

STATE OF TEXAS           §  
                                      §  
COUNTY OF BURNET       §

ORDER PROHIBITING THE KEEPING OF WILD ANIMALS

WHEREAS, this Order is adopted in accordance with LOCAL GOVERNMENT CODE, section 240.002, as amended;

WHEREAS, this Order applies in the unincorporated areas of the county;

WHEREAS, the Court finds that certain non-domestic animals pose a danger both to the residents and to the domestic animals in BURNET County;

WHEREAS, the Court finds that wolves, elephants and rhinoceros are dangerous animals;

IT IS HEREBY ORDERED by the Commissioners Court of BURNET County that the keeping of the following wild animals is prohibited in BURNET County:

lions, tigers, ocelots, cougars, leopards, cheetah, jaguars, bobcats, lynx, servals, caracals, hyenas, bears, coyotes, jackals, baboons, chimpanzee, orangutans, gorillas, wolves, elephants, rhinoceros and hybrids of these animals.

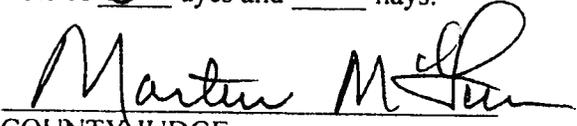
A person who harbors or keeps in BURNET County an animal prohibited by this Order commits an offense. An offense is a Class C misdemeanor. The County Attorney or another attorney representing the County may file an action to enjoin a violation or a threatened violation or threatened violation of this Order.

This order does not apply to:

- (1) a county, municipality, a agency of the state or an agency of the United States or an agent or official of a county, municipality, or agency acting in an official capacity;
- (2) a research facility, as that term is defined by Section 2 (e), Animal Welfare Act (7 U.S.C. Section 2132), and its subsequent amendments, that is licensed by the secretary of agriculture of the United States under that Act;
- (3) an organization that is an accredited member of the American Zoo and Aquarium Association;
- (4) an injured, infirm, orphaned, or abandoned dangerous wild animal while being transported for care or treatment;
- (5) an injured, infirm, orphaned, or abandoned dangerous wild animal while being rehabilitated, treated, or cared for by a licensed veterinarian, an incorporated humane society or animal shelter, or a person who holds a rehabilitation permit issued under Subchapter C, Chapter 43, Parks and Wildlife Code;

- (6) a dangerous wild animal owned by and in the custody and control of a transient circus company that is not based in this state if:
- (A) the animal is used as an integral part of the circus performances; and
  - (B) the animal is kept within this state only during the time the circus is performing in this state or for a period not to exceed 30 days while the circus is performing outside the United States;
- (7) a dangerous wild animal while in the temporary custody or control of a television or motion picture production company during the filming or a television or motion picture production in this state;
- (8) a dangerous wild animal owned by and in the possession, custody, or control of a college or university solely as a mascot for the college or university;
- (9) a dangerous wild animal while being transported in interstate commerce through the state in compliance with the Animal Welfare Act (7 U.S.C. Section 2131 et seq.) and its subsequent amendments and the regulations adopted under that Act;
- (10) a nonhuman primate owned by and in the control and custody of a person whose only business is supplying nonhuman primates directly and exclusively to biomedical research facilities and who holds a Class "A" or Class "B" dealer's license issued by the secretary of agriculture of the United States under the Animal Welfare Act ( 7 U.S.C. Section 2131 et seq.) and its subsequent amendments; and
- (11) a dangerous wild animal that is:
- (A) owned by or in the possession, control, or custody of a person who is a participant in a species survival plan of the American Zoo and Aquarium Association for that species; and
  - (B) an integral part of that species survival plan.

ADOPTED this 9<sup>TH</sup> day of NOVEMBER, 2001, by a vote of 5 ayes and 0 nays.

  
COUNTY JUDGE

Attest:

  
County Clerk