



Legislation Details (With Text)

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**File created:** 11/25/2019      **In control:** Committee on Land Use and Economic Development

**On agenda:** 11/25/2019      **Final action:** 12/3/2019

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**Effective date:** 12/16/2019

**Title:** Ordinance supplementing the Pittsburgh City Code, Title Six. Article III. Chapter 639, to supplement the and Code to regulate, set standards and oversee the possession and transfer of Crocodilians and Venomous Snakes, and authorize enforcement and the imposition of penalties and fines for violations.

**Sponsors:** Darlene M. Harris

**Indexes:** PGH. CODE ORDINANCES TITLE 06 - CONDUCT

**Code sections:**

**Attachments:**

Date	Ver.	Action By	Action	Result
12/16/2019	2	Mayor	Signed by the Mayor	
12/3/2019	1	City Council	Passed Finally, As Amended	Pass
12/3/2019	1	City Council	AMENDED	Pass
11/25/2019	1	City Council	Waived under Rule 8	Pass
11/25/2019	1	Standing Committee	Affirmatively Recommended	Pass
11/25/2019	1	City Council	Read and referred	

Ordinance supplementing the Pittsburgh City Code, Title Six. Article III. Chapter 639, to supplement the and Code to regulate, set standards and oversee the possession and transfer of Crocodilians and Venomous Snakes, and authorize enforcement and the imposition of penalties and fines for violations.

**The Council of the City of Pittsburgh enacts as follows:**

**Section 1.**

**Regulation of Crocodilians and Venomous Snakes**

**CHAPTER 639: - CROCODILIANS AND VENOMOUS SNAKES**

**§ 639.01 - DEFINITIONS.**

As used in this Chapter, *crocodilian or venomous snake* means any of following reptiles, including their taxonomic species, subspecies, or hybrids thereof, whether or not the animal was bred or reared in captivity:

- (a) All species of crocodilians:
  - (1) All members of the scientific Order *Crocodylia*.(alligators, crocodiles, caiman, etc.).

- (b) All venomous snakes in the following scientific groups:
- (1) Family *Atractaspididae* (Burrowing asps, mole vipers, stiletto snake, etc.).
  - (2) Family *Elapidae* (Sea snakes, taipans, coral snakes, mambas, cobras, etc.).
  - (3) Family *Viperidae* (vipers, puff adders, rattlesnakes, lanceheads, copperheads, etc.).
  - (4) Boomsnangs (Genus *Disopholidus*).
  - (5) Twig snakes (Genus *Thelotornis*).

#### § 639.02 - POSSESSION OF CROCODILIANS AND VENOMOUS SNAKES.

No person under eighteen years of age may own or possess any crocodilian or venomous snake. No person shall possess any crocodilian or venomous snake in the City of Pittsburgh unless the following safety precautions are met:

- (a) Any crocodilian or venomous snake must be housed in a sturdy and secure enclosure.
- (b) Enclosures shall be designed to be escape proof, bite proof, and have an operable lock or secure latch.
- (c) Each enclosure shall be clearly and visibly labeled appropriately with either “Venomous Snake” or “Live Crocodilian” with the scientific name, common name, and number of specimens posted on the enclosure.
- (d) Any room or building housing crocodilians or venomous snakes must be escape-proof as to provide sufficient secondary containment. Escape-proof means all potential escape routes, to include but not limited to doors, windows, vents, gaps, and cracks, are secured in a manner to prevent escapes.
- (e) Enclosures shall allow for unrestricted movement of any animals contained within.
- (f) Enclosures and environment must allow for the general well-being and welfare of the reptiles.
- (g) The main entry into any building housing crocodilians or venomous snakes must be clearly posted with “Caution - Regulated Reptiles.”
- (h) Any room housing crocodilians or venomous snakes must be clearly posted with “Live Crocodilians Inside” or “Venomous Snakes Inside.”
- (i) A written bite protocol as well as an escape recovery plan must be within sight of permanent housing.

#### § 639.03 - NOTIFICATION REQUIRED FOR POSSESSION OF CROCODILIANS AND VENOMOUS SNAKES.

Any person possessing crocodilians or venomous snakes must notify the City of Pittsburgh Bureau of Animal Care and Control with the following information:

- (a) Address of the facility at which the reptiles shall be maintained and location at said address where the reptiles are housed.
- (b) List of species including both scientific and common names.
- (c) Number of each species held at the location.
- (d) Updates within one week (7 days) of any changes to the number of crocodilians or venomous snakes housed at said facility.
- (e) Updates within one week (7 days) of any facility or reptile relocations.

#### § 639.04 - TRANSPORTATION OF CROCODILIANS AND VENOMOUS SNAKES.

No person shall transport any crocodilian or venomous snake in the City unless the following safety precautions are met:

- (a) Transport containers shall be designed to be escape proof, bite proof, and shall be clearly and visibly

labeled “Venomous Snake” or “Live Crocodilian” with scientific name and common name noted on the container.

- (b) A written bite protocol as well as an escape recovery plan must accompany the transport of any crocodilian or venomous snake.

In the event of an escape of a crocodilian or venomous snake, any possessor or owner must immediately initiate his/her best effort to collect any escaped reptile. Additionally, the owner or possessor of the escaped reptile must immediately notify 911 and the City of Pittsburgh Bureau of Animal Care and Control. At the discretion of the City of Pittsburgh Bureau of Animal Care and Control, an escape may warrant a facility inspection.

### **§ 636.05 - EXHIBITION OF CROCODILIANS AND VENOMOUS SNAKES.**

No person, firm, association or corporation, or agent thereof, can exhibit a crocodilian or venomous snake before the public in a public setting unless the following safety precautions are met:

- (a) The animal is transported in accordance with this Chapter.
- (b) A qualified trainer is present at all times.
- (c) Venomous snakes must remain in escape proof and bite proof locked enclosures unless a suitable and secure barrier is erected between the animal being exhibited by a qualified handler and the public.
- (d) The City of Pittsburgh Bureau of Animal Care and Control must be notified of any exhibition of venomous snakes at least forty-eight (48) hours in advance of the event.

### **§ 639.06 - PROHIBITED HANDLING OF CROCODILIANS AND VENOMOUS SNAKES.**

It shall be unlawful for any person to intentionally mishandle any reptile of a species named in this ordinance in a way or manner that intentionally or negligently exposes another individual to unsafe contact with such reptile. It shall also be unlawful for any person to intentionally suggest, challenge, or otherwise induce or aid any person to handle or expose himself to any reptile of a species named in this ordinance in a way or manner that intentionally or negligently exposes another individual to unsafe contact with such reptile. Safe and responsible handling of regulated reptiles for purposes of animal husbandry, training, transport, exhibition, and education is permitted.

### **§ 639.07 - INVESTGATION OF SUSPECTED VIOLATIONS.**

In any case in which any law enforcement officer or City of Pittsburgh Bureau of Animal Care and Control officer has probable cause under the law to believe that any of the provisions of this ordinance have been violated, it shall be the duty of such officer and he is hereby authorized, empowered, and directed to immediately investigate such violation or impending violation. The investigating officer has authority to order the immediate remediation of any violations or to seize the reptile or reptiles involved if deemed necessary.

In the event that the reptiles covered under this Chapter are not properly housed, personnel shall report the situation to the person possessing such reptiles. Failure of the possessor to correct the situation within twenty-one (21) days after such notice shall be grounds for temporary or permanent prohibition from possessing the

reptiles. If extreme human or animal welfare conditions are found, immediate seizure of all animals may occur.

**§ 639.08 - VIOLATION AND PENALTY.**

Any person violating any provision of this Chapter may be fined three hundred dollars (\$300.00) for each reptile plus costs if it is the first offense. Persons violating any provision of this Chapter may be fined one thousand dollars (\$1,000.00) plus costs for each reptile for subsequent offenses.

**The provision of this ordinance do not apply to the following:**

1. **An institution or facility which is accredited by the Association of Zoos & Aquariums or the Zoological Association of America.**
2. **A Class "C" licensee, as defined in 9 C.F.R. § 1.1, including, without limitation, a circus or zoological park.**