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Council Districts: All
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BUDGET RECOMMENDATIONS / DEPARTMENT OF ANIMAL SERVICES / PET LICENSE RENEWAL RELATIVE TO ADMINISTRATION CITATIONS

On May 18, 2016, the Budget and Finance Committee considered the proposed FY18 budget for the Department of Animal Services. The review resulted in a recommendation to instruct the Department of Animal Services as follows:

Report to the Personnel and Animal Welfare Committee regarding what measures are taken to ensure pet licenses are renewed. The report should include whether the Department can place pet owners that have failed to renew pet licenses on lists for improved enforcement, including the Administrative Citation Enforcement (ACE) program.

BACKGROUND

The current practice for license renewals includes a system-generated renewal notice that goes out to the pet owner 60 days before the license is due to expire. This gives the pet owner two months to return the payment one of three ways:

- USPS
- Online using our online renewal system
- In person at a shelter

If the pet owner does not respond, a late notice is system-generated and sent out 60 days after the expiration date. After that notification the pet owner is not further contacted by the

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Department until the rabies certificate expires at which time they are again contacted by and asked to have their rabies certificate updated.

In an effort to gather information regarding industry practices, the Department conducted research and learned that other municipalities automate and include administrative citations as part of their annual license renewal process. In essence, an automated renewal notice is generated at least 30 days in advance of the license expiration date and mailed to the pet owner advising them that the license is due for renewal. If the owner does not renew the license by the renewal date a second letter is automatically generated which includes the total fees due and the first level citation fine. This notice qualifies as an administrative citation. The owner is allowed 30 days to pay the license fees and any late penalties and processing fees. If the owner pays these fees, the citation fine is NOT assessed and is waived, however, if the owner fails to renew the license by the end of the 30 days, then the owner is assessed the first level fine of the administrative citation. Additional citations are mailed with the fines escalating with each subsequent citation in an effort to bring the license current. Outside animal services agencies who mail citations for renewal purposes have found this process to significantly encourage timely license renewal.

CITY ATTORNEY REVIEW AND OPINION

In the City of Los Angeles, the Administrative Citation Enforcement (ACE) Program is governed by ordinance. The current ACE Ordinance (Ord. No. 182610) states under Section 11.2.05 Service Procedures that personal service is required. There is, however, a provision for service by mail. Specifically, Section 11.2.05(a)2, the ordinance states:

“Service by Mail. If the Enforcement Officer is unable to locate the Responsible Person for the Administrative Violation, the Administrative Citation may be mailed to the Responsible Person by first class mail.”

This means that an ACE citation can be mailed only if personal service was first attempted.

To ensure proper interpretation of the ordinance, the Department consulted with the City Attorney’s Office. According to the City Attorney’s Office, it would not be legally supportable if the Department sent ACE citations in the mail to pet owners who failed to renew their pet licenses prior to attempting personal service as required by ordinance.

RECOMMENDATION

In an attempt to make the best use of the ordinance as it is currently written, the Department recommends mailing ACE warnings along with license renewal notices. The current ACE citation has a “Warning” box on each citation that could be checked. This may motivate pet owners to comply with renewal requirements and/or notify the Department of any changes in the pet’s status that would relieve them of the licensing requirement. While the ACE citation would not carry a monetary penalty, it could help increase compliance through the possibility of a citation.

Further the Department recommends working with the City Attorney’s Office to explore opportunities to amend the Los Angeles Municipal Code to allow for a more assertive use of the

ACE program for violations of the pet licensing laws with a report back to this Committee in four months.

FISCAL IMPACT

No financial impact to the Department at this time.

APPROVED:



Brenda F. Barnette, General Manager