

AMENDING CHAPTER 47 OF THE DANE COUNTY CODE OF ORDINANCES, PROHIBITING THE POSSESSION OR SALE OF LIVE EXOTIC ANIMALS

The County Board of Supervisors of the County of Dane does ordain as follows:

ARTICLE 1. Unless otherwise expressly stated herein, all references to section and chapter numbers are to those of the Dane County Code of Ordinances.

ARTICLE 2. Section 47.03 is amended to read as follows:

47.03 AUTHORITY. This ordinance is enacted under the authority of sections, 29.427(2)(c), 29.427(3)(e), 59.54(6), 59.54(20), and 95.21(9), and 169.43 and chapters 173 and 174, Wisconsin Statutes.

ARTICLE 3. Section 47.21 is created to read as follows:

47.21 POSSESSION OR SALE OF EXOTIC ANIMALS PROHIBITED. (1) Purpose and intent. The Dane County Board of Supervisors finds that exotic animals pose health and safety risks to the residents of Dane County. It is the intent of the Board to prohibit the possession or sale of exotic animals within Dane County.

(2) Definitions. For purposes of this section the following definitions shall apply:

(a) Circus means a scheduled event staged by a traveling company with mobile facilities in which entertainment consisting of a variety of performances by acrobats, clowns or trained animals is the primary attraction or principle business.

(b) Person means any individual, partnership, firm, joint stock company, corporation, association, trust, estate, or other legal entity.

(c) Possess means to own, control, restrain, transport, or keep.

(d) Public Zoo or Aquarium means a zoo or aquarium that is operated by the state or by a city, village or county that is an accredited member of the American Zoo and Aquarium Association.

(e) Sell means to transfer or exchange for consideration.

(f) Veterinarian means a person who is licensed in this state to practice veterinary medicine under ch. 453 of the Wisconsin Statutes and who is certified under the rules promulgated by the department of agriculture, trade and consumer protection.

(g) Exotic Animal means any animal that is not normally domesticated in the United States, including any such animal's hybrid with domestic species, or any animal that is wild by nature, regardless of whether it was bred in the wild or in captivity.

(3) Prohibition. No person shall possess, sell or offer to sell any live exotic animal.

(4) Exceptions. The following person or entities may possess exotic animals:

(a) A person licensed by the State under ch. 169 of the Wisconsin Statutes.

(b) A veterinarian, for the purposes of providing medical treatment to exotic animals.

(c) A public zoo or aquarium.

(d) A circus.

(e) A person authorized to do so by the department of natural resources.

ARTICLE 4. Section 47.51(14) is created to read as follows:

(14) Any person who violates section 47.21 shall be subject to a forfeiture of not less than \$100 nor more than \$500.

[EXPLANATION: This amendment prohibits the possession and sale of live exotic animals.]

Submitted by Supervisors Sargent, Erickson, Matano, Corrigan, Miles, Solberg, Hesselbein, Hulsey, Richmond, Schmidt, Duranczyk, Veldran, Martz, Stoebig and Rusk, February 2, 2012. Fiscal and Policy Notes not required.
Referred to HEALTH & HUMAN NEEDS and BOARD OF HEALTH.