

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

WHEREAS, under the recently adopted Animal Control Ordinance, the

1 licensing of cats is *mandatory*; however, the City desires to allow for the *voluntary* licensing
2 of cats; and

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

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

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

12 **CATS**

13 § 9.01.400 License Voluntary

14 § 9.01.405 License Fee; Exemptions; Term

15 **§ 9.01.400 LICENSE VOLUNTARY.**

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

23 **§ 9.01.405 LICENSE FEE; EXEMPTIONS; TERM.**

24 A. *License fee.* There shall be a voluntary annual cat license fee.
25 The amount, time of payment, prorating schedule, if any, and penalty for late
26 payment, if any, of said fee shall be established by resolution of the City
27 Council.
28

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

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

9 **SECTION 2.** Section 9.01.305(B) of the Culver City Municipal Code is hereby
10 amended to read as follows (insertions indicated by underline; deletions indicated by
11 strikethrough):

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

15 1. ~~The license fees established by Subsection A. of this Section shall~~
16 ~~not apply to any individual sixty-two (62) years of age or older nor to any person who~~
17 ~~meets the criteria of disability as established by the Social Security Administration's~~
18 ~~Supplemental Security Income Program for the Aged, Blind and Disabled (Title XVI~~
19 ~~of the Social Security Act as amended), without regard to the age of such disabled~~
20 ~~individual.~~

21 2. ~~In order to claim the exemption, any eligible person must file an~~
22 ~~application upon a form supplied by the City and shall state those facts declared~~
23 ~~under oath which qualify the applicant for an exemption, together with any additional~~
24 ~~statements required by the City. All exemptions shall continue and be renewed~~
25 ~~automatically each year provided that the exemption shall automatically terminate~~
26 ~~with any change of address of the exempt person.~~

1 ~~3. The City shall have the right to demand evidence of continued~~
2 ~~eligibility for an exemption. The exemption hereby made shall apply only to the next~~
3 ~~license period after the application for exemption is filed.~~

4 **SECTION 3.** Section 9.01.315 of the Culver City Municipal Code is hereby
5 repealed.

6 **SECTION 4.** Section 9.01.320 of the Culver City Municipal Code is hereby
7 amended to read as follows (insertions indicated by underline; deletions indicated by
8 strikethrough):

9 **§9.01.320 TERM OF LICENSE.**

10 Every license and dog-tag issued pursuant to this Chapter
11 Subchapter shall be for the period ~~from October 1st to and including September 30th~~
12 of the following year of twelve months beginning on the first day of the month in
13 which the animal is licensed and continuing until the last day of the month twelve
14 months thereafter.

15 **SECTION 5.** Section 9.01.500(B) of the Culver City Municipal Code is hereby
16 amended to read as follows (insertions indicated by underline; deletions indicated by
17 strikethrough):

18 B. In the event there are any inconsistencies between the Animal
19 Control Ordinance and this Chapter pertaining to animal control, the Animal Control
20 Ordinance as adopted shall prevail. This Subsection shall not apply to Section
21 9.01.305, including any resolution adopted pursuant thereto; Section 9.01.320;
22 Section 9.01.400; and Section 9.01.405, including any resolution adopted pursuant
23 thereto.

24 **SECTION 6.** Pursuant to Section 619 of the City Charter, this Ordinance shall
25 take effect thirty (30) days after the date of its adoption. Pursuant to Sections 616 and 621
26 of the City Charter, prior to the expiration of fifteen (15) days after the adoption, the City
27 Clerk shall cause this Ordinance, or a summary thereof, to be published in the Culver City
28

1 News and shall post this Ordinance or a summary thereof in at least three places within the
2 City.

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

9
10 **APPROVED AND ADOPTED** this ____ day of _____, 2007.

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12
13 _____
14 ALAN CORLIN, Mayor
15 City of Culver City, California

16 ATTEST:

APPROVED AS TO FORM:

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18
19 _____
20 CHRISTOPHER ARMENTA, City Clerk

21
22
23 _____
24 CAROL A. SCHWAB, City Attorney