



CITY OF CARSON

Legislation Text

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Report to Mayor and City Council

Tuesday, October 06, 2020

Discussion

SUBJECT:

CONSIDER INTRODUCTION OF ORDINANCE NO. 20-2016, AMENDING CARSON MUNICIPAL CODE SECTION 3311 TO INCREASE THE INFRACTION FINE AMOUNTS FOR VIOLATIONS OF CARSON MUNICIPAL CODE SECTION 3311 RELATED TO PREVENTING DOG EXCRETA NUISANCE IN PUBLIC PLACES (CITY COUNCIL)

I. SUMMARY

This item is on the agenda at the request of Councilwoman Lula Davis-Holmes.

The purpose of this agenda item is to consider introduction and first reading of an ordinance that would amend Carson Municipal Code (“CMC”) Section 3311(e) to increase the fine amounts applicable to infractions for violations of subsections (a) and (b) of CMC Section 3311, which prohibit persons having control of dogs from failing to remove and dispose of their animals’ feces from the public right-of-way or other public property in a safe and sanitary manner, and which require persons having control of animals in such places to have in their possession a suitable disposable bag or container for the purpose of doing so. The fine amounts would be increased from \$100 per violation to \$100 for a first violation, \$200 for a second violation within one year, and \$500 for a third or subsequent violation within one year.

II. RECOMMENDATION

INTRODUCE and READ by title only, with further reading waived, Ordinance No. 20-2016, “AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CARSON, CALIFORNIA, AMENDING SECTION 3311 OF THE CARSON MUNICIPAL CODE TO INCREASE THE FINE AMOUNTS APPLICABLE TO INFRACTIONS FOR VIOLATIONS OF CARSON MUNICIPAL CODE SECTION 3311 RELATED TO PREVENTION OF DOG EXCRETA NUISANCES.”

III. ALTERNATIVES

TAKE another action that Council deems appropriate.

IV. BACKGROUND

On December 2, 2014, the City Council of the City of Carson adopted Ordinance No. 14-1545, “An Ordinance of the City Council of the City of Carson, California, adding Section 3311 to the CMC prohibiting animal excreta nuisance and requiring that persons having charge, custody or control of an animal cause the removal and disposal of feces in a sanitary manner.” Pursuant to CMC Section 3311(e), violations of Section 3311 (specifically subsections (a) and (b), the substantive prohibitions thereof) constitute infractions punishable upon conviction by a fine of \$100 per violation. These fine amounts apply when an owner is caught not cleaning up after their animal on any public parkway, park or other public property, or on any property owned or occupied by a person other than the owner or the person having charge, custody or control of the dog(s).

The fine amounts set forth in CMC Section 3311(e) are lower than the fines generally applicable to infraction violations of the CMC, which are established in CMC Section 1200 (b) as \$100 for a first violation, \$200 for a second violation within one year, and \$500 for a third or subsequent violation within one year. CMC Section 1200(b) also provides that each person shall be guilty of a separate offense for each and every day during any portion of which any violation of any provision of the CMC is committed, continued or permitted by such person, and shall be punishable accordingly.

Increasing the fine amounts for violations of Section 3311 would help to deter violations of Section 3311 and improve the City’s ability to enforce compliance with its requirements, thus decreasing the numbers of violators who neglect their animal’s excreta in public places.

Clean public streets, sidewalks and public spaces are a public health issue that concerns all Carson residents. Maintaining clean streets is a powerful signal of community pride. Many Carson residents have dogs as pets and they walk their dogs along public right-of-ways and public spaces for exercise. However, during these exercise sessions it has been observed by members of the community that some dog owners do not consistently clean-up after their dogs. People who have dogs must control their dogs and most importantly, must collect and remove their dogs’ feces while walking or otherwise exercising their dogs.

The chart below shows the fines imposed by other cities in Los Angeles County for those caught not cleaning up after their animals.

CITY	1 st Violation	2 nd Violation	3 rd (Plus) Violation
Los Angeles	\$100.00	\$200.00	\$500.00
Redondo Beach	\$100.00	\$500.00	\$500.00

Manhattan Beach	\$100.00	\$500.00	\$500.00
Palos Verdes Estates	\$100.00	\$500.00	\$500.00
Gardena	\$100.00	N/A	N/A

After reviewing the fine schedule of the various cities within Los Angeles County and within close proximity to the City of Carson, staff recommends that fines in Carson be increased as provided below to assist with enforcement:

CITY	1 st Violation	2 nd Violation	3 rd Violation
Carson (Current)	\$100.00	N/A	N/A
Carson (Proposed)	\$100.00	\$200.00	\$500.00

V. FISCAL IMPACT

There may be enforcement costs associated with the proposed amended ordinance, however, to some extent, costs will be off-set by the proposed increased infraction fees of \$100, \$200 and \$500 that staff is recommending.

VI. EXHIBITS

1. Ordinance No. 14-1545 (pgs 4-6)
2. Proposed Ordinance No. 20-2016 (pgs 7-9)

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