

Legislation Details (With Text)

File #:	15-16956	Version:	1	Name:	
Type:	Policy Item	Status:		Approved	
File created:	11/19/2021	In control:		City Council Business Meeting	
On agenda:	12/13/2021	Final action:			
Title:	Amend Code of Ordinances Chapter 3 - Animals				
Attachments:	1. Animal Ordinance Proposed Amendments - Version A, 2. Animal Ordinance Proposed Amendments - Version B, 3. Animal Ordinance Amendments - Full Ban Version (COUNCIL ADOPTED)				

Date	Ver.	Action By	Action	Result
12/13/2021	1	City Council Business Meeting	Approve	Pass
12/13/2021	1	City Council Business Meeting	Adopt	Fail

Amend Code of Ordinances Chapter 3 - Animals

Action:

A. Receive an update from the City Attorney on proposed amendments to Chapter 3 - Animals of the City of Charlotte Code of Ordinances, and

B. Adopt an ordinance amending Chapter 3 - Animals.

Staff Resource(s):

Patrick Baker, City Attorney's Office
Johnny Jennings, Police
Joshua Fisher, Police

Current Ordinance

- In the City of Charlotte Code of Ordinances Chapter 3 - Animals, one of the stated purposes of this chapter is "the protection of animals from abuse or conditions harmful to their well-being."
- The section on Exotic or wild Animals has not been updated since 1985. The current provisions include:
 - Defining exotic and wild animals,
 - Restraint requirements, and
 - Establishing who can possess these types of animals.
- To address recent concerns over the treatment of circus animals, proposed amendments add provisions for the protection of exotic or wild animals used in performances.

Proposed Changes

- At the September 7, 2021 Strategy Session, Council directed the City Attorney to prepare an ordinance amendment for subsequent Council consideration with the following changes which are attached as Proposed Version A:
 - Update Section 3-3 - Definitions, to add the definition of bullhooks, electric prods, and whips.
 - Update Section 3-73 - Exotic or Wild Animals to add subsection (f):
 - (f) Handling. The handling of exotic or wild animals exempted from subsection (a) of this section by subsection (b) of this section must meet the regulations promulgated by the state wildlife commission, the minimum standards under the Animal Welfare Act and all applicable rules promulgated by the United States Department of Agriculture. In addition to meeting these minimum standards, no

permanent or transient animal exhibition or circus shall induce or encourage animals to perform through the use of chemical, mechanical, electrical, or manual devices in a manner that is likely to cause physical injury or suffering. Further, the use of bullhooks, electric prods, or whips to handle, train, or otherwise interact with exotic or wild animals when they are on display, performing or being trained is prohibited. All equipment used on a performing animal shall fit properly and be in good working condition.

- Proposed Version A was included in a Request for Council Action (RCA) that appeared on the September 27, 2021 Council Business meeting agenda. This agenda item was deferred at that meeting to allow additional time for the City Attorney to engage with interested parties on Proposed Version A.
- A specific counterproposal to Proposed Version A was submitted to the City Attorney by an interested party and is attached as Proposed Version B. The requested edits are highlighted within the document. It should be noted that a substantial number of opposing interested parties have voiced their objections to both proposed versions and continue to advocate for a complete ban of the display of wild and exotic animals in live performances within the City of Charlotte.
- The proposed effective date of revisions to the Animal Ordinance is July 1, 2022.

Attachment(s)

Chapter 3 Animals Ordinance Revisions (Versions A and B)