

CHAPTER LXVII
WILD OR EXOTIC ANIMALS BY-LAW

67-1. PURPOSE

The purpose of this Bylaw is to prevent the cruel and inhumane treatment of certain wild and exotic animals displayed for public entertainment in the Town of Topsfield.

67-2. DEFINITIONS

“Displayed” – This term shall include animal acts or performances, animal rides, photographic opportunities, and parades.

“Domesticated Animal” - Any animal occurring naturally or historically in the United States, that through long association with humans, has been bred to a degree which has resulted in changes affecting the temperament, color, conformation or other attributes of the species to the extent that makes it unique and different from wild animals of its kind.

“Entertainment” – Any wild animal circus or other carnival, traveling show, fair, or presentation in which wild or exotic animals are required to perform tricks or are used in performances for the amusement of an audience.

“Traveling Show” - Any mobile or stationary act, public show, trade show or similar undertaking incorporating wild or exotic animals as defined in this bylaw wherein the animals are taken from their permanent residence and required to walk or travel for any distance.

“Wild or Exotic Animal” - Any or all of the following, whether born in the wild or in captivity:

- a. Elephants;
- b. Lions;
- c. Tigers;
- d. Ocelots;
- e. Cheetahs;
- f. Jaguars;
- g. Cougars;
- h. Lynx;
- i. Bears;
- j. Giraffes;
- k. Camels;
- l. Zebras;
- m. Kangaroos;
- n. All non-human primates.

67-3. PROHIBITION OF WILD OR EXOTIC ANIMALS FOR ENTERTAINMENT

No living wild or exotic animal as defined in this bylaw shall be displayed or used for public entertainment on any property in the Town of Topsfield, including land owned by the Town, leased by the Town, or private property, and regardless of how such public entertainment is characterized, including, for example, a circus, carnival, fair, traveling show, exhibit, or similar event or undertaking.

67-4. EXEMPTIONS

The provisions of 67-3 shall not apply to:

1. Domesticated animals, including, but not limited to, dogs, cats, horses, and farm animal

2. Any non-domesticated animal that is not included in this bylaw's definition of "Wild or Exotic Animal"
3. Exhibits that are part of an organization that is accredited by the "Association of Zoos and Aquariums" (AZA).

67-5. ENFORCEMENT AND PENALTIES

This Bylaw shall be enforced by any available means in law or equity, including but not limited to enforcement by non-criminal disposition pursuant to M.G.L. Chapter 40, §21D. Display of a wild or exotic animal in violation of this bylaw shall constitute a separate violation for each day such violation exists. When enforced through non-criminal disposition, the penalties shall be as follows:

First violation:	\$100.00
Second violation:	\$200.00
Third violation and subsequent offenses:	\$300.00

The Board of Selectmen or its designee, shall be the enforcing authority of this bylaw.

(Art. 33, 05/07/19; Art. 26, 06/20/20)