



# (DRAFT) Application and Permit Requirements for Circuses, Animal Acts and Exhibitions

The Board of Animal Services Commissioners on \_\_\_\_\_, 2008, approved the following requirements that apply to circuses, exhibitions, acts, displays, or any other lawful exhibits involving animals, including but not limited to animals requiring restricted species permits pursuant to California Code of Regulations, Title 14, Section 671.

The required actions and document submittals described **below must be satisfied by Applicant(s) two weeks prior to issuance of a permit** under Los Angeles Municipal Code section 53.50(c). In the event a permit is issued, failure to maintain these requirements during the permitted activity will be cause for revocation of the permit.

Applicants must meet the following conditions:

1. Produce or make available for inspection a liability insurance policy as follows.
  - a. If the circus, exhibition, act, or display is on or involves City-owned property or is sponsored by the City in whole or in part, the Risk Manager of the City will review the proposed activity and at his sole discretion set requirements. At minimum, the applicant must agree to indemnify and defend the City of Los Angeles, and to provide liability insurance with an insurer authorized or approved to write such insurance in California, that covers claims for injury or damage to persons or property in an amount of not less than one million dollars per occurrence, and which names the City of Los Angeles as an additional insured. A copy of the insurance rider must be provided.
  - b. If the circus, exhibition, act, or display is not on and does not involve City-owned property or sponsorship, the policy must be 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.
2. Produce or make available for inspection medical records and health certificates for all animals, including documented proof that within the past twelve months a trunk wash culture was performed on each elephant on display and the elephant tested free of Tuberculosis. Multiple Antigen Print Immunoassay test results are also acceptable.
3. Provide a detailed description of the proposed activities or exhibitions and demonstrate that no aspect of the activities or exhibitions harm the animal(s) or put the animal(s) in harm's way. Provide follow-up information as may be requested by the Department.
4. Provide a written plan which addresses the public's safety when in proximity to the animal(s) and addresses the quick and safe recapture or destruction of an animal in the event an animal escapes. The plan must include but not be limited to:

- a. A description of barriers, security, signage, staffing, fencing, protocols and all other measures taken for the public's safety.
  - b. Applicant's written protocols for training their staff on methods of safe recapture of escaped animals.
  - c. A detailed description of containment methods for the animal(s) during exhibition and in the event of escape and recapture.
  - d. Access to appropriate firearms and chemical immobilization drugs and equipment.
  - e. Identification of staff member(s) (and as appropriate, veterinarians) who possess firearm and chemical immobilization proficiency to recapture an escaped animal.
5. Utilize appropriate transport vehicles and transfer cages to contain animals when moving them to the permitted location, except for animals participating in a Department approved animal walk.
  6. Disclose previous incidents of specific dangerous, unpredictable, or aggressive behavior by any of the animals, that put any people or other animals at risk, including the animal handler(s).
  7. Disclose all current and the most recent names of all animals.
  8. Applicant, applicant's principles, officers, and directors have no felony convictions and must disclose the names of any employees with any animal related convictions.
  9. Meet the following conditions relative to the United States Department of Agriculture (USDA) and Federal law:
    - a. Not been cited for any **Repeat Direct Non-Compliant Item** within the past 3 years by the USDA under the Animal Welfare Act Regulations.
    - b. Has corrected any **Direct Non-Compliant Item** issued by the USDA under the Animal Welfare Act Regulations within the timeframe designated by the USDA inspector within the past 3 years.
    - c. Compliance with all applicable Federal law.

*(Direct Non-Compliant Item refers to any USDA notice that directly affects the health and well-being of an animal.)*
  10. Disclose any official notices of alleged violations, any administrative proceedings, denials of USDA permits or any stipulations, consent decrees, or settlements entered into with the USDA within the last five years.
  11. Provide written information explaining that one or more animals will be or are present to:
    - a. The property owner or person responsible for the property where the animal(s) will be displayed;

- b. The owners or persons responsible for any contiguous neighboring property;
- c. Any individuals entering the site of the permitted animal display.

Written information may be a handout or flyer handed to persons listed above, or a poster located in and around and at all entrances to the performance area where one or more animal(s) are, or will be, located.

12. Produce or make available for inspection a plan or procedure for providing emergency veterinary care in a timely fashion, including names and contact information of available on-call veterinarians, if none are present on-site.
13. Provide and maintain a valid resident or non-resident permit, as applicable, with the California Fish and Game Commission, for the duration of the permitted activity.
14. Have no convictions for violations of California state law including but not limited to Penal Code §596.5, Health & Safety Code 25989.1, and California Code of Regulations, Title 14 Section 671 or any laws or regulations involving permitted animals in the last three years, and be in compliance with applicable California law and Los Angeles City ordinances in handling elephants or other animal(s) for the duration of the permitted activity.
15. Applicant and its sub-contractors, subordinate handlers, California Fish and Game permit holders, or others engaged by Applicant to provide and handle animals covered under this schedule of requirements for the permitted activity, must provide or maintain all required documentation and comply with all conditions of the permit..
16. These permit requirements do not apply when filming in the City pursuant to a permit issued by the official Los Angeles City film permitting agency. Zoos which are accredited by the American Zoological Association are exempt pursuant to California Food and Agricultural Code Section 2150.

Los Angeles Animal Services may deny a permit application or revoke a previously issued permit for a specific circus or circus act, exhibition, animal act, or display of one or more animals. Such permit denial or revocation may or may not affect other animals that may be included in the same permit application, depending on whether or not those other animals are included in the permit denial or revocation. Applicant must conform to the requirements of the permit for animals that are not affected by the permit denial or revocation.

Los Angeles Animal Services will base its decision on whether to issue a permit based on all information in the application and related documentation, provided that Applicant meets all the requirements for the permit.