

COUNTY EXOTIC ANIMAL ORDINANCE

AN ORDINANCE REGULATING THE OWNERSHIP AND POSSESSION OF EXOTIC ANIMALS

SECTION 1. INTENT

It is the intent of the County of Stokes to protect the public against health and safety risks that exotic animals pose to the community and to protect the welfare of the individual animals held in private possession. By their very nature, exotic animals are wild and potentially dangerous and do not adjust well to a captive environment.

SECTION 2. DEFINITIONS

- A. "Exotic Animal" means any living member of the kingdom Animalia, including those born or raised in captivity, except the following, to which this ordinance does not apply:
1. The species *Homo sapiens* (humans);
 2. The species *Canis familiaris* (domestic dogs, excluding hybrids with wolves, coyotes, or jackals);
 3. The species *Felis catus* (domestic cats, excluding hybrids with ocelots or margays);
 4. The species *Equus caballus* (domestic horses);
 5. The species *Equus asinus* (asses, donkeys);
 6. The following members of the sub-family Bovine: the species *Bos Taurus* (cattle), the genus *Bison* (American Buffalo), and the genus *Bubalus* (water buffalo);
 7. The species *Ovis ammon aries* (sheep);
 8. The species *Capra hircus* (goats);
 9. The subspecies *Sus scrofa domestica* (swine);
 10. Domesticated races of the species *Gallus gallus* or *Meleagris gallapavo* (poultry);
 11. Domesticated races of the species *Mesocricetus auratus* (golden hamsters);
 12. Domesticated races of the subspecies *Cavia aperea procellus* (guinea pigs);
 13. Domesticated races of rats and mice (white or albino, trained, laboratory reared);
 14. Domesticated races of the species *Chinchillas laniger* (chinchillas);
 15. Domesticated races of the species *Oryctolagus cuniculus* (rabbits);
 16. Domesticated species of the family Camelid (including camels, llamas, and alpacas);
 17. All captive-bred members of the species of the families Psittacidae (parrots, parakeets), Anatidae (ducks), Fringillidae (finches), Columbidae (doves and pigeons), and Ratite (flightless birds, including ostriches, emus, and rheas);
 18. All captive-bred members of the species *Serinius canaria* of the class Aves (canaries);
 19. Domesticated races of the species *Carassius auratus* (goldfish);
 20. Captive-bred members of the superorder Teleostei of the class Osteichthyes (common freshwater and salt-water aquarium fish);
 21. Captive-bred, non-poisonous members of the suborder Serpentes (snakes);
 22. Captive-bred members of the suborder Cryptodira (turtles);
 23. All species of the class Insecta (insects) not considered life-threatening to humans, specifically including, but not limited to, *Apis mellifera* (common honeybee);
 24. All species of the class Arachnida (spiders, scorpions, and related) not considered life-threatening to humans; and
 25. Any other animal reviewed by the Exotic Animal Review Committee and approved by the Stokes County Board of County Commissioners to be exempted from this ordinance.

SECTION 3. PROHIBITED AND RESTRICTED EXOTIC ANIMALS

- A. Except in accordance with Section 5 (Pre-Existing Ownership or Possession of Exotic Animals) of this ordinance and subsection 17 of this paragraph, ownership or possession of the following Exotic Animals is prohibited in Stokes County:
1. Family Canidae, other than *Canis familiaris* (domestic dogs);
 2. Family Felidae, other than *Felis catus* (domestic cats);
 3. Family Ursidae (bears, including hybrids);
 4. Family Mustelidae (wolverines);
 5. Family Hyaenidae (hyenas);
 6. Order Primates (monkeys, apes, etc.);
 7. Order Proboscidae, Family Elephantidae (elephants);
 8. Order Perissodactyla, Family Rhinocerotidae (rhinoceroses);
 9. Order Artiodactyla, Family Suidae (warthogs) and Family Hippopotamidae (hippopotamuses);
 10. Order Crocodylia (crocodiles, alligators, and caimans);
 11. Venomous reptiles, including all members of the following families:
 - a. Helodermodidae (gila monsters and Mexican beaded lizards);

- b. Viperidae vipers;
 - c. Crotalidae (pit vipers);
 - d. Hydrophilidae (sea snakes);
 - e. Elapidae (cobras, coral snakes, and related); and
 - f. Any rear-fanged snakes of the family Colubridae that are known to be life-threatening to humans, including but not limited to the following:
 - i. Dispholidus typus (boomslang);
 - ii. Thebtornis kirtlandii (twig snake); and
 - iii. Rhabdophis (keelbacks).
12. Any constricting snake greater than four (4) feet in length or 20 pounds in weight;
 13. Any species of the class Insecta (insects) considered life-threatening to humans in general;
 14. Any species of the class Arachnida (spiders, scorpions, and related) considered life-threatening to humans in general;
 15. Any species of the genera Catoprion, Pygocentrus, Pygopristis, Rooseveltiella, Serrasalmus, Serrasalmo, and Taddyella of the superorder Teleostei of the class Osteichthyes (piranhas); and
 16. Any other Exotic Animal reviewed by the Exotic Animal Review Committee and not approved by the Stokes County Board of County Commissioners.
 17. The Board of County Commissioners may vote to exclude any specific individual Exotic Animal from the list above and add any additional restrictions on ownership or possession of that animal as the Board may choose, provided all provisions of Section 6 (Permit/Registration Process) are then followed.
- B. Anyone bringing into Stokes County after the effective date of this ordinance a prohibited Exotic Animal as defined in paragraph A of this section shall remove the Exotic Animal from the county within seven calendar days of the discovery of the Exotic Animal or face the possibility of immediate seizure of the prohibited Exotic Animal and a fine for each Exotic Animal of \$1,000.00 plus \$250 per day for each day the Exotic Animal is in the custody of Stokes County, plus any additional costs to the county that may arise in connection with seizure of the Exotic Animal.
- C. Any Exotic Animal not listed in this ordinance must be reviewed by the Exotic Animal Review Committee and voted upon by the Stokes County Board of County Commissioners.
1. The Stokes County Board of County Commissioners may vote to exempt the Exotic Animal from this ordinance per Section 2.A.25; or
 2. The Stokes County Board of County Commissioners may vote to approve the Exotic Animal with restrictions, including those contained in Section 6 (Permit/Registration Process); or
 3. The Stokes County Board of County Commissioners may vote not to approve the Exotic Animal per Section 3.A.16.
 4. Any Exotic Animal not listed in this ordinance, but already present in the county, must be submitted to the Exotic Animal Review Committee within 30 calendar days of the effective date of this ordinance or the owner or possessor may face the possibility of immediate seizure of the Exotic Animal and a fine for each Exotic Animal of \$1,000.00 plus \$250 per day for each day the Exotic Animal is in the custody of Stokes County, plus any additional costs to the county that may arise in connection with seizure of the Exotic Animal.
 5. Any Exotic Animal not listed in this ordinance must be reviewed by the Exotic Animal Review Committee and voted on by the Stokes County Board of County Commissioners before its arrival in the county or the owner or possessor may face the possibility of immediate seizure of the Exotic Animal and a fine for each Exotic Animal of \$1,000.00 plus \$250 per day for each day the Exotic Animal is in the custody of Stokes County, plus any additional costs to the county that may arise in connection with seizure of the Exotic Animal.

SECTION 4. EXOTIC ANIMAL REVIEW COMMITTEE

- A. There shall be established by the Stokes County Board of County Commissioners an Exotic Animal Review Committee.
- B. The committee shall be composed of the following members:
 1. Department Head, Stokes County Animal Control;
 2. Stokes County Commissioner, appointed by the Board of County Commissioners;
 3. Stokes County Manager;
 4. Stokes County Attorney;
 5. A representative of the Stokes County Sheriff’s Office, as determined by the Stokes County Sheriff;
 6. A representative of Stokes County Emergency Medical Services, as determined by the Department Head;
 7. A representative of Stokes County Emergency Communications, as determined by the Department Head;

8. A representative of Stokes County Fire Marshal's Office, as determined by the Department Head;
 9. A representative of Stokes County Department of Social Services, as determined by the Department Head;
 10. A representative of Stokes County Health Department, as determined by the Department Head;
 11. A Stokes County veterinarian, as determined by the Chairman of the Exotic Animal Review Committee; and
 12. A representative of the N.C. Wildlife Resources Commission, as determined by that commission.
- C. The Department Head of Stokes County Animal Control shall serve as chair of the Exotic Animal Review Committee.
 - D. The Exotic Animal Review Committee shall review and present to the Board of County Commissioners its recommendations for any changes to this ordinance, including the addition of any animal to the list in Section 2.A or Section 3.A of this ordinance. Ideally these recommendations should be the consensus position of the Committee as a whole.
 - E. The Exotic Animal Review Committee shall meet as necessary or upon the call of the Chairman of the Committee or the Chairman of the Board of County Commissioners.

SECTION 5. PRE-EXISTING OWNERSHIP OR POSSESSION OF EXOTIC ANIMALS

- A. Any Stokes County resident having pre-existing ownership or possession of any Exotic Animal shall within 30 calendar days of the effective date of this ordinance contact Stokes County Animal Control and commence the permit/registration process.
- B. Failure to commence the permit/registration process for a pre-existing Exotic Animal within 30 calendar days of the effective date of this ordinance shall be governed by Section 3.B.

SECTION 6. PERMIT/REGISTRATION PROCESS

- A. This permit/registration process shall apply to the following:
 1. Those Section 3 Exotic Animals already present in Stokes County before the effective date of this ordinance;
 2. Those Section 3 Exotic Animals excluded from this list by the Board of County Commissioners per Section 3.A.17; and
 3. Those Exotic Animals not listed in this ordinance, but reviewed by the Exotic Animal Review Committee and approved by the Board of County Commissioners with restrictions.
- B. Payment of the nonrefundable permit fee of \$1,000.00 per Exotic Animal shall constitute the beginning of the permit/registration process. Any other cost incurred during this permit/registration process shall be the responsibility of the owner or possessor of the Exotic Animal. All permit fees shall be waived for owners or possessors of pre-existing Exotic Animals, provided the owner or possessor 1) complies with Section 5.A and commences the permit/registration process within 30 calendar days of the effective date of this ordinance and 2) complies with Section 6.E.1 and completes the list of restrictions associated with the permit/registration process no later than 90 days from the beginning of the permit/registration process, unless extended by the Exotic Animal Review Committee.
- C. Applicants beginning the permit/registration process for an Exotic Animal shall be given a list of restrictions that must be in place before a permit will be issued.
- D. Restrictions for the issuance of a permit for an Exotic Animal shall include, but not be limited to the following:
 1. Proof of insurance coverage with a minimum of \$1,000,000 per claim to compensate any person for personal injury or property damage caused by the Exotic Animal, or in lieu of

insurance, a surety bond posted with the county manager in the same amount, conditioned upon payment of such damages.

2. At the direction of Stokes County Animal Control, installation of permanent signage at all points of entry to the property in question to identify the presence of the Exotic Animal to any law enforcement or emergency personnel having valid reason to enter the property.
3. Required signage shall consist of a minimum size of three (3) square feet and shall at a minimum identify the following in reflective letters of a contrasting color as to be easily read on the background of the sign:
 - i. The word "Warning" in all capitals at least four (4) inches high;
 - ii. The common name of the Exotic Animal;
 - iii. The location on the property of the Exotic Animal; and
 - iv. The potential danger posed by the Exotic Animal (biting, clawing, venom, constriction, kicking, etc.)
4. Implantation by a county-approved veterinarian of a microchip under the skin of the Exotic Animal to aid in identification, or approval by a county-approved veterinarian of a previously implanted microchip. The veterinarian can be chosen by the owner or possessor of the Exotic Animal if so approved by the Exotic Animal Review Committee, or can be referred to the owner or possessor by the Exotic Animal Review Committee upon request.
5. Obtaining from a county-approved veterinarian a health certificate detailing the health and condition of the Exotic Animal.
6. Written emergency response plan, approved by the Exotic Animal Review Committee, in the event of any escape of the Exotic Animal, including a paragraph detailing owner or possessor's understanding and agreement that if the escaped Exotic Animal poses any immediate danger whatsoever to life, limb, or property (other than property of the Exotic Animal owner), then it may be destroyed at that time by law enforcement officers, emergency responders, or any citizen having the means to do so. This emergency response plan shall be signed by the owner and notarized.
7. All Exotic Animals shall be housed in facilities designed with the characteristics and potential dangers of the particular Exotic Animal in mind, as detailed in Appendix A to this ordinance.

E. Issuance of a permit

1. When the Exotic Animal owner or possessor has completed the list of restrictions, but no later than 90 days from the beginning of the permit/registration process, unless extended by the Exotic Animal Review Committee, the owner shall contact and arrange for an initial inspection by Stokes County Animal Control, which shall not unreasonably delay this initial inspection.
2. When Stokes County Animal Control has conducted its initial inspection and found the list of restrictions to have been completed in a satisfactory manner, it shall issue the permit to the owner or possessor of the Exotic Animal.
3. The initial term of this permit shall be six (6) months.
4. This permit shall be renewable every six (6) months for the lesser of the life of the Exotic Animal or the length of its residency in Stokes County, upon payment of the \$250.00 permit renewal fee and satisfactory completion of a follow-up inspection by Stokes County Animal Control of the facility housing the Exotic Animal.
5. This permit shall be presented for renewal prior to the expiration of the current term; otherwise, the permit is considered expired.
6. Any owner or possessor of an Exotic Animal and an expired permit for that Exotic Animal shall be in violation of this ordinance, and the owner or possessor shall face the possibility of immediate seizure of the Exotic Animal and the imposition of a fine of \$1,000 plus \$250 per day for each day the Exotic Animal is in the custody of Stokes County, plus any additional costs to the county that may arise in connection with seizure of the Exotic Animal.

- F. A permit holder shall correct within seven (7) calendar days any defects that may arise in connection with that permit or face seizure of the Exotic Animal and a fine of \$1,000 plus \$250.00 per day for each day the Exotic Animal is in the custody of Stokes County, plus any additional costs to the county that may arise in connection with seizure of the Exotic Animal.

- G. Regulations proposed by the Exotic Animal Review Committee or the Stokes County Board of Commissioners, and approved by the Stokes County Board of Commissioners, shall be included in Appendix A to this ordinance.

SECTION 7. EXCEPTIONS

- A. This ordinance does not apply to the following:
 - 1. Wildlife rehabilitators licensed by a state or federal agency;
 - 2. Veterinary clinics in possession of Exotic Animals for treatment or rehabilitation purposes;
 - 3. Nonresident circuses, carnivals or traveling fairs for no longer than one seven-day period, per each separate location where such circus is held within the county per calendar year;
 - 4. Persons temporarily transporting Exotic Animals through the county, provided that such transport time shall not exceed 24 hours; and
 - 5. No references or restrictions in this ordinance apply to Exotic Animals under the control of the North Carolina Zoological Park.

SECTION 8. COSTS

- A. In the event any investigation of an Exotic Animal facility (other than the inspection associated with the renewal of a permit in Section 6) is required or requested, and the complaint is substantiated by Stokes County Animal Control, then the reasonable cost of the investigation shall be assessed against the owner or possessor of the Exotic Animal and a court order may be obtained to enforce this assessment.
- B. If at any time it becomes necessary to impound or destroy an Exotic Animal pursuant to this ordinance, then the cost of such impoundment or destruction shall be assessed against the owner or possessor of the Exotic Animal and a court order may be obtained to enforce this assessment.

SECTION 9. BREEDING/REPRODUCTION

- A. Breeding or allowing the reproduction of prohibited Exotic Animals listed in Section 3.A of this ordinance is prohibited, unless approved by the Stokes County Board of Commissioners.
- B. Any owner or possessor of an Exotic Animal found to be in violation of the above paragraph shall be in violation of this ordinance, and the owner or possessor shall face the possibility of immediate seizure of the Exotic Animal and the imposition of a fine for each Exotic Animal of \$1,000 plus \$250 per day for each day the Exotic Animal is in the custody of Stokes County, plus any additional costs to the county that may arise in connection with seizure of the Exotic Animal.

SECTION 10. SEVERABILITY

If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the Ordinance, which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared severable.

SECTION 11. EFFECTIVE DATE OF ORDINANCE

This ordinance shall take effect on the 26 day of April, 2004.

SANDY MCHUGH, CHAIRMAN
STOKES COUNTY BOARD OF COMMISSIONERS

ATTEST:

DARLENE BULLINS
CLERK TO THE BOARD

COUNTY EXOTIC ANIMAL ORDINANCE

APPENDIX A

EXOTIC ANIMAL PERMIT/REGISTRATION

Owner Information:

Owner Name: _____ DOB: _____ SS# or Driver Lic.# _____

Address: _____ City: _____

Phone: _____ Cell/Pager: _____ Work Phone: _____

Place of business: (name & address) _____

Secondary Owner Name: _____ DOB: _____ SS#/Driver Lic.# _____

Address: _____ City: _____

Phone: _____ Cell/Pager: _____ Work Phone: _____

Place of business: (name & address) _____

Animal Information:

Species: _____ Breed: _____ Sex: _____ Age: _____

Description: _____ Name: _____

Microchip #: _____ Any distinguishing marks: _____

Location of animal's containment: _____

Type of containment: _____

Veterinarian name, address, & phone: _____

Special needs of animal: _____

Are you the original owner of this animal? Yes No If "No" who was the previous owner and or where was the animal obtained?

Have you owned this animal while residing in another county/state? Yes No

If "Yes" where? _____

Upon researching the background of this animal will there be any reports of escapes or attacks? Yes No

If yes, what were the circumstances: _____

Are there children that reside at the location of this animal? Yes No

Name/Ages: _____

Parent/Guardian Name: _____ Phone: _____

Should you be out of town for any reason, who would be the primary caretaker of this animal in your absence?

Name: _____ Address: _____

City: _____ Two (2) Phone #'s: _____

As stated in Section 6.D. of the Stokes County Exotic Animal Ordinance there is a requirement of proof of insurance coverage with a minimum of \$1,000,000.00 per claim to compensate for personal injury or property damage done by this animal. Please complete the information below.

Insurance Carrier: _____ Address: _____

Phone: _____ Policy number: _____

Amount of coverage: _____

Also stated in Section 6.D. of the Stokes County Exotic Animal Ordinance there is an option of a surety bond, in lieu of the insurance policy, to be posted with the county manager in the same amount, conditioned upon payment of such damages. If this is the option you chose please sign below. The county manager can be reached at (336) 593-2448 to make an appointment for this transaction. This must be done promptly after registration is completed.

Signature: _____ Date: _____

The permit/registration fee is \$1,000.00 per Exotic Animal. This fee should be made payable to Stokes County Animal Control. You will receive a copy of the exotic animal ordinance, along with a list of restrictions. These restrictions must be completed no later than 90 days from payment of the registration fee, unless this time is extended by the Exotic Animal Review Committee. You must contact Stokes County Animal Control to arrange for an initial inspection once the restrictions are completed.

Please read and sign the following registration agreement.

I, the owner or possessor of said animal in this registration, have read and understand the following: In the event that this animal should escape the confines that meet the approval of the Exotic Animal Review Committee, I understand that if the escaped Exotic Animal should pose any immediate danger whatsoever to life, limb, or property, other than my own property, then it may be destroyed at that time by any law enforcement officer, emergency and fire responders, or citizen having the means to do so.

I understand the procedures set forth in the Exotic Animal Ordinance and will follow these regulations.

Signature: _____ Date: _____

Witness: _____

Permit Fee \$ _____ Paid by: _____ Check# _____ Cash _____