



City of Culver City

ANIMAL SERVICES

DECLARATION OF ANIMAL PUBLIC NUISANCE PROCEDURE

While we understand that animal noise can be disturbing, not all animal noises are illegal and certain criteria must be met in order to proceed with an animal public nuisance complaint. Noisy animals are a nuisance only to the neighbors of the offending animal owners; therefore, it is generally not effective to rely solely on an Animal Services 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 noise. It is therefore necessary that a complaint be fully documented by you, the neighbor who is the best witness to the offense.

An **ANIMAL PUBLIC NUISANCE** is outlined as:

***CULVER CITY MUNICIPAL CODE 9.01.710 Section A
UNLAWFUL TO KEEP A NUISANCE ANIMAL***

It is unlawful and a public nuisance for any person owning, keeping, harboring or having in his or her care, custody or control any animal, to cause or suffer, or permit to be made or caused by such animal, barking, howling, crying or making of any noises or other sounds common to their species, so as to annoy and become offensive to a resident or residents in the vicinity in which the animal is kept thereby disturbing the peace of the neighborhood or causing excessive discomfort to any reasonable person of normal sensitivity residing in the area, unless such noise or sound is made by an official police dog while on duty.

The following examples are illustrative examples demonstrating violations of the nuisance ordinance:

- 1) Unprovoked animal barks, whines, howls, or makes any sound common to their species several times every minute for several hours.
- 2) Unprovoked animal barks, whines, howls, or makes any sound common to their species for approximately 30 seconds then stops for approximately a minute and then starts barking again for approximately 25 seconds and then stops for approximately two minutes and then continues this cycle or similar for several hours.
- 3) Unprovoked animal barks, whines, howls, or makes any sound common to their species continuously non-stop for 5 consecutive minutes.

Other incidents of animal nuisance that appear to meet the ordinance language will need to be reviewed by the Animal Services Officer to determine if the behavior is a nuisance violation. Consideration will be given to the time of day, duration and frequency of animal noise.



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THE PROCESS FOR THE ANIMAL PUBLIC NUISANCE COMPLAINT PROCEDURE:

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

The Culver City Animal Services Officer will issue a Warning Notice to notify the animal owner or “responsible party” a complaint has been received, offer information about the animal nuisance ordinance, and provide educational materials. The initial nuisance 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 from the date of the initial complaint, the complainant MUST NOTIFY the Culver City Animal Services to initiate a second complaint. A Declaration and Animal Public Nuisance and Petition for an Administrative Hearing will then be provided to the complainant.

3) The complainant must file the completed Declaration of Animal Public Nuisance and the Petition for an Administrative Hearing within thirty (30) days with the Culver City Animal Services.

A) Mail or deliver the completed and signed Declaration of Animal Public Nuisance (Page 3) to:

Nuisance Animal Owner

B) Mail or deliver the completed and signed Declaration of Animal Public Nuisance (Page 4) and the Petition for an Administrative Hearing (Page 5) to:

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

C) Submit an e-mail message to Animal.Services@culvercity.org or leave a voice message at 310-253-6143 to advise of the submission of the completed Declaration and Petition.

4) After Culver City Animal Services receives the correctly completed Declaration and Petition, an Administrative Hearing will be scheduled at least ten (10) days and not more than sixty (60) days from the date the correctly completed Declaration and Petition is received.

As the complainant, if the case is submitted for an administrative hearing, you will need to appear as a witness to testify.



DECLARATION OF ANIMAL PUBLIC NUISANCE

NOTE: THIS DECLARATION FORM (PAGE 3) MUST BE SUBMITTED TO CULVER CITY ANIMAL SERVICES

ALL SECTIONS MUST BE COMPLETED

ANIMAL OWNER: _____

ADDRESS OF ANIMAL NUISANCE(S): _____

CULVER CITY MUNICIPAL CODE 9.01.710 – UNLAWFUL TO KEEP A NUISANCE ANIMAL

It is unlawful and a public nuisance for any person owning, keeping, harboring or having in his or her care, custody or control any animal, to cause or suffer, or permit to be made or caused by such animal, barking, howling, crying or making of any noises or other sounds common to their species, so as to annoy and become offensive to a resident or residents in the vicinity, thereby disturbing the peace of the neighborhood or causing excessive discomfort to any reasonable person of normal sensitivity residing in the area.

I reside in a residential home located within two hundred yards of the premises where you keep your animal(s).

Within the last month I have heard the animal(s) barks, howls, whines or makes other sounds common to their species in a continuous or untimely fashion and for a substantially long period, which is disrupting the peace and preventing me from being able to enjoy the peace and quiet of my home (additional comments below):

I declare that the animal nuisance is causing a deterioration of my emotional health (additional comments below):

I am requesting that the animal(s) be kept inside or be removed from the property during specified hours (Specify hours below):

I certify that I have mailed a copy of this declaration by certified mail to the animal owner and that I have forwarded a copy to the Culver City Animal Services Department.

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

Complainant (please print)

Name: _____

Address: _____

Signature: _____ **Date:** _____



DECLARATION OF ANIMAL PUBLIC NUISANCE

NOTE: THIS DECLARATION FORM (PAGE 4) MUST BE SUBMITTED TO THE ANIMAL OWNER

ALL SECTIONS MUST BE COMPLETED

ANIMAL OWNER: _____

ADDRESS OF ANIMAL NUISANCE(S): _____

CULVER CITY MUNICIPAL CODE 9.01.710 – UNLAWFUL TO KEEP A NUISANCE ANIMAL

It is unlawful and a public nuisance for any person owning, keeping, harboring or having in his or her care, custody or control any animal, to cause or suffer, or permit to be made or caused by such animal, barking, howling, crying or making of any noises or other sounds common to their species, so as to annoy and become offensive to a resident or residents in the vicinity, thereby disturbing the peace of the neighborhood or causing excessive discomfort to any reasonable person of normal sensitivity residing in the area.

I reside in a residential home located within two hundred yards of the premises where you keep your animal(s).

Within the last month I have heard the animal(s) barks, howls, whines or makes other sounds common to their species in a continuous or untimely fashion and for a substantially long period, which is disrupting the peace and preventing me from being able to enjoy the peace and quiet of my home (additional comments below):

I declare that the animal nuisance is causing a deterioration of my emotional health (additional comments below):

I am requesting that the animal(s) be kept inside or be removed from the property during specified hours (Specify hours below):

I certify that I have mailed a copy of this declaration by certified mail to the animal owner and that I have forwarded a copy to the Culver City Animal Services Department.

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

Complainant (please print)

Name: _____

Address: _____

Signature: _____ **Date:** _____

Culver City Animal Services
4040 Duquesne Avenue
Culver City, CA 90232

PETITION FOR ADMINISTRATIVE HEARING

NOTE: THIS DECLARATION FORM (PAGE 5) MUST BE SUBMITTED TO CULVER CITY ANIMAL SERVICES

Instructions to Complainant: Please complete this form so as to give the Hearing Officer a better understanding of your complaint regarding the specific nuisance animal(s). This form will also serve as your request for a hearing before the Hearing Officer. This form must be returned to the above-address to secure your request for a hearing. You will receive notice of your hearing date by mail. At the bottom of this form, please also list any witnesses whom you plan to bring to the hearing.

This document is executed under penalty of perjury.

The undersigned hereby declares:

- 1. That the undersigned is/are disturbed by habitual, excessive, unrelenting, noises or sounds of certain animal(s). Each animal is described as follows [name of animal if known; kind of animal.]:

_____.

- 2. That I believe the above-described animals are owned by:

_____ whose address is: _____.

- 3. That the above-described animal(s) disrupts the peace and quiet of the neighborhood by [give specific types of disturbances, time and dates; attach additional sheets of paper as necessary]:

_____.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Print Name Signature Address Telephone Date

The following persons will also testify as to those facts attested to, above:

Print Name Signature Address Telephone Date

Print Name Signature Address Telephone Date

Print Name Signature Address Telephone Date

[Please attach additional sheets of paper as necessary.]