ANALYSIS

This ordinance amends Title 10 – Animals of the Los Angeles County Code, to amend, add and delete definitions, add a field enforcement fee, change the licensing delinquency charge and clarify policies relating to animals.

Definitions relating to animal facilities, kennels and the breeding and boarding of animals were amended, added and deleted in view of the change of terms used in the fee schedule and also to clarify the meaning of some terms.

Other amendments clarify existing policies relating to the number of dogs and cats permitted per household, licensing and other requirements relating to hobby breeders, and when individual licenses are required for dogs and cats kept as pets at an animal facility.

A field enforcement fee was added to reflect the added cost of using field personnel to enforce the licensing ordinance. The licensing delinquency charge was amended to equal the cost of the license, which will result in the charge remaining the same $20 charge for the majority of animal owners in the County whose cats and dogs are spayed or neutered, and will reduce the delinquency charge to $7.50 for seniors. The increase in the delinquency charge for licenses which cost in excess of $20 will provide incentives to have cats and dogs spayed and neutered, encourage owners to timely apply for licenses, account for lost revenue from owners who fail to license their

pets and facilities, and will more accurately reflect additional licensing enforcement costs when pets and facilities remain unlicensed.

ROBERT E. KALUNIAN
Acting County Counsel

By: Diane C. Reagan
DIANE C. REAGAN
Principal Deputy County Counsel
Health Services Division

DCR:ec

Requested: 06-30-09

Revised: 07-21-09

ORDINANCE NO. 2009-0043

An ordinance amending Title 10 – Animals of the Los Angeles County Code, to amend, add and delete definitions, to clarify policies relating to animals, to change the charge for licensing delinquencies and to add a field enforcement fee.

The Board of Supervisors of the County of Los Angeles ordains as follows:

SECTION 1. Section 10.08.031 is hereby amended to read as follows:

10.08.031 Animal facility.

"Animal facility" means a lot, building, structure, enclosure or premises for any animal related business or organization, including, but not limited to, a non-profit humane organization animal facility (as defined in Section 10.08.175), a grooming shop, a pet shop, a boarding facility, and a breeding facility, which is required to be licensed under Section 10.28.060. (Ord. 2004-0036 § 2, 2004.)

SECTION 2. Section 10.08.065 is hereby added to read as follows:

10.08.065 Boarding facility.

"Boarding facility" means an animal facility used for the care and temporary boarding (including day care) of dogs and cats and other animals normally kept as pets, in return for consideration, not including an animal hospital which only boards animals receiving medical treatment.

SECTION 3. Section 10.08.070 is hereby added to read as follows:

10.08.070 Breeding facility.

"Breeding facility" means an animal facility engaged in the business of breeding dogs and cats or other animals normally kept as pets for sale or exchange in return for consideration.

SECTION 4. Section 10.08.090 is hereby deleted to its entirety.

~~**10.08.090 Cat kennel.**~~

~~"Cat kennel" means any lot, building, structure, enclosure or premises whereupon or wherein four or more cats, over four months of age, are kept or maintained for any purpose, including places where cats are boarded, kept for sale, or kept for hire. Up to five cats may be kept at any residence without a kennel license, provided the cats' owner or custodian licenses each individual animal, has each animal spayed or neutered and keeps all cats primarily indoors. (Ord. 95-0016 § 1, 1995: Ord. 9454 § 1 (part), 1967: Ord. 4729 Art. 2 § 213, 1946.)~~

SECTION 5. Section 10.08.130 is hereby deleted to its entirety.

~~**10.08.130 Dog kennel.**~~

~~"Dog kennel" means any lot, building, structure, enclosure or premises whereupon or wherein four or more dogs, over four months of age, are kept or maintained for any purpose, including places where dogs are boarded, kept for sale, or kept for hire. For purposes of this section, a service dog licensed under Section 10.20.090, is not counted toward the number of dogs kept or maintained, while such dog is serving a person who is disabled within the meaning of Government Code~~

~~Section 12926(i) or Government Code Section 12926(k). (Ord. 2004-0049 § 1, 2004: Ord. 9454 § 1 (part), 1967: Ord. 8043 § 1, 1961: Ord. 4729 Art. 2 § 204, 1946.)~~

SECTION 6. Section 10.08.155 is hereby amended to read as follows:

10.08.155 Hobby breeder.

"Hobby breeder" is any person, except for a person possessing a valid ~~kennel~~ animal facility license, who owns and breeds a dog or cat and sells the offspring for pay or for other compensation. A hobby breeder is required to obtain a license pursuant to Section 10.20.045. (Ord. 2006-0029 § 1, 2006: Ord. 2004-0036 § 5, 2004.)

SECTION 7. Section 10.08.175 is hereby amended to read as follows:

10.08.175 Nonprofit humane organization animal facility.

"Nonprofit humane organization animal facility" means an animal facility operated by a bona fide charity in good standing under the provisions of Section 501(c)(3) of the Internal Revenue Code~~.~~, where animals are kept for adoption or sanctuary. (Ord. 2000-0075 § 9, 2000.)

SECTION 8. Section 10.12.140 is hereby amended to read as follows:

10.12.140 Dead animals— Pickup from businesses or other facilities.

For each pickup or receiving of dead animals from any animal-related business, such as a pet hospital, nonprofit humane ~~society,~~organization animal facility, ~~kennel,~~ stable or veterinary establishment, or any commercial, industrial, educational, medical or other facility that deals with animals in connection with its operation, the director shall collect the fees determined annually as provided in Section 10.04.065. (Ord. 2009-0017 § 6, 2009: Ord. 2000-0075 § 16, 2000: Ord. 90-0137 § 9, 1990: Ord. 88-0155 § 5, 1988:

Ord. 87-0036 § 5, 1987: Ord. 85-0204 § 6, 1985: Ord. 11176 § 1, 1975: Ord. 4729 Art. 3 § 305.5, 1946.)

SECTION 9. Section 10.20.030 is hereby amended to read as follows:

10.20.030 License -- Required ~~-- Costs~~Fees and other charges.

Every person owning or having custody or control of any dog or cat over the age of four months in the unincorporated territory of the county of Los Angeles shall obtain ~~a~~ an annual license from the director for each ~~of such~~ dog~~s~~ and cat~~s~~ and shall pay the fee~~s~~ for the ~~such~~ license~~s~~ including delinquency charges and field enforcement fees as set forth in Sections 10.20.130 and 10.90.010. The owner or custodian of an animal found unlicensed by a department employee in the field will be charged a field enforcement fee. (Ord. 93-0002 § 2 (part), 1993: Ord. 90-0137 § 11, 1990.)

SECTION 10. Section 10.20.038 is hereby added to read as follows:

10.20.038 Residential dogs and cats – Limitations.

A. Dogs: Up to three dogs may be kept at any residence without an animal facility license, provided the dogs' owner or custodian licenses each individual dog and complies with the Mandatory Spay and Neuter Program for Dogs, 10.20.350 et seq. For purposes of this section, a service dog licensed under Section 10.20.090, is not counted toward the number of dogs kept or maintained, while such dog is serving a person who is disabled within the meaning of Government Code Section 12926(i) or Government Code Section 12926(k).

B. Cats: Up to five cats may be kept at any residence without an animal facility license, provided the cats' owner or custodian licenses each individual cat, has each cat spayed or neutered and keeps all cats primarily indoors.

SECTION 11. Section 10.20.040 is hereby amended to read as follows:

10.20.040 ~~Kennel~~Animal facility for dogs and cats -- ~~Individual license required when~~ When individual dog or cat licenses are requred.

An individual license shall be obtained for each dog or cat~~, in addition to a kennel license,~~ when such dog or cat is kept as a pet at an animal facility and is not kept exclusively in a kennel run or cage. ~~No individual license shall be required for any dog or cat in transit, or when attending a dog or cat show in the care of a kennel representative.~~ (Ord. 2000-0075 § 25, 2000: Ord. 93-0002 § 2 (part), 1993: Ord. 9454 § 1 (part), 1967: Ord. 4729 Art. 4 § 420, 1946.)

SECTION 12. Section 10.20.045 is hereby amended to read as follows:

10.20.045 Hobby breeding -- License required -- Fees.

A person who is a hobby breeder as defined in Section 10.08.155, shall obtain ~~an animal~~ a hobby breeding license in the amount set forth in Section 10.90.010. Each license shall authorize the ~~whelping~~birth of no more than one litter per female dog or cat in any 12-month period and no more than one litter per domestic household in any 12-month period. Breeding in excess of that authorized under this Section requires a breeding facility license (See 10.08.065 and 10.40.200 et seq.) and may result in further penalties. (Ord. 2004-0036 § 7, 2004: Ord. 93-0002 § 2 (part), 1993: Ord. 90-0137 § 13, 1990: Ord. 88-0155 § 6, 1988: Ord. 87-0036 § 9, 1987: Ord. 85-0204 § 25, 1985.)

SECTION 13. Section 10.20.120 is hereby amended as follows:

10.20.120 Fees payable annually -- Delinquency charge.

A. The license fees provided for in this chapter shall be paid annually to the director in the amount set forth in Section 10.90.010.

B. A delinquency charge as provided in Section 10.90.010 shall be assessed when the license fees provided for in this chapter are not paid ~~on or before~~ within ten days after the expiration date or the date the license is required to be obtained by the provisions of this title. (Ord. 90-0137 § 15, 1990: Ord. 88-0155 § 7, 1988: Ord. 83-0182 § 5, 1983: Ord. 82-0163 § 3, 1982: Ord. 11945 § 2, 1979: Ord. 9943 § 4, 1970: Ord. 9454 § 1 (part),-1967: Ord. 4729 Art. 4 § 405, 1946.)

SECTION 14. Section 10.20.125 is hereby added as follows:

10.20.125 License fee not refundable.

No part of the license fee is refundable in any case.

SECTION 15. Section 10.90.010 is hereby amended to read as follows:

10.90.010 Licensing Fees schedule.

The license fees required to be paid ~~for all services and activities set forth in Title 10~~ are as follows, except that the director may waive any fees in cases of undue hardship:

I. Individual Animal Licenses.	Fees
Every person owning a dog or cat over the age of four months shall obtain an annual license and tag for each such dog or cat; except, there shall be a one-time-only fee for registration of discharged military dogs, for guide dogs or Seeing Eye dogs, for signal dogs trained to assist the hearing impaired, and for service dogs trained to perform tasks to assist the physically handicapped, upon payment of the following fees:	
A. Dog license and tag fees:	
Dogs over four months:	
1. Unaltered (Unspayed/unneutered) ($5 of each fee received is designated for low cost spay/neuter program)	$60.00
2. Altered (Spayed/neutered) ($5 of each fee received is designated for low cost spay/neuter program)	20.00
3. Senior citizen— Spayed/neutered dog	7.50
4. Delinquency charge for annual license renewal ~~not obtained on or before date of expiration~~ equivalent to the cost of the license, will be added to the license fee if	~~20.00~~

the renewal application is submitted more than 10 calendar days past the expiration date of a license, or if a license application was not otherwise timely submitted.	
5. Replacement of tag or official license receipt	5.00
6. Transfer of ownership	5.00
7. Discharged military dogs (one-time registration fee)	5.00
8. Guide dogs or Seeing Eye dogs, signal dogs, and service dogs (one-time registration fee)	5.00
9. Field enforcement fee: The owner or custodian of a dog found unlicensed by a department employee in the field will be charged a field enforcement fee.	40.00
B. Cat license fees:	
1. Unspayed/unneutered	10.00
2. Spayed/neutered	5.00
3. Replacement cat tag	5.00
4. Transfer of ownership	5.00
5. Delinquency charge for annual license renewal equivalent to the cost of the license, will be added to the license fee if the renewal is submitted more than 10 calendar days past the expiration date of a license, or if	

a license application was not otherwise timely submitted.	
6. Field enforcement fee: The owner or custodian of a cat found unlicensed by a department employee in the field will be charged a field enforcement fee.	40.00
~~C. Cat licensing, kennel exception:~~	
~~Up to five cats may be kept at any residence without a kennel license, provided the cats' owner or custodian licenses each individual animal, has each animal spayed or neutered and keeps all cats primarily indoors.~~	
~~D~~C. Other animals— Licenses required:	
1. Pygmy pigs	50.00
2. Wild animals	100.00
3. Delinquency charge for annual license renewal equivalent to the cost of the license, will be added to the license fee if the renewal is submitted more than 10 calendar days past the expiration date of a license, or if a license application was not otherwise timely submitted.	
4. Field enforcement fee: The owner or custodian of an animal found unlicensed by a department employee in	40.00

the field will be charged a field enforcement fee.	
~~E~~D. Voluntary identification and registration:	
Any dog or cat may be registered in the department's Voluntary Identification Program. Such animal shall be assigned an identification number by tattoo, microchip or other available means of identification, at the owner's request, upon the payment of the following fees:	
1. Initial identification and registration	20.00
2. Annual renewal	10.00
3. Transfer of ownership	5.00
II. Animal Facility Licenses.	**Fees**
Licenses for the animal facilities listed below are required to be obtained annually.	
A. Initial animal facility license fees (including inspection):	
1. ~~All animal facilities except for dog and cat kennels~~ License fees:	
a. Pet shop	$250.00
b. Grooming parlor/mobile	250.00
c. Animal menagerie	250.00
d. Wholesale wild animal dealer	250.00

~~e. Stables~~	~~250.00~~
~~f~~e. Hobby breeder (~~Defined in~~ See Section 10.20.045)	250.00
~~g~~f. Rodeo ~~(first day or one day event)~~	~~250.00~~
(i) ~~Each additional day~~ First day or one day event	~~25.00~~250.00
(ii) Each additional day	25.00
~~h~~g. Animal exhibition ~~(first day or one day event)~~	~~250.00~~
(i) ~~Each additional day~~ First day or one day event	~~25.00~~ 250.00
(ii) Each additional day	25.00
~~i~~h. Pygmy pig breeder	250.00
~~j~~i. Non-profit humane organization facility	250.00
~~k. Fee reduction for each additional animal care facility application made at same location at the same time~~	~~125.00~~
~~2~~j. Dog and cat ~~kennels~~ breeding and/or boarding facility:	
For purposes of license fee computation, fee is based on 75 percent of the total capacity of the ~~kennel~~ facility or the actual animal population housed at the time of the inspection, whichever is greater.	
(i) 4-20 dogs or cats	300.00
(ii) 21-50 dogs or cats	350.00

(iii) 51-75 dogs or cats	400.00
(iv) 76-100 dogs or cats	450.00
(v) Over 100 dogs or cats	525.00
2. Penalty for operation of an animal facility ~~kennel~~ without license. A penalty equivalent to the cost of the license will be added to the license fee if a facility operates without a license.	~~100.00~~
3. Fee reduction for each additional animal facility application made at the same location at the same time.	125.00
B. Renewal animal facility license fees (including inspection):	
1. All animal facilities ~~except for dog and cat kennels~~:	
a. Pet shop	175.00
b. Grooming parlor/mobile	175.00
c. Animal menagerie	175.00
d. Wholesale wild animal dealer	175.00
~~e. Stables~~	~~175.00~~
~~f.~~e Hobby breeder (defined in Section 10.20.045)	175.00
~~g~~f. Pygmy pig breeder	175.00
~~h~~g. Non-profit humane organization	175.00

~~i. Fee reduction for each additional animal care facility application made at same location at the same time~~	~~50.00~~
~~2~~h. Dog and cat breeding and/or boarding facility ~~kennels~~:	
For purposes of license fee computation, fee is based on 75 percent of the total capacity of the ~~kennel~~ animal facility or the actual animal population housed at the time of the inspection, whichever is greater.	
(i) 4-20 dogs or cats	225.00
(ii) 21-50 dogs or cats	275.00
(iii) 51-75 dogs or cats	325.00
(iv) 76-100 dogs or cats	375.00
(v) over 100 dogs or cats	450.00
2. Delinquency charge for annual license renewal equivalent to the cost of the license, will be added to the license fee if the renewal is submitted more than 10 calendar days past the expiration date of a license, or if a license application was not otherwise timely submitted.	

3. Fee reduction for each additional animal facility renewal application made at the same location at the same time.	50.00
C. Miscellaneous fee provisions:	
1. Reinspection	40.00
2. Inspection fee for animal permits under Los Angeles County Code Sections 22.52.330 and 22.56.420—22.56.530	50.00
3. Businesses using dogs for protection (Sections 10.20.280 and 10.20.290)	50.00
4. Penalty for ownership of wild animal ~~or operation of animal facility~~ without license	100.00

(Ord. 2009-0017 § 18, 2009: Ord. 2006-0029 § 6, 2006; Ord. 2004-0036 § 22, 2004; Ord. 2000-0075 § 58, 2000: Ord. 95-0016 § 3, 1995: Ord. 93-0002 § 7, 1993: Ord. 92-0110 § 6, 1992; Ord. 92-0086 § 1, 1992: Ord. 92-0056 § 1, 1992: Ord. 90-0137 § 22, 1990.)

[1008031DRCC]

SECTION 16. This ordinance shall be published in The Daily Commerce a newspaper printed and published in the County of Los Angeles.

Don Knabe

Chairman

ATTEST:

Sachi A. Hamai

Sachi A. Hamai
Executive Officer -
Clerk of the Board of Supervisors
County of Los Angeles

I hereby certify that at its meeting of September 29, 2009 the foregoing ordinance was adopted by the Board of Supervisors of said County of Los Angeles by the following vote, to wit:

	Ayes		Noes
Supervisors	Gloria Molina	Supervisors	None
	Mark Ridley-Thomas		
	Zev Yaroslavsky		
	Michael D. Antonovich		
	Don Knabe		

Effective Date: October 29, 2009

~~Operative Date:~~

Sachi A. Hamai

Sachi A. Hamai
Executive Officer -
Clerk of the Board of Supervisors
County of Los Angeles

I hereby certify that pursuant to Section 25103 of the Government Code, delivery of this document has been made.

SACHI A. HAMAI
Executive Officer
Clerk of the Board of Supervisors

By _____
Deputy

APPROVED AS TO FORM:
ROBERT KALUNIAN
Acting County Counsel

By Leela Kapur

Leela Kapur
Chief Deputy County Counsel

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