

ORDINANCE 1293

AN ORDINANCE OF THE CITY OF PAYETTE, IDAHO, CREATING A NEW CHAPTER 6.10 IN TITLE 6 REGULATING EXOTIC ANIMALS; SETTING AN EFFECTIVE DATE; ALLOWING PUBLICATION IN SUMMARY FORM; ESTABLISHING A PENALTY; ESTABLISHING SEVERABILITY; ESTABLISHING A REPEALER.

WHEREAS, the City of Payette desires to help insure the safety and health of the residents of the City; and,

WHEREAS, certain exotic animals pose a threat to the safety and health of the residents and are inherently dangerous.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF PAYETTE, IDAHO:

Section 1. The Payette Municipal Code is amended by the addition of a new Chapter 6.10, entitled "Exotic Animals," which chapter shall read as follows:

Chapter 6.10

EXOTIC ANIMALS

Sections:

6.10.010 Definitions
6.10.020 Prohibition
6.10.030 Provisions
6.10.040 Penalty

6.10.010 Definitions

Exotic or Wild Animal: Those species of animals that are exotic to humans. Exotic Animals are any animal which is wild, fierce, dangerous, noxious or naturally inclined to do harm. Exotic or Wild animals, however domesticated, shall also include, but not be limited to:

A. Class Mammalia

1. Order Artiodactyla (except domestic sheep and llamas but only after receiving a conditional use permit).
2. Order Carnivora (only those specified below):

- a. Dog family (Canidae): All except domesticated dogs, including wolf, fox, coyote, dingo, jackals, wolf hybrids, etc.
- b. Cat family (Felidae): All except commonly accepted domestic cats, including lions, pumas, panthers, mountain lions, leopards, jaguars, ocelots, magays, tigers, wild cats, cougars, etc.
- c. Bears (Ursidae): All bears, including grizzly bears, brown bears, black bears, etc.
- d. Weasels (Mustelidae): All including weasels, martens, mink, wolverine, ferrets, badgers, otters, ermine, mongoose, etc.
- e. Raccoons (Procyonidae): All raccoons and civets.
- f. Porcupine (Erethizontidae): All porcupines
- g. Skunks.

B. Class Reptilia

- 1. Order Squamata:
 - a. All venomous and constricting snakes or lizards.
- 2. Order Crocodilia:
 - a. All alligators, crocodiles, caimans, gavials, etc.

C. Venomous Invertebrates

6.10.020 Prohibited Acts

It shall be unlawful for any person, corporation or entity to harbor, keep, maintain or possess within the City of Payette any wild or exotic animal as defined herein.

6.10.030 Provisions

The Provisions of section 6.10.020 shall not apply to approved circuses within the City of Payette.

6.10.040 Penalties

Any violation of this Ordinance shall be a misdemeanor punishable by fine and/or imprisonment up to but not exceeding the maximum penalties set forth in Idaho Code § 50-302, as amended. Each day during which a violation takes place or is allowed to continue shall constitute a separate violation of this chapter.

Section 2. This Ordinance may be published in summary form allowed by Idaho Code.

Section 3. This Ordinance shall be in full force and effect immediately upon passage and publication as required by the laws of the State of Idaho.

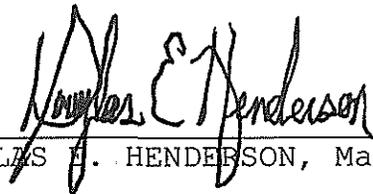
Section 4. Any ordinances or resolutions which are in conflict with this Ordinance are hereby repealed, but only insofar as the conflict exists.

Section 5. If any portion of this Ordinance should be found to be unconstitutional or unenforceable for any reason, the remainder of the Ordinance shall be applied to effectuate the purposes of this Ordinance.

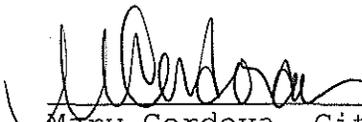
Section 6. Any violation of this Ordinance shall be a misdemeanor punishable by fine and/or imprisonment up to but not exceeding the maximum penalties set forth in Idaho Code § 50-302, as amended. Each day during which a violation takes place or is allowed to continue shall constitute a separate violation of this chapter.

PASSED and APPROVED by the Mayor and City Council of the City of Payette, Idaho this 17th day of MARCH, 2008.

CITY OF PAYETTE, IDAHO

by 
DOUGLAS E. HENDERSON, Mayor

ATTEST:


Mary Cordova, City Clerk