OF LOS ANGELES  
DEPARTMENT OF ANIMAL SERVICES**

**PET LIMIT MATRIX BY CITY/COUNTY JURISDICTION**

CITY/ COUNTY JURIS- DICTION	ANIMAL LIMITS		ORD DATE	INCREASE IN REPORTS OF HOARDING	INCREASE IN SERVICE/ NOISE COMPLAINT CALLS	IMPACT ON FIELD STAFF DUE TO INCREASED PET LIMITS	INCREASE IN, DANGEROUS ANIMAL REPORTS, UNFIT CONDITIONS, NUISANCE CALLS	POPULATION AND SQ. MILES OF JURISDICITON	
	DOGS	CATS						Population	Sq. Miles
Los Angeles, CA	3	3	-	-	-	-	-	3,849,378	469
Chicago, IL	No Limit	No Limit	No Ord.	No Increase	No Increase in Service Calls	No Impact Reported	No Increase Reported	2,833,321	227
Honolulu County, HI	10	No limit	*Over 6 years	No Increase	No Increase in Service Calls	No Impact Reported	No Increase Reported	876,156	85
Miami-Dade County, FL	4 one acre 6 1-2 acres 8 over 2 acr.	No Limit	2008	No Increase	No Increase in Service Calls	No Impact Reported	No Increase Reported	2,500,625	1,946
Newark, NJ	No Limit	No Limit	*15 yrs	No Increase	No Increase in Service Calls	No Impact Reported	No Increase Reported	281,402	23
Philadelphia, PA (PSCPA)	Comb. total of 12	Comb. total of 12	*Over 35 Years	No Increase	No Increase in Service Calls	No Impact Reported	No Increase Reported	1,448,394	135
Riverside City, CA	5	10	1999	Minimal Increase	No Increase in Service Calls	Minimal Impact due to Kennel Inspections	Minimal Impact- Hoarding	293,761	78
Riverside County, CA	5	10	1999	No Increase	No Increase in Service Calls	No Impact Reported	No Increase Reported	2,125,440	7,207
San Antonio, TX	5 dogs or Comb. total of 8	8 cats or Comb. total of 8	2007	No Increase	No Increase in Service Calls	No Impact Reported	No Increase Reported	1,296,682	407
San Diego County, CA	6	Based on ability to care for cats	*Over 20 years	No Increase	No Increase in Service Calls	No Impact Reported	No Increase Reported	3,053,793	4,199
Santa Monica, CA	No Limit	No Limit	No Ord.	No Increase	No Increase in Service Calls	No Impact Reported	No Increase Reported	88,050	8



**DOG BITE STATISTICS FROM 1968-2001 FROM “FATAL DOG ATTACKS” by KAREN DELISE NOVEMBER, 2002:**

--68% OF ALL FATAL ATTACKS WERE INFLICTED BY A SINGLE DOG

--32% WAS THE RESULT OF A MULTIPLE DOG ATTACK

--73% INVOLVED DOGS WITHIN THE BOUNDARIES OF THE OWNERS' PROPERTY WITH 25% CHAINED DOGS, 25 % IN YARD AND 23% INSIDE THE HOME —

**DOG BITE STATISTICS FROM A STUDY CONDUCTED BY THE AMERICAN VETERINARY MEDICAL ASSOCIATION:**

--67% OF THE FATAL DOG BITES WERE A RESULT OF SINGLE DOG ATTACK

**DEFINITION OF HOARDING:** Pathological or compulsive hoarding is a specific type of behavior characterized by:

- acquiring and failing to throw out a large number of items that would appear to have little or no value to others (e.g., papers, notes, flyers, newspapers, clothes)
- severe cluttering of the person's home so that it is no longer able to function as a viable living space

\*Based on years of service of employee providing information