

Animal Ordinance
Sedgwick County,
Kansas

Sedgwick County, Kansas

Chapter 5 --ANIMALS

ARTICLE 1. IN GENERAL

Sec. 5-1. Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Exotic animal is any animal which is not native or indigenous to Kansas or does not have an established wild population in Kansas and, in addition, North American cougars or pumas (*Felis concolor*) and bobcats (*Felis rufus*) and hybrids thereof.

Inherently dangerous exotic mammal is any member of the canidae, felidae, or ursidae families, including hybrids thereof, which, due to their inherent nature, may be considered dangerous to humans.

(1) Canidae include any member of the dog (canid) family not customarily domesticated by man, or any hybrids thereof including wolf hybrids which are a cross between a wolf and a domestic dog, but not including domestic dogs (*Canis familiaris*).

(2) Felidae include any member of the cat family weighing over fifteen (15) pounds not customarily domesticated by man, or any hybrids thereof, but not including domestic cats (*Felis catus*).

(3) Ursidae include any member of the bear family, or any hybrids thereof.

Inherently dangerous reptile is any member of the class reptilia which:

(1) is venomous. A venomous reptile shall include all members of the families Helodermae (gila monsters and Mexican beaded lizards), Viperidae (vipers), Crotalidae (pit vipers), Atractaspidae (burrowing asps), Hydrphilidae (sea snakes), and Elapidae (cobras, coral snakes, and their allies), as well as any "rear fanged" snakes of the family Colubridae that are known to be dangerous to humans (including, but not limited to *Dispholidus* types [boomslang], *Thebtonis kirtlandii* [twig snake], *Rhahdophisspp.* [keelbacks]).

(2) is a member of the family Boidae (boas and pythons) and reaches an adult length greater than ten (10) feet and/or an adult weight greater than fifteen (15) pounds (Python reticulatus [reticulated python], *Eunectes* sp. [anaconda], *Python morlurus* [Burmese python], *Python sebae* [African rock python], *Boa constrictor* sp. [boa constrictor], and *Python curtus* [blood python]).

(3) is a member of the order Crocodilia (crocodiles, alligators, and caiman).

Harborer of an inherently dangerous exotic mammal or inherently dangerous reptile is any person or persons, regardless of ownership, who allows an inherently dangerous exotic mammal or inherently dangerous reptile to remain, lodge, or be fed or to be given shelter or refuge within the person's home, store, yard, enclosure, outbuilding, abandoned vehicle or building, place of business, or any other premises in which the person resides or over which the person has control.

Sec. 5-5. Animal pickup fees; violation; penalty.

(5) Minimum of one hundred dollars (\$ 100.00) per animal for the take up of any inherently dangerous exotic mammal or inherently dangerous reptile, to be paid by the animal's owner and/or violator of this Chapter to county animal control. This fee shall be paid regardless of whether the animal is returned to the owner or violator.

ARTICLE VII. EXOTIC ANIMALS

DIVISION 1. POSSESSION

Sec. 5-226. Possession.

(a) The only person or persons who may possess an inherently dangerous exotic mammal within Sedgwick County are those persons who have facilities which are currently licensed by the United States Department of Agriculture (USDA) and/or those individuals who own or possess an inherently dangerous exotic mammal on the date of enactment of this Article. To continue to own or possess said mammal(s), all such persons must obtain a license from Sedgwick County to possess an inherently dangerous exotic mammal pursuant to Division 2 of this Article and demonstrate to the animal control officer that the standards provided for in Division 3 of this Article are satisfied. Said license shall be only for those mammal(s) the individual possessed on the date of the enactment of this Article and, other than USDA licensed facilities, individuals shall not possess, nor will they be given licenses for any other, additional, or subsequently acquired or possessed inherently dangerous exotic mammal(s). In addition, any individual who possesses an inherently dangerous exotic mammal shall prove to the animal control officer that the individual has a current surety bond in the amount of fifty thousand dollars (\$50,000.00) written to cover any acts of the animal and the bond shall list the county clerk as an entity to be notified ten (10) days in advance if the surety bond is canceled for any reason.

(b) To own or possess an inherently dangerous reptile within Sedgwick County, the person must be at least eighteen (18) years of age, obtain a license pursuant to Division 2 of this Article, and demonstrate to the animal control officer that the standards provided for in Division 3 of this Article are satisfied.

(c) Any person who is granted a license pursuant to this Article to keep an inherently dangerous exotic mammal, other than USDA licensed facilities, must have a microchip implanted in each and every mammal as a means of permanent identification.

(d) At no time may any person or persons harbor an inherently dangerous exotic mammal or inherently dangerous reptile.

(e) Any person who sells, gives, or in any way transfers possession or ownership of an inherently dangerous exotic mammal or inherently dangerous reptile shall maintain records reflecting the name, address, and telephone number of the receiver of the animal; the state and county in which the receiver lives; and, a complete and accurate description of the animal transferred to the receiver (including its microchip identification if it is an inherently dangerous exotic mammal). If the receiver is a resident of Sedgwick County, the records shall reflect information sufficient to show the receiver possesses a current and proper license pursuant to this Article. Such records shall be made available to the animal control officer for inspection upon request. Such records shall be maintained for a minimum of seven (7) years.

Sec. 5-227. Exceptions.

This Article does not apply to:

(1) The Sedgwick County Zoo and the Kansas Wildlife Exhibit, or any facility accredited by the Association of Zoos and Aquariums (AZA).

(2) Medical institutions.

(3) Educational institutions.

(4) Veterinary clinics in possession of such mammals or reptiles for treatment or rehabilitation purposes.

(5) Non-resident circuses.

(6) Non-resident carnivals.

(7) Persons temporarily transporting such mammals or reptiles through the county, provided that the transit time shall not be more than three (3) days.

DIVISION 2. LICENSING AND INSPECTION

Sec. 5-228. Licensing and inspections required.

(a) To obtain a license to keep an inherently dangerous exotic mammal or inherently dangerous reptile within Sedgwick County, a person shall make written application to the animal control officer. Such application shall contain such information as the animal

control officer deems necessary to assist in determining whether the license should be approved.

(b) An application to keep an inherently dangerous exotic mammal shall be accompanied by a nonrefundable fee of one hundred dollars (\$100.00) per mammal with a maximum of five hundred dollars (\$500.00) per facility, payable to Sedgwick County to defray the cost of inspecting the facility and issuing the license.

(c) An application to keep an inherently dangerous reptile shall be accompanied by a nonrefundable fee of fifty dollars (\$50.00) per reptile with a maximum of two hundred fifty dollars (\$250.00) per facility, payable to Sedgwick County to defray the cost of inspecting the facility and issuing the license.

Sec. 5-229. Renewal of license.

(a) The license to keep an inherently dangerous exotic mammal shall be renewed annually on or before the date of issue upon the submission of an annual fee of one hundred dollars (\$100.00) per mammal, or a maximum of five hundred dollars (\$500.00) per facility, payable to Sedgwick County and an annual inspection by the animal control officer.

(b) The license to keep an inherently dangerous reptile shall be renewed annually on or before the date of issue upon the submission of an annual fee of fifty dollars (\$50.00) per reptile, or a maximum of two hundred fifty (\$250.00) per facility, payable to Sedgwick County and an annual inspection by the animal control officer.

(c) The animal control officer shall notify the licensee not less than one month before the expiration of the license that the renewal fee and annual inspection are due.

(d) Any condition imposed on the approval or renewal of the license shall be strictly adhered to by the applicant licensee and failure to do so constitutes cause for non-issuance, non-renewal, or immediate revocation of the license.

(e) The animal control officer shall maintain a record of the date of issuance of, the conditions imposed on, and the person to whom a license has been issued pursuant to this Article. The animal control officer may inspect the premises which are the subject of the license at any time to determine whether the licensee is in compliance with the license and the provisions of this Article.

DIVISION 3. STANDARDS FOR HOUSING AND CARE

Sec. 5-230. Housing and care of Canidae and hybrids thereof.

The following standards for housing and care of inherently dangerous exotic canidae and hybrids thereof shall be met in order for a person to obtain, maintain, and/or renew a license pursuant to this Article.

(1) Enclosure dimensions. A single small canid (or hybrid thereof) weighing less than thirty-five (35) pounds shall have an enclosure measuring at least eight (8) feet by twelve (12) feet or ninety-six (96) square feet. For each additional small canid (or hybrid thereof), the enclosure shall be increased by fifty percent (50%). A single large canid (or hybrid thereof) weighing thirty-five (35) pounds or more shall have an enclosure measuring at least ten (10) feet by fifteen (15) feet or one hundred fifty (150) square feet. For each additional large canid (or hybrid thereof), the enclosure shall be increased by fifty percent (50%). Each and every enclosure shall have a secondary barrier (fence) to prevent access to the area by the general public.

(2) Enclosure materials. Enclosures for canids and hybrids thereof shall be constructed of not less than 9-gauge chain link. Perimeter barriers shall be at least eight (8) feet high and include an inward-facing overhang. In addition to vertical barriers, all perimeters shall also have either a concrete footing or horizontal protective matting around the entire enclosure to prevent escape through digging. All enclosures shall have double doors between the animal and possible escape, one being a primary access door and the second being a safety door.

(3) Temperatures and shelter. All canidae and hybrids thereof shall have access at all times to shelter from adverse climate conditions and those animals kept outside shall have access to shade.

(4) Water. Fresh clean water for drinking shall be available at all times. Watering shall consist of either built-in devices or sturdy portable containers; such devices or containers shall be cleaned and disinfected daily.

(5) Food. All canids and hybrids thereof shall have access daily to a fresh, high quality commercial or custom-made diet containing all necessary vitamins and minerals.

(6) Sanitation. All enclosures shall be cleaned regularly and kept free of debris and fecal material. Proper drainage must be established to provide dry housing conditions. Detergents and disinfectants shall be used on hard surfaces, pallets, and food and water containers. Drainage and means of disposing of debris and fecal material shall be in compliance with all applicable state, county, and local laws and regulations.

(7) Medical attention. Proper medical attention must be provided when and as necessary to maintain the canid(s) or hybrid(s) in a healthy condition.

(8) Transportation and restraint. At no time shall a canid or hybrid thereof be maintained on or transported by a leash. Such animals must be maintained and transported in a manner that would not constitute a public threat or nuisance.

Sec. 5-231. Housing and care of Felidae and hybrids thereof.

The following standards for housing and care of inherently dangerous exotic felidae and hybrids thereof shall be met in order for a person to obtain, maintain, and/or renew a license pursuant to this Article.

(1) Enclosure dimensions for very large pantherids. Very large pantherids include lions (*P. leo*), tigers (*P. tigris*), and any hybrids thereof. These animals shall be maintained in barred or heavily wired cages. A cage for a single animal shall measure at least twenty (20) feet wide by fifteen (15) feet deep (300 square feet) by eight (8) feet high and have a covered top. Cages shall be fifty percent (50%) larger for each additional animal. Each and every enclosure shall have a secondary barrier (fence) to prevent access to the area by the general public.

(2) Enclosure dimensions for other large felids. Other large felids include jaguars (*P. onca*), leopards or panthers (*P. pardus*), pumas (cougars or mountain lions, *P. concolor*), snow leopard (*P. uncia*), clouded leopards (*Neofelis nebulosa*), cheetahs (*Acinonyx jubatus*), any subspecies thereof, and any hybrids thereof. Minimum cage dimensions for a single large felid shall be equal to at least twenty (20) feet wide by ten (10) feet deep (200 square feet) by eight (8) feet high and have covered tops. Cages shall be fifty percent (50%) larger for each additional animal. Each and every enclosure shall have a secondary barrier (fence) to prevent access to the area by the general public.

(3) Enclosure dimensions for smaller felids. Small felids are those having an adult body weight of less than forty-four (44) pounds, but more than fifteen (15) pounds, including any hybrids, but excluding the domestic cat (*Felis catus*). Minimum cage dimensions for a single small felid shall be seven (7) feet wide by ten (10) feet deep (70 square feet) by eight (8) feet high and have covered tops. Floor space shall be increased by fifty percent (50%) for each additional small felid animal in that space. Each and every enclosure shall have a secondary barrier (fence) to prevent access to the area by the general public.

(4) Barrier and enclosure materials. Enclosures for any size or type of felid shall be constructed of bars or not less than 9-gauge chain link fencing, concrete, or cinder block materials. In addition, all perimeters must have either a concrete footing or horizontal protective matting around the entire enclosure to prevent escape by digging. All enclosures shall have double doors between the animals and possible escape, one being the primary access door and the second being a safety door.

(5) Temperatures and shelter. All felidae and hybrids thereof shall have access at all times to shelter from adverse climate conditions and those animals kept outside shall have access to shade.

(6) Water. Fresh clean water for drinking shall be available at all times. Watering shall consist of either built-in devices or sturdy portable containers; such devices or containers shall be cleaned and disinfected daily.

(7) Food. Very large and large felids shall have access to fresh commercial or custom-made diets made from beef or horse products containing all necessary vitamins and minerals. Small felids have generally the same nutritional requirements as domestic cats and may be fed good quality commercially prepared diets for domestic cats.

(8) Sanitation. All enclosures shall be cleaned regularly and kept free of debris and fecal material. Proper drainage shall be established to provide dry housing conditions. Detergents and disinfectants shall be used on hard surfaces, pallets, and food and water containers. Drainage and means of disposing of debris and fecal material shall be in compliance with all applicable state, county, and local laws and regulations.

(9) Medical attention. Proper medical attention must be provided when and as necessary to maintain the felid(s) or hybrid(s) in a healthy condition.

(10) Transportation and restraint. At no time shall a felid or hybrid thereof be maintained on or transported by a leash. Such animals must be maintained and transported in a manner that would not constitute a public threat or nuisance.

Sec. 5-232. Housing and care of Ursidae and hybrids thereof.

The following standards for housing and care of inherently dangerous exotic ursidae and hybrids thereof shall be met in order for a person to obtain, maintain, and/or renew a license pursuant to this Article.

(1) Enclosure dimensions. All enclosures for solitary adult bear (or hybrid thereof) shall measure at least three hundred (300) square feet with a ten (10) foot high covered top. Cages shall be increased fifty percent (50%) per each additional bear. Each and every enclosure shall have a secondary barrier (fence) to prevent access to the area by the general public.

(2) Enclosure materials. Enclosure material shall be constructed of welded bars or not less than 9gauge chain link appropriately secured, reinforced concrete, or reinforced cinder block. In addition, all perimeters shall have either concrete footing or horizontal protective matting around the entire perimeter to prevent escape by digging. All enclosures shall have two doors between the animal and possible escape, one being the primary access door and the second being a safety door.

(3) Water. Fresh clean water for drinking shall be available at all times. Built-in watering devices may be used for larger bear (or hybrid thereof); sturdy containers may be suitable for smaller animals. All watering devices and containers shall be cleaned and disinfected daily.

(4) Temperatures and shelter. All bear or hybrids thereof shall have access at all times to shelter from adverse climate conditions and those animals kept outside shall always have access to shade.

(5) Food. Bears and hybrids thereof shall be fed daily. Primary diets shall be based upon a nutritionally complete dry dog food, dry omnivore biscuit, dry primate biscuit, or canned dog food. Fruits, vegetables, and frozen fish may make up a proportion of the diet so long as the nutritional requirements of the animal are met.

(6) Sanitation. All enclosures shall be cleaned regularly and kept free of debris and fecal material. Proper drainage shall be established to provide dry housing conditions. Detergents and disinfectants shall be used on hard surfaces, pallets, and food and water containers. Drainage and means of disposing of debris and fecal material shall be in compliance with all applicable state, county, and local laws and regulations.

(7) Medical attention. Proper medical attention must be provided when and as necessary to maintain the bear(s) or hybrid(s) in a healthy condition.

(8) Transportation and restraint. At no time shall a bear or hybrid thereof be maintained on or transported by a leash. Such animals must be maintained and transported in a manner that would not constitute a public threat or nuisance.

Sec. 5-233. Housing and care of inherently dangerous reptiles.

The following standards for housing and care of inherently dangerous reptiles shall be met in order for a person to obtain, maintain, and/or renew a license pursuant to this Article.

(1) Enclosure dimensions and other requirements for venomous and large constricting snakes. For up to two specimens, a cage having a perimeter one and one-half times ($1\frac{1}{2}x$) the length of the longest confined snake, with a resting limb or ledge, a large rock, shade, and fresh water. For each additional snake, the cage floor area shall be increased by twenty-five percent (25%). Anacondas, reticulated pythons, and blood pythons must be provided with a pool of fresh water of sufficient size to permit entire body submersion.

(2) Enclosure materials for venomous and large constricting snakes. Cages shall be fronted with one-quarter ($\frac{1}{4}$) inch thick plexiglass or safety glass. Ventilation openings shall be covered with one-quarter ($\frac{1}{4}$) inch mesh. For venomous snakes, double walls of mesh sufficient to prevent penetration of fangs to outside of enclosure shall be installed. Cages must be constructed of waterproof plywood at least one-quarter ($\frac{1}{4}$) inch thick, concrete plastered over wire, sheet metal, fiberglass, or a minimum of one-quarter ($\frac{1}{4}$) inch thick molded plastic. Construction shall be sturdy and escape proof. Doors are to close snugly and be key locked.

(3) Enclosure dimensions and other requirements for gila monsters and beaded lizards. For each lizard, minimum cage length shall be one and one-half times ($1\frac{1}{2}x$) the length of the longest confined lizard and minimum cage width shall be four (4) times the width of the largest confined lizard. Cages must have adequate ventilation, fresh water, and access to sunlight or full spectrum fluorescent lighting with appropriate shade also

available. For each additional lizard, the cage floor area shall be increased one hundred percent (100%).

(4) Enclosure dimensions and other requirements for crocodilians. For one crocodilian, minimum cage size must permit moving and turning both on land and in a pool. For additional crocodilians, the combined area covered by their bodies shall not exceed fifty percent (50%) of cage area. Pool must be of sufficient depth to permit entire body submersion and must be readily accessible to caretakers either by securing ramps into and out of the water or by building a sunken pool with a sloped interior. Enclosures for crocodilians greater than five (5) feet in length must have shift facilities to permit safe cleaning, cage repair, or other separations. Shift cages shall measure at least eight (8) feet by five (5) feet.

(a) In addition, indoor facilities shall be equipped with full spectrum fluorescent lighting and heat lamps for basking. Cages must be secure and escape proof. Doors to cages must be key locked.

(b) In addition, the floors of outdoor cages shall be of concrete or masonry construction. Walls shall be a minimum height of four (4) feet and constructed of wire mesh no smaller than 11.5-gauge. The cage is to be completely roofed by mesh wire. Crocodilians shall have access to shade and heated indoor facilities during cold weather. Entrance doors accessible to the public shall be kept key locked.

(5) Cohabitation. Reptiles that are housed together shall be in compatible groups.

(6) Temperatures and shelter. Species appropriate temperature, lighting, and shelter shall be provided at all times.

(7) Food. Reptiles are to be fed at a rate at which proper weight, nutrition, and health are maintained and are to be fed as follows.

(a) Venomous and large constricting snakes are to be fed dead prey items (excluding fish) unless live items are absolutely necessary to induce feeding.

(b) Gila monsters and beaded lizards shall be fed whole rodents. Diet may occasionally be supplemented with chicks and eggs. Eggs may not be used as a primary diet source because this can result in nutritional disorders and raw eggs may cause salmonella poisoning.

(c) Crocodilia are not to be maintained exclusively on a frozen fish diet. Diet shall be supplemented with live fish, rodents, and fowl.

(8) Sanitation. All cages and enclosures are to be kept sanitary and in good repair. Feces and uneaten food shall be removed promptly. Pools are to be full at all times and the water replaced weekly or continuously filtered.

(9) Medical attention. Proper medical attention must be provided when and as necessary to maintain the reptile(s) in a healthy condition.

(10) Transportation and restraint. Reptiles must be maintained and transported in a manner that would not constitute a public threat or nuisance

DIVISION 4. ENFORCEMENT PROVISIONS

Sec. 5-234. Revocation of license.

(1) A license issued pursuant to this Article may be revoked by the animal control officer, after hearing, for failure of the licensee to comply with any conditions imposed by the animal control officer or failure to comply with any provision of this Article.

(2) If a license is revoked, the owner of the animal(s) which is/are the subject of the license shall transfer ownership of the animal(s) by sale or gift to another person who already is in compliance with this Article, or the animal(s) can be removed from Sedgwick County.

Sec. 5-235. Impoundment; disposition of impounded animals.

(1) Any inherently dangerous exotic mammal or inherently dangerous reptile which is kept by any person in contravention of this Article may be taken up and impounded by the animal control officer for the protection and health of the animal and/or for the protection of the public. Whenever possible, the animal control officer shall take up and impound the animal in the presence of its owner or harbinger. Cost of take-up, impoundment, and care of the animal will be charged to its owner or harbinger regardless of whether the animal is claimed by or returned to said owner or harbinger.

(2) If an animal is impounded pursuant to subsection (1) of this section, the owner or harbinger of the animal shall be notified in person or by registered return receipt mail.

(3) Any animal impounded pursuant to this section will be held three (3) days for the owner to claim, but if the animal cannot be taken-up safely by the animal control officer or if proper and safe housing cannot be found for the animal, the animal control officer can immediately destroy the animal.

(4) The owner or harbinger of the animal can reclaim the animal only if the person is in compliance with this Article, or immediately transfers the animal out of the county, or sells or gives the animal to a currently and properly licensed person within the county and only after all fines and costs have been paid by the owner or harbinger.

(5) If no owner or harbinger can be located or will claim the animal within three (3) days after impoundment, the animal control officer may sell, adopt, or euthanize the animal at the discretion of the animal control officer.

RESOLUTION

NO.

DATE EFFECTIVE: March 1 , 1996

A RESOLUTION AMENDING CHAPTER 5 OF THE SEDGWICK COUNTY CODE, "ANIMALS", ADDING THERETO ADDITIONAL DEFINITIONS INTO ARTICLE 1 AND ADDING ALL OF ARTICLE VII., "INHERENTLY DANGEROUS ANIMALS"; REGULATING THE HARBORING OR OWNING THEREOF AS OF MARCH 1,1996, REQUIRING THE LICENSING OF SAID INHERENTLY DANGEROUS ANIMALS AND REGULATING THE CONTAINMENT, CONTROL, AND CARE OF THE SAME; DEFINING VIOLATIONS THEREOF AND PROVIDING PENALTIES THEREFOR; ALL IN THE UNINCORPORATED AREA OF SEDGWICK COUNTY, KANSAS

WHEREAS, an uncontrolled and unregulated inherently dangerous animal population constitutes a nuisance and a hazard to the public health, safety, and welfare of the citizens of Sedgwick County, Kansas; and

WHEREAS, the Board of County Commissioners of Sedgwick County, Kansas, has previously enacted Chapter 5, "Animals", of the Sedgwick County Code, which provides for the control and regulation of the general animal population of Sedgwick County; and

WHEREAS, the Board of County Commissioners of Sedgwick County, Kansas, did, at the time of the adoption of said Chapter 5, recognize and acknowledge a future need for regulation of inherently dangerous animals and reserved Article VII of Chapter 5 for the addition of such rules and regulations; and

WHEREAS, the Board of County Commissioners of Sedgwick County, Kansas, did, in anticipation of the need for such rules and regulations, instruct and request its duly appointed Animal Care Advisory Board to study the issues of harboring and ownership of said inherently dangerous animals and to make recommendations to the Board regarding the same; and

WHEREAS, the Board of County Commissioners of Sedgwick County, Kansas, has been advised by its Animal Care Advisory Board that it is in the best interest of public health, safety, and welfare to adopt rules and regulations relating to the harboring and ownership of said animals, providing for the licensing of such animals as are harbored and owned as of the effective date hereof all within the unincorporated area of Sedgwick County, Kansas; and

WHEREAS, the Board of County Commissioners of Sedgwick County, Kansas, has authority to enact and provide procedures for the enforcement of general animal control in the unincorporated area of Sedgwick County as provided in K.S.A. 19-101, et seq.; and

WHEREAS, the Board of County Commissioners of Sedgwick County, Kansas, desires to amend Chapter 5, "Animals", of the Sedgwick County Code, to regulate the harboring

and ownership of inherently dangerous animals, the licensing of such animals as are owned and harbored as of the effective date of this resolution and to provide regulations for their containment, control and care; all in the unincorporated area of Sedgwick County.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF SEDGWICK COUNTY, KANSAS, that the following resolution is hereby adopted:

SECTION 1.

Sec. 5-1. Definitions. Sec. 5-1. Definitions, is amended by adding the following:

Inherently dangerous mammal is any live member of the canidae, felidae, or ursidae families, including hybrids thereof, which, due to their inherent nature, may be considered dangerous to humans, and which include:

(1) Canidae, including any member of the dog (canid) family not customarily domesticated by man, or any hybrids thereof, including wolf hybrids which are a cross between a wolf and a domestic dog, but not including domestic dogs (*Canis familiaris*).

(2) Felidae, including any member of the cat family weighing over fifteen (15) pounds not customarily domesticated by man, or any hybrids thereof, but not including domestic cats (*Felis catus*).

(3) Ursidae, including any member of the bear family, or any hybrids thereof.

Inherently dangerous reptile is any live member of the class reptilia which:

(1) is venomous, including, but not necessarily limited to, all members of the following families: Helodermidae; Viperidae; Crotalidae; Atractaspidae; Hydrophilidae; and Elapidae.

(2) is a "rear fanged" snake of the family Colubridae that are known to be dangerous to humans, including, but not necessarily limited to, all members of the following families: *Dispholidus typus*; *Thebtonis kirtlandii*; and *Rhabdophis* spp.

(3) is of the family Boidae (boas and pythons); specifically the following species: *Python reticulatus*; *Eunectes* sp.; *Python sebae*; and *Python Molurus*.

(4) is a member of the order Crocodilia (crocodiles, alligators, and caiman).

Sec. 5-5. Animal pickup fees; violation; penalty., is amended as follows:

Sec. 5-5. Animal pickup/take up fees; violations; penalty.

(a) Fees. Pursuant to the authority of the animal control officer enumerated at section 5-37, pickup/take up fees for services provided by the animal control department shall be assessed as follows:

(1) \$5.00 per animal for pickup of a dead animal, except an inherently dangerous mammal or inherently dangerous reptile, when said dead animal is located on private property, to be paid by either the animal's owner or by the person requesting the pickup, which fee shall be paid to county animal control within ten (10) days of the pickup.

(2) \$5.00 per animal for pickup of a living animal, except an inherently dangerous mammal or inherently dangerous reptile, for euthanasia and disposal if requested by the owner, which fee shall be paid to county animal control within ten (10) days of the pickup.

(3) \$20.00 per animal for pickup of a dead animal, except an inherently dangerous mammal or inherently dangerous reptile, if requested by a veterinarian, which fee shall be billed to the veterinarian by the director on a monthly basis, and paid to county animal control within ten (10) days.

(4) Twenty-Five Dollars (\$25.00) per animal for the take up of any nuisance, dangerous, or biting animal, except an inherently dangerous mammal or inherently dangerous reptile, to be paid by the animal's owner to county animal control. This fee shall be paid prior to the animal's release.

(5) One Hundred Dollars (\$100.00) minimum per animal for the take up of each inherently dangerous mammal or inherently dangerous reptile, to be paid by the animal's owner to county animal control. This fee shall be paid regardless of whether the animal is returned to the owner and shall be paid prior to the animal's release to the owner subject to the director's decision to release the animal. The director shall have the authority to determine the size of animals which the county will pickup/take up of based upon the capabilities, equipment and facilities available for use.

(b) Fail to pay pickup/take up fees. It shall be a violation of this chapter for any person to fail to pay the pickup/take up fee as required in subsections (a)(1) through (4), inclusive, of this section. Fail to pay pickup/take up fees is a class F violation.

(c) Fail to pay pickup/take up fees: inherently dangerous mammal/reptile. It shall be a violation of this chapter for any person to fail to pay the pickup/take up fee as required in subsections (a) (5), of this section. Fail to pay pickup/take up fees: inherently dangerous mammal/reptile is a class H violation.

Sec. 5-37. Director's duties., is amended by adding the following:

(11) To cause the pickup/take up of any inherently dangerous mammal or inherently dangerous reptile for purposes of impoundment, veterinary care or euthanasia, and to determine the disposition thereof.

(12) to inspect the premises where any inherently dangerous mammal or inherently dangerous reptile is harbored at any time between 7:00 a.m. and 9:00 p.m. daily for the purpose of determining whether the harborer is in compliance with the provisions of this chapter.

CHAPTER 5, ANIMALS, is amended by adding the following article:

ARTICLE VII. INHERENTLY DANGEROUS ANIMALS

DIVISION 1. HARBORING/OWNING

Sec. 5-226. Harboring/owning prohibited; exceptions; violations.

(a) Harboring and/or owning any inherently dangerous mammal is prohibited except by:

1. Owners or operators of any facility which is or may obtain a valid Animal Welfare License issued by the United States Department of Agriculture (USDA) and have obtained and maintained an annual license from the county allowing that owner or operator to continue to own and possess inherently dangerous mammals pursuant to Division 2 of this article

2. Owners who have:

achieved the age of eighteen (18) years, and

obtained and maintained an annual license from the county allowing that person to continue to own and possess such inherently dangerous mammal pursuant to Division 2 of this article.

(b) Harboring and/or owning any inherently dangerous reptile is prohibited except by:

1. Owners or operators of any facility which is or may become licensed by the State of Kansas Animal Health Department as a pet shop and have obtained and maintained an annual license from the county allowing that owner or operator to continue to own and possess such inherently dangerous reptiles pursuant to Division 2 of this article

2. Owners who have:

achieved the age of eighteen (18) years, and

obtained and maintained an annual license from the county allowing that person to continue to own and possess such inherently dangerous reptile pursuant to Division 2 of this article.

(c) Violations.

1. Harbor and/or own an inherently dangerous mammal w/o required county license. It shall be a violation of this chapter for any:

(a) owner or operator of any facility which has a valid Animal Welfare License issued by the USDA to fail to obtain and maintain from the county an annual license for harboring or owning inherently dangerous mammals after February 29, 1996,

(b) person eighteen years of age or over to harbor and/or own an inherently dangerous mammal which was harbored and/or owned by that person on February 29, 1996, if that person fails to obtain a county license on or before May 1, 1996,

(c) person eighteen years of age or over to harbor and/or own an inherently dangerous mammal after February 29, 1996, if that person fails to obtain the required county license immediately upon receipt of the mammal by the person.

Harbor and/or own an inherently dangerous mammal w/o required county license is a class H violation.

2. Harbor and/or own an inherently dangerous mammal by underage person. It shall be a violation of this chapter for any:

(a) person under the age of eighteen (18) years to own or possess any inherently dangerous mammal.

Harbor and/or own an inherently dangerous mammal by underage person is a class H violation.

3. Harbor and/or own an inherently dangerous reptile w/o required county license. It shall be a violation of this chapter for any:

(a) Owner or operator of any facility which is or may become licensed by the State of Kansas Animal Health Department as a pet shop to fail to obtain and maintain an annual license from the county allowing that owner or operator to continue to harbor and/or own inherently dangerous reptiles after February 29, 1996,

(b) person eighteen years of age or over to harbor and/or own an inherently dangerous reptile which was harbored and/or owned by that person on February 29, 1996, if that person fails to obtain a county license on or before May 1, 1996,

(c) person eighteen years of age or over to harbor and/or own an inherently dangerous reptile after February 29, 1996, if that person fails to obtain the required county license immediately upon receipt of the reptile by the person.

Harbor and/or own an inherently dangerous reptile w/out required county license is a class H violation.

4. Harbor and/or own an inherently dangerous reptile by underage person. It shall be a violation of this chapter for any:

(a) person under the age of eighteen (18) years to own or possess any inherently dangerous reptile.

Harbor and/or own an inherently dangerous reptile by underage person is a class H violation.

Sec. 5-227. Exemptions.

The following are exempted from the provisions of this article:

- (1) The Sedgwick County Zoo
- (2) The Kansas Wildlife Exhibit
- (3) Any facility accredited by the Association of Zoos and Aquariums (AZA)
- (4) Licensed or accredited medical institutions
- (5) Licensed or accredited educational institutions
- (6) Veterinary clinics in possession of inherently dangerous mammals or inherently dangerous reptiles for treatment or rehabilitation purposes.
- (7) Traveling circuses or carnivals
- (8) Persons temporarily transporting inherently dangerous mammals or inherently dangerous reptiles through the county provided that the transit time shall not be more than three (3) days.

DIVISION 2. LICENSING AND INSPECTION

Sec. 5-228. Licensing and inspections required; inherently dangerous mammals.

(a) License application form: inherently dangerous mammal.

To obtain a license to harbor and/or own an inherently dangerous mammal within the county, a person shall annually make a written and completed application which shall include the following:

- (1) all information requested on the application form required by the director as deemed necessary thereby to assist in determining whether the license should be issued, and
- (2) attach to the completed application form evidence of a current surety bond, issued to the applicant, in the amount of fifty thousand dollars (\$50,000.00), or proof of liability insurance in the amount of fifty thousand dollars (\$50,000.00), either of which shall be written to cover any acts of the inherently dangerous mammal, which surety bond or certificate of insurance shall be immediately submitted by the director to the county counselor's office for approval or disapproval, and which surety bond or proof of liability

insurance shall list thereon both the county counselor and the county clerk as the entities to be notified ten (10) days in advance of the cancellation of the surety bond or liability insurance for any reason, and

(3) attach and/or enclose a non-refundable license application fee of:

a. one hundred dollars (\$ 100.00) per address for those owners or operators who have valid USDA Animal Welfare License,

b. one hundred dollars (\$ 100.00) per mammal per address, with a maximum of three hundred dollars (\$300.00) per address, and

(4) submit to an initial inspection of the premises where the inherently dangerous mammal is proposed to be harbored prior to the license being issued, and to additional inspections, announced or unannounced at the director's discretion, at any other time deemed necessary by the director between the hours of 7:00 a.m. and 9:00 p.m. daily during the life of the mammal; said inspection to be performed by the director, any animal control officer, or any person designated by the director to assist in the performance of the inspection which is to be performed in accordance with division 3 of this article.

No license shall be issued by the director unless and until the applicant is in compliance with all of the above and foregoing provisions.

(b) Due date of license application form. Any harborer and/or owner of any inherently dangerous mammal as of February 29, 1996, shall have until May 1, 1996, to comply with the license application provisions in Sec. 5-228 (a), (1) through (4), inclusive, above, in order to obtain the required license.

(c) Subsequently acquired inherently dangerous mammals. Any harborer and/or owner of any inherently dangerous mammal acquired on or after March 1, 1996, except validly licensed USDA owners and operators, shall be required to make completed application for and obtain a county license immediately upon receipt of said inherently dangerous mammal.

(d) License not transferable. Any license to harbor and own any inherently dangerous mammal is not transferable to any other subsequent owner harborer or to any other location within the jurisdiction of Sedgwick County, provided that, a licensed harborer/owner who re-locates within Sedgwick County shall advise the director immediately of the change of address of the harborer/owner and of the mammal.

Sec. 5-229. Licensing and inspections required; inherently dangerous reptiles.

(a) License application form: inherently dangerous reptile. To obtain a license to harbor and/or own an inherently dangerous reptile within the county, a person shall make a written and completed application which shall include the following:

(1) all information requested on the application form required by the director as deemed necessary thereby to assist in determining whether the license should be issued, and

(2) attach and/or enclose a non-refundable license application fee of:

a. fifty dollars (\$50.00) per address for those owners or operators who have a valid pet shop license issued by the State of Kansas Animal Health Department,

b. fifty dollars (\$50.00) per reptile per address with a maximum of one hundred and fifty dollars (\$150.00) per address, and

(3) submit to an initial inspection of the premises where the inherently dangerous reptile is proposed to be harbored prior to the license being issued, and, to additional inspections, announced or unannounced, at the director's discretion, at any other time deemed necessary by the director between the hours of 7:00 a.m. and 9:00 p.m. daily during the life of the reptile; said inspection to be performed by the director, any animal control officer, or any person designated by the director to assist in the performance of the inspection which is to be performed in accordance with division 3 of this article.

No license shall be issued by the director unless and until the applicant is in compliance with all of the above and foregoing provisions.

(b) Due date of license application form. Any harborer and/or owner of any inherently dangerous reptile as of February 29, 1996, shall have until May 1, 1996, to comply with the license application provisions in Sec. 5229 (a), (1) through (3), inclusive, above, in order to obtain the required license.

(c) Subsequently acquired inherently dangerous reptiles. Any harborer and/or owner of any inherently dangerous reptile, acquired on or after March 1, 1996, except validly licensed Kansas pet shop owners and/or operators, shall be required to make completed application for and obtain a county license immediately upon receipt of said inherently dangerous reptile.

(d) License not transferable. Any license to harbor and own any inherently dangerous reptile is not transferable to any other subsequent owner/harbored or to any other location within the jurisdiction of Sedgwick County, provided that, a licensed harborer/owner who re-locates within Sedgwick County shall advise the director immediately of the change of address of the harborer/owner and of the reptile.

Sec. 5-230. Renewal of licenses.

(a) The license to keep an inherently dangerous mammal shall be renewed annually on or before the date of issue upon the submission of an annual renewal fee of:

1. one hundred dollars (\$ 100.00) per address for those owners or operators who have valid USDA Animal Welfare License, or

2. one hundred dollars (\$ 100.00) per mammal per address, with a maximum of three hundred dollars (\$300.00) per address, and a current inspection, submission of current information as prescribed in Sec. 5-228 (a) (1) through (4), inclusive, as required by the director.

(b) The license to keep an inherently dangerous reptile shall be renewed annually on or before the date of issue upon the submission of an annual renewal fee of:

1. fifty dollars (\$50.00) per address for those owners or operators who have a valid pet shop license issued by the State of Kansas Animal Health Department, or

2. fifty dollars (\$50.00) per reptile per address with a maximum of one hundred and fifty dollars (\$150.00) per address, and a current inspection, submission of current information as prescribed in Sec. 5-229 (a) (1) through (3), inclusive, as required by the director.

(c) The animal control department shall notify the licensee not less than one month before the expiration of the license that the renewal fee and annual inspection are due.

(d) Any condition imposed on the approval or renewal of the license shall be strictly adhered to by the applicant licensee and failure to do so constitutes cause for non-issuance, non-renewal, or immediate revocation of the license.

(e) The animal control department shall maintain a record of the date of issuance of, the conditions imposed on, and the name and address of the person to whom a license has been issued pursuant to this article.

(f) Violations.

1 . Fail to renew an annual license: inherently dangerous mammal. It shall be a violation of this chapter for any person to fail to renew an annual license for an inherently dangerous mammal. Fail to renew an annual license: inherently dangerous mammal shall be a class H violation.

2. Fail to renew an annual license: inherently dangerous reptile. It shall be a violation of this chapter for any person to fail to renew an annual license for an inherently dangerous reptile. Fail to renew an annual license: inherently dangerous reptile shall be a class H violation.

DIVISION 3. STANDARDS FOR HOUSING AND CARE

Sec. 5-231. Housing and care of Canidae and hybrids thereof.

(a) General. A harbinger and/or owner of any inherently dangerous canidae and hybrids thereof shall comply with the following standards for their housing and care as a condition precedent to obtaining or maintaining the required license pursuant to this article.

(1) Enclosure dimensions. A single small canid, or hybrid thereof weighing less than thirty-five (35) pounds shall have an enclosure measuring at least eight feet (8') by twelve feet (12') or ninety-six (96) square feet. For each additional small canid (or hybrid thereof), the enclosure shall be increased by fifty percent (50%). A single large canid, or hybrid thereof, weighing thirty-five (35) pounds or more shall have an enclosure measuring at least ten feet (10') by fifteen feet (15') or one hundred fifty (150) square feet. For each additional large canid, or hybrid thereof, the enclosure shall be increased by fifty percent (50%). Enclosures shall have a secondary barrier of at least six feet (6') in height to prevent access to the area by the general public.

(2) Enclosure materials. Enclosures for canids and hybrids thereof shall be constructed of not less than 11-gauge chain link or its equivalent for mammals of an adult weight less than 35 pounds and 9-gauge chain link or its equivalent for animals of an adult weight of 35 pounds or more. Perimeter barriers shall be at least eight feet (8') high and include an inward-facing overhang of no less than eighteen inches (18") at an angle of forty-five (45) degrees. In addition to vertical barriers, all perimeters shall also have either a concrete footing or horizontal protective matting around the entire enclosure to prevent escape through digging. All enclosures shall have double doors between the animal and possible escape, one being a primary access door and the second being a safety door.

(3) Temperatures and shelter. All canidae and hybrids thereof shall have access at all times to shelter from adverse climate conditions and those animals kept outside shall have access to shade.

(4) Water. Fresh clean water for drinking shall be available at all times. Watering shall consist of either built-in devices or sturdy portable containers; such devices or containers shall be cleaned and disinfected daily.

(5) Food. All canids and hybrids thereof shall have access to food which shall maintain the animal's proper weight, nutrition, and health.

(6) Sanitation. All enclosures shall be cleaned regularly and kept free of debris and fecal material. Proper drainage shall be established to provide dry housing conditions. Detergents and disinfectants shall be used on hard surfaces, pallets, and food and water containers. Drainage and means of disposing of debris and fecal material shall be in compliance with all applicable state, county, and local laws and regulations.

(7) Medical attention. Proper medical attention must be provided when and as necessary to maintain the canid(s) or hybrid(s) in a healthy condition.

(8) Transportation. At no time shall a canid or hybrid thereof be transported away from the Owner's premises by use only of a leash, except for transportation to and from a veterinarian's office, or to and from an approved educational program or exhibit, or for transfer of ownership of said animal. When in or on the Owner's vehicle, said canid or hybrid thereof shall be appropriately and effectively contained in a locked portable enclosure.

(9) Animal restricted to Owner's property. At no time shall a canid or hybrid thereof be located other than on the licensed Owner's premises, except during transportation as described in subsection (8), above.

Sec. 5-232. Housing and care of Felidae and hybrids thereof.

(a) General. An harborer and/or owner of any inherently dangerous felidae and hybrids thereof shall comply with the following standards for their housing and care as a condition precedent to obtaining or maintaining the required license pursuant to this article.

(1) Enclosure dimensions and materials for very large pantherids.

Very large pantherids, including lions (*P. leo*), tigers (*P. tigris*), and any hybrids thereof shall be maintained in barred or heavily wired cages. A cage for a single animal shall measure at least twenty-four feet (24') wide by twelve feet (12') deep (288 square feet). It should be either a minimum of eight (8') feet high with a covered top or a minimum of fourteen feet (14') high with either an inward-facing overhang of no less than eighteen inches (18") and at an angle of forty-five (45) degrees or have a 110 volt electric wire to prevent the animals from escaping. Cages shall be fifty percent (50%) larger for each additional animal. Enclosures shall have a secondary barrier of at least six feet (6') in height to prevent access to the area by the general public.

(2) Enclosure dimensions for other large felids. Other large felids, including jaguars (*P. onca*), leopards or panthers (*P. pardus*), pumas, cougars or mountain lions (*P. concolor*), snow leopards (*P. uncia*), clouded leopards (*Neofelis nebulosa*), and any subspecies or hybrids thereof shall be maintained in a cage with minimum cage dimensions for a single large felid equal to at least twenty feet (20') wide by ten feet deep (10') or two hundred (200) square feet by eight (8) feet high and have covered tops. Cages shall be fifty percent (50%) larger for each additional animal. Enclosures shall have a secondary barrier of at least six feet (6') in height to prevent access to the area by the general public.

(3) Enclosure dimensions for smaller felids. Small felids, those having an adult body weight of less than forty-four (44) pounds but more than fifteen (15) pounds, including any hybrids but excluding the domestic cat (*Felis catus*) shall be maintained in a cage with minimum cage dimensions for a single small felid equal to seven feet (7') wide by ten feet deep (10') or seventy (70) square feet by eight feet (8') high and have covered tops. Floor space shall be increased by fifty percent (50%) for each additional animal.

Enclosures shall have a secondary barrier of at least six feet (6') in height to prevent access to the area by the general public.

(4) Barrier and enclosure materials; general. Enclosures for very large and large felids shall be constructed of bars or not less than 9-gauge chain link fencing or its equivalent. Enclosures for smaller felids shall be constructed of bars or not less than 11-gauge chain link fencing or its equivalent. In addition, all perimeters must have either a concrete footing or horizontal protective matting around the entire enclosure to prevent escape by digging. All enclosures shall have double doors between the animals and possible escape, one being the primary access door and the second being a safety door.

(5) Temperatures and shelter. All felidae and hybrids thereof shall have access at all times to shelter from adverse climate conditions and those animals kept outside shall have access to shade.

(6) Water. Fresh clean water for drinking shall be available at all times. Watering shall consist of either built-in devices or sturdy portable containers; such devices or containers shall be cleaned and disinfected daily.

(7) Food. All felids and hybrids thereof shall have access to food which shall maintain the animal's proper weight, nutrition, and health.

(8) Sanitation. All enclosures shall be cleaned regularly and kept free of debris and fecal material. Proper drainage shall be established to provide dry housing conditions. Detergents and disinfectants shall be used on hard surfaces, pallets, and food and water containers. Drainage and means of disposing of debris and fecal material shall be in compliance with all applicable state, county, and local laws and regulations.

(9) Medical attention. Proper medical attention must be provided when and as necessary to maintain the felid(s) or hybrid(s) in a healthy condition.

(10) Transportation. At no time shall a felid or hybrid thereof be transported away from the Owner's premises by use only of a leash, except for transportation to and from a veterinarian's office, or to and from an approved educational program or exhibit, or for transfer of ownership of said animal. When in or on the Owner's vehicle, said felid or hybrid thereof shall be appropriately and effectively contained in a locked portable enclosure.

(11) Animal restricted to Owner's property. At no time shall a felid or hybrid thereof be located other than on the licensed Owner's premises, except during transportation as described in subsection (10), above.

Sec. 5-233. Housing and care of Ursidae and hybrids thereof.

(a) General. An harborer and/or owner of any inherently dangerous ursidae and hybrids thereof shall comply with the following standards for their housing and care as a condition precedent to obtaining or maintaining the required license pursuant to this article.

(1) Enclosure dimensions. All enclosures for a solitary adult bear or hybrid thereof shall measure at least twenty-four feet (24') by twelve feet (12') or two hundred and eighty-eight (288) square feet with a ten foot (10') high covered top. Cages shall be increased fifty percent (50%) per each additional bear. Enclosures shall have a secondary barrier of at least six feet (6') in height to prevent access to the area by the general public.

(2) Enclosure materials. Enclosure material shall be constructed of welded bars or not less than 9gauge chain link appropriately secured, or its equivalent. In addition, all perimeters shall have either concrete footing or horizontal protective matting around the entire perimeter to prevent escape by digging. All enclosures shall have two doors between the animal and possible escape, one being the primary access door and the second being a safety door.

(3) Water. Fresh clean water for drinking shall be available at all times. Built-in watering devices may be used for larger bears or hybrids thereof sturdy containers may be suitable for smaller animals. All watering devices and containers shall be cleaned and disinfected daily.

(4) Temperatures and shelter. All bear or hybrids thereof shall have access at all times to shelter from adverse climate conditions and those animals kept outside shall have access to shade.

(5) Food. Bears and hybrids thereof shall have access to food which shall maintain the animal's proper weight, nutrition, and health.

(6) Sanitation. All enclosures shall be cleaned regularly and kept free of debris and fecal material. Proper drainage shall be established to provide dry housing conditions. Detergents and disinfectants shall be used on hard surfaces, pallets, and food and water containers. Drainage and means of disposing of debris and fecal material shall be in compliance with all applicable state, county, and local laws and regulations.

(7) Medical attention. Proper medical attention must be provided when and as necessary to maintain the bear(s) or hybrid(s) in a healthy condition.

(8) Transportation. At no time shall a bear or hybrid thereof be transported away from the Owner's premises by use only of a leash, except for transportation to and from a veterinarian's office, or to and from an approved educational program or exhibit, or for transfer of ownership of said animal. When in or on the Owner's vehicle for said purpose said bear or hybrid thereof shall be appropriately and effectively contained in a locked portable enclosure.

(9) Animal restricted to Owner's property. At no time shall a bear or hybrid thereof be located other than on the licensed Owner's premises, except during transportation as described in subsection (8), above.

Sec. 5-234. Housing and care of inherently dangerous reptiles.

(a) General. An harborer and/or owner of any inherently dangerous reptile shall comply with the following standards for their housing and care as a condition precedent to obtaining or maintaining the required license pursuant to this article.

(1) Enclosure dimensions and other requirements for venomous large constricting snakes. For up to two specimens, a cage having a perimeter one and one-half times ($1\frac{1}{2}x$) the length of the longest confined snake. For each additional snake over two, the cage floor area shall be increased by twenty-five percent (25%).

(2) Enclosure materials for venomous snakes. Cages shall be fronted with three-sixteenths inch ($\frac{3}{16}$ ") thick plexiglass or tempered glass. Ventilation openings shall be covered with one-eighth inch ($\frac{1}{8}$ ") mesh. For venomous snakes, double walls of mesh sufficient to prevent penetration of fangs to outside of enclosure shall be installed. Cages must be structurally sound and may be constructed of waterproofed plywood at least one-quarter inch ($\frac{1}{4}$ ") thick, concrete plastered over wire, sheet metal, fiberglass, or a minimum of one-quarter inch ($\frac{1}{4}$ ") thick molded plastic. Construction shall be sturdy and escape proof. Doors are to close securely and be key locked.

(3) Enclosure materials for large constricting snakes. Cages shall be fronted with three-sixteenths inch ($\frac{3}{16}$ ") thick or larger plexiglass or tempered glass. Ventilation openings shall be covered with one-eighth inch ($\frac{1}{8}$ ") mesh. Cages must be structurally sound and may constructed of waterproofed plywood at least one-quarter inch ($\frac{1}{4}$ ") thick, concrete plastered over wire, sheet metal, fiberglass, or a minimum of one-quarter inch ($\frac{1}{4}$ ") thick molded plastic. Construction shall be sturdy and escape proof. Doors are to close securely and be key locked.

(4) Enclosure dimensions and other requirements for gila monsters and beaded lizards. For each lizard, minimum cage length shall be one and one-half times ($1\frac{1}{2}x$) the length of the longest confined lizard and minimum cage width shall be four (4) times the width of the largest confined lizard. Cages must have adequate ventilation, fresh water, and access to sunlight or full spectrum fluorescent lighting with appropriate shade also available. For each additional lizard, the cage floor area shall be increased one hundred percent (100%). Doors are to close securely and be key locked.

(5) Enclosure dimensions and other requirements for crocodilians. For one crocodilian, minimum cage size must permit moving and turning both on land and in a pool. For additional crocodilians, the combined area covered by their bodies shall not exceed fifty percent (50%) of cage area. Pool must be of sufficient depth to permit entire body submersion and must be readily accessible to caretakers either by securing ramps into

and out of the water or by building a sunken pool with a sloped interior. Enclosures for crocodilians greater than five (5) feet in length must have shift facilities to permit safe cleaning, cage repair, or other separations. Shift cages shall measure at least eight (8) feet by five (5) feet.

(a) In addition, indoor facilities shall be equipped with full spectrum fluorescent lighting and heat lamps for basking. Cages must be secure and escape proof. Doors to cages must be key locked.

(b) In addition, the floors of outdoor cages shall be of concrete or masonry construction. Walls shall be a minimum height of four (4) feet and constructed of wire mesh no smaller than 11.5-gauge. The cage is to be completely roofed by mesh wire. Crocodilians shall have access to shade and heated indoor facilities during cold weather. Entrance doors accessible to the public shall be kept key locked.

(6) Temperatures and shelter. Species appropriate temperature, lighting, and shelter shall be provided at all times.

(7) Food and water. Reptiles are to be fed and watered at a rate at which proper weight, nutrition, and health are maintained.

(8) Sanitation. All cages and enclosures are to be kept sanitary and in good repair. Feces and uneaten food shall be removed promptly. Crocidilian pools are to be full at all times and the water replaced weekly or continuously filtered.

(9) Medical attention. Proper medical attention must be provided when and as necessary to maintain the reptile(s) in a healthy condition.

(10) Transportation.

(a) Venomous reptiles. At no time shall a venomous reptile be transported away from the Owner's premises, except for transportation to and from said veterinarian's office or for transfer of ownership of said animal. When in or on the Owner's vehicle, said venomous reptile shall be appropriately and effectively contained in a locked portable container that meets the caging specifications described in sub-section (a) (1) and (2) of Sec. 5-234.

(b) Reptiles other than venomous reptiles. At no time shall an inherently dangerous reptile be transported away from the Owner's premises, except for transportation to and from said veterinarian's office, or to and from an approved educational program or exhibit, or for transfer of ownership of said animal. When in or on the Owner's vehicle, said reptile shall be appropriately and effectively contained in a locked portable container.

(11) Animal restricted to Owner's property. At no time shall a reptile be located other than on the licensed Owner's premises, except during transportation as described in subsection (10), above.

DIVISION 4. ENFORCEMENT PROVISIONS

Sec. 5-235. Revocation of license.

(1) A license issued pursuant to this article may be revoked by the director after a hearing, for failure of the licensee to comply with any license conditions or any other provisions of this article, or for the animal becoming a nuisance as defined in Sec. 5-161 of this chapter.

(2) If a license is revoked, the owner of the animal(s) which is/are the subject of the license shall transfer ownership of the animal(s) by sale or gift to another person who already is in compliance with this article, with the written approval of the director, and provided the other person has or can obtain the license required by this article. In the alternative and with the written approval of the director, the animal(s) can be permanently removed from the county.

(3) All other provisions of this chapter relating to the harboring, owning and possessing of animals shall apply, except in the circumstance where the provisions of this article are more specific, they shall apply, and except in the circumstance of a licensed owner appealing any order of the director after a hearing, said appeal shall be made to the county court in lieu of the board of county commissioners.

Sec. 5-236. Impoundment; disposition of impounded animals.

(1) Any inherently dangerous mammal or inherently dangerous reptile which is kept by any person in contravention of this article may be taken up and impounded by a code enforcement officer, an animal control officer, or a law enforcement officer for the protection and health of the animal and/or for the protection of the health, safety and welfare of the public. Cost of take-up, impoundment, and care of the animal will be charged to its owner or harborer regardless of whether the animal is claimed by or returned to said owner or harborer.

(2) If an animal cannot be taken up safely or if proper and safe housing cannot be found for the animal, the director can immediately cause the animal to be destroyed.

(3) The owner or harborer of the animal can reclaim the animal only if the person is in compliance with this article and only after all fines and costs have been paid by the owner or harborer. Any other intended disposition of the animal requires the approval of the director.

(4) If no owner or harbinger can be located or will claim the animal within three (3) days after impoundment, the director may cause the sale, adoption, donation, or euthanization of the animal.

Sec. 5-237. Sale and transfer of inherently dangerous mammals and inherently dangerous reptiles.

(a) Any person who sells, gives, or in any way transfers possession or ownership of an inherently dangerous mammal or inherently dangerous reptile shall maintain records reflecting the name, address, and telephone number of the receiver of the animal; the state and county in which the receiver lives; and, a complete and accurate description of the animal transferred to the receiver. If the receiver is a resident of this county, the records shall also reflect information sufficient to show the receiver possesses a current county license pursuant to this article. Such records shall be made available to the animal control department for inspection upon request. Such records shall be maintained for a minimum of seven (7) years.

Sec. 5-238. Agreements. The Board of County Commissioners of Sedgwick County, Kansas may enter into agreements with any veterinarian, governmental agency, city, township, improvement district, corporation or individual it deems necessary to carry out the provisions of this article.

SECTION II: Severability. If any section, sentence, subdivision or clause of this resolution shall for any reason be held invalid or unconstitutional such decision shall not affect the validity of the remaining portions of this resolution.

SECTION III: Effective Date. This resolution shall become effective March 1, 1996.

SECTION IV. Publication. This resolution shall be published once in the official county newspaper prior to March 1, 1996.