

City of Culver City, California
City Council Agenda Item Report

Meeting Date: 09/11/2006		Item Number: <u>A-2</u>	
AGENDA ITEM: Introduction of an Ordinance Re-Adopting Title 10 of the Los Angeles County Code (Animal Control Ordinance) {Including New Requirements Relating to Mandatory Microchipping of Dogs, Mandatory Alteration of Dogs, and Existing County Mandatory Licensing of Cats} and Discussion of Microchipping and Mandatory Alteration of Cats and Introduction of an Ordinance Relating Thereto			
Contact Person/Dept.: Martin Cole / Akil Manley		Phone Number: (310) 253-6007 / (310) 253-6015	
Fiscal Impact: Yes ☐ No ☒		General Fund: Yes ☐ No ☒	
Public Hearing: ☐		Action Item: ☒ Attachments: ☒	
Public Notification: Friends of Culver City Animals, Los Angeles Society for the Prevention of Cruelty to Animal, Los Angeles County Department of Animal Care and Control (09/07/06)			
Department Approval: Martin R. Cole (09/07/06)		City Manager Approval: Martin R. Cole for Jerry B. Fulwood (09/07/06)	
City Controller Approval:			

RECOMMENDATION:

Staff recommends the City Council consider first reading and introduction of an ordinance relating to the re-adoption of Title 10 of the Los Angeles County Code (Animal Control Ordinance) {Including New Requirements Relating to Mandatory Microchipping of Dogs, Mandatory Alteration of Dogs, and Existing County Mandatory Licensing of Cats} and Discussion of Microchipping and Mandatory Alteration of Cats

BACKGROUND:

On July 10, 2006, the City Council discussed the provisions of the County Ordinance and discussed the following four areas related to this topic: (1) microchipping of dogs, (2) spay/neutering (alter) of dogs, (3) microchipping of cats, and (4) spay/neutering (alter) of cats. After reviewing the video-cast of the July 10, 2006 meeting, the following table summarizes the comments expressed by individual Councilmembers with the following abbreviations S – Support; NS – Not Support; I – More Information Needed; V – Voluntary; M – Mandatory; NC – No Comments expressed on this specific topic:

	Micro-Chip Dogs	Alter Dogs	Micro-Chip Cats	Alter Cats
Rose	S – V	NC	NC	NC
Malsin	S – M	NC	NC	NC
Gross	S – M	NS	NC	NC
Corlin	S – M	NC	S	NC
Silbiger	S – M	I	S – M	NC
Consensus?	Yes	?	?	?

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From the input provided by the City Council, there was clear consensus of support for mandatory microchipping of dogs. Of the other three topics, there is the strongest possibility of consensus for mandatory microchipping of cats. During the initial discussion of this item on July 10, the City Council did not express a consensus on the topics of mandatory alteration of either dogs or cats. In addition to the four major topics, the Council also briefly discussed the item of licensing of cats. One member voiced support, one member voiced non-support, and three members did not comment on this subject.

Existing Contract with Los Angeles County for Animal Control Services

As part of the preparation for this report, staff reviewed the existing contract with the County of Los Angeles ("Animal Control Services Agreement" – Attachment #1). Page 4, Section 8 of the Agreement states:

"Notwithstanding anything to the contrary herein contained, this contract shall be sooner terminated at any time that the City fails to enact and to maintain in full force and effect, including the amount of fees provided, an ordinance identical with the provisions of Division 1, Title 10 of the Los Angeles County Code.

"This contract shall also be sooner terminated if the City does not enact amendments to said ordinance adopted by the Board of Supervisors within 120 days after requested to do so by the County. The Director of Animal Care and Control acting on behalf of the County may use discretion and need not request the City to adopt amendments which do not apply to the City..."

Ms. Marcia Mayeda, the Director of Animal Care and Control for the County, was present at the City Council meeting of July 10, 2006 and answered questions posed by the City Council. Both Ms. Mayeda and the County have utilized the discretion mentioned in the Agreement to allow the City to adopt codes, rules, regulations, and practices that differ with the provisions of Title 10. Differences between Title 10 and the City's codes, rules, regulations, and practices are summarized in the following table:

	Title 10	City of Culver City
Licensing of Cats	Required	Not Required
Fees	County Fee Schedule	City Fee Schedule
Mandatory Dog Alteration	Required	Not Required

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Mandatory Cat Alteration	Not Required	Not Required
Mandatory Cat Microchipping	Not Required	Not Required
Mandatory Dog Microchipping	Required	Not Required

In addition to the above substantive differences, the 2006 version of Title 10 also includes certain non-substantive amendments compared with the 2003 version adopted by the City by reference related to definitions and also includes procedures for the mandatory spay/neutering program for dogs (e.g. procedures for dogs that cannot be altered due to the physical condition of the animal). Should the Council determine to require mandatory spay/neutering of dogs and/or cats, then the procedural provisions contained in Title 10 should also be adopted.

Based upon the City Council's discussion of July 10 and the requirements of the existing agreement with the County, staff has created four ordinances for your consideration this evening. The following table summarizes the impact of each ordinance:

	Dog Microchip	Dog Alteration	Cat Licensing
Version A	Yes	Yes	Yes
Version B	Yes	No	No
Version C	Yes	Yes	No
Version D	Yes	No	Yes

Version A adopts the 2006 version of Title 10 in its entirety. Version B reflects the Council consensus during the July 10 discussion. The other versions are presented tonight in the case Council may provide additional direction during this evening's discussion.

Mandatory Cat Alteration and Mandatory Cat Microchipping

Under Title 10, the County does not currently require either mandatory cat alteration or mandatory cat microchipping. Should the City Council determine to implement either or both of these programs in Culver City, the implementation would be subject to the County agreeing to provide the necessary services under our Agreement. Should Council provide that direction this evening, staff would formally request said services from the

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County and seek their agreement. Upon receipt of formal agreement, staff would return with an ordinance for consideration by the Council.

Over the past three fiscal years the service requests, dogs and cats impounded, and programs costs have increased annually. The following table provides important actual data for the last three fiscal years:

SERVICE REQUESTED	7/1/03-6/30/04	7/1/04-6/30/05	7/1/05-6/30/06
Service Request	964	1045	1007
Field Hours	822:30	812:30	882:75
Dogs Impounded	78	81	77
Cats Impounded	87	104	90
Citations Issued	11	6	10
Private Veterinarian Care	5	5	3
Dead Animal	172	229	156
Humane Investigations	14	25	19
Animals Placed in New Homes	21	38	52
Animals Returned to Owners	28	26	19
Licenses Sold	1,745	1,900	2,974
Program Expenses (exclusive of canvassing costs)	\$55,940.17	\$61,978	\$68,506.16

As was mentioned by Ms. Marcia Mayeda, Director of Animal Care and Control for the County of Los Angeles, during the July 10 meeting, she expected sheltering costs to the City would drop with the institution of a microchipping requirement under the thought that increased rates of microchipped animals would improve return rates of animals to owners and reduce sheltering time for those animals impounded. Further, it is expected institution of a microchipping program would decrease the number of animals euthanized.

Implementation of the Provisions

Should Council determine to implement any of the attached ordinances it is staff's recommendation to have the selected provisions go into effect on July 1, 2007, to allow ample time for pet owners to be informed of any new requirements. Staff will notify residents of the adopted provisions in local newspapers (including the next edition of Culver City Living), the City Community Calendar, public service announcements and cable crawlers on Cable Channel 35. The animal control liaison will be available to address citizens' questions and concerns raised by the enactment of the provisions.

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To offset costs to residents, staff is working with LACDACC on the practical aspects of implementing the provision. Upon approval of the Council, staff will continue coordinating efforts with LACDACC to conduct a microchipping clinic in October 2006 during which dogs with current licenses will be eligible to receive free microchipping. Staff will also work with LACDACC to schedule a microchipping clinic in the spring 2007.

Should the Council adopt the dog spay/neuter provision, staff would also work with LACDACC to gain access to their voucher program in the amount of \$50, which would be offered to residents over the age of 60 and low-income pet owners.

FISCAL IMPACT:

No fiscal impact is anticipated.

ATTACHMENTS:

1. Los Angeles County Department of Animal Care and Control Contract
2. Culver City Municipal Code, Chapter 9.01: Animals and Fowls
3. Proposed Ordinance – Versions A through D
4. Los Angeles County Code Title 10 (2006 – Which will be Exhibit “A” to any ordinance introduced by the Council this evening.)

MOTION:

That the City Council:

1. Consider the four ordinances presented and introduce for first reading the appropriate ordinance(s) desired.