

COMMUNICATION

TO: LOS ANGELES CITY COUNCIL

File No. 11-0922

**FROM: COUNCILMEMBER MITCHELL ENGLANDER, CHAIR
PUBLIC SAFETY COMMITTEE**

COMMUNICATION FROM CHAIR and MEMBER, PUBLIC SAFETY COMMITTEE and ORDINANCE relative to authorizing the Department of Animal Services to conduct license hearings even in the absence of a valid dog license and to establish more definite barking dog noise and distance criteria.

Recommendation for Council action, SUBJECT TO THE APPROVAL OF THE MAYOR:

PRESENT and ADOPT accompanying ORDINANCE amending Sections 53.18.5 and 53.63 of the Los Angeles Municipal Code (LAMC) to authorize the Department of Animal Services to conduct license hearings even in the absence of a valid dog license and to establish more definite barking dog noise and distance criteria, and to impose administrative citation civil penalty fees in the amounts \$250.00 for a first offense, \$500.00 for a second offense and \$1,000.00 for a third offense; and, adding Section 53.43.3 to the LAMC to create a Restricted Dog Permit with an annual fee in the amount of \$120.00 (in addition to the dog license fee and tax).

Fiscal Impact Statement: None submitted by the City Attorney. Neither the City Administrative Officer nor the Chief Legislative Analyst has completed a financial analysis of this report.

Community Impact Statement: None submitted.

Summary:

Accompanying a report to Council dated June 1, 2011 (attached to the Council file), the City Attorney presents Ordinance amending the LAMC to authorize the Department of Animal Services to conduct license hearings even in the absence of a valid dog license and to establish more definite barking dog noise and distance criteria. The City Attorney adds that the Ordinance will also streamline the hearing process and reduce administrative costs to the Department. The accompanying Ordinance also creates a Restricted Dog Permit with additional terms, conditions, and restrictions to provide the Department with greater flexibility in dealing with a dog that attacks, bites, or injures a person or another animal. Ordinance fees are consistent with the proposed Administrative Citation program.

At the Public Safety Committee meeting held September 16, 2011, Committee Chair and member discussed the accompanying Ordinance with a representative of the City Attorney's Office. The City Attorney's representative explained that under current law, the Department of Animal Services is unable to conduct hearings in response to complaints of excessive barking for unlicensed dogs. In effect, owners of unlicensed dogs are treated more leniently than owners of licensed dogs. The accompanying Ordinance allows the Department to issue licenses in such instances, and impose conditions and restrictions including issuing an order to remove nuisance dogs. The Ordinance also

establishes more definitive guidelines for measuring excessive barking. The Committee Chair and Member recommended that Council approve the accompanying Ordinance.

Respectfully submitted,

- NOT OFFICIAL UNTIL COUNCIL ACTS -

MITCHELL ENGLANDER, CHAIR
PUBLIC SAFETY COMMITTEE

PAUL KREKORIAN, MEMBER
PUBLIC SAFETY COMMITTEE

<u>MEMBER</u>	<u>VOTE</u>
ENGLANDER:	YES
PERRY:	ABSENT
REYES:	ABSENT
KREKORIAN:	YES
ZINE:	ABSENT

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