

Draft Town of Ulysses Local Law – For Discussion Purposes Only
LOCAL LAW NO. ___ OF THE YEAR 2022

A LOCAL LAW TO PROHIBIT THE DISPLAY OF WILD AND/OR EXOTIC ANIMALS

Be it enacted by the Town Board of the Town of Ulysses as follows:

Section 1. Purpose.

The purpose of this local law is to prohibit the display of wild and exotic animals.

Section 2. Enactment of Chapter 66, Article II of the Ulysses Town Code Entitled
“Prohibition on Display of Wild and/or Exotic Animals”.

There shall be a new Article II of Chapter 66 added to the Town of Ulysses Code, entitled “Prohibition on Display of Wild and/or Exotic Animals”, which shall be numbered and read as follows:

§66-21 Title.

The title of this article shall be “Prohibition on Display of Wild and/or Exotic Animals.”

§66-22 Statutory Authority.

This article is enacted pursuant to the provisions of the Municipal Home Rule Law of the State of New York.

§66-23 Purpose.

The Town Board of the Town of Ulysses, County of Tompkins, hereby finds and declares that the purpose of this article is to protect the health, safety and welfare of the residents of the Town of Ulysses from the dangers posed by the display of wild and exotic animals, as well as the health, safety and welfare of those animals.

§66-24 Applicability.

This article shall apply to all areas of the Town of Ulysses, outside of the municipal boundaries of the Village of Trumansburg.

§66-25 Definitions.

As used in this article, the following words shall have the meaning set forth herein.

Enforcement Officer

The Town Code Enforcement Officer, Dog Control Officer, officer of the peace, police officer, or other person duly authorized by the Town Board of the Town of Ulysses to enforce this article.

Display

Any exhibition, fair, act, circus, ride, or similar undertaking in which wild and/or exotic animals are required to perform tricks, give rides, or participate as accompaniments for

the entertainment, amusement, or benefit of a live audience, whether or not a fee is charged.

Mobile or Traveling Housing Facility

A transporting vehicle such as a truck, trailer or railway car, used to transport or house wild and/or exotic animals while traveling for exhibition or other performance of those wild and exotic animals.

Traveling Animal Act

Any display of wild and/or exotic animals where such animals are transported to, from, or between locations for the purpose of such display, in a mobile or traveling housing facility.

Wild and/or Exotic Animal

Any live animal from any of the following scientific classifications:

- a) Artiodactyla (including, but not limited to, hippopotamuses, giraffes, camels, and llamas, but excepting cattle, swine, sheep, and goats);
- b) Canidae (including, but not limited to, wolves, coyotes and foxes, but excepting domestic dogs);
- c) Crocodylia (including, but not limited to, alligators and crocodiles);
- d) Elephantidae (elephants);
- e) Felidae (including, but not limited to, tigers, lions, jaguars, leopards, cheetahs, and cougars, or any hybrid thereof, but excluding domestic cats);
- f) Marsupialia (including, but not limited to, kangaroos);
- g) Non-human primates (including, but not limited to, apes, monkeys, and lemurs);
- h) Perissodactyla (including, but not limited to rhinoceroses, tapirs, and zebras, but excepting horses, ponies, donkeys and mules);
- i) Pinnipedia (including, but not limited to, seals, sea lions, and walruses);
- j) Ratites (including, but not limited to, ostriches and emus);
- k) Ursidae (bears);
- l) Elasmobranchii (including, but not limited to, nurse sharks and lemon sharks)

§66-26 Prohibited Acts.

It shall be unlawful for any person, business, entity, corporation, limited liability company or other similar organization to allow for the display of a wild and/or exotic animal in a traveling animal act.

§66-27 Enforcement; Appearance Ticket.

Any Enforcement Officer shall administer and enforce the provisions of this article, and for such purpose shall have the authority to issue appearance tickets.

§66-28 Penalties for Offenses.

A violation of this article shall constitute a violation as defined in the Penal Law of the State of New York and shall be punishable by a penalty of \$250 per offense. Each and every wild and/or exotic animal exhibited and each day of exhibition shall each constitute a separate offense.

§66-29 Effective Date.

This article shall take effect upon filing with the Secretary of State.

Section 3. Remainder.

Except as hereinabove provided, the remainder of the Town Code of the Town of Ulysses shall remain in full force and effect.

Section 4. Separability

The provisions of this Local Law are separable and if any provision, clause, sentence, subsection, word or part thereof is held illegal, invalid, unconstitutional, or inapplicable to any person or circumstance, such illegality, invalidity or unconstitutionality, or inapplicability shall not affect or impair any of the remaining provisions, clauses, sentences, subsections, words, or parts of this local law or their application to other persons or circumstances. It is hereby declared to be the legislative intent that this local law would have been adopted if such illegal, invalid, or unconstitutional provision, clause, sentence, subsection, word or part had not been included therein, and as if such person or circumstance, to which the local law or part thereof is held inapplicable, had been specifically exempt therefrom.

Section 5. Effective Date

This Local Law shall take effect immediately upon filing with the New York State Secretary of State in accordance with Section 27 of the Municipal Home Rule Law.