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POLICE DEPARTMENT – A NATIONALLY ACCREDITED LAW ENFORCEMENT AGENCY

MEMO

TO: City Administrator, Gregg Mandsager
FROM: Chief Brett Talkington
RE: Dangerous Animal Ordinance
DATE: 03-05-2012

I researched 12 Iowa cities and how they define their dangerous animal ordinance for snakes. The following is how the 12 cities broke down their definition of dangerous animals:

1. 33% Did NOT allow any venomous or constrictor snakes
2. 25% Did not mention anything about constrictors, just venomous snakes
3. 25% had length limits. Two with 6 Foot limit and the other 10 Foot limit.
4. 17% allowed at least some type of pythons or boa constrictor.

I would recommend there are no changes to the current city ordinance. This city ordinance has been in effect for well over 20 years. The city ordinance has been upheld in past years and has forced other citizen's find other homes outside the city limits for their constrictor snakes. The southern parts of the country, mainly Florida, are being overtaken by pythons and the situation is only getting worse. Pythons are being let go by owners when they get to big. They also escaped from pet shops when Hurricane Andrew hit Florida in 1992. I don't want owners of pythons releasing them when they don't want them anymore. I realize that the situation in Florida is dealing with Burmese pythons but these snakes are breeding at alarming rates.

If there were an alternative to no changes I would suggest a length limit of an adult python of no longer than 6 foot. The issue is how you measure them if you think they are over 6 foot. I would also suggest if you allow these types of snakes that you make them register them with city hall so we have an idea of who has them in the community. This would help the city track owners if there ever was a snake that ended up in the streets. The following would be an example an addition to the current city ordinance.

Snakes that are venomous or constrictors, except for non-venomous python's regius or ball pythons whose adult length is less than six (6') feet.

ORDINANCE NO. _____

**An Ordinance Amending Title 4, Chapter 1, Animal Regulations
Amending the Definition of Dangerous Animals**

BE IT ORDAINED by the City Council of the City of Muscatine, Iowa, as follows:

Section 1. Title 4, General Provisions, Chapter 1 Animal Regulations, Section 1 Definitions is hereby amended to add an exception to (3)i as follows:

(F) "Dangerous animals" means:

(3) The following animals which shall be deemed to be dangerous animals per se:

- a. Lions, tigers, jaguars, leopards, cougars, lynxes, cheetas, and bobcats;
- b. Wolves, coyotes and foxes;
- c. Badgers, wolverines, weasels, and skunks;
- d. Raccoons;
- e. Bears;
- f. Monkeys and chimpanzees;
- g. Alligators and crocodiles;
- h. Scorpions;
- i. Snakes that are venomous or constrictors, except for the non-venomous python regius or ball python whose adult length is less than six (6) feet;
- j. Gila monsters; and
- k. Any crossbreed of such animals which have similar characteristics to the animals specified above.

Section 2. All ordinances or portions of ordinances in conflict herewith are hereby repealed.

Section 3. This Ordinance shall become effective upon passing and publication as provided by law.

PASSED, APPROVED AND ADOPTED ON THIS _____ day of March, 2012.

DeWayne Hopkins, Mayor

ATTEST:

Gregg, Mandsager, City Administrator

First Reading: _____

Second Reading: _____

Third Reading: _____

Publication: _____

Various City Ordinances for Dangerous Animals (SNAKES)

• **CITY OF MARSHALLTOWN**

2008 RECODIFICATION INCLUDING AUGUST 2010 SUPPLEMENT
dangerous by the County Board of Health or Council or its designee; and the following animals, which are deemed to be dangerous animals per se;

- a.) Lions, tigers, jaguars, leopards, cougars, lynx and bobcats;
- b.) Wolves, coyotes and foxes;
- c.) Badgers, wolverines, weasels, skunks, minks and groundhogs;
- d.) Raccoons, deer, and snapping turtles;
- e.) Bears;
- f.) Monkeys and chimpanzees;
- g.) Alligators and crocodiles;
- h.) Snakes that are venomous, or constrictors;
- i.) Gila monsters.

• **CITY OF NEWTON**

13.0302.3 Dangerous Animal: shall mean:

13.0302.3(C)(15) Squamata of the suborder Ophidia (snakes) which are venomous; and
[Ord. No. 1971 Eff. Date 05-19-00]

13.0302.3(C)(16) Squamata of the suborder Ophidia (snakes) which are constrictors that are greater than six (6) feet in length.

• **CITY OF BETTENDORF**

Sec. 19-36. WILD, EXOTIC, AND DANGEROUS ANIMALS PROHIBITED:

(a) It shall be unlawful for any person to own, possess, harbor, sell, or in any manner to traffic in the following species of animals:

(1) All poisonous snakes and poisonous reptiles, gila monsters, alligators, crocodiles, and caimans.

- **CITY OF DAVENPORT**

6.04.100 Wild, exotic or dangerous animals prohibited.

A. It shall be unlawful for any person to own, possess, harbor, maintain, sell or traffic in any of the following wild, exotic or dangerous animals.

1. All poisonous snakes and poisonous reptiles; all nonpoisonous snakes greater than ten feet in length; Gila monsters, alligators, crocodiles and caimans;
2. Gorillas, chimpanzees, orangutans, baboons, and other non-human primate mammals, both arboreal and nonarboreal.
3. Any species of feline not falling within the categories of ordinary domesticated house cats as established by the American Cat Fancier Association;
4. Bears or any species;
5. Raccoons, porcupines, skunks, badgers, and other similar fur-bearing animals except ferrets;
6. Foxes, wolves, coyotes, or other species not falling within the category of *canis familiaris*.
7. Any animal of any species known to be vicious or dangerous, excluding *canis familiaris*.

B. The prohibition contained in Section 6.04.100 A. of this chapter shall not apply to the keeping of poisonous snakes, poisonous reptiles, Gila monsters, crocodiles, alligators and caimans provided that the owner of such an animal is eighteen years of age or older, and that person has either (1) received a bachelor of science degree based upon courses of instruction which included courses in herpetology from an accredited college level institution, or (2) has successfully completed a course of instruction taught under the auspices of a bona fide municipal zoo on the proper handling, care and keeping of such animals, or (3) has completed a course of instruction of at least twenty hours duration at an accredited educational institution on the care, handling, and keeping of reptiles, and (4) has applied for and received from the Humane Society a permit to keep such animals, such application to be on a form approved by the city council.

- **CITY OF CLINTON**

WILD ANIMAL. Any live monkey (nonhuman primate), raccoon, skunk, fox, poisonous snake, leopard, panther, tiger, lion, lynx or any other warm-blooded animal which can normally be found in the wild state, with the exception of gerbils, hamsters, guinea pigs and similar pets and birds allowed by the Iowa Code.

- **CITY OF IOWA CITY**

PROHIBITED ANIMALS: The following genus/species of animals are hereby declared to be prohibited:

- R. Crotalidae, Viperidae, Elapidae, Opisthoglyphous Colubridae, and all other orders which include poisonous or venomous reptiles (e.g., rattlesnakes, vipers, corals, copperheads, cottonmouths, moccasins, sea snakes, puff adders, malagasy hognoses).
- S. Eunectes of the order Squamata (e.g., green anaconda).
- T. Python sebae, Python reticulatus, Python molorus, Morelia amethystina of the order Squamata.

- **CITY OF MASON CITY**

6.30.010 Keeping—Permit required.

No person shall have, keep, or maintain, or have in his possession or under his control, within any area of the city which is zoned residential, any lion, tiger, bear, chimpanzee, gorilla, cougar, mountain lion, badger, wolf, coyote, fox, lynx, or any poisonous reptile or serpent, or any other dangerous or carnivorous wild animal or reptile; provided, however, that in those areas zoned other than residential, such animals may be permitted on the condition that a permit is obtained from the commissioner of public safety or his duly authorized representative. Such permit shall be granted upon showing by the applicant that adequate safeguards have been instituted and will be maintained which will effectively control the dangerous or vicious propensities of such animal or reptile, eliminating any danger to individuals or property, and provided that the keeping or maintaining of any such animal will in no way constitute a nuisance to the occupants of any surrounding property. (Ord. 1421 § 1, 1975).

- **CITY OF OTTUMWA**

The following animals which shall be deemed to be dangerous animals per se:

- a. Lions, tiger, jaguars, leopards, cougars, lynxes, cheetahs, and bobcats;
- b. Wolves, coyotes and foxes;
- c. Badgers, wolverines, weasels, and skunks;
- d. Raccoons;
- e. Bears;
- f. Monkeys, chimpanzees, and other primates;
- g. Alligators and crocodiles;
- h. Scorpions;
- i. Snakes that are venomous or constrictors;
- j. Gila monsters;
- k. Piranha and sharks;
- l. Pit bull terrier; and,
- m. Any crossbreed of such animals which have similar characteristics to the animals specified above.

- **CITY OF CEDAR RAPIDS**

Dangerous animal: For purposes of this chapter, all animals whether actually vicious or not, defined as follows:

- (1) Felids (cats), except domesticated cats;
- (2) Ursids (bears);
- (3) Crocodilians (such as alligators and crocodiles);
- (4) All venomous and constricting snakes.

- **CITY OF DUBUQUE**

The following animals which shall be deemed to be dangerous animals per se:

1. Lions, tigers, jaguars, leopards, cougars, lynx and bobcats;
2. Wolves, coyotes and foxes;
3. Badgers, wolverines, weasels, skunks and mink;
4. Raccoons;

5. Bears;
6. All apes, baboons, macaques, monkeys and chimpanzees;
7. Alligators and crocodiles;
8. Scorpions;
9. Snakes and reptiles that are venomous;
10. Snakes that are constrictors, with the exception of sand boa constrictors;
11. Gila monsters;
12. Opossums; and
13. Any crossbreed of such animals which have similar characteristics of the animals specified above. (Ord. 76-08, 11-3-2008)

- **CITY OF WATERLOO**

DANGEROUS ANIMAL: A. Any animal or species of animal which is not naturally tame or gentle, and which is of a wild nature or disposition, and which is capable of killing, inflicting serious injury upon, or causing disease among human beings or domestic animals and having tendencies as a species to do so; or

B. Any animal declared to be dangerous by the city council or an animal control officer.

C. The following animals or species of animals shall be deemed dangerous:

1. All felids, except *Felis domestica* (domestic cats).
2. All ursids (bears).
3. All canids, except *Canis familiaris* (dogs).
4. All nonhuman primates.
5. All crocodilians.
6. All venomous and constricting snakes.
7. All venomous reptiles.
8. All venomous arachnids.
9. All mustelids, except domestic ferrets.

D. In addition to the exceptions stated in subsection C of this definition, the following animals shall not be considered dangerous animals, but nonetheless may be subject to applicable zoning requirements:

1. Animals kept for farming purposes, including, but not limited to, cattle, bison, pigs, horses, poultry, ostriches, emus, goats, sheep, antelope, llamas, and alpacas.
2. Constricting snakes whose adult length is less than six feet (6"), and specifically limited to corn snakes, king snakes, garter snakes, ribbon snakes, rat snakes, milk snakes, rosy boas, and ball pythons.
3. Hamsters, gerbils, guinea pigs, domestic rabbits, and domestic rats.

- **CITY OF KEOKUK**

"Wild animal" means any animal other than a domestic dog or cat which in its wild state is carnivorous or because of its nature or physical makeup is capable of inflicting serious physical harm or death to a human being including, but not limited to, animals which belong to the cat family or snakes which are poisonous or otherwise present a risk of serious physical harm or death to human beings as a result of their natural physical makeup, including all constrictors and including all bears, wolverines, badgers, lions, tigers and such other animals as are considered carnivorous.