

ORDINANCE # 897

AN ORDINANCE TO CLARIFY AND REVISE ORDINANCE #765, THE RED LODGE KEEPING, HOUSING AND/OR MAINTAINING OF WILD ANIMALS WITHIN THE CITY LIMITS.

WHEREAS: The City Council of the City of Red Lodge, Montana has determined the need to clarify the limitations of keeping, housing feeding or maintaining of wild animals within the City Limits; and

WHEREAS: The City Council has determined that the limitations found in Ordinance #765 may lead to some confusion by the general public as it is codified in the Municipal Code; and

WHEREAS: The City Council has determined that remaining mute to the issue is not in the best interest of the City, its residents and the wildlife that cohabitate within the City Limits; and

Now therefore:

BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF RED LODGE, MONTANA:

Section 5-5A5. Shall be amended to read as follows:

Wild Animals.

- A. Definition: "Wild animals" are defined as those animals listed below, but not limited to said list: antelope, anteater, ape, orangutan, bear, badger, beaver, bobcat, deer, elephant, elk, ferret, fox, giraffe, gopher, jaguar, lynx, lion, mink, monkey, moose, mountain lion, wolves, coyote, mountain goat, opossum, puma, raccoon, rat, skunk, reptiles, tiger, weasel, wild fowl including turkeys, or any other undomesticated animals.
- B. Prohibited: The keeping, housing, feeding, and/or maintaining of any and all wild animals within the city limits, except at those locations which are in existence on the effective date hereof is hereby prohibited. Should, for any reason, an animal which is in existence on the effective date hereof be removed from the present location for a period of seven (7) consecutive calendar days, the animal will not be allowed to be returned to the property or location. (Ord. 765, 3-27-1990)
- C. It shall be unlawful for persons to keep, house, provide feed, supplemental or otherwise, or maintain any wild animal within the City Limits as provided by this ordinance.

- 1st Offense- Written Warning.
- 2nd Offense- \$100.00 fine.
- 3rd or subsequent Offense- \$300.00 fine.

D. Exemption: (1) The Yellowstone Wildlife Sanctuary and the feeding of animals in their care is specifically exempt to the requirements of this Ordinance. (2) Bird feeders are exempt to the provisions of this ordinance provided that the bird feeders are not installed and operated for the purpose of providing supplemental feed to any of the animals described in section A.

Effective Date.

This ordinance shall be effective 30-days after approval of second reading by the Red Lodge City Council.

Repealer.

All other ordinances and resolutions of the Red Lodge City Council pertaining to the keeping of Wild Animals within the City of Red Lodge with the exception of Title 5 Chapter 5A and Title 12 (Zoning Regulations) are repealed upon the effective date of this ordinance. The effective date of Ordinance #765 is specifically NOT repealed.

Codification Note:

This Ordinance is intended to be codified in Title 5-5A-5 Wild Animals in the Red Lodge Municipal Code.

Be It Ordained By The Council Members of the City of Red Lodge.

First Reading by the Council on the ___ day of _____ 2013.

Second Reading by the Council on the ___ day of _____ 2013

PASSED and APPROVED by a majority of the elected members of the Red Lodge City Council this ___ day of _____ 2013.

The City of Red Lodge

By: _____
Brian C. Roat, Mayor

Attest: _____
Debbie Tomicich, City Clerk