

SUBJECT: ADOPT ORDINANCE NO. 23-15 (2ND READING) “AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE TO PROHIBIT THE SALE AND USE OF GLUE TRAPS AND AMENDING THE CITY’S PENALTY PROVISIONS”

PREPARED BY: ADMINISTRATIVE SERVICES DEPARTMENT
(Melissa Crowder, City Clerk)
(Lourdes Morales, Assistant City Clerk)

STATEMENT ON THE SUBJECT:

The City Council will waive further reading and adopt Ordinance No. 23-15, amending the West Hollywood Municipal Code to prohibit the sale and use of glue traps and amending the City’s penalty provisions.

RECOMMENDATION:

Waive further reading and adopt Ordinance No. 23-15, “AN ORDINANCE OF THE CITY OF WEST HOLLYWOOD AMENDING THE WEST HOLLYWOOD MUNICIPAL CODE TO PROHIBIT THE SALE AND USE OF GLUE TRAPS AND AMENDING THE CITY’S PENALTY PROVISIONS”.

BACKGROUND / ANALYSIS:

On April 17, 2023, Ordinance No. 23-15 was introduced on first reading.

Ayes: Councilmember Byers, Councilmember Heilman, Councilmember Meister, Mayor Pro Tempore Erickson, and Mayor Shyne.

Noes: None.

Abstain: None.

Absent: None.

CONFORMANCE WITH VISION 2020 AND THE GOALS OF THE WEST

HOLLYWOOD GENERAL PLAN:

This item is consistent with the Primary Strategic Goal(s) (PSG) and/or Ongoing

Strategic Program(s) (OSP) of:

- OSP-1: Adaptability to Future Change.
- OSP-12: Actively Participate in Regional Issues.

In addition, this item is compliant with the following goal(s) of the West Hollywood General Plan:

- G-1: Ensure that the community is active and engaged in the decision-making process.
- G-2: Maintain transparency and integrity in West Hollywood's decision-making process.

EVALUATION PROCESSES:

N/A

ENVIRONMENTAL SUSTAINABILITY AND HEALTH:

N/A

COMMUNITY ENGAGEMENT:

N/A

OFFICE OF PRIMARY RESPONSIBILITY:

ADMINISTRATIVE SERVICES DEPARTMENT / CITY CLERK DIVISION

FISCAL IMPACT:

None.

ATTACHMENT:

Attachment A – Ordinance No. 23-15

ORDINANCE NO. 23-15

AN ORDINANCE OF THE CITY OF WEST
HOLLYWOOD AMENDING THE WEST
HOLLYWOOD MUNICIPAL CODE TO PROHIBIT THE
SALE AND USE OF GLUE TRAPS AND AMENDING
THE CITY'S PENALTY PROVISIONS

THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD DOES HEREBY
ORDAIN AS FOLLOWS:

Section 1. Findings.

1. A glue trap, also known as a glue board or sticky board, is made out of either a layer of cardboard, plastic or wood that is coated with a non-drying adhesive or a shallow tray of the adhesive. These traps are primarily used by homeowners, food processors, and pest management companies to control rodent populations.
2. The primary goal of a glue trap is to entrap rodents or other pests when they cross the board since their feet and bodies stick to the adhesive. The animals are then incapable of freeing themselves and slowly other parts of their bodies get stuck to the trap. After several days or weeks, the animal typically dies from starvation, dehydration, or suffocation. The process is extremely cruel, painful and subjects the animal to a slow and inhumane death.
3. Glue traps are typically targeted for rodents, however, according to the People for the Ethical Treatment of Animals ("PETA"), these traps have been used to capture other wildlife including birds, snakes, and squirrels. PETA reports there are numerous reports of cats becoming stuck in glue traps and requiring veterinary assistance. Additionally, the U.S. Centers for Disease Control and Prevention ("CDC") warns against using glue traps as trapped animals produce urine and feces, which may have harmful human health impacts.
4. Glue traps designed to capture vertebrate animals such as rats are the most problematic because of their increased likelihood to capture larger and multiple animals. However, glue traps that differ in design and are intended to capture invertebrate animals such as insects, ants, flies and cockroaches present similar animal welfare and health concerns.
5. A number of cities, countries, and many well-known agencies/businesses around the world have taken steps to ban either the sale or use of glue traps over both animal welfare and health concerns. According to PETA, the following United States jurisdictions have reportedly banned the use of glue traps within their internal operations: Cartersville, Georgia; Eugene, Oregon and Washington D.C. The states of Massachusetts and New York have also recently introduced a bill prohibiting glue traps.

6. Countries like England, Iceland, Ireland, New Zealand, and much of Australia have also reportedly banned the use of glue traps. In addition, more than 100 airports nationwide have also prohibited their use. Moreover, PETA reports major corporations like Target, CVS Rite Aid, and Walgreens have stopped selling glue traps in all their stores.
7. The City has a long history of supporting measures that promote animal welfare and is often recognized as one of the most animal friendly cities in the nation. In 1989, the City Council adopted Resolution No. 89-0558 aimed at banning cosmetic testing on animals, the use of steel leg-hold traps, and proclaiming the City of West Hollywood as a “Cruelty Free Zone for Animals”. The City’s legislative priorities include a separate section on Animal Welfare. In 2003, West Hollywood was the first city in the nation to pass an ordinance making it illegal to declaw cats. In 2010, it voted to ban the retail sale of dogs and cats. In 2011, the City was the first in the nation to adopt an ordinance to ban the sale of fur products, and the ordinance was later amended to ban the display of fur products for sale. Prohibiting the sale and use of glue traps is consistent with the City’s longstanding policies and animal rights advocacy. On October 3, 2022, during a regular meeting of the City Council, the City Council also directed staff to amend to the City’s Integrated Pest Management (IPM) Program to be in line with this ordinance and prohibit the use of vertebrate glue traps in City facilities.
8. The City Council enacts this ordinance pursuant to the authority vested in the City by Article XI, Section 7 of the California Constitution allowing a city to make and enforce within its limits all local, police, sanitary, and other ordinances and regulations not in conflict with general laws.

Section 2. A new Chapter 9.53 “Use and Sale of Glue Traps” is added to Article 4 (Animals) of Title 9 (Public Peace and Safety) of the City of West Hollywood Municipal Code to read as follows:

“Chapter 9.53 Use and Sale of Glue Traps”

9.53.010 Definitions.

9.53.020 Use and Sale of Glue Traps Prohibited.

9.53.010 Definitions.

a. “Animal” as used in this Chapter shall mean any vertebrate or invertebrate animal, such as birds, rodents, reptiles, and insects.

b. “Glue Trap” shall mean a device that is designed to, or is capable of being used to, capture any animal by means of an adhesive substance or similar viscid substance.

c. "Person" shall mean a natural person, firm, corporation, limited liability company, association or an employee or agent of a natural person or an entity.

d. "Sell" or "sale" shall mean any transfer, exchange, barter, gift, offer for sale or distribute for a commercial purpose in any manner or by any means whatsoever.

9.53.020 Sale and Use of Glue Traps Prohibited.

a. It is unlawful to Sell, offer for Sale, or display for Sale, Glue Traps within the City of West Hollywood after [insert date one year after effective date].

b. It is unlawful to set, place or otherwise use a Glue Trap or permit another Person to set, place or use a Glue Trap to capture or kill any animal within the City of West Hollywood after [insert date one year after effective date]

Section 3. Section 1.08.010(d) "Classification of Offenses—Definitions" is hereby amended to add violation of Chapter 9.53 "Use and Sale of Glue Traps" to the list of offenses therein.

Section 4. The purpose of this Ordinance is to prohibit the use and sale of Glue Traps which are designed to capture animals but subject them to a slow and inhumane death. Other methods of rodent control are still available to City residents. The Ordinance is not subject to the requirements of California Environmental Quality Act ("CEQA"). This Ordinance is not a "project" within the meaning of Section 15378 of Title 14 of the California Code of Regulations ("State CEQA Guidelines") because prohibiting the use of sale of glue traps within West Hollywood has no potential for resulting in direct or indirect physical change in the environment, as other forms of rodent control remain available. The approval of the Ordinance does not constitute a project under CEQA pursuant to Section 15378(b)(5) of the State CEQA Guidelines, which provides that organizational and administrative activities of governments that will not result in physical changes in the environment are not considered projects for CEQA purposes.

Section 5. This Ordinance shall take effect and be in full force 30 days after its adoption. The City Clerk is directed to insert the appropriate date above in Section 9.53.020.

PASSED, APPROVED AND ADOPTED by the City Council of the City of West Hollywood at a regular meeting held on the ___ April 2023 by the following vote: