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Title: Ordinance supplementing the Pittsburgh Code of Ordinances, Title VI, Conduct, by adding a new Chapter, "640: Humane Animal Protection Act".

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Indexes: PGH. CODE ORDINANCES TITLE 06 - CONDUCT

Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
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12/5/2023	1	City Council	Read and referred	

Ordinance supplementing the Pittsburgh Code of Ordinances, Title VI, Conduct, by adding a new Chapter, "640: Humane Animal Protection Act".

WHEREAS, millions of animals are killed for their fur every year, enduring tremendous suffering. However, over time, civilizations and technology have developed such that fur is a luxury and fur is now typically produced for fashion rather than warmth; and

WHEREAS, the majority of pelts in the world’s fur trade come from fur farms, on which animals are confined to cramped and unsanitary cages and are killed using cruel methods, including suffocation, poisoning, electrocution and gas; and

WHEREAS, fur farming can be damaging to the environment and contributes to water and air pollution. Fur processing often involves use of harmful chemicals including chromium and formaldehyde; and

WHEREAS, there are growing public health concerns regarding fur farming due to the spread of viruses, specifically respiratory viruses, including SARS-CoV-2, on these farms. This growing concern has led to the practice being banned in many countries; and

WHEREAS, fur farming also consumes significant quantities of energy. The amount of energy required to produce a coat made of real fur from ranch-raised animal skins is over 15 times that needed to produce a fake fur garment; and

WHEREAS, there are significant concerns related to the environmental impact of fur farming. For instance, one mink produces an estimated 44 pounds of feces in its lifetime, which “produces hazardous byproducts including often uncontrollable amounts of phosphorus, nitrates, and other chemicals” which pollute the air and water and

have been shown to “cause ecosystem damage and loss of biodiversity pollution”, according to Isaac Wakefield; and Drop dead stylish: Mitigating environmental impact of fur production through consumer protection in the truth in fur labeling act of 2010, 19 PENN ST. ENVTL. L. REV. 267, 270 (2011).

WHEREAS, existing laws impose relatively little oversight of the fur farming and fur trade industries. Compliance with guidelines issued by the American Veterinary Medical Association is not mandatory, and fur farms are not monitored by any government agency; and

WHEREAS, Eliminating the sale of fur products in Pittsburgh will promote community awareness of animal welfare, bolster the City’s stance against animal cruelty, and, in turn, foster a more humane environment and economy.

NOW, THEREFORE, the Council of the City of Pittsburgh enacts as follows:

Section 1:

The City Pittsburgh Code of Ordinances, Title VI: Conduct, is amended by adding a new Chapter 640: Humane Animal Protection Act and Section 640.01 to read as follows:

CHAPTER 640: ANIMAL FUR PRODUCTS

§ 640.01 - DEFINITIONS.

For the purposes of this section, the following terms have the following meanings:

- a. **Fur** means any animal skin or part thereof with hair, fleece, or fur fibers attached thereto, either in its raw or processed state. **Fur** does not include such skins or parts thereof as are to be converted into leather, which in processing will have the hair, fleece, or fur fiber completely removed; cowhide with hair attached thereto; or lambskin or sheepskin with fleece attached thereto.
- b. **Fur Product** means 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, and keychains, that is made in whole or in part of Fur.
- c. **Non-profit Organization** means any entity organized under 26 U.S.C. Section 501(c)(3) for charitable, religious, philanthropic, educational, or similar purposes.
- d. **Used Fur Product** means a Fur Product that a person has acquired for his or her own use and worn or otherwise used.

§ 640.02 - PROHIBITED CONDUCT.

- (a) It is unlawful to sell, offer for sale, display for sale, trade, give, donate, or otherwise distribute a Fur

Product by any means in the City of Pittsburgh.

(b) It is unlawful to manufacture a Fur Product in the City of Pittsburgh.

(c) The prohibition in subsection (a) shall not apply to:

i. the sale, offer for sale, display for sale, trade, gift, donation, or other distribution of Used Fur Products

ii. a Non-profit Organization, or a second-hand store, including a pawn shop.

iii. A fur product used for religious purposes, or for traditional tribal, cultural, or spiritual purposes by a member of a federally or statewide recognized Native American tribe

iv. Any activity expressly authorized by federal law.

(d) The prohibition in subsection (b) shall not apply to the manufacture of any Fur Product using Fur sourced exclusively from Used Fur Products, and shall not apply to a Normal Agricultural Operation as defined in Pennsylvania Statutes, Title 3, Chapter 14B: Protection of Agricultural Operations from Nuisance Suits and Ordinances.

(e) The enforcement provisions in Section 640.03 shall not apply to any person or entity engaged in the sale, offer for sale, display for sale, trade, gift, donation, or other distribution of a Fur Product between the effective date of this Ordinance and December 31, 2024, if such person or entity has continuously engaged in the selling of Fur Products for the five consecutive years immediately preceding the effective date of this Ordinance, so long as the person or entity produces upon request adequate evidence of such activity, including but not limited to business records such as articles of incorporation and bylaws, financial records, bookkeeping records, tax returns and business advertisements.

§ 640.03 - IMPLEMENTATION AND ENFORCEMENT.

This Chapter may be enforced by City of Pittsburgh police officers, City of Pittsburgh animal control officers, and any other authorized City of Pittsburgh employee or authorized agent. Any person or entity who is found

to violate any provision of this Chapter shall be punishable by a fine of no more than \$500 for each such violation. Violations shall accrue for each individual fur product sold or provided, and in the case of displays for sale, shall accrue for each day any fur product is displayed for sale. Each fur product and every day upon which any such violation shall occur shall constitute a separate offense.

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: If any Section, Subsection, sentence, clause, or phrase of this Chapter is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this Chapter. The Council declares that it would have passed this Chapter, and each Section, Subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more Sections, Subsections, sentences, clauses or phrases may be declared invalid or unconstitutional and, if for any reason this Chapter should be declared invalid or unconstitutional, then the remaining Section, Subsection, sentence, clause or phrases shall be in full force and effect.