



Adam Lid <adam.lid@lacity.org>

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## Oppose the Barking Dog Noise Requirements / Municipal Code Amendments: File Number 14-0681

1 message

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**Alison Litton** <alisonlitton@icloud.com>

Thu, Sep 8, 2016 at 11:54 PM

To: Adam.Lid@lacity.org, cd4.issues@lacity.org

Cc: Richard.Williams@lacity.org

Dear Adam Lid and Councilmember David Ryu:

The below letter has been sent to the attention of Adam Lid and signed by almost three hundred (300) LA City First through Fifteenth (1-15) Districts constituents who oppose the Municipal Code Amendments for Barking Dog Noise requirements: File Number 14-0681. It is our understanding a full city council meeting will hear and vote on this today, Friday 9/9/2016 at 10AM.

For your convenience, I am also providing a copy of this letter via email which I request all City Councilmembers addressed below shall be copied on and receive.

Please also provide this as Online Documentation in your council management system.

<https://cityclerk.lacity.org/lacityclerkconnect/index.cfm?fa=ccfi.viewrecord&cfnumber=14-0681>

Thank you,

Alison Litton  
4th District Constituent  
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cell: 323.401.5958

Letter to

Legislative Assistant Adam Lid

President HERB J. WESSON, JR., Tenth District;  
President Pro Tempore MITCHELL ENGLANDER, Twelfth District;  
Assistant President Pro Tempore NURY MARTINEZ, Sixth District;  
GILBERT A. CEDILLO, First District;  
PAUL KREKORIAN, Second District;  
BOB BLUMENFIELD, Third District;  
DAVID E. RYU, Fourth District;  
PAUL KORETZ, Fifth District;  
FELIPE FUENTES, Seventh District;  
MARQUEECE HARRIS-DAWSON, Eighth District;  
CURREN D. PRICE, JR., Ninth District;  
MIKE BONIN, Eleventh District;  
MITCH O'FARRELL, Thirteenth District;  
JOSE HUIZAR, Fourteenth District;  
JOE BUSCAINO, Fifteenth District:

RE: Oppose the Barking Dog Noise Requirements / Municipal Code Amendments: File Number 14-0681

We, the constituents of Los Angeles City Districts 1-15, urge the Los Angeles City Council

members to Vote No on the "Barking Dog Noise Requirements / Municipal Code Amendments: File Number 14-0681" at the Full Council Hearing Set for this Friday, September 9th at 10:00 a.m.

**WE REQUEST CLEAR DEFINITION AND ORDINANCE LANGUAGE:** Eliminating a clear definition of excessive noise and replacing it with something entirely subjective and essentially unprovable will only result in more dogs being removed from their homes. As it is now, LA is one of the most hostile cities in Southern California for animal owners between their dangerous dog laws and procedures and the existing barking dog ordinance and procedures. This will only make it much worse.

The current barking dog ordinance defines "excessive noise" as:

"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. The noise must be continuously audible for ten (10) minutes or intermittently audible for thirty (30) minutes within a three (3) hour period."

The proposed amendments would eliminate that specific requirement and replace it with a nebulous set of factors to be considered at an administrative hearing:

"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 to be considered in determining whether the barking is excessive may include but are not limited to: (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, such as the working or sleeping habits of the complaining party, and (vii) whether the dog is being provoked....."

#### **WHY THIS MATTERS:**

So many of these barking dog complaints aren't really about barking dogs at all. Many of them are just disputes between neighbors, or "that one neighbor" (most neighborhoods have at least one person who complains about pretty much everyone and everything), and will allow those people to weaponize Los Angeles Animal Services against people they don't like. Barking dog hearings are already used and abused by people who don't want to incur the expense of a lawsuit (or who don't have a viable legal claim) as a means of retaliating against neighbors.

Your Constituents of Los Angeles City Districts 1-15