



Legislation Details (With Text)

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Title: An Ordinance amending the Pittsburgh City Code at Title 6: Conduct, Article III: Dogs, Cats and Other Animals, by adding a New Chapter 637 - Infliction of Pain on Wild or Exotic Animals, making it unlawful to use devices or instruments to inflict pain for the purpose of training or controlling the behavior of any wild or exotic animal.

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Indexes: PGH. CODE ORDINANCES TITLE 06 - CONDUCT

Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
12/28/2017	3	Mayor	Signed by the Mayor	
12/19/2017	3	City Council	Passed Finally, As Amended	Pass
12/19/2017	2	City Council	AMENDED	Pass
12/13/2017	2	Standing Committees	AFFIRMATIVELY RECOMMENDED	Pass
12/13/2017	2	Standing Committees	AMENDED BY SUBSTITUTE	Pass
5/24/2016	1	Committee on Hearings	Public Hearing Held	
5/11/2016	1	Standing Committees	Held for Cablecast Public Hearing	Pass
5/3/2016	1	City Council	Read and referred	

An Ordinance amending the Pittsburgh City Code at Title 6: Conduct, Article III: Dogs, Cats and Other Animals, by adding a New Chapter 637 - Infliction of Pain on Wild or Exotic Animals, making it unlawful to use devices or instruments to inflict pain for the purpose of training or controlling the behavior of any wild or exotic animal.

WHEREAS, a “bullhook,” also known as an ankus, ankusha, elephant goad, elephant hook, or guide, resembles a fireplace poker, has a sharp steel hook and a spiked tip, it is used to prod, hook, strike, and hit elephants and other wild and exotic animals on their sensitive areas of skin in order to inflict pain during training, performing, and handling; and

WHEREAS, wild and exotic animals have been ~~are often~~ struck with bullhooks, electric prods, shocking devices, hacksaws, baseball bats, axe handles, pitchforks and other devices to induce substantial pain in order to coerce the animal to avoid the source of pain; and

WHEREAS, alternative methods by professionals for the handling of wild and exotic animals based on positive reinforcement training are available, effective, and widely used; and

WHEREAS, the states of California and Rhode Island, and the cities of Los Angeles, California; Oakland, California; Hallandale Beach, Florida; Pompano Beach, Florida; Richmond, Virginia; Margate, Florida; Miami Beach, Florida; and Fulton County, Georgia, Union City, Georgia; and Clatsop County, Oregon have prohibited the use of bullhooks within their jurisdictions; and

WHEREAS, the City of Pittsburgh currently prohibits various forms of cruelty to animals, including the use of painful techniques and devices on animals performing at rodeos within the City; and

WHEREAS, inflicting pain for the purpose of training and controlling wild and exotic animals poses an additional risk to public safety because such animals have wild instincts and needs and have demonstrated unpredictability; and

WHEREAS, the Council of the City of Pittsburgh deems it advisable for the welfare of the city and the prevention of animal cruelty to prohibit the use of devices and instruments to inflict pain on exotic and wild animals within the City.

Now, Therefore, the Council of the City of Pittsburgh enacts as follows:

Section 1: Chapter 637 of the Code of Ordinances of the City of Pittsburgh is enacted and shall provide as follows:

CHAPTER 637 - INFLICTION OF PAIN ON WILD OR EXOTIC ANIMALS

§ 637.01 DEFINITIONS

COMPANION ANIMAL - any type of animal that is commonly kept by persons as a pet or for companionship and includes but is not limited to domesticated dogs, domesticated cats, ferrets, gerbils, guinea pigs, hamsters, horses, mice, rabbits, and rats.

DOMESTIC ANIMAL - any animal that is Livestock, a Companion Animal, or both.

LIVESTOCK - poultry, cattle, swine, sheep, goats, horses, donkeys, and mules.

PERSON - any individual, establishment, firm, association, organization, partnership, trust, corporation, or company.

WILD OR EXOTIC ANIMAL - "Wild or Exotic Animal" includes but is not limited to the following orders or families, or similar orders or families, whether bred in the wild or in captivity, and any hybrid thereof, including with Domestic Animals. The examples identified in parentheses are not intended to be an exhaustive list and do not limit the generality of each group of animals, unless otherwise specified:

- (a) Non-human primates (chimpanzees, monkeys, lemurs)
- (b) Felidae (except domesticated cats)
- (d) Ursidae (bears)
- (e) Proboscidea (elephants)
- (f) Camels

§ 637.02 WILD OR EXOTIC ANIMAL MISTREATMENT

It shall be unlawful for any person to use a bullhook, electric prod, shocking device, hacksaw, ankus, ankusha, elephant goad, elephant hook, baseball bat, axe handle, pitchfork, whip, stick, muzzle or ~~any other device or instrument~~(s) ~~which is capable of inflicting pain, intimidating or threatening pain or mimicking any such device or instrument~~, for the purpose of training or controlling the behavior of a Wild or Exotic Animal in the City of Pittsburgh. ~~The use of a “look-alike” device for the purpose of training or controlling the behavior of a Wild or Exotic Animal is specifically prohibited. A “look-alike” device shall include a device which may or may not be capable of actually inflicting pain on a Wild or Exotic Animal, but is capable of mimicking or resembling a device which is capable of inflicting pain on a Wild or Exotic Animal.~~

It shall be unlawful for any person to authorize or allow an employee, agent or contractor to use a bullhook, electric prod, shocking device, hacksaw, ankus, ankusha, elephant goad, elephant hook, baseball bat, axe handle, pitchfork, whip, stick, muzzle or ~~any other device or instrument~~(s) ~~which is capable of inflicting pain, intimidating or threatening pain or mimicking any such device or instrument~~ for the purpose of training or controlling the behavior of a Wild or Exotic Animal in the City of Pittsburgh. ~~The use of a “look-alike” device for the purpose of training or controlling the behavior of a Wild or Exotic Animal is specifically prohibited. A “look-alike” device shall include a device which may or may not be capable of actually inflicting pain on a Wild or Exotic Animal, but is capable of mimicking or resembling a device which is capable of inflicting pain on a Wild or Exotic Animal.~~

For purposes of this section, the term “use” shall include brandishing, exhibiting or displaying in the presence of a Wild or Exotic Animal.

§ 637.03 EXEMPTION

A person providing or assisting in the transportation of a Wild or Exotic Animal to a nonprofit United States Department of Agriculture licensed sanctuary or a nonprofit Association of Zoos & Aquariums Accredited Zoo for the purpose of providing lifetime care is exempt from the provisions of this Chapter 637.

§ 637.04 VIOLATION AND PENALTY

Every separate act committed in violation of this Chapter shall constitute a separate and distinct offense and shall be punishable by a fine not to exceed \$1,000 and/or a term of imprisonment not to exceed 30 days.

Each day that a violation of this Chapter continues shall constitute a separate and distinct offense punishable by a fine not to exceed \$1,000 and/or a term of imprisonment not to exceed 30 days.

Any person convicted of a violation of this Chapter shall, from the date of conviction forward, be ineligible for an Amusement License under Chapter 771 of the Pittsburgh Code of Ordinances, a Carnival or Street Fair License under Chapter 775 of the Pittsburgh Code of Ordinances or a Special Event Permit under Chapter 470 of the Pittsburgh Code of Ordinances.

Section 2:

All ordinances and code sections and parts of ordinances and code sections in conflict herewith are repealed to the extent of any such conflict.

Section 3:

This Ordinance shall be effective upon the Mayor’s signature or, if the Mayor does not sign the Ordinance, it

shall be effective eleven (11) days after its enactment by Council.

Section 4:

If any portion of this Chapter is held invalid or unconstitutional by any court of competent jurisdiction, it shall not affect the validity of the remaining portions of this Chapter.