



OFFICE OF THE CITY MANAGER

MEMORANDUM

February 5, 2001

TO: City Council
FROM: City Manager
SUBJECT: Animals Used for Exhibitions or Performances on City-Owned Properties

At the January 17, 2001 meeting of the Business Enterprise Committee, staff presented the agenda report, "Animals Used for Exhibitions or Performances on City-Owned Properties." After the discussion, the Committee suggested that snakes and lizards, which are defined as wild and exotic animals, and any animals used during the Tournament of Roses Parade and Rose Bowl Football game should follow the administrative review process, as described in the report.

Staff concurs with the suggestions made by the BEC and recommends two changes to the agenda report:

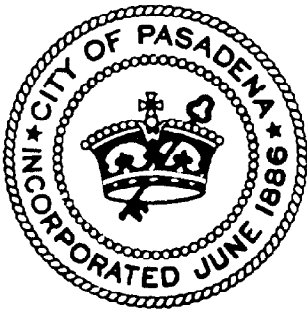
1. Require that the display of snakes and lizards on city-owned properties during an event be subject to the administrative review process, similar to the review process proposed for the use of domesticated animals on city-owned properties. An exhibitor will be required to disclose on the permit application if any snakes or lizards will be displayed and if so, to complete a questionnaire (Attachment A) that will be reviewed by the Pasadena Humane Society. Staff recommends that these reptiles would be allowed to be displayed by an individual or organization under certain guidelines if used for educational purposes, the reptiles are treated humanely, and the display of the reptiles will not create a public safety problem.
2. The use of any animals during the Tournament of Roses Parade will not be exempt from the administrative review process of the Pasadena Humane Society. A person or organization proposing to display an animal during the Tournament of Roses Parade or Rose Bowl Football Game would be required to disclose this information to the City by completing the required questionnaire (Attachment A). The information would be reviewed by the Pasadena Humane Society, which may at that time impose certain conditions and guidelines for the applicant to follow during the event. The

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Tournament of Roses has agreed to coordinate the information between the organizations that will be displaying the animals and the Pasadena Humane Society. A humane officer will visit the events and the locations where the animals will be housed to ensure any conditions imposed by the Humane Society, upon the exhibitors, are being followed.

A handwritten signature in black ink, appearing to read 'Cynthia J. Kurtz', with a large, sweeping flourish extending from the end of the signature.

Cynthia J. Kurtz
City Manager



Agenda Report

THROUGH: BUSINESS ENTERPRISE COMMITTEE

TO: CITY COUNCIL **DATE:** JANUARY 22, 2001

FROM: CYNTHIA J. KURTZ, CITY MANAGER

SUBJECT: ANIMALS USED FOR EXHIBITIONS OR PERFORMANCES ON CITY-OWNED PROPERTY

RECOMMENDATION

It is recommended that the City Council direct the City Attorney to:

1. Amend Title 8 of the Pasadena Municipal Code to prohibit wild or exotic animals display and rodeos for the purpose of amusement and entertainment on city-owned properties.
2. Draft an ordinance establishing an administrative review process and standards for denial of a permit to host events using domesticated animals for exhibition or performance purposes on city-owned property.

EXECUTIVE SUMMARY

At the November 15, 2000 Business Enterprise Committee meeting, the Committee discussed a staff report on the mistreatment of exotic animals used for performance and exhibition. The Committee requested staff to return to the BEC with a recommendation on how the City can be assured that both wild and domestic animals used for performances or exhibitions on city-owned property are receiving appropriate care by the owner.

Staff recommends two policy changes. The first recommendation is to prohibit exotic animal displays and rodeo shows for amusement and entertainment on city owned properties due to documented incidents of inhumane treatment of these animals and hazards to public health and safety. The second recommendation is to establish an administrative review process for exhibitors using domesticated animals on city owned property. The exhibitor will be required to complete a permit application that will include questions related to animal care. The Humane Society has agreed to review the application and

conduct an on- site inspection to ensure the animals are receiving proper care at no extra cost to the City.

Events affected by the proposed ordinances will include, but not be limited to: animal display shows, carnivals, petting zoos and pony rides in city parks; horse carriage rides on city streets; filming locations; rodeos; circuses; and animal exhibition shows for a major spectator events at the Rose Bowl, Rose Parade, and Doo Dah Parade.

BACKGROUND

During the City Council meeting of February 1, 2000, the issue of a proposed circus in the Arroyo Seco was raised and the matter was forwarded to the Business Enterprise Committee (BEC) for discussion. At the Committee's request, staff researched and developed a report for presentation to the BEC. At the November 15, 2000 meeting of the Business Enterprise Committee, a City staff report, "Background on the Use of Exotic Animals for Entertainment Purposes on City-Owned Property," was presented for discussion. Although the initial discussion was focused on the treatment of wild and exotic animals (particularly those in large events such as circuses and rodeos) the Committee broadened its discussion to include concern for the treatment of domestic animals used for exhibition or performance on city owned property. The Committee requested staff to return to the BEC with a recommendation on how the City can be assured that these animals are receiving appropriate care by the owner.

Wild and Exotic Animals

Staff recommends that the City Council direct the City Attorney to amend the Pasadena Municipal Code to prohibit the display of wild or exotic animals and rodeos for the purpose of amusement and entertainment on city-owned properties. The intent of a wild or exotic animal ordinance in Pasadena would be to 1) promote the protection of animals by prohibiting the display and preventing the exploitation of wild or exotic animals for public entertainment or amusement and 2) control the hazards to public health and safety. The ordinance would be applicable to any events held on city-owned properties, including but not limited to carnivals, petting zoos, and circuses. The display of wild or exotic animals would be allowed for educational purposes if sponsored by institutions accredited by the American Zoo and Aquarium Association, Pasadena Humane Society or other similar organizations.

The inhumane treatment of wild or exotic animals for entertainment purposes has been well documented by the U.S. Department of Agriculture (USDA) and animal welfare organizations. As a result of their advocacy and oversight, states and cities have adopted laws to stop the inhumane treatment of animals for amusement or entertainment purposes. As recent as the year 2000, the USDA has cited popular circus companies for incidents related to the inhumane

treatment of circus animals. It is common for the training and transportation of circus animals to consist of severe beatings, hobbling, shocking, being chained in place or caged within very small confines the majority of the animal's life. Big cats, bears, and primates are forced to eat, drink, sleep, defecate, and urinate in the same cramped cages. There have also been documented cases of circuses not providing the necessary veterinary care to animals and forcing very ill animals to continue performing. Access to the basic necessities of food, water, and veterinary care is often inadequate.

In addition to these concerns for inhumane treatment and cruelty of animals, there are also health and safety concerns for the general public. For example, using dangerous animals in performances and photo opportunities jeopardizes public safety and often puts children at great risk. Because elephants are routinely used for kids rides, they pose a potentially serious public health concern. Since 1990, 47 people have been killed and more than 100 seriously injured by captive elephants. Elephants and chimpanzees are particularly susceptible to and spread tuberculosis. Reptiles (i.e., snakes and lizards) are known carriers of Salmonella bacteria. Elephants are also carriers of elephant pox which is fatal to the elephant and infectious to humans.

Some states and cities have imposed restrictions on the display of wild or exotic animals or specific activities where animals are required to perform tricks, fight or participate in performances for the amusement or entertainment of an audience. The following table lists those cities and states that have imposed the use of animal performances and exhibitions:

State, County, Municipality	Activity Prohibited
Azusa, Corona and Marin County (California), Redmond (Washington), Lauderdale Lakes (Florida), Quincy and Revere (Massachusetts)	Display or exhibition of wild or exotic animals
Hollywood (Florida)	Any animal displays
Delaware, Florida, Georgia, Massachusetts, Mississippi and Missouri	Public contact between people and animals (including elephant & camel rides, and photo opportunities with wild or exotic animals)
California, Illinois, Maine, Clark County, NV, New Mexico, Oklahoma, and Texas	Horse-tripping in rodeos
Florida	Bloodless bullfighting and hot dog rodeos
Rhode Island	Calf roping
California	Steer-tailing (grabbing steers by their tails)
South Carolina	Display of captive dolphins and whales

Staff recommends that the adoption of a wild or exotic animal ordinance also include the prohibition of rodeo events on city-owned properties. Numerous groups have recognized rodeos as a cruel and inhumane form of entertainment. Typical rodeo events include calf and steer roping, steer wrestling, bareback bull riding, and saddle bronco riding, which often result in serious injury to the animals used for these events. Electric prods, caustic ointments, and whips are often used to irritate and enrage the animals prior to their performances. In 1994, Governor Pete Wilson signed into law a bill banning the intentional tripping of horses for entertainment or sport.

Domesticated Animals

Staff recommends development of an ordinance that will establish an administrative review process for the use of animals during a special event, private party, picnic, carnival or animal for hire, as part of the permit application requirement to use city-owned properties. It is typical that only domesticated and companion animals are found at these events. Currently, any person or organization wanting to use city-owned property for these types of events is required to submit a permit application to the City. The application is reviewed by the department that has the responsibility over the city property, which may also impose conditions and guidelines for the applicant to follow during the event. During FY 2000, the Parks and Natural Resources approved two events with a petting zoo and pony ride for a private party held in a public park.

The proposed ordinance would require applicants to disclose on their permit application if any animals will be used at an event or filming location and, if so, a questionnaire, related to the handling, working conditions and the on-going care of the animal, will be given to the animal owner to complete. The Humane Society assisted city staff in preparing the proposed questionnaire to be used for the review process and a copy of the questionnaire is included with this report. (Attachment A)

The Humane Society will review each application on a case-by-case basis that will also include a review of any past citation involving a misdemeanor or serious offense that has not been corrected by the exhibitor, and that may be the basis for denial of the applicant to use city-owned property for an event. The humane officer from the Pasadena Humane Society will visit the event site after the City has notified the Society that an animal will be participating at an event. During the visit by the humane officer, the officer will notify the exhibitor of any condition or violation that the officer suspects that may need correction relating to the care and welfare of the animal. The Filming Office, as a practice, routinely notifies the Humane Society of locations where animals are being used for filming for an inspection to be done by a humane officer. A humane officer will visit the scheduled event to ensure that the conditions imposed by the Humane Society on the exhibitor are being followed. The Humane Society agreed to assume the additional responsibility, at no cost, and will be included as part of the final

approval process for the use of any animals at an event held on city-owned property or at a filming location in the City.

Conclusion

These actions by City Council would affect the following activities: animal display shows, carnivals, petting zoos and pony rides in City parks; horse carriage rides on City streets; domestic and exotic animals used at a filming location; rodeos; circuses; and animal exhibition shows for a major spectator event at the Rose Bowl, Rose Parade, and Doo Dah Parade. Staff recommends that organized dog and cat exhibitions in city parks, and all animals during the Rose Parade should be exempt from the administrative review process. The proposed ordinances would help ensure the safety and well-being of Pasadena residents and promote humane treatment of animals used for performance and exhibition within the city of Pasadena.

The limited duties associated with implementation and enforcement will be absorbed by existing staff with no expected incremental cost to the city.

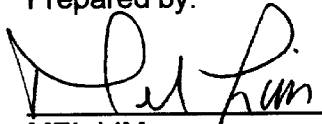
FISCAL IMPACT

This action by City Council will have no fiscal impact. The Pasadena Humane Society has agreed to assume the responsibility of reviewing the permit application and the inspection of the events at no additional cost to the City. It is anticipated that there would not be more than five permit applications each year for the Humane Society to review.

Respectfully submitted,


for CYNTHIA J. KURTZ
City Manager

Prepared by:



MEL LIM

Environmental Health Division Manager

Concurred:

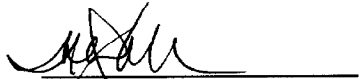


EDWARD HELFELD, Interim Director
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