



Allegheny County Council

County of Allegheny
436 Grant Street
Pittsburgh, PA 15219
Phone (412) 350-6490
Fax (412) 350-6499

Legislation Details (With Text)

File #: 11304-19 **Version:** 1 **Name:**

Type: Ordinance **Status:** Expired by Rule

File created: 11/15/2019 **In control:** Committee on Parks

On agenda: 11/19/2019 **Final action:** 12/31/2019

Title: An Ordinance of the County of Allegheny, Commonwealth of Pennsylvania, amending Chapter 650 of the Allegheny County Code of Ordinances, entitled "Park Rules and Regulations," §650-1, entitled "Prohibited activities," in order to clarify limitations upon certain interactions with undomesticated animals within the nine County-owned parks.

Sponsors: Sue Means

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Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
12/31/2019	1	Chief Clerk	Expired by Rule	
11/19/2019	1	County Council	Referred by Chair	

An Ordinance of the County of Allegheny, Commonwealth of Pennsylvania, amending Chapter 650 of the Allegheny County Code of Ordinances, entitled "Park Rules and Regulations," §650-1, entitled "Prohibited activities," in order to clarify limitations upon certain interactions with undomesticated animals within the nine County-owned parks.

WHEREAS, Allegheny County owns and operates nine parks located within the County's borders, encompassing over 12,000 acres of publicly accessible green space, and incorporating over 30 playground areas, with numerous spray parks, picnic venues, a family restaurant, a zipline facility, skating rinks, ski slopes, pools, and other family-oriented activity areas; and

WHEREAS, the County has enacted regulations governing activities such as lighting fires, consuming alcoholic beverages, discharging firearms and/or using other weapons or explosives, and disposal of waste/trash, and which are specifically intended to ensure the safety, comfort, and well-being of the individuals who use the County's parks as well as preserving the delicate ecosystems present in the parks; and

WHEREAS, over the years, Allegheny County's parks have become home to various populations of animals, which are largely or entirely undomesticated; and

WHEREAS, according to the Centers for Disease Control, undomesticated animals can transmit a number of serious diseases and/or parasites to humans, including Campylobacteriosis (a gastrointestinal disease that can become life-threatening in young children, the elderly, and those with weakened immune systems), Cheyletiellosis (a skin condition that is transmitted via parasitic mites), Cryptosporidiosis (a gastrointestinal disease that can become life-threatening in those with weakened immune systems), Echinococcosis (tapeworms), Giardiasis (a gastrointestinal illness that can last for 1-2 weeks), Hookworm, MRSA (antibiotic-resistant staph infections that can spread and become life-threatening, even in healthy adults), Ringworm, Roundworm, Salmonella, and Sporotrichosis (a fungal infection, two forms of which are potentially lethal to

humans); and

WHEREAS, Lyme Disease, which is spread by ticks that are becoming increasingly prevalent in Pennsylvania, particularly in areas with wild animal populations on which the ticks feed, can cause long term pain, nervous system, cardiovascular, and other disorders in humans, and even with treatment, some individuals experience Post Treatment Lyme Disease Symptoms, for which the CDC and National Institutes for Health have found "no proven treatment;" and

WHEREAS, of primary concern is Rabies, about which the Allegheny County Health Department routinely warns residents via press release, noting that: "Residents should watch for unusual behavior in animals and should make sure their pets are up-to-date on their rabies vaccinations. If any animal appears to be acting strange or becomes threatening, residents should notify their local animal control service, the police or the Pennsylvania Game Commission immediately. Rabies is a virus transmitted by an animal bite or scratch, and exposures due to a bite or scratch are almost always fatal when left untreated. Any individual who is bitten, scratched or otherwise exposed to saliva from a stray or any other animal, should immediately cleanse the contact area with soap and water, seek emergency medical treatment and call ACHD (412-687-2243) to report the incident," and

WHEREAS, from January through September of 2019, Allegheny County has the highest number of reported rabies cases in the Commonwealth, and approximately 10% of the rabid cats and rabid raccoons identified statewide have been in Allegheny County, according to the Commonwealth's Department of Agriculture; and

WHEREAS, while the CDC recommends a number of steps to reduce human health risks due to contact with undomesticated animals, and the CDC further expressly recommends that humans always use caution when interacting with unfamiliar animals as a means of mitigating some health risks; and

WHEREAS, attempts to feed animals or humanely trap them so that they can be spayed or neutered, vaccinated, and returned to the areas that they occupy within a County park, while well-intentioned, run contrary to the recommendations of both the County Health Department and CDC, insofar as they increase the likelihood of contact and/or interaction between humans and wild animals, because they provide the animals with an incentive to approach humans (whom they may view as food sources), while simultaneously providing humans with a false sense of security regarding the animal(s) in question, as it is impossible to know merely by looking at a given animal what its current state of health may be or whether it has received a rabies vaccine recently enough that it will still be effective; and

WHEREAS, because wild animals tend to be opportunistic feeders, feeding efforts cannot be limited to any particular species, and animals that are never treated in any fashion by a veterinarian will also tend to congregate in areas in which feeding efforts are undertaken, which further increases park users' potential exposure to rabies and other diseases that are spread by entirely untreated wild animals; and

WHEREAS, providing for the safety of park users is a high priority. Undomesticated animals living within the County parks are, in fact, wild, and their proximity to large numbers of individuals who may not be familiar with their nature, children who may be disproportionately tempted to approach, attempt to feed and/or pet even an unfamiliar animal, and other individuals who may be particularly susceptible to the diseases/parasites that they can carry presents a clear and present danger to those individuals' health and safety; and

WHEREAS, it is the judgment of Council that the practice of feeding undomesticated animals, while

well-intentioned, clearly has the potential to lead to undomesticated animals approaching humans who may be unaware of the risks of closely interacting with them or who may erroneously perceive them as nonthreatening and/or safe; and

WHEREAS, because the existing language of §650-1.E(1) of the Code of Ordinances is not sufficient to protect the health and safety of the public, and to sustain the continued diversity and vitality of the parks' ecosystems in this context, it is the desire of Council to establish a specific regulation in order to do so.

The Council of the County of Allegheny hereby enacts as follows:

SECTION 1. Incorporation of the Preamble

The preamble to this Ordinance is hereby incorporated by reference in its entirety herein.

SECTION 2. Amendment of the Code.

The Allegheny County Code of Ordinances, Chapter 650, entitled "Parks Rules and Regulations," §650-1, entitled "Prohibited activities," is hereby amended as follows:

§650-1. Prohibited Activities.

The below-listed activities are specifically prohibited in any area lying within a County park. Exceptions to these prohibitions will be recognized only upon possession and presentation of a written authorization signed by the Director of the Parks Department, by signs posted by authorized representatives of the Director, or by immediate direction of a County police officer.

* * *

E. Animals, birds and fish.

- (1) Except as specifically authorized by the Parks Department, molesting, trapping, hunting, capturing, killing or injuring any bird or mammal.
- (2) Abandoning any animals or birds within the park.
- (3) Feeding any bird or mammal that is not a fully domesticated pet belonging to the individual(s) feeding it. Violations of this section shall include, but not be limited to, the practice of leaving food for the consumption of unknown or unspecified animals.

* * *

SECTION 3. Effective Date.

The provisions of this ordinance shall become effective immediately upon the date of final approval.

SECTION 4. If any provision of this Ordinance shall be determined to be unlawful, invalid, void or

unenforceable, then that provision shall be considered severable from the remaining provisions of this Ordinance which shall be in full force and effect.

SECTION 5. Any Resolution or Ordinance or part thereof conflicting with the provisions of this Ordinance is hereby repealed so far as the same affects this Ordinance.