

CITY OF RALEIGH
MEMORANDUM



To: Mayor and Members of the Raleigh City Council

From: Robin L. Tatum, City Attorney
Tansy Hayward, Assistant City Manager

Date: June 15, 2022

Re: Proposed Dangerous Wild Animal Ordinance

cc: Marchell Adams David, City Manager

At the June 7, 2022 Council Meeting, Council voted to bring back a presentation on Option 2 presented to the GNR Committee for an ordinance regulating Dangerous Wild Animals. Those proposed terms are attached to this Memorandum for Council's consideration.

**Dangerous Wild Animal (“DWA”) Ordinance
Summary of Proposed Provisions for Option 2
(Ban with Grandfathering and Registration)**

DEFINITIONS:

Dangerous Wild Animal. Any non-domesticated animal, which is normally found in the wild state, is inherently dangerous to person or property, and which generally does not live in or about the habitation of humans, including but not limited to lions, tigers, leopards, cougars, jaguars, cheetahs, wolves, non-human primates, *medically significant venomous snakes*, crocodilians, and any hybrid or crossbreed of such animals. Where the City is preempted by federal or state law from exercising its power to regulate dangerous wild animals as herein defined, this definition shall not apply for purposes of enforcement of this Chapter.

- *Medically Significant Venomous Snake.* A medically significant venomous snake means a venomous or poisonous species whose venom or toxin can cause death or serious illness or injury in humans that may require emergency room care or immediate care of a physician.

Option 2. (As presented to GNR Committee). An ordinance that would ban dangerous wild animals, but would allow existing owners to keep animals they already own for the life of the animal provided they register with the City and comply with other regulations. (“Ban with GF and Registration”).

Summary of Proposed Provisions

What is prohibited? It shall be unlawful for any person to harbor, possess, keep, maintain, release, transport, or have under his/her control with the City any dangerous wild animal. Council would need to select an effective date.

What are the exemptions? The provisions in this Section shall not apply to the following: AZA-accredited zoos; scientific research laboratories; veterinarians harboring such animals for purposes of providing professional medical treatments; educational or scientific institutions (public and private) in the course of their educational or scientific work; wildlife rehabilitators or others with proper

State or Federal licenses or permits or wildlife agents in the course of the work for which they are approved by the Wildlife Resources Commission. These exemptions apply only if the animals are maintained in a manner that complies with other applicable state and federal regulations.

Grandfathering for Individuals Who Possess a DWA:

Any person who possesses a DWA currently may continue to do so for the life of the animal, as long as they comply with the requirements of this Section, including registration.

- Grandfathered DWAs must be registered as set forth below unless they fall within an exemption.
- Registration should be with Animal Control on a form approved by the City Manager, which includes a reasonable fee. Information included:
 - (a) name
 - (b) address and phone number
 - (c) type of animal

- (d) certification that owner is abiding by all local, state and federal regulations
- (e) be at least 18 years old
- (f) must have no felonies or convictions related to abuse or neglect of animals
- (g) detailed inventory of animals with descriptions and photo of animals
- (h) requirement to notify City when the animal is moved to another location
- (i) plan for transfer of ownership or destruction if owner can no longer care for animal
- (j) maintain health records of animal
- (k) proof of ownership, such as a bill of sale
- (l) certifies that owner will only keep up to 10 medically significant venomous snakes
- (m) possesses liability insurance
- (n) immediately will report the escape of the DWA.

Impoundment: Any dangerous wild animal which is harbored, transported, kept, or possessed by any person in violation of this Section may be taken and impounded by the animal control unit of the Police Department for the protection of the animal, the public or both.

Penalties and Reimbursement: Any person who violates this Section shall be subject to a civil penalty of \$500.00 per animal, as well as reimbursement to the City for all costs incurred while impounding, attempting to recapture, shelter, or euthanize in the event of an escaped dangerous wild animal. Each day of a continuing violation shall constitute a separate offense. A violation of this Section is also a misdemeanor and may also be enforced through injunctive or other equitable relief, or a combination of remedies.