Report to the Board of Animal Services Commissioners
Edward A. Boks, General Manager

COMMISSION MEETING DATE: January 14, 2008  PREPARED BY: Linda Barth

REPORT DATE: January 9, 2008  TITLE: Assistant General Manager

SUBJECT: Policy to Guide the Handling of Permit Applications which Include Elephant Walks and Similar Events for the Public (Revised Report)

BOARD ACTION RECOMMENDED:

That the Board adopt requirements for issuing permits for elephants or other inherently dangerous wild animals, as detailed in the body of this report, and direct staff to implement the requirements immediately.

SUMMARY:

At the meeting of October 9, 2007, the Board considered a report requesting a policy statement regarding Elephant Walks or similar animal parades by a circus or exhibition, to guide the permit processing responsibilities of Department staff. This matter was prompted by a summer 2007 engagement at Staples Center of the Ringling Brothers and Barnum & Bailey Circus, which had properly applied for a circus permit. As in past years, the circus permit paperwork also notified the Department of a traditional Elephant Walk on public streets to bring the animals from the railroad tracks to the site of the Circus engagement. Ultimately, City staff determined planning and safeguards were satisfactory, and there were no incidents for the 2007 Elephant Walks. However, historically and in other locations there have been Elephant Walks which have resulted in an elephant rampage.

Department Staff sought a Policy Statement to guide staff in determining approval or disapproval for future event applications. The conclusion of the discussion at the
meeting of October 9, 2007, was that Department staff should provide the Board with additional information.

With input from staff and from appropriate and experienced subject-matter experts external to the Department, including Dr. Erna Toback, of Santa Monica College, and Catherine Doyle, a leader in elephant welfare campaigns, a schedule of recommended requirements is submitted for consideration and adoption by the Board. The requirements would apply to exhibition or any other permit applied which involves elephants or any other inherently dangerous wild animals, 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 required actions or document submittals described below must be satisfied by applicants prior to issuance of a permit under Municipal Code section 53.50(c), which in fact expressly calls for an investigation prior to issuance.

**Applicants must meet the following conditions:**

1. Hold a liability insurance policy with an insurer authorized or approved to write such insurance in this state that covers claims for injury or damage to persons or property in an amount of not less than two million dollars for each facility.

2. Provide proof that within the calendar year any and all elephants on display have been tested and are free of Tuberculosis

3. Provide a written plan for the quick and safe recapture or destruction of an inherently dangerous wild animal in the event an animal escapes. This should include but not be limited to the applicant’s written protocols for training staff on methods of safe recapture of escaped inherently dangerous wild animals.

4. Have access to appropriate drugs for chemical immobilization and have a staff member who has firearm training and proficiency in order to recapture an escaped inherently dangerous wild animal.

5. Must disclose if any animal has a history of being dangerous. This includes, but is not limited to, disclosure of animals trucked to locations, not walked, because of unpredictable, dangerous behavior, and animals that have previously attacked or escaped direct control and supervision of handler(s).

6. Must disclose all previous names of all animals.

7. Must provide health histories for all animals.
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8. Applicant has no criminal record and must disclose any and all employee criminal record(s).

9. Applicant has not been cited within 5 years by USDA under the Animal Welfare Act for 1) inappropriate provision of veterinary care 2) inappropriate handling of animals causing stress or trauma 3) inappropriate provision of food, water, or shelter.

10. Applicant has not been in violation of California state law regarding elephants (prohibits use of martingales, block and tackle, etc.) or any other animal handling regulations.

11. Applicant must meet an informed consent provision by providing written information to any individuals entering the site of the permitted animal display, explaining that an inherently dangerous wild animal is present and there is risk of injury or death.

FISCAL IMPACT:

Events such as would be covered by this Policy Statement are rare and would number only a few each year. Permit applications include fees to offset processing and inspection costs. These fees may change in coming fiscal years to be based on a cost recovery formula, but implementing the requirements above have no significant revenue or expense implications, while the health and safety of both animals and people would be improved.

Approved:

Edward A. Boks, General Manager

BOARD ACTION:

_______ Passed                   Disapproved _______

_______ Passed with noted modifications

_______ Continued

_______ Tabled                   New Date _______