

ORDINANCE NO. 180986

An ordinance adding Section 53.72 to Article 3 of Chapter V of the Los Angeles Municipal Code ("LAMC") to prohibit the procedure known as onychectomy (declawing) or flexor tendonectomy of cats or other animals in the City of Los Angeles.

WHEREAS, onychectomy (declawing) and flexor tendonectomy can be a painful operation, preventing an animal from being able to extend its claws and leaving it unable to scratch, affecting its balance and climbing and rendering it at a great disadvantage in defending itself; and

WHEREAS, there is evidence that links onychectomy (declawing) and flexor tendonectomy to a high risk of painful adverse and long lasting effects on animals and that complications can include damage to nerves, lameness and chronic pain; and

WHEREAS, declawing unnecessarily increases public health and safety risks as declawed animals become more prone to biting as a form of defense, leading to increased infection; and

WHEREAS, there are many alternatives that involve no physical harm to the animal.

NOW THEREFORE,

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

Section 1. Section 53.72 is added to Article 3 of Chapter V of the Los Angeles Municipal Code to read as follows:

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

(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.

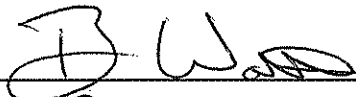
(c) A violation of any of the provisions of this Section is a misdemeanor.

Sec. 2. URGENCY CLAUSE. The City Council finds and declares that this ordinance is required for the immediate preservation of the public peace, health and safety for the following reasons. The ordinance would prohibit the practice of onychectomy (declawing) and flexor tendonectomy. These are severe operations with potentially long term health effects on cats and other animals that undergo the procedure, including a potential increase in public health and safety risks as declawed cats become more prone to biting as a form of defense, leading to increased infection. Senate Bill 762, enacted this year, amends Section 460 of the California Business and Professions Code to, among other things, makes it unlawful for a city to prohibit a healing arts professional licensed with the State from engaging in any act or performing any procedure that falls within the professionally recognized scope of practice of the license. The amendment states that it shall not be construed to prohibit a local ordinance in effect prior to January 1, 2010. It is therefore necessary for this ordinance to take effect immediately in order for the ordinance to become operative. Therefore, this ordinance shall become effective upon publication pursuant to Los Angeles City Charter Section 253.

Sec. 3. 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, **by a vote of not less than three-fourths** of all of its members, at its meeting of NOV 17 2009.

JUNE LAGMAY, City Clerk


By  Deputy

Approved NOV 18 2009


Mayor

Approved as to Form and Legality

CARMEN A. TRUTANICH, City Attorney

By 
DOV S. LESEL
Assistant City Attorney

Date 11/17/2009

File No. 09-2213