

ARTICLE 702
Wild or Dangerous Animals

702.01 Purpose.

702.02 Wild or dangerous animals.

702.99 Penalty.

702.01 PURPOSE.

The Town Council of the Town of McCandless finds that the harboring of wild or dangerous animals within the Town may be offensive to other residents of the Town so as to constitute a public nuisance and may pose a threat to the safety of its inhabitants. No wild or dangerous animal shall be kept within the Town except as permitted by this article.
(Ord. 1262. Passed 1-28-02.)

702.02 WILD OR DANGEROUS ANIMALS.

(a) Definitions.

- (1) "Animal" means all non-human vertebrate and invertebrate species, whether wild or domestic, commonly considered to be part of the animal kingdom.
- (2) "Town official or agent" means person, persons or entity, designated by the Town Manager to enforce the provisions of this article.
- (3) "Owner" means and includes every person, firm or corporation having a right of property in any animal which is kept harbored, or cared for within the Town of McCandless for a period of seven or more days as well as every person, firm or corporation occupying any premises within the Town which permits any animal to remain on or about its premises for a period of seven or more days.
- (4) "Wild or dangerous animal" shall mean any animal which is wild, fierce, dangerous, noxious, venomous or naturally inclined to do harm. Wild animals, however domesticated, shall also include but not be limited to:

Amphibians: All venomous amphibians.

Bear (Ursidae): All bear, including grizzly bears, brown bears, black bears, etc.;

Cat Family (Felidae): All except commonly accepted domestic cats-including lions, pumas, panthers, mountain lions, leopards, jaguars, ocelots, margays, tigers, wild cats, etc.;

Crocodylians: All alligators, caimans, crocodiles, gavials, etc.;

Dog Family (Canidae): All except domesticated dogs-including wolf, fox, coyote, dingo or domesticated dogs bred with a wolf, fox, coyote, dingo, etc.;

Porcupine (Erethizontidae): All porcupines, etc.;

Primates (Hominidae): All sub-human primates, etc.;

Raccoons (Procyonidae): All raccoons, civets, opossums, armadillos, etc.;

Reptiles: All venomous and constricting snakes, venomous lizards, and all other venomous reptiles, etc.;

Spiders: All venomous spiders;

Weasels (Mustelidae): All including weasels, skunks, mink, wolverine, badgers, otters, ermine, mongoose, etc.

- (5) "Harbor" means to keep or contain upon private property or to permit another to keep or contain upon private property.

(b) Keeping of Wild or Dangerous Animals Prohibited.

- (1) No person shall keep or harbor a wild or dangerous animal in any place other than a zoological park, veterinary hospital or clinic, humane society, or circus, sideshow, amusement show or facility used for educational or scientific purposes, which provides cages, fences and other protective devices adequate to prevent such animal from escaping or injuring the public, or causing a health hazard due to fecal matter, or otherwise.
- (2) Any person keeping or harboring a wild or dangerous animal as registered herein shall conspicuously display a warning sign that there is a wild or dangerous animal on the premises.

(c) Disposition and Impoundment. Any person who keeps a wild or dangerous animal in contravention of this section must dispose of the animal by removal of the animal from the Town or turning it over to the Town as directed by the Town Official or agent. The Town Official or agent is authorized to release the animal to a zoological park, or to dispose of the animal in some humane manner. The cost of removal and/or placement at a park or other facility is to be borne by the owner.

(d) Wild or Dangerous Animals Owned at the Time of the Effective Date of this Article. Any owner of a wild or dangerous animal shall at the time of enactment of this section register said wild or dangerous animal with the Town and shall provide:

- (1) An annual fee of twenty dollars (\$20.00) per wild or dangerous animal, which shall be paid by the owner or possessor of such animal to register it with the Town. A copy of this registration is to be filed with the Police Department.
- (2) Upon the death, sale, adoption, exchange, transfer or disposal of said wild or dangerous animal, the animal shall not be replaced.

(e) Any owner of a wild or dangerous animal registered under this section shall maintain insurance coverage that provides general liability insurance issued by an insurer authorized to do business in this Commonwealth insuring the owner for any personal injury caused by the wild or dangerous animal.

(f) Sworn law enforcement officers are empowered to enforce provisions of this article. (Ord. 1262. Passed 1-28-02.)

702.99 PENALTY.

Any person violating any provision of Sections 702.01 through 702.03 shall be fined not more than five hundred dollars (\$500.00), or be imprisoned ninety days or both. Each day's violation shall constitute a separate offense.
(Ord. 1262. Passed 1-28-02.)

