

180889

ORDINANCE NO. _____

An ordinance adding Section 53.71 to Articles 3 of Chapter V of the Los Angeles Municipal Code (LAMC) limiting the number of roosters on any one property within the City of Los Angeles.

WHEREAS, the noise, odors, health and sanitation issues caused by the keeping of multiple roosters creates a serious public nuisance which disturbs the comfort and peaceful enjoyment of neighbors, and negatively impacts the values of properties and quality of life in many communities; and

WHEREAS, a great many roosters bred, raised or kept within the City of Los Angeles are used for the illegal blood sport called cockfighting; and

WHEREAS, maintaining, transporting or importing uninspected birds for the purpose of illegal fighting can cause the spread of deadly avian diseases, including Avian Flu and Newcastle Disease, to birds and poultry within the City; and

WHEREAS, cockfighting events promote illegal gambling operations and attract other criminal and gang activities into residential communities, endangering law abiding residents who are often fearful to report cockfighting in their communities for fear of retaliation, and making it difficult for law enforcement to enforce the laws against this cruel and illegal blood sport; and

WHEREAS, many cities in the Los Angeles area have banned roosters within their city limits and other communities have limited the number of roosters allowed on any one property in order to successfully abate the nuisances created by roosters and give law enforcement a powerful tool in the prevention of cockfighting; and

WHEREAS, in limiting the number of roosters on any one property, the City wishes to balance the desires of individuals to keep roosters with the rights of their neighbors to live in peace and tranquility.

NOW THEREFORE,

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

Section 1. Section 53.71 is added to Article 3 of Chapter V of the Los Angeles Municipal Code to read as follows:

SEC. 53.71. ROOSTERS - LIMIT

No person or persons shall own, possess, maintain or have custody of more than one rooster on any lot, building, structure, property or premises within the City of Los Angeles, subject to the following exceptions:

- (a) This section shall not prohibit any business, educational facility or lawful animal exhibition from having or maintaining roosters, provided that such business, educational facility or animal exhibition: (i) has appropriate and valid permits and licenses; (ii) operates in appropriately zoned areas; and (iii) maintains roosters as an integral and otherwise lawful part of such business or activity.
- (b) This section shall not prohibit more than one rooster on a property for filming purposes, pursuant to a properly issued City filming permit, for the limited purpose of being used in a film, television or other media production. A rooster or roosters creating a nuisance shall be removed from the City at the completion of each workday or sooner, once filming ceases for the day or night.
- (c) Persons owning more than one pet rooster may seek a permit from the Department to keep up to three of the roosters as pets for the remainder of the roosters' lives; provided that the roosters do not create a nuisance or health hazard, are microchipped or fitted with a legband approved by the Department for permanent identification and are maintained in accordance with other laws governing the possession of fowl in the City. No replacement roosters shall be allowed under this permit. The Department may charge an administrative fee not to exceed \$50.00 for up to two additional roosters as a one-time permit fee. No application for a permit shall be accepted under this exception after December 31, 2009.
- (d) A notice to correct or a citation shall be issued by the Department of Animal Services for the first violation of this Section at any one location or by any one person owning or possessing more than one rooster per property without the appropriate permits. The notice to correct or citation shall result in the imposition by the General Manager of the Department of a \$50.00 civil penalty for the first violation, a \$100.00 civil penalty for the second violation and a \$250.00 civil penalty for the third violation. Repeated failure to comply or continuing violations of this Section may also be prosecuted as a misdemeanor.
- (e) Nothing in this section shall be interpreted to limit or affect any zoning or land use requirements or regulations or any distance requirements or affect any other local, State or Federal law relating to roosters, fighting roosters, game cocks or other fowl or poultry.

Sec. 2. The City Clerk shall certify to the passage of this ordinance and have it published in accordance with Council policy, either in a daily newspaper circulated in the City of Los Angeles or by posting for ten days in three public places in the City of Los Angeles: one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall; one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall East; and one copy on the bulletin board located at the Temple Street entrance to the Los Angeles County Hall of Records.

I hereby certify that this ordinance was passed by the Council of the City of Los Angeles, at its meeting of SEP 22 2009.

JUNE LAGMAY, City Clerk

By  Deputy

Approved _____

 SEP 25 2009

Mayor

Approved as to Form and Legality

CARMEN A. TRUTANICH, City Attorney

By  DOV S. LESEL
Assistant City Attorney

Date 9-22-2009
07-3491
File No. 07-3492