

MEETING DATE: 07/02/07

AGENDA ITEM: Adoption of Ordinance Amending City's Current Animal Control Regulations Relating to the Voluntary Licensing of Cats, and Fees, Fee Exemptions and License Terms for Cats and Dogs.

ATTACHMENTS

Ordinance

Pages

1-4

ATTACHMENT

ORDINANCE NO. 2007-_____

AN ORDINANCE OF THE CITY OF CULVER CITY, CALIFORNIA, AMENDING CHAPTER 9.01 OF THE CULVER CITY MUNICIPAL CODE TO ADD SUBCHAPTER 9.01.400, *et seq.* RELATING TO THE VOLUNTARY LICENSING OF CATS AND APPLICABLE FEES AND FEE EXEMPTIONS; AMEND SECTION 9.01.305(B) RELATING TO FEE EXEMPTIONS FOR DOGS; REPEAL SECTION 9.01.315 RELATING TO CERTAIN EXEMPTIONS; AMEND SECTION 9.01.320 RELATING TO TERM OF DOG LICENSE; AND AMEND SECTION 9.01.500(B) RELATING TO THE ADOPTION OF THE LOS ANGELES COUNTY ANIMAL CONTROL ORDINANCE.

WHEREAS, since 1998, the City of Culver City has contracted with the County of Los Angeles Animal Care and Control (the "County") for licensing, sheltering and animal control services; and

WHEREAS, in 1998, by Ordinance No. 98-005, the City adopted, by reference, Title 10 of the Los Angeles County Code (known as the "Animal Control Ordinance") in order to avail itself of the services of the County; and

WHEREAS, in 2003, by Ordinance No. 2003-002, the City readopted, by reference, the Animal Control Ordinance, as amended in 2003, to include the provisions of Chapter 10.37, Potentially Dangerous and Vicious Dogs; and

WHEREAS, the County has recently adopted additional amendments to the Animal Control Ordinance, including provisions relating to its Mandatory Spay and Neuter Program for Dogs, and mandatory microchipping of dogs; and

WHEREAS, in 2006, by Ordinance No. 2006-010, the City readopted, by reference, the Animal Control Ordinance, as amended in 2006, to include such provisions relating to mandatory alteration and microchipping requirements for dogs; and

1 **WHEREAS**, under the recently adopted Animal Control Ordinance, the
2 licensing of cats is *mandatory*; however, the City desires to allow for the *voluntary* licensing
3 of cats; and

4 **WHEREAS**, the City seeks to amend its current animal control regulations to
5 clarify: 1) that all fees and fee exemptions for dog and cat licensing shall be established by
6 resolution of the City Council; and 2) certain provisions of Chapter 9.01 of the Culver City
7 Municipal Code shall preempt the County's Animal Control Ordinance.
8

9 **NOW THEREFORE**, the City Council of the City of Culver City, California,
10 **DOES HEREBY ORDAIN** as follows:

11 **SECTION 1.** Chapter 9.01 of the Culver City Municipal Code is hereby
12 amended to add Subchapter 9.01.400, *et seq.* as follows:

13 **CATS**

14 § 9.01.400 License Voluntary

15 § 9.01.405 License Fee; Exemptions; Term

16 **§ 9.01.400 LICENSE VOLUNTARY.**

17 A. Every person owning or having custody or control of any cat
18 over the age of four months in the City of Culver City may obtain on a
19 voluntary basis a license for each of such cats in accordance with the
20 provisions of Chapter 10.20 of Title 10 of the Los Angeles County Code
21 ("LACC"), as adopted and incorporated by reference by Section 9.01.500 of
22 this Chapter. If such license is obtained, all required license fees shall be
23 paid as set forth in Section 9.01.405 of this Subchapter.

24 **§ 9.01.405 LICENSE FEE; EXEMPTIONS; TERM.**

25 A. *License fee.* There shall be a voluntary annual cat license fee.
26 The amount, time of payment, prorating schedule, if any, and penalty for late
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1 payment, if any, of said fee shall be established by resolution of the City
2 Council.

3 B. *Exemptions.* The license fees established by Subsection A of
4 this Section shall not apply to any individual who qualifies for an exemption.
5 The criteria for such exemptions and process for application of an exemption
6 shall be established by resolution of the City Council.

7 C. *Term.* Every license and tag issued pursuant to this Subchapter
8 shall be for the period of twelve months beginning on the first day of the
9 month in which the animal is licensed and continuing until the last day of the
10 month twelve months thereafter.

11 **SECTION 2.** Section 9.01.305(B) of the Culver City Municipal Code is hereby
12 amended to read as follows:

13 B. *Exemptions.* The license fees established by Subsection
14 A of this Section shall not apply to any individual who qualifies for an exemption as
15 established by resolution of the City Council.

16 **SECTION 3.** Section 9.01.315 of the Culver City Municipal Code is hereby
17 repealed.

18 **SECTION 4.** Section 9.01.320 of the Culver City Municipal Code is hereby
19 amended to read as follows:

20 **§9.01.320 TERM OF LICENSE.**

21 Every license and tag issued pursuant to this Subchapter shall
22 be for the period of twelve months beginning on the first day of the month in which
23 the animal is licensed and continuing until the last day of the month twelve months
24 thereafter.

25 **SECTION 5.** Section 9.01.500(B) of the Culver City Municipal Code is hereby
26 amended to read as follows:

1 B. In the event there are any inconsistencies between the Animal
2 Control Ordinance and this Chapter pertaining to animal control, the Animal Control
3 Ordinance as adopted shall prevail. This Subsection shall not apply to the following
4 Sections of this Chapter: Section 9.01.305, including any resolution adopted
5 pursuant thereto; Section 9.01.320; Section 9.01.400; and Section 9.01.405,
6 including any resolution adopted pursuant thereto.

7 **SECTION 6.** Pursuant to Section 619 of the City Charter, this Ordinance
8 shall take effect thirty (30) days after the date of its adoption. Pursuant to Sections 616
9 and 621 of the City Charter, prior to the expiration of fifteen (15) days after the adoption,
10 the City Clerk shall cause this Ordinance, or a summary thereof, to be published in the
11 Culver City News and shall post this Ordinance or a summary thereof in at least three
12 places within the City.

13 **SECTION 7.** The City Council hereby declares that, if any provision, section,
14 subsection, paragraph, sentence, phrase or word of this ordinance is rendered or declared
15 invalid or unconstitutional by any final action in a court of competent jurisdiction or by
16 reason of any preemptive legislation, then the City Council would have independently
17 adopted the remaining provisions, sections, subsections, paragraphs, sentences, phrases
18 or words of this ordinance and as such they shall remain in full force and effect.

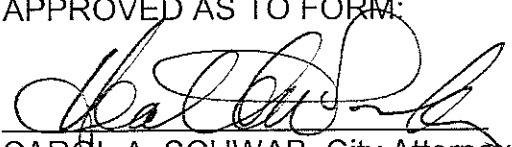
19 **APPROVED AND ADOPTED** this ____ day of _____, 2007.
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21

22 _____
23 ALAN CORLIN, Mayor
24 City of Culver City, California

25 ATTEST:

26 _____
27 CHRISTOPHER ARMENTA, City Clerk
28

APPROVED AS TO FORM:

29 
30 CAROL A. SCHWAB, City Attorney
for