



# Ordinance Fact Sheet

TO: CITY COUNCIL                      DATE: April 23, 2001

FROM: CITY MANAGER

SUBJECT: ORDINANCE AMENDING TITLE 6 TO RESTRICT THE DISPLAY OF ANIMALS FOR PUBLIC ENTERTAINMENT OR AMUSEMENT

TITLE OF PROPOSED ORDINANCE:

AN ORDINANCE OF THE CITY OF PASADENA ADDING A NEW CHAPTER 6.40 TO THE PASADENA MUNICIPAL CODE RESTRICTING THE DISPLAY OF ANIMALS FOR ENTERTAINMENT OR AMUSEMENT PURPOSES.

PURPOSE OF ORDINANCE:

The purpose of this ordinance is to restrict animal displays for entertainment purposes.

REASON WHY THIS LEGISLATION IS NEEDED:

Section 410 of the Pasadena City Charter requires that the municipal code be amended by ordinance.

PROGRAMS, DEPARTMENTS OR GROUPS AFFECTED:

The Public Health Department and the Pasadena Humane Society will share administrative responsibilities; events on city property involving animal acts, circuses with animal acts, and menageries will be affected by this ordinance.

57581.1

MEETING OF 6/18/2001  
4/23/2001

AGENDA ITEM NO. 9.A.1.

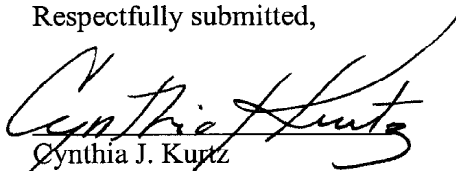
POLICY CHANGE:

The amendment will be a policy change as formerly there was no restrictions on events involving animal acts on city property.

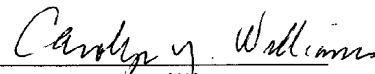
FISCAL IMPLICATIONS:

Staff anticipates that this ordinance will have minimal impact on the General Fund. The Pasadena Humane Society has agreed to assume the responsibility of reviewing the permit applications and the inspection of the events at no additional cost to the City.

Respectfully submitted,

  
Cynthia J. Kurtz  
City Manager

Prepared by:

  
Carolyn Y. Williams  
Asst. City Attorney

Introduced by Councilmember \_\_\_\_\_

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE OF THE CITY OF PASADENA ADDING A NEW CHAPTER 6.40 TO THE PASADENA MUNICIPAL CODE RESTRICTING THE DISPLAY OF ANIMALS FOR ENTERTAINMENT OR AMUSEMENT PURPOSES.**

The People of the City of Pasadena ordain as follows:

**SECTION 1.** This ordinance, due to its length and the corresponding costs of publication, will be published by title and summary as permitted by Section 508 of the City Charter. The approved summary of this ordinance reads as follows:

“SUMMARY

The subject ordinance, Ordinance No. \_\_\_\_\_, adds a new chapter to Title 6 (“Animals”) of the Pasadena Municipal Code, restricting the display of both wild or exotic animals and domesticated animals on city property. Specifically, this ordinance prohibits the display of wild or exotic animals and rodeos; restricts the display of domestic animals, snakes or lizards through use of a registration process; institutes a registration and appeal process for denial of permits; and includes exemptions for educational use of animals under the sponsorship of certain organizations, and dog and cat exhibitions in city parks.

Ordinance No. \_\_\_\_\_ shall take effect thirty days after its publication.”

**SECTION 2.** The Pasadena Municipal Code is amended to add a new Chapter

6.40 to read:

**“Chapter 6.40**

**RESTRICTION ON DISPLAY OF ANIMALS ON CITY PROPERTY**

**Sections:**

- 6.40.010 Short title.**
- 6.40.020 Intent.**
- 6.40.030 Definitions.**
- 6.40.040 Display of wild or exotic animals/rodeos prohibited.**
- 6.40.050 Display of domestic animals.**
- 6.40.060 Display of snakes and lizards.**
- 6.40.070 Use of animals during authorized filming.**
- 6.40.080 Appeal process.**
- 6.40.090 Violation - Penalties.**
- 6.40.100 Exemptions.**

**6.40.010 Short title.**

This chapter shall be known as the “animal display ” ordinance.

**6.40.020 Intent.**

It is the intent of this Chapter to control hazards to the physical and mental health of the public and to promote the protection of animals by restricting the display of animals for public entertainment or amusement in the City of Pasadena. See chart attachment to this ordinance.

**6.40.030 Definitions.**

As used in this Chapter the following terms have the meanings set forth below:

A. “Display” means to undertake any exhibition, act, circus, public show, trade show, photographic opportunity, carnival, ride parade, petting zoo, race, performance or similar undertaking in which animals are required to perform tricks, fight or participate in performances for the amusement or entertainment of an audience. Display shall not include the use or exhibition of animals for educational purposes by institutions that are accredited by the American Zoological Association, by the Association of Sanctuaries, or the local humane society. “Displayed” means to be the subject thereof.

B. “Domesticated animal” means any animal that is livestock, a companion animal, or both. “Livestock” means any species of animal commonly used for food, fiber, or draft purposes. “Companion animal” means any species of animal commonly kept by inhabitants as a pet or for companionship, excluding snakes, venomous reptiles or venomous amphibians.

C. “Wild or exotic animal” means any or all of the following animals, whether bred in the wild or in captivity, and also any or all of their hybrids with domestic species. It is not the intent of this section to include domesticated species such as horses, cows, sheep, or llamas among the animals listed below. The words in parentheses are intended to act as examples only and are not to be construed as being exhaustive list or to otherwise limit the generality of each group of animals:

1. Non-human primates and prosimians (such as chimpanzees, monkeys);
2. Felids, except domesticated cats;

3. Canids, including wolf hybrids and except domesticated dogs;
4. Ursids (bears);
5. Elephants;
6. Marine mammals (such as seals, sea lions, dolphins, otters);
7. Crocodylians (such as alligators and crocodiles);
8. Marsupials (such as kangaroos and opossums);
9. Snakes and reptiles;
10. Ungulates (such as hippopotamus, rhinoceros, giraffes, zebra, deer);
11. Hyenas;
12. Mustelids (such as skunks, weasels, otters and badgers);
13. Procyonids (such as raccoons and coatis);
14. Endentates (such as anteaters, sloth and armadillos);
15. Viverrids (such as mongooses, civets, and genets);
16. Camels; and
17. Cetaceans.

D. "Person" means any individual , partnership, corporation, joint venture, association, trust, estate or any other legal entity and any officer, member, shareholder, director, employee agent or representative of same.

E. "Rodeo" shall mean a public performance featuring bronco riding, calf roping, steer wrestling, and Brahma bull riding.

**6.40.040 Display of wild or exotic animals/rodeos prohibited.**

A. It shall be unlawful for any person to display or sponsor a display of wild or exotic animals on any public property within the City of Pasadena.

B. It shall be unlawful for any person to conduct or participate in rodeos within the City of Pasadena on public property.

**6.40.050 Display of domestic animals.**

A. It shall be unlawful for any person to display domestic animals on public property unless such display is pursuant to a required Statement of Registration and approval by the Public Health Department. The Statement of Registration must be filed with the Public Health Department at least 14 days prior to the date on which the animals are scheduled for display.

B. The Statement of Registration shall include the following information:

1. Date and location of event where animal will be displayed;
2. List and description of each animal to be displayed at the event;
3. Description of what the animal will be used for during the event;
4. Type of housing, bedding and food to be provided for animals used in the event;
5. Special equipment required to handle the animal during the event;
6. Declaration of any animal registered with the California Department of Fish and Game, the federal government's Fish and Wildlife Department or any other governmental

agencies.

7. List of past complaints, citations or investigations involving sustained allegations of cruelty to animals conducted by a local humane society or animal control agency while animals have been under the control of the registrant.

C. The Statement of Registration shall be stamped approved by the City Poundmaster and returned to the registrant unless it is determined that:

1. The proposed use of the animal poses a threat to the public's health and safety, or would qualify as cruel or inhumane treatment of the animal in the opinion of the City Poundmaster.

2. The registrant fails to file the Statement of Registration within the prescribed period before the event.

**6.40.060 Display of snakes and lizards.**

A. It shall be unlawful for any person to display snakes or lizards on public property unless such display is pursuant to a required Statement of Registration and approval by the Public Health Department. The Statement of Registration must be filed with the Public Health Department at least 14 days prior to the date on which the animals are scheduled for display.

B. The Statement of Registration shall contain the same information required in Section 6.40.050 B.

C. It shall be lawful to display snakes or lizards when such display is



related to authorized educational purposes and does not endanger public health or safety.

**6.40.070 Use of animals during authorized filming.**

Filming companies shall be required to disclose to the City's Filming and Special Events Office if any animals shall be used before scheduled filming begins, and to comply with the requirements of the American Humane Association regarding treatment of animals during filming.

**6.40.080 Appeal process.**

A registrant may appeal a denial of permission to display an animal by filing a written statement of appeal with the Environmental Health Division Manager, explaining the basis of the appeal. Within 7 days of a denial, the Environmental Health Division Manager shall conduct an informal office hearing with the registrant to consider the appeal, and issue a written decision on the appeal within 2 days of the hearing date.

**6.40.090 Violation - Penalties.**

This chapter shall be enforced as provided in Chapter 1.26 of the Pasadena Municipal Code. Any person displaying or sponsoring a display of wild or exotic animals in violation of this Chapter shall be assessed an administrative fine as provided in subsection 1.26.060 of the Pasadena Municipal Code.

**6.40.100 Exemptions.**

The following display of animals are exempt from this ordinance:

A. A display of wild or exotic animals for educational purposes under the sponsorship of institutions accredited by the American Zoo and Aquarium Association,

other similar organizations, or the City Poundmaster.

B. Organized dog and cat exhibitions in city parks.”

**SECTION 3.** The City Clerk shall certify the adoption of this ordinance and shall cause this ordinance to be published by number, title and summary, and the City Clerk’s certification.

Signed and approved this \_\_\_\_\_ day of \_\_\_\_\_, 2001.

\_\_\_\_\_  
Bill Bogaard  
Mayor of the City of Pasadena

I HEREBY CERTIFY that the foregoing ordinance was adopted by the City Council of the City of Pasadena at its meeting of \_\_\_\_\_, 2001, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Published:

APPROVED AS TO FORM:  
Carolyn Y. Williams  
Carolyn Y. Williams  
Assistant City Attorney

\_\_\_\_\_  
Jane Rodriguez, CMC  
City Clerk