

SEC. 53.11. ANIMALS. IMPOUNDING – SALE.

(a) The Department shall hold any stray animal, including any horse, mule, burro, cattle, goat, sheep and other live stock, except dogs, cats, rabbits, birds, poultry, or any other miscellaneous stray animals, impounded under the provisions of this article for a period of three (3) days during which time the owner of such animal, if known, shall be notified, after which time said animal may be sold by an officer of the Department as follows: Written or printed notice of sale at public auction, stating the time and place of sale and containing a description of the animal to be sold, must be posted for five (5) days on the bulletin boards of three (3) public buildings, namely: One (1) at the Public Pound; one (1) at the City Hall, and one (1) at the Central Police Station;

(b) In the case of dogs, the Department of Animal Services shall hold such animal for a period of one (1) day after the impounding of said animal, during which time the owner of said animal, if known, shall be notified, after which time said animal may be sold by an officer of the Department in the same manner as provided in this section for the sale of other animals except that notice of sale need be posted only two (2) days in the places named in this section. The purchaser of such dog shall procure the required license for the current year.

(c) Cats, rabbits, birds, poultry, and other animals not hereinabove mentioned shall be disposed of as in the case of dogs except that no license fee shall be charged.

(d) In addition to the posting of any notice of impounding or of the sale of any dog or other animal as hereinbefore provided, said General Manager is hereby authorized, whenever the same shall, in the judgment of the General Manager, be expedient or proper, to publish a notice in any newspaper of general circulation published in this City containing the same information as the notice of sale as above provided.

(e) If any animal is not redeemed or sold, the General Manager of the Department may continue to hold for subsequent sale said animal in accordance with the terms as hereinbefore set forth, or order the destruction of such animal. Said General Manager or other duly authorized representative of the Department shall execute a bill of sale to the purchaser of any animal sold and thereupon the title to such animal shall be vested in such purchaser.

(f) When any animal is sold under the provisions of this Article, from the proceeds of such sale shall be deducted the regular pound fee, and, in the case of livestock, the cost of care and feed of such animal, and in the case of dogs, the license for the current year. Any sum of money which remains over and above said fees may be claimed by the owner of said animal so sold, upon satisfactory proof of ownership being made to the Department within sixty (60) days from the date of sale, provided, however, that the owner did not voluntarily surrender said animal to the Department. **(Amended by Ord. No. 150,337, Eff. 1/1/78.)**

(g) Whenever any dog has been impounded as in this section provided, and the owner thereof has not redeemed the same within the time for such redemption prescribed by this article, and after notice has been posted on the bulletin boards of three public buildings as in this ordinance prescribed of the time and place of the sale of said dog, and when the owner of said dog has not appeared at said sale as so noticed, the Department of Animal Services without offering said dog for sale at public auction, is hereby authorized, upon the request of any of the armed forces of the United States to deliver the dog to said armed forces of the United States without any cost, charge, fee or expense whatsoever, and to execute a bill of sale for said dog to said armed force or forces.

(h) **(None)**

(i) Any purchaser of a dog or cat may within ten (10) days after such purchase exchange such dog or cat if said animal has been examined by a veterinarian or by an authorized departmental representative and determined to be physically or otherwise unsuitable for placement. If the charges for the substituted dog or cat are greater than the amount paid for the original, the purchaser shall pay the difference. No refund shall be made if the price of the substituted dog or cat is less than the amount paid for the original. An exchange must be consummated within 31 calendar days from the original purchase date and no part of the purchase price shall be refunded even if a purchaser is unable to make satisfactory exchange within the prescribed period. **(Added by Ord. No. 137,182, Eff. 10/7/68.)**

(j) **(None)**

(k) **(None)**

(l) **Release by Department. (Added by Ord. No. 106,995, Eff. 3/24/56.)**

1. **Vaccinated Dog.** An impounded dog that has been vaccinated against rabies or exempted therefrom by an exemption certificate as provided in this article may be released to the owner or other person desiring to possess the dog upon the payment of the fees and license tax required by this article.

2. **Unvaccinated Dog – Purchaser.** Any person desiring to purchase an impounded unvaccinated dog, not previously owned by said person, must pay the fees and license tax required by this article and furnish a signed statement in compliance with Sec. [53.52](#) hereof or comply with the conditions of subdivision 3 hereof.

3. **Conditional Release of Unvaccinated Dog to Owner.** Every person receiving a dog from the Department pursuant to this subdivision shall comply with all of the conditions prescribed herein. An impounded dog that has not been vaccinated against rabies or exempted therefrom by an exemption certificate as provided in this article may be released by the Department to the owner of the dog on condition that such owner:

(i) Pay the fees and license tax required by this article; and

(ii) Furnish to the Department at the time of release his signed statement that he will have the dog vaccinated within 10 days;

(iii) Have the dog vaccinated for rabies within 10 days; and

(iv) Exhibit a certificate of vaccination to the Department within 10 days at which time the license will be issued.

(m) No person shall make a false or misleading statement or representation regarding the ownership or right to custody or control of an animal for which a permit or license is required, or regarding the ownership of an animal redeemed from, turned over to, impounded by or coming under the jurisdiction of the Department pursuant to this article.

(n) The General Manager or his authorized representative may immunize any impounded dog or cat against common diseases. **(Amended by Ord. No. 149,942, Eff. 8/19/77.)**

(o) Notwithstanding any other provision of this article, the General Manager shall have the power to waive all or any portion of the fees prescribed in Sections [53.12](#) and [53.15.3](#) of this article on as many as three separate days in any calendar year in order to encourage and promote pet adoptions, or more frequently upon the release of any animal by the Department to another municipal or county animal control agency, Society for the Prevention of Cruelty to Animals (SPCA), humane organization, or to a rescue organization, that meet the eligibility requirements of the Participant Shelter Program and enter into an agreement with the Department, for further adoption pursuant to this section. In addition, the General Manager shall also have the power to waive all or any portion of the electronic animal identification device (microchip) fees prescribed in Section [53.15.5](#) of this article upon the release of any animal by the Department to another municipal or county animal control agency, Society for the Prevention of Cruelty to Animals (SPCA) or humane organization and to refund all or any portion of the fees to a rescue organization, upon their entering into an agreement with the Department. **(Amended by Ord. No. 176,577, Eff. 5/22/05.)**

(p) The General Manager may waive all or any portion of the fees charged upon the release of any animal which has been held by the Department for the legal holding period, to a Society for the Prevention of Cruelty to Animals (SPCA), humane organization, another municipal or county animal control agency, or to a rescue organization that meet the eligibility requirements of the Participant Shelter Program and enter into an agreement with the Department. The designation of an animal as releasable shall be in accordance with the Department's policies concerning the sale of such animals. A fee waiver will be made only upon the condition that any animal so released may not be sold by the Society for the Prevention of Cruelty to Animals (SPCA), humane organization, the municipal or county animal control agency, or the rescue organization.

Humane organizations or societies for the prevention of cruelty to animals are organizations which are California nonprofit corporations which perform humane services and are incorporated under the provisions of California Corporations Code Section 10400 and the Nonprofit Public Benefit Corporation Law in Part 2 of the California Corporations Code, beginning at Section 5110. For the purposes of this section, rescue organizations are defined as California non-profit corporations that are exempt from taxation under Internal Revenue Code section 501(c)(3), participate in early age spay/neuter of animals, comply with all State and local laws regarding the humane care and treatment of animals, and in addition, whose mission is wholly or in part the rescue and placement of companion animals including but not limited to dogs, cats, rabbits, gerbils, hamsters, birds, equine animals or reptiles, and/or the trapping, neutering and returning of feral cats. **(Amended by Ord. No. 176,577, Eff. 5/22/05.)**

SEC. 53.12. POUND FEES.

(Amended by Ord. No. 171,024, Eff. 5/23/96.)

(a) **(Amended by Ord. No. 178,346, Eff. 3/1/07.)** The Department shall charge and collect the following fees:

For each dog sold	\$5.00
For each cat sold	\$5.00
For each dog redeemed, first occurrence	\$25.00
For each dog redeemed, second occurrence	\$35.00
For each dog redeemed, third and subsequent occurrences	\$45.00
For each cat redeemed	\$13.50
For each horse, mare, colt, mule or bovine animal sold or redeemed	\$35.00
For each jack, jenny or calf sold or redeemed	\$35.00
For each sheep, lamb or goat sold or redeemed	\$15.00
For each simian sold or redeemed	\$50.00
For each rat, mouse, squirrel or similar small rodent sold or redeemed	\$5.00
For each swine sold or redeemed	\$50.00
For each rabbit sold or redeemed	\$40.00
For each poultry sold or redeemed	\$15.00
For each reptile sold or redeemed	\$25.00
For each bird of any kind sold or redeemed	\$5.00
For each other animal sold or redeemed	\$5.00

For feeding and caring for each horse, mare, colt, mule, bovine animal, jack, jenny, calf, sheep, lamb, goat or hog being sold or \$5.00 per day

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redeemed

For feeding each dog sold	\$3.00
For feeding and caring for each dog redeemed	\$2.00 per day
For feeding and caring for each cat sold	\$3.00
For feeding and caring for each cat redeemed	\$2.00 per day
For impounding each animal redeemed suspected of rabies for the purpose of quarantine	\$25.00
For feeding and caring of each poultry, reptile or bird being sold or redeemed	\$1.00 per day
For immunizing each dog redeemed	\$4.00
For immunizing each dog sold	\$4.00
For immunizing each cat redeemed	\$4.00
For immunizing each cat sold	\$4.00
For impounding any dog, cat or small animal which is brought in by its owner, or its owner's agent	\$5.00
For impounding any litter under four months old which is brought in by its owner, or its owner's agent	\$10.00
For impounding any large animal which is brought in by its owner, or its owner's agent	\$50.00
For impounding any dog, cat or small animal which is picked up at the request of its owner, or its owner's agent	\$20.00
For impounding any litter under four months old which is picked up at the request of its owner, or its owner's agent	\$30.00
For impounding any large animal at the request of its owner or its owner's agent requiring more than one staff member to pick up or special equipment to transport	\$40.00 per hour

For feeding and caring for animals not specified in this section, the reasonable cost of feeding and caring for them.

For giving notice of sale of any animal, except any rat, mouse, squirrel or similar small rodent, \$5.00 for each animal advertised.

For feeding and caring of each rabbit being sold or redeemed, an amount based upon a cost schedule as determined by the Department, but not exceeding the reasonable cost of feeding and caring for them.

(b) No fees whatsoever shall be charged or collected for or on account of any animal which has been unlawfully taken up or impounded, and any such animal shall be

immediately delivered upon demand therefor to the owner or person entitled to the custody thereof.

(c) For veterinary services furnished to animals by the Department:

1. If furnished by a private veterinarian at the request of the Department, the fee to be charged and collected shall be the total of the actual bill to the Department plus \$2.00 for Department administrative expenses.

2. If furnished by a City veterinarian, the fees shall be charged and collected pursuant to a fee schedule to be established by the General Manager.

Said fee schedule shall take into account the reasonable expense of supplying the services including such factors as direct costs of the services and department overhead.

(d) The Department shall not charge and collect a fee for each dog or cat redeemed by its owner who is a disabled individual or is 62 years of age or older provided that the combined adjusted gross income (as used for purposes of the California Personal Income Tax Law) of all members of the household in which such individual resides during the calendar year prior to the date the dog or cat was redeemed was less than the “**very low income**” limitation for a family of two persons in the City of Los Angeles, as determined by the United States Housing Act of 1937, as amended, and published by the United States Department of Housing and Urban Development. For each fiscal year, the General Manager is directed to determine, and utilize as that year’s adjusted gross income limitation, the figure in effect on the first day of April preceding the start of the fiscal year.

(e) The Department shall not charge and collect a fee for each animal, or litter under four months old, which is impounded, other than an animal suspected of rabies which is impounded for the purpose of quarantine, provided that the combined adjusted gross income (as used for purposes of the California Personal Income Tax Law) of all members of the household in which the owner resides during the calendar year prior to the date the animal was impounded was less than the “very low income” limitation for a family of two persons in the City of Los Angeles, as determined by the United States Housing Act of 1937, as amended, and published by the United States Department of Housing and Urban Development. For each fiscal year, the General Manager is directed to determine, and utilize as that year’s adjusted gross income limitation, the figure in effect on the first day of April preceding the start of the fiscal year.

(f) For purposes of this section, an individual shall be considered to be disabled if he or she is unable to engage in substantial gainful activity by reason of any medically determinable physical or mental impairment which can be expected to result in death or to be of long continued and indefinite duration.

(g) The entire \$40.00 fee for each rabbit sold or redeemed shall be deposited into the Animal Sterilization Fund. **(Added by Ord. No. 177,867, Eff. 10/2/06.)**

SEC. 53.12.1. UNCARED FOR ANIMALS – IMPOUNDING.

(Amended by Ord. No. 170,754, Eff. 12/14/95.)

Whenever the Department finds that any animal is or will be without proper care because of injury, illness, incarceration or other involuntary absence of the person responsible for the care of such animal, the Department may impound such animal until it is reclaimed by its owner or the owner's agent. The owner, or his or her agent, must pay the pound fees prescribed by Section [53.12](#) prior to the release of such animals by the Department. Any animal which has been impounded and not reclaimed within thirty days may be disposed of by the Department pursuant to Section [53.11](#).

SEC. 53.12.2 IMPOUNDMENT OF UNALTERED DOGS AND CATS – CIVIL PENALTIES.

(Added by Ord. No. 175,082, Eff. 3/25/03.)

The owner of a nonspayed or unneutered dog or cat that is impounded by the Department shall be assessed a civil penalty of thirty-five dollars (\$35) on the first occurrence, fifty dollars (\$50) on the second occurrence, and one hundred dollars (\$100) for the third or subsequent occurrence for each dog and cat so impounded.

SEC. 53.13. REDEMPTION FEES.

(Amended by Ord. No. 152,043, Eff. 4/14/79.)

(a) The owner or person entitled to the custody of any animal taken up and impounded under the provisions of this article, may, at any time before the sale or disposal thereof as provided in this article, redeem such animal by paying the Department the fees, charges, and, in the case of dogs which are unlicensed, by paying in addition thereto the licenses prescribed by this article accruing up to the time of such redemption.

(b) Notwithstanding any other provision of this article, a person who has relinquished a stray dog or cat to the Department may, until 9:00 a.m. on the first day the animal becomes available for sale and not thereafter, redeem such animal by paying to the Department the fees, charges, and, in the case of dogs which are unlicensed, by paying in addition thereto the licenses prescribed by this article accruing up to the time of such redemption. **(Amended by Ord. No. 166,172, Eff. 9/29/90.)**

SEC. 53.14. RECORDS OF IMPOUNDED ANIMALS.

The department shall keep a record of each animal impounded by it, the date of receipt of such animals, the date and manner of its disposal, and if redeemed, reclaimed, or sold, the name of the person by whom redeemed, reclaimed, or purchased, the address of such person, and the amounts of all fees received or collected for or because of the impounding, reclaiming, or purchasing thereof, together with the number of any tag and

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the date of any license exhibited or issued upon the redemption or sale of any such animal.