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September 03, 2013

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, California 90012

ADOPTED

BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES

34 September 3, 2013

Sachi A. Hamai

SACHI A. HAMAI
EXECUTIVE OFFICER

Dear Supervisors:

AMENDMENTS TO LOS ANGELES COUNTY CODE, TITLE 10 - ANIMALS

SUBJECT

Approval of the recommended amendments to Title 10, Chapter 37, of the Los Angeles County Code will enhance public safety related to potentially dangerous or vicious dogs. This Ordinance expands the definition of potentially dangerous dog. It also adds clarification to certain requirements of the potentially dangerous or vicious dog hearing process and includes other changes relevant to the regulation of dangerous dogs.

IT IS RECOMMENDED THAT THE BOARD:

1. Approve the Ordinance amending Title 10 - Animals, of the Los Angeles County Code to amend relevant Sections related to potentially dangerous and vicious dogs; and
2. Introduce, waive reading, and adopt the Ordinance.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

The primary purpose of the ordinance is to expand the definition of potentially dangerous dog to include a dog involved in an attempted attack or an attack on livestock, because such behavior is often a precursor to subsequent attacks on pets, livestock, and people. By including livestock in the definition of potentially dangerous dog, the Department of Animal Care and Control (Department) will be able to seek restrictions against owners of dogs that attack animals such as horses, sheep, and goats.

The proposed ordinance also increases the time to appeal a court order and to give notice of

intention to seek judicial review of an administrative hearing decision and includes other changes and clarifications relevant to the regulation of dangerous dogs.

Implementation of Strategic Plan Goals

Approval of the recommended actions is consistent with the County's Strategic Plan Goals in the area of Public Safety (Goal 5).

FISCAL IMPACT/FINANCING

The Department does not anticipate any fiscal impact on the County. Currently assigned officers who investigate and respond to cases regarding potentially dangerous dogs will absorb cases involving livestock into their workload. It is not anticipated that the number of attacks against livestock will result in the need for additional staffing to handle these particular cases.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

The proposed Ordinance change will allow the Department to better regulate and enforce the potentially dangerous and vicious dog Sections of the Ordinance. It is recommended that your Board approve the proposed Ordinance changes to:

- Amend Los Angeles County Code §10.08.170 to include the alpaca as a species of animals considered as livestock under the Code and to clarify that poultry are considered to be domestic fowl under the Code.
- Amend Los Angeles County Code § 10.12.090 to clarify that the County is authorized to capture animals under the listed circumstances.
- Amend Los Angeles County Code §10.37.020 to expand the definition of potentially dangerous dog to include attempts to attack and attacks on livestock.
- Amend Los Angeles County Code §10.37.030 to expand the definition of vicious dog to include dogs that have been maintained in violation of an administrative decision or court order.
Amend Los Angeles County Code §10.37.100 to clarify the language relating to probable cause.
- Amend Los Angeles County Code §10.37.110 to clarify provisions relating to the service of the petition.
- Amend Los Angeles County Code §10.37.120 to increase the time period in which the petitioner (the County) or the owner or custodian of the dog may contest the determination of the judicial officer from five to fourteen days.
- Amend Los Angeles County Code §10.37.121 to clarify the language relating to the service of notice of an administrative decision on the department and the owner or custodian and to increase the time in which a contesting party must notify the other party to request judicial review of the administrative decision from five to fourteen days
- Amend Los Angeles County Code §10.37.130 to specify requirements of the owner or custodian, clarify conditions applied to a dog determined to be potentially dangerous, and requirements of the owner or custodian if the dog is subsequently transferred.

- Amend Los Angeles County Code §10.37.140 to specify requirements of the owner or custodian and clarify conditions applied to a dog determined to be vicious.
- Amend Los Angeles County Code §10.37.150 to add “potentially” before the word dangerous.
- Amend Los Angeles County Code §10.37.170 to include livestock.
- Amend Los Angeles County Code §10.37.180 to include livestock.

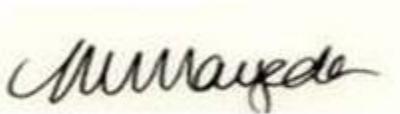
IMPACT ON CURRENT SERVICES (OR PROJECTS)

The recommended action will enhance the Department’s ability to protect public safety regarding potentially dangerous or vicious dogs. The expansion of the definition of potentially dangerous dog to include livestock will allow the Department to seek restrictions on dogs that attack livestock. Such attacks are often a precursor of attacks on pets or people. By restricting the keeping of dogs that harm livestock, future attacks can be averted.

CONCLUSION

Approval of the recommended changes to Title 10 of the County Code will enhance public safety by adding livestock to the definition of potentially dangerous dog and make clarifications to existing requirements for better enforcement of the dangerous dog ordinance. Please return one adopted copy of this letter to the Department of Animal Care and Control.

Respectfully submitted,



MARCIA MAYEDA

Director

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Enclosures

c: Chief Executive Office
County Counsel
Executive Office