

BUSINESS LICENSE COMMISSION

Minutes

Tuesday, April 13, 2004

City of West Hollywood

I. CALL TO ORDER

Commissioner Kazakos called the meeting to order at 6:35P.M.

A. **ROLL CALL:**

PRESENT:

Commissioners: Alexander Ponder, Gary Reichard, Anne Marie Isleib, Pat Rogers, Sibyl Zaden, Vice-Chair Neill Murchison and Chair James Kazakos

STAFF PRESENT:

Tom Benedetti, Code Compliance Manager; Bruce Robertson, Administrative Staff Assistant.

OTHERS PRESENT:

- B. **THE PLEDGE OF ALLEGIANCE:** Commissioner Rogers led the pledge.

II. APPROVAL OF AGENDA

- A. *Approval of the Agenda.*

A motion, to approve the agenda, was made by Commissioner Ponder. This motion was seconded by Commissioner Rogers and carried unanimously.

III. CONSENT CALENDAR

- A. *Approval of the February 3rd, 2004 minutes.*

Commissioner Ponder asked that the minutes be amended to reflect him being in attendance at the meeting.

Commissioner Rogers then moved to approve the minutes of February 3, 2004 as amended. The motion was seconded by Commissioner Ponder and carried unanimously.

IV. PUBLIC COMMENT

- A. **Joel Flatow**, West Hollywood, asked that the Commission look into adopting a policy regarding Commissioner disclosure should a matter be brought before the City regarding an alleged impropriety on the part of an appointed individual or that individual's business operation.

V. PUBLIC HEARINGS

- A. *The Business License Commission will hold a public hearing and take public testimony to consider recommendations from the Commission's Pet Standards Sub-Committee regarding the adoption and approval of a the draft ordinance as recommended by the Sub-Committee.*

Tom Benedetti presented the staff report.

Mr. Benedetti reported that a sub-committee, created by the Business License Commission, recently met twice, most recently on March 11, 2004, to discuss, revise and prepare for presentation, to the Commission, as a whole, a pet grooming ordinance. All interested individuals and pet groomers were notified and were allowed to participate in the March 11th meeting. Once approved, by the Business Commission, this ordinance will go before the City Council for the approval, revision and eventual adoption of a new and innovative ordinance for all pet groomers/facilities doing business in the City of West Hollywood.

Mr. Benedetti began by identifying four changes that the City Attorney suggested changing prior to adoption of the draft ordinance:

- 1) Under Application Information, 5.18.020, the wording, *The focus here is on safe handling techniques of animals and proper equipment use*, should be removed.
- 2) Under, 5.18.010, Animal Grooming, *for aesthetic purposes*, should be removed as this is redundant information.
- 3) Under Operating Requirements, 5.18.030, General Facility Requirements, delete the language, *including maintenance laws for all equipment*, but suggested replacing this wording with something such as, *Equipment shall be*

- maintained in accordance with all applicable laws, or equipment shall be maintained in a sanitary condition.*
- 4) Lastly, under 5.18.030, General Operating Requirements, (c), the wording *and should be posted to read shall be posted*

Public Testimony

- A. Gay Carter**, West Hollywood, commented on CPR training, expressed concern over documenting (keeping records) of animal illnesses explaining that this would be time consuming and burdensome to her business. Too, she commented on other proposals in the draft ordinance feeling that, as a groomer, the recommended activities would impede her and her business operation and that these additional activities would take away from her attention to her clients' animals.
- B. Hillary Selvin**, Los Angeles, thanked the sub-committee for listening and including all interested parties in the draft ordinance process stating that this committee asked for and listed to concerns/recommendations from all interested parties and groomed the ordinance with their input in mind.

Commission Discussion

Commissioner Rogers clarified one public comment stating that the veterinary treatment plan implied in the draft referred to a working relationship with a veterinarian that could be readily accessed should the need arise.

Commissioner Rogers explained that it was the Sub-Committee's intention, NOT to meddle in the affairs of pet groomers but to have them work, in general, autonomously while at the same time allowing the City to intervene, when necessary, to address/correct any problems that might arise, in the future.

Commissioner Zaden responded to one public comment expressing concern over responsibility of an older or ailing pet, that the groomer would be within their right to deny grooming service to such an animal should the groomer feel that the health of the animal would not sustain the grooming experience.

Commissioner Zaden also spoke about the previous draft language requiring grooming managers to be certified in animal CPR.

Commissioner Isleib concurred, on this matter, explaining that many of the groomers at the March 11, 2004 meeting supported this requirement.

Mr. Benedetti explained that this wording was removed from the original draft after staff looked into possible animal CPR trainings, in the area, in which none were found. He continued that a plausible solution, to this dilemma, would be to find and purchase animal CPR diagrams that could be posted in grooming

facilities therefore having the necessary information available should the need arise.

Additionally, Commissioner Zaden asked that the wording under 5.18.030, General Operating Requirements, (f) be clarified to read that veterinarians would not be subject to this condition should the clinic require that the animal remain at the veterinary facility for observation.

Commissioner Isleib emphasized the importance of the input which has been included in the draft from pet groomers even outside of Los Angeles County and expressed her approval of the amount of input received for this draft ordinance even prior to being presented to the Business License Commission as an entire body.

Commissioner Reichard suggested that the Commission delete the reference requiring animal CPR training in as much as the information available to date is that this training is not readily available.

Mr. Benedetti reminded the Commission that this document is intended to be a working document that can and most likely will be changed as the pet grooming standards ordinance and licensing continue to be developed and as new information becomes available. Along these lines he suggested that it could be plausible, in six (6) months from now that a veterinary clinic or other qualified organization may offer animal CPR, at which time this matter could be revisited.

Commissioner Reichard made a motion to remove the wording under section 5.18.030 (1)(b) *All managers shall have successfully completed a training in animal CPR, or similar training.* This motion was seconded by Commissioner Rogers and carried unanimously.

Commissioner Isleib made a motion that the City act proactively on this matter, in working to find a means by which animal CPR could be offered as a first aid course to groomers and other interested persons. This motion was seconded by Commissioner Chair Kazakos and carried unanimously.

Commissioner Reichard, commenting on the wording under, 5.18.030 (8)(a)(4), *Veterinary treatment plans*, suggested that the wording was somewhat unclear and should be more clearly defined. Commissioner Reichard suggested that the wording might be *Record of a Working Relationship with a veterinary center to provide timely veterinary care.*

In addition, Commissioner Reichard offered alternative wording under 5.18.030(8)(a)(1), such as, *Injuries, and or illnesses* sustained at the facility which require veterinary contact.

Commissioner Rogers recommended eliminating specific language by simply saying that the grooming must maintain an incident report to be made available by the City's Code Compliance division upon request. Commissioner Rogers emphasized that this wording could and probably would be modified, at a later day, once the City and groomers alike gain experience on this matter and the specific needs

Commissioner Zaden moved that appropriate wording, to this document should include the following language, *that current and up to date animal files be kept at the facility, at all times, which shall include injuries, severe illness, seizure and/or death.* This motion was seconded by Commissioner Rogers and carried unanimously.

Commissioner Ponder emphasized that specific wording in the draft ordinance requiring that records be available to any inspector or patron upon request would not be known to most patrons and recommended that this or similar wording be posted on premise in order to ensure that all patrons can make informed decisions regarding the grooming of their pets.

Commissioner Ponder made a motion that his suggestion to require grooming facilities to post the availability of grooming records, upon request, be added to the draft ordinance. The motion was seconded by Commissioner Reichard but failed for lack of a majority vote.

Commissioner Rogers moved the draft ordinance with the recommended changes. The motion was seconded by Commissioner Zaden and carried unanimously.

VI. NEW BUSINESS

VII. UNFINISHED BUSINESS

VIII. ITEMS FROM STAFF

IX. PUBLIC COMMENTS /ITEMS FROM CITIZENS

X. COMMISSION CHAIRS REPORT/ITEMS FROM COMMISSIONERS

XI. ADJOURNMENT

A motion was made to adjourn to the next scheduled meeting of the Business License Commission, to be scheduled as necessary upon the direction of the Director of Public Safety, from 6:30 PM until completion at West Hollywood Park Auditorium, 647 No. San Vicente Blvd., West Hollywood. Motion carried.

Meeting adjourned.

PASSED, APPROVED AND ADOPTED THIS DAY OF 8/10/04.

CHAIRPERSON: James Ragan

ATTEST:
BUSINESS LICENSE OFFICER: Lina A. Chilton