

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

An ordinance amending Section 53.63 of Article 3, Chapter 5 of the Los Angeles Municipal Code (LAMC) deleting specific time requirements for excessive dog barking, adding factors that the Department may use to determine whether the barking constitutes excessive noise and clarifying that a second complaint for excessive barking may only be filed 15 days or more after the date of issuance of a written notice from the Department to the dog owner.

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

Section 1. The first paragraph of Section 53.63 of Article 3 of Chapter V of the Los Angeles Municipal Code is deleted and replaced to read as follows:

It shall be unlawful for any person (hereinafter in this section referred to as the owner) 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 to the owner of the dog or dogs emitting the alleged excessive noise and after 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, within reasonable proximity to the property where the dog or dogs are kept. Factors that the Department may use to determine whether the barking is excessive may include, but are not limited to, the following: (i) the nature, frequency and volume of the noise; (ii) the tone and repetitiveness; (iii) the time of day or night; (iv) the distance from the complaining or affected party or parties; (v) the number of neighbors affected by or complaining about the noise; (vi) any other relevant evidence demonstrating that the barking is unduly disruptive; and (vii) whether the dog is being provoked. The provisions of this section shall not apply to any commercial animal establishment permitted by zoning law. The Department is responsible for enforcement of the provisions of this section as follows:

Sec. 2. Subdivision 1 of Subsection (a) of Section 53.63 of Article 3 of Chapter V of the Los Angeles Municipal Code is amended to read as follows:

1. Upon receiving a written complaint involving excessive noise, the Department shall issue a written notice to the owner advising the owner of the noise complaint and requesting immediate abatement. The written notice shall describe the excessive noise factors that form the basis of the complaint.

Sec. 3. Subdivision 1 of Subsection (b) of Section 53.63 of Article 3 of Chapter V of the Los Angeles Municipal Code is amended to read as follows:

1. If, after 15 days from the issuance of the written notice pursuant to Subsection (a) above, a second complaint is received from the complainant along with a written complaint from an additional complainant residing in a separate residence within reasonable proximity to the dog(s), the Department shall, by written notice, require the complainant or complainants and the owner of the dog or dogs to appear at a meeting before a Department representative to discuss possible ways to resolve the problem. The Department may proceed with a meeting based on a second complaint from only one complainant if the Department determines that the noise affects that complainant. If the problem remains unresolved, the matter shall be set for hearing as provided by Section 53.18.5.

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 \_\_\_\_\_.

HOLLY L. WOLCOTT, City Clerk

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

Approved \_\_\_\_\_

\_\_\_\_\_  
Mayor

Approved as to Form and Legality

MICHAEL N. FEUER, City Attorney

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

Date 8.17.16

File No. CF 14-0681