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February 12, 2015

Council File: 13-1513
Council Districts: All
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Honorable City Council
c/o Office of the City Clerk
200 North Spring Street
Room 395, City Hall
Los Angeles, CA 90012

INCREASE THE CAT LIMITS FOR OWNED CATS

RECOMMENDATIONS

1. APPROVE changes to the cat limit and proposed fees, as detailed in the "Companion Cat Limits" table found later in this report.
2. REQUEST the City Council to direct the Office of the City Attorney to prepare an ordinance that would amend the relevant LAMC section(s) to allow the Department to increase the cat limit, and to include any required CEQA analysis to be performed and SUBMIT the draft ordinance to the Mayor and City Council for approval.

SUMMARY

The Department of Animal Services was directed to report back to the Personnel and Animal Welfare Committee with a plan to change the Los Angeles Municipal Code (LAMC) and increase the number of cats that a City resident can own, from three to five cats (C.F. 13-1513). The Department researched the impact of a higher cat limits and is recommending an increase to the limit of altered cats. These cats could be kept as pets or temporary fosters. The Department is also recommending a provision to the LAMC for those who want to have a private registered clowder¹ for altered indoor or contained pet cats exceeding the pet limit.

¹ A group of cats is called a "clowder."

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INCREASING THE CAT LIMIT

BACKGROUND

The City of Los Angeles restricts each household to three owned cats. All owned cats, including those allowed to roam at large, are required to be altered. Keeping a cat indoors is not an exemption to the requirement that the cat be sterilized. The Department recommends that owned cats be kept indoors for their own safety.

The City and County of San Diego have no limit on the number of cats allowed in a residence or a very high limit. (Both the City and County limit dogs to six.) San Diego animal control officers believe that pet limits should be a function of living conditions and not an arbitrary, static limit.

The City of Santa Monica does not limit the number of indoor cats. That city has not had a hoarder bust in the last five years and only two or three in 15 years.

Based on evidence supplied by San Diego and Santa Monica, the Department believes that a limited raising of the cat limit would not lead to increased hoarding and would allow the City to adopt out or place more cats in temporary foster care to save cats' lives due to space constraints in shelters or rescues. Today, as in the past, the highest shelter deaths compared to intake are for cats.

People who hoard animals are more accurately described as having a "**hoarding** disorder". This is a pattern of behavior that is characterized by the excessive acquisition of and inability or unwillingness to discard large quantities of objects or live animals. These are not community members who follow the current laws, nor will their behavior likely be exacerbated by the ability to purchase permits to have a clowder.

DETAILS ON COMPANION CAT LIMITS

The Department is recommending the companion cat limits detailed below:

Companion Cat Limits			
No. of Cats	Indoor, Outdoor, or Both ²	Annual Permit Fee ³	Annual Inspection
1	Any	N/A	No
2	Any	N/A	No
3	Any	N/A	No
4	Indoor	N/A	No
5	Indoor	N/A	No
6–9	Indoor	\$55	Yes
10–15	Indoor	\$85	Yes
16+	Indoor	\$150	Yes

² Any owned cats must be sterilized. Keeping a cat indoors is not an exemption to the requirement that the cat is sterilized.

³ May be waived if the cats exceeding the "clowder" threshold are fosters.

INCREASING THE CAT LIMIT

If a person owns one to three cats, the cats may be indoor, indoor/outdoor, or outdoor. Los Angeles has a mandatory spay/neuter ordinance. All cats must be altered (LAMC Section 35.15.2(b)) unless they legitimately qualify for an exemption. Any additional owned cats shall be maintained solely indoors and a private “clowder” with an annual permit and inspection shall be required when ownership exceeds five cats. Clowders will be completely contained and never free roaming.

This private “clowder” means an individual house, apartment, condominium, or other living quarters, in which, along with its associated lot or premises:

- The four or more owned cats in compliance with spay/neuter requirements, no more than three of which are permitted outdoors, are over four months old and owned for the pleasure and enjoyment of the animals’ owners, or as fosters waiting to be placed in a home of his/her own.
- If kittens reach 4 months old, they must either be placed in new homes or the owner must have obtained a Clowder permit in advance of the kittens reaching 4 months of age.
- NOTE: Any change in the number of pets allowed in the City does not override the **landlords’** right to set pet limits.

Registration Year for Private Clowder.

The registration year would commence on January 1st and end on December 31st of the same year and permits issued during any given year would expire on December 31. The fee schedule (duration of one year) would be as follows:

6-9 cats.....	\$ 55
10-15 cats.....	\$ 85
16-20+ cats.....	\$150

These fees would not be applicable if no more than five cats are owned, and fees may be waived by the General Manager if any additional cats are temporary fosters waiting to be placed in another home. Any cat(s) over four months of age must be spayed or neutered unless there is a medical exemption that is renewed monthly by a licensed veterinarian until the cat(s) is/are altered.

The Department of Animals Services will review best practices for housing cats and will set up criterion to determine how many cats can be housed in a clowder based on space, sunlight and fresh air. Cats, unless recommended by a veterinarian for a medical reason, will not be restricted to cages without daily opportunity for exercise and socialization.

Private Clowder Permit, Notice, Standards

The Department modeled its Private Clowder proposed regulations after the successful private “cattery” (a boarding or breeding establishment for cats) code in Laguna Beach:

- Upon receipt of an application for a permit under and upon receipt of the fee required, the Animal Services Permits Officer (the Department has two Animal Control Officer assigned to issue and inspect permits administered by the Department) shall have a reasonable time to investigate the conditions and circumstances under which the animals are to be kept before granting or denying a permit. The permit will specify the maximum number of cats allowed.

INCREASING THE CAT LIMIT

- Fees may be waived for applicants requesting an exemption because any resident cats in excess of the number specified in the pet limit provision are temporary fosters waiting to be placed in a home of his/her own. In such cases, the inspection is still required prior to granting a permit and the applicant must provide documentation of the foster arrangement.
- The Animal Services Permits Officer shall issue a permit for the keeping of altered cats only where he or she determines⁴ that such animals may be kept or maintained without endangering the safety and comfort of the cats or the residents of the immediate vicinity⁵ of the proposed private clowder and is further satisfied that the owner or custodian has complied with any other applicable laws. If the Animal Services Permits Officer determines that a permit should be denied, the Officer shall advise the applicant in writing of the reason for denial. The applicant will have the right to an appeal with a Hearing Officer and the case will be reviewed by the General Manager. Then the applicant will have 15 days after receiving the decision to request an appeal with the Board of Animal Services Commissioners, should the GM agree with the initial determination of the Animal Services Permit Officer.
- The permit shall specify the number of altered cats authorized to be kept and may contain any conditions regarding the keeping of animals deemed necessary by the Animal Services Permits Officer based on the established best practice guidelines. A Private Clowder Permit shall be nontransferable and must be renewed, and the associated inspection conducted, annually. If, over the course of the year, the number of cats has declined to the number specified in the pet limit provision, or fewer, and all requirements of that limit are being complied with, a new permit will not be required or issued until such a time when the applicant desires to establish a new clowder.

FISCAL IMPACT

Approval of the recommendations in this report will provide additional General Funds through permit fees to help cover the expense of annual inspections.

Brenda F. Barnette

Brenda F. Barnette
General Manager

CC: Honorable Paul Koretz, Council District 5
Honorable Felipe Fuentes, Council District 7
Honorable Mitch O'Farrell, Council District 13
Ryan Carpio, Office of the Mayor
Mandy Morales, Office of the Mayor

⁴ The Department would prepare a Standard Operating Procedure setting the specifics for the determination.

⁵ The immediate vicinity is the adjoining private residential property.