

ORDINANCE NO. 012703

AN ORDINANCE OF BRECKINRIDGE COUNTY,
KENTUCKY RELATING TO THE OWNERSHIP,
POSSESSION, SALE OR TRADE AND TRANSPORTING
OF CERTAIN PROHIBITED ANIMALS

NOW, THEREFORE, be it ordained by the Fiscal Court of County of Breckinridge,
Commonwealth of Kentucky.

Section 1. Prohibition. It shall be unlawful for any person, partnership or corporation to keep, maintain or have in his or her possession or under his or her control within the county any poisonous reptile or any other dangerous or carnivorous wild animal or reptile, any vicious or dangerous domesticated animal or any other animal or reptile of wild, vicious or dangerous propensities.

Section 2. Classification. It shall be unlawful for any person to keep, maintain or have in his or her possession or under his or her control within the county any of the following animals:

1. African buffalo (*Syncerus caffer*);
2. Hippopotamus (*Hippopotamus amphibious*);
3. Hyenas (family *Hyaenidae*), all species except aardwolves (*Proteles Cristatus*);
4. Honey badger or ratel (*Mellivora campensis*);
5. Old world badger (*Meles meles*);
6. Lions, jaguars, leopards or tigers (Genus *Panthera*);
7. Clouded leopard (*Neofelis nebulosa*);
8. Cheetah (*Acinonyx jubatus*);
9. Elephants (family *Elephantidae*);
10. Rhinoceroses (family *Rhinocerotidae*);
11. Gibbons or siamangs (family *Hylobatidae*);
12. Orangutans, chimpanzees, or gorilla (family *Pongidae*);
13. Baboons, drills or mandrills (Genus *Papio*);
14. Macaques (Genus *Macaca*);

15. Gelada baboon (*Theropithecus gelada*);
16. Gavials (Family Gavialidae);
17. Crocodiles (Family Crocodylidae);
18. Alligators or caimans (Family Alligatoridae);
19. Sea Snakes (Family Hydrophidae);
20. Cobras or coral snakes (Family Elapidae);
21. Adders or vipers (Family Viperæ);
22. Venomous rear-fanged species (Family Colubridae);
23. Gila monsters or beaded lizards (Family Helodermatidae);
24. Komodo dragon (*Varanus komodoensis*);
25. The following constricting snakes over eight (8) feet in length;
 - a. Boa constrictor (*Boa constrictor*) all subspecies;
 - b. Anaconda (*eunectes murinus*);
 - c. Indian python (*Python molurus*);
 - d. Reticulated python (*Python reticulatus*); or
 - e. Rock Python (*Python sebae*);
26. Bears (Family Ursidae);
27. Wolf or wolf hybrids of over twenty-five (25) percent wolf

Section 3. Exceptions. This ordinance shall not prohibit a circus or other entertainment organization, an educational, scientific or medical institution, from keeping such animal where the same is securely and humanely confined.

Section 4. Seizure of Animals. Any peace officer or animal control officer of the county shall have the authority to enforce the provisions of this ordinance including, but not limited to, taking possession of any animal which the officer reasonable believes has been taken, employed, used or possessed in violation of this ordinance. If the person in possession of such animal

refuses to relinquish possession of the animal the peace officer or animal control officer shall obtain an appropriate court order to obtain possession.

Section 5. Forfeiting possession. Anyone violating this ordinance shall, in addition to any other penalty, forfeit the animal to the county for destruction or disposition. Prior to such forfeiture, the county may direct a transfer of the animal to a qualified zoological, educational, or scientific institution or qualified private propagator for safekeeping, with costs assessed to the defendant.

Section 6. Severability. If any section, phrase or provision of this Ordinance is for any reason declared to be invalid, such declaration will not affect the validity of the remainder of the sections, phrases or provisions of this Ordinance.

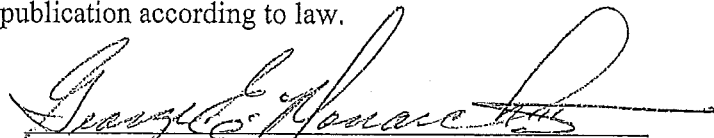
Section 7. Conflict. To the extent any resolution, ordinance or part thereof is in conflict, the provisions of this Ordinance will prevail and be given effect.

Section 8. Effective Date. This Ordinance will be in full force and effect from and after adoption and publication thereof as provided by law.

Section 9. Penalty. Any person, firm or corporation violating any provision of this ordinance shall be fined not less than five dollars nor more than five hundred dollars for each offense and a separate offense shall be deemed committed on each day during or on which a violation occurs or continues.

INTRODUCED, SECONDED, READ AND GIVEN FIRST READING APPROVAL at a duly convened meeting of the Fiscal Court of Breckinridge County, Kentucky, held on January 27, 2003.

GIVEN SECOND READING AND ADOPTED at a duly convened meeting of the Fiscal Court of Breckinridge County, Kentucky, held on February 10, 2003, signed by the County Judge/Executive as evidence of his approval, attested by the Clerk of the Fiscal Court, ordered published and filed as required by law, and declared to be in full force and effect from and after is adoption, approval and publication according to law.


BRECKINRIDGE COUNTY JUDGE/EXECUTIVE

Attest:


CLERK OF THE FISCAL COURT