

**ORDINANCE OF THE TOWN OF EATON RELATING TO
POISONOUS OR VENOMOUS AMPHIBIANS, ARACHNIDS, OR REPTILES**

THE TOWN BOARD OF THE TOWN OF EATON DOES ORDAIN AS FOLLOWS:

I. INTENT

It is the purpose of this ordinance to promote and protect the health, safety, and general welfare of law enforcement personnel, fire and rescue personnel, and others of the public who may come upon a premises to render aid and assistance or for other lawful purposes and to prevent the serious health hazards presented to humans who are bit or injected with the poisonous or venomous substances produced and emitted by certain species of amphibians, arachnids, and reptiles.

II. AUTHORITY

This ordinance is enacted pursuant to Sections 60.55, 60.56, 60.565, 60.23(23), 66.052, and 60.22(3), Wis. Stats.

III. ADOPTION OF ORDINANCE

The Town Board of the Town of Eaton has, by adoption of this Ordinance, confirmed the specific statutory authority, powers, and duties noted in the immediately above section of this ordinance and has established by these sections and this ordinance regulations, controls, and enforcement against certain activities which may cause a significant health hazard to law enforcement personnel, fire personnel, rescue personnel, and members of the general public who may come upon a premises containing the herein specified creatures.

IV. DEFINITIONS

- A. PERSON: As utilized herein, the term "person" refers to any individual whether as fee simple owner, tenant, family member, or other individual who is apparently in charge of any premises which contains or who brings upon any premises in the Town of Eaton any species regulated pursuant to this ordinance.
- B. PREMISES: Refers to any structure within which any regulated species will be brought, kept, or housed.
- C. REGULATED SPECIES: Includes any poisonous or venomous, biting, or injecting species of amphibian, arachnid, or reptile, including snakes, whether indigenous or not indigenous to Wisconsin.

V. GENERAL PROVISIONS

- A. REGISTRATION REQUIRED: No person shall bring into, keep, maintain, offer for sale or barter, or capture and retain upon any premises in the Town of Eaton any poisonous or venomous biting or injecting species of amphibian, arachnid, or reptile, including, but not limited to, snakes indigenous or not indigenous to the State of Wisconsin unless the person having charge of the premises shall have registered the presence of any such species with the Town Clerk as provided herein.
- B. REGISTRATION PROCEDURE: Prior to or not later than the first date upon which any regulated species shall be brought upon a premises located in the Town of Eaton, the person in charge of such premises shall:
1. Obtain a registration form from the Town Clerk and fully complete such registration form, including the following information: the identifying name of the regulated species; the method such species utilizes to emit any poisonous or venomous substance; the location upon the premises where such creatures will be kept; the manner of housing which will be utilized; all known antidote(s) to the venom or poison emitted by any such species; and any such other and further information as the Town Clerk may deem appropriate.
 2. The person in charge of the premises upon which any regulated species shall be brought shall cause a sign of not less than four inches by five inches (4" x 5") to be posted in a conspicuous space at the main entrance to the premises where any such species shall be located. The sign shall contain the following: "WARNING – VENOMOUS / POISONOUS SPECIES ON PREMISES."
 3. Upon receipt of a completed registration form concerning any regulated species, the Town Clerk shall: immediately notify the police, fire and rescue agencies providing such services to the Town of the presence of such species; provide each such agency with a copy of the registration form; and retain the original registration form on file.
 4. No person shall release into the wild or allow any regulated species to escape from the premises within which they are to be kept or housed. In the event that any regulated species shall escape the premises or at anytime the whereabouts of any such species is unknown to the person in charge of the premises, that person shall immediately contact the Town Clerk and advise the Town Clerk as to the nature of such species and the location upon the premises where such species was last seen. Upon the recapture of any such species, the person in charge of the premises shall thereupon contact the Town Clerk and advise that such species has been recaptured. The Town Clerk shall, upon notification of

any such escaped species, immediately advise the police, fire and rescue agencies concerning any such escape and recapture.

5. Any person who shall fail to register any such species with the town clerk as required herein shall, upon conviction, forfeit not less than \$10 nor more than \$500, together with all costs of prosecution, including attorneys fees incurred by the town and, in default of the payment thereof, shall be imprisoned in the county jail until such forfeiture and costs are paid as provided by law. Each violation and each day a violation continues or occurs shall constitute a separate offense. This section shall not preclude the town of eaton from maintaining any appropriate action to prevent or remove a violation of this ordinance. Any person who shall fail to report to the town clerk within twenty-four (24) hours of such event of any escape or recapture of any such species, upon conviction, shall be subject to all of the penalties set forth hereinabove.
 6. Any changes required to keep the registration of the number and variety of regulated species upon any premises current shall be made by the person in charge of the premises or the person who brings the regulated species upon the premises to the Town Clerk within twenty-four (24) hours of any additional species being brought upon the premises. The permanent removal of any regulated species from any premises shall likewise be reported to the Town Clerk.
- II. EFFECTIVE DATE: This ordinance shall take effect ten (10) days after its publication.