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|  <p style="text-align: center;"><b>Council<br/>Communication</b><br/>Office of the City Manager</p> | <b>Date:</b> March 7, 2016  |
|  | <b>Agenda Item No.</b> 42<br><b>Roll Call No.</b> <u>16-0407</u><br><b>Communication No.</b> <u>16-106</u><br><b>Submitted by:</b> Scott E. Sanders, City Manager |

**AGENDA HEADING:**

Amend Section 18-196 and 18-197 of the Des Moines Municipal Code relating to the definition and keeping illegal animals.

**SYNOPSIS:**

Recommend approval of amending Ordinance Sec. 18-196 and 18-197 relating to the definition and keeping illegal animals.

**FISCAL IMPACT: NONE**

**ADDITIONAL INFORMATION:**

At the Council meeting January 12, 2015, Rita Mason, 2744 Arnold Road, requested to speak regarding a moratorium on wildlife exhibits specifically the Academy of Wildlife Education exhibit at Merle Hay Mall. This exhibit had bears, wolves and other animals on display and it aroused a public outcry from citizens last year who thought it was not a place for them. An online petition to “stop the zoo” had gathered 74,000 signatures. The Academy of Wildlife Education exhibit closed on Oct. 31, 2014.

Staff is recommending changes to Sec. 18-196 of the Municipal Code regarding which animals shall be deemed to be illegal animals per se. The struck out animals are covered in Sec. 717F regarding dangerous wild animals and do not need to be listed in this section:

- a. ~~Lions, tigers, jaguars, leopards, cougars, lynx and bobcats~~
- b. ~~Wolves, coyotes and foxes~~
- c. Badgers, wolverines, weasels, skunks and minks
- d. Raccoons
- e. ~~Bears~~
- f. ~~Monkeys and chimpanzees~~
- g. Bats
- h. ~~Alligators, crocodiles and caimans~~
- i. ~~Scorpions~~
- j. ~~Snakes and reptiles that are venomous~~
- k. Snakes that are constrictors over six feet in length
- l. ~~Gila monsters.~~
- m. ~~Opossums~~
- n. ~~All apes, baboons and macaques~~
- o. ~~Piranhas~~

To prevent other wildlife exhibits to open such as the one in Merle Hay Mall, staff is recommending amendments to Sec. 18-197 where the following shall not apply to the keeping of illegal animals in the following circumstances:

- The keeping of illegal animals in a zoo that is accredited by the Association of Zoos and Aquariums ~~a bona fide educational or medical institution, humane society, or museum where they are kept as live specimens for the public to view or the purpose of instruction, research or study.~~
- The keeping of illegal animals in a regionally accredited educational or medical institution, an Iowa Department of Agriculture and Land Stewardship licensed animal shelter or pound, or a museum accredited by the American Alliance of Museums, where they are kept as live specimens for the purpose of instruction, research or study ~~keeping of illegal animals for exhibition to the public by a bona fide traveling circus, carnival, exhibit or show.~~

And adding the following:

- The keeping of illegal animals for exhibition at the Iowa State Fair or Polk County Fair.
- The keeping of illegal animals in a bona fide, licensed veterinary hospital for emergency treatment limited to the duration of the emergency treatment.
- The keeping of illegal animals by a bona fide sanctuary that is accredited by the Global Federation of Animal Sanctuaries or, a facility that offers lifetime care to animals, does not allow public contact with any illegal animals, does not use the animals for any commercial purposes, and does not breed animals ~~the keeping of primates maintained for research or educational programs by the Iowa Primate Learning Sanctuary.~~
- The keeping of primates maintained for research or educational programs by the Iowa Primate Learning Sanctuary.

**PREVIOUS COUNCIL ACTION(S):**

Date: January 12, 2015

Roll Call Number: [15-0064](#)

Action: [From](#) Rita Mason, 2744 Arnold Road, to speak requesting the City issue a moratorium on wildlife exhibits. Moved by Moore to receive and file comments; refer to the City Manager for review and recommendation. Motion Carried 7-0.

**BOARD/COMMISSION ACTION(S): NONE**

**ANTICIPATED ACTIONS AND FUTURE COMMITMENTS:**

2<sup>nd</sup> and 3<sup>rd</sup> reading of the ordinance.

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