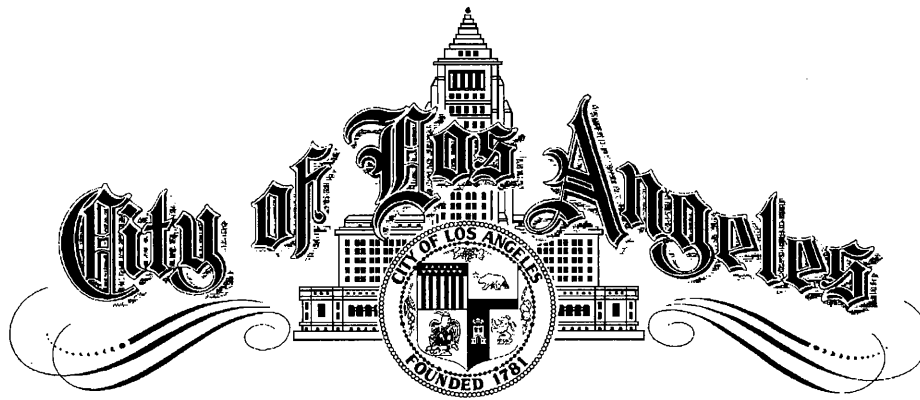


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RICHARD ALARCÓN
Councilmember
Seventh District

January 24, 2008

The Honorable Jack Weiss
Councilmember, 5th District
Chair, Public Safety Committee
200 N. Spring St., Room 1010
Los Angeles, CA 90012

RE: Support for Council File #07-1212

Dear Councilmember Weiss:

I am writing today in strong support of the ordinance which mandates the spaying and neutering of domestic cats and dogs. Pet overpopulation is a preventable problem and I am confident that this ordinance will bring a simple solution to a major crisis.

I believe that your Committee's action on the Spay and Neuter Motion (CF # 07-1212) now would be most timely and appropriate so that its direction can be integrated into the City's legislative policy.

Enclosed you will find a copy of the draft ordinance. I send this forth to your committee for consideration and approval.

Yours truly,

A handwritten signature in black ink that reads 'Richard Alarcón'.

RICHARD ALARCÓN
Councilmember, 7th District

RA:ja:sa

PUBLIC SAFETY

JAN 24 2008



The following subsections (2) through (8) are proposed as additions to Subsection (b) of Section 53.15.2 of the Los Angeles Municipal Code:

(b) Intact Dogs and Cats:

(2) No person, within the City of Los Angeles, shall own a dog or cat over the age of four months that has not been spayed or neutered, unless the animal is exempt from the requirement to be spayed or neutered by reason of one of the following, and is in compliance with Subdivisions (3) and (4) below:

A. The dog or cat is a breed approved by and is registered with a registry or association recognized by the Department through its Commission, whose program and practices are consistent with the humane treatment of animals, and the dog or cat is actively used to show or compete and has competed in at least one legitimate show or sporting competition hosted by, or under the approval of the recognized registry or association within the last two years, or is being trained or groomed to show or compete and is too young to have yet competed.

B. The dog has earned, or if under three years old, is actively being trained and in the process of earning, an agility, carting, herding, protection, rally, hunting, working, or other title from a registry or association approved by the Department through its Commission.

C. The dog is being, or has been appropriately trained and is actively used in a manner that meets the definition of guide, signal or service dog as set forth in Subdivisions (d), (e), and (f) of Section 365.5 of the Penal Code, or the dog is documented as enrolled in a guide, signal or service dog breeding program administered by a person licensed under Chapter 9.5 (commencing with Section 7200) of Division 3 of the California Business and Professions Code.

D. The dog is appropriately trained or is in the process of being trained and is actively used by law enforcement agencies or the military for law enforcement, military or rescue activities.

E. The owner of the dog or cat provides a letter to the Department from a licensed veterinarian certifying that the animal would be best served by spaying after a specified date; that due to age, poor health, or illness it is unsafe to spay or neuter the animal at that time; or that arrangements have been made to spay or neuter the dog or cat within 60 days after the compliance deadline and the dog or cat is spayed or neutered within that 60-day period. This letter shall include the veterinarian's license number,

the date by which the animal may be safely spayed or neutered, and updated periodically as necessary. In addition, if the letter from the licensed veterinarian certifies that arrangements have been made to spay or neuter the dog within 60 days from the date the dog reaches the age of four months, and the dog is spayed or neutered within that 60-day period, the owner shall qualify for the lower license fee and license tax for an altered dog. It shall be the owner's responsibility to comply with the spay/neuter provisions of this chapter, including paying the license fee and license tax.

F. The dog or cat has a valid breeding permit issued to the owner pursuant to Subsection (c) below.

(3) An unaltered dog or cat shall be implanted with an animal identification device identifying the owner of the animal.

(4) In addition to meeting one of the exemptions in this section, the dog license application for an unaltered dog shall contain the information requested by the Department, including the identification number of the implanted animal identification device, the name and address of the owner and the location at which the dog will be maintained.

(5) A license for an unaltered dog shall not be transferable, and shall not be issued to any person under the age of eighteen years.

(6) An unaltered dog that has a valid dog license from the Department shall not be subject to Subsection (b) of this section until the dog license expires, or July 1, 2009, which ever occurs first.

(7) Any person owning, possessing, harboring or having custody and control of a cat or dog in violation of Subsection (b) shall be given a notice to comply, and information regarding free and subsidized spay and neuter services. If the violation is not corrected within 60 days, it shall be deemed a second violation and the person shall pay a civil penalty in the amount of \$100.00 or shall be allowed to perform eight hours of community service. The person must still spay or neuter the dog or cat. Failure to pay the civil penalty or perform the community service and/or failure to comply with the spay or neuter requirements of this section within the 60 day period, or any extension of that period permitted by the Department, shall be deemed a third violation. The Department shall impose a civil penalty in the amount of \$500.00 or allow the person to perform forty hours of community service, in addition to spaying or neutering the dog or cat.

After July 1, 2009, if after sixty days from the date of notification of a third violation, the \$500.00 civil penalty is not paid or the forty hours of community service is not performed and/or the owner still has not spayed/neutered his/her

dog(s) or cat(s) as required under Subsection (b) above, the continuing violation of this section may also be deemed a misdemeanor.

(8) There is hereby established an Animal Services Spay/Neuter Advisory Committee (Committee) for the purpose of advising the Board of Animal Services Commissioners on the impact of the City's spay/neuter policies on the City's low income residents. The Committee shall seek regular and systematic input on its recommendations, especially from low income residents.

A. The membership of the Committee shall consist of fifteen persons appointed by the City Council, with each Council member appointing one person to the Committee.

B. The General Manager of the Department, or their designee, shall serve as a non-voting Secretary of the Committee.

C. The Committee shall select one of its members to be the chair of the Committee. The chair will also be the conduit between the Committee and the Commission, and if needed, with the Mayor and the City Council.

D. All proceedings of the Committee shall be subject to the provisions of the California Government Code Section 54950, *et seq.*, as amended (Brown Act).

E. The Committee shall meet as frequently as necessary but at least four times during the year. The meetings of the Committee may be conducted by teleconference as provided in the Brown Act.

F. The members of the Committee shall serve without compensation, including any travel or per diem expenses.

G. The Committee shall complete its work and dissolve by June 30, 2009.

H. The Committee shall do the following:

(1) Review the impact of the spay/neuter policies on the City's low income residents.

(2) Review the number of animals spayed/neutered, total exemptions provided, the waiting list if any for the spay/neuter services, the amount and timing of committed funding, and recommendations for legislative and administrative action needed to ensure that funding is allocated promptly to qualified providers of the spay/neuter programs.

(3) Review the quality of services and accountability measures.

(4) Review challenges faced by the spay/neuter program that impede the provision of best possible services.

(5) Make recommendations on any improvements and changes to the spay/neuter program that will enhance its services and reduce the financial burden of the program on residents in low income areas.

(6) Provide a preliminary written report containing an evaluation of the program and any recommendations to the Commission, and provide a copy to the Mayor and the City Council by March 15, 2009, and a final report by June 30, 2009.