

TITLE XI.

ANIMALS

(Ord. 734, Sec. 2, 2005)

CHAPTERS:

- 11-01 General.
- 11-02 Dangerous or Vicious Animals.
- 11-03 Animal Nuisances.
- 11-04 Restricted Non-Venomous Constricting Snakes  
Possession Permit. (Source: Ord. 957, Sec. 5, 2013)
- 11-05 Records. (Source: Ord. 957, Sec. 6, 2013)

CHAPTER 11-01

GENERAL

SECTIONS:

- 11-0101. Definitions.
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  - 11-0104. Animal Kennels and Shelters.
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  - 11-0108. Shod Animals Prohibited on Walkways.
  - 11-0109. Collection of Animal Solid Waste on Public Property.
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11-0101. DEFINITIONS.

- 1. As used in this chapter, "owner" means any person, firm or corporation owning, harboring, or keeping an animal.
- 2. "At large" means off the premises of the owner and not under the control of the owner or some member of his immediate family or other authorized person either by leash, cord, or chain.
- 3. "Animal" includes every living animal except a member of the human race.
- 4. "Dangerous or Vicious Animal" is any animal that:
  - a. when unprovoked, inflicts bite(s) on any human or domestic animal either on private or public property;
  - b. has a documented history with the West Fargo Police Department or other public agency of biting or attacking any human or domestic animal;
  - c. has a known propensity, tendency, or disposition to attack, to cause injury, or otherwise threaten or endanger the safety of humans or domestic animals;  
or
  - d. is not properly vaccinated.

5. "Non-Domestic Animal" is an animal commonly considered to be naturally wild and not naturally trained or domesticated, or which are commonly considered to be inherently dangerous to the health, safety and welfare of people. Unless otherwise defined, such animals shall include, but are not limited to:
  - a. Any member of the large cat family (family felidae) including lions, tigers, cougars, bobcats, leopards and jaguars, but excluding commonly accepted domesticated house cats.
  - b. Any naturally wild member of the canine family (family canidae) including wolves, foxes, coyotes, dingoes, and jackals, but excluding commonly accepted domesticated dogs.
  - c. Any crossbreeds such as the crossbreeds between a wolf and a dog, unless the crossbreed is commonly accepted as a domesticated house pet.
  - d. Any member of or relative of the rodent family including any skunk (whether or not de-scented), raccoon, squirrel, or ferret, but excluding those members otherwise defined or commonly accepted as domesticated pets.
  - e. Any poisonous, venomous, constricting, or inherently dangerous member of the reptile or amphibian families, including rattlesnakes, restricted non-venomous constricting snakes, pit vipers, crocodiles, and alligators.
  - f. Any other animal which is not explicitly listed above, but which can be reasonably defined by the terms of this subpart, including but not limited to bears, deer, monkeys and game fish.
6. "Restricted non-venomous constricting snake" include the following non-venom producing constricting snakes:
  - a. Green anacondas;
  - b. Yellow anacondas;
  - c. Reticulated pythons;
  - d. Indian pythons;

- e. Burmese pythons;
- f. North African rock pythons;
- g. South African rock pythons;
- h. Amethystine pythons;
- i. Boa constrictors.

Source: Ord. 957, Sec. 1 (2013)

11-0102. LICENSE OR PERMIT AND REGISTRATION REQUIRED.

1. All dogs and cats over twelve (12) weeks of age kept or maintained in the City shall be licensed and registered. Dog and cat licenses shall be issued by the Police Department upon payment of an annual license fee as set forth herein. The owner, at the time of application, shall provide information detailing owner identification, animal description and proof of recommended inoculations in the form and manner as required by the Chief of Police. No license may be issued unless a dog or cat has been inoculated for rabies within twenty-four (24) months preceding the application, Provided, however, that if the prior inoculation was within twelve (12) weeks of birth, an inoculation will be required within twelve (12) months of the first inoculation. The licensing provision of the section shall not apply to dogs or cats brought into the City for the purpose of participation in any dog or cat show, nor to certified service animals properly trained to assist disabled persons when such dogs are actually kept for use by blind or otherwise disabled persons for the purpose of aiding them in going from place to place or otherwise in their daily activities.
2. The fees for obtaining a license for a dog or cat, as referenced above, shall be set by resolution of the City Commission.
3. The owner or possessor of each dog or cat shall cause a collar to be placed on the neck of the dog or cat, so licensed, with a shield furnished by the City indicating the number of the license and the year of the license. This shield shall be attached at all times while the dog or cat is outdoors within the City limits.
4. Failure to license a dog or cat shall be punishable as an infraction, and shall carry a minimum penalty of at least

a fine of One Hundred and no/100 Dollars (\$100.00) or ten (10) hours of community service.

5. All restricted non-venomous constricting snakes kept or maintained in the City shall require a permit and be registered. Snake permits shall be issued by the Police Department upon payment of an annual permit fee as set forth herein.
6. A permit must be obtained prior to purchasing or bringing any restricted non-venomous constricting snake into the City. The owner, at the time of application, shall provide information detailing owner identification, animal description by common and scientific name, size, proof of veterinary check and proof of implantation of microchip in each restricted non-venomous constricting snake.
7. The fees for obtaining a permit for a restricted non-venomous constricting snake, as referenced above, shall be set by resolution of the City Commission.
8. Failure to obtain a permit for a restricted non-venomous constricting snake or snakes shall be punishable as an infraction, and shall carry a minimum penalty of at least a fine of One Hundred and no/100 Dollars (\$100.00) and/or ten (10) hours of community service.

Source: Ord. 840, Sec. 1 (2009); Ord. 957, Sec. 2 (2013)

11-0103. TERM OF LICENSE. The license herein provided for shall be in force from the date of issuance thereof until the 1st day of January thereafter.

Source: Ord. 840, Sec. 2 (2009)

11-0104. ANIMAL KENNELS AND SHELTERS.

1. No animal kennel or shelter shall be permitted in a residentially-zoned area within the City nor within 300 feet of a residentially-zoned area or any existing actual residence. Provided further that if the animal kennel or shelter involves the temporary or permanent outside housing or keeping of animals, that written permission must first be obtained from all owners within 300 feet of the animal kennel or shelter.
2. For purposes of this section, the following definitions shall apply:

- A. Animal kennel - is a licensed or unlicensed facility, public or private, engaged in the business of breeding, buying, selling, or boarding animals.
- B. Animal shelter - is a licensed or unlicensed facility, public or private, used to confine, keep or house at any one time more than one animal seized, lost, abandoned, or given over by owners, which animals are not intended to be "permanently owned and maintained" at the facility by the owner of the facility.
- C. Permanently owned and maintained - shall mean the person housing or keeping an animal shall have the intent of permanently keeping and owning the animal, and in cases of dogs and cats, having the animals properly licensed and maintained pursuant to the provisions of Chapter 11 of the revised ordinances of the City of West Fargo.

11-0105. RABIES CONTROL.

- 1. If a dog or cat is believed to have rabies, or has been bitten by an animal suspected of having rabies, or bites a human being, such dog or cat shall be confined on the owner's premises and only be allowed outside of an enclosure under the direct supervision of an adult, provided the owner can provide proof that the animal is currently vaccinated for rabies. If no proof of a current rabies vaccination is provided, the animal will be quarantined with a licensed veterinarian or the city pound at the expense of the owner, for a period of ten (10) days from the date of the bite or from the date the animal is suspected of having rabies. The owner shall notify the Police Chief of the fact that the dog or cat has been exposed to rabies or has bitten a human being and, if in the discretion of the Chief of Police the dog or cat is not properly confined by the owner, the Police Chief is empowered to have such dog or cat removed from the owner's premises to the local pound or local veterinarian, and there placed under observation for a period of ten (10) days at the expense of the owner.
- 2. It shall be unlawful for any person, knowing or suspecting a dog or cat to have rabies, to allow such dog or cat to be taken off of such person's premises or beyond the limits of the City without the permission of the Police Chief. Every owner, or other person, upon

ascertaining a dog or cat is rabid, shall immediately notify the Police Chief or a police officer, who shall either remove the dog or cat to the pound or summarily destroy it.

3. If the animal shows clinical signs of rabies during the period of isolation, it must be humanely destroyed immediately in a manner that preserves the brain intact, and the brain tissue shall be transferred to the proper authorities to be examined for rabies.
4. Any animal confined in the city pound under the provisions of this section shall not be released until all expenses of impoundment and related veterinary care are fully paid. Owners of any dog or cat that is to be placed in the pound or destroyed pursuant to the provisions of the above sections may request the Chief of Police to review the impoundment or decision to destroy the animal.
5. The owner or other person in charge of any dog or cat, upon demand by a police officer, must surrender the dog or cat which has bitten a human or domestic animal, or which is suspected as having been exposed to rabies, to city or state officials or to a licensed veterinarian as directed by the city or state officials. It is unlawful for an owner or other person in charge of an animal to fail or refuse to surrender the animal as required by this section. Notwithstanding any other provision of this title, any dog or cat that has bitten a human or domestic animal, or that is suspected of having rabies, may be seized by a police officer.

11-0106. KEEPING OF FOWL AND OTHER NON-DOMESTIC ANIMALS. No person shall keep, feed, or maintain fowl or other non-domestic animals of any kind within the City, except horses, swine or cattle temporarily held in shipping pens for shipment to market or elsewhere, or as otherwise permitted by the applicable Zoning Ordinances of the City of West Fargo. No person shall keep, feed, or maintain restricted non-venomous constricting snakes as defined by Chapter 11-01 of the City of West Fargo Ordinances, except as otherwise permitted by the applicable Ordinances of the City of West Fargo.

1. No person that possesses a restricted non-venomous constricting snake shall fail to post and display any of the following:

- a. On each container in which a restricted non-venomous constricting snake is confined, signs warning the public that a restricted non-venomous constricting snake is in the container;
  - b. At the main entrance to each structure where a restricted non-venomous constricting snake is confined, a sign warning the public that a restricted non-venomous constricting snake is in the structure.
2. No person shall allow a restricted non-venomous constricting snake to roam off the property where it is confined.

Source: Ord. 957, Sec. 3 (2013)

11-0107. STABLES AND KENNELS. No person shall keep within the City any pig sty, kennel, stable or other animal pen or shelter in such a manner as to create or cause any offensive or noxious smell or condition, or maintain or use any such animal pen or shelter constructed in such manner as to permit the contents of filth therein to run or wash upon the premises owned or occupied by another or upon any street or other public place.

11-0108. SHOD ANIMALS PROHIBITED OF WALKWAYS. No person shall permit a shod animal to travel on the asphalt, concrete or stone apron, on or along the sidewalk, pedestrian walkway, hiking, biking, or jogging path or on any publicly owned property unless signs permitting the travel of shod animals are displayed or during an authorized parade in the City.

11-0109. COLLECTION OF ANIMAL SOLID WASTE ON PUBLIC PROPERTY. Every person having custody or control of an animal shall be equipped to, and shall collect, said animal's solid waste when eliminated on property owned by the City of West Fargo, the West Fargo Park District, or the West Fargo School District. Any person who wishes to make a complaint regarding violations of this section must appear before the Judge of the Municipal Court and sign a complaint.

CHAPTER 11-02

DANGEROUS OR VICIOUS ANIMALS OR RESTRICTED NON-VENOMOUS  
CONSTRICTING SNAKES

Source: Ord. 957, Sec. 4 (2013)

SECTIONS:

- 11-0201. Animals Running at Large Prohibited.
- 11-0202. Impounding of Animals.
- 11-0203. Notice of Impounding.
- 11-0204. Release of Animal.
- 11-0205. Proceeds of Sale.
- 11-0206. Animal Shelter.
- 11-0207. Fees.
- 11-0208. Breach of Shelter.
- 11-0209. Animal Warden.
- 11-0210. Dangerous or Vicious Animals.
- 11-0211. Harboring Dangerous or Vicious Animals.
- 11-0212. Restricted Non-venomous Constricting Snakes.

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11-0201. ANIMALS RUNNING AT LARGE PROHIBITED. No person who is the owner or keeper of any animal shall allow any animal to run at large in the City.

11-0202. IMPOUNDING OF ANIMALS. The police or animal warden shall impound any animal found running at large or abandoned and shall keep it until redeemed or otherwise disposed of. The police or animal warden shall have the right to go onto private property to carry out the purposes of this chapter and to deputize others to assist them.

11-0203. NOTICE OF IMPOUNDING. The police shall immediately give notice of impounding of any such animal to the owner, if known and if the owner can be found. A registry of impounded animals shall be kept with a general description of each animal. A copy of such registry shall be available at the animal shelter. Such shelter shall be open to inspection at reasonable times for owners to search for and to reclaim animals.

11-0204. RELEASE OF ANIMAL. Any impounded animal may be redeemed by the owner thereof by payment to the West Fargo Police Department of the fees hereinafter established; provided, however, that no animal shall be released from the shelter unless the owner thereof shall present proof that such animal has been immunized for rabies within the twelve (12) months preceding its impoundment. When such proof is not available, the owner may advance the cost of immunization and any expense incidental thereto, and after such

immunization has been accomplished, the animal may be redeemed and released upon payment of the fees provided. Any animal impounded shall bear current West Fargo animal license tags or such shall be purchased for said animal by the owner prior to being redeemed by the owner. After an animal has been held unredeemed at the shelter for a period of five (5) business days, it may be disposed of by the animal warden by selling, or by surrendering it to some person who will provide the animal a suitable home, or by euthanizing it.

11-0205. PROCEEDS OF SALE. The proceeds from the sale of any impounded animal or fowl, after the payment of all costs, fees and expenses, shall be paid into the City Treasury by the Chief of Police. The City Auditor, upon proper evidence of ownership, shall pay the same to the owner of the animal or fowl sold. If no owner or proper claimant appears and makes such proof within six (6) months from the time the money was received, the City Auditor shall turn the money so received into the general fund of the City, and it shall become the property of the City.

11-0206. ANIMAL SHELTER. The City shall maintain a suitable shelter for the safekeeping of animals taken up. The Chief of Police may contract with any person for the keeping, feeding and caring of such animals on such terms as they shall deem proper, or such duty may be delegated to the police or the animal warden.

11-0207. FEES. Fees to be collected for impounding of animals shall be fixed from time to time by the City Commission. To such fees may be added the reasonable cost of feeding and caring for such animal during the period of impoundment, as may be determined by the Chief of Police.

11-0208. BREACH OF SHELTER. No person other than the Chief of Police or some police officer delegated by the Chief of Police or the animal warden shall liberate any impounded animal. No person shall commit any breach of such shelter or interfere with the taking of animals by the Police or the animal warden.

11-0209. ANIMAL WARDEN. The City Commission may appoint an animal warden who shall catch and impound any animal found running at large in the City.

11-0210. DANGEROUS OR VICIOUS ANIMALS. Any animal defined as dangerous or vicious in Section 11-0101 of this Chapter must be kept under control at all times by its owner. No person shall keep or permit any dangerous or vicious animal within the City unless such animal is secured by a chain on the person's premises or muzzled to prevent it from biting. Any dangerous or vicious animal found running at large may be destroyed without attempting to impound the same.

11-0211. HARBORING DANGEROUS OR VICIOUS ANIMALS. Any animal owner or keeper whose animal has attacked a person or another domestic animal shall take such precautions as may be necessary to ensure that the animal does not roam off the owner's or keeper's premises and attack persons or animals. If a dangerous or vicious animal continues to stray from its owner's or keeper's premises and control, thereby causing a risk to persons and animals, any city police officer or the animal control officer may, by petition to a court of appropriate jurisdiction, request that the animal be taken into custody, following which the Court shall determine whether the animal is dangerous or vicious and whether its owner's or keeper's refusal or inability to restrain it constitutes a threat to the health, safety and welfare of the general public. If the Court determines that such a threat exists, it may make such orders as may be necessary to alleviate the danger, including the destruction of the animal in question. In the case of destruction ordered by the Court, the owner shall not be entitled to any compensation for the taking of the animal.

11-0212. RESTRICTED NON-VENOMOUS CONSTRICTING SNAKES. Any animal defined as a restricted non-venomous constricting snake in Section 11-0101 of this Chapter must be kept under control at all times by its owner. No person shall keep or permit any restricted non-venomous constricting snake within the City unless such animal is secured on the person's premises. Any restricted non-venomous constricting snake found at large may be destroyed without attempting to impound the same. The owner of any restricted non-venomous constricting snake must notify the Police Department immediately upon the loss or escape of the restricted non-venomous constricting snake from the owner's possession. Failure to report any lost or escaped restricted non-venomous constricting snakes shall be punishable as an infraction, and shall carry a minimum penalty of at least a fine of One Hundred and no/100 Dollars (\$100.00).

CHAPTER 11-03

ANIMAL NUISANCES

SECTIONS:

- 11-0301. Animal Noises.
- 11-0302. Habitually Barking, Crying or Howling Animal Declared Public Nuisance.
- 11-0303. Habitually Barking, Crying or Howling Animal - Procedure for Complaint.
- 11-0304. Animal Nuisances.
- 11-0305. Poisonous Animals.

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11-0301. ANIMAL NOISES. No person shall keep within the City any animal which by loud and frequent barking, howling, yelping or other animal noises disturbs the peace and quiet or annoys any citizens.

11-0302. HABITUALLY BARKING, CRYING OR HOWLING ANIMAL DECLARED PUBLIC NUISANCE. No person shall keep or harbor any animal which habitually barks, cries or howls. Any such animals which habitually bark, cry or howl are hereby declared to be a public nuisance. "Habitual barking, crying or howling" shall be defined as barking, howling or crying for repeated intervals of at least three minutes with less than one minutes of interruption. Such barking, crying or howling must be audible off of the owner or keepers premises.

11-0303. HABITUALLY BARKING, CRYING OR HOWLING ANIMAL-PROCEDURE FOR COMPLAINT. Any person desiring to sign a complaint against the owner of a habitually barking, crying or howling animal must contact the West Fargo Police Department and state his or her name, address, and facts supporting the alleged nuisance. The Police Department, upon receipt of a sufficient complaint, shall then notify the person owning, harboring, or keeping the animal that a complaint has been received and that such nuisance must be abated within forty-eight (48) hours, and remain abated for a period of two (2) months. Notice shall be sufficient for purposes of this section if the alleged violator is informed orally of the complaint or if notice of the complaint is posted upon a door of the residence where the alleged violation occurred. If the animal is not quieted within the above time period, and for the prescribed time period, a formal complaint may be signed before the Municipal Judge and served upon the owner.

11-0304. ANIMAL NUISANCES. The following conditions are hereby declared to be nuisances within the meaning of this title, and no person having ownership or custody of any animal described herein shall:

1. Fail to prohibit any animal from interfering with people, automobiles or bicycles on streets or sidewalks.
2. Fail to prohibit any animal from destroying, defacing or damaging shrubbery, lawns, flowers, gardens or other property.
3. Keep any animal which kills or injures any person or domestic animal.
4. Fail to confine any female animal in heat in a closed building so that such animal cannot come into contact with another animal except for planned and supervised breeding.
5. Allow the accumulation of excrement or other waste materials from an animal which result in foul or noxious odors that are offensive to surrounding residents.

11-0305. POISONOUS ANIMALS. No person shall keep or possess within the City any poisonous animal, reptile, amphibian, fish, insect or any other animal that poses a threat to the public health and safety. Such animal may be impounded by a police officer or animal warden and disposed of in the manner determined to be in the best interest of the public health and safety.

CHAPTER 11-04

RESTRICTED NON-VENOMOUS CONSTRICTING SNAKES POSSESSION PERMIT

Source: Ord. 957, Sec. 5 (2013)

SECTIONS:

- 11-0401. Time Requirement to Apply for Permit.
- 11-0402. Permit Application Requirements.
- 11-0403. Granting Permit Conditions.
- 11-0404. Permit Renewal.
- 11-0405. Maximum Number Allowed.
- 11-0406. Public Displays.
- 11-0407. Propagation Permit.
- 11-0408. Granting Propagation Permit Conditions
- 11-0409. Propagation Permit Renewal
- 11-0410. Propagation Permit Penalty.

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11-0401. TIME REQUIREMENT TO APPLY FOR PERMIT. Any person who wishes to possess a restricted non-venomous constricting snake shall obtain a possession permit under this section prior to coming into possession of the snake or snakes. An applicant need apply for only one permit regardless of the number of restricted non-venomous constricting snakes the applicant wishes to possess up to the maximum allowed by ordinance.

11-0402. PERMIT APPLICATION REQUIREMENTS. An applicant for a possession permit shall file an application for a permit with the Police Department on a form prescribed and provided by the Police Department. The application shall include all of the following:

1. The name, date of birth and address of the applicant;
2. If different from the information provided under 11-0402(1) of this section, the name and address of the location where each restricted non-venomous constricting snake(s) will be confined;
3. A description of each restricted non-venomous constricting snake, including the scientific and common names, the snake's sex, age, color, and weight, and any distinguishing marks or coloration that would aid in the identification of the snake;
4. A photograph of each restricted non-venomous constricting snake to aid in the identification of the snake;

5. A written statement from a veterinarian stating that the veterinarian is willing to provide veterinary care to an applicant's restricted non-venomous constricting snake or snakes when the care is needed and proof of implantation of a microchip in each restricted non-venomous constricting snake with a diameter of 1 3/4 or greater;
6. Any additional information required in the rules.

An applicant shall submit a fee of One Hundred Fifty and no/100 Dollars (\$150.00) with an application.

11-0403. GRANTING PERMIT CONDITIONS. A permit may be issued to an applicant only if all of the following apply:

1. The applicant is eighteen (18) years of age or older.
2. The applicant has not been convicted of or pleaded guilty to an offense related to animal cruelty or neglect.
3. The applicant has submitted a complete application that meets the requirements of this section.
4. The applicant has submitted the application fee established in this section.
5. If a permit is denied, the application fee, less the costs associated with the criminal records check, will be returned to the applicant.

11-0404. PERMIT RENEWAL. Not later than the first day of December each year, a permit holder shall apply to the Police Department, on a form prescribed and provided by the Police Department, for a renewal of the permit if the permit holder intends to retain possession of the restricted non-venomous constricting snake or snakes that are identified in the permit.

1. The permit shall be renewed if the permit holder complies with this chapter and rules and pays a renewal fee of Fifty and no/100 Dollars (\$50.00).
2. If the application for renewal of the permit is denied, the applicant shall be notified of the denial, grounds for the denial, and the person's right to an appeal.
3. If the applicant does not appeal the determination to deny the application for a permit or renewal of a permit or if the determination to deny the permit is affirmed,

not later than thirty (30) days after the decision not to appeal or after the determination is affirmed, as applicable, the person shall transfer the restricted non-venomous constricting snake or snakes that the person possess to a humane society, wildlife sanctuary, facility that is an accredited member of either the association of zoos and aquariums or the zoological association of America, or facility that is located in another state and complies with that state's applicable laws. After the transfer has occurred, the person shall submit proof to the Police Department that the restricted non-venomous constricting snake or snakes were transferred and shall specify the society, sanctuary, or facility to which the snake or snakes were transferred. The person is responsible for all costs associated with the transfer of the restricted non-venomous constricting snake or snakes.

11-0405. MAXIMUM NUMBER ALLOWED. No owner may possess more than three (3) restricted non-venomous constricting snakes unless owner has been issued a propagation permit under this section.

11-0406. PUBLIC DISPLAYS. No restricted non-venomous constricting snakes shall be displayed in public without prior approval from the Police Department. A violation of this section shall be punishable as an infraction, and shall carry a minimum penalty of at least a fine of Two Hundred Fifty and no/100 Dollars (\$250.00) or twenty five (25) hours of community service.

11-0407. PROPAGATION PERMIT. No owner may propagate the species unless the owner has obtained a propagation permit from the Police Department. The propagation permit is in addition to any other permits required under this section. An applicant for a propagation permit shall file an application for a permit with the Police Department on a form prescribed and provided by the Police Department. The application shall include all of the following:

1. The name, date of birth and address of the applicant;
2. If different from the information provided under 11-0407(1) of this section, the name and address of the location where each propagating restricted non-venomous constricting snake(s) will be confined;
3. A description of each propagating restricted non-venomous constricting snake, including the scientific and common names, the snake's sex, age, color, and weight, and any distinguishing marks or coloration that would aid in the identification of the snake;

4. A photograph of each propagating restricted non-venomous constricting snake to aid in the identification of the snake;
5. A written statement from a veterinarian stating that the veterinarian is willing to provide veterinary care to an applicant's propagating restricted non-venomous constricting snake or snakes when the care is needed and proof of implantation of a microchip in each restricted non-venomous constricting snake with a diameter of 1 3/4 inches or greater;
6. Proof that the applicant has at least two years of experience in the care of the species of restricted non-venomous constricting snake or snakes that are the subject of the application.
7. Any additional information required in the rules.
8. Except as otherwise provided in this section, an applicant for a restricted non-venomous constricting snake propagation permit shall comply with the requirements and procedures established herein.

An applicant shall submit a fee of Twenty Five and no/100 Dollars (\$25.00) with an application.

11-0408. GRANTING PROPAGATION PERMIT CONDITIONS. A permit may be issued to an applicant only if all of the following apply:

1. The applicant is eighteen (18) years of age or older.
2. The applicant has not been convicted of or pleaded guilty to a felony drug abuse offense, an offense of violence that is a felony, or an offense related to animal cruelty or neglect.
3. The applicant has submitted a complete application that meets the requirements of this section.
4. The applicant has submitted the application fee established in this section.
5. If a permit is denied, the application fee, less the costs associated with the criminal records check, will be returned to the applicant.

11-0409. PROPAGATION PERMIT RENEWAL. Not later than the first day of December each year, a propagation permit holder shall

apply to the Police Department, on a form prescribed and provided by the Police Department, for a renewal of the propagation permit if the propagation permit holder intends to propagate the restricted non-venomous constricting snake or snakes that are identified in the permit.

1. The propagation permit shall be renewed if the propagation permit holder complies with this chapter and rules and pays a renewal fee of Twenty Five and no/100 Dollars (\$25.00).
2. If the application for renewal of the propagation permit is denied, the applicant shall be notified of the denial, grounds for the denial, and the person's right to an appeal.
3. If the applicant does not appeal the determination to deny the application for a propagation permit or renewal of a propagation permit or if the determination to deny the propagation permit is affirmed, not later than thirty days after the decision not to appeal or after the determination is affirmed, as applicable, the person shall transfer the restricted non-venomous constricting snake or snakes that the person possess to a humane society, wildlife sanctuary, facility that is an accredited member of either the association of zoos and aquariums or the zoological association of America, or facility that is located in another state and complies with that state's applicable laws. After the transfer has occurred, the person shall submit proof to the Police Department that the restricted non-venomous constricting snake or snakes were transferred and shall specify the society, sanctuary, or facility to which the snake or snakes were transferred. The person is responsible for all costs associated with the transfer of the restricted non-venomous constricting snake or snakes.

11-0410. PROPAGATION PERMIT PENALTY. Failure to obtain or maintain a propagation permit shall be punishable as an infraction, and shall carry a minimum penalty of at least a fine of Two Hundred Fifty and no/100 Dollars (\$250.00) and twenty five (25) hours of community service and loss of any restricted non-venomous constricting snake permit for at least two (2) years.

CHAPTER 11-05

RECORDS

Source: Ord. 957. Sec. 6 (2013)

SECTIONS:

11-0501. Record Keeping.

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11-0501. RECORD KEEPING. A person who has been issued a permit under this chapter shall maintain records of all of the following regarding each restricted non-venomous constricting snake that the permit holder possess:

1. The scientific and common names of the snake, including the species;
2. If the snake was purchased or otherwise acquired from another person, the name and address of the other person;
3. The date on which the snake was acquired, if applicable;
4. If the permit holder propagates restricted non-venomous constricting snakes, the date of birth of the snake if the snake was propagated by the permit holder;
5. The name and address of the person to whom the snake was sold or otherwise transferred, if applicable;
6. The date on which the snake died or escaped, if applicable.
7. The identification number of the microchip that is implanted in the restricted non-venomous constricting snake.