

ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL OF THE
CITY OF LONG BEACH AMENDING THE LONG BEACH
MUNICIPAL CODE BY AMENDING SECTION 6.16.085
AND BY ADDING SECTION 6.16.062 ALL RELATING TO
ANIMAL REGULATION

The City Council of the City of Long Beach ordains as follows:

Section 1. Section 6.16.085 the Long Beach Municipal Code is amended
to read as follows:

6.16.085 Unaltered dogs and cats prohibited.

A. No person responsible for a cat over the age of four (4)
months or a dog over the age of six (6) months shall allow such cat or dog
to remain unaltered except as described in Subsection 6.16.085.B.

B. Exceptions to the spay or neuter requirements identified in
Subsection 6.16.085.A are:

1. A dog or cat that is incapable of breeding, as
determined in accordance with Subsection 6.16.085.C.

2. A dog or cat that is medically unsuited to undergo a
spay or neuter procedure, as determined in accordance with Subsection
6.16.085.C.

3. A dog that is undergoing or has received appropriate
training and certification by a recognized agency, if such certification is
available, and will be or is utilized or is retired from use:

a. By a law enforcement agency for law
enforcement activities;

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b. By a search and rescue agency for search and rescue activities;

c. As a service animal, such as a guide animal, hearing animal, assistance animal, seizure alert animal, or social/therapy animal approved by the Animal Care Services Bureau; or

d. As breeding stock for dogs described in Subsection 6.16.085.B.3 by a recognized agency or organization approved by the Director.

e. For each of the above, the owner shall provide proof to the satisfaction of the Director with each application for a new or renewal license.

4. A dog or cat harbored by a public shelter, humane society, or similar organization, whether public or private, the principal purpose of which is securing the adoption of dogs or cats, provided that such organization requires the spaying or neutering of all dogs and cats placed for adoption by such organization.

5. A dog that is a breed approved by and registered with a national or international breed registry or association which, at a minimum, requires identification of the breed, date of birth, names of registered sire and dam, the name of the breeder and recordkeeping relating to breeding, transfer of ownership. The owner shall provide verified proof to the satisfaction of the Director with each application for a license.

6. A dog which is undergoing training to or currently is trained to compete or be used for herding of other animals, or as a livestock guardian dog, or a dog designated as breeding stock for these purposes by a recognized agency or organization approved by the Director. The owner shall provide proof to the satisfaction of the Director with each application for a new or renewal license.

1 C. Qualification for exemption. For purposes of the exemptions
2 set forth in Subsections 6.16.085.A and 6.16.085.B, a dog or cat is:

3 1. Incapable of breeding if a licensed veterinarian has so
4 certified in writing.

5 2. Medically unsuited to undergo a spay or neuter
6 procedure if a licensed veterinarian has certified in writing, that a spay or
7 neuter procedure would likely cause the animal's death or substantially
8 aggravate a physical condition of the animal. The certification shall indicate
9 the medical basis for the exemption and whether the unsuitability is
10 temporary or permanent. If temporary, the certificate shall indicate the
11 period of time the unsuitability is anticipated to last. For an exemption to
12 apply beyond that period, a new certificate must be obtained.

13 D. Temporary exemption.

14 1. Unless otherwise extended by the City Council, the
15 provisions of this Section shall not be applicable until October 1, 2015.

16 2. An unaltered dog or cat that has a valid license from
17 the Animal Care Services Bureau shall not be subject to this Section until
18 the license lapses, or October 1, 2015, whichever occurs last.

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20 Section 2. Section 6.16.062 is added to the Long Beach Municipal Code
21 to read as follows:

22 6.16.062 Animal shop - Animal sales.

23 A. No person or animal shop shall engage in the sale, barter,
24 giving away, or transferring of dogs, cats, or rabbits unless the person or
25 animal shop sells, barter, gives away, or transfers:

26 1. A dog or cat bred and reared within the City in
27 compliance with Section 6.16.190;

28 2. A dog, cat, or rabbit obtained from a publicly operated

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animal shelter; or

3. A dog, cat, or rabbit obtained from a private humane society or duly incorporated organization devoted to the rescue, care, and adoption of stray, abandoned, or surrendered dogs, cats, and/or rabbits.

B. Nothing in this Section shall prevent an animal shop from providing space and appropriate care for dogs, cats, and rabbits harbored by an animal shelter or duly incorporated organization devoted to the rescue, care, and adoption of stray, abandoned, or surrendered dogs, cats, and/or rabbits for the purpose of engaging in the retail sale of those animals.

C. Certificate of source.

1. An animal shop shall post in a conspicuous place, on or within three (3) feet of each animal's kennel, cage, or enclosure, a certificate of source for each dog, cat, or rabbit offered for sale demonstrating the dog, cat, or rabbit was obtained in compliance with this Section.

2. Upon sale or transfer, the animal shop shall provide a copy of the certificate of source to the purchaser or transferee.

D. Temporary exemption.

Unless otherwise extended by the City Council, the provisions of this Section shall not be applicable until October 1, 2015.

Section 3. The City Clerk shall certify to the passage of this ordinance by the City Council and cause it to be posted in three (3) conspicuous places in the City of Long Beach, and it shall take effect on the thirty-first (31st) day after it is approved by the Mayor.

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I hereby certify that the foregoing ordinance was adopted by the City Council of the City of Long Beach at its meeting of _____, 2015, by the following vote:

Ayes: Councilmembers: _____

Noes: Councilmembers: _____

Absent: Councilmembers: _____

City Clerk

Approved: _____
(Date)

Mayor

OFFICE OF THE CITY ATTORNEY
CHARLES PARKIN, City Attorney
333 West Ocean Boulevard, 11th Floor
Long Beach, CA 90802-4664