

PROPOSED ORDINANCE NO. 2019-22

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE OF THE CITY OF PEMBROKE PINES, FLORIDA, AMENDING TITLE IX, "GENERAL REGULATIONS," CHAPTER 91, "ANIMALS," BY SPECIFICALLY CREATING SECTION 91.20, "WILD AND EXOTIC ANIMALS," PROVIDING FOR DEFINITIONS; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the treatment of wild and exotic animals in animal acts for public entertainment or amusement should be humane; and,

**WHEREAS**, an increasing number of zoos, scientists and trainers condemn the use of the bullhook in favor of safer and more humane handling methods; and,

**WHEREAS**, The Association of Zoos and Aquariums, an accrediting organization that includes Zoo Miami and Disney's Animal Kingdom among its members, recently announced a new policy opposing the use of bullhooks; and,

**WHEREAS**, the City Commission finds that the creation of Section 91.20 of the City's Code of Ordinances, as detailed below, are in the best interests of the citizens and residents of the City.

**NOW, THEREFORE, BE IT ORDAINED BY THE COMMISSION OF THE CITY OF PEMBROKE PINES, FLORIDA:**

**SECTION 1.** The foregoing "**WHEREAS**" clauses are hereby ratified and confirmed as being true and correct and hereby made a specific part of this Ordinance upon adoption hereof.

**SECTION 2.** That Title IX, "General Regulations," Chapter 91, "Animals," of the

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Code of Ordinances of the City of Pembroke Pines is hereby amended by specifically creating Section 91.20 "Wild and Exotic Animals" as follows:

**§ 91.20 Wild and Exotic Animals**

(A) **Definitions.** For purposes of this section the following definitions shall apply unless the context clearly indicates or requires a different meaning.

**Display.** Any exhibition, public showing, presentation, display exposition, fair, act, circus, ride, trade show, petting zoo, carnival, parade, race, or similar undertaking in which animals are required to perform tricks, give rides or participate as accompaniments for entertainment, amusement, or benefit of a live audience, whether or not a fee is charged.

**Mobile or Traveling Housing Facility.** A transporting vehicle such as a truck, trailer or railway car, used to transport or house animals while traveling for exhibition or other performance.

**Officer.** Any law or code enforcement officer of the City of Pembroke Pines.

**Traveling Animal Act.** Any display of animals where such animals are transported to, from, or between locations for the purpose of such display, in a mobile or traveling housing facility.

**Wild or Exotic Animal.** Any live animal from any of the following scientific classifications:

- (1) Artiodactyla (including hippopotamuses, giraffes, camels, and llamas, but excepting cattle, swine, sheep, and goats);

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- (2) Crocodylia (including alligators and crocodiles);
  - (3) Elephantidae (elephants);
  - (4) Felidae (including tigers, lions, jaguars, leopards, cheetahs, and cougars, or any hybrid thereof, but excluding domestic cats);
  - (5) Marsupialia (including kangaroos and koalas);
  - (6) Non-human primates (including apes, monkeys, and lemurs);
  - (7) Perissodactyla (including rhinoceroses, tapirs, and zebras);
  - (8) Pinnipedia (including seals, sea lions, and walruses); and
  - (9) Ursidae (bears).
- (B) Prohibited Acts. It shall be unlawful for any person to use a bullhook, ankus, whip, electrical prod or other implement or tool that causes unjustifiable pain or suffering to a wild or exotic animal within the municipal limits of the City. For purposes of this section, the term “use” shall include brandishing, exhibiting or displaying a bullhook, ankus, whip, electric prod or an implement designed to look like a bullhook, ankus, whip, or electric prod in the presence of a wild or exotic animal for the purpose of training or controlling the behavior of the animal.
- (C) Administration and Enforcement. This section may be enforced by any law or code enforcement officer of the city.
- (D) Violations of this Article.
- (1) The City may prosecute any person for violation this section by issuance

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of a city ordinance citation.

(2) An officer who has probably cause to believe that a person has committed an act in violation of this ordinance may issue a citation to the person who has committed the civil infraction.

(3) Any person convicted of violating this section shall be punished as provided in §10.99 of the City Code's of Ordinances.

**SECTION 6.** All ordinances or parts of ordinances inconsistent or in conflict with the provisions of this Ordinance are hereby repealed.

**SECTION 7.** If any section, part of section, paragraph, clause, phrase or word of this Ordinance is declared invalid, the remaining provisions of this Ordinance shall not be affected.

**SECTION 8.** It is the intention of the Commission of the City of Pembroke Pines, Florida, that the provisions of this Ordinance shall become and be made part of the City of Pembroke Pines Code of Ordinances; and that the sections of this "Ordinance" may be changed to "section", "article", or such other appropriate word or phrase in order to accomplish such intentions.

**SECTION 9.** This Ordinance shall become effective immediately upon passage.

**PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF PEMBROKE PINES, FLORIDA, ON THE FIRST READING, THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2019.**

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**PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF PEMBROKE PINES, FLORIDA, ON THE SECOND AND FINAL READING, THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2019.**

CITY OF PEMBROKE PINES, FLORIDA

By: \_\_\_\_\_  
MAYOR FRANK C. ORTIS

ATTEST:

\_\_\_\_\_  
MARLENE GRAHAM, CITY CLERK

ORTIS \_\_\_\_\_

GOOD \_\_\_\_\_

APPROVED AS TO FORM:

CASTILLO \_\_\_\_\_

\_\_\_\_\_  
OFFICE OF THE CITY ATTORNEY

SCHWARTZ \_\_\_\_\_

SIPLE \_\_\_\_\_

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