

Los Angeles Municipal Code

SEC. 53.06. ANIMALS AT LARGE.

(Amended by Ord. No. 160,401, Eff. 11/1/85.)

No person owning or having possession, charge, custody or control of any animal, except cats which are not in heat or season, shall cause, permit or allow the animal to stray, run, or in any manner to be at large in or upon any public street, sidewalk or park, except as otherwise expressly provided in section 63.44 of this Code, or in the bed of the Los Angeles River or upon any unenclosed lot or land.

SEC. 53.06.2. RESTRAINT OF DOGS.

(Amended by Ord. No. 160,401, Eff. 11/1/85.)

(a) Every person owning or having charge, care, custody or control of any dog shall keep such dog exclusively upon his own premises provided, however, that such dog may be off such premises if it be under the control of a competent person and restrained by a substantial chain or leash not exceeding six feet in length, or under the control of a competent person on a dog exercise or training area established pursuant to section 63.44 of this Code.

(b) (Amended by Ord. No. 162,538, Eff. 8/27/87.) Notwithstanding any other provision of this code, every violation of any of the provisions of this section shall be punishable as an infraction as follows:

1. Upon a first conviction, by a fine of twenty-five dollars (\$25) .
2. Upon a second conviction, and the offense occurred within one year of a prior violation of this section which resulted in a conviction, by a fine of forty-five dollars (\$45).
3. Upon a third or subsequent conviction, and the offense occurred within one year of a prior violation of this section which resulted in a second or subsequent conviction, by a fine of sixty-five dollars (\$65).

SEC. 53.09. STRAY ANIMALS. NOTICE REQUIRED.

(a) (Amended by Ord. No. 133,983, Eff. 4/10/67.) Any person finding at any time any stray domestic animal or any such animal found running at large contrary to the provisions of this article may take up such animal; provided, however, that persons taking up such animal shall, within four hours thereafter, or within two hours thereafter if such animal is attached or hitched to a vehicle, give notice to the Department or to some police officer, of the fact that he has such animal in his possession, and shall furnish thereto a description of such animal and a statement of the place where he found and where he has confined the animal.

In case such notice is given to any police officer, such officer shall immediately notify the Department and shall furnish all the information which has been obtained regarding such animal.

If the taking up of such animal occurs at a time when the Public Pound is not open for the transaction of business, the notice required herein shall be made to the Department within the time herein required after such pound is again open for business.

(b) Any person taking up any such stray animal found running at large or contrary to the provisions of this article shall surrender such animal to the General Manager of the Department or his duly authorized representative upon demand thereof.

(c) No person taking up any animal shall fail or neglect to give notice thereof as required by this section or fail or refuse to surrender such animal to the General Manager or his duly authorized representative upon demand therefor.

SEC. 53.15.2. BREEDING AND TRANSFER OF DOGS AND CATS.

(Amended by Ord. No. 173,168, Eff. 5/18/00, Oper. 11/15/00.)

The City Council finds that there exists a serious pet overpopulation problem within the City, that has resulted in a threat to public safety and health, inhumane treatment of animals, mass euthanasia of dogs/cats at the local animal shelters and escalating costs for animal care and control. Further, the Board of Animal Services Commissioners has found that uncontrolled breeding is the cause and, without action aimed at the source, this problem and its serious consequences will remain unabated. Council finds that part of the solution is for all dogs and cats over the age of four months to be spayed or neutered, unless their owners purchase the appropriate licenses/permits for the privilege of maintaining the animal intact and allowing it to breed. Council also finds that an increase in the license fee for unaltered dogs will encourage the owners to spay/neuter their dog(s), in order to qualify for the much lower altered dog license fee. Further, Council finds that tighter regulation of the transfer of dogs and cats will help alleviate the City's pet overpopulation crisis by allowing increased City control over the transfer of dogs and cats.

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(b) Intact Dogs and Cats: (Amended by Ord. No. 179,615, Eff. 4/8/08.)

(1) No person who owns a cat over the age of four months shall cause, permit, or allow the cat to be in a public place unsupervised, unless the cat is spayed or neutered. The term public place shall include, but not be

limited to, streets, highways, sidewalks, carnivals, shopping malls, flea markets, boardwalks, and areas in front of commercial establishments. This requirement applies to all unaltered cats, whether or not their owner(s) have obtained breeding permits pursuant to Subsection (c), below.

(2) No person, within the City of Los Angeles, shall own a dog or cat over the age of four months that has not been spayed or neutered, unless valid written documentation is provided to show proof that the animal is exempt from the requirement to be spayed or neutered by reason of one of the following, and is in compliance with Subdivisions (3) and (4) below:

A. The dog or cat is a breed approved by and is registered with a registry or association recognized by the Department through its Commission, whose program and practices are consistent with the humane treatment of animals, and the dog or cat is actively used to show or compete and has competed in at least one show or sporting competition hosted by or under the approval of the recognized registry or association within the last two years, or is being trained or groomed to show or compete and is too young to have yet competed.

B. The dog has earned, or if under three years old, is actively being trained and in the process of earning, an agility, carting, herding, protection, rally, hunting, working, or other title from a registry or association approved by the Department through its Commission.

C. The dog is being trained or has been appropriately trained and is actively used in a manner that meets the definition of guide, signal or service dog as set forth in Subdivisions (d), (e), and (f) of Section 365.5 of the Penal Code, or the dog is enrolled in a guide, signal or service dog breeding program administered by a person licensed under Chapter 9.5 (commencing with Section 7200) of Division 3 of the California Business and Professions Code.

D. The dog is appropriately trained or is in the process of being trained and is actively used by law enforcement agencies or the military for law enforcement, military or rescue activities.

E. The owner of the dog or cat provides a letter to the Department from a licensed veterinarian certifying that the animal's health would be best served by spaying or neutering after a specified date; or that due to age, poor health, or illness it is unsafe to spay or neuter the animal; or that arrangements have been made to spay or neuter the dog or cat within 60 days after the compliance deadline and the dog or cat is spayed or neutered within that 60-day period. This letter shall include the veterinarian's license number, the date by which the animal may be safely spayed or neutered, and updated periodically as necessary. In addition, if the letter from the licensed veterinarian certifies that arrangements have been made to spay or neuter the dog within 60 days from the date the dog reaches the age of four

months, and the dog is spayed or neutered within that 60-day period, the owner shall qualify for the lower license fee and license tax for an altered dog. It shall be the owner's responsibility to comply with the spay/ neuter provisions of this chapter, including paying the license fee and license tax.

F. The dog or cat has a valid breeding permit issued to the owner pursuant to Subsection (c) below.

(3) An unaltered dog or cat shall be implanted with an animal identification device identifying the owner of the animal.

(4) In addition to meeting one of the exemptions in this section, the dog license application for an unaltered dog shall contain the information requested by the Department, including the identification number of the implanted animal identification device, the name and address of the owner, and the location at which the dog will be maintained.

(5) A license for an unaltered dog shall not be transferable, and shall not be issued to any person under the age of eighteen years.

(6) The provisions of this subsection become operative on October 1, 2008. However, an unaltered dog that has a valid dog license from the Department shall not be subject to this subsection until the dog license expires, or October 1, 2009, whichever occurs first.

(7) Any person owning, possessing, harboring or having custody and control of a cat or dog in violation of this subsection shall be given a notice to comply and information regarding free and subsidized spay and neuter services. If the violation is not corrected within 60 days, it shall be deemed a second violation and in addition to correcting the violation, the person shall pay a civil penalty in the amount of \$100.00 or shall be allowed to perform eight hours of community service. Failure to pay the civil penalty or perform the community service and/or failure to correct the violation within the 60-day period, or any extension of that period permitted by the Department, shall be deemed a third violation. The Department shall impose a civil penalty in the amount of \$500.00 or allow the person to perform 40 hours of community service, in addition to spaying or neutering the dog or cat.

After July 1, 2009, if after 60 days from the date of notification of a third violation, the \$500.00 civil penalty is not paid or the 40 hours of community service is not performed and/or the owner still has not spayed/neutered his/her dog(s) or cat(s) as required under Subsection (b) above, the continuing violation of this subsection may also be deemed a misdemeanor.

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(c) Breeding Permit:

(1) No person shall cause or allow any dog or cat owned, harbored or kept within the City of Los Angeles to breed without first obtaining a breeding permit, as described below. The term breeding permit means a written authorization, issued annually by the General Manager, giving its lawful holder permission to breed a dog or a cat.

(2) Each breeding permit shall be valid for one year from the date of issuance, and may be renewed annually, before its expiration date. Each applicant for such a permit shall pay an annual fee of \$120.00 or such other fee established in the manner set forth in Subsection (a) of Section 53.12 and promulgated by the Department. A separate permit must be obtained for each owned dog or cat which is allowed to breed. (Amended by Ord. No. 180,697, Eff. 6/26/09.)

(3) The Department shall administer an animal breeding permit program to allow the breeding of unaltered dogs and cats consistent with criteria and according to procedures established by the General Manager pursuant to Section 53.58 of this Code. Under no circumstances shall such a permit be issued to a person who has been convicted of animal cruelty or neglect.

(4) In addition to the criteria and procedures established by the General Manager pursuant to Paragraph 3 of this subsection, all breeding permits shall contain the following terms and conditions:

A. The owner of an unaltered female dog or cat shall not allow the whelping of more than one litter in any household within the permit year. Notwithstanding this provision, the General Manager is hereby authorized, upon application of a permittee, to allow on a one time basis the whelping of up to two dog or cat litters per breeding animal within any domestic household within a permit year, if the permittee establishes, according to regulations promulgated by the General Manager, that such breeding is required to protect the health of the animal or avert a substantial economic loss to the permittee. In the event that a permittee is forced to euthanize a litter of dogs or cats, the General Manager may authorize the whelping of one additional litter of dogs or cats within the same permit year by the permittee;

B. No offspring may be sold, adopted, bartered, or otherwise transferred, whether for compensation or otherwise, until it has reached the age of at least eight weeks;

C. No offspring may be sold or adopted until immunized against common diseases. The sale or adoption of a dog or cat shall include a

statement signed by the seller or adopter attesting to the signatory's knowledge of the animal's health, and the animal's immunization history;

D. Any holder of a breeding permit who advertises to the public the availability of any dog or cat for sale, adoption, or transfer, whether for compensation or otherwise, must prominently display the permit number in any such advertisement. Further, the breeding permit holder must provide the permit number to any person who purchases, adopts or receives any animal from the permit holder and include the permit number on any receipt of sale or transfer document;

E. Commercial establishments selling locally bred dogs or cats shall prominently display the breeding permit number(s) of the breeder(s) whose dogs and cats are sold in said establishments and any other pertinent information required by the General Manager; Commercial establishments selling dogs and cats which were not bred within the City of Los Angeles shall prominently display the name and address of the breeder(s) of such dogs and cats and any other pertinent information required by the General Manager;

F. Any breeding permit holder selling or otherwise transferring a dog or a cat, whether for compensation or otherwise, shall submit to the Los Angeles Department of Animal Services the name, address, and telephone number of the animal's new owner within five days from the sale or other transfer, on a Department approved form; and

G. Any breeding permit holder or commercial establishment which sells or otherwise transfers a dog or cat, whether for compensation or otherwise, shall provide to the new animal owner City application(s) for a license and permit as well as written information regarding the license and permit requirements of the City of Los Angeles applicable to such animal.

(5) The following animals are exempt from the breeding permit requirements:

A. Dogs documented as having been appropriately trained and actively used by law enforcement agencies for law enforcement and rescue activities;

B. Dogs documented as guide, signal, or service dogs pursuant to California Penal Code Section 365.5(d), (e) & (f) and successor sections;

C. Dogs and cats certified by a licensed veterinarian as not being suitable subjects for spaying and neutering due to health reasons;

D. Dogs and cats under the care of governmental animal control agencies; animal rescue organizations which have demonstrated to the Department that they have implemented an ongoing spay/neuter plan, as

well as an adoption plan; or humane societies or societies for the prevention of cruelty to animals, if such societies are incorporated under the provisions of California Corporations Code Section 10400 and the Nonprofit Public Benefit Corporation Law in Part 2 of the California Corporations Code, beginning at Section 5110, and successor sections; and

E. Dogs documented as enrolled in a guide, signal or service dog breeding program administered by a person licensed under Chapter 9.5 (commencing with Section 7200) of Division 3 of the California Business and Professions Code.

(d) Penalties:

(1) Any cat or dog owner found by the Department to be in violation of the breeding permit provisions of this section may correct the violation(s) by providing conclusive proof to the Department that the dog(s) or cat(s) have been spayed or neutered, or by obtaining the necessary permit(s) mentioned in this section, no later than forty five days from the date when the Department had first notified the owner of the violation. Should the owner fail to correct the violation(s) in the manner described above, the Department shall impose a \$500.00 civil penalty on the dog or cat owner. Notice of this penalty shall be served by the Department on the dog or cat owner in the manner allowed by Section 11(i) of this Code. This penalty shall not be waived by the Department upon the transfer or abandonment of the dog or cat by the non compliant owner. This penalty shall be imposed in addition to any other applicable civil or criminal penalties.

If the civil penalty mentioned above is not paid and the owner does not spay/neuter his/her dog(s) or cat(s) or obtains the breeding permit(s) required under Subsection (c), above, within fifteen days from the date when the Department first notified the owner of the imposition of the civil penalty mention in Section (d)(1), the continuing violation of the breeding permit requirement of this section becomes a misdemeanor and may be prosecuted as such.

(2) The Department may revoke any permit issued pursuant to this section upon a finding that the permit holder has violated its terms and conditions. Such a finding shall be made after an administrative hearing conducted in accordance with the provisions of Section 53.18.5 of this Code; provided, however, that a finding by the Department's hearing examiner that such violation had occurred, if this finding is sustained by the General Manager, shall result in the permit's revocation, notwithstanding the provisions of Section 53.18.5(l) of this Code.

(3) Except as specifically mentioned in Subsection (d)(1) and (2), above, failure to comply with any of the requirements mentioned in Subsections (b) and (c) of Section 53.15.2 of this Code is an infraction

punishable by a \$50.00 fine for the first occurrence, \$75.00 for the second occurrence and \$100.00 for each subsequent occurrence.

(e) Sale, Adoption and Other Transfers of Dogs and Cats:

(1) Any person who offers or provides, whether for compensation or otherwise, any dog or cat for sale or other type of transfer, shall disclose to the transferee information regarding the license and permit requirements of the City of Los Angeles applicable to the transferred animal.

(2) No person shall present any dog or cat for sale, adoption, barter, exchange, or adoption, whether for compensation or otherwise, in any public place, without first obtaining a permit pursuant to Los Angeles Municipal Code section 53.50. The term public place shall include, but not be limited to, streets, highways, sidewalks, carnivals, shopping malls, flea markets, boardwalks, and areas in front of commercial establishments. This prohibition shall not apply to:

A. Government agencies; non-profit animal rescue organizations exempt from taxation under Internal Revenue Code section 501(c)(3); or humane societies or societies for the prevention of cruelty to animals if such societies are incorporated under the provisions of California Corporations Code Section 10400 and the Nonprofit Public Benefit Corporation Law in Part 2 of the California Corporations Code, beginning at Section 5110;

B. Permitted dog or cat shows; or

C. Permitted pet stores which sell or otherwise transfer dogs or cats, whether for compensation or otherwise, within the store.

(3) No person shall give away any dog or cat as a prize or as an inducement to enter into any contest, lottery, drawing, game or competition.

(4) No person shall give away any dog or cat as an inducement to enter a place of business, or to enter into a business arrangement.

(5) No person shall sell, barter, exchange or offer for adoption, whether for compensation or otherwise, any dog or cat to any minor under the age of eighteen years, without the written permission of one of the minor's parents or legal guardians.

(6) Commercial establishments selling dogs and cats which were not bred within the City of Los Angeles shall prominently display the name and address of the breeder(s) of such dogs and cats and any other pertinent information required by the General Manager.

(7) Failure to display the breeding permit number or include it in any advertisement for sale, adoption or other transfer of dogs and cats is an

infraction punishable by a \$50.00 fine for the first occurrence, \$75.00 for the second occurrence and \$100.00 for each subsequent occurrence.

(8) Possession of a valid permit under this section of the Code does not entitle the permit holder to engage in an activity which is otherwise prohibited by law.

SEC. 53.21. DOG TAGS – WEARING OF AND REGISTRY.

(a) Such tag shall be securely affixed to a collar, harness, or other device and shall at all times be worn by such dog, except while such dog remains indoors or in an enclosed yard or pen.

(b) The Department shall procure the number of tags needed each year and shall keep a record of the name and address of the person to whom each such license is issued, the number of such tag, the date of issuance thereof and a description of the dog for which issued. (Amended by Ord. No. 133,983, Eff. 4/1/67.)

(c) The Department may upon proof of loss and receipt of \$3.00 issue a replacement dog license number and tag to any person making such proof of loss. (Amended by Ord. No. 170,171, Eff. 1/20/95.)

SEC. 53.22. DOG TAG – MUST BE OFFICIAL.

(a) No person shall attach to or keep upon any dog any tag provided for in this article except a tag issued for which dog under the provisions of this article.

(b) Dog Tags – Imitation of. No person shall attach to or keep upon any dog or make or have in his possession any counterfeit or imitation of any tag provided for in this article.

SEC. 53.24. RECEIPT – CERTIFICATE – FAILURE TO EXHIBIT.

No person keeping or harboring a dog for which a license is required shall fail to exhibit a license receipt, certificate of vaccination, or exemption certificate required by this article upon demand by any employee of the Department. (Amended by Ord. No. 133,983, Eff. 4/10/67.)

SEC. 53.28. HARBORING OF UNLICENSED DOGS.

No person shall have, harbor or keep any unlicensed dog that is over the age of four months.

SEC. 53.30. KEEPING OF DISEASED OR CRIPPLED ANIMALS.

No person shall have, keep, or harbor any animal which is known or believed by him to be infected with any dangerous or communicable disease, or which is in an incurable crippled condition, or which is afflicted with any painful disease which is believed by such person to be incurable, except as in this article otherwise provided.

SEC. 53.33. VICIOUS ANIMALS – PRIVATE PREMISES.

(Amended by Ord. No. 148,943, Eff. 11/25/76.)

(a) No person, owning or having custody or control of any dog, other than a sentry dog, or any other animal known by such person to be vicious or dangerous, shall permit it to run at large, or permit it to run loose on or within the premises of such person in such a manner as to endanger the life or limb of any person lawfully entering such premises. For the purposes of this section "sentry dog" shall mean a dog trained to work without supervision in a fenced facility to deter or to detain persons found within the facility.

(b) Notwithstanding any other provisions of this Code, no owner or person charged with custody or control of a sentry dog shall assign or work such dog on a premises, unless said premises is posted to warn of sentry dog activity. Said warning shall consist of signs placed at 50-foot intervals around the perimeter of the area guarded by the sentry dog and at all entrances and exits to said area. Such signs shall measure 10" x 14" and shall contain black lettering on a white background stating "WARNING - SENTRY DOG ON DUTY," and shall also depict the head of a dog with bared fangs. In addition the sign shall set forth the name, address and telephone number of the sentry dog company furnishing the dog for hire. The telephone number shall be a telephone which is manned by a person 24 hours a day every day of the year.

SEC. 53.34. ANIMALS AT LARGE.

(Title amended by Ord. No. 162,537, Eff. 8/8/87.) (Section amended by Ord. No. 162,748, Eff. 9/24/87.)

A person who owns or is in charge of or controls or who possesses a dog or other animal who permits, allows or causes the dog or other animal to run, stray, be uncontrolled or in any manner be in, upon, or at large upon a public street, sidewalk, park or other public property or in or upon the premises or private property of another person is guilty of a misdemeanor if said dog or other animal bites, attacks or causes injury to any human being or other animal.

Any person convicted under this section or Section 53.33 shall not own, possess, control or be in charge of any animal of the species which caused the bite, attack or injury for a period of three (3) years from the date

of conviction. The Department shall not issue or renew any license or permit for said species of animal, except that upon the written request of the person so convicted, the General Manager may authorize the issuance of a dog license pursuant to the provisions of Section 53.15(b).

SEC. 53.34.1. MENACING DOGS.

(Added by Ord. No. 168,864, Eff. 7/7/93.)

No person, owning or having custody or control of any dog, whether or not restrained by a substantial chain or leash, shall permit the dog to unlawfully assault, threaten or menace any human being or other animal upon any public street, sidewalk, park or other public property, or in or upon the premises or private property of another.

SEC. 53.34.2. IMPOUNDMENT – BITING OR ATTACKING ANIMAL.

(Added by Ord. No. 162,537, Eff. 8/8/87.)

(a) The Department shall have the power to summarily and immediately impound a dog or other animal where there is evidence it has attacked, bitten or injured any human being or other animal pending any court or dog license or animal permit revocation proceeding arising from the attack, bite or injury; or to undertake a hearing pursuant to Section 53.34.4. A duly authorized Department employee may enter and inspect private property to enforce the provisions of this section as provided by Section 53.03 of this article.

Failure to surrender to the Department upon demand a dog or other animal which is subject to being impounded pursuant to this section is a misdemeanor.

A dog or other animal, impounded pursuant to the authority of this section, shall be returned to the owner or custodian as provided by Section 53.34.4 or when it is no longer required as evidence, or if a notice of a hearing pursuant to Section 53.34.4 to declare the dog or other animal a dangerous animal has not been served on the owner or custodian within seven days after the impoundment.

(b) In lieu of impound, the General Manager may permit the dog or other animal to be confined at the owner's or custodian's expense in a Department approved dog kennel or veterinary facility within the City or at the owner's or custodian's residence provided that the owner or custodian:

1. Shall not remove the dog or other animal from the kennel, veterinary facility or residence without the prior written approval of the General Manager or his authorized representative; and

2. Shall make the dog or other animal available for observation and inspection by Department personnel or members of law enforcement or their authorized representatives.

(c) The General Manager or his designated representative may have a dog or other animal, impounded or confined as provided in (a) or (b) above, permanently identified by means of photo identification prior to release from impound or confinement.

SEC. 53.49. DOGS - DOG DEFECATION TO BE REMOVED BY OWNERS.

(Title and Section Amended by Ord. No. 151,707, Eff. 12/29/79.)

It shall be unlawful for the owner or person having custody of any dog to fail to immediately remove and dispose of in a sanitary manner, by replacing in a closed or sealed container and depositing in a trash receptacle, any feces deposited by such dog upon public or private property, without the consent of the public or private owner or person in lawful possession of the property, other than property owned or controlled by the owner or person having custody of such dog. The provisions of this subsection shall not apply to a blind person being accompanied by a guide dog. Notwithstanding any other provision of this Code, every violation of any of the provisions of this section shall be an infraction, punishable by a fine of \$20.00.

SEC. 53.51. VACCINATION OF DOGS REQUIRED.

Every person who owns or harbors any dog over the age of four months in the city shall have such dog vaccinated against rabies by a duly licensed veterinarian of his choice, or at a Vaccination Clinic sponsored by the Southern California Veterinary Medical Association, except as provided in Section 53.52. (Amended by Ord. No. 127,508, Eff. 6/29/64.)

SEC. 53.55. DOGS ON BEACHES PROHIBITED – EXCEPTION.

(Added by Ord. No. 123,426. Eff. 1/24/63.)

(a) Notwithstanding any other provisions of this Code, no person shall take any dog upon any public beach in the City of Los Angeles, nor shall any person owning or having charge, care or control of any dog cause, permit or allow such dog to be upon any such beach.

(b) The provisions of this section shall not apply to dogs which have been especially trained for and are used as

- (1) guide dogs for the blind,
- (2) signal dogs for the hearing impaired and

(3) service dogs for persons with disabilities other than visual or hearing, while such dogs are being used for such purposes. (Amended by Ord. No. 170,442, Eff. 5/4/95.)

(c) Notwithstanding any other provision of this Code, violation of this section is an infraction. (Added by Ord. No. 153,590, Eff. 5/11/80.)

SEC. 53.56. IMPORTED DOGS.

Every person bringing any dog into the City shall comply with the laws, rules and regulations of the State of California and the City of Los Angeles relating to dogs. Any dog brought into the City which has not been vaccinated within thirty (30) months with an approved vaccine prior to importation shall be vaccinated in accordance with the provisions of this article within thirty (30) days after its arrival in the City. If the imported dog remains in the City for more than thirty (30) days, the dog shall be licensed in accordance with the provisions of this article. A certificate of vaccination issued by a duly licensed veterinarian from other jurisdiction for the specific dog, establishing vaccination with a vaccine approved by and in a manner prescribed by the State Department of Health, may be accepted by the Department of Animal Services as evidence of vaccination. (Amended by Ord. No. 150,337, Eff. 1/1/78.)

SEC. 53.63. BARKING DOG NOISE.

(Amended by Ord. No. 162,538, 8/27/87.)

It shall be unlawful for any person to permit any dog or dogs under his or her charge, care, custody or control to emit any excessive noise after the Department has issued a written notice advising the owner or custodian of the alleged noise and the procedures as set forth below have been followed. For purposes of this section, the term "excessive noise" shall mean noise which is unreasonably annoying, disturbing, offensive, or which unreasonably interferes with the comfortable enjoyment of life or property of one or more persons occupying property in the community or neighborhood. However, the provisions of this section shall not apply to any commercial animal establishment permitted by zoning law where located. The Department is responsible for enforcement of the provisions of this section. Enforcement is provided for as follows:

(a) First Complaint.

1. Upon receiving a written complaint involving a whining, barking, howling, or similar dog noise, the Department shall issue a written notice to the owner or person having charge, care, or custody (hereinafter in this section referred to as the owner) of the dog or dogs advising that person of the noise complaint and requesting immediate abatement of any excessive noise.

2. Complaints to the Department must be submitted in writing and shall include the name, address and telephone number of the complainant or complainants, as well as the address of the owner of the dog or dogs and a description of the noise.

(b) Second Complaint.

1. If, after 15 days from the issuance of the written notice pursuant to (a)(1) above, a second complaint is received, the Department shall, by written notice, require the complainant or complainants and the owner of the dog or dogs to appear at a meeting before a Department representative to discuss possible ways and means to resolve the problem. If the problem remains unresolved, the matter shall be set for hearing as provided by Section 53.18.5.

2. If the owner fails to appear before the Department representative, and there is evidence that the dog or dogs have emitted excessive noise, the problem shall be deemed unresolved, and the matter set for hearing as provided by Section 53.18.5.

(c) New License Prohibited. (Amended by Ord. No. 165,507, Eff. 3/25/90.) Any person whose dog license has been revoked pursuant to this section shall not have the privilege to own, possess, control or be in charge of any dog for a period of one (1) year from the date the decision becomes final and the Department shall not issue, reissue or renew any license except as provided by Section 53.18.5(r).

(d) Notice Requirements. Notice required pursuant to this section shall be given in the manner provided by Section 53.18.5(g)

(e) Exemption. (Added by Ord. No. 172,735, Eff. 9/9/99.) This section shall not apply to any person using guard and/or sentry dogs on lots zoned CCS, M1, M2, MR1, and MR2, as long as that person, at the time when the complaint of excessive noise is lodged with the Department, is in full compliance with the requirements of Sections 53.64 and 53.66 of this Code.

SEC. 53.70. CARE AND MAINTENANCE OF DOGS.

(Added by Ord. No. 176,915, Eff. 9/26/05.)

A. Shelter requirements. No person shall keep, use or maintain a dog outdoors on any premises unless the dog is either provided with full access to an enclosed building, or if not provided with such access, is provided with access to a dog house or similar shelter at all times. Said dog house or shelter shall:

(1) Have a weatherproof top, bottom and sides, and an opening on no more than one side that allows a dog to remain dry and provides

adequate shade during daylight hours to allow a dog to protect itself in order to prevent overheating or discomfort to the dog.

(2) Have a floor that is level and dry.

(3) Be composed of material that protects the dog from injury, and is free from cracks, depressions and rough areas where insects, parasites and other pests might be established and maintained.

(4) Be of adequate size to allow the dog to stand erect with the dog's head up, to turn around easily, and to sit and lie down in a comfortable and normal position.

(5) Have sufficient clean bedding material or other means of protection from weather when the weather is colder than what a dog of that breed and condition will comfortably tolerate and that will allow the dog to retain body heat. Bedding material shall be kept clean and dry.

(6) Contain a suitable means for the prompt elimination of excess liquid.

(7) Be structurally sound and maintained in good repair to protect the dog from injury.

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

(9) Allow the dog easy access in and out.

(10) Be cleaned and maintained in a manner designed to insure sanitary conditions. Excrement shall be removed from the dog house or shelter and from the premises, including yard and dog run, as frequently as necessary to prevent contamination and reduce health hazards and odors. Excrement shall be properly disposed of in trash containers and shall not be washed into the gutter or storm drain. When a hosing or flushing method is used to clean the dog house or shelter, dogs should be removed when reasonably possible.

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

(1) If the water is in a container, this container shall be designed, secured, placed and maintained in a manner that prevents tipping and spilling of the water. Water containers shall be kept clean and sanitary, shall be kept out of the sun and shall be emptied and refilled regularly with fresh water; or

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

C. Feeding requirements. No person shall keep, use or maintain any dog on any premises unless the dog is provided sufficient food daily to maintain proper body weight and good general health. The food shall be:

(1) Free from contamination, shall be wholesome and palatable and of sufficient quantity, quality and nutritive value to meet the normal daily requirements for the age, size and breed of dog.

(2) Contained in receptacles that is easily accessible to the dog and located in a manner and place that minimize contamination, including but not limited to contamination by excrement or insects. Feeding pans and food receptacles shall be durable and kept clean and shall be maintained in sanitary condition. Self-feeders shall be sanitized regularly to prevent molding, deterioration or caking of food, and to prevent any interruption of the flow of food that would make it difficult for the dog to access the food. Spoiled or contaminated food shall be disposed in a sanitary manner.

(3) Self-feeders and food receptacles shall not be left unattended outdoors for periods of time significantly longer than necessary for feeding purposes in order to prevent attracting vermin or animals in the wild, including predators.

D. Tethering. It shall be unlawful for any person to tether, fasten, chain, tie, restrain or cause a dog to be fastened, chained, tied or restrained to houses, trees, fences, garages or other stationary or highly immobile objects by means of a rope, chain, strap or other physical restraint for the purpose of confinement, except in circumstances where all of the following requirements are met:

(1) The tethering shall not be for more time than is necessary for the dog owner or custodian to complete a temporary task that requires the dog to be physically restrained for a reasonable period.

(2) The dog must be tethered by a non-choke type collar or a body harness to a tether that is at least three (3) times the body length of the dog, measured from the dog's nose to the back of the hindquarters and which tether is free from entanglement.

(3) The dog must have access to food, water and shelter as described above.

(4) The dog shall be monitored periodically.

This section shall not affect the use of appropriate electronic means of confinement.

E. Caging. No person shall keep, use or maintain a dog in an outdoor pen, run, cage or other enclosure on any premises unless said pen, run, cage or enclosure is of adequate size to allow the dog to move around freely and, in addition,

(1) its length is at least five times the length of the dog and its width is at least three times the length of the dog, and its height allows the dog to stand erect with the dog's head up, and

(2) contains a dog shelter as described in Section 53.70 A. above, or

(3) provides the animal access to the inside of a building.

The pen, run, cage or other enclosure shall be cleaned and maintained in a manner designed to insure sanitary conditions, and free of any debris which would be injurious to the dog.

F. Exceptions. This prohibition shall not apply to any entities exempt under the provisions of Section 53.15.2 (e)(2), to wit:

(1) Government agencies; non-profit animal rescue organizations exempt from taxation under Internal Revenue Code section 501(c)(3); or humane societies or societies for the prevention of cruelty to animals if such societies are incorporated under the provisions of California Corporations Code Section 10400 and the Nonprofit Public Benefit Corporation Law in Part 2 of the California Corporations Code, beginning at Section 5110;

(2) Permitted dog or cat shows; or

(3) Permitted pet stores which sell or otherwise transfer dogs or cats, whether for compensation or otherwise, within the store.

G. Penalties for noncompliance. A violation of this Section may be punishable as either an infraction or a misdemeanor at the sole discretion of the Los Angeles City Attorney's Office.

The maximum penalty for a conviction of this Section as an infraction is a fine of \$250.00. The maximum penalty for a conviction of this Section as a misdemeanor is a fine of \$1,000.00, imprisonment in the County Jail for a period not more than six months, or by both a fine and imprisonment.

SEC. 53.72. DECLAWING OF CATS OR OTHER ANIMALS – PROHIBITION.

(Added by Ord. No. 180,986, Eff. 11/20/09.)

(a) No person, licensed medical professional or otherwise, shall perform or cause to be performed an onychectomy (declawing) or flexor tendonectomy procedure by any means on a cat or on any other animal within the City, except when necessary for a therapeutic purpose. Therapeutic purpose means the necessity to address the medical condition of the animal, such as an existing or recurring illness, infection, disease, injury or abnormal condition in the claw that compromises the animal's health. Therapeutic purpose does not include cosmetic or aesthetic reasons or reasons of convenience in keeping or handling the animal.

(b) In the event that an onychectomy or flexor tendonectomy procedure is performed on any animal with the City in violation of this Section, each of the following persons shall be guilty of a violation of this Section: (1) the person or persons performing the procedure, (2) all persons assisting in the physical performance of the procedure and (3) all persons or entities that procured the procedure, including but not limited to the owner or person having custody or control over the animal or any other person or entity that ordered, requested or paid for the procedure.

(c) A violation of any of the provisions of this Section is a misdemeanor.

SEC. 63.44. REGULATIONS AFFECTING PARK AND RECREATION AREAS.

(Added by Ord. No. 153,027, Eff. 11/16/79.)

A. Definitions: As used in this section:

“Beach” shall include public seashore and shoreline areas bordering the Pacific Ocean that are owned, managed or controlled by the City. (Added by Ord. No. 163,039, Eff. 1/17/88.)

“Park” shall include every public park, roadside rest area, playground, zoological garden, ocean, beach or other recreational facility area, together with any parking lot, reservoir pier, swimming pool, golf course, court, field, bridle path, trail, or other recreational facility, or structure thereon, in the City of Los Angeles and under the control, operation or management of the Board of Recreation and Park Commissioners, the Los Angeles County Department of Parks and Recreation, the Los Angeles County Department of Beaches, or the Los Angeles Memorial Coliseum Commission. “Park” does not include any State Historic Park located within the City of Los Angeles.

“Board” shall mean the Board of Recreation and Park Commissioners.

B. Within the limits of any park or other City-owned Harbor Department designated and controlled property within the City of Los Angeles: (Amended by Ord. No. 174,737, Eff. 9/9/02.)

1. No person under the age of 18 years shall cause, permit or allow any ungelded equine animal to be present in said park.

2. (Amended by Ord. No. 160,401, Eff. 11/1/85.) No person shall cause, permit or allow any animal owned or possessed by him or any animal in his care, custody or control to be present in said park except:

(a) Equine animals being led or ridden under reasonable control upon bridle paths or trails provided for such purposes; or

(b) Equine or other animals which are hitched or fastened at a place expressly designated for such purposes; or

(c) Dogs which have been specially trained and are being used by blind or otherwise disabled persons to aid and guide them in their movements. (Amended by Ord. No. 172,088, Eff. 7/30/98.)

(d) (Amended by Ord. No. 180,332, Eff. 12/16/08.) Licensed dogs or cats when led by a leash not more than six (6) feet long, or when confined within the interior of a vehicle, or licensed dogs under the control of a competent person in designated dog exercise and training areas at:

(i) City parks or portions of City parks approved and designated as dog exercise and training areas by the Board of Recreation and Park Commissioners and approved by the City Council by ordinance;

(ii) Laurel Canyon Park from 7:00 a.m. to 10:00 a.m. and from 3:00 p.m. until park closing every day of the week;

(iii) Silver Lake Recreation Center, provided, however, that no dogs, whether or not led by a leash, shall be permitted or allowed in any part of the Silver Lake Recreation Center other than the fenced area designated as a dog exercise and training area, except as permitted or allowed by Paragraph (c) hereof;

(iv) A portion of the Sepulveda Basin Recreation Area consisting of approximately 10 acres and located on Victory Boulevard near White Oak Avenue, which shall be open at sunrise and closed at sunset every day of the week;

(v) A portion of Runyon Canyon Park consisting of approximately 90 acres located within the area 825 feet north of the Fuller Street entrance, 450 feet east of the Vista Street entrance and 1,850 feet south of the Mulholland Drive entrance. The boundaries of the off-leash dog exercise area described in this subparagraph shall be appropriately designated within the park. A separate portion of Runyon Canyon Park consisting of approximately 21,000 square feet located between the Fuller Street and Vista Street entrances and enclosed by a fence shall be designated a "no dogs or cats allowed" area and no dogs or cats shall be permitted or allowed inside the designated fenced area whether on or off leash;

(vi) A portion of Barrington Park consisting of 1.4 acres as designated on the site plan contained in Council File No. 02-0094 which shall be appropriately designated within the park and enclosed by fencing as indicated on the site plan. No dogs, whether on or off leash, shall be permitted or allowed in any area of Barrington Park other than the fenced area designated as an off-leash dog exercise area, except as provided by Paragraph (c) hereof;

(vii) An enclosed portion of Knoll Hill consisting of approximately three acres as designated on Knoll Hill by the Harbor Department;

(viii) An enclosed area consisting of approximately .84 acres, bounded by the Westminster Senior Center parking lot on the west, Main Street on the east, Westminster Avenue on the south and Clubhouse Avenue on the north, which shall be opened at sunrise and closed at sunset every day of the week;

(ix) A designated fenced area consisting of approximately .86 acres in Hermon Park;

(x) A designated area consisting of approximately 1.6 acres at Griffith Park and located at the north end of the John Ferraro Soccer Field on North Zoo Drive;

(xi) A designated area consisting of approximately 3 acres at Whitnall Park on Whitnall Highway in North Hollywood, including a 50,000 square foot area for large dogs and a 22,500 square foot area for small dogs.

The exception to Subdivision 2. contained in this Paragraph as it pertains to dogs shall not apply upon any boardwalk, sidewalk or public way immediately adjacent to any beach lands or beach properties adjoining the waterfront of the Pacific Ocean between the southerly boundary of the City of Santa Monica and Washington Street in the City of Los Angeles, between the hours of 11:00 a.m. and 8:00 p.m. on weekends and holidays from Memorial Day through October 31, and no dogs shall be permitted within the area during those times and days.

CA Penal Code

Sec. 398. DOG BITES.

(a) If a person owning or having custody or control of an animal knows, or has reason to know, that the animal bit another person, he or she shall, as soon as is practicable, but no later than 48 hours thereafter, provide the other person with his or her name, address, telephone number, and the name and license tag number of the animal who bit the other person. If the person with custody or control of the animal at the time the bite occurs is a minor, he or she shall instead provide identification or contact information of an adult owner or responsible party. If the animal is required by law to be vaccinated against rabies, the person owning or having custody or control of the animal shall, within 48 hours of the bite, provide the other person with information regarding the status of the animal's vaccinations. Violation of this section is an infraction punishable by a fine of not more than one hundred dollars (\$100).

(b) For purposes of this section, it is necessary for the skin of the person to be broken or punctured by the animal for the contact to be classified as a bite.

Sec. 597. CRIMES AGAINST ANIMALS – FELONY OR MISDEMEANOR.

(a) Except as provided in subdivision (c) of this section or Section 599c, every person who maliciously and intentionally maims, mutilates, tortures, or wounds a living animal, or maliciously and intentionally kills an animal, is guilty of an offense punishable by imprisonment in the state prison, or by a fine of not more than twenty thousand dollars (\$20,000), or by both the fine and imprisonment, or, alternatively, by imprisonment in a county jail for not more than one year, or by a fine of not more than twenty thousand dollars (\$20,000), or by both the fine and imprisonment.

(b) Except as otherwise provided in subdivision (a) or (c), every person who overdrives, overloads, drives when overloaded, overworks, tortures, torments, deprives of necessary sustenance, drink, or shelter, cruelly beats, mutilates, or cruelly kills any animal, or causes or procures any animal to be so overdriven, overloaded, driven when overloaded, overworked, tortured, tormented, deprived of necessary sustenance, drink, shelter, or to be cruelly beaten, mutilated, or cruelly killed; and whoever, having the charge or custody of any animal, either as owner or otherwise, subjects any animal to needless suffering, or inflicts unnecessary cruelty upon the animal, or in any manner abuses any animal, or fails to provide the animal with proper food, drink, or shelter or protection from the weather, or who drives, rides, or otherwise uses the animal when

unfit for labor, is, for every such offense, guilty of a crime punishable as a misdemeanor or as a felony or alternatively punishable as a misdemeanor or a felony and by a fine of not more than twenty thousand dollars (\$20,000).

(c) Every person who maliciously and intentionally maims, mutilates, or tortures any mammal, bird, reptile, amphibian, or fish as described in subdivision (d), is guilty of an offense punishable by imprisonment in the state prison, or by a fine of not more than twenty thousand dollars (\$20,000), or by both the fine and imprisonment, or, alternatively, by imprisonment in the county jail for not more than one year, by a fine of not more than twenty thousand dollars (\$20,000), or by both the fine and imprisonment.

(d) Subdivision (c) applies to any mammal, bird, reptile, amphibian, or fish which is a creature described as follows:

(1) Endangered species or threatened species as described in Chapter 1.5 (commencing with Section 2050) of Division 3 of the Fish and Game Code.

(2) Fully protected birds described in Section 3511 of the Fish and Game Code.

(3) Fully protected mammals described in Chapter 8 (commencing with Section 4700) of Part 3 of Division 4 of the Fish and Game Code.

(4) Fully protected reptiles and amphibians described in Chapter 2 (commencing with Section 5050) of Division 5 of the Fish and Game Code.

(5) Fully protected fish as described in Section 5515 of the Fish and Game Code.

This subdivision does not supersede or affect any provisions of law relating to taking of the described species, including, but not limited to, Section 12008 of the Fish and Game Code.

(e) For the purposes of subdivision (c), each act of malicious and intentional maiming, mutilating, or torturing a separate specimen of a creature described in subdivision (d) is a separate offense. If any person is charged with a violation of subdivision (c), the proceedings shall be subject to Section 12157 of the Fish and Game Code.

(f) (1) Upon the conviction of a person charged with a violation of this section by causing or permitting an act of cruelty, as defined in Section 599b, all animals lawfully seized and impounded with respect to the violation by a peace officer, officer of a humane society, or officer of a pound or animal regulation department of a public agency shall be adjudged by the court to be forfeited and shall thereupon be awarded to the impounding officer for proper disposition. A person convicted of a violation of this section by causing or permitting an act of cruelty, as defined in Section 599b,

shall be liable to the impounding officer for all costs of impoundment from the time of seizure to the time of proper disposition.

(2) Mandatory seizure or impoundment shall not apply to animals in properly conducted scientific experiments or investigations performed under the authority of the faculty of a regularly incorporated medical college or university of this state.

(g) Notwithstanding any other provision of law, if a defendant is granted probation for a conviction under this section, the court shall order the defendant to pay for, and successfully complete, counseling, as determined by the court, designed to evaluate and treat behavior or conduct disorders. If the court finds that the defendant is financially unable to pay for that counseling, the court may develop a sliding fee schedule based upon the defendant's ability to pay. An indigent defendant may negotiate a deferred payment schedule, but shall pay a nominal fee if the defendant has the ability to pay the nominal fee. County mental health departments or Medi-Cal shall be responsible for the costs of counseling required by this section only for those persons who meet the medical necessity criteria for mental health managed care pursuant to Section 1830.205 of Title 7 of the California Code of Regulations or the targeted population criteria specified in Section 5600.3 of the Welfare and Institutions Code. The counseling specified in this subdivision shall be in addition to any other terms and conditions of probation, including any term of imprisonment and any fine. This provision specifies a mandatory additional term of probation and is not to be utilized as an alternative in lieu of imprisonment in the state prison or county jail when such a sentence is otherwise appropriate. If the court does not order custody as a condition of probation for a conviction under this section, the court shall specify on the court record the reason or reasons for not ordering custody. This subdivision shall not apply to cases involving police dogs or horses as described in Section 600.

Sec. 597e. IMPOUNDING WITHOUT SUFFICIENT FOOD OR WATER.

Any person who impounds, or causes to be impounded in any pound, any domestic animal, shall supply it during such confinement with a sufficient quantity of good and wholesome food and water, and in default thereof, is guilty of a misdemeanor. In case any domestic animal is at any time so impounded and continues to be without necessary food and water for more than 12 consecutive hours, it is lawful for any person, from time to time, as may be deemed necessary, to enter into and upon any pound in which the animal is confined, and supply it with necessary food and water so long as it remains so confined. Such person is not liable for the entry and may collect the reasonable cost of the food and water from the owner of the animal, and the animal is subject to enforcement of a money judgment for the

reasonable cost of such food and water.

**Sec. 597f. PERMITTING ANIMALS TO GO WITHOUT CARE;
VETERINARY CARE FOR INJURED CATS AND DOGS.**

(a) Every owner, driver, or possessor of any animal, who permits the animal to be in any building, enclosure, lane, street, square, or lot, of any city, city and county, or judicial district, without proper care and attention, shall, on conviction, be deemed guilty of a misdemeanor. And it shall be the duty of any peace officer, officer of the humane society, or officer of a pound or animal regulation department of a public agency, to take possession of the animal so abandoned or neglected and care for the animal until it is redeemed by the owner or claimant, and the cost of caring for the animal shall be a lien on the animal until the charges are paid. Every sick, disabled, infirm, or crippled animal, except a dog or cat, which shall be abandoned in any city, city and county, or judicial district, may, if after due search no owner can be found therefor, be killed by the officer; and it shall be the duty of all peace officers, an officer of such society, or officer of a pound or animal regulation department of a public agency to cause the animal to be killed on information of such abandonment. The officer may likewise take charge of any animal, including a dog or cat, that by reason of lameness, sickness, feebleness, or neglect, is unfit for the labor it is performing, or that in any other manner is being cruelly treated; and, if the animal is not then in the custody of its owner, the officer shall give notice thereof to the owner, if known, and may provide suitable care for the animal until it is deemed to be in a suitable condition to be delivered to the owner, and any necessary expenses which may be incurred for taking care of and keeping the animal shall be a lien thereon, to be paid before the animal can be lawfully recovered.

...

Sec. 597s. WILLFUL ABANDONMENT OF ANIMAL.

(a) Every person who willfully abandons any animal is guilty of a misdemeanor.

(b) This section shall not apply to the release or rehabilitation and release of native California wildlife pursuant to statute or regulations of the California Department of Fish and Game.

Sec. 597t. CONFINED ANIMALS.

Every person who keeps an animal confined in an enclosed area shall provide it with an adequate exercise area. If the animal is restricted by a leash, rope, or chain, the leash, rope, or chain shall be affixed in such a manner that it will prevent the animal from becoming entangled or injured and permit the animal's access to adequate shelter, food, and water. Violation of this section constitutes a misdemeanor.

This section shall not apply to an animal which is in transit, in a vehicle, or in the immediate control of a person.

Sec. 597.7. ANIMAL IN UNATTENDED MOTOR VEHICLE.

(a) No person shall leave or confine an animal in any unattended motor vehicle under conditions that endanger the health or well-being of an animal due to heat, cold, lack of adequate ventilation, or lack of food or water, or other circumstances that could reasonably be expected to cause suffering, disability, or death to the animal.

(b) Unless the animal suffers great bodily injury, a first conviction for violation of this section is punishable by a fine not exceeding one hundred dollars (\$100) per animal. If the animal suffers great bodily injury, a violation of this section is punishable by a fine not exceeding five hundred dollars (\$500), imprisonment in a county jail not exceeding six months, or by both a fine and imprisonment. Any subsequent violation of this section, regardless of injury to the animal, is also punishable by a fine not exceeding five hundred dollars (\$500), imprisonment in a county jail not exceeding six months, or by both a fine and imprisonment.

(c) (1) Nothing in this section shall prevent a peace officer, humane officer, or an animal control officer from removing an animal from a motor vehicle if the animal's safety appears to be in immediate danger from heat, cold, lack of adequate ventilation, lack of food or water, or other circumstances that could reasonably be expected to cause suffering, disability, or death to the animal.

(2) A peace officer, humane officer, or animal control officer who removes an animal from a motor vehicle shall take it to an animal shelter or other place of safekeeping or, if the officer deems necessary, to a veterinary hospital for treatment.

(3) A peace officer, humane officer, or animal control officer is authorized to take all steps that are reasonably necessary for the removal of an animal from a motor vehicle, including, but not limited to, breaking into the motor vehicle, after a reasonable effort to locate the owner or other person responsible.

(4) A peace officer, humane officer, or animal control officer who removes an animal from a motor vehicle shall, in a secure and conspicuous location on or within the motor vehicle, leave written notice bearing his or her name and

office, and the address of the location where the animal can be claimed. The animal may be claimed by the owner only after payment of all charges that have accrued for the maintenance, care, medical treatment, or impoundment of the animal.

(5) This section does not affect in any way existing liabilities or immunities in current law, or create any new immunities or liabilities.

(d) Nothing in this section shall preclude prosecution under both this section and Section 597 or any other provision of law, including city or county ordinances.

(e) Nothing in this section shall be deemed to prohibit the transportation of horses, cattle, pigs, sheep, poultry or other agricultural animals in motor vehicles designed to transport such animals for agricultural purposes.

CA Health and Safety Code

Sec. 122335. DOG TETHERING.

(a) For purposes of this chapter, the following terms shall have the following definitions:

(1) "Animal control" means the municipal or county animal control agency or any other entity responsible for enforcing animal-related laws.

(2) "Agricultural operation" means an activity that is necessary for the commercial growing and harvesting of crops or the raising of livestock or poultry.

(3) "Person" means any individual, partnership, corporation, organization, trade or professional association, firm, limited liability company, joint venture, association, trust, estate, or any other legal entity, and any officer, member, shareholder, director, employee, agent, or representative thereof.

(4) "Reasonable period" means a period of time not to exceed three hours in a 24-hour period, or a time that is otherwise approved by animal control.

(b) No person shall tether, fasten, chain, tie, or restrain a dog, or cause a dog to be tethered, fastened, chained, tied, or restrained, to a dog house, tree, fence, or any other stationary object.

(c) Notwithstanding subdivision (b), a person may do any of the following in accordance with Section 597t of the Penal Code:

(1) Attach a dog to a running line, pulley, or trolley system. A dog shall not be tethered to the running line, pulley, or trolley system by means of a choke collar or pinch collar.

(2) Tether, fasten, chain, tie, or otherwise restrain a dog

pursuant to the requirements of a camping or recreational area.

(3) Tether, fasten, chain, or tie a dog no longer than is necessary for the person to complete a temporary task that requires the dog to be restrained for a reasonable period.

(4) Tether, fasten, chain, or tie a dog while engaged in, or actively training for, an activity that is conducted pursuant to a valid license issued by the State of California if the activity for which the license is issued is associated with the use or presence of a dog. Nothing in this paragraph shall be construed to prohibit a person from restraining a dog while participating in activities or using accommodations that are reasonably associated with the licensed activity.

(5) Tether, fasten, chain, or tie a dog while actively engaged in any of the following:

(A) Conduct that is directly related to the business of shepherding or herding cattle or livestock.

(B) Conduct that is directly related to the business of cultivating agricultural products, if the restraint is reasonably necessary for the safety of the dog.

(d) A person who violates this chapter is guilty of an infraction or a misdemeanor.

(1) An infraction under this chapter is punishable upon conviction by a fine of up to two hundred fifty dollars (\$250) as to each dog with respect to which a violation occurs.

(2) A misdemeanor under this chapter is punishable upon conviction by a fine of up to one thousand dollars (\$1,000) as to each dog with respect to which a violation occurs, or imprisonment in a county jail for not more than six months, or both.

(3) Notwithstanding subdivision (d), animal control may issue a correction warning to a person who violates this chapter, requiring the owner to correct the violation, in lieu of an infraction or misdemeanor, unless the violation endangers the health or safety of the animal, the animal has been wounded as a result of the violation, or a correction warning has previously been issued to the individual.

(e) Nothing in this chapter shall be construed to prohibit a person from walking a dog with a hand-held leash.