

AN ORDINANCE ESTABLISHING EXOTIC ANIMAL CONTROL
FOR THE CITY OF BLOOMINGTON, INDIANA.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF BLOOMINGTON,
INDIANA:

Section I.

No person shall possess, possess with intent to sell, sell,
or offer for sale within the City of Bloomington, Indiana, any
exotic animal.

Section II. Definitions

(A) An exotic animal shall mean:

- (1) any mammal not native to the continental United States;
- (2) any mammal not generally accustomed to live in or near
the habitation of men;
- (3) any mammal not considered to be a member of the class
generally referred to as Domestic Animals;
- (4) poisonous reptiles, caymans, horned toads, and
reptiles which reach a length of fifteen (15) feet or longer
at maturity;
- (5) any non-human primates;
- (6) those animals listed on the endangered species list as
designated by the United States Secretary of Interior and published
in the Code of Federal Regulations pursuant to the Endangered
Species Act of 1969 (Public Law 135, 91st Congress);
- (7) all animals protected from hunting and capture by
state and federal law;
- (8) all predatory birds.

(B) Domestic Animals shall mean those animals reproducing in
captivity for a long period of time and/or those animals who have
reproduced while in captivity in the United States for at least
200 generations. A particular animal shall not be regarded as
domestic unless both parents are domestic animals.

Section III.

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Indiana University, staff and employees shall be exempt from the provisions of this ordinance as to possession of animals for teaching or research purposes.

Section IV.

Any person owning an exotic animal prior to the enactment of this ordinance shall be permitted to continue ownership of the animal, provided that he register said animal with the Animal Control Commission within six weeks after enactment of this ordinance. A copy of this registration must be kept by the owner as evidence of possession of the animal prior to the enactment of this ordinance.

Section V.

The Animal Control Commission shall have the power to grant a variance to any provision of this ordinance. Persons requesting a variance shall make a request for a hearing to the Chairman of the Animal Control Commission. A hearing will be granted within (30) days of the request. The variance shall be granted upon a recommendation of a majority of the Commission, if in the opinion of a majority of the Commission there is no threat to the health, safety and welfare of the community of Bloomington.

Section VI.

If any exotic animal is at large and must be chased by the Animal Control Commission personnel or their agents, the owner shall be assessed the cost of such pursuit by the Animal Control Commission.

Section VII.

Penalty for violation of any provision of this ordinance shall be as set forth in Section 1.01.130 of the 1970 Bloomington Code.

Section VIII.

If any section, sentence, or provision of this ordinance, or the application thereof to any person or circumstance, shall be declared invalid, such invalidity shall not effect any of the

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other sections, sentences, provisions or applications of this ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are declared to be severable.

Section IX.

This ordinance shall be in full force and effect from and after its passage, promulgation, approval by the Mayor and publication in accordance with the law.

Passed and adopted by the Common Council of the City of Bloomington, Indiana, on the 3 day of August 1972.

Charlotte T. Zietlow
Charlotte T. Zietlow, Council President

ATTEST:

Grace E. Johnson
Grace E. Johnson, City Clerk

Presented by me to the Mayor of the City of Bloomington, upon the 10 day of August 1972, at the hour of 2 o'clock P.m.

Grace E. Johnson
Grace E. Johnson, City Clerk

This ordinance approved and signed by me upon the 10 day of August 1972, at the hour of 2 o'clock P.m.

Francis X. McCloskey
Francis X. McCloskey, Mayor