

10.34 Ownership and Possession of Restricted Animals

10.34.010 Purpose. The ownership and possession of restricted animals, as defined by this chapter, is regulated to protect the health and safety of the public and to promote the welfare of these animals.

10.34.015 Definitions. The following words and phrases used in this Chapter shall have the meanings set forth in this Section.

Applicant. A person, corporation, partnership, or other legal entity that applies for a permit under this chapter.

Breeder. A person, corporation, partnership, or other legal entity that meets permit qualifications and has been granted approval to breed animals restricted under this chapter.

Governmental agency. Any agency, board, commission and/or any political subdivision of the State of Nevada which receives and expends public funds whether federal, state or local.

Permit. A document issued by Animal Control which authorizes a permittee to possess and maintain the specific restricted animals identified on the permit.

Permittee. A person, corporation, partnership, or other legal entity that applies for and is granted a permit under this chapter.

Public zoo. A permanent cultural institution which owns and maintains captive wild animals that represent more than a token collection and, under the direction of a professional staff, provides its collection with appropriate care and exhibits them in an aesthetic manner to the public on a regularly scheduled basis. They shall further be defined as having as their primary business the exhibition, conservation, and preservation of the earth's fauna in an educational and scientific manner. Public zoos must be accredited by the American Zoo and Aquarium Association (AZA). Public zoos shall hold a USDA Class "C" Exhibitor's License.

Rehabilitation/sanctuary facility. A facility where abused, neglected, unwanted, impounded, abandoned, orphaned, injured or displaced restricted animals will be provided care for his or her lifetime.

Research facility. A university, college, governmental research agency, or other institution that engages in scientific or public health research.

Restricted Animal Broker/Dealer. A person, corporation, partnership, or other legal entity who acts as a broker or dealer in a transaction involving the buying and/or selling of restricted species, or who is in the business of transporting restricted species.

10.34.020 Ownership and Possession of Restricted Animals

- (a) It is unlawful for any person, corporation, partnership, or other legal entity to import, transfer, sell, purchase, breed or possess an animal classified as restricted unless that person, corporation, partnership, or other legal entity holds a permit or is exempt from holding a permit under this chapter and under the provisions of NRS 571 and 503 and NAC 441A, 503, and 504.
- (b) It is unlawful for any person, corporation, partnership, or other legal entity to sell, transfer, deliver or give an animal classified as restricted to any other person, corporation, partnership, or other legal entity unless the other person, corporation, partnership, or other legal entity holds a permit or is exempt from holding a permit under this chapter and under the provisions of NRS 571 and 503 and NAC 441A, 503, and 504.
- (c) The following animals are classified as restricted and inherently dangerous to humans.

(1) Order Primates

Family Pongidae—all species, including orangutans, chimpanzees and gorillas;

Family Hytobatidae – all species, including gibbons and siamangs;

Family Cercopithecidae—all species of Genus *Macaca* (macaques), Genus *Papio* (mandrills, drills, and baboons), and Genus *Theropithecus* (gelada baboon);

(2) Order Carnivora

Family Canidae—includes Genus *Canis* (all species, including wolves, jackals, dingos, and hybrids), *Chrysocyon brachyurus* (maned wolf); *Cuyon alpinus* (red dog or dhole), *Lycaon pictus* (African hunting dog), *Canis latrans* (coyotes, including hybrids);

Family Ursidae—all species of bears;

Family Mustelidae—*Gulo gulo* (wolverine);

Family Hyaenidae—all species of hyenas;

Family Viverridae—Binturong;

Family Felidae—includes Genus *Leo* or *Panthera* or *Neofelis* (all species, including lions, tigers, jaguars, leopards and hybrids), *Acinonym jubatus* (cheetah), *Felis concolor* (all subspecies of cougars), *Unica unica* (snow leopard), and all wild cats, including but not limited to jungle cat, margay, caracal, serval, lynx, bobcat, clouded leopard, ocelot and hybrids);

(3) Order Proboscidea

Family Elephantidae—all species of elephants.

(4) Order Perissodactyla

Family Thinocerotidae—all species, including rhinoceroses, zebra, tapir, hybrids;

(5) Order Artiodactyla

Family Hippopotamidae—all species of *Hippopotamus amphibus* (hippopotamus);

Family Bovidae— African buffalo (*Syncerus caffer*), wild bovidae, giraffe;

(6) Order Marsupalia—Kangaroos, wallabies, Tasmanian devils;

(7) Reptiles—Indigenous venomous snakes

10.34.030 Permit Applicant Qualifications. Applicants for a permit to possess a restricted animal shall meet the following minimum qualifications. If the applicant is a corporation, partnership or other legal entity, the applicant must designate an individual who represents the organization and meets the following minimum qualifications.

- (a) Applicant or designee must be at least eighteen (18) years of age.

- (b) Applicant or designee must have at least two (2) years of experience in the care and handling of the animal family for which the applicant is applying.
- (c) Applicant or designee shall not have been convicted of any violation of any state or federal wildlife regulations within three (3) years of the date of application, or any offense involving cruelty to animals.
- (d) Public zoos, research facilities, and governmental agencies as defined herein and animals specifically trained to assist handicapped persons are exempted from holding a permit. Permanent exempted facilities shall be required to submit information outlined in 10.34.040(a), (b), (c), (f) and (g) annually.

10.34.040 Permit Application. The applicant shall submit the following to Animal Control for each permit, permit amendment, or permit renewal. Any false statements made by applicant on the permit application will render such application null and void, and subject applicant to the penalties provided by law.

- (a) Name, complete street address, and phone number. If the applicant is a corporation, partnership, or other legal entity, the individual designated to represent the organization must also provide this information. The applicant, permittee or designee must notify Animal Control in writing of any change of address or name fourteen (14) days prior to the change.
- (b) Location where the restricted animal(s) will be housed. Facilities for holding permitted restricted animal(s) must be located on the premises on which the permittee resides, or shall have a full-time caretaker to supervise the care and security of the facilities.
- (c) Current animal inventory, including the common and scientific name, sex, age and source of each animal, any permanent identification on the animal, and identification of animals that have injured and/or killed a human being. The permittee must notify Animal Control within twenty-four hours of the addition or death of a restricted animal listed on the inventory.
- (d) A copy of current USDA, USDI or NDOW or other permits if applicable approving the possession of species listed on the animal inventory.
- (e) A signed statement by a veterinarian accredited by the USDA that he/she is the veterinarian of record and which includes the veterinarian's printed name, address, phone number, and license number. The veterinarian shall certify that he/she has observed each of the applicant's animals at least once during the prior year and that they have been appropriately immunized, housed, and cared for.
- (f) A plan for the quick and safe recapture of the animal(s), or if recapture is impossible, for the destruction of any animal held under the permit.
- (g) A plan for the emergency evacuation of the facility holding the restricted animals, to be updated within 30 days of any structural changes to the facility.
- (h) A letter of recommendation on letterhead stationary and signed in blue ink by the owner of a facility in good standing where the applicant gained his/her experience. The letter must include the printed name and address of the owner and detailed information regarding the applicant's knowledge and experience related to the species listed on the permit application.
- (i) Proof of liability insurance in the amount determined by Animal Class as designated in Table 1 below. The insurance amount shall not be in aggregate for the ownership of different species but will be maintained in the highest amount for the class of animal owned.

TABLE 1 - LIABILITY INSURANCE REQUIREMENTS

CLASS 1 \$100,000	CLASS 2 \$50,000	CLASS 3 \$10,000
Order Carnivora—Family Ursidae: All species of bears	Order Primates—Family Pongida, Family Hytobatidae and Family Cercopithecidae: All species	Order Carnivora—Family Canidae: All species
Order Proboscidea—Family Elephantidae: All species	Order Carnivora—Family Mustelidae: Wolverine	Order Carnivora—Family Hyaenidae: All species
Order Carnivora—Family Felidae: Leopard, Jaguar, Black and Spotted Leopard, Tiger, Mountain Lion, Cheetah, Lion, Snow Leopard	Order Carnivora—Family Felidae: Serval, Lynx and hybrids, Margay, Jungle Cats, Wild Cat, Bob Cat	Order Carnivora—Family Viverridae: Binturong
Order Perissodactyla—Family Thinocerotidae: Rhinoceroses	Order Artiodactyla—Family Bovidae: Buffalo, wild bovidae, giraffe	Order Perissodactyla—Family Thinocerotidae: Zebra, tapir, hybrids.
Order Artiodactyla—Family Hippopotamidae: all species except pigmy hippopotamus	Order Artiodactyla—Family Hippopotamidae: Pigmy hippopotamus	Order Marsupalia: Kangaroo, wallaby, Tasmanian devil
Reptiles—Indigenous Venomous Reptiles		

10.34.050 Breeding.

- (a) Applicants desiring to breed restricted animals shall include with the application a written plan detailing the reason for breeding, why the progeny are necessary, and the proposed lawful disposition of any offspring. Approval will be granted only if the breeding will not result in unneeded or uncared for restricted animals. Non-intended breeding may be the basis for denial and/or revocation of the permit. Persons or facilities accredited by the American Association of Zoos and Aquariums (AZA), the Species Survival Program (SSP), or in possession of a valid USDA permit are exempt.
- (b) Animals housed at a rehabilitation/sanctuary facility shall not be allowed to breed or produce offspring.

10.34.060 Permit Fee.

- (a) The permit application and renewal fee is \$100.
- (b) Permit fees shall be held by the County in a trust fund for the care and housing of restricted animals that are impounded under the provisions of this chapter.

10.34.070 Term of Permit. Permits issued by Animal Control under the provisions of the chapter shall be valid for a term of one (1) year from the date of issue unless the permit has been revoked for violations of this chapter.

10.34.080 Inspection of Facilities.

- (a) Before any permit is issued by Animal Control for the possession of a restricted animal, an inspection of all animal facilities and records related to such animals shall be conducted by Animal Control for the purpose of ensuring compliance with the regulations of this chapter.

- (b) Any person, corporation, partnership, or other legal entity possessing an animal restricted under this chapter shall during normal business hours and at all reasonable times allow Animal Control to inspect all animals, facilities and records relating to such animals for the purpose of ensuring compliance with the regulations of this chapter.

10.34.090 Grandfathering Provision.

- (a) An applicant who legally possessed the restricted animal within the unincorporated area of Clark County prior to July 1, 2002, and who provides proof of any and all required approvals from federal, state and/or local agencies to maintain the animal(s) by December 31, 2002, will be granted a permit and will not be subject to the care and housing provisions set forth in sections 10.34.130 – 10.34.280 except under the following circumstances:
 - (1) Change in the location at which the animals are kept;
 - (2) Lapse in approvals from federal, state and/or local agencies; or
 - (3) Conviction of any animal cruelty, neglect, import, export or possession violations.
- (b) An applicant holding an approved permit pursuant to this section shall comply with the care and housing provisions of this chapter for any new species which are added to the animal inventory.
- (c) An applicant applying for a restricted animal permit under this provision shall submit a permit application and annual permit renewal applications with the following information and the \$100 permit fee.
 - (1) Name, complete street address, and phone number. If the applicant is a corporation, partnership, or other legal entity, the individual designated to represent the organization must also provide this information. The applicant, permittee or designee must notify Animal Control in writing of any change of address or name fourteen (14) days prior to the change.
 - (2) Location where the restricted animal(s) will be housed.
 - (3) Current animal inventory, including the common and scientific name, sex, age and source of each animal, any permanent identification on the animal, and identification of animals that have injured and/or killed a human being. The permittee must notify Animal Control within twenty-four hours of the death of a restricted animal listed on the inventory.
 - (4) Copies of current federal, state and local permits (as required) allowing the possession of species listed on the animal inventory at the current location.
 - (5) A signed statement by a veterinarian accredited by the USDA that he/she is the veterinarian of record and which includes the veterinarian's printed name, address, phone number, and license number. The veterinarian shall certify that he/she has observed each of the applicant's animals at least once during the prior year and that they have been appropriately immunized, housed, and cared for.
 - (6) A plan for the quick and safe recapture of the animal(s), or if recapture is impossible, for the destruction of any animal held under the permit.
 - (7) A plan for the emergency evacuation of the facility holding the restricted animals, to be updated within 30 days of any structural changes to the facility.
 - (8) Proof of liability insurance in the amount determined by Animal Class as designated in Table 1 of 10.34.040 (i). The insurance amount shall not be in aggregate for the ownership of different species but will be maintained in the highest amount for the class of animal owned.

10.34.100 Animal Identification and Record-Keeping.

- (a) Each permitted restricted animal shall be individually identified by the use of an injectable microchip, tattoos, or other permanent identification system. Owners may request approval to implant the microchip or tattoo when the animal is next placed under anesthesia or sedation.
- (b) Permittees shall maintain a written log for each restricted animal in their possession which documents each animal's health care.
- (c) Permittee shall provide and maintain all documentation required by this provision, including all health records, for at least three years from the date issued.

10.34.110 Communicable Disease Testing Requirements for Primates. All primates shall be TB-tested by a licensed veterinarian in accordance with State law. All medical records and results of such testing shall be maintained by permittee and made available for inspection by Animal Control personnel. Any test results indicating a positive reaction to a TB (tuberculosis) test must be reported immediately to the Nevada Department of Agriculture, the Clark County Health Department, and Clark County Animal Control.

10.34.120 Care Requirements for All Restricted Animals.

- (a) No person, corporation, partnership, or other legal entity shall maintain any restricted animal(s) in captivity in any unsanitary or unsafe condition or in a manner which results in the maltreatment or neglect of such animal(s).
- (b) Drinking water shall be provided at all times in clean containers, or as required to maintain the health of the animal. Pools shall be cleaned as needed to ensure good water quality. Enclosures shall provide adequate drainage of surface water.
- (c) Animals shall be fed at least once per day or as directed by a veterinarian. Food provided shall be unspoiled and not contaminated. It shall be of a type and quantity sufficient to meet the nutritional requirements of animal(s) to which it is provided.
- (d) Fecal and food waste shall be removed from cages daily and stored or disposed of in a manner which prevents noxious odors or insect pests. Hard floors shall be scrubbed and disinfected weekly.
- (e) All restricted animals shall be provided with behavioral enrichment objects or exercise apparatus appropriate to their age and species to promote physical and psychological well-being. Such devices may include, but not be limited to, ropes, bars, branches, boxes, balls, and foraging items.

10.34.130 General Housing Requirements for All Restrict ed Animals .

- (a) All facilities must be surrounded by a perimeter fence (secondary) barrier of at least eight (8) feet in height and a minimum of four (4) feet from the cage holding the animal(s), or such other fencing, building, or other protection of the enclosure where the animal(s) is kept sufficient to prevent unauthorized public entry or direct physical contact between the animal(s) and the public.
- (b) With the exception of reptiles, all cages shall be well-braced and securely fastened to the floor or in the ground and shall utilize metal clamps or braces of equivalent strength as that prescribed for cage construction.
- (c) All cage entrances shall have double safety doors, one of which only opens to the inside. These doors must remain locked at all times when unattended with locks of sufficient strength to prevent the animal(s) from breaking open the door.

- (d) All cages shall be constructed with a den, nest box, or other connected housing unit that can be closed off and locked with the animal(s) inside to allow for the safe servicing and cleaning of the open area. In lieu of a nest box, a divided cage with a door between the two compartments may be used.
- (e) All outdoor cages shall provide adequate shelter from inclement weather conditions, shade from the sun and provide for the protection and health of the animal(s) held within. Indoor enclosures and caging must provide adequate ventilation at all times to maintain the health and comfort of the animal(s). A system of ventilation must provide fresh air by means of windows, doors, vents or air conditioning, and be designed to minimize drafts, odors and condensation of moisture. If the ambient temperature reaches 85 degrees Fahrenheit or greater, air conditioning, evaporative cooling, exhaust fans and vents, or other auxiliary ventilation must be provided.
- (f) Cages shall be sufficiently strong to prevent escape and to protect the caged animal(s) from injury. The mesh size or distance between bars shall be sufficiently small to prevent the escape of the animal(s) being held.
- (g) Restraint by tethering or chaining cannot be used as a means to hold a restricted animal in captivity, except for elephants within a perimeter fence or trained elephants under the immediate supervision of a qualified trainer or handler.
- (h) All restricted animals for which specific housing and care requirements are not provided for in this chapter shall be humanely confined in the manner provided for in this section and in accord with comparable caging requirements found in this chapter.

10.34.140 Specific Housing and Care Requirements for Felines.

- (a) All cages shall be constructed of and covered at the top with nine (9) gauge steel chain link or equivalent, with tension bars and metal clamps to prevent the escape of the animal; provided that animals may be held in facilities without a top where the sides of the enclosure are a minimum of ten (10) feet with an additional top cantilever of two (2) feet turned inward and outward at a forty-five (45) degree angle. Framework for all enclosures shall be erected and be of a material sufficiently strong to allow for the proper installation and maintenance of tension of the chain link or equivalent.
- (b) All cages for wild cats shall be constructed as above except that the minimum strength shall be of eleven and one-half (11½) gauge steel chain link or equivalent.
- (c) Minimum cage requirements:
 - (1) Lions, tigers, cheetahs or hybrids thereof.
 - Single animal: 20 feet by 15 feet by 8 feet high (or 300 square feet).
 - Each additional animal: Increase cage size by 50% (or 150 square feet).
 - Accessories: Elevated shelf or shelves large enough to accommodate any and all animals in enclosure.
 - (2) Jaguars, leopards, cougars, snow leopards, clouded leopards, or hybrids thereof.
 - Single animal: 20 feet by 10 feet by 8 feet high (or 200 square feet).
 - Each additional animal: Increase cage size by 50 percent (or 100 square feet).

Accessories: Elevated shelf or shelves large enough to accommodate any and all animals in enclosure.

(3) Wild cats or hybrids thereof.

Single animal: 8 feet by 10 feet by 10 feet high (or 80 square feet).

Each additional animal: Increase cage size by 50 percent (or 40 square feet).

Accessories: Elevated shelf or shelves large enough to accommodate any and all animals in enclosure.

10.34.150 Specific Housing and Care Requirements for Canines.

- (a)** All enclosures shall be constructed of and be covered at the top with eleven and one-half (11 ½) gauge steel chain link or equivalent, with tension bars and metal clamps to prevent the escape of the animal; provided that animals may be held in facilities without a top where the sides of the enclosure are a minimum of seven (7) feet with an additional top extension of two (2) feet turned inward at a forty-five (45) degree angle.
- (b)** All vertical enclosure fencing shall have either a concrete footing of sufficient depth to prevent the animal(s) from digging out or a buried horizontal apron made of eleven and one-half (11 ½) gauge chain link or equivalent attached to the bottom of the vertical fencing and extending a minimum of three (3) feet inward.
- (c)** Minimum caging requirements:

(1) Wolves, maned wolves, African hunting dogs, or hybrids thereof.

Single animal: 10 feet by 20 feet by 7 feet (or 200 square feet).

Each additional animal: Increase cage size by 50 percent (or 100 square feet).

Accessories: A sheltered retreat or den(s) shall be provided to accommodate any and all animals in enclosure.

- (2) Jackals, dingos, dholes, or hybrids thereof.

Single animal: 10 feet by 15 feet by 7 feet (or 150 square feet).

Each additional animal: Increase cage size by 50 percent (or 75 square feet).

Accessories: A sheltered retreat or den(s) shall be provided to accommodate any and all animals in enclosure.

10.34.160 Specific Housing and Care Requirements for Gorillas, Orangutans, and Chimpanzees.

- (a) Cage construction materials including the top shall consist of steel bars, two-inch galvanized pipe, masonry block or their strength equivalent.

- (b) Minimum cage sizes:

- (1) Gorilla.

Single animal: 20 feet by 15 feet by 8 feet high (or 300 square feet).

Each additional animal: Increase cage size by 50 percent (or 150 square feet).

Accessories: Each cage shall have elevated perching areas that will accommodate all animals in the enclosure simultaneously. Each cage shall have a horizontal climbing structure.

- (2) Orangutan.

Single animal: 20 feet by 10 feet by 10 feet high (or 200 square feet).

Each additional animal: Increase cage size by 50 percent (or 100 square feet).

Accessories: Each cage shall have elevated perching areas that will accommodate all animals in the enclosure simultaneously. Each cage shall have a horizontal and vertical climbing structure.

- (3) Chimpanzee.

Single animal: 20 feet by 10 feet by 9 feet high (or 200 square feet).

Each additional animal: Increase cage size by 50 percent (or 100 square feet).

Accessories: Each cage shall have elevated perching areas that will accommodate all animals in the enclosure simultaneously. Each cage shall have a horizontal climbing structure.

10.34.170 Specific Housing and Care Requirements for Gibbons and Siamangs.

- (a) Cage construction materials shall consist of and be covered at the top with not less than nine (9) gauge steel chain link or equivalent.

(b) Minimum cage size:

Single animal: 8 feet by 15 feet by 8 feet high (or 120 square feet).

Each additional animal: Increase cage size by 25 percent (or 30 square feet).

Accessories: Each cage shall have elevated perching areas that will accommodate all animals in the enclosure simultaneously. Each cage shall have hanging ropes, swings, or other apparatus to allow animals to brachiate the length of the enclosure.

10.34.180 Specific Housing and Care Requirements for Baboons.

(a) Cage construction materials shall consist of and be covered at the top with not less than nine (9) gauge steel chain link or equivalent.

(b) Minimum cage size:

Single animal: 10 feet by 12 feet by 8 feet high (or 120 square feet).

Each additional animal: Increase cage size by 50 percent (or 60 square feet).

Accessories: Each cage shall have elevated perching areas that will accommodate all animals in the enclosure simultaneously.

10.34.190 Specific Housing and Care Requirements for Macaques.

(a) Cage construction materials shall consist of and be covered at the top with not less than nine (9) gauge steel chain link or equivalent.

(b) Minimum cage size:

Single animal: 8 feet by 10 feet by 8 feet high (or 80 square feet).

Each additional animal: Increase cage size by 50 percent (or 40 square feet).

Accessories: Each cage shall have elevated perching areas that will accommodate all animals in the enclosure simultaneously. Each cage shall have a horizontal climbing structure.

10.34.200 Housing and Care Requirements for Bears. In addition to other requirements of this chapter, each cage/enclosure shall be equipped with a pool large enough to accommodate at least two animals simultaneously. The pool shall be designed such that it can be readily drained and cleaned to maintain good water quality.

10.34.210 Specific Housing and Care Requirements for American Black, Asiatic Black, Sun, Sloth, and Speckled Bears.

(a) Cage construction shall consist of and be covered at the top with not less than nine (9) gauge steel chain link or equivalent with tension bars and metal clamps to prevent the escape of the animal. Framework for all enclosures shall be erected and be of a material sufficiently strong enough to allow for the proper installation and maintenance of tension of the chain link or equivalent.

(b) Minimum cage size:

Single animal: 20 feet by 15 feet by 8 feet high (or 300 square feet).

Each additional animal: Increase cage size by 50 percent (150 square feet).

Accessories: Each cage shall be equipped with a climbing structure, elevated shelf or shelves large enough to accommodate any and all animals in enclosure and at least two claw logs.

10.34.220 Specific Housing and Care Requirements for Brown Bears.

(a) Cage construction shall consist of and be covered at the top with not less than five (5) gauge steel chain link or equivalent with tension bars and metal clamps to prevent the escape of the animal. Framework for all enclosures shall be erected and be of a material sufficiently strong enough to allow for the proper installation and maintenance of tension of the chain link or equivalent.

(b) Minimum cage size:

Single animal: 20 feet by 20 feet by 10 feet high (or 400 square feet).

Each additional animal: Increase cage size by 50 percent (200 square feet).

Accessories: Each cage shall be equipped with a climbing structure, elevated shelf or shelves large enough to accommodate any and all animals in enclosure and at least two claw logs.

10.34.230 Specific Housing and Care Requirements for Hyenas and Binturongs.

(a) Cage construction shall consist of and be covered at the top with not less than nine (9) gauge steel chain link or equivalent with tension bars and metal clamps to prevent the escape of the animal. Framework for all enclosures shall be erected and be of a material sufficiently strong enough to allow for the proper installation and maintenance of tension of the chain link or equivalent.

(b) Minimum cage size:

Single animal: 10 feet by 20 feet by 7 feet high (or 200 square feet).

Each additional animal: Increase cage size by 50 percent (100 square feet).

Accessories: Each cage shall have either a den or elevated platform.

10.34.240 Specific Housing and Care Requirements for Wolverines.

(a) Cage construction shall consist of and be covered at the top with not less than nine (9) gauge steel chain link or equivalent with tension bars and metal clamps to prevent the escape of the animal. Framework for all enclosures shall be erected and be of a material sufficiently strong enough to allow for the proper installation and maintenance of tension of the chain link or equivalent.

- (b) Minimum cage size:

Single animal: 10 feet by 10 feet by 6 feet high (or 100 square feet).

Each additional animal: Increase cage size by 50 percent (500 square feet).

Accessories: Each cage shall have either a den or elevated platform.

10.34.250 Specific Housing and Care Requirements for Pachyderms.

- (a) Construction materials of enclosure shall consist of steel bars, masonry block, steel-reinforced concrete or equivalent.

- (b) Elephants and rhinoceros.

Single animal: Minimum enclosure size shall be 1500 square feet.

Each additional animal: Increase enclosure by 50 percent.

Accessories for Elephants: A pool shall be provided with a minimum surface area of 300 square feet and a minimum depth of five (5) feet.

- (c) Hippopotamus:

Single animal: Minimum enclosure size shall be 1000 square feet.

Each additional animal: Increase enclosure by 50 percent.

Accessories: A pool shall be provided with a minimum surface area of 300 square feet and a minimum depth of five (5) feet.

10.34.260 Specific Housing and Care Requirements for Kangaroo and Wallaby.

- (a) Construction materials of enclosure shall consist of wood or natural substrate. The surface of the paddock shall be natural substrate. Walls of the enclosure shall be secured to buried concrete, or if walls are constructed of eleven (11) gauge non-rusting chain link or welded wire, they shall be buried deep enough in the dirt to prevent escape by digging.

- (b) Minimum enclosure size:

Single Kangaroo: 20 feet by 10 feet by 8 feet high (or 200 square feet).

Single Wallaby: 20 feet by 10 feet by 6 feet high (or 200 square feet).

Each additional animal: Increase size by 50 percent (or 100 square feet).

Accessories: A refuge shelter area shall be provided.

10.34.270 Specific Housing and Care Requirements for African Buffalo.

- (a) Construction materials of enclosure shall consist of steel bars, masonry block, steel reinforced concrete or equivalent.

(b) Minimum enclosure size:

Single animal: 1000 square feet.

Each additional animal: Increase size by 25 percent.

10.34.280 Specific Housing and Care Requirements for Indigenous Venomous Snakes.

(a) All venomous snakes shall be kept in a locked exhibit or container which shall be located within a locked building, compound or enclosure. Each container or exhibit shall be labeled with the:

(1) Common and scientific name of the species and the subspecies.

(2) Number of animals contained inside.

(3) Warning "Poisonous."

(4) Appropriate antivenin to be used for the species in the cage.

(b) The following shall be clearly and conspicuously posted in the building housing these snakes and shall be submitted to Animal Control as part of the permit application.

(1) Emergency procedures for animal escape.

(2) Location of the nearest, most readily available source of appropriate antivenin.

(3) A written plan from a hospital stating how a venomous bite should be treated.

(c) A snake handling device shall be conspicuously located in the building housing these snakes. The names, telephone numbers and addresses of two trained handlers shall be submitted to Animal Control as part of the permit application.

(d) Size of the perimeter of the enclosure.

Each snake less than six (6) feet long: 1 ½ times the length of the snake.

Each snake over six (6) feet long: Twice the length of the snake.

Accessories: Each enclosure shall have hiding places.

(e) If a snake is transported or removed from its primary enclosure, the snake shall be kept in a fully enclosed container with a secure lid which has air holes or other means of ventilation. The container shall be clearly marked "Poisonous" and contain the common and scientific names.

(f) The permittee shall telephonically notify Animal Control within two hours of any snake bite on a human, and within one week shall provide a written report of the incident to Animal Control.

10.34.290 Transporting Restricted Animals.

(a) USDA licensees and registrants (under the Animal Welfare Act) are exempt from this section provided they comply with the provisions of 9 CFR Subchapter A, and all USDA, APHIS, Animal Care policies regarding the transport of animals and the requirements of traveling exhibitors.

(b) Enclosures used to transport live restricted animals shall comply with the following:

- (1) Shall be designed and constructed to protect the health and ensure the safety and comfort of the animal(s) therein.
 - (2) Shall be of sufficient strength to withstand the rigors of normal transportation.
 - (3) Shall be free of interior protrusions that could injure the animal(s).
 - (4) Shall provide sufficient breathable air.
 - (5) Shall allow the animal(s) to be fed and watered without opening the enclosure.
 - (6) Shall provide easy accessibility for emergency removal of the animal(s).
 - (7) Shall provide sufficient space for the animal(s) to stand-up, lie-down, turn around and make all normal postural adjustments.
 - (8) Shall provide supplemental heating when the ambient temperature fall below 50 degrees, unless a veterinarian's statement is attached to the enclosure certifying that the animal(s) therein are acclimated to a lower temperature.
 - (9) Shall provide auxiliary cooling (by means of fans, vents, air conditioning, evaporative cooling, etc.) when the ambient temperature rises above 85 degrees.
- (c) Restricted animals may be kept in transport enclosures for a period of time not to exceed 48 hours.

10.34.300 Escape and Liability for Escape.

- (a) Permittee shall immediately notify Animal Control of any escape of a restricted animal.
- (b) Permittee shall be liable for any costs incurred resulting from the escape of a restricted animal.
- (c) Neither the County, Animal Control, nor any agency, officer, official employee or agent thereof shall be liable for any restricted animal that expires, or is injured or destroyed during recapture; nor is liable for any damage or injury caused by a restricted animal held under a permit issued pursuant to this chapter.

10.34.310 Seizure.

- (a) Animal Control or any law enforcement agency may take possession of a restricted animal, including and not limited to all equipment and vehicles necessary for the impoundment of the restricted animal, for a violation of this chapter which endangers the health and safety of the public or the animal.
- (b) An owner of a restricted animal shall be liable for any and all costs incurred by the seizure of a restricted animal until the final disposition is determined by the owner or a court of competent jurisdiction.
- (c) The owner of the restricted animal, if the owner can be found, shall be given a notice of the reasons for the taking, the location where the restricted animal will be housed, and the owner's liability for the costs of shelter and care of the restricted animal. If the owner cannot be found after a reasonable search, a notice shall be posted on the property from which the restricted animal was seized. If the identity and address of the owner is later determined, the notice must immediately be delivered to the owner.
- (d) Upon proof of notification, a court of competent jurisdiction may, after providing an opportunity for a hearing, order the restricted animal placed in a facility which meets the provisions of this chapter or humanely destroyed.

- (e) The owner of the restricted animal may provide written permission to Animal Control for the restricted animal to be humanely destroyed or for Animal Control to pursue such disposition as it sees fit.

10.34.320 Disposition.

- (a) Animal Control may allow owners of unpermitted restricted animals who do not qualify for a permit to possess the restricted animal or whose permit is revoked for violating the provisions of this chapter to transfer the restricted animal to a permitted or approved recipient .
- (b) The owner of unpermitted restricted animals shall notify Animal Control prior to said transfer taking place.
- (c) Each day of possession of the unpermitted restricted animal constitutes a separate violation.