

1998-1 PROHIBITION OF POSSESSION OF DANGEROUS WILD ANIMALS AND CONTROLLED EXOTIC SNAKES

§ 1.01 Definition

In these regulations, "dangerous wild animal" means:

- (a) a lion;
- (b) a tiger;
- (c) an ocelot;
- (d) a cougar;
- (e) a leopard;
- (f) a cheetah;
- (g) a jaguar;
- (h) a bobcat;
- (I) a lynx;
- (j) a serval;
- (k) a caracal;
- (l) a hyena;
- (m) a bear;
- (n) a coyote;
- (o) a jackal;
- (p) a baboon;
- (q) a chimpanzee;
- (r) an orangutan;
- (s) a gorilla; or
- (t) any hybrid of an animal listed in this subdivision.

§ 1.02 Scope

(a) This order applies to unincorporated areas of the County.

(b) This order does not apply to:

(1) a county, municipality, or agency of the state or an agency of the United States or an agent or official of a county, municipality, or agency acting in an official capacity;

(2) a research facility, as that term is defined by §2(e), Animal Welfare Act (7 U.S.C. §2132), and its subsequent amendments, that is licensed by the secretary of agriculture of the United States under that Act;

(3) an organization that is an accredited member of the American Zoo and Aquarium Association;

(4) an injured, infirm, orphaned, or abandoned dangerous wild animal while being transported for care or treatment;

(5) an injured, infirm, orphaned, or abandoned dangerous wild animal while being

rehabilitated, treated, or cared for by a licensed veterinarian, an incorporated humane society or animal shelter, or a person who holds a rehabilitation permit issued under Subchapter C, Chapter 43, Parks and Wildlife Code;

(6) a dangerous wild animal owned by and in the custody and control of a transient circus company that is not based in this state if:

(A) the animal is used as an integral part of the circus performances; and

(B) the animal is kept within this state only during the time the circus is performing in this state or for a period not to exceed 30 days while the circus is performing outside the United States;

(7) a dangerous wild animal while in the temporary custody or control of a television or motion picture production company during the filming of a television or motion picture production in this state;

(8) a dangerous wild animal owned by and in the possession, custody, or control of a college or university solely as a mascot for the college or university;

(9) a dangerous wild animal while being transported in interstate commerce through the state in compliance with the Animal Welfare Act (7 U.S.C. §2131 et seq.) and its subsequent amendments and the regulations adopted under that Act;

(10) a nonhuman primate owned by and in the control and custody of a person whose only business is supplying nonhuman primates directly and exclusively to biomedical research facilities and who holds a Class "A" or Class "B" dealer's license issued by the secretary of agriculture of the United States under the Animal Welfare Act (7 U.S.C. §2131 et seq.) and its subsequent amendments; and

(11) a dangerous wild animal that is:

(A) owned by or in the possession, control, or custody of a person who is a participant in a species survival plan of the American Zoo and Aquarium Association for that species; and

(B) an integral part of that species survival plan.

§ 1.03 Possession Prohibited

No person may possess a dangerous wild animal.

§ 1.04 Penalty

A person who violates a provision of the subchapter or a rule adopted under these regulations commits a Class C misdemeanor for each day, or part thereof, that a violation is established to have occurred. The County Attorney or other attorney representing the County may file an action to enjoin a violation or threatened violation of this Order.

§2.00 Preamble

The Commissioners Court of Wilson County determines that controlled exotic snakes are dangerous, and in need of control in Wilson County, for the health and safety of the residents of Wilson County.

§2.01 Definitions

The following words and terms, when used in this subchapter, shall have the following meanings, unless the context clearly indicates otherwise.

- (1) Controlled exotic snake--Any live snake that is:
 - (A) a venomous snake not indigenous to Texas;
 - (B) any of the following:
 - (i) African rock python (*Python sebae*);
 - (ii) Asiatic rock python, (*Python molurus*);
 - (iii) green anaconda, (*Eunectes murinus*);
 - (iv) reticulated python, (*Python reticulatus*);
 - (v) southern African python, (*Python natalensis*); or
 - (C) a hybrid of any species listed in this paragraph.
- (2) Possession--Actual care, custody, or control.

¶ 2.02 Scope

- (a) This order applies to unincorporated areas of the County.
- (b) This order does not apply to:
 - (1) a county, municipality, or agency of the state or an agency of the United States or an agent or official of a county, municipality, or agency acting in an official capacity;
 - (2) a research facility, as that term is defined by ¶2(e), Animal Welfare Act (7 U.S.C. ¶n 2132), and its subsequent amendments, that is licensed by the Secretary of Agriculture of the United States under that Act;
 - (3) an organization that is an accredited member of the American Zoo and Aquarium Association;
 - (4) a controlled exotic snake while in the temporary custody or control of a television or motion picture production company during the filming of a television or motion picture production in this state; and
 - (5) a controlled exotic snake while being transported through the county by a common carrier.

¶ 2.03 Possession Prohibited

No person within the scope of this order may possess a controlled exotic snake, unless,

- (1) that person possesses a controlled exotic snake permit from the State of Texas.
- (2) controlled exotic snake is housed in a sturdy and secure enclosure.
 - (A) enclosures shall be designed to be escape proof, bite proof and have an operable lock. Additionally, controlled exotic venomous snake enclosures shall be clearly labeled with 'Venomous Snake Inside'.
 - (B) each enclosure shall be clearly and visibly labeled with the scientific name, common name, number of specimens noted on the enclosure. Additionally, controlled exotic venomous snake enclosures shall be clearly labeled with 'Venomous Snake Inside'.
 - (C) controlled exotic venomous snake transport containers shall be designed to be escape proof, bite proof and shall be clearly and visibly labeled 'Venomous Snake Inside' with scientific name and common name noted on the container.
- (3) a written bite protocol shall be required for controlled exotic venomous snakes. It shall include emergency contact information, local animal control office, the name and location of suitable antivenom, first aid procedures and treatment guidelines, as well as, an escape recovery plan must be within sight of permanent housing and a copy must accompany the transport of any exotic venomous snake.
- (4) in the event of an escape of any controlled exotic snake, the owner or possessor of the controlled exotic snake shall immediately notify local law enforcement.
- (5) a clearly labeled inventory of controlled exotic snakes shall be posted immediately inside main entryway of facility, and within plain sight.
- (6) All Texas Parks and Wildlife controlled exotic snake permit holders shall fax, email or deliver a copy of their permit, along with their name, address and phone number, to Wilson County Sheriff's Dispatch Office within 90 days of establishing residence in Wilson County; or, if a current resident of Wilson County, within 90 days of ratification of this ordinance.

¶ 2.04 Penalty

A person who violates a provision of the subchapter or a rule adopted under these regulations commits a Class C misdemeanor for each day, or part thereof, that a violation is established to have occurred. The County Attorney or other attorney representing the County may file an action to enjoin a violation or threatened violation of this Order.

¶ 2.05 Effective Date

(a) Section 2.03 takes effect on immediately (November 26, 2012) as to controlled exotic snakes defined under Section 2.01(1)(A).

(b) Section 2.03 takes effect on January 1, 2013, as to controlled exotic snakes defined under Section 2.01(1)(B).

*Passed by Wilson County Commissioners Court January 26, 1998.
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Recorded in Volume 1K, Page 848, Minutes of Wilson County Commissioners Court.*

*Further recorded in Volume 1K, Page 906, Minutes of Wilson County
Commissioners Court.*

*Amended by Wilson County Commissioners Court January 2, 2002.
Recorded in Volume 1S, Page 444, Minutes of the Wilson County Commissioners Court*

*Amended by Wilson County Commissioners Court November 26, 2012.
Recorded in Volume 2M, Page 621, Minutes of the Wilson County Commissioners Court*

*Amended by Wilson County Commissioners Court December 10, 2012.
Recorded in Volume _____, Page _____, Minutes of the Wilson County Commissioners Court*

*Amended by Wilson County Commissioners Court March 25, 2013.
Recorded in Volume 2N, Page 465, Minutes of the Wilson County Commissioners Court*

Authorized by Chapter 240 TEXAS LOCAL GOVERNMENT CODE.