

ORDINANCE NO. ~~186556~~ _____

An ordinance adding Section 53.39.1 to the Los Angeles Municipal Code to regulate the exhibition of a wild, exotic, or dangerous animal in the City, and amending Section 53.50 to update animal permit regulations.

WHEREAS, a wild, exotic, and dangerous animal should be protected from cruel or inhumane treatment and the exhibition of a wild or exotic animal or a dangerous animal should be strictly regulated and limited to situations involving a public benefit;

WHEREAS, the City has a compelling interest in ensuring the safety of animals and the public by restricting the circumstances in which a wild, exotic, or dangerous animal may be exhibited;

WHEREAS, the purpose of this ordinance is to prohibit performing animal shows, and to limit the off-site exhibition of a wild, exotic, or dangerous animal to a conservation or educational presentation or for filming;

WHEREAS, any person who operates a business that involves keeping or exhibiting a wild, exotic, or dangerous animal on site is required to obtain a permit pursuant to Section 53.50 of this Code;

WHEREAS, Section 53.39.1 is added to protect the safety of the public when a person exhibits a wild, exotic, or dangerous animal off-site from the location authorized by the permit issued under Section 53.50; and

WHEREAS, Section 53.50 is amended to make it consistent with Section 53.39.1 by deleting permits for a circus or an alligator or ostrich farm.

NOW, THEREFORE,

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

Section 1. Section 53.39.1 is added to Article 3, Chapter V of the Los Angeles Municipal Code to read as follows:

SEC. 53.39.1. WILD OR EXOTIC ANIMAL - EXHIBITION.

(a) **Definitions.**

1. **Circus or Performing Animal Show.** An exhibition in which a Wild or Exotic Animal or Dangerous Animal is required to perform tricks, give rides, or participate as accompaniment for the entertainment, amusement, or benefit of a live audience, whether or not a fee is charged.

2. **Conservation or Educational Presentation.** A presentation by a Zoo, wildlife conservation center, qualified professional animal handler, educator, or scientist pursuant to a permit issued by the Department in accordance with this section that includes a Wild or Exotic Animal or a Dangerous Animal, the purpose of which is to educate and teach respect and responsible behavior for the conservation and protection of wildlife and the environment, animal behavior, habitat, and life cycle, as well as the humane treatment of Wild or Exotic Animals and Dangerous Animals. A presentation with a Wild or Exotic Animal or with a Dangerous Animal is not permitted in any location with amplified music, where alcohol is available, or where the Wild or Exotic Animal or Dangerous Animal is to perform tricks or behaviors that does not naturally occur in the wild for that animal.

3. **Dangerous Animal.** A Wild or Exotic Animal belonging to, but not limited to, the mammalian, amphibian, or reptilian families that is potentially dangerous by nature as a species and poses an inherent risk of harm to human health or safety because of its strength, size, physical characteristics, instinctual behavior or risk of disease transmission, including, but not limited to, Order Felidae: Panthera (lions, tigers, leopards, jaguars), mountain lions, cheetahs, and any hybrid thereof, Order Carnivora (Canidae: Wolves, Ursidae: Bears, Hyaenidae: Hyena), elephant, hippopotamus, rhinoceros, moose, bison, giraffe, and certain nonhuman primates such as a gorilla, chimpanzee, orangutan, baboon, macaque, as well as non-venomous reptiles over 8 feet in length, and venomous reptiles.

4. **Filming.** Filming pursuant to a City film permit, and a permit to film with animals issued by the Department pursuant to Section 53.50 of this Code.

5. **Wild or Exotic Animal.** An animal of a non-domesticated order or family, whether the animal was bred in the wild or in captivity, and any hybrid of a Wild or Exotic animal belonging to, but not limited to, the mammalian, amphibian, or reptilian families and any hybrid thereof.

6. **Zoo.** An entity that exhibits a Wild or Exotic Animal and possesses the requisite permits from the United States Department of Agriculture, the United States Department of Fish & Wildlife, the California Department of Fish & Wildlife, and all other required City, State, and Federal permits.

(b) **Exhibition of a Wild or Exotic Animal or Dangerous Animal.** It shall be unlawful for any person to exhibit a Wild or Exotic Animal or Dangerous Animal beyond the location specified in a permit issued pursuant to Section 53.50 of this Code, except in compliance with an off-site exhibition permit authorized by this section, available only for Filming or a Conservation or Educational Presentation. Public contact with a Dangerous Animal in connection with a Conservation or Educational Presentation is prohibited.

(c) **Permit Application.** A permit issued by the Department shall be required for the off-site exhibition of a Wild or Exotic Animal or a Dangerous Animal. The application shall include the following:

1. The applicant shall provide a copy of all required Federal, State, and local permits, including, if applicable, a film permit or an animal rental permit.

2. The applicant shall describe the safeguards for the humane treatment and safe transportation of each animal and for the safety of the public.

3. The applicant shall attest that each animal owner, handler, and anyone connected with or responsible for the exhibition of the Wild or Exotic Animal or Dangerous Animal has not been convicted of animal abuse, neglect, or cruelty.

4. If applicable, the applicant shall provide the names and contact information for the owner and/or the rental company from which each Wild or Exotic Animal or Dangerous Animal was obtained.

5. For Filming, the applicant also shall provide the Department with a copy of the City film permit; a copy of the Department film permit issued pursuant to Section 53.50; the date, time, and location of the Filming; the age, type, and number of Wild or Exotic Animals and Dangerous Animals; and a description of the scenes where the Wild or Exotic Animal and/or Dangerous Animal will be used.

6. For a Conservation or Educational Presentation that includes a Dangerous Animal, the applicant also shall provide the Department with the date, time, location, and purpose of the exhibition; the age, type, and number of Dangerous Animals to be exhibited; and the age, type and number of any other animals present. The applicant shall submit the completed application at least ten calendar days prior to the Conservation or Educational Presentation. Upon good cause, the Department may approve an application submitted within fewer days.

7. The applicant shall provide proof of insurance in an amount and form acceptable to the City's risk manager.

8. The applicant shall provide any additional information requested by the Department, including, but not limited to, information requested by the Department following the Department's consultation with governmental agencies, such as the Los Angeles Police Department, the Los Angeles Fire Department, federal or state agencies.

(d) **Permit Duration.** The Department may issue an annual off-site permit pursuant to this section for a Conservation or Educational Presentation that does not include a Dangerous Animal. A permit for an off-site Conservation or Educational

Presentation with a Dangerous Animal shall be limited to the date, time, and location of the Conservation or Educational Presentation. A filming permit issued by the Department for Filming shall be limited to the date, time, and location of the scenes involving the Wild or Exotic Animal or Dangerous Animal.

(e) **Prohibition - Circus or Performing Animal show.** No person shall exhibit, and the Department shall not issue a permit for, a Wild or Exotic Animal or Dangerous Animal in connection with a Circus or a Performing Animal Show.

(f) **Prohibition - Loud or Unruly Gathering.** No person shall exhibit a Wild or Exotic Animal or a Dangerous Animal for, or in conjunction with, a house party or loud or unruly gathering as defined in Section 41.58.1 of this Code. The Department shall not issue a permit under this section to any person who in the prior two years has been convicted, pleaded no contest, failed to appear, or forfeited bail in in connection with a violation of Section 41.58.1. The Department shall not issue a permit under this section for the exhibition of a Wild or Exotic Animal or Dangerous Animal on any property used in the last two years for, or in conjunction with, a house party or loud or unruly gathering as defined in Section 41.58.1.

(g) **Rules and Regulations.** The General Manager may promulgate additional definitions, rules, and regulations necessary to carry out the intent and purpose of this article.

Sec. 2. Subsection (a) of Section 53.50 to Article 3, Chapter V of the Los Angeles Municipal Code is amended to read as follows:

(a) **Permit Requirements.**

1. It shall be unlawful for any person, without first obtaining a permit from the Department pursuant to this section, to operate or conduct a business or enterprise in the City of Los Angeles that involves keeping or exhibiting animals, including, but not limited to, a dog kennel, cat kennel, pet shop, Zoo, wildlife conservation center, animal rental establishment, animal grooming parlor, riding academy, livery stable, boarding stable, pony ring or pony ride, horse market, mule market, rodeo, pet show, cat show, animal acts or exhibitions, wild animals, miscellaneous animal or reptile establishment, or carrier and homing pigeons which are to be liberated for exercise or racing. A permit obtained under this section does not allow the permit holder to exhibit a wild, exotic or Dangerous Animal anywhere except on the permitted premises, unless the permit is issued in compliance with Section 53.39.1 of this Code.

2. It shall be unlawful for any person to engage in Filming with an animal in the City of Los Angeles without first obtaining a permit from the Department pursuant to this section. If the Filming involves use of a wild, exotic or Dangerous Animal, it shall be unlawful to engage in Filming without obtaining a permit issued in compliance with Section 53.39.1 of this Code.

3. No permit shall be available and it shall be unlawful for any person to keep, conduct, or operate within the City of Los Angeles any Circus or performing acts using wild, exotic or Dangerous Animals.

Sec. 3. Subsection (f) of Section 53.50 to 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 a 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 or other sections of this article:

1. Dog Kennel.....\$305.00
2. Cat Kennel.....\$290.00
3. Pet Shop.....\$290.00
4. Zoo.....\$220.00
5. Animal Rental Establishment.....\$290.00
6. Pet Show, Dog Show.....\$425.00
7. Miscellaneous Animal or Reptile Establishment.....\$205.00
8. Rodeo.....\$1,660.00
9. Homing Pigeons.....\$290.00
10. Riding Academy, Livery Stable, Board Stable, Pony Ride, Horse Market or Mule Market.....\$325.00
11. Animal Grooming Parlor.....\$180.00
12. Filming with Animals.....\$680.00
13. Keeping Wild Animals.....\$290.00
14. Animal Acts or Exhibitions.....\$425.00

The fees imposed herein for a pet show or a dog show shall be waived if the show is held in a public park.

Sec 4. Severability. If any provision of this ordinance is found to be unconstitutional or otherwise invalid by any court of competent jurisdiction, that invalidity shall not affect the remaining provisions of this ordinance that can be implemented without the invalid provisions and, to this end, the provisions of this ordinance are declared to be severable. The City Council hereby declares that it would have adopted this ordinance and each provision thereof irrespective of whether any one or more provisions are found invalid, unconstitutional or otherwise unenforceable.

Sec. 5. 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.

Approved as to Form and Legality

MICHAEL N. FEUER, City Attorney

By 
DOV LESEL
Assistant City Attorney

Date FEB 0 4 2020

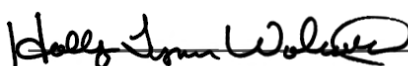
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M:\GENERAL COUNSEL DIVISION\ORDINANCES AND REPORTS\AS LAMC 53.39.1 Wild or Exotic Animals and Dangerous Animals rev draft 2.4.20.docx

The Clerk of the City of Los Angeles hereby certifies that the foregoing ordinance was passed by the Council of the City of Los Angeles.

CITY CLERK

MAYOR

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Ordinance Passed 02/18/2020

Approved 03/02/2020


Ordinance Effective Date: 04/14/2020
Council File No.: 16-1357

DECLARATION OF POSTING ORDINANCE

I, Ottavia Smith state as follows: I am, and was at all times hereinafter mentioned, a resident of the State of California, over the age of eighteen years, and a Deputy City Clerk of the City of Los Angeles, California.

Ordinance No. 186556 - a copy of which is hereto attached, was finally adopted by the Los Angeles City Council on 02/18/2020, and under the direction of said City Council and the City Clerk, pursuant to Section 251 of the Charter of the City of Los Angeles and Ordinance No. 172959, I conspicuously posted a true copy of said ordinance at each of the three public places located in the City of Los Angeles, California, as follows: 1) one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall; 2) one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall East; 3) one copy on the bulletin board located at the Temple Street entrance to the Los Angeles County Hall of Records beginning on 03/04/2020 and will be continuously posted for ten or more days.

I declare under penalty of perjury that the foregoing is true and correct.



Deputy Clerk

Date: 03/04/2020

Ordinance Effective Date: 04/14/2020

Council File No.: 16-1357