

COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND
Legislative Session 2017, Legislative Day No. 14

Bill No. 56-17

Mrs. Cathy Bevins, Councilwoman

By the County Council, September 5, 2017

A BILL
ENTITLED

AN ACT concerning

Wild or Exotic Animals for Public Entertainment or Amusement

FOR the purpose of prohibiting the performance or display of wild or exotic animals for public entertainment or amusement; defining certain terms; providing certain exemptions; providing for enforcement and penalties; providing for the adoption of regulations to implement and enforce this Act; and generally relating to wild or exotic animals for public entertainment or amusement.

BY adding
Section 12-7-103
Article 12 – Animals
Title 7 – Wild Animals
Baltimore County Code, 2015

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.
[Brackets] indicate matter stricken from existing law.
~~Strike out~~ indicates matter stricken from bill.
Underlining indicates amendments to bill.

1 SECTION 1. BE IT ENACTED BY THE COUNTY COUNCIL OF BALTIMORE
2 COUNTY, MARYLAND, that the Laws of Baltimore County read as follows:

3
4 ARTICLE 12 – ANIMALS

5 Title 7 – Wild Animals

6
7 § 12-7-103. WILD AND EXOTIC ANIMAL PERFORMANCES.

8 (A) (1) IN THIS SECTION, THE FOLLOWING WORDS HAVE THE MEANINGS
9 INDICATED.

10 (2) “MOBILE OR TRAVELING HOUSING FACILITY” MEANS ANY
11 TRANSPORTING VEHICLE, INCLUDING A TRUCK, TRAILER, OR RAILWAY CAR,
12 WHICH IS USED TO TRANSPORT OR HOUSE ANIMALS WHILE TRAVELING FOR
13 EXHIBITION OR PERFORMANCE.

14 (3) “PERFORMANCE” MEANS ANY PUBLIC SHOWING, PRESENTATION,
15 DISPLAY, EXPOSITION, FAIR, ACT, CIRCUS, RIDE, TRADE SHOW, CARNIVAL,
16 PARADE, RACE, OR SIMILAR UNDERTAKING IN WHICH ANIMALS PERFORM
17 TRICKS OR STUNTS, FIGHT, OR PARTICIPATE AS ACCOMPANIMENTS FOR THE
18 ENTERTAINMENT, AMUSEMENT, OR BENEFIT OF AN AUDIENCE, WHETHER OR
19 NOT A FEE IS CHARGED.

20 (4) “PERSON” MEANS ANY INDIVIDUAL, ESTABLISHMENT, FIRM,
21 ASSOCIATION, ORGANIZATION, PARTNERSHIP, TRUST, CORPORATION, OR
22 COMPANY.

1 (5) "TRAVELING ANIMAL ACT" MEANS ANY DISPLAY OF ANIMALS WHERE
2 SUCH ANIMALS ARE TRANSPORTED TO, FROM, OR BETWEEN LOCATIONS IN A
3 MOBILE OR TRAVELING HOUSING FACILITY FOR THE PURPOSE OF EXHIBITION
4 OR PERFORMANCE.

5 (6) "WILD OR EXOTIC ANIMAL" MEANS ANY LIVE ANIMAL FROM ANY OF
6 THE FOLLOWING SCIENTIFIC CLASSIFICATIONS:

7 (I) ARTIODACTYLA, INCLUDING HIPPOPOTAMUSES, GIRAFFES,
8 CAMELS, AND LLAMAS, BUT EXCLUDING CATTLE, SWINE, SHEEP, AND GOATS;

9 (II) CROCODILIA, INCLUDING ALLIGATORS AND CROCODILES;

10 (III) ELEPHANTIDAE, INCLUDING ALL SPECIES OF ELEPHANTS;

11 (IV) FELIDAE, INCLUDING LIONS, TIGERS, JAGUARS, LEOPARDS,
12 CHEETAHS, AND COUGARS, OR ANY HYBRID THEREOF, BUT EXCLUDING
13 DOMESTIC CATS;

14 (V) MARSUPIALIA, INCLUDING ALL SPECIES OF KANGAROOS;

15 (VI) NON-HUMAN PRIMATES, INCLUDING APES, MONKEYS, AND
16 LEMURS;

17 (VII) PERISSODACTYLA, INCLUDING RHINOCEROSSES, TAPIRS, AND
18 ZEBRAS;

19 (VIII) PINNIPEDIA, INCLUDING SEALS, SEA LIONS, AND WALRUSES;

20 (IX) URSIDAE, INCLUDING ALL SPECIES OF BEARS; AND

21 (X) ELASMOBRANCHII, INCLUDING NURSE SHARKS AND LEMON
22 SHARKS.

1 (B) IT IS UNLAWFUL FOR ANY PERSON TO CAUSE, UNDERTAKE, SPONSOR, BE
2 RESPONSIBLE FOR THE MANAGEMENT OF, OR FINANCIALLY BENEFIT AS AN
3 OWNER OR OPERATOR FROM, A PERFORMANCE OF ANY WILD OR EXOTIC
4 ANIMAL IN A TRAVELING ANIMAL ACT ON ANY PUBLIC OR PRIVATE PROPERTY.

5 (C) THE FOLOWING ARE EXEMPT FROM THE PROVISIONS OF THIS SECTION:

6 (1) DOMESTIC ANIMALS, LIVESTOCK, OR FARM ANIMALS AS DEFINED IN
7 THIS ARTICLE;

8 (2) THE DIAGNOSIS OR TREATMENT OF ANIMALS BY VETERINARIANS IN
9 THE COURSE OF A VETERINARIAN'S PRACTICE OF VETERINARY MEDICINE; OR

10 (3) RESEARCH OF ANIMALS AT A RESEARCH FACILITY REGISTERED BY THE
11 UNITED STATES DEPARTMENT OF AGRICULTURE AND APPROVED TO OPERATE
12 UNDER STATE AND COUNTY LAW.

13 (D) THE ANIMAL SERVICES DIVISION, UNDER THE SUPERVISION OF THE HEALTH
14 OFFICER, MAY ADOPT REGULATIONS TO FURTHER IMPLEMENT AND ENFORCE
15 THE PROVISIONS OF THIS SECTION.

16 (E) (1) ANY PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A
17 MISDEMEANOR AND IS SUBJECT TO A FINE OF UP TO \$1,000 AND IMPRISONMENT
18 FOR UP TO 90 DAYS. EACH WILD OR EXOTIC ANIMAL IN EACH PERFORMANCE
19 SHALL CONSTITUTE A SEPARATE VIOLATION.

20 (2) IN ADDITION TO CIVIL OR CRIMINAL PENALTIES AS APPLICABLE, THE
21 COUNTY ATTORNEY MAY SEEK INJUNCTIVE RELIEF TO PREVENT ANY FURTHER
22 PERFORMANCE IN VIOLATION OF THIS SECTION.

23

1 SECTION 2. AND BE IT FURTHER ENACTED, that this Act, having been passed by
2 the affirmative vote of five members of the County Council, shall take effect on October 16, 2017.