

Ordinance No. 3 of 2021

The Township of Kiskimintas,  
Armstrong County, Pennsylvania

**AN ORDINANCE OF THE TOWNSHIP OF KISKIMENTAS (“KISKI”),  
ARMSTRONG COUNTY, A SECOND-CLASS TOWNSHIP UNDER THE LAWS OF THE  
COMMONWEALTH OF PENNSYLVANIA, REGULATING THE POSSESSION,  
KEEPING, TREATMENT AND TRANSPORT OF EXOTIC, VENOMOUS AND  
DANGEROUS ANIMALS IN THE TOWNSHIP OF KISKI, AND PROVIDING THE  
PENALTIES FOR VIOLATION THEREOF.**

**WHEREAS**, pursuant to the Second-Class Township Code, the Board of Supervisors may make and adopt ordinance, bylaws, rules and regulations for the health and welfare of the township and its citizens pursuant to 53 P.S. §66506, §66601 and § 65607;

**BE IT ENACTED AND ORDAINED** by the Board of Supervisors of the Township of Kiskimintas, Armstrong County, Commonwealth of Pennsylvania, and it is hereby enacted and ordained by the authority of the same that:

**SECTION 1. DEFINITIONS**

As used in this Part, the following terms shall have the meaning indicated, unless a different meaning clearly appears from the context:

Exotic Animal

An animal of a non-domesticated species not commonly kept as a household pet or for food or fiber production. Any animal that is wild, fierce, dangerous, noxious, or naturally inclined to do harm or inflict serious bodily injury and is not normally or ordinarily raised as livestock or kept as household pet including, but not limited to, bears, coyotes, lions, tigers, leopards, jaguars, cheetahs, cougars, wolves, nonhuman primates, any crossbreed of these animals which have similar characteristics in appearance or features, any animal of a species prohibited by Title 50, Code of Federal Regulations, as amended, and any animal prohibited by the Commonwealth of Pennsylvania. Exotic animals may or may not be native to the area and may or may not be governed by existing wildlife regulations. Exotic animals, however domesticated, shall also include, but not be limited to:

1. All venomous snakes in the following scientific groups:
  - Family Atractaspididae (Burrowing asps, mole vipers, stiletto snake, etc.).
  - Family Elapidae (Sea snakes, taipans, coral snakes, mambas, cobras, etc.).
  - Family Viperidae (vipers, puff adders, rattlesnakes, lanceheads, copperheads, etc.).
  - Boomslangs (Genus Disophilidus).

- Twig snakes (Genus Thelotornis).
  - All constricting snakes and all venomous lizards.
2. Amphibians: all venomous frogs, toads, turtles and other similar amphibians.
  3. Bear (Ursidae): all bears including, but not limited to, grizzly bears, brown bears, black bears and polar bears
  4. Cat Family (Felidae): all except commonly accepted domestic cats including, but not limited to, lions, pumas, panthers, mountain lions, leopards, jaguars, ocelots, margays, tigers, bobcats, and wild cats.
  5. Crocodilians: all alligators, caimans, crocodiles, gavials and other similar crocodilians.
  6. Dog Family (Canidae): all except domesticated dogs including, but not limited to, wolf, fox, coyote, dingo or offspring of domesticated dogs bred with a wolf, fox, coyote and dingo.
  7. Primates (Hominidae): all sub-human primates.
  8. Venomous Invertebrates: all venomous spiders and scorpions.

#### Owner

When applied to the proprietorship of an exotic animal, includes every person having a right of property in such exotic animal, and every person who keeps or harbors such an exotic animal or has it in his care, and every person who permits such an exotic animal to remain on or about any premises occupied by him.

#### Possess/Possession

The detention and control, or the manual or ideal custody, of anything which may be the subject of property, for one's use and enjoyment, either as owner or as the proprietor of a qualified right in it, and either held personally or by another who exercises it in one's place and name. Possession includes the act or state of possessing and that condition of facts under which one can exercise his power over a corporeal thing at his pleasure to the exclusion of all other persons. Possession includes constructive possession which means not actual but assumed to exist, where one claims to hold by virtue of some title, without having actual custody.

## **SECTION 2. POSSESSION OF EXOTIC ANIMAL(S)**

No person under eighteen (18) years of age may own or possess any exotic animal. No person shall possess any exotic animal in the Township unless the following safety precautions are met:

1. Any exotic animal must be housed in a sturdy and secure enclosure.
2. Enclosures shall be designed to be escape proof, bite proof, and have an operable lock or secure latch.

3. Each exotic animal enclosure shall be clearly and visibly labeled appropriately with either with the scientific name, common name, and number of specimens posted on the enclosure.
4. Any room or building housing exotic animals must be escape-proof as to provide sufficient secondary containment. Escape-proof means all potential escape routes, to include but not limited to doors, windows, vents, gaps, and cracks, are secured in a manner to prevent escapes.
5. Enclosures and environment must allow for the general well-being and welfare of the exotic animal.
6. The main entry into any building or residence housing exotic animals must be clearly posted with "Caution – Exotic Animal."
7. Any room housing exotic animals must be clearly posted with " Exotic Animal or Animals Inside."
8. A written bite protocol as well as an escape recovery plan must be within sight of permanent housing.

**SECTION 3. NOTIFICATION REQUIRED FOR POSSESSION OF EXOTIC ANIMALS**

1. Any person possessing an exotic animal or exotic animals must immediately notify Kiski Township or the Kiski Township Police Department with the following information:
  - a. Address of the facility at which the reptiles shall be maintained and location at said address where the reptiles are housed.
  - b. List of species including both scientific and common names.
  - c. Number of each species held at the location.
  - d. Updates within one-week (seven (7) days) of any changes to the number of crocodilians or venomous snakes housed at said facility.
  - e. Updates within one-week (seven (7) days) of any facility or reptile relocations.
2. In the event of an escape of an exotic animal, any possessor or owner must immediately initiate his/her best effort to collect any escaped reptile. Additionally, the owner or possessor of the escaped reptile must immediately notify 911 and the Kiski Township Police Department.

#### **SECTION 4. TRANSPORTATION OF EXOTIC ANIMALS**

1. No person shall transport any exotic animal in the Township unless the following safety precautions are met:
  - a. Transport containers shall be designed to be escape proof, bite proof, and shall be clearly and visibly labeled with scientific name and common name of the exotic animal noted on the container.
  - b. A written bite protocol as well as an escape recovery plan must accompany the transport of any exotic animal.
2. In the event of an escape of an exotic animal, any possessor or owner must immediately initiate his/her best effort to collect any escaped reptile. Additionally, the owner or possessor of the escaped reptile must immediately notify 911 and the Kiski Township Police Department.

#### **SECTION 5. PROHIBITED HANDLING OF EXOTIC ANIMAL**

It shall be unlawful for any person to intentionally mishandle any exotic animal named in this ordinance in a way or manner that intentionally or negligently exposes another individual to unsafe contact with such exotic animal. It shall also be unlawful for any person to intentionally suggest, challenge, or otherwise induce or aid any person to handle or expose himself to any exotic animal named in this ordinance in a way or manner that intentionally or negligently exposes another individual to unsafe contact with such exotic animal.

#### **SECTION 6. VIOLATION AND PENALTY PENALTIES**

1. Any person who shall violate or fail to comply with the provisions of this Ordinance, shall be guilty of a summary offense punishable by a fine in an amount of three hundred (\$300.00) dollars for each reptile plus cost for a first offense. Any person who shall violate or fail to comply with the provision of this Ordinance shall be guilty of a summary offense punishable by a fine an amount one thousand dollars (\$1,000.00) plus cost for each exotic animal for subsequent offenses.
2. In the event that the exotic animals covered under this ordinance are not properly housed, personnel shall report the situation to the person possessing such reptiles. Failure of the possessor to correct the situation within twenty-one (21) days after such notice shall be grounds for temporary or permanent prohibition from possessing the reptiles. If extreme human or animal welfare conditions are found, immediate seizure of all animals may occur.

**SECTION 7. VIOLATION OF STATE LAW**

Any violation of this Part that would also violate any state law shall be prosecuted under the state law and not under this Part.

**SECTION 8. SEVERABILITY**

The provisions of this Ordinance shall be severable, and if any provision hereof shall be declared unconstitutional, illegal or invalid by a court of competent jurisdiction, such declaration or decision shall not affect the validity of any remaining provisions of this Ordinance. It is hereby declared to be the legislative intent of the Kiskimintas Township Board of Supervisors that this Ordinance would have been enacted had any such unconstitutional, illegal or invalid provision not been included therein.

**SECTION 9. REPEALER**

Any Ordinances or portions of Ordinances of the Township which are inconsistent herewith are hereby repealed.


**SECTION 10. EFFECTIVE DATE**

This Ordinance shall become effective immediately upon ordination and enactment.

**ORDAINED AND ENACTED** by the Kiskimintas Township Board of Supervisors, this 10 day of Feb, 2021.

  
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Michael Bash, Chairman

**ATTEST:**

  
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Township Secretary