



City of Culver City

**ANIMAL SERVICES**

## **ANIMAL NUISANCE COMPLAINT PROCEDURE**

You recently contacted the Culver City Animal Services regarding a nuisance animal problem. While we understand that animal noise can be disturbing, not all barking or animal noise is illegal and certain criteria must be met in order to proceed with an animal nuisance complaint. An animal nuisance complaint may be filed for recurring nuisance violations when your attempts to resolve the problem have been unsuccessful. Nuisance animals are a nuisance only to the neighbors of the offending animal owners; therefore, it is not generally effective to rely solely on an Animal Services Officer or Police Officer to investigate these types of cases. Often, by the time an officer is able to respond to the scene, the animal is no longer making the nuisance. It is therefore necessary that a complaint be fully documented by you, the neighbor who is the best witness to the offense.

**This is the Animal Nuisance Complaint to be filled out after you have contacted the Culver City Animal Services to request a warning to the animal owner or responsible party. You must be that you have identified the correct address and animal(s). This Animal Nuisance Complaint must be completed in full.**

**Your contact information is required on this form. If it is not provided, we will be unable to assist you.**

**Written Animal Nuisance Complaints will not be accepted anonymously. The complainant must go on record as the person who is disturbed by the animal nuisance. The Animal Nuisance Complaint cannot be filed by a person on the behalf of another party. As an example, a property management company or a landlord cannot file the Animal Nuisance Complaint on behalf of one of their tenants.**

**As the complainant, you will need to provide evidence that there has been a violation of the nuisance ordinance. Mandatory written documentation of the date, time and duration of the noise, mandatory video recordings of the noise, recommended audio recording of the noise, and recommended statements from unrelated neighbors from different households will provide support of your complaint. Anonymous complaints do not provide the ability for further contact and therefore cannot provide supportive evidence as required for investigation.**

**Completed Animal Nuisance Complaints may be mailed or delivered to:**

**CULVER CITY ANIMAL SERVICES  
CULVER CITY POLICE DEPARTMENT  
4040 DUQUESNE AVENUE  
CULVER CITY, CALIFORNIA 90232**

**Upon receipt of a correctly completed form, a confirmation will be submitted to you and the completed packet will be forwarded to the City Attorney for review. No further verbal or written warnings will be issued by the Culver City Animal Services at this point in the complaint process unless instructed by the City Attorney. It shall be the sole discretion of the City Attorney's Office to prosecute a claim, and the City Attorney's office will notify the complainant if the complaint will be prosecuted or whether other action will be taken to resolve the problem. Incomplete or unsigned packets will be returned to you with an explanation of requirements that were not met.**



City of Culver City

**ANIMAL SERVICES**

## **ANIMAL NUISANCE COMPLAINT PROCEDURE**

An **ANIMAL NUISANCE** is defined as:

**CULVER CITY MUNICIPAL CODE 9.01.035**

**ANIMAL ANNOYANCE PROHIBITED (\* Applicable only between the hours of 10:00 pm and 8:00 am)**

*It shall be unlawful for any person to harbor or keep any animal, bird or fowl which disturbs the peace or causes annoyance or disturbance to the neighborhood or reasonably interferes with the peace, comfort or repose of any person or persons in the quiet enjoyment of his or their property, by repeated or continuous barking, howling, whining, or making other sounds common to their species, between the hours of 10:00 p.m. and 8:00 a.m. and such disturbance shall be deemed to constitute the maintenance of a nuisance. Provided, however, that the prohibitions contained in this Section shall not apply to a licensed kennel owner or hospital or other place in which animals, birds or fowl are kept pursuant to a license or permit issued by governmental agencies.*

**Los Angeles County Code 10.40.065 Section A**

**PUBLIC NUISANCE (\* Applicable at any hour of the day)**

*Any animal (or animals) which molests passersby or passing vehicles, attacks other animals, trespasses on school grounds, is repeatedly at large, damages and or trespasses on private or public property, barks, whines or howls in a continuous or untimely fashion, shall be considered a public nuisance.*

A **RESPONSIBLE PERSON** is defined as:

**LOS ANGELES COUNTY CODE 10.40.065 Section B**

**PUBLIC NUISANCE**

*Every person who maintains, permits or allows a public nuisance to exist upon his or her property or premises, and every person occupying or leasing the property or premises of another and who maintains, permits or allows a public nuisance as described above to exist thereon, after reasonable notice in writing from the department of animal care and control has been served upon such person to cease such nuisance, is guilty of a misdemeanor. The existence of such nuisance for each and every day after the service of such notice shall be deemed a separate and distinct offense.*

There may be more than one “responsible person” for an animal nuisance violation. Examples of responsible persons include, but are not limited to; the person who allows the animal to create an animal nuisance and fails to exercise proper control over the animal nuisance; a person whose agent, employee or independent contractor, who allows an animal to create an animal nuisance and fails to exercise proper control over the animal nuisance; or the person who is the owner of the property, or a lessee or sub-lessee with the current right of possession of the real property in or upon which an animal nuisance violation occurs.



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## **ANIMAL NUISANCE COMPLAINT PROCEDURE**

### **THE PROCESS FOR THE ANIMAL NUISANCE COMPLAINT PROCEDURE:**

**1) The complainant initiates the first complaint to Culver City Animal Services.**

*We will need the address where the animal is located, the dates and time frames the animal was creating the noise, and the description of the animal. We will also need your name, address and phone number for future contact and follow-up. The Culver City Animal Services Officer will contact the animal owner or “responsible party” to notify them a complaint has been received, to offer information about the animal nuisance ordinances, and to provide suggestions and educational materials to assist in resolving the animal nuisance issue. If no one is available at the time of the visit, a warning notice and educational materials will be issued. The responsible party will be granted a ten (10) day period to resolve the issue. The original barking complaint will remain on file and active for thirty (30) days after the initial ten (10) day correction period. If a second complaint is not received from the original complainant in thirty (30) days, the complaint shall expire and the complainant must begin the process again if another violation is observed from the same animal.*

**2) If the animal nuisance is not corrected after ten (10) days, the complainant may file a written Animal Nuisance Complaint.**

*The Culver City Animal Services Officer will notify the animal owner of a second complaint. If the Animal Services officer observes a violation, a citation will be issued for the nuisance violation.*

This written Animal Nuisance Complaint requires that the complainant submit the following documents and recordings:

**A) MANDATORY**

**Keep a journal of the animal’s noise for a period of two (2) weeks to record the date, times of day and duration of the animal noise (See attached pages 7 to 8).**

*This will demonstrate whether the animal noise is causing an unreasonable disturbance based on the animal nuisance ordinance. Keep a copy of this journal for yourself. The original journal must be turned over the Culver City Animal Services as evidence.*

**B) MANDATORY**

**Video record with audio at least 10 consecutive minutes on three (3) of the dates which coincide with dates documented in the animal nuisance journal.**

**NOTE: It is acceptable and permissible that the video recording (with audio) only captures the nuisance sounds, but visually shows the complainant in the complainant’s room or property.**

Please observe these following mandatory requirements for the video recordings:

- 1) **The video recording must have accompanying audio.** The recording must demonstrate that the animal nuisance is not a result of atypical or threatening stimuli, such as construction, fireworks or a person directly at the door of the residence.
- 2) **The video recording with audio must be at least 10 consecutive minutes.** If the animal nuisance occurs over a long period of time such as 10 barks every 5 to 7 minutes, but continues for hours, please record **at least 25 consecutive minutes**. This will establish the excessive, untimely or continuous nuisance.
- 3) **During the video recording, pan back and forth to show the length of the street and/or the public areas around the location of the animal.** This will establish the absence of atypical or threatening stimuli and confirm the identification of the animal creating the animal nuisance.
- 4) **At the beginning of the video recording, state the time, date and a detailed description of the location of the recording.** This will provide a time line and demonstrate how the animal nuisance is affecting the complainant. Example: "This recording is on December 25, 2010 at 2 am. I am in my bedroom which is approximately 15 feet from the barking dog."
  - **If the complainant is within a structure, such as an apartment or house, and by a window or a door, the complainant must be at least 5 feet from the animal and must not be in the line of sight of the animal.**
  - **If the complainant is on a public area, open lot or field, the complainant must be at least 10 feet away from the animal and must not be in the line of sight of the animal.**
  - **If the complainant is in the yard of his or her personal property, the complainant must be at least 5 feet from the animal and preferably is not in the line of sight of the animal.**

NOTE: If the complainant is teasing the animal or is the direct stimulus as a perceived threat or stranger in the territory of the animal, this will not corroborate the complaint and will only demonstrate expected animal noise behavior associated with a stimulus that does not violate the nuisance ordinance. This process is to provide objective evidence of the animal nuisance. Please provide the recordings in CD, DVD or tape cassette formats.

*\* Audio recordings will be accepted into evidence, but will not be sufficient as evidence of the animal nuisance without accompanying video recording. Video recording with audio must be submitted to demonstrate the animal nuisance.*

*[Because of the structure of residential homes and properties, the video recordings may not always visually document the animal creating the nuisance. However, the visual recordings are mandatory to establish that the complainant is not directly provoking the animal and the audio in the video recording will demonstrate what the nuisance is and how it affects the complainant in the home or on the complainant's property.]*

C) **RECOMMENDED**

Obtain support for the complaint from an unrelated neighbor from a different household who is affected by the animal nuisance (See attached pages 9 to 10).

D) **MANDATORY**

Mail or deliver the completed and signed Animal Nuisance Complaint with supportive evidence and log to:

Culver City Animal Services  
Culver City Police Department  
4040 Duquesne Avenue  
Culver City, California 90232

E) **MANDATORY**

Submit an e-mail message to [Animal.Services@culvercity.org](mailto:Animal.Services@culvercity.org) or leave a voice message at 310-253-6143 to advise of the submission of the completed Animal Nuisance Complaint.

**3) After Culver City Animal Services receives the correctly completed Animal Nuisance Complaint, the completed packet will be forwarded to the City Attorney for review and possible legal action.**

If the packet is not complete or is unsigned, it will be returned to the complainant with an explanation of requirements that were not met. As the complainant, if the case is prosecuted in court, you will be subpoenaed to appear as a witness to testify. No further verbal or written warnings will be issued by Culver City Animal Services at this point in the complaint process unless instructed by the City Attorney. It shall be the sole discretion of the City Attorney's Office to prosecute a claim, and the City Attorney's office will notify the complainant if the complaint will be prosecuted or whether other action will be taken to resolve the problem.



CULVER CITY ANIMAL SERVICES ANIMAL  
NUISANCE COMPLAINT FORM FOR THE CITY ATTORNEY

**TIME SENSITIVE**

**ATTENTION FOR ANIMAL SERVICES**

**PLEASE DELIVER THIS TO**

**ANIMAL SERVICES**

**IMMEDIATELY.**

**COMPLAINANT(S):**

**REQUIREMENT:** Please include this page as the first page of the completed and signed Animal Nuisance Complaint when you either mail this completed form or personally deliver it to the Culver City Police Department. It is vital that you include this as the first page to ensure that your file will be submitted to the proper department and will be processed in an expedient manner. It is mandatory that you e-mail at [Animal.Services@culvercity.org](mailto:Animal.Services@culvercity.org) or call at 310-253-6143 to advise of your nuisance complaint submission. Thank you.

**FRONT DESK  
(CULVER CITY POLICE DEPARTMENT):**

\* Please transfer this completed packet to the Culver City Animal Services immediately. This information is time-sensitive and required for an investigation conducted by the City Attorney. Thank you.



## CULVER CITY ANIMAL SERVICES ANIMAL NUISANCE COMPLAINT FORM (FOR ORIGINAL COMPLAINANT)

PLEASE FILL OUT ALL SECTIONS OF THIS FORM

COMPLAINANT'S FULL NAME \_\_\_\_\_

RESIDENCE ADDRESS \_\_\_\_\_

PHONE NUMBERS (HOME) \_\_\_\_\_ (OTHER) \_\_\_\_\_

DRIVER'S LICENSE OR I.D. NUMBER \_\_\_\_\_

ANIMAL OWNER'S NAME \_\_\_\_\_

ADDRESS OF ANIMAL NUISANCE(S) \_\_\_\_\_

DESCRIPTION OF ANIMAL NUISANCE(S) (BREED, COLOR, SIZE, NAME, ETC.) \_\_\_\_\_

**Demonstrate that you have made attempts to resolve the problem with the animal owner or other responsible party. Remember to include dates. Attach separate sheet if needed.**

**Demonstrate that this is a problem with chronic violations. Continue documentation on the following page.**

DATE	FROM	TO	DESCRIPTION OF REASON OR STIMULUS FOR BARKING	SPECIFICS ON HOW THIS NOISE IMPACTS YOU	VIDEO/AUDIO RECORDED?
<i>Example:</i> 1-1-10	<i>Example:</i> 11:22 PM	<i>Example:</i> 11:57 PM	<i>Example:</i> No visible stimulus	<i>Example:</i> Unable to sleep	<i>Example:</i> Video recorded

**I declare under penalty of perjury under the laws of the State of California that the above information is true and correct, and if called upon to testify in court, I would and could competently do so.**

Print name \_\_\_\_\_ Date \_\_\_\_\_

Signature \_\_\_\_\_

Mail completed form to Culver City Animal Services, Culver City Police Department, 4040 Duquesne Avenue, Culver City, CA 90232.

Demonstrate that this is a problem with chronic violations. Attach additional sheets if needed. Please sign each page.

DATE <i>Example: 1-1-10</i>	FROM <i>Example: 11:22 PM</i>	TO <i>Example: 11:57 PM</i>	DESCRIPTION OF REASON OR STIMULUS FOR BARKING <i>Example: No visible stimulus</i>	SPECIFICS ON HOW THIS NOISE IMPACTS YOU <i>Example: Unable to sleep</i>	VIDEO/AUDIO RECORDED? <i>Example: Video recorded</i>

Name: \_\_\_\_\_ Signature: \_\_\_\_\_

Address: \_\_\_\_\_ Date: \_\_\_\_\_

Phone: \_\_\_\_\_

Mail completed form to Culver City Animal Services, Culver City Police Department, 4040 Duquesne Avenue, Culver City, CA 90232.





## CULVER CITY ANIMAL SERVICES ANIMAL NUISANCE COMPLAINT FORM (FOR UNRELATED NEIGHBOR AFFECTED BY THE NUISANCE)

PLEASE FILL OUT ALL SECTIONS OF THIS FORM

SUPPORTING WITNESS' FULL NAME \_\_\_\_\_

RESIDENCE ADDRESS \_\_\_\_\_

PHONE NUMBERS (HOME) \_\_\_\_\_ (OTHER) \_\_\_\_\_

DRIVER'S LICENSE OR I.D. NUMBER \_\_\_\_\_

ORIGINAL COMPLAINANT'S FULL NAME \_\_\_\_\_

ANIMAL OWNER'S NAME \_\_\_\_\_

ADDRESS OF ANIMAL NUISANCE(S) \_\_\_\_\_

DESCRIPTION OF ANIMAL NUISANCE(S) (BREED, COLOR, SIZE, NAME, ETC.) \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**Demonstrate that you have made attempts to resolve the problem with the animal owner or other responsible party. Remember to include dates. Attach separate sheet if needed.**

\_\_\_\_\_

\_\_\_\_\_

**Demonstrate that this is a problem with chronic violations. Continue documentation on the following page.**

DATE	FROM	TO	DESCRIPTION OF REASON OR STIMULUS FOR BARKING	SPECIFICS ON HOW THIS NOISE IMPACTS YOU	VIDEO/AUDIO RECORDED?
<i>Example:</i> 1-1-10	<i>Example:</i> 11:22 PM	<i>Example:</i> 11:57 PM	<i>Example:</i> No visible stimulus	<i>Example:</i> Unable to sleep	<i>Example:</i> Video recorded

**I declare under penalty of perjury under the laws of the State of California that the above information is true and correct, and if called upon to testify in court, I would and could competently do so.**

Print name \_\_\_\_\_ Date \_\_\_\_\_

Signature \_\_\_\_\_

Mail completed form to Culver City Animal Services, Culver City Police Department, 4040 Duquesne Avenue, Culver City, CA 90232.

**Demonstrate that this is a problem with chronic violations. Attach additional sheets if needed. Please sign each page.**

<b>DATE</b> <i>Example: 1-1-10</i>	<b>FROM</b> <i>Example: 11:22 PM</i>	<b>TO</b> <i>Example: 11:57 PM</i>	<b>DESCRIPTION OF REASON OR STIMULUS FOR BARKING</b> <i>Example: No visible stimulus</i>	<b>SPECIFICS ON HOW THIS NOISE IMPACTS YOU</b> <i>Example: Unable to sleep</i>	<b>VIDEO/AUDIO RECORDED?</b> <i>Example: Video recorded</i>

**Name:** \_\_\_\_\_ **Signature:** \_\_\_\_\_

**Address:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**Phone:** \_\_\_\_\_

Mail completed form to Culver City Animal Services, Culver City Police Department, 4040 Duquesne Avenue, Culver City, CA 90232.