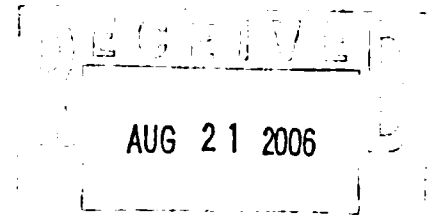




August 17, 2006

Gary P. Keefe, City Administrator
 City of Lompoc
 PO Box 8001
 Lompoc, CA 93438-8001



Ref: Comments on Proposed Ordinance Change

Dear Gary:

In your letter you request information on implementation, enforcement, consistency with County regulations and potential cost. If implemented, Animal Services would apply the ordinance on the date the City makes it effective. We will educate our staff and provide them a copy of any new ordinance. In regard to enforcement, we would provide the same level of enforcement as is currently provided, unless the City determines that it wants a different service level. The County could provide information on the cost of an additional field officer, if requested.

The following information is provided for your review:

Category	Lompoc Current Fee (County current fee)	Lompoc Proposed fee	LA Co. new fee
Sterilized dog	\$17.00	\$25.00	\$20.00
Unsterilized dog per exemption		\$45.00	\$60.00 (exempt from S/N reqt)
Unsterilized dog	\$39.00	\$80.00	\$60.00

California State law currently mandates that the fee for a dog license for an altered dog "shall not exceed 50 percent of the license fee otherwise imposed." (Government Code 38792) Our reading of your proposed fees does not appear to conform to this requirement. (Adjusting the unsterilized exemption fee to \$50.00 would resolve this) One philosophy, when crafting dog license fees, is to establish a large differential between the fee for altered and unaltered dogs, to provide a strong incentive for spaying and neutering pets. At this time, we are unable to say what recommendation will be for a fee adjustment to the County's license fees, if any.

As Michael Harris, Deputy Director, Public Health, told the city managers at their recent meeting, the department is interested in turning the tide over the continual

growth of unwanted animals in this county. Mr. Harris is directing the Animal Services program staff to convene a workgroup to make recommendations to the Board of Supervisors and, if desired by the cities, regarding revisions to the County animal ordinance this upcoming fall. The work group may also review the ordinance for other desired adjustments, including a "pooper scooper" provision and sanitation clause, and other areas the group may identify. There has been some interest expressed in substantially raising the penalty for not licensing your dog, as well. The workgroup will include staff, representatives from the partnering cities, volunteers, community members and representatives from the local animal business community. Because of the timing, the City of Lompoc's ordinance change will be ahead of any change the County may make.

In general, it seems the direction we will explore is the potential implementation of mandatory spay and neuter for all dogs, with certain exemptions, as has recently been passed and will implemented in Los Angeles County September 3, 2006. (A copy of their News Release of April 18, 2006 is included with this letter.) While Los Angeles County did exempt certain dogs from the spay/neuter requirement (registered purebred dogs, service dogs, law enforcement dogs) the fee for the license for these dogs is consistent with the fee for all unaltered dogs. Our goal would be to coordinate with all the cities within the county for as much consistency as possible. The current County ordinance along with the local city ordinances, have dangerous dog enforcement procedures that work well for addressing this problem.

Again, thank you for giving us the opportunity to comment on proposed changes to the City's animal control ordinance and serve our community. Please feel free to contact me at 681-5284 if you would like to discuss the ordinance proposal further.

Thank you,



Jan E. Glick
Animal Services Director

Enclosures

25802. Public Pounds

The board may maintain, regulate, and govern public pounds, fix the limits within which animals shall not run at large, and appoint poundkeepers. All expenses of operation and maintenance and the compensation of the poundkeepers shall be paid out of the fines imposed and collected from the owners of impounded animals, or from the general fund of the county, or both.

(Enacted 1947.)

25803. Dog Poisoning or Shooting, Injuries to Sheep

The board may provide for the prevention of injuries to sheep by dogs, and for the destruction and control of predatory animals, and may tax the possessors of dogs and direct the application of the tax. The board may, by ordinance, require veterinarians licensed pursuant to Chapter 11 (commencing with Section 4800) of Division 2 of the Business and Professions Code to report to the county the shooting or poisoning of any dog. Such veterinarian may be required to report the name of the owner of such dog, if known, or the person or persons requesting treatment of such dog. (Enacted 1947, amended 1973.)

36900. City Ordinance May Reduce Misdemeanor to Infraction: Maximum Penalties

(a) Violation of a city ordinance is a misdemeanor unless by ordinance it is made an infraction. The violation of a city ordinance may be prosecuted by city authorities in the name of the people of the State of California, or redressed by civil action.

(b) Every violation determined to be an infraction is punishable by (1) a fine not exceeding one hundred dollars (\$100) for a first violation; (2) a fine not exceeding two hundred dollars (\$200) for a second violation of the same ordinance within one year; (3) a fine not exceeding five hundred dollars (\$500) for each additional violation of the same ordinance within one year.

(c) Notwithstanding any other provision of law, a violation of local building and safety codes determined to be an infraction is punishable by (1) a fine not exceeding one hundred dollars (\$100) for a first violation; (2) a fine not exceeding five hundred dollars (\$500) for a second violation of the same ordinance within one year; (3) a fine not exceeding one thousand dollars (\$1,000) for each additional violation of the same ordinance within one year of the first violation. (Enacted 1949, last amended 2003.)

38792. City Authority to License Dogs: Maximums: Half-Price for Spay/Neuter

(a) The legislative body of a city may impose and collect a license fee for a period not to exceed two years and not exceeding the cost of services relating to dogs, including, but not limited to, animal shelters and control and the programs specified in Section 30652 of the Food and Agricultural Code, provided by the city, on every dog owned or harbored within the city limits. The license fee for spayed bitches and neutered males shall not exceed 50 percent of the license fee otherwise imposed.

(b) In addition to the authority provided in subdivision (a), the legislative body of a city may impose and collect a license fee, as described in subdivision (a), for a period not to exceed three years for dogs that have attained the age of 12 months or older and have been vaccinated. The person from whom the license fee is collected pursuant to this subdivision may choose a license period as established by the legislative body of up to one, two, or three years. However, when imposing and collecting a license fee pursuant to this subdivision, the license period shall not extend beyond the remaining period of validity for the current rabies vaccination. The license fee for spayed bitches and neutered males, under this subdivision, shall not exceed 50 percent of the license fee otherwise imposed. (Enacted 1949, last amended 1987.)

NEWS RELEASE

April 18, 2006

Contact: Brenda Sanchez (562) 256-1364
Bob Ballenger (562) 256-1362

FOR IMMEDIATE RELEASE

Acting on a unanimous 4-0 vote, the Los Angeles County Board of Supervisors gave preliminary approval to a new measure that requires all adult dogs kept in unincorporated Los Angeles County to be spayed or neutered and implanted with an identifying microchip.

"This measure, one of the first of its kind in the nation, will have double benefits," said Marcia Mayeda, director of the Los Angeles County Department of Animal Care and Control, which drafted the ordinance.

"Its mandatory spay and neuter provisions, which are required of all dogs over the age of four months, will help reduce the numbers of unwanted animals flooding into our shelters," Mayeda said. "The Found Animal Foundation of Los Angeles has promised to pay for the microchip and lifetime registration for 1,000,000 dogs in Los Angeles County. We are truly grateful for their generous offer of support."

"The microchip provision will provide positive, reliable on-body identification for dogs, speeding their return to owners."

During 2004-05, the County's Department of Animal Care and Control, the largest public animal control agency in the nation, impounded more than 40,000 dogs.

More than 24,000 of those animals were unsterilized, stray dogs, found running at large and raising public safety concerns by their behavior.

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Once housed in County shelters almost 19,000 dogs had to be humanely euthanized because the agency could not find their owners or was unable to place them in new homes.

“Our agency is very much in agreement with the ‘No Kill’ animal care philosophy that is gaining wider and wider acceptance in the general public,” Mayeda said.

“And, at the same time, we understand the practical realities of animal control; our agency has been doing this for almost 70 years. In order to euthanize fewer animals – with the goal of euthanizing no animals – we first have to drastically reduce the number of animals coming into our shelters.”

Like all public animal shelters in California, the County shelters have been spaying and neutering all adopted animals prior to placement.

That program has led to dramatic drops in the number of animals coming into the shelter system. But, Mayeda noted, it is not enough.

“Most animals in the community do not come from shelters and most animals are not spayed and neutered,” she said. “That means we are constantly receiving a new flow of animals every day at every shelter.”

The mandatory spay and neuter ordinance is designed to encompass the non-shelter animal population to reduce the number of animal impounds and the number of animals humanely euthanized at Los Angeles County shelters.

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Tuesday's Board action, which must be ratified by a vote on the enabling ordinance, slated for May 2, does not include all dogs. Dogs used by law enforcement agencies, certified service dogs and purebred dogs registered with recognized breed clubs are exempted under the measure.

"We recognize that organizations such as the American Kennel Club, the United Kennel Club and others have a legitimate reason for keeping animals registered with them intact," Mayeda said.

"And, we are confident that the rules enforced by those groups and the care and concern shown by their members reflect their dedication to animals, so they are worthy of exemption."

The mandatory spay and neuter measure also adjusted the County's annual dog license rates to \$20 for dogs that have been altered and \$60 for dogs that have not been spayed or neutered.

Proceeds from licensing will help pay for low-cost spay-and-neuter operations to encourage compliance, Mayeda noted.

"Our intent is not punitive," the director said, "we want to encourage compliance and everything in the ordinance was crafted with that in mind."

As adopted by the Board, the measure applies only to the unincorporated areas of Los Angeles County, which includes more than 1 million residents of the entire county.

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“We hope, as this measure proves its success, every city in Los Angeles County, as well as cities outside the county, will adopt local ordinances, based on our model,” Mayeda said.

“We think this measure will be a major step toward ending the humane euthanization of animals in shelters and transforming the ‘No Kill’ goal from dream to reality.”

A copy of the new ordinance is posted on the homepage of the Department’s website at: <http://animalcontrol.co.la.ca.us>

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