



CITY OF LOS ANGELES
L A ANIMAL SERVICES



Date: April 28, 2008

To: Board of Animal Services Commissioners

From: Edward A. Boks, General Manager

Subject: POTENTIAL REVISIONS TO THE INHERENTLY DANGEROUS WILD ANIMAL PERMIT REQUIREMENTS

On January 14, 2008, the Board approved a report establishing clear and firm requirements to be met by any person or organization applying for any type of animal exhibition permit for an inherently dangerous wild animal, as defined in California Code of Regulations, Title 14 (Manual 671), §2157, Unique Identification of Mammals, which reads in part, "...this identification shall include the following species of mammals: wild cats, elephants, nonhuman primates, bears, and wolves." The fundamental goals of the Requirements approved are to insure with a high degree of confidence that animals are and have been treated safely and humanely, and that handlers and spectators will be safe.

The first major test of the Requirements since approval in January has come this month with the applications of Circus Vasquez, which operated for several weeks in the San Fernando Valley. Circus Vasquez had an elephant show (three elephants) which was operated by a sub-contractor; they also had tigers and zebras, handled by Circus employees. Based on the Requirements, specifically in connection with United States Department of Agriculture (USDA) citations and related actions, the Circus was directed to have the elephants removed from the City. Later, questions also arose relative to the handling, treatment, and past USDA compliance for the tigers and the zebras, however permission for those animals was not revoked. From these incidents, it has become clear that some refinement of the initial Requirements will assist in more accurately defining animal handlers with serious or repetitive problems in animal treatment, and provide criteria for safety expectations that is more precise. Adding other wild species, which clearly need specialized handling and care even if not inherently dangerous to the public, is another change that will yield a Requirements policy which does even more to raise the quality of animal care.

Circus Vasquez has left the City, however with summer approaching the number of other circuses and animal exhibitions applying for permits is on the rise. For assistance in developing modifications to the Requirements, Staff has consulted extensively with USDA staff to understand their practices, regulations, and standards, as well as discussing potential changes with other local subject-matter experts, Staff has developed a preliminary set of potential modifications. Specifically:

- Amend the animals covered by the Requirements from “inherently dangerous wild animals” as defined by CA Code of Regulations, Title 14 to be all wild animals as defined by the same Title 14.
- Add a requirement that all actions and documents required must be submitted two weeks prior to issuance of a permit under Municipal Code section 53.50(c). No time was specified in the original.
- Clarify the liability insurance requirement to “produce a liability insurance policy with an insurer authorized or approved to write such insurance in California in the amount of two million dollars that covers claims for injury or damage to persons or property in an amount of not less than one million dollars per occurrence.” The requirement for “activity to be held on public property” would remain the same, that is “the Risk Manager of the City will review the proposed activity and at his sole discretion set additional requirements or increased limits.”
- Change the testing requirements for Tuberculosis in elephants to “within the past twelve months,” rather than stated that the must be conducted in the same calendar year. Additionally the requirement would state, “a trunk wash culture [must be] performed on each elephant on display and the elephant [must have] tested free of Tuberculosis. Multiple Antigen Print Immunoassay test results are also acceptable.”
- Revise for clarity the requirements for a written plan for the quick and safe recapture or destruction of a wild animal in the event of an escape, and for transportation of animals.
- Add Health Certificates, as appropriate, to the Health History requirement.
- Reduce disclosure requirements on employees to only “animal related felony convictions.”
- Replace the language regarding USDA citations with new language using appropriate USDA terminology in context. This was a needed clarification for staff, as the old verbiage raised many questions.
- Add a requirement that applicants disclose any official notices of alleged violations; or any stipulations, consent decrees or settlements with the USDA within the past ten years.
- Expand and improve the Informed Consent requirement as follows: “Written information shall be either a handout or flyer handed to persons listed above or a poster located at all entrances to the performance area, in and around the performance area, and where the wild animal(s) is located.”

Staff will also be meeting with the California Department of Fish and Game, which permits wild and exotic animals in the State, prior to finalizing the recommended amendments to the policy. We expect that the recommendations above, plus any additional recommendations arising from discussions with Fish and Game, to be brought to the Board for action at the next meeting. Input from the Board and the public at this time will be integrated into the final recommendations.

Ultimately, a separate list of recommendations for use in permitting wild animals used in filming will also be brought to the Board for consideration. That policy will need to be customized for the short application periods typical in filming, as well as the fact that there are a number of local handlers who do most of the work, and other factors.