



# **REGULATION OF CIRCUS ANIMALS** REPORT OVERVIEW

**COUNCIL STRATEGY SESSION**  
FEBRUARY 3, 2020

At the November 12 Council Strategy Session, the City Manager committed to conducting a review of the current provisions to regulate circus animals.

Report including additional information and recommendations was distributed January 3.

The following provides an overview of the report findings, recommendations, and next steps.

## EXOTIC AND WILD ANIMALS DEFINED

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*Exotic or wild animal* means an animal that would ordinarily be **confined to a zoo; ....found in the wilderness ....not indigenous** to the United States or to North America; or one that otherwise is likely to cause a reasonable person to be **fearful of significant destruction of property or of bodily harm, .....** Exotic or wild animals specifically **do not include** animals of a species customarily used in the state as **ordinary household pets,** animals of a species customarily used in the state as **domestic farm animals, fish confined in an aquarium** other than piranha, **birds, or insects.**

– *City of Charlotte, Code of Ordinances, Chapter 3 Animals*

## CURRENT PROVISIONS - FEDERAL

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- Federal regulations via the Animal Welfare Act provide minimum standards for the treatment of animals that are bred for commercial sale, exhibited to the public, used in research, or transported commercially.
  - *“(b)(1) Handling of all animals shall be done as expeditiously and carefully as possible in a manner that does not cause trauma, overheating, excessive cooling, behavioral stress, physical harm, or unnecessary discomfort.”*
  - *“(2)(i) Physical abuse shall not be used to train, work, or otherwise handle animals.”*

Reference report page 11

## CURRENT PROVISIONS - STATE

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- The State of North Carolina defines and prohibits animal cruelty through state legislation (*NC Statutes 19A*).
  - Cruelty: Every act, omission, or neglect whereby unjustifiable physical pain, suffering, or death is caused or permitted.
- Cities are granted authority from the state to further regulate, define, and prohibit the inhumane treatment of animals. (*NC Statutes 153A-127*)
- The state gives counties and cities the authority to regulate animals dangerous to persons or property (*NC Statutes 153A-131, 160A-187*).

## CURRENT PROVISIONS - CITY

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- The City of Charlotte's animal ordinance provides regulations for the well-being of animals.
- Particular to exotic or wild animals the city expands upon federal standards by:
  - Identifying restraint requirements,
  - Defining and categorizes what constitutes a wild or exotic animal, and
  - Establishing who can keep, maintain, possess, or have under their control these types of animals.

Reference report pages 4-5

# Peer Cites

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The twenty peer cities used to benchmark city services are selected based on cities similar to Charlotte in terms of demographic, economic, and social characteristics.

Charlotte's Peer Cities			
Arlington, TX	Denver, CO	Long Beach, CA	Omaha, NE
Atlanta, GA	Fort Worth, TX	Louisville, KY	Portland, OR
Austin, TX	Houston, TX	Memphis, TN	San Diego, CA
Columbus, OH	Indianapolis, IN	Minneapolis, MN	Seattle, WA
Dallas, TX	Kansas, MO	Nashville, TN	Tulsa, OK

Reference pages 6-7 on Q&As

## KEY FINDINGS – PEER CITIES REVIEW

- 14 of 25 cities have no regulation specific to circus animals

Restrictions Specific to Circus Animals			
		# of Cities	%
<b>National Benchmark Cities</b>			
Restrictions on Circus Animals?			
No		13	65%
Yes, regulated		4	20%
Yes, prohibited		3	15%
<b>Total</b>		<b>20</b>	
<b>NC Benchmark Cities</b>			
Restrictions on Circus Animals?			
No		1	20%
Yes, regulated		2	40%
Yes, prohibited		2	40%
<b>Reference report page 6 &amp; 13</b>		<b>Total</b>	<b>5</b>



## KEY FINDINGS – PEER CITIES REVIEW

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For the cities that regulate circus animals, prohibiting the use of elephant bull hooks was a common protection identified.

- *“BULL HOOK means a tool, also known as an elephant goad or an ankus, used in handling and training elephants, consisting of a spike and hook attached to a shaft or handle.”- City of Austin, Texas*

The recommendation is for Council to determine the policy direction.

- The issue of allowing circus animal performances is a policy consideration, that does not result in significant administrative or fiscal impacts for the city.

### **Circus Animals Policy Options**

- Continue with current protection provisions as provided for by the standards of the Animal Welfare Act.
- Consider provision banning the use of bull hooks.
- Consider provision banning the use of wild and exotic animals in circuses.