

ORDINANCE NO. 186862

An ordinance amending Section 53.75 to the Los Angeles Municipal Code to prohibit the sale, trade, or distribution of fur products. ~~186862~~

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

Section 1. Section 53.75 of the Los Angeles Municipal Code is amended to read as follows:

SEC. 53.75. PROHIBITION TO SELL, TRADE, OR DISTRIBUTE FUR PRODUCTS.

A. **Definitions.** For the purposes of this section, the following words shall mean:

1. **Fur.** Any animal skin or part thereof with hair, fleece, or fur fibers attached thereto, either in its raw or processed state.

2. **Fur Product.** Any article of clothing or covering for any part of the body, or any fashion accessory, including, but not limited to, handbags, shoes, slippers, hats, earmuffs, scarves, shawls, gloves, jewelry, keychains, toys, or trinkets, and home accessories and decor, that is made in whole or in part of Fur.

A Fur Product does not include any of the following:

i. A dog or cat Fur Product, as defined in Section 1308 of Title 19 of the United States Code, as that section read on January 1, 2020.

ii. An animal skin or part thereof that is to be converted into leather, which in processing will have the hair, fleece, or Fur fiber completely removed.

iii. Cowhide with hair attached thereto.

iv. Deerskin, sheepskin, or goatskin with hair attached thereto.

v. The pelt or skin of an animal that is preserved through Taxidermy.

vi. A product made pursuant to Section 3087 or 4303 of the California Fish and Game Code.

3. **Taxidermy.** The practice of preparing, stuffing, and mounting the skin, in lifelike form, of any fish, reptile, amphibian, bird, or mammal.

4. **Ultimate Consumer.** A person who buys for their own use, or for the use of another, but not for resale or trade.

5. **Used Fur Product.** Fur in any form that has been worn or used by an Ultimate Consumer.

B. Prohibitions.

1. Except as specified in California Fish and Game Code Section 3039, it is unlawful to sell, offer for sale, display for sale, trade, or otherwise distribute for monetary or nonmonetary consideration a Fur Product in the City.

2. It is unlawful to manufacture a Fur Product in the City for sale.

C. The prohibitions set forth in Subsection B do not apply to any of the following:

1. A Used Fur Product.

2. A Fur Product used for religious purposes.

3. A Fur Product used for traditional tribal, cultural, or spiritual purposes by a member of a federally recognized Native American tribe or a nonfederally recognized California Native American tribe listed on the California Tribal Consultation List maintained by the Native American Heritage Commission.

4. Any activity expressly authorized by federal law.

D. A person who sells or trades any Used Fur Product or Fur Product described in Subsection C shall maintain a record of each sale or trade of one of those exempt Used Fur or Fur Products for at least one year. A person who reports the receipt or purchase of a Used Fur Product or Fur Product described in Subsection C, pursuant to Section 21628 of the Business and Professions Code, shall be deemed to satisfy this subsection. A violation of this subsection is not subject to a criminal or civil penalty.

E. **Operative Date.** This ordinance shall become operative on January 1, 2021.

F. **Sunset Clause.** This ordinance shall remain in effect only until January 1, 2023, and shall sunset as of that date.

G. **Severability.** If any provision of this ordinance is found to be unconstitutional or otherwise invalid by any court of competent jurisdiction, that invalidity shall not affect the remaining provisions of this ordinance which can be implemented

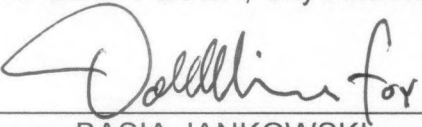
without the invalid provisions, and to this end, the provisions of this ordinance are declared to be severable. The City Council hereby declares that it would have adopted this ordinance and each provision thereof irrespective of whether any one or more provisions are found invalid, unconstitutional or otherwise unenforceable.

Sec. 2. Urgency Clause. The City Council finds and declares that this ordinance is required for the immediate protection of the public peace, health, and safety for the following reason: In 2019, the City adopted an ordinance banning the sale and manufacture of Fur and Fur Products to be operative on January 1, 2021. The Fur industry not only has been associated with cruel and inhumane treatment of animals, it also damages the environment and contributes to water and air pollution. Prohibiting the sale and manufacture of Fur and Fur Products protects the health and welfare of the residents of the City. More recently, the State of California enacted Assembly Bill 44 (AB 44), which also bans the sale and manufacture of Fur and Fur Products. In order to ensure that there is a ban on the sale and manufacture of Fur Products in Los Angeles during the two year period before the state ban takes effect, the City must put in place prohibitions on Fur and Fur Products consistent with state law on January 1, 2021. For these reasons, the ordinance shall become effective upon publication pursuant to Los Angeles 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.

Approved as to Form and Legality

MICHAEL N. FEUER, City Attorney

By  for
BASIA JANKOWSKI
Deputy City Attorney

Date 11/24/20

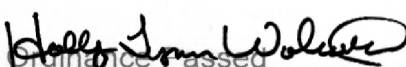
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The Clerk of the City of Los Angeles hereby certifies that the foregoing ordinance was passed by the Council of the City of Los Angeles, **by a vote of not less than three-fourths** of all its members.

CITY CLERK

MAYOR


Ordinance Passed


Approved #

12/08/2020

12/15/2020

Published Date: 12/18/2020
Ordinance Effective Date: 12/18/2020
Council File No.: 18-0538