

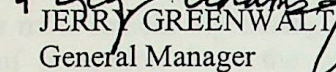
CITY OF LOS ANGELES

DEPARTMENT OF ANIMAL SERVICES

GENERAL MANAGER DIRECTIVE NO. 03-007

DATE: April 9, 2004

TO: All Animal Services Employees

FROM: 
JERRY GREENWALT
General Manager

Subject: **ORDINANCE AMENDMENTS TO THE LOS ANGELES MUNICIPAL CODE SECTION 53.66 GUARD DOGS ORDINANCE**

In September 2003 the Los Angeles City Council, under Council File 03-0672, amended Section 53.66 of the Los Angeles Municipal Code (LAMC) regarding Guard Dogs. Attached is the amendment to Section 53.66, Ordinance No. 175453 (Ordinance). Please ensure that all staff is familiarized with the changes. The new ordinance for Guard Dogs affected the following sections:

- Section B - Required Signs and Information
- Section F - Tether Requirements
- Section G - Shelter Requirements
- Section H - Water Requirements
- Section I - Feeding Requirements

In addition the Ordinance added two more sections

- Section J - Licensing
- Section K - Electronic Animal Identification Device.

Sections A, C, D, and E of LAMC Section 53.66 remained the same. Please read the attached Ordinance No. 175453 for the complete amendments to the rules and regulations governing dog guards. The following is a highlight of the changes.

- Section B: Required Signs and Information – The amended ordinance now requires a person not to simply post a guard dog sign, but to post a sign with a universal depiction of a silhouette of a dog with its mouth open and its teeth bared.
- Section F: Confinement Requirements – The amended ordinance no longer allows an animal to be tethered any longer than necessary for the dog owner to complete a task that requires the dog to be temporarily physically restrained to real property. In addition a dog, when confined, must be tethered by a non-choke type collar or a body harnesses to a tether at least three times the body length of the dog, which allows dogs access to food, water, and shelter, and be free from entanglement. It is now unlawful for any person to tether, fasten, chain, tie, restrain, or cause a guard dog to be fastened, chained, tied, or restrained, to houses, trees, fences, garages or other stationary objects, by means of a rope, chain strap, or other physical restraint method, for the purpose of confinement on real property.

- Section G: Shelter Requirements – The amended ordinance goes into further detail on the type of requirements necessary for a shelter. The amended ordinance requires an effective program for the control of insects, ectoparasites, and other pests to be established and maintained. Excreta shall be removed from the shelter as often as necessary, with a requirement of at least once a day. When hosing or flushing method is used for cleaning excreta, any dogs contained in the enclosure shall be protected during the cleaning process. Rugs, blankets, or other bedding material is required to be kept clean and dry. Dogs kept outdoors must remain dry during the rain and have sufficient clean bedding materials, or a means of protection from the weather when the ambient temperature falls below that temperature to which the dog is acclimated. Sufficient shade must be provided to allow dogs kept outdoors to protect themselves from the direct rays from the sun, when sunlight is likely to cause overheating or discomfort. Starting on the first day of June and ending on the last day of October, a shaded, heat-resistant area must be provided during daylight hours. The shelter shall contain a suitable means for the prompt elimination of excess liquid, be structurally sound and maintained in good repair to protect dogs from injury. All shelter open windows and doors must be covered by flaps starting in the month of November and continuing until the end of May. The door flap shall allow the dogs easy access in and out of the shelter, and at the same time allow dogs to retain body heat.
- Section H: Water Requirements – The amended ordinance requires dogs to have access not only to clean water but also fresh water. In addition the ordinance requires watering containers to be kept clean and shall be sanitized at least once every two weeks; and must be kept out of the sun. Water now cannot just be refilled with fresh water at least once each calendar day; but must be emptied and refilled.
- Section I: Feeding Requirements – The amended ordinance goes beyond simply requiring dog owners to provide their dogs food, but requires the food to be wholesome, palatable, and of sufficient quantity and nutritive and to meet the normal daily requirements for the condition and size of the animal. In addition the ordinance goes into further detail and provides instructions on sanitizing food receptacle.
- Section J: Licensing – This section was added to require a person owning a guard dog to obtain a guard dog license and tag from the Department of Animal Services at a cost of \$150 for each dog license and tag per year for unaltered dogs and \$50 per year for altered dogs.
- Section K: Electronic Animal Identification Device – This section was added to require a person owning, maintaining, keeping or using a guard dog to have an Electronic Animal Identification Device approved by the Department surgically implanted in the dog.

ORDINANCE NO. 175453

An ordinance amending the Los Angeles Municipal Code by adding a requirement that signs warning of guard dogs on duty on premises display the universal depiction of a dog with its mouth open and teeth barred, by increasing the license fee for unaltered guard dogs to \$150.00 per year, by imposing confinement, shelter, watering and feeding requirements for guard dogs, and by requiring that each guard dog be implanted with an Electronic Animal Identification Device.

**THE PEOPLE OF THE CITY OF LOS ANGELES
DO ORDAIN AS FOLLOWS:**

Section 1. Subsection B of Los Angeles Municipal Code Section 53.66 is amended to read:

B. Required Signs and Information. No person shall keep, use or maintain any guard dog on any premises governed by this section unless the premises are posted to warn of a guard dog on the premises. The warning shall consist of a sign placed at each entrance and exit to the premises and in a position to be legible from the sidewalk or ground level adjacent to the sign. If the premises are not enclosed by a wall or fence, a sign shall be placed at every entrance and exit to each structure on the premises. Each sign shall measure at least 10" x 14" and shall contain block lettering on a white background stating "Warning Guard Dog on Duty". The sign shall have a universal depiction of a silhouette of a dog with its mouth open and its teeth bared. In addition, the sign shall set forth the name, address and phone number of the person or persons to be notified during any hour of the day or night who will proceed immediately to the location to permit entry to the premises by any authorized representative of the Department. This section shall not apply to signs required by Section 53.33(b) governing sentry dogs.

Sec. 2. Subsection F of the Los Angeles Municipal Code Section 53.66 is amended to read:

F. Confinement Requirements. It shall be unlawful for any person to tether, fasten, chain, tie, restrain, or cause a guard dog to be fastened, chained, tied, or restrained, to houses, trees, fences, garages or other stationary objects, by means of a rope, chain, strap, or other physical restraint method, for the purpose of confinement on real property. "Confinement," for purposes of this section, shall mean the dog's physical restraint to real property for more time than it is necessary for the dog owner to complete a task that requires that the dog be temporarily physically restrained to real property. When confined to real property, the dog must be tethered by a non-choke type collar or a body harness to a tether at least three times the body length of the dog, which allows the dog access to food, water, and shelter as described above, and be free from entanglement. This section shall not affect a person's ability to use appropriate electronic means of confinement.

Sec. 3. Subsection G of the Los Angeles Municipal Code Section 53.66 is amended to read:

G. Shelter Requirements. No person shall keep, use, or maintain a guard dog on any premises unless the dog is provided full access to an enclosed building, dog house, or similar shelter at all times. The shelter shall:

- (1) Have a top, bottom, and at least three sides.
- (2) Have a floor raised off the ground, free of cracks, depressions and rough areas where insects, rodents or eggs from internal parasites may lodge. An effective program for the control of insects, ectoparasites, and other pests shall be established and maintained.
- (3) Be cleaned and maintained in a manner designed to ensure the best possible sanitary conditions. Excreta shall be removed from the shelter as often as necessary, at least daily, to prevent contamination of the dog and to reduce disease hazards and odors. When a hosing or flushing method is used for cleaning, any dog contained in the enclosure shall be protected during the cleaning process. Rugs, blankets, or other bedding material shall be kept clean and dry.
- (4) Be of adequate size to allow the dog to stand up and turn about freely, stand easily, sit and lie in a comfortable normal position.
- (5) Have a floor constructed so as to protect the dog's feet and legs from injury.
- (6) Allow a dog kept outdoors to remain dry during rain.
- (7) Have sufficient clean bedding material or other means of protection from the weather when the ambient temperature falls below that temperature to which the dog is acclimated.
- (8) Provide sufficient shade to allow a dog kept outdoors to protect itself from the direct rays of the sun, when sunlight is likely to cause overheating or discomfort. Starting on the first day of June and ending on the last day of October, a shaded, heat-resistant area must be provided during daylight hours.
- (9) Contain a suitable means for the prompt elimination of excess liquid.
- (10) Be structurally sound and maintained in good repair to protect the dog from injury.
- (11) Have all open windows and doors covered by flaps starting in the month of November and continuing until the end of May. The door flap shall allow the dog easy access in and out of the shelter, and at the same time allow the dog to retain body heat.

(12) Be constructed and maintained so that the dog contained therein has convenient access to clean food and water.

Sec. 4. Subsection H of the Los Angeles Municipal Code Section 53.66 is amended to read:

H. Water Requirements. No person shall keep, use, or maintain any guard dog on any premises unless the dog has access to clean and fresh water at all times. Clean potable water shall be available to the dog unless restricted for veterinary care, and:

(1) If the water is kept in a container, this container shall be of the type designed to prevent tipping and spilling of the water contained therein. If necessary to accomplish this purpose, the container shall be secured to a solid structure or secured in the ground. Watering containers shall be kept clean and shall be sanitized at least once every two weeks; must be kept out of the sun and must be emptied and refilled with fresh water at least once each calendar day; or

(2) If the water is provided by an automatic or demand device, the water supply connected to the device must function 24 hours a day.

Sec. 5. Subsection I of the Los Angeles Municipal Code Section 53.66 is amended to read:

I. Feeding Requirements. No person shall keep, use, or maintain any guard dog on any premises unless the dog is provided sufficient food daily to maintain proper body weight and good general health. In addition, the following requirements shall apply:

(1) The dog shall be provided with food which is free from contamination, is wholesome, palatable, and of sufficient quantity and nutritive value to meet the normal daily requirements for the condition and size of the animal.

(2) Food receptacles shall be accessible to the dog and shall be located so as to minimize food's contamination by excreta and/or insects. Feeding pans shall be durable and kept clean. The food receptacles shall be sanitized at least once every two weeks. Disposable food receptacles may be used but must be discarded after each feeding. Self feeders may be used for the feeding of dry food, and they shall be sanitized regularly to prevent molding, deterioration or caking of food. Spoiled or contaminated food shall be disposed of in a sanitary manner.

Sec. 6. Subsection J of the Los Angeles Municipal Code Section 53.66 is amended to read:

J. Licensing. No person shall own, keep, use, or maintain a guard dog unless the person has obtained a guard dog license and tag from the Department. The fee for each guard

dog license and tag shall be \$150.00 per year for an unaltered guard dog and \$50.00 per year for an altered guard dog. Each license issued pursuant to this section shall expire one year from the date of its issuance and on the same day of each year. The license fee shall be paid annually to the Department and shall be due and payable on or before the expiration of the previous license. The payment of the annual guard dog license fee shall be in lieu of the dog license tax imposed by Section 53.15 and the dog license fee imposed by Section 53.15.3 of this article.

Sec. 7. Subsection K is added to the Los Angeles Municipal Code Section 53.66 to read:

K. Electronic Animal Identification Device. No person shall own, maintain, keep, use, or maintain a guard dog unless the person had an Electronic Animal Identification Device approved by the Department surgically implanted in the dog.

Sec. 8. The City Clerk shall certify to the passage of this ordinance and have it published in accordance with Council policy, either in a daily newspaper circulated in the City of Los Angeles or by posting for ten days in three public places in the City of Los Angeles: one copy on the bulletin board located in the Main Street lobby to the City Hall; one copy on the bulletin board located at the ground level at the Los Angeles Street entrance to the Los Angeles Police Department; and one copy on the bulletin board located at the Temple Street entrance to the Los Angeles County Hall of Records.

I hereby certify that this ordinance was passed by the Council of the City of Los Angeles, at its meeting of SEP 02 2003.

J. MICHAEL CAREY, City Clerk

By Maria Kostechnik
Deputy

Approved [REDACTED] **SEP 10 2003**

James Hahn
Mayor

Approved as to Form and Legality

ROCKARD J. DELGADILLO, City Attorney

By Valentin Dinu
VALENTIN DINU
Deputy City Attorney

Date: 3-4-2003

Council File No. 99-0471