

CITY COUNCIL
CONSENT CALENDAR

SEPTEMBER 8, 2009

SUBJECT: SUPPORT ASSEMBLY BILL (AB) 1122 – PROHIBITING
THE SALE OF ANIMALS ON ROADSIDES AND PARKING
LOTS

INITIATED BY: COUNCILMEMBER JEFFREY PRANG
(Michael Haibach, Council Deputy) 

COUNCILMEMBER JOHN DURAN
(Hernan Molina, Council Deputy)

STATEMENT ON THE SUBJECT:

The City Council will consider adopting a resolution supporting AB1122.

RECOMMENDATIONS:

1. Adopt Resolution No. 09-~~378~~, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD IN SUPPORT OF PROPOSED CALIFORNIA ANIMAL WELFARE LEGISLATION: AB1122."
2. Direct staff to send copies of the adopted resolution to the Humane Society of the United States, State Senator Fran Pavley, Assemblymember Mike Feuer and Governor Arnold Schwarzenegger.

BACKGROUND ANALYSIS:

The City of West Hollywood has been on the forefront of animal the animal rights movement for decades. In 2003, West Hollywood became the first city in the United States to outlaw cat declawing and has consistently worked to enact cutting edge animal welfare legislation, both locally and across California. Supporting this new state legislation reflects the City's commitment to the humane treatment of all animals and recognition of all animal companions as individual beings, not as commercial goods -- with incentives for responsible animal guardianship and increased penalties for those who abuse animal rights.

AB 1122 (Lieu): Ban Sales of Animals on Public Streets & Parking Lots

AB 1122 would prohibit the sale of live animals on any street, highway, public right-of-way, parking lot, carnival, or boardwalk. First offense would be guilty of and infraction punishable by a fine not to exceed \$250. If the violation either causes or permits animal(s) to suffer or be injured they are guilty of a misdemeanor. A second violation with or without animal suffering is considered a misdemeanor along with a fine not to exceed one thousand dollars (\$1000) per

violation. The bill contains language that exempts adoption events run by humane societies and legitimate animal rescues.

This bill addresses and defuses the monetary incentives that puppy mills and unregulated backyard breeding which place California's animal population at risk of disease, abuse and neglect.

ALTERNATIVES:

Resolve to support amended list of introduced bills.

CONFORMANCE WITH VISION 2020:

This item is consistent with West Hollywood's ongoing strategic goals of **active participation in regional issues** and **community education**.

OFFICE OF PRIMARY RESPONSIBILITY:

City Lobbyist Helyne Meshar.

FISCAL IMPACT:

None.

ATTACHMENTS:

- 1 Text of Proposed Resolution NO. 09-_____ Supporting AB233, AB241, AB242, AB243, SB250 and AB490.
2. Full Text of Proposed Bills.

RESOLUTION NO. 09-3998

A RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF WEST HOLLYWOOD IN SUPPORT OF
ASSEMBLY BILL (AB) 1122, BAN ON THE SALES
OF ANIMALS ON ROADSIDES AND PARKING
LOTS

WHEREAS, the City of West Hollywood has been at the forefront of animal rights for several years and was the first city in the United States to outlaw cat declawing; and

WHEREAS, AB 1122 bans the sales of animals in parking lots and roadsides, putting a cap on the ability of puppy mill operators and non-licensed, unregulated breeders; and

WHEREAS, AB 1122 is aimed at protecting animals from abuse and neglect resulting from sitting in cages while they await being sold; it has been reported that many of these operators expose animals to high temperatures during the summer months, leading to dehydration and possibly death; and

WHEREAS, AB 1122 will not prevent animals from being adopted or sold by non-profit or regulated breeders, which in most cases comply with basic safety standards that protect the welfare of animals; and

WHEREAS, AB 1122 has received the approval of the Appropriations Committee of the Senate, and if approved by the Senate, it will have to be referred back to the Assembly for a concurrence vote for provisions added in Senate Committees; and

WHEREAS, AB 1122 is consistent with the City's core values and the legislative track record of the West Hollywood City Council, which has taken positions to protect the well being of animals; and

WHEREAS, AB 1122 is supported by different animal rights organizations, including various chapters of the Humane Society, the SPCA, League of Humane Voters, the State Humane Association of California, United Animal Nations and many more, and

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of West Hollywood supports AB 1122, based on the fundamental commitment to the humane treatment of animals, and encourages its passage and adoption into law.