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**Title:** Amending Chapter 10-100 of The Philadelphia Code, entitled "Animals," to revise certain provisions relating to the ownership of dogs and cats; revising the definition of animal retailer; and making technical changes; all under certain terms and conditions.

**Sponsors:** Councilmember Henon

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**Code sections:**

**Attachments:** 1. Bill No. 19000200.pdf

Date	Ver.	Action By	Action	Result	Tally
1/24/2019	0	CITY COUNCIL	Introduced and Referred		

Amending Chapter 10-100 of The Philadelphia Code, entitled "Animals," to revise certain provisions relating to the ownership of dogs and cats; revising the definition of animal retailer; and making technical changes; all under certain terms and conditions.

*THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:*

SECTION 1. Chapter 10-100 of The Philadelphia Code is amended to read as follows:

CHAPTER 10-100. ANIMALS

§ 10-101. Definitions.

In this Chapter the following definitions apply:

\* \* \*

Adult Dog or Cat. Shall mean any dog or cat at least seven (7) months of age.

\* \* \*

Animal. [Shall include any description] *Any type of vertebrate or invertebrate, [excluding only] but not including Homo sapiens.*

\* \* \*

Animal Retailer. A person in the business of selling [dogs or cats] *animals* to the ultimate owners of such [dogs or cats] *animals*, including but not limited to a pet shop, [kennel under the] Dog Law *Kennel*

, [and] *or* a dealer, to the extent such dealer engages in the retail sale of [dogs or cats] *animals*.

\* \* \*

Farm Animal. Any [chicken] *rooster*, goose, duck, turkey, goat, sheep, pig, cow, or other farm animal, provided such other farm animal presents a public nuisance due to smell and/or noise. Does not include a cat, dog, *hen*, or horse.

\* \* \*

Wild Animal. Shall include any animal which is wild, fierce, dangerous, noxious, or naturally inclined to do harm. [, in any place other than a zoological park, veterinary hospital, or clinic, humane society, circus or facility used for educational or scientific purposes.] Wild animals [, however domesticated, shall also] include, but *are* not [be] limited to:

Dog family (Canidae). All [except domesticated dogs -] , including wolf, fox, coyote, dingo, or any hybrid thereof, *but not including domesticated dogs*;

Cat family (Felidae). All, [except the commonly accepted domesticated cats] including lions, pumas, panthers, mountain lions, leopards, jaguars, ocelots, margays [,] *and* wild cats, [etc.] *but not including commonly accepted domesticated cats*;

\* \* \*

Weasels (Mustelidae). All [except domesticated ferrets] , including weasels, martens, mink, wolverine, badgers, otters, ermine, mongoose [,] *and* skunk, [etc.] *but not including domesticated ferrets*;

\* \* \*

Primates. All [subhuman] *non-human* primates;

\* \* \*

§ 10-102. Administrative Provisions.

(1) Responsibilities of Various Departments

(a) *The Office of the Managing Director, or their designee, shall have the authority to promulgate additional regulations as they see appropriate to enforce the sections enumerated herein.*

(b) The Animal Control Agency shall have primary responsibility for the control of animals pursuant to this Chapter of The Philadelphia Code.

\* \* \*

(c) The Animal Control Agency shall issue licenses and accept registrations in accordance with this Chapter and the regulations promulgated thereunder, and may seek the revocation or suspension of licenses

issued under this Chapter when appropriate.

\* \* \*

(4) Disclosure and Reporting by Animal Shelters.

(a) Animal Shelters shall keep annual written or electronic records, by species, of the following information regarding animals impounded at each Animal Shelter:

(.1) The number of animals impounded at the Animal Shelter. (.2) The number of animals that were adopted.

(.3) The number of animals that were transferred to other persons, organizations, or entities for adoption.

(.4) The number of animals reclaimed by their owners.

(.5) The number of animals that died of a cause other than lawful euthanasia.

(.6) The number of animals that escaped or were stolen while under the care of the Animal Shelter.

(.7) The number of animals impounded at the Animal Shelter that were euthanized.

(b) By January 31 of each year, Animal Shelters shall submit to the Animal Control Agency a written report for the prior year of the information required under subsection (4)(a).

(c) Animal Shelters shall [post, in every area where animals are relinquished to the Animal Shelter by owners, a sign that is clearly and conspicuously visible and readable from any vantage point in the area, and that is at least 17 inches by 22 inches, which displays all] *keep a detailed, monthly written record, available upon request*, of the information required under subsection (4)(a). The Animal Control Agency may by regulation further specify format, dimensions, and posting requirements consistent with this subsection (4)(c).

\* \* \*

§ 10-103. Licensing and Rabies Vaccination.

\* \* \*

[(8) Maximum Number of Dogs and Cats Allowed. Except in connection with the operation of a registered kennel, or unless the Animal Control Agency has granted a waiver pursuant to such regulations as it may establish, no more than twelve (12) adult dogs or cats combined, of which no more than two (2) dogs and two (2) cats may be unsterilized, may be kept-

(a) on a parcel of land on which only one residential dwelling unit is located; or

(b) in any residential dwelling unit on a parcel of land on which multiple residential dwelling units are located.]

\* \* \*

§ 10-103.2 *Maximum Number of Dogs and Cats Allowed.*

(1) *Except in connection with the operation of a registered kennel, or unless the Animal Control Agency has granted a waiver pursuant to such regulations as it may establish, no more than the following numbers of adult dogs or cats may be kept (a) on a parcel of land on which only one residential dwelling unit is located; or (b) in any residential dwelling unit on a parcel of land on which multiple residential dwelling units are located:*

- (b) *Six (6) adult dogs or cats combined;*
- (c) *two unsterilized adult dogs; or*
- (d) *two unsterilized adult cats.*

\* \* \*

§ 10-104. *Animals Running at Large and Vicious Animals.*

(1) No person shall permit any animal *in his or her custody, care or control*, other than a sterilized cat, to go at large upon any street, public place or private property other than the property of [the owner of the animal] *such person*. [All animals, other than sterilized cats, using any street, public place or private property of anyone other than the owner of the animal shall be on a leash not exceeding six (6) feet in length including the handgrip but excluding the collar and accompanied by a person able to fully control the animal at all times.]

[Horses shall be exempt from the provision requiring a leash but shall under this Section require proper rein and bit or halter and lead shank.]

*No person shall permit any animal in his or her custody, care or control to be on any street, public place or private property of anyone other than the owner of the animal unless such animal is restrained on a leash not exceeding six feet in length, including the handgrip but not including the collar or other restraining device on the body of the animal. With respect to a horse, a rein and bit or halter and lead shank shall constitute a leash.*

Any animal [running] at large in violation of this subsection shall be seized by any animal control officer or police officer and delivered to an appropriate area of confinement approved by the Animal Control Agency.

\* \* \*

(3) The Animal Control Agency may, upon finding a cat *at large* to be feral, sterilize such cat and release it back to the cat's colony.

\* \* \*

§ 10-106. Wild Animals.

(1) Wild Animals Prohibited. No person shall [keep] *maintain* a wild animal in any place other than a zoological park, veterinary hospital or clinic, humane society, circus or facility used for educational or scientific purposes [,]. *Any person who maintains a wild animal in an authorized location or facility* [which provides] *shall provide and maintain* [proper] cages, fences and other protective devices adequate to prevent such animal from escaping or injuring the public. [No license shall be required of persons exempted in this Section.]

\* \* \*

§ 10-110. Feeding Pigeons.

(1) No person shall feed any pigeon in any public street, square, park, or place of public resort.

\* \* \*

§ 10-113. [Sale of Horse Meat.

(1) No person shall sell or possess with intent to sell any horse meat for human consumption.

(2) The penalty for violation of this Section shall be one hundred (100) dollars for each offense.]

*Reserved.*

\* \* \*

SECTION 2. Section 6-306 of The Philadelphia Code is amended to read as follows:

CHAPTER 6-300. FOOD

\* \* \*

§ 6-306. Meat and Meat Products.

\* \* \*

(3) *Sale of Horse Meat.*

(a) *No person shall sell or possess with intent to sell any horse meat for human consumption.*

**Explanation:**

[Brackets] indicate matter deleted.  
*Italics* indicate new matter added.