

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

**AN ORDINANCE AMENDING TITLE 3 OF THE CITY CODE RELATING TO ANIMAL REGULATION.**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:**

**PART 1.** Title 3 (*Animal Regulation*), Chapter 3-1 (*General Provisions*) Section 3-1-1 (*Definitions*) is amended to add two new definitions and to renumber accordingly:

(2) BULLHOOK means any instrument or device consisting of a spike, hook, or other pointed section, attached to a shaft or handle made of wood, fiberglass, metal, or other solid or flexible material.

(3) CIRCUS means an organization that exhibits animals for the purpose of entertainment.

(4) CIRCUS ANIMAL means any animal owned by, transported by, or in the custody of a circus, including but not limited to elephants, big cats, bears, primates, camels, horses, and dogs.

**PART 2.** Chapter 3-2 (*Restrictions on Animals*) is amended to add a new Section 3-2-7 (*Treatment of Circus Animals*), to read:

§ 3-2-7 – TREATMENT OF CIRCUS ANIMALS

(A) A person may not attempt to train or control the behavior of a circus animal by any of the following methods:

(1) Deprivation of food, water, or rest;

(2) Use of electricity;

(3) Physical punishment resulting in damage, scarring, or breakage of skin;

(4) Insertion of any instrument into any bodily orifice; or

(5) Use of a bullhook, baseball bat, axe handle, or pitchfork.

(B) If a person is engaging in the aforementioned behaviors within the scope of their employment duties and at the direction of their employer as an agent of a business, a charge under this section may be filed against the employer.

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2 (C) For the purposes of subsection (A), the term “use” shall include brandishing,  
3 exhibiting, or displaying any device prohibited by this section in the  
4 presence of a circus animal and for the purposes of training or controlling  
5 the behavior of the animal.

6 **PART 3.** Chapter 3-7 (*Enforcement and Penalties*) Section 3-7-2 (*Offense and Penalty*)  
7 is amended to add a new 3-7-2(H) to read:

8 (H) The minimum fine for an offense under Section 3-2-7 (*Treatment of Circus*  
9 *Animals*) is \$200 for each use of a prohibited device, training method, or  
10 animal control technique.

11 **PART 4.** This ordinance takes effect on \_\_\_\_\_, 2015.

12 **PASSED AND APPROVED**

13  
14 §  
15 §  
16 \_\_\_\_\_, 2015 § \_\_\_\_\_  
17 Steve Adler  
18 Mayor

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21 **APPROVED:** \_\_\_\_\_  
22 Anne Morgan  
23 Interim City Attorney

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25 **ATTEST:** \_\_\_\_\_  
26 Jannette S. Goodall  
City Clerk