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Los Angeles, CA 90012

**WILDLIFE-PROOF CURBSIDE COLLECTION RECEPTACLES / COYOTE MANAGEMENT
PLAN**

SUMMARY

A motion dated October 25, 2016 (Ryu - Bonnin) relative to enforcement of Los Angeles Municipal Code (LAMC) Section 53.06.5 and related provisions prohibiting the feeding of coyotes and other non-domesticated mammalian predators, options for wildlife-proof trash receptacles and the feasibility of installing temporary and permanent wildlife signs throughout the City instructed the following:

1. INSTRUCT the Bureau of Sanitation, with assistance from the Department of Animal Services (DAS), to report on options for Citywide deployment of wildlife-proof trash receptacles, such as gravity-release containers or units with animal resistant lids, to prevent coyotes from accessing curbside collection receptacles, and include in that report cost estimates for supplying and maintaining these units.
2. INSTRUCT the DAS to report in regard to current enforcement of LAMC Section 53.06.5, and related provisions, that prohibit the feeding of coyotes and other non-domesticated mammalian predators with said report detailing the DAS' use of the Administrative Citation Enforcement Program and other enforcement options, and describe the successes and limitations of current law.

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3. INSTRUCT the DAS to report in regard to the installation of temporary and permanent wildlife signs throughout the City, and identify options for their highest and best uses.

ITEM # 1: DEPLOYMENT OF WILDLIFE-PROOF TRASH RESCEPTACLES

LASAN contacted multiple container manufacturers and researched what has been successfully utilized at National Parks and other cities. LASAN has found two container models that will prevent Coyotes as well as other wildlife animals from accessing the contents of the bins. The two container models are CE240-CH & HA2-P.

LA Sanitation checked with the supplier on the possibility of small animals such as raccoons and opossums opening the lids and getting trapped inside. The manufacturer assured the City that they have deployed thousands of these containers over the last twenty years and they have never received any report where small animals were trapped.

Following is a brief description of each of the models and the cost associated with each

Model CE240-CH: Model CE240 is used extensively at the Yosemite National Park. The CE-240 model is made of two 40-gallon double enclosure cans with a total capacity of 80 gallons. The model is ADA Compliant. The container is animal resistant and equipped with a heavy duty can enclosure and (2) loading chutes.

The containers are locally manufactured in Ontario, California and will be available approximately 30- 45 days after the placement of the purchase order. The cost per container is \$827.00.



Model HA2-P: Model HA2-P is used extensively by the City of San Francisco Recreation and Parks Department, as well as the National Park Service in and around the City of San Francisco.

Similar to the CE240, the HA2-P model is wildlife-proof. The HA2-P model has an 80-gallon capacity that includes two 40-gallon rigid plastic liners. The model is ADA compliant. This model was designed in cooperation with the National Parks Service Denver Design Center.

Unlike the previous model, the opening for the chute of HA2-P is located on top of the container. The cost per container is \$1,151.00. It is expected that the delivery will be 30-45 days from the time a purchase order is issued.



Pilot Program Implementation

After consultation with multiple Council Offices, the Department of Recreation and Parks, and the Department of Animal Services, it was proposed that a pilot program to be implemented in 16 parks throughout the City, with a total of 40 containers to be utilized during the pilot study. Recreation and Parks have decided to test the two different models at the 16 parks.

Cost

The costs, based on testing the two models that are best suited for the City needs, are shown below:

Equipment	Quantity	Unit Price	Cost
Model CE240-CH	20	\$827.00	\$16,540.00
Model HA2-P	20	\$1,151.00	\$23,020.00
Anti-Graffiti coat	40	\$70	\$2,800.00
Equipment Total			\$42,360
Cost Total Cost			
Tax			\$3,706.50
Shipping			\$400.00
Total Cost			\$46,466.50

FISCAL IMPACT:

Below are Recreation and Park's estimated costs for the Pilot Program's Receptacle and Signage Installation:

COST FOR THE PILOT PROGRAM

The cost for the installation of the pilot program signage and receptacles would have to be funded so the Department of Recreation and Parks may proceed with this portion of the assignment. Upon installation of the 40 receptacles at the 16 pilot program locations, the Department of Recreation and Parks will monitor and collect the following data to best evaluate the performance of the units.

- Report and record coyote activity
- Report and record receptacle performance
- Report and record vandalism

The pilot program costs are based on signage, receptacle, post, and related hardware installation detailed below:

PILOT PROGRAM SIGNAGE INSTALLATION

Equipment	Quantity	Unit Price	Cost
Do Not Feed The Wildlife Sign (LAMC 53.06.5)	55	\$60	\$3,300.00
Bilingual Informational Sign	53	\$60	\$3,180.00
Post and Hardware Installation	54	\$95	\$5,130.00
Total Cost			\$11,610.00

PILOT PROGRAM TRASH RECEPTACLE INSTALLATION

Equipment	Quantity	Unit Price	Cost
Post and Hardware Installation to secure receptacles	40	\$175.00	\$7,000.00
Total Cost			\$7,000.00

TOTAL PILOT PROGRAM COST \$18,610.00

ITEM #2: ENFORCEMENT OPTIONS

The Los Angeles Municipal Code currently addresses the illegal activity of feed wildlife under the following municipal code section:

L.A.M.C. SEC. 53.06.5. FEEDING OF NON-DOMESTICATED MAMMALIAN PREDATORS PROHIBITED. (Amended by Ord. No. 175,383, Eff. 9/14/03.)

(a) No person shall feed or in any manner provide food or cause to be fed any non-domesticated mammalian predator including, but not limited to, coyotes, foxes, possums, raccoons and skunks.

(b) This section shall not apply to any person who has legal possession of any non-domesticated mammalian predator and who has a permit from the State Department of Fish and Game to keep the animal. This section shall not apply to any person who provides food or water to any non-domesticated mammalian predator while the animal is injured, trapped or unweaned provided that the person notifies the State Department of Fish and Game within 48 hours of commencing the care.

(c) Any person violating this subsection shall be guilty of a misdemeanor, punishable by a fine of not more than \$1,000.00 or by imprisonment in the County Jail for a period not more than six months, or by both a fine and imprisonment.

Criminal Filing Versus Administrative Citation Fine

Animal Control Officers can file misdemeanor charges against anyone who feeds wildlife. The law requires that the officer observe the feeder in the act of feeding the wildlife in order to be charged or cited. If convicted of a misdemeanor, the feeder could receive a fine up to \$1,000 and/or jail time up to 6 months or both. The individual could also be placed on a formal probation. This would also be a mark on the person's criminal record.

Animal Control Officers are also empowered to use the Administrative Citation Enforcement program (ACE) to issue citations to persons who feed wildlife within the City. These citations start at \$100 per violation and can increase to \$1,000 per violation per day. These citations are non-curable (cannot be corrected to avoid paying the fine) and the person caught feeding wildlife will receive a bill for each violation. The person's fine amounts will only increase when the person can be observed feeding. There is no probation, sentencing or mark on the person's criminal record since it is an administrative fine and the process is handled outside of the court system and records.

Since the Administration Citation Program began in June of 2015 in Animal Services, only one feeder has been observed and cited after many hours of investigation for \$100. The citation is currently being contested.

Recommended Prosecution Option

The Department of Animal Services reviewed the Council Motion with the City Attorney's Office. At this time, the City Attorney's Office does not recommend any changes to the existing municipal code section for increased penalty. The City Attorney's Office also does not recommend any increased fine amounts to the existing ACE program. The City Attorney's Office does recommend submitting each case for prosecution as a misdemeanor and letting prosecution decide what disposition is merited as it goes through the judicial process. The advantage of filing a misdemeanor complaint over citing the individual for an ACE citation is that the feeder, if successfully prosecuted, will have a mark their his/her criminal record. If any jurisdiction later finds the individual committing a crime or feeding wildlife again, this could impact the jurisdiction's decision to file and the court's decision regarding increased fine

amounts and/or jail time at sentencing. The ACE program would simply increase the fine amount to the next level, but is not searchable by any outside jurisdiction since there is no criminal record to check.

Other Agency Support

Animal Control Officers do their best to identify feeders and the time they feed. Often times, it can take an officer several hours of waiting at a location to no avail. The Department would recommend that other City Departments, which include the Los Angeles Police Department (LAPD) and the Department of Recreation and Parks (RAP) -Park Rangers, explore training their officers to file misdemeanor charges for feeding violations.

Both agencies also issue ACE citations. If they wanted to use ACE citations as a method of enforcement, they would need to further discuss with the City Attorney's Office about having the feeding section added to their authorized list of code sections which can be ACE cited by their respective agencies. The more eyes on the problems and increased awareness would help to limit the opportunity of prospective violators.

Continued Education

The Department will continue to press its educational campaign along with citing persons who intentionally contribute to some of the reasons why wildlife frequent our neighborhoods in search of food.

ITEM #3: WILDLIFE SIGNAGE AND RECEPTACLE INSTALLATION

Along with the installation of the receptacles and in an effort to assist with both community outreach and law enforcement, The Department of Recreation and Parks (DRAP) will also install; "*Do Not Feed the Wildlife*" signs including the municipal code section (LAMC 53.06.5) and *bilingual informational signs* at the 16 pilot program locations.

Both signs pictured below are currently in use at City parks that have experienced coyote activity.



RECOMMENDED LOCATIONS FOR PILOT PROGRAM

	COUNCIL DISTRICT	REGION	PARK NAME	WILDLIFE PROOF TRASHCANS	COYOTE SIGNS		POST TO BE INSTALLED
					INFORMATIONAL	LAMC CODE 53065	
1	1 & 13	Metro	Elysian Park	5	4	6	6
2	4	Griffith	Griffith Park	5	8	8	8
3	4	Griffith	Lake Hollywood	1	2	2	2
4	14	Metro	Debs Park	3	5	5	5
5	14	Metro	Eagle Rock Park	2	4	4	4
6	15	Pacific	White Point	2	2	2	2
7	15	Pacific	Bogdanovich	1	1	1	1
8	4	Griffith	Runyon Canyon	2	4	4	3
9	7	Metro	Lake View Terrace Park	2	4	4	4
10	6	Valley	Hansen Dam	4	4	4	4
11	7	Valley	Balboa Park	3	4	4	4
12	11	Pacific	Trask Triangle	1	1	1	1
13	15	Pacific	Ken Malloy	2	4	4	4
14	11	Pacific	Playa Del Rey	3	2	2	2
15	15	Pacific	Angels Gate	1	1	1	1
16	11	Pacific	Westchester	3	3	3	3
TOTAL				40	53	55	54

COST FOR THE CITYWIDE DEPLOYMENT OF THE RECEPTACLES

The Department of Recreation and Parks recommends that all regional parks be included in any future citywide deployment. DRAP will work with Council Districts, LASAN, and the community to also identify the recreation centers and community parks that experience coyote activity for the purpose of being included in the citywide deployment.

DRAP requests that funding be identified and made available to pay for the purchase and installation of the wildlife-proof trash receptacles prior to any future citywide deployment.

In addition to the receptacle purchase and installation cost, the manufacturer "Bear Saver" stated that the life span of the units is approximately 15-20 years. However, due to the exposure of the containers to a variety of climates throughout the City including coastal marine conditions, and landscape irrigation, our staff expect that the life span of the receptacles will be much less. As such, the Department of Recreation and Parks would also request assistance and a commitment on funding for the replacement of the receptacles. The breakdown is as follows:

Regional Park Deployment Projected Cost: \$639,702.00

Recreation Center and Community Park Deployment Projected Cost: \$491,309.00

Replacement Projected Cost: \$1,028,798.00

TOTAL CITY WIDE DEPLOYMENT COST: \$2,159,809.00

NEXT STEPS:

Upon approval of the City Council of the container model and quantity, LASAN will purchase the containers, and coordinate with the Department of Recreation and Parks on the deployment of the containers. Staff are requesting instruction on which program to move forward with and which Department will receive funding to purchase the receptacles.

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