



MODEL LEGISLATION



Ordinance No. _____

AN ORDINANCE OF THE CITY OF _____
PROHIBITING THE DISPLAY OF WILD AND EXOTIC ANIMALS
FOR PUBLIC ENTERTAINMENT OR AMUSEMENT

SECTION I. Intent

It is the intent of the _____ City Council to protect the public against hazards that wild and exotic animals used in entertainment pose to society and to protect wild and exotic animals from cruel and inhumane treatment.

SECTION II. Definitions

For the purpose of this chapter only, the following words and terms shall be deemed to mean and to be construed as follows:

A. "Display" means to undertake any exhibition, act, circus, ride, trade show, carnival, parade, race, photographic opportunity, performance or similar undertaking in which animals are required to perform tricks, fight, or participate as accompaniments in performances for the amusement or benefit of an audience.

B "Displayed" means to be the subject thereof

C. "Exhibition" means a public showing, presenting to view, a public display, an exposition, or a large fair of extended duration.

D. "Person" means any individual, establishment, firm, association, organization, partnership, trust, corporation or company.

E. "Wild or exotic animal" means any or all of the following orders and families, whether bred in the wild or in captivity, and also any or all of their hybrids with domestic species. The animals listed in parentheses are intended to act as examples and are not to be construed as an exhaustive list or limit the generality of each group of animals, unless otherwise specified:

1. Non-human primates and prosimians (chimpanzees, monkeys)
2. Felidae (except domesticated cats)
3. Ursidae (bears)
4. Proboscidae (elephants)
5. Crocodylia (alligators, crocodiles)
6. Artiodactyla (hippopotamuses, giraffes, camels, not cattle or swine or sheep or goats)
7. Struthioniformes (ostriches)
8. Casuariiformes (emus)

F. "Wildlife sanctuary" means a 501(c)(3) organization described in Section 170(b)(1)(A)(vi), Internal Revenue Code 1986, and its subsequent amendments where:

1. No commercial trade in animals occurs (including, but not limited to, sale of animals, animal parts, by-products, offspring, photographic opportunities or public events for financial profit, or any other entertainment purposes),

2. No propagation of animals occurs in the facility, and

3. No unescorted public visitation is allowed; no direct contact between the public and wild animals is allowed; animals are not taken from the sanctuary or enclosures for exhibition.

SECTION III Display of Wild or Exotic Animals Prohibited

It shall be unlawful for any person to display or sponsor a display of wild or exotic animals on any public or private land within the City of_____.

SECTION IV Enforcement

Police officers and the City's Animals Control Officers shall have the power and authority to enforce the provisions of this chapter and perform all duties imposed by the provisions of this ordinance.

SECTION V Penalty

Any person, who displays or sponsors a display of wild or exotic animals shall be guilty of a misdemeanor, punishable by a fine of not more than \$5,000 dollars, or by imprisonment in the city or county jail for a period not exceeding one year, or by both such fine and imprisonment. [This section should be made consistent with city law.]

SECTION VI Exceptions

The following are exempt from the provisions of this chapter:

1. Institutions accredited by the American Zoo and Aquarium Association,

2. Any wildlife sanctuary as defined under this ordinance.

[Each city should determine what entities should be exempt.]