



BOARD OF ANIMAL SERVICES COMMISSIONERS  
CITY OF LOS ANGELES  
Tuesday, November 12, 2013  
10:00 A.M.

**Los Angeles City Hall  
200 North Spring Street  
Room 1060  
Los Angeles, California 90012**

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LISA McCURDY  
President

JIM JENSVOLD  
Vice-President

DAVID ZAFT  
MAGGIE NEILSON  
ALANA YAÑEZ

Sign language interpreters, assistive listening devices, or other auxiliary aids and/or services may be provided upon request. To ensure availability, you are advised to make your request at least 72 hours prior to the meeting you wish to attend. For information please call (213) 482-9501.

Si requiere servicios de traduccion, favor de notificar la oficina con 24 horas por anticipado.

**COMMISSION MEETING**

**1. PUBLIC COMMENT PERIOD** - (Comments from the public on items of public interest within the Board's subject matter jurisdiction and on items not on the Agenda.)

**Public Comments: The Brown Act prohibits the Board and staff from responding to the speakers' comments. Some of the matters raised in public comment may appear on a future agenda.**

**2. COMMISSION BUSINESS**

A. Approval of the Minutes for the Meetings of October 8, 2013.

B. Award of a 15 Year Service Pin to ACOII Armando Navarrette

### **3. DISCUSSION ITEMS**

- A. Discussion of Mayor Garcetti Letter Relative to 1136 Ardmore Avenue, Los Angeles, CA 90029.
- B. Animal Welfare Trust Fund and Animal Spay and Neuter Trust Fund Balances
- C. Submission of Circus-related Documents: 2008 Board Report Related to Permit Application, 2008 Board Report with Revised Requirements for Application and Permit, and March 2013 Letter to Feld Entertainment.
- D. Discussion for the Recognition of Department Staff
- E. Oral Report on Field Dog Licensing Team

### **4. BOARD REPORTS**

- A. Recommendation to Release Wild and Exotic Animal Veterinarian RFQ
- B. Recommendation To Accept ASPCA Donation For New Hope Adoptions
- C. Recommendation To Accept Best Friends Donation For New Hope Adoptions

### **5. ORAL REPORT OF THE GENERAL MANAGER**

### **6. BOARD AVAILABILITY FOR THE MEETING OF NOVEMBER 26, 2013**

### **7. ADJOURNMENT**

Next Commission Meeting is scheduled for 10:00 A.M. November 26, 2013, Los Angeles City Hall, Room 1060, 200 North Spring Street, Los Angeles, CA 90012.

**AGENDAS** - The Board of Animal Services Commissioners (Board) meets regularly every second (2<sup>nd</sup>) and fourth (4<sup>th</sup>) Tuesday of each month at 10:00 A.M. Regular Meetings are held at City Hall, 200 North Spring Street, Room 1060, in Los Angeles, CA 90012. The agendas for Board meetings contain a brief general description of those items to be considered at the meetings. Board Agendas are available at the Department of Animal Services (Department), Administrative Division, 221 North Figueroa Street, 5<sup>th</sup> Floor, Los Angeles, CA 90012. Board Agendas may also be viewed on the 2<sup>nd</sup> floor Public Bulletin Board in City Hall East, 200 North Main Street, Los Angeles, CA 90012. Internet users may also access copies of present and prior agenda items, copies of the Board Calendar, MP-3 audio files of meetings as well as electronic copies of approved minutes on the Department's World Wide Web Home Page site at <http://www.laanimalservices.com/CommissionAgendas.htm>

Three (3) members of the Board constitute a quorum for the transaction of business. Some items on the Agenda may be approved without any discussion.

The Board Secretary will announce the items to be considered by the Board. The Board will hear the presentation on the topic and gather additional information from Department Staff. Once presentations have finished, the Board President will ask if any Board Member or member of the public wishes to speak on one or more of these items. Each speaker called before the Commission will have one (1) minute to express their comments and concerns on matters placed on the agenda.

**PUBLIC INPUT AT BOARD MEETINGS – Public Participation on Agenda Items.**

Members of the public will have an opportunity to address the Board on agenda items after the item is called and before the Board takes action on the item, unless the opportunity for public participation on the item was previously provided to all interested members of the public at a public meeting of a Committee of the Board and the item has not substantially changed since the Committee heard the item. When speaking to an agenda item other than during Public Comment (see Public Comment below), the speaker shall limit his or her comments to the specific item under consideration (California Government Code, Section 54954.3).

**Public Comment.** The Board will provide an opportunity for public comment at every regular meeting of the Board. Members of the public may address the Board on any items within the subject matter jurisdiction of the Board as part of Public Comment.

**Speaker Cards.** Members of the public wishing to speak are to fill out one speaker card for each agenda item on which they wish to speak and present it to the Board secretary before the item is called.

**Time Limit for Speakers.** Speakers addressing the Board will be limited to one (1) minute of speaking time for each agenda item except in public comment which is limited to three (3) minutes. The Chairperson, with the approval of a majority of the Board, may for good cause extend any speaker's time by increments of up to one (1) minute. Total speaker time on any agenda item will be limited to ten (10) minutes per item and fifteen (15) minutes for Public Comment, unless extended as above.

**Brown Act.** These rules shall be interpreted in a manner that is consistent with the Ralph M. Brown Act, California Government Code Section § 54950 et seq.

**STANDARDS OF CONDUCT.** Speakers are expected to behave in an orderly manner and to refrain from personal attacks or use of profanity or language that may incite violence.

All persons present at Board meetings are expected to behave in an orderly manner and to refrain from disrupting the meeting, interfering with the rights of others to address the Board and/or interfering with the conduct of business by the Board.

In the event that any speaker does not comply with the foregoing requirements, or if a speaker does not address the specific item under consideration, the speaker may be ruled out of order, their speaking time forfeited and the Chairperson may call upon the next speaker.

The Board, by majority vote, may order the removal from the meeting of any speaker or audience member continuing to behave in a disruptive manner after being warned by the Chairperson regarding their behavior. Section 403 of the California Penal Code states as follows: "Every person who, without authority of law, willfully disturbs or breaks up any assembly or meeting that is not unlawful in its character, other than an assembly or meeting referred to in Section 302 of the Penal Code or Section 18340 of

the Elections Code, is guilty of a misdemeanor”.

**VOTING AND DISPOSITION OF ITEMS** – Most items require a majority vote of the entire membership of the Board (3 members). When debate on an item is completed, the Board President will instruct the Secretary to "call the roll". Every member present must vote for or against each item; abstentions are not permitted unless there is a Conflict of Interest for which the Board member is obliged to abstain from voting. The Secretary will announce the votes on each item. Any member of the Board may move to "reconsider" any vote on any item on the agenda, except to adjourn, suspend the Rules, or where an intervening event has deprived the Board of jurisdiction, providing that said member originally voted on the prevailing side of the item. The motion to "reconsider" shall only be in order once during the meeting, and once during the next regular meeting. The member requesting reconsideration shall identify for all members present the Agenda number and subject matter previously voted upon. A motion to reconsider is not debatable and shall require an affirmative vote of three members of the Board.

When the Board has failed by sufficient votes to approve or reject an item, and has not lost jurisdiction over the matter, or has not caused it to be continued beyond the next regular meeting, the issue is again placed on the next agenda for the following meeting for the purpose of allowing the Board to again vote on the matter.



# Application and Permit Requirements for Circuses, Animal Acts and Exhibitions

The Board of Animal Services Commissioners on May 27, 2008, approved the following requirements that apply to circuses, exhibitions, acts, displays, or any other lawful exhibits involving animals, including but not limited to animals requiring restricted species permits pursuant to California Code of Regulations, Title 14, Section 671.

The required actions and document submittals described **below must be satisfied by Applicant(s) two weeks prior to issuance of a permit** under Los Angeles Municipal Code section 53.50(c). In the event a permit is issued, failure to maintain these requirements during the permitted activity will be cause for revocation of the permit.

Applicants must meet the following conditions:

1. Produce or make available for inspection a liability insurance policy as follows.
  - a. If the circus, exhibition, act, or display is on or involves City-owned property or is sponsored by the City in whole or in part, the Risk Manager of the City will review the proposed activity and at his sole discretion set requirements. At minimum, the applicant must agree to indemnify and defend the City of Los Angeles, and to provide liability insurance with an insurer authorized or approved to write such insurance in California, that covers claims for injury or damage to persons or property in an amount of not less than one million dollars per occurrence, and which names the City of Los Angeles as an additional insured. A copy of the insurance rider must be provided.
  - b. If the circus, exhibition, act, or display is not on and does not involve City-owned property or sponsorship, the policy must be with an insurer authorized or approved to write such insurance in California in the amount of two million dollars that covers claims for injury or damage to persons or property in an amount of not less than one million dollars per occurrence.
2. Produce or make available for inspection medical records and health certificates for all animals, including documented proof that within the past twelve months a trunk wash culture was performed on each elephant on display and the elephant tested free of Tuberculosis. Multiple Antigen Print Immunoassay test results are also acceptable.
3. Provide a detailed description of the proposed activities or exhibitions and demonstrate that no aspect of the activities or exhibitions harm the animal(s) or put the animal(s) in harm's way. Provide follow-up information as may be requested by the Department.

4. Provide a written plan which addresses the public's safety when in proximity to the animal(s) and addresses the quick and safe recapture or destruction of an animal in the event an animal escapes. The plan must include but not be limited to:
  - a. A description of barriers, security, signage, staffing, fencing, protocols and all other measures taken for the public's safety.
  - b. Applicant's written protocols for training their staff on methods of safe recapture of escaped animals.
  - c. A detailed description of containment methods for the animal(s) during exhibition and in the event of escape and recapture.
  - d. Access to appropriate firearms and chemical immobilization drugs and equipment.
  - e. Identification of staff member(s) (and as appropriate, veterinarians) who possess firearm and chemical immobilization proficiency to recapture an escaped animal.
5. Utilize appropriate transport vehicles and transfer cages to contain animals when moving them to the permitted location, except for animals participating in a Department approved animal walk.
6. Disclose previous incidents of specific dangerous, unpredictable, or aggressive behavior by any of the animals, that put any people or other animals at risk, including the animal handler(s).
7. Disclose all current and the most recent names of all animals.
8. Applicant, applicant's principles, officers, and directors have no felony convictions and must disclose the names of any employees with any animal related convictions.
9. Meet the following conditions relative to the United States Department of Agriculture (USDA) and Federal law:
  - a. Not been cited for any **Repeat Direct Non-Compliant Item** within the past 3 years by the USDA under the Animal Welfare Act Regulations.
  - b. Has corrected any **Direct Non-Compliant Item** issued by the USDA under the Animal Welfare Act Regulations within the timeframe designated by the USDA inspector within the past 3 years.
  - c. Compliance with all applicable Federal law.

*(Direct Non-Compliant Item refers to any USDA notice that directly affects the health and well-being of an animal.)*
10. Disclose any official notices of alleged violations, any administrative proceedings, denials of USDA permits or any stipulations, consent decrees, or settlements entered into with the USDA within the last five years.

11. Provide written information explaining that one or more animals will be or are present to:
  - a. The property owner or person responsible for the property where the animal(s) will be displayed;
  - b. The owners or persons responsible for any contiguous neighboring property;
  - c. Any individuals entering the site of the permitted animal display.Written information may be a handout or flyer handed to persons listed above, or a poster located in and around and at all entrances to the performance area where one or more animal(s) are, or will be, located.
12. Produce or make available for inspection a plan or procedure for providing emergency veterinary care in a timely fashion, including names and contact information of available on-call veterinarians, if none are present on-site.
13. Provide and maintain a valid resident or non-resident permit, as applicable, with the California Fish and Game Commission, for the duration of the permitted activity.
14. Have no convictions for violations of California state law including but not limited to Penal Code §596.5, Health & Safety Code 25989.1, and California Code of Regulations, Title 14 Section 671 or any laws or regulations involving permitted animals in the last three years, and be in compliance with applicable California law and Los Angeles City ordinances in handling elephants or other animal(s) for the duration of the permitted activity.
15. Applicant and its sub-contractors, subordinate handlers, California Fish and Game permit holders, or others engaged by Applicant to provide and handle animals covered under this schedule of requirements for the permitted activity, must provide or maintain all required documentation and comply with all conditions of the permit..
16. These permit requirements do not apply when filming in the City pursuant to a permit issued by the official Los Angeles City film permitting agency. Zoos which are accredited by the American Zoological Association are exempt pursuant to California Food and Agricultural Code Section 2150.

Los Angeles Animal Services may deny a permit application or revoke a previously issued permit for a specific circus or circus act, exhibition, animal act, or display of one or more animals. Such permit denial or revocation may or may not affect other animals that may be included in the same permit application, depending on whether or not those other animals are included in the permit denial or revocation. Applicant must conform to the requirements of the permit for animals that are not affected by the permit denial or revocation.

Los Angeles Animal Services will base its decision on whether to issue a permit based on all information in the application and related documentation, provided that Applicant meets all the requirements for the permit.

## Relevant Municipal Code Sections

### **SEC. 22.02. POWER TO REVOKE AND SUSPEND PERMITS OR CERTIFICATES – PROCEDURE.**

Any permit or certificate granted pursuant to the provisions of this Code to any person to conduct, carry on or engage in any business, profession, trade or occupation by any Board, Commission or other person having authority to do so, unless provision is otherwise specifically made, shall not be revoked or suspended except as provided in this section.

No such permit or certificate shall be revoked or suspended until a hearing upon written notice to the permittee or certificate holder shall have been had by the Board, Commission or other person having authority to do so. Written notice of such hearing shall be served upon the permittee or certificate holder in the manner provided for the giving of notice in Section [11.00](#) of this Code.

Such notice shall state:

- (a) The grounds for complaint or reasons for the revocation or suspension in clear and concise language.
- (b) The time when and the place where such hearing is to be held.

If a verified complaint is required to be filed with the Board, Commission or other person having authority to revoke or suspend such permit or certificate, or if any Board or Commission shall have power to initiate its own complaint, then a true and correct copy of such complaint shall be served on the permittee or certificate holder in lieu of stating the grounds of complaint. However, notice of the time when and the place where such hearing is to be held shall be served with such complaint.

Such notice or copy of complaint shall be served or given to the permittee or certificate holder at least five (5) and not more than ten (10) days prior to the date set for said hearing.

At any such hearing the permittee or certificate holder shall be given an opportunity to be heard and defend himself, and he may call witnesses in his behalf.

The Board, Commission or other person conducting such hearings may continue such hearings from time to time upon good cause being shown therefor.

After conducting such hearing the Board, Commission or other person having authority may suspend or revoke any such permit or certificate upon such terms and conditions as, in the exercise of a reasonable and sound discretion, it shall determine.

Revocation of permit granted by it by a municipal board is a proper exercise of police power.

*Vaughn v. Board of Police Commissioners*, 59 Cal. App. 2d 771, 775.

### **SEC. 53.03. INSPECTIONS.**

**(Amended by Ord. No. 136,242, Eff. 4/19/68.)**

(a) Whenever it is necessary to make an inspection to enforce any of the provisions of or perform any duty imposed by this Code or other applicable law, or whenever the General Manager or his authorized representative has reasonable cause to believe that there exists in any building or upon any premises any violation of the provisions of this article or other applicable law, the General Manager or his authorized representative is hereby authorized to enter such property at any reasonable time and to inspect the same and perform any duty imposed upon the General Manager by this Code or other applicable law; provided that:

(1) If such property be occupied, he shall first present proper credentials to the occupant and request entry explaining his reason therefor; and

(2) If such property be unoccupied, he shall first make a reasonable effort to locate the owner or other persons having charge or control of the property and request entry, explaining his reasons therefor. If such entry is refused or cannot be obtained because the owner or other person having charge or control of the property cannot be found after due diligence, the General Manager or his authorized representative shall have recourse to every remedy provided by law to secure lawful entry and inspect the property.

(b) Notwithstanding the foregoing, if the General Manager or his authorized representative has reasonable cause to believe that the keeping or the maintaining of any animal is so hazardous, unsafe or dangerous as to require immediate inspection to safeguard the animal or the public health or safety, he shall have the right immediately to enter and inspect such property, and may use any reasonable means required to effect such entry and make such inspection, whether such property be occupied or unoccupied and whether or not permission to inspect has been obtained. If the property be occupied, he shall first present proper credentials to the occupant and demand entry, explaining his reasons therefor and purpose of his inspection.

(c) No person shall fail or refuse, after proper demand has been made upon him as provided in Subsection (b), of this section to permit the General Manager or his authorized representative to make any inspection provided for by subsection (b) of this section. Any person violating this subsection shall be guilty of a misdemeanor.

(d) The permittee of any permit issued pursuant to this article, by accepting such permit, does thereby consent and agree to the entry upon the premises described in the permit by the General Manager or his authorized representative for the purpose of conducting such inspections as are required by this article or other applicable law.

### **SEC. 53.10. PERMITTING ANIMALS TO GO WITHOUT CARE – DUTY TO ENTER AND REMOVE SAME.**

(b) Every person maintaining a commercial building, structure or premises, where animals are kept for commercial purposes, shall cause a notice, framed and enclosed

under glass, containing the names, addresses and telephone numbers of persons to be notified during any hour of the day or night who will proceed immediately to the location so as to permit entry to the premises by representatives of the Department, to be posted on the premises near the entrance, said notice to be in such a position as to be legible from the sidewalk or ground level adjacent to the building. **(Amended by Ord. No. 150,337, Eff. 1/1/78.)**

#### **SEC. 53.38. WILD ANIMALS – KEEPING – PERMIT.**

**(Amended by Ord. No. 133,983, Eff. 4/10/67.)**

No person shall have, keep or maintain any wild, exotic, dangerous or non-domestic animal or reptile without first applying to and receiving from the Department a permit so to do.

Provided, however, that the keeping or maintenance of such animals shall conform to the zoning regulations set forth in [Article 2, Chapter I](#) of this Code.

#### **SEC. 53.39. WILD ANIMALS – POWER OF DEPARTMENT OVER.**

**(Amended by Ord. No. 133,983, Eff. 4/10/67.)**

The Department is hereby invested with the authority to issue permits to any person for the keeping or maintaining of any wild, exotic, dangerous or non-domestic animal or reptile when, in the opinion of the General Manager, any such animal or reptile may be kept or maintained without menacing the safety of any person or property; provided, however, that the Department may require any such animal or reptile to be properly caged or secured or may make additional rules or regulations regulating the keeping or maintaining of any such animal or reptile, and may revoke any such permit for any violation of any of the provisions of this article or of any of the rules and regulations of the Department, or when, in the opinion of the General Manager, the safety of any person or property is menaced by the keeping of any such animal or reptile.

Provided further, that the Department shall also have authority to issue permits for the keeping or maintaining, on a temporary basis, of all types of wild animals or reptiles in connection with a circus, amusement enterprise or animal exhibition when located in a zone wherein such uses are permitted pursuant to [Article 2, Chapter I](#) of this Code.

Revocation of permits shall follow the procedure outlined in Sec. [22.02](#) of this Code.

**SEC. 53.50. DOG KENNELS, ETC.**

(a) **Permit Required. (Amended by Ord. No. 170,171, Eff. 1/20/95.)** No person, without first obtaining a permit therefor in writing from the Department, shall keep, conduct or operate within the City of Los Angeles any dog kennel, cat kennel, pet shop, zoo, animal rental establishment, animal grooming parlor, riding academy, livery stable, boarding stable, pony ring or pony ride, horse market, mule market, circus, rodeo, pet show, cat show, animal acts or exhibitions, alligator farm, ostrich farm, wild animals, miscellaneous animal or reptile establishment, or carrier and homing pigeons which are to be liberated for exercise or racing.

(b) **Application – Contents of.** Each application for permit hereunder shall be in writing upon a form to be furnished by the Department, and shall contain such information as the General Manager, by rule or regulation shall require. **(Amended by Ord. No. 133,983, Eff. 4/10/67.)**

All permits issued by the Department as required by this article shall expire one year from the date of issuance, unless sooner revoked or suspended, or unless the holder of such permit changes the location of his place of business, or sells, assigns, transfers or otherwise disposes of such business or his interest therein for a period of 30 days. **(Amended by Ord. No. 150,576, Eff. 3/26/78, Oper. 7/1/78.)**

Upon the expiration of any permit and within thirty days thereafter, the permittee shall apply for and secure a renewal of the permit in the manner provided for in this article upon paying the proper fees. Upon failure to make application for renewal of such permit within the time herein provided, the applicant shall pay, in addition to the regular permit fee, a penalty of 15% of any such renewal fee. **(Amended by Ord. No. 133,983, Eff. 4/10/67.)**

All permits issued hereunder shall be kept posted in a conspicuous place. **(Amended by Ord. No. 133,983, Eff. 4/10/67.)**

(c) **Investigation.** Upon the filing of each application hereunder, either for an original permit or a renewal thereof, the Department shall make such investigation as it deems proper. It shall then issue a permit to the applicant if it finds that: **(Amended by Ord. No. 133,983, Eff. 4/10/67.)**

1. The keeping of animals, or the conduct or operation of the business for which the permit is requested, and at the place set forth in the application, will not violate any law or ordinance of this City, or any law of the State of California; and

2. The keeping of animals, or the conduct or operation of the business for which the permit is requested will not constitute a menace to the health, peace or safety of the community; and

3. The premises and establishment where animals are to be kept is maintained in a clean and sanitary condition, and that animals will not be subject to needless suffering, unnecessary cruelty or abuse; and

4. The applicant has not had a permit revoked within one year prior to the application.

(d) **Revocation or Suspension – Grounds – Procedure.** Any permit issued hereunder may be revoked or suspended under the procedure outlined in [Sec. 22.02](#) of this Code, if, after due investigation, the Department finds: **(Amended by Ord. No. 133,983, Eff. 4/10/67.)**

1. That the permittee, his agent, or employee, has been convicted of any offense involving the violation of Section 597 of the Penal Code of the State of California, or any provision of this article; or

2. That the permittee, his agent, or employee, has, at the place for which the permit was issued, failed to provide any animal, fowl or reptile in his possession, care or control, with proper and sufficient food, drink, shelter, or protection, or subjected any such animal, fowl or reptile to needless suffering, unnecessary cruelty, or abuse; or

3. That the permittee, his agent, or employee, has failed to maintain the premises in a clean and sanitary condition; or

4. That the permittee, his agent, or employee, has violated any rule or regulation of the Department. **(Amended by Ord. No. 133,983, Eff. 4/10/67.)**

(e) **Rules and Regulations.** The General Manager is hereby authorized and empowered to adopt such rules and regulations as he deems reasonably necessary to carry out the purpose of this article, and to insure the maintenance of approved and humane conditions at any place for which a permit is granted hereunder. A copy of such rules and regulations shall be furnished to each applicant for a permit upon the filing of his application. **(Amended by Ord. No. 133,983, Eff. 4/10/67.)**

(f) **Permit Fees. (Amended by Ord. No. 181,341, Eff. 11/14/10.)** The Department, before receiving any application for granting of any permit required by this Section, shall require the payment of an annual permit fee of the type and in the amount set forth in this Section as follows, or as revised in the manner set forth in Subsection (a) of Section [53.12](#):

1. Dog Kennel     \$305.00
2. Cat Kennel     \$290.00
3. Pet Shop     \$290.00
4. Zoo     \$185.00
5. Animal Rental Establishment     \$265.00
6. Pet Show, Dog Show, Animal Acts or Exhibitions     \$425.00

7. Alligator Farms, Ostrich Farms and Wild Animals     \$290.00
8. Miscellaneous Animals or Reptile Establishment     \$205.00
9. Circus     \$4,000.00
10. Rodeo     \$1,660.00
11. Homing Pigeons     \$290.00
12. Riding Academy, Livery Stable, Board Stable, Pony Ride, Horse Market or Mule Market     \$325.00
13. Animal Grooming Parlor     \$160.00
14. Filming with Animals     \$300.00

The fees imposed herein for a pet show or a dog show shall be waived in the event that such show is held in a public park.

#### **SEC. 53.58. RULES AND REGULATIONS.**

The General Manager may adopt and enforce reasonable rules and regulations to carry out the purposes of this article. The General Manager may amend such rules and regulations from time to time. Such rules and regulations and amendments thereto shall take effect upon publication in a newspaper of general circulation in this City. Violation of such rules and regulations shall be a misdemeanor. **(Amended by Ord. No. 133,983, Eff. 4/10/67.)**

#### **SEC. 53.59. ANIMALS – DISTANCES – SEPARATION FROM DWELLING.**

The Department shall, by its rules, establish the minimum distance from dwellings, churches, schools, office buildings, business establishments and other occupancies, within which animals, and the cages, coops, or other enclosures required for their keeping may be maintained. **(Amended by Ord. No. 133,983, Eff. 4/10/67.)**

Notwithstanding the above, the minimum distance between dwellings and structures and enclosures for the housing of equines, or equine uses of land shall be governed by [Chapter I, Article 2](#) of the Los Angeles Municipal Code. **(Para. added by Ord. No. 170,321, Eff. 3/5/95.)**

## **SEC. 53.65. MAIMING, INJURING OR KILLING ANIMALS DURING PERFORMANCE.**

**(Added by Ord. No. 157,669, Eff. 6/11/83.)**

(a) No person shall knowingly maim, injure or kill any animal that is used in any theatrical, motion picture, television or other performance or production. Nor shall any person use or cause, permit or allow the use of any device machine or contrivance to maim injure or kill any animal in such a performance or production

(b) No person shall use or work any animal in any theatrical, motion picture, television or other performance or production without first obtaining a permit from the Department under the procedures contained in Section [53.50](#) of this article. However, any person in possession of a permit for Animal Acts or Exhibitions, Circus or Rodeo under this article shall not be required to obtain a permit under this section for the same activities. The Department before investigating any applications for a permit under this section shall require the payment of a fee in the amount of \$160.00. **(Amended by Ord. No. 168,590, Eff. 3/21/93.)**

## **RULES AND REGULATIONS**

### **General Rules**

10.01-Applicant, when applying for permit, shall furnish the Department with a list of the types of animals to be kept or used for any purpose, with the estimated maximum number.

10.02-Applicant shall furnish the Department with the name(s), and telephone number(s) of a responsible person(s) who has access to the animals and who can be reached during an emergency.

10.03-Permittee shall notify the Department when animals are kept or maintained for which an additional permit is required.

10.04- The Department may establish the maximum number of animals to be kept or maintained on the premises.

10.05-Permittee shall report in writing any changes in address, ownership or management to the Department at least fifteen (15) days prior to such change.

10.06-Permittee shall maintain a register of the names and addresses of persons from whom animals are received and to whom animals are sold, traded, or given. This shall be available to the Departmental representative upon demand.

10.07-Permittee shall supply animals with sufficient, good and wholesome food and water as often as the feeding habits of such animals require.

10.08-Permittee shall keep animals and animal quarters in a clean and sanitary

condition.

10.09-Permittee shall provide proper shelter and protection from the weather at all times. Animals must not be over-crowded nor exposed to temperatures detrimental to their welfare.

10.10-Permittee shall not allow any animal to be without care or control in excess of 24 consecutive hours.

10.11-Permittee shall take every reasonable precaution to insure that animals are not teased, abused, mistreated, annoyed, tormented or in any manner made to suffer by any person or by any means.

10.12-Permittee shall not maintain nor allow any animals to exist in any manner that is, or could be, injurious to it.

10.13-Permittee shall not give an animal any alcoholic beverage, unless prescribed by a veterinarian.

10.14-Animals which are natural enemies, temperamentally unsuited, or otherwise incompatible, shall not be quartered together or so near each other as to cause injury, fear or torment.

10.15-Any tack equipment, device, substance or material that is, or could be, injurious or cause unnecessary cruelty to any animal is prohibited.

10.16-Permittee shall keep or maintain animal(s) confined at all times on the premises for which the permit has been issued, unless special permission to remove the animal(s) has been obtained from the Department. Permittee has full responsibility for recapturing any animal that escapes.

10.17-Permittee shall give working animals proper rest periods. Confined or restrained animals shall be given exercise proper for the individual animal under the particular conditions.

10.18-Permittee shall not work, use, or rent any animal which is overheated, weakened, exhausted, sick, injured, diseased, lame, or otherwise unfit.

10.19-No animal which the Department has suspended from use shall be worked or used until released by the Department.

10.20-Permittee shall display no animal bearing evidence of malnutrition, ill health, unhealed injury, or having been kept in an unsanitary condition.

10.21-Permittee shall keep or maintain all animals in such manner as may be prescribed to protect the public from the animals and the animals from the public.

10.22- The Department may order any animal to be taken to a veterinarian for examination or treatment.

10.23-Permittee shall display no animal whose appearance is or may be offensive or contrary to public decency.

10.24-Permittee shall allow no animal to constitute or cause a hazard or be a menace to the health, peace or safety of the community.

10.25-Permittee shall isolate sick or diseased animals from healthy animals at all times, and so segregate them that the illness or disease will not be transmitted to another animal. In the case of pet shops, no sick, diseased or injured animals may be maintained on the premises for any purpose. Sick or injured animals shall be isolated and given proper medical treatment.

10.26-Permittee shall immediately notify the owner of any animal held on consignment or boarded if the animal refuses to eat or drink beyond a reasonable period, is injured, becomes sick or dies. In case of death, permittee shall retain body for 12 hours after notification has been sent to owner.

#### ADDITIONAL PERMIT REQUIREMENTS RULES AND REGULATIONS OF SPECIFIC APPLICATION FOR WILD ANIMALS, INCLUDING REPTILES

20.05-Wild Animals Including Reptiles: Wild Animal and reptile owners, when notified by the department of the need for a Wild Animal/Reptile permit, will have thirty (30) days after the date of notification, to submit a completed application form and permit fee.

Reptiles that would require a Wild Animal/Reptile permit:

##### SNAKES

Boa Constrictors (Boa Constrictor)  
Dumerils Boa (Acrantophias dumerli)  
Madagascan Ground Boa (madagascarensis)  
Anaconda (Eunectes)  
Black Headed Pythons (Aspidites melenocephalus)  
Womas (Aspidities ramsai)  
Boelens, Olive and Papuan Pythons (Liasis)  
Burmese, Indian and Ceylonese Pythons (Python molurus).  
Amethystine and Scrub Pythons (Morelia amethystina)  
Reticulate (Python reticulatus)

##### LIZARDS

All Monitor Lizards (Varanus)  
Green Iguanas (Iguana)  
Rock Iguanas (Cyclura)  
Tegus (Tupinambis)

All species and Sub-species of the named Genus shall be included.

## RODEOS

30.00- The following rules and regulations pertain to Rodeos and are in addition to the General Rules and Regulations contained under Section 10.00.

30.01- The applicant. when applying for permit, shall furnish the Department with a detailed diagram of the arena, showing location of chutes, catch chutes and pens, and a list of all proposed events and acts and a copy of the rules and regulations which will govern the conduct of the contestants and events.

30.02-A veterinarian must be in attendance at all shows.

30.03-A conveyance must be available for the immediate removal of injured animals from the arena.

30.04-No animal which is unfit to perform the work intended may be used.

30.05- The Department representative on duty at the show must be furnished an up to-the-moment list of names and numbers of all contestants and the number of each animal drawn by each contestant.

30.06-Chutes must be so constructed as to prevent injury to stock. The arena must be free of rocks, holes and all obstacles.

30.07-All flank straps and equipment must be removed from stock in catch chutes as soon as possible. Any injured animal is to be kept in catch chute until examined and released by the Department representatives.

30.08-Generally, no more than one bull will be allowed in the arena at a time.

30.09- The rowels on spurs of all contestants must be short, dull and free to revolve.

30.10-The use of wire or shot-loaded quirts is prohibited.

30.11-Calves for roping must weigh not less than 250 pounds and be strong and healthy.

30.12-Contestants in calf roping events must have a neck strap on horses used in this event. Training of calf roping horses during the show is prohibited.

30.13-Willful or intentional "busting" of calves is prohibited.



City of Los Angeles  
DEPARTMENT OF ANIMAL SERVICES

PERMIT N° 13081

DATE GRANTED

DATE EXPIRES

7/16/2013

This permit is granted in accordance with provisions of the L.A.M.C. Sec. 53.50 and the Rules and regulations of the Department of Animal Services, and it is not in lieu of any other permits or licenses required by the City, or any other governmental agency.

The party designated below is hereby permitted to keep/conduct a/an

**CIRCUS**

in the City of Los Angeles at the address specified.

**POST IN A CONSPICUOUS PLACE**

Name  
or  
Firm  
Mailing  
Address  
City/  
Zip

FELD Entertainment dba Ringling Bros. Circus  
8607 Westwood Center Drive  
Vienna, VA 22182

FEE  
\$4000.00

RECEIPT #  
R13-063901

06-72A (2/03)



*Bruce F. Barnett*  
A1069

General Manager, Animal Services

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EDWARD A. BOKS  
General Manager

---

## **Report to the Board of Animal Services Commissioners**

**Edward A. Boks, General Manager**

---

**COMMISSION MEETING DATE:** May 27, 2008

**PREPARED BY:** Linda Barth

**REPORT DATE:** May 22, 2008

**TITLE:** Assistant General  
Manager

**SUBJECT:** Revised Requirements for Application and Permit for Circuses and Animal Acts and Exhibitions, which Include Elephant Walks

---

### **BOARD ACTION RECOMMENDED:**

That the Board approve revised requirements that apply to circuses, exhibitions, acts, displays, or any other lawful exhibits involving animals, which include but are not limited to elephants, any other animals requiring restricted species permits pursuant to California law, camels, zebras, ostriches, emus, llamas, or alpacas, as detailed in the body of this report and the attached draft requirements sheet, and direct staff to implement the requirements immediately.

---

### **SUMMARY:**

At the meeting of January 14, 2008, the Board considered and approved with minor modifications a set of requirements to be met by persons applying for a permit, under Los Angeles Municipal Code 53.50(c), for exhibitions involving inherently dangerous wild animals. Development of the requirements was originally motivated by discussion of the Board about setting policy for Elephant Walks or similar animal parades by a circus or exhibition. The requirements approved in January reflected staff experience and input from others in the humane community that often deal with wild animals. As approved, the requirements applies to exhibitions or any other permits applied for which involve elephants or any other inherently dangerous wild animals, as defined in California Code of Regulations, Title 14 (Manual 671), §2157: wild cats, elephants, nonhuman primates, bears, and wolves.

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**Subject:** Revised Requirements for Application and Permit for Circuses and Animal Acts and Exhibitions, which Include Elephant Walks

---

The first permit situation under which the new requirements were activated was with Circus Vasquez, which operated for several weeks in the San Fernando Valley. Circus Vasquez had an elephant show (three elephants) which was operated by a sub-contractor; they also had tigers and zebras, handled by Circus employees. Based on the original Requirements, specifically in connection with United States Department of Agriculture (USDA) citations and related actions, the Circus was directed to have the elephants removed from the City. Later, questions also arose relative to the handling, treatment, and past USDA compliance for the tigers and the zebras, however permission for those animals was not revoked. From these incidents, it became clear that expansion and refinements of the initial Requirements would assist in our goal to insure with a high degree of confidence that animals are and have been treated safely and humanely, and that handlers and spectators will be safe.

For assistance in developing modifications to the Requirements, Staff has consulted extensively with staff from both the USDA and from California Fish and Game to understand their practices, permitting, regulations, and standards. We continued to consider and integrate input from members of the public, including both permittees and members of the humane community with subject-matter expertise in wild animals. Several branches of the City Attorney's office participated in meeting and discussions as well, and provided input in the draft presented today, which is attached.

A major change proposed in the Requirements is to focus on the type of permit being issued, rather than attempting to limit coverage to a select list of species. Therefore, we more expansively review the safety and humane record of applicants, and can require applicable high standards for elephants, zebras, raptors, dogs, horses, lions, tigers, bears, and any other animals that might be used in an act or display. Other revisions expand, add, or more accurately describe:

- Liability insurance requirements for permits on public and private property.
- Testing requirements for Tuberculosis in elephants, requiring a negative test within the last twelve months. All animals' health records must be provided.
- Need for a description of the animal activity or exhibition to demonstrate that the animal(s) will be healthy and safe.
- Written plan for both public safety and for the quick and safe recapture or destruction of an animal in the event of an escape.
- Language regarding USDA citations so that appropriate USDA terminology is used in context. A requirement was added that applicants disclose any official notices of alleged violations; or any stipulations, consent decrees or settlements with the USDA within the past ten years.
- Informed Consent requirements.
- California Fish and Game permit pre-requisites.
- Compliance for both primary applicant and any sub-contractors used.

**Subject:** Revised Requirements for Application and Permit for Circuses and Animal Acts and Exhibitions, which Include Elephant Walks

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In some cases, such as with voluminous health and inspection records, we have modified the requirement to provide or make available for inspection, to avoid becoming a repository for exhibitors' records. In all cases where we have made this efficiency allowance, documents must be presented and inspected two weeks in advance of the event, just as in the case of provided records.

Filming is expressly exempted and as previously reported, will be the subject of tailored requirements that recognize the short application periods typical in filming, as well as the fact that there are a number of local handlers who do most of the work, and other factors.

---

**FISCAL IMPACT:**

In general, establishing and enforcing these Requirements have no significant revenue or expense implications, since permit applications include fees to offset processing and inspection costs. The fees charged for permits in all categories, including Circuses and Animal Acts and Exhibitions, are currently set in the Los Angeles Municipal Code, but the Department has submitted a request to the Mayor and City Council to change the fees based on a cost recovery formula. That formula may be modified from time to time as staff documents increases or decreases in the cost of processing these applications.

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**Approved:**

---

**Edward A. Boks, General Manager**

---

**BOARD ACTION:**

_____ Passed	Disapproved _____
_____ Passed with noted modifications	Continued _____
_____ Tabled	New Date _____

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BRENDA F. BARNETTE  
GENERAL MANAGER

JOHN D. CHAVEZ  
ASSISTANT GENERAL MANAGER

DR. JEREMY PRUPAS  
CHIEF VETERINARIAN

Tom Albert  
VP Government Relations  
Feld Entertainment dba Ringling Bros. Circus  
8607 Westwood Center Dr.  
Vienna VA. 22182

March 29, 2013

Re: Animal Acts & Exhibitions, Circuses, Zoos

Effective March 1, 2013 the City of Los Angeles Department of Animal Services requires a 30 day advance notice for permit applications. Additional, there are specific requirements and disclosures that all Animal Acts & Exhibitions, Circuses, and Zoos must meet prior to permit approval. Please note, this includes health records which may require additional time for you to receive and submit on time.

This new enforcement procedure is a result of additional requirements by the Animal Services Board of Commissioners in 2008. A checklist and disclosure sheet has been enclosed to use in providing all required information and documentation to the City of Los Angeles Department of Animal Services.

Sincerely,

Armando Navarrete  
Los Angeles Animal Services  
Special Operations Acting Lieutenant  
213-305-4095

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**BRENDA F. BARNETTE**  
General Manager

**JOHN CHAVEZ**  
Assistant General Manager

## **Report to the Board of Animal Services Commissioners Brenda Barnette, General Manager**

---

**COMMISSION MEETING DATE:** November 12, 2013 **PREPARED BY:** John Chavez

**REPORT DATE:** October 18, 2013

**TITLE:** Asst. General Manager

**SUBJECT: APPROVAL TO RELEASE WILD AND EXOTIC ANIMAL  
VETERINARIAN REQUEST FOR QUALIFICATIONS (RFQ)**

---

### **BOARD ACTIONS RECOMMENDED:**

1. APPROVE the release of a Request For Qualifications (RFQ), subject to City Attorney approval as to form and legality, to solicit firms or individuals to inspect circus elephants, tigers, and other wild and exotic animals performing in the City.
2. REPORT BACK with the list of qualified service providers.

### **SUMMARY**

On February 12, 2013, the Commission approved the release of an RFQ to establish a list of qualified veterinarians to assist the Department in the inspection of circus animals. As a result of this RFQ, the Department established a list of several veterinarians who were qualified to perform this task. One of these (Dr. Rhonda Aliah) was selected to inspect the Ringling Bros.' circus elephants in July 2013.

At its October 8, 2013 meeting, the Commission recommended that additional qualified veterinarians could be added by advertising the RFQ in the Association of Zoos & Aquariums, in addition to the California Veterinary Medical Association and the American Veterinary Medical Association.

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## **USE OF WILD AND EXOTIC ANIMAL VETERINARIANS**

Veterinarians with experience with wild and exotic animals are needed to inspect travel containers, animals' temporary quarters, and circus conditions for elephants, tigers and other wild and exotic animals performing in the City. Establishing a list of qualified veterinarians will facilitate the accomplishment of those tasks.

These inspections include checking the travel compartments to make sure that they meet standards for approved accommodations (space, cleanliness, etc.), reviewing medical records on each animal, accompanying the elephants as they walk to their temporary shelter, and conducting spot inspections of elephants and other animals before, during and after their performances. The veterinarian is also required to provide the Department with a comprehensive report of his/her findings.

The RFQ (attached) requires proposers to submit a Statement Of Qualification to provide veterinary services on a pre-qualified, on-call basis. It is anticipated that a list of several veterinarians will be established. The Department is hoping that the proposed cost will be below \$5000 and is requesting proposers to use that as their target.

RFQs will be evaluated and scored. Applicants receiving a score of 75% or more will be considered qualified. The Department will report back on the list of qualified applicants. Service providers will be contracted on an as-needed basis.

Cost, best value and/or availability will be considered in the choice of service providers for each assignment. Contracts will be subject to City Attorney review and approval as to form and legality. The Department will seek Board approval to negotiate and execute a contract if the amount exceeds \$5,000. The Department will report back to the Board with the results of this RFQ.

## **FISCAL IMPACT**

There is no impact on the General Fund. The veterinarian will be paid using Animal Welfare Trust Funds. The Department expects that this will amount to between \$5,000-10,000 per year.

## **APPROVED**

---

**BRENDA BARNETTE, General Manager**

Attachment:

Draft RFQ For Pre-Qualified On-Call Wild and Exotic Animal Veterinarians

**Report to the Board of Animal Services Commissioners**  
**Subject: Approval to Release Wild/Exotic Animal Vet RFQ**

**BOARD ACTION:**

\_\_\_\_\_ Passed

Disapproved \_\_\_\_\_

\_\_\_\_\_ Passed with noted modifications

Continued \_\_\_\_\_

\_\_\_\_\_ Tabled

New Date \_\_\_\_\_

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BRENDA F. BARNETTE  
General Manager

JOHN CHAVEZ  
Assistant General Manager

---

**Report to the Board of Animal Services Commissioners**

**Brenda Barnette, General Manager**

---

**COMMISSION MEETING DATE:** November 12, 2013      **PREPARED BY:** John Chavez

**REPORT DATE:** October 18, 2013      **TITLE:** Asst. General Manager

**SUBJECT: REQUEST TO ACCEPT ASPCA DONATION FOR NEW HOPE ADOPTIONS**

---

**BOARD ACTIONS RECOMMENDED:**

That the Board, subject to the approval of the Mayor and Council:

Authorize the General Manager of the Animal Services Department, or her designee, to:

1. Accept the American Society for the Prevention of Cruelty to Animals (ASPCA) grant funds in the amount of \$50,000 to pay for New Hope adoption fees. The grant period is through January 1, 2014;
2. Execute the Grant Memorandum of Understanding (MOU) with the ASPCA on behalf of the City and submit all necessary documents relative to the grant award, subject to the approval of the City Attorney as to form and legality;
3. Authorize the Department of Animal Services to:
  - a. Deposit grant receipts in the Animal Welfare Trust Fund (Fund 859);
  - b. Spend up to the grant amount in accordance with the MOU;
4. Authorize the Controller to establish a grant receivable in Fund 859 and establish an appropriation account titled ASPCA New Hope Adoptions, account number to be determined, within Fund 859 for the receipt and disbursement of the ASPCA grant award; and
5. Authorize the Department of Animal Services to prepare Controller's instructions for any technical adjustments, subject to the approval of the City Administrative Officer, and authorize and instruct the Controller to implement the instructions.

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## **SUMMARY**

The Department of Animal Services seeks approval to execute a Memorandum of Understanding (MOU) with and accept a \$50,000 grant award from the American Society for the Prevention of Cruelty to Animals (ASPCA). These funds would be used to offset the cost of the \$40 spay/neuter deposit required of New Hope partners.

Best Friends Animal Society will complement this New Hope adoption effort by providing \$50,000. In total, these efforts will raise \$120,000. (A \$20,000 check was already received from ASPCA, \$50,000 from ASPCA is addressed in this report, and a \$50,000 donation from Best Friends. The latter donation will be addressed in a separate report.)

## **BACKGROUND**

There are 226 “New Hope” partners working with the Department of Animal Services. These 501(c)(3) nonprofit organizations serve as rescue groups who adopt shelter animals and put them into homes. In 2012-13, New Hope partners adopted 6,662 animals.

New Hope partners are required to pay a \$40 spay/neuter deposit. (Los Angeles-based New Hope organizations are required to pay a \$5.50 tax, in addition to the deposit.) This deposit is used to sterilize an animal -- as required by state law -- before an animal is released from the shelter.<sup>1</sup>

To spur adoptions from New Hope partners, the ASPCA and Best Friends Animal Society are willing to pay for the \$40 adoption costs. This initiative would begin in October and end in January 2014.

## **INITIATIVES TO INCREASE SHELTER ADOPTIONS**

At the October 8, 2013 Board of Animal Services Commission meeting, the General Manager was pleased to announce that the ASPCA recently donated \$20,000 to the Department to pay for adoption fees for New Hope rescues. Because the amount was under \$25,000, the General Manager was able to accept the check without Board/City Council approval. However, at this same meeting, she indicated that ASPCA may provide additional funding. Since that Board meeting, this promise of additional funding has turned out to be the case. Due to the amount, \$50,000, Board and City Council approval is needed.

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<sup>1</sup> At press time, the City Council is scheduled to vote on Wednesday, October 23, 2013 on a change to the \$40 spay/neuter deposit arrangement. Animal Services is proposing to increase this to a \$50 flat-fee that can be used for sterilization, microchips, and/or vaccinations. If approved, there would no longer be a deposit dedicated solely to spay/neuter surgery (C.F. 13-1190).

**Report to the Board of Animal Services Commissioners**  
**ASPCA DONATION TO PAY FOR NEW HOPE ADOPTIONS**  
November 12, 2013

---

To add to this good fortune, Best Friends Animal Society, which currently operates an adoption/spay-and-neuter clinic at the City's Northeast Valley shelter, will complement the ASPCA's grant by paying for New Hope adoptions as well.

Best Friends is pledging \$50,000 to increase New Hope-related adoptions. *Because this amount is over \$25,000, the Department will request authority to accept this in a separate report.*

To maximize the use of these donations, these adoptions subsidies will be structured in the following manner:

1. Best Friends will pay the New Hope adoption fees for those rescue groups who are part of the "No-Kill LA" coalition. (There are 34 New Hope partners who are members of this coalition.)
2. The ASPCA will pay the New Hope fees associated with all other rescue groups.

In 2012, Best Friends kicked-off the "No-Kill LA" (NKLA) initiative. This coalition of animal welfare organizations, city shelters and individuals is dedicated to ending the killing of healthy and treatable pets in Los Angeles shelters. The goal of NKLA is for 2017 to be the year when 90% of dogs and cats entering shelter leave alive.

The plan is to provide spay/neuter services where they are needed most and increase adoptions through the combined efforts of the NKLA coalition. Best Friends provides grants to coalition partners for every pet they adopt to a new home over the number they adopted last year, as well as funding spay/neuter projects for pet owners who can't afford to have their pets fixed. (For more information, see Council Files 13-0600-S2 and 13-0600-S3.)

Based on prior year New Hope adoption figures, the cost to pay for Best Friends' NKLA "coalition" adoptions from October 2013 through January 2014 is expected to be \$22,000. ASPCA is estimated to pay \$57,000 during this same period.

## **FISCAL IMPACT**

Approval of the recommendations in this report will provide \$50,000 in funding to the Animal Welfare Trust Fund. Acceptance of the grant will have no additional impact on the General Fund and is in compliance with the City's Financial Policies in that grant funds and currently budgeted funds will cover the cost of the program.

**Approved:**

**Report to the Board of Animal Services Commissioners**  
ASPCA DONATION TO PAY FOR NEW HOPE ADOPTIONS  
November 12, 2013

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**Brenda Barnette, General Manager**

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**BOARD ACTION:**

\_\_\_\_\_ Passed

Disapproved \_\_\_\_\_

\_\_\_\_\_ Passed with noted modifications

Continued \_\_\_\_\_

\_\_\_\_\_ Tabled

New Date \_\_\_\_\_

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BRENDA F. BARNETTE  
General Manager

JOHN CHAVEZ  
Assistant General Manager

---

**Report to the Board of Animal Services Commissioners**

**Brenda Barnette, General Manager**

---

**COMMISSION MEETING DATE:** November 12, 2013      **PREPARED BY:** John Chavez

**REPORT DATE:** October 18, 2013      **TITLE:** Asst. General Manager

**SUBJECT: REQUEST TO ACCEPT BEST FRIENDS ANIMAL SOCIETY DONATION FOR NEW HOPE ADOPTIONS**

---

**BOARD ACTIONS RECOMMENDED:**

That the Board, subject to the approval of the Mayor and Council:

Authorize the General Manager of the Animal Services Department, or her designee, to:

1. Accept the Best Friends Animal Society funds in the amount of \$50,000 to pay for New Hope adoption fees. The grant period is through January 1, 2014;
2. Execute a Memorandum of Understanding (MOU) with Best Friends Animal Society on behalf of the City and submit all necessary documents relative to the grant award, subject to the approval of the City Attorney as to form and legality;
3. Authorize the Department of Animal Services to:
  - a. Deposit grant receipts in the Animal Welfare Trust Fund (Fund 859);
  - b. Spend up to the grant amount in accordance with the MOU;
4. Authorize the Controller to establish a grant receivable in Fund 859 and establish an appropriation account titled Best Friends New Hope Adoptions, account number to be determined, within Fund 859 for the receipt and disbursement of the ASPCA grant award; and:
5. Authorize the Department of Animal Services to prepare Controller's instructions for any technical adjustments, subject to the approval of the City Administrative Officer, and authorize and instruct the Controller to implement the instructions.

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## **SUMMARY**

The Department of Animal Services seeks approval to execute a Memorandum of Understanding (MOU) with and accept a \$50,000 grant from Best Friends Animal Society. These funds would be used to offset the cost of the \$40 spay/neuter deposit of New Hope partners who are part of the “No-Kill LA” coalition (discussed below).

The Association for the Prevention of Cruelty to Animals (ASPCA) will join Best Friends in this effort to increase New Hope adoptions effort by providing \$70,000. (The ASPCA’s donation is discussed in a separate report.)

## **BACKGROUND**

There are 226 “New Hope” partners working with the Department of Animal Services. These 501(c)(3) nonprofit organizations serve as rescue groups who adopt shelter animals and put them into homes. In 2012-13, New Hope partners adopted 6,662 animals.

These partners are required to pay a \$40 spay/neuter deposit. (Los Angeles-based New Hope organizations are required to pay a \$5.50 tax, in addition to the deposit.) This deposit is used to sterilize an animal -- as required by state law -- before an animal is released from the shelter.<sup>1</sup>

To spur adoptions from New Hope partners, Best Friends and the ASPCA are teaming together to pay for the \$40 adoption costs. This initiative would begin in October and end in January 2014.

## **INITIATIVES TO INCREASE SHELTER ADOPTIONS**

Best Friends Animal Society, which currently operates an adoption/spay-and-neuter clinic at the City’s Northeast Valley shelter, is pledging \$50,000 to increase New Hope-related adoptions. Because this amount is over \$25,000, both Board and City Council authority is required to accept the donation.

When combined with the ASPCA’s donation (\$70,000), there is \$120,000 dedicated to increase shelter adoptions via New Hope partners. To leverage this six-figure total, these subsidies will be structured in the following manner:

1. Best Friends will pay the New Hope adoption fees for those rescue groups who are part of the “No-Kill LA” coalition. (There are 34 New Hope partners who are members of this coalition.)

---

<sup>1</sup> At press time, the City Council is scheduled to vote on Wednesday, October 23, 2013 on a change to the \$40 spay/neuter deposit arrangement. Animal Services is proposing to increase this to a \$50 flat-fee that can be used for sterilization, microchips, and/or vaccinations. If approved, there would no longer be a deposit dedicated solely to spay/neuter surgery (C.F. 13-1190).

2. The ASPCA will pay the fees associated with all other New Hope rescue groups.

In 2012, Best Friends kicked-off the “No-Kill LA” (NKLA) initiative. This coalition of animal welfare organizations, city shelters and individuals is dedicated to ending the killing of healthy and treatable pets in Los Angeles shelters. The goal of NKLA is for 2017 to be the year when 90% of dogs and cats entering shelter leave alive.

The plan is to provide spay/neuter services where they are needed most and increase adoptions through the combined efforts of the NKLA coalition. Best Friends provides grants to coalition partners for every pet they adopt to a new home over the number they adopted last year, as well as funding spay/neuter projects for pet owners who can't afford to have their pets fixed. (For more information, see Council Files 13-0600-S2 and 13-0600-S3.)

Based on prior year New Hope adoption figures, the cost to pay for Best Friends' NKLA “coalition” adoptions from October 2013 through January 2014 is expected to be \$22,000. ASPCA is estimated to pay \$57,000 during this same period.

#### **FISCAL IMPACT**

Approval of the recommendations in this report will provide \$50,000 in funding to the Animal Welfare Trust Fund. Acceptance of the grant will have no additional impact on the General Fund and is in compliance with the City's Financial Policies in that grant funds and currently budgeted funds will cover the cost of the program.

#### **Approved:**

\_\_\_\_\_  
**Brenda Barnette, General Manager**

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#### **BOARD ACTION:**

\_\_\_\_\_ Passed

Disapproved \_\_\_\_\_

\_\_\_\_\_ Passed with noted modifications

Continued \_\_\_\_\_

\_\_\_\_\_ Tabled

New Date \_\_\_\_\_



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EDWARD A. BOKS  
General Manager

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## **Report to the Board of Animal Services Commissioners**

**Edward A. Boks, General Manager**

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**COMMISSION MEETING DATE:** January 14, 2008    **PREPARED BY:** Linda Barth

**REPORT DATE:** January 9, 2008

**TITLE:** Assistant General  
Manager

**SUBJECT:** Policy to Guide the Handling of Permit Applications which Include Elephant Walks and Similar Events for the Public (Revised Report)

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### **BOARD ACTION RECOMMENDED:**

That the Board adopt requirements for issuing permits for elephants or other inherently dangerous wild animals, as detailed in the body of this report, and direct staff to implement the requirements immediately.

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### **SUMMARY:**

At the meeting of October 9, 2007, the Board considered a report requesting a policy statement regarding Elephant Walks or similar animal parades by a circus or exhibition, to guide the permit processing responsibilities of Department staff. This matter was prompted by a summer 2007 engagement at Staples Center of the Ringling Brothers and Barnum & Bailey Circus, which had properly applied for a circus permit. As in past years, the circus permit paperwork also notified the Department of a traditional Elephant Walk on public streets to bring the animals from the railroad tracks to the site of the Circus engagement. Ultimately, City staff determined planning and safeguards were satisfactory, and there were no incidents for the 2007 Elephant Walks. However, historically and in other locations there have been Elephant Walks which have resulted in an elephant rampage.

Department Staff sought a Policy Statement to guide staff in determining approval or disapproval for future event applications. The conclusion of the discussion at the

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meeting of October 9, 2007, was that Department staff should provide the Board with additional information.

With input from staff and from appropriate and experienced subject-matter experts external to the Department, including Dr. Erna Toback, of Santa Monica College, and Catherine Doyle, a leader in elephant welfare campaigns, a schedule of recommended requirements is submitted for consideration and adoption by the Board. The requirements would apply to exhibition or any other permit applied which involves elephants or any other inherently dangerous wild animals, as defined in California Code of Regulations, Title 14 (Manual 671), §2157, Unique Identification of Mammals, which reads in part, "...this identification shall include the following species of mammals: wild cats, elephants, nonhuman primates, bears, and wolves."

The required actions or document submittals described below must be satisfied by applicants prior to issuance of a permit under Municipal Code section 53.50(c), which in fact expressly calls for an investigation prior to issuance.

Applicants must meet the following conditions:

1. Hold a liability insurance policy with an insurer authorized or approved to write such insurance in this state that covers claims for injury or damage to persons or property in an amount of not less than two million dollars for each facility.
2. Provide proof that within the calendar year any and all elephants on display have been tested and are free of Tuberculosis
3. Provide a written plan for the quick and safe recapture or destruction of an inherently dangerous wild animal in the event an animal escapes. This should include but not be limited to the applicant's written protocols for training staff on methods of safe recapture of escaped inherently dangerous wild animals.
4. Have access to appropriate drugs for chemical immobilization and have a staff member who has firearm training and proficiency in order to recapture an escaped inherently dangerous wild animal.
5. Must disclose if any animal has a history of being dangerous. This includes, but is not limited to, disclosure of animals trucked to locations, not walked, because of unpredictable, dangerous behavior, and animals that have previously attacked or escaped direct control and supervision of handler(s).
6. Must disclose all previous names of all animals.
7. Must provide health histories for all animals.

**Subject:** Policy to Guide the Handling of Permit Applications which include Elephant Walks and Similar Events for the Public

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8. Applicant has no criminal record and must disclose any and all employee criminal record(s).
  9. Applicant has not been cited within 5 years by USDA under the Animal Welfare Act for 1) inappropriate provision of veterinary care 2) inappropriate handling of animals causing stress or trauma 3) inappropriate provision of food, water, or shelter.
  10. Applicant has not been in violation of California state law regarding elephants (prohibits use of martingales, block and tackle, etc.) or any other animal handling regulations.
  11. Applicant must meet an informed consent provision by providing written information to any individuals entering the site of the permitted animal display, explaining that an inherently dangerous wild animal is present and there is risk of injury or death.
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**FISCAL IMPACT:**

Events such as would be covered by this Policy Statement are rare and would number only a few each year. Permit applications include fees to offset processing and inspection costs. These fees may change in coming fiscal years to be based on a cost recovery formula, but implementing the requirements above have no significant revenue or expense implications, while the health and safety of both animals and people would be improved.

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**Approved:**

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**Edward A. Boks, General Manager**

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**BOARD ACTION:**

_____ Passed	Disapproved _____
_____ Passed with noted modifications	Continued _____
_____ Tabled	New Date _____

**DEPARTMENT OF ANIMAL SERVICES  
STATEMENT OF REVENUE AND EXPENSES  
Fund 859 - ANIMAL WELFARE TRUST FUND (AWTF)  
For the period July 1, 2013 to October 31, 2013**

	July 1-Sept 30, 2013	Oct 1-31, 2013	(A + B = C)
	Year-to-Date (A)	Current Month (B)	Total (A + B = C)
<b>Revenue</b>			
Interest Income	\$2,820.46	\$2,115.65	\$4,936.11
Donations & Contributions	\$48,838.31	\$15,015.71	\$63,854.02
<b>TOTAL REVENUE</b>	<b>\$51,658.77</b>	<b>\$17,131.36</b>	<b>\$68,790.13</b>
<b>Expenses</b>			
Transfer to General Fund (for Council-approved facilities alterations/improvements)	\$497.88		\$497.88
<b>TOTAL EXPENSE</b>	<b>\$497.88</b>		<b>\$497.88</b>
<b>NET INCOME/LOSS:</b>	<b>\$51,160.89</b>	<b>\$17,131.36</b>	<b>\$68,292.25</b>

**Breakdown of Donations and Contributions by Account**

**UNRESTRICTED DONATIONS**

	Year of donation	Amount
06000A - AVAILABLE	carry forward	\$904,786.98
JAMES SAMUEL ROGERS FOUNDATION	2011	\$6,000.00
AGAINST ANIMAL CRUELTY	2013, 2014	\$7,115.62
AWARDS & REFRESHMENTS	2012	\$433.00
<b>TOTAL UNRESTRICTED DONATIONS</b>		<b>\$918,335.60</b>

**RESTRICTED DONATIONS**

WEST VALLEY SHELTER	Maintenance/upkeep of WV Shelter	2012 to date	\$19,595.55
HARBOR SHELTER	Maintenance/upkeep of Harbor Shelter	2012 to date	\$17,037.26
NORTH CENTRAL SHELTER	Maintenance/upkeep of No. Central Shelter	2012 to date	\$17,714.17
SOUTH LA SHELTER	Maintenance/upkeep of South LA Shelter	2012 to date	\$9,234.69
EAST VALLEY SHELTER	Maintenance/upkeep of EV Shelter	2012 to date	\$26,183.76
WEST LA SHELTER	Maintenance/upkeep of West LA Shelter	2012 to date	\$33,169.46

**ON-LINE DONATIONS**

Special Treatment and Recovery (S.T.A.R.) PROGRAM	2012, 2013, 2014	\$31,295.15
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**CHAMELEON DONATIONS**

S.T.A.R. -- JAMES SAMUEL ROGERS FOUNDATION	2012	\$10,000.00
SPECIALIZED MOBILE ANIMAL RESCUE TEAM (SMART)	2012, 2013	\$1,227.41
FOSTER PROGRAM	2007, 2013, 2013, 20	\$5,984.87
KENNEL PLAQUE SPONSORSHIP	2013, 2014	\$17,050.00
PUBLIC EDUCATION	2004	\$1,500.00

**BEST FRIENDS ANIMAL SOCIETY**

Restricted to promote adoptions	2005, 2009, 2012	\$50,744.00
Restricted to "donate-your-car" radio ad campaign	2012	\$30,000.00

**CEQA RELATIVE TO "CAT PROGRAM"**

Best Friends Animal Society	2013	\$17,500.00
Found Animals		\$17,500.00
California Community Foundation		\$8,500.00
ASPCA		\$8,500.00

**ASPCA**

CARROLL PETRIE GRANT	2013	\$83,550.00
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**DEPARTMENT OF GENERAL SERVICES**

	2014	\$4,356.87
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**TOTAL RESTRICTED DONATIONS**

**\$410,643.19**

**UNRESTRICTED ESTATES**

ROBERT EMERSON ESTATE	2009	\$10,228.24
LIZ DOUGLAS ESTATE	2006	\$10,000.00
<b>TOTAL UNRESTRICTED ESTATE DONATIONS</b>		<b>\$20,228.24</b>

**RESTRICTED ESTATES**

MARIE TYNER ESTATE	Maintenance/upkeep of West Valley Shelter	2012	\$41,841.36
AGNES WOOD ESTATE	Maintenance/upkeep of No. Central Shelter	2012	\$112,813.67
LOUIS C. MIRABILE ESTATE	Maintenance/upkeep of South LA Shelter	2013	\$4,316.26
SHUSTER & CUNARD ESTATE	Maintenance/upkeep of East Valley Shelter	2012	\$53,876.10
AMELIA PARKER ESTATE	Shelter renovations	2004	\$7,130.05
MARY LOUISE PORT LIVING TRUST	Maintenance/upkeep of West LA Shelter	2012	\$5,000.00
<b>TOTAL RESTRICTED ESTATE DONATIONS</b>			<b>\$224,977.44</b>

**TOTAL ESTATE DONATIONS**

**\$245,205.68**

**TOTAL DONATIONS AND CONTRIBUTIONS**

**\$1,574,184.47**

**DEPARTMENT OF ANIMAL SERVICES**  
**STATEMENT OF REVENUE AND EXPENSES**  
**FUND 842- ANIMAL STERILIZATION FUND (ASF)**  
**For the period July 1, 2013 to October 31, 2013**

	July 1-Sept 30,2013	Oct 1-31, 2013	(A + B = C)
	<b>YTD Revenue (A)</b>	<b>Current Month (B)</b>	<b>TOTAL (C)</b>
<b>Revenue</b>			
Spay and neuter fees (\$7 for sterilized dogs; \$2 for intact)	\$173,508.51	\$81,673.00	\$255,181.51
Donations & contributions	12,404.50	5,442.25	\$17,846.75
General Fund subsidy (\$710,000 total)	177,515.00	59,165.00	\$236,680.00
<b>TOTAL REVENUE</b>	<b>\$363,428.01</b>	<b>\$146,280.25</b>	<b>\$509,708.26</b>
	<b>YTD Expenses (A)</b>	<b>Current Month (B)</b>	<b>TOTAL (C)</b>
<b>Expenses</b>			
Spay and Neuter Program	\$281,982.50	\$64,825.00	\$346,807.50
General Fund Transfer			\$0.00
<b>TOTAL EXPENSES</b>	<b>\$281,982.50</b>	<b>\$64,825.00</b>	<b>\$346,807.50</b>
<b>NET INCOME/LOSS</b>	<b>\$81,445.51</b>	<b>\$81,455.25</b>	<b>\$162,900.76</b>
Dog/Cat Spay & Neuter Deposits (New Hopes)	\$60,636.50		\$60,636.50
Pet Adoption Spay & Neuter Deposits	\$654,860.58	\$122,760.00	\$777,620.58
Fund Balance Residual Encumbrance	\$140,370.37	\$52,325.00	\$192,695.37
Unrestricted	\$675,305.75	\$31,910.25	\$707,216.00
Set-aside of SLA spay/neuter clinic			\$500,000.00
Set-aside for mobile spay/neuter van			\$300,000.00
Residual Equity Transfer	\$668,511.27		\$668,511.27
Total	<u>\$2,999,684.47</u>	<u>\$206,995.25</u>	<u>\$3,206,679.72</u>