Chapter 45-11 WILD ANIMALS

45-1101. Licenses and Permits. (a) It shall be unlawful for any wild animal wholesale or retail dealer to engage in the importation, transportation, sale, transfer or possession of any wild animal listed in section 45-1102 or specified by the Board by regulation, without first obtaining a license from the Department as provided in section 45-303. Said license shall be effective from April 1 through March 31.

(b) It shall be unlawful for any wild animal wholesale or retail dealer to import, transport, sell, transfer or possess any wild animal for which a license is required by this Chapter without first obtaining a permit from the Department. A separate permit, at no charge, shall be required for each shipment or act of importing or transporting such wild animals.
(c) It shall be unlawful for any person not a wild animal wholesale or retail dealer to import, transport, sell, transfer or possess any wild animal for which a license or permit, or both, is required by this Chapter without first obtaining a permit, at no charge, from the Department.

(d) No permit shall be required for a carrier regulated either by the Interstate Commerce Commission, the Civil Aeronautics Board or the Public Service Commission, to import or transport any wild animal. Provided, however, it shall be unlawful for any such carrier to deliver, surrender or transfer any wild animal for which a permit is required by this Chapter to any person other than another such carrier, unless such person has the permit required by this Chapter.

(e) It shall be unlawful for any person to keep, hold or possess any wild animal in captivity, except fish and invertebrates, for the purpose of display or exhibition to the public without first procuring a valid wild animal exhibition permit as provided in section 45-303. The Department is hereby authorized to issue such permits in accordance with regulations of the Board requiring adequate facilities for the humane handling, care and confinement of wild animals and insuring public safety. Notwithstanding any other provision of this Title, exhibitions of wild animals by educational institutions, State, city, county or municipal zoos or transient circuses shall not be required to procure a wild animal exhibition permit; provided, however, the Department must be notified of such exhibition and all other provisions of this Chapter and all regulations relating to the humane handling, care and confinement of wild animals must be compiled with.

45-1102. Wild Animals for Which a License or Permit is Required. A permit or license, or both, is required for the following wild animals:

- (a) Class Mammalia:
  - (1) Order Marsupialia (Kangaroos, Wallabies, etc.) - All species.
  - (2) Order Insectivora (Shrews, Moles, etc.) - All species.
  - (3) Order Dermoptera (Flying Lemurs) - All species.
  - (4) Order Chiroptera (Bats) - All species.
  - (5) Order Primates (Monkeys, Apes, etc.) - All species except family Hominidae.
(6) Order Edentata (Sloths, Armadillos) - All species.

(7) Order Pholidota (Pangolin, Scaly Anteaters) - All species.

(8) Order Lagomorpha (Rabbits, Hares) - All species except domesticated races of rabbits and hares of the family Leporidae.

(9) Order Rodentia (Rats, Mice, Voles, Squirrels, etc.) - All species except:
   - A. Domesticated races of golden hamsters (Mesocricetus auratus).
   - B. Domesticated races of gerbils (Gerbillinae).
   - C. Domesticated races of rats or mice (Muridae).
   - D. Domesticated races of guinea pigs (Cavia porcellus).
   - E. Domesticated races of chinchillas (Chinchilla laniger).

(10) Order Cetacea (Whales) - All species.

(11) Order Carnivora (Weasels, Cats, Bears, Wolves, etc.) - All species except those domesticated.

(12) Order Tubulidentata (Aardvark) - All species.

(13) Order Proboscidea (Elephants) - All species.

(14) Order Hyracoidae (Conies) - All species.

(15) Order Sirenia (Manatees, Dugong) - All species.

(16) Order Perissodactyla (Odd-toed Ungulates) - All species except domesticated members of family Equidae.

(17) Order Artiodactyla (Even-toed Ungulates) - All species except Bison bison (Buffalo) and domesticated species.

(b) Class Aves:
   (1) Family Alaudidae (Larks) - Alauda arvensis (Skylark).

(2) Family Cuculidae (Cuckoos) - All species.

(3) Family Corvidae (Crows, Ravens, etc.) - All species.

(4) Family Muscicapidae (Thrushes, Blackbirds, Fieldfare) - All species in genus Turdus.

(5) Family Icteridae (Blackbirds, Grackles, Orioles) - All species in genera Molothrus, Quiscalus, and Agelaius.
o (6) Family Sturnidae (Starlings, Mynahs) - All species except Sturnus vulgaris (Starling) and Gracula religiosa or Fulabes religiosa (Javan Hill Mynahs).

o (7) Family Ploceidae (Sparrows, Weavers, Queleas, Weaver Finches):
  ▪ A. All species of genus Passer except Passer domesticus (English House Sparrow).
  ▪ B. Ploceus capensis (Cape Sparrow).
  ▪ C. Ploceus baya (Baya Weaver).
  ▪ D. Foudia madagascariensis (Madagascar Weaver).
  ▪ E. All species of genus Guelea.

o (8) Family Estrildidae (Waxbills, Ricebirds, Munias, Weaver Finches) - Padda oryzivora (Java Sparrow).

o (9) Family Emberizidae (Buntings) - Emberiza citrinella (Yellowhammer).

o (10) Order Falconiformes (Hawks, Eagles, Vultures) - All species.

o (11) Order Strigiformes (Owls) - All species.

o (12) Family Pycnonotidae (Fruit Thrushes) - All species.

o (13) Family Zosteropidae (White Eyes) - All species in genus Zosterops.

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o (14) Family Psittacidae (Parrots, Parakeets) - Myiopsitta monachus (Monk Parakeet).

o (15) Family Meleagridae (Turkeys) - Meleagris gallopavo osceola (Osceola Turkey).

- (c) Class Reptilia:
  o (1) Order Crocodylia (Crocodiles, Caimans, Gavials) - All species.
  o (2) Family Elapidae (Corbras, Coral Snakes) - All species except Micrurus fulvius (Eastern Coral Snake).
  o (3) Family Viperidae (Adders, Vipers) - All species.
  o (4) Family Crotalidae (Pit Vipers) - All species except Ancistrodon contortrix (Copperhead), Ancistrodon piscivorus (Cottonmouth), Sistrurus miliarius (Pigmy Rattlesnake), Crotalus horridus (Timber Rattlesnake), Crotalus adamanteus (Eastern Diamondback Rattlesnake).
  o (5) Family Colubridae - All poisonous rear-fanged species (Opisthoglyphs).
  o (6) Family Helodermatidae (Gila Monsters, Beaded Lizards) - All species.
(d) Class Amphibia:
   - (1) Family Bufonidae (Toads) - Bufo marinus, Bufo paracnemis, Bufo horribilis (Giant or Marine Toad group).
   - (2) Family Pipidae (Tongueless Toads) - Xenopus laevis laevis.

(e) Class Gastropoda: All species of slugs and land snails.

(f) Class Osteichthyes (Bony Fish):
   - (1) Family Characidae (Tetra, Piranha):
     - A. Astynax fasciatus (Banded Tetra).
   - (2) Family Ophicephalidae (Snakeheads) - All species of genera Ophicephalus and Channa.
   - (3) Family Cyprinidae (Carp, Grass Carp, Orfe):
     - A. Ctenopharyngodon idella (Grass Carp).
     - B. Hypophthalmichthys molitrix (Silver Carp).
     - C. Hypopophthalmichthys nobilis (Bighead Carp).
   - (4) Family Trichomycteridae (South American Catfish) - families Pareiodontinae, Tridentinae, Stequophilinae, Vandellinae (Candiru).
   - (5) Family Cetopsidae (South African Catfish) - All species.
   - (6) Family Claridae (Asian American Catfish) - Genera Clarias, Dinotopterus, Heteropeustes, Heterobranchus.

(g) Class Chondrichthyes (Cartilaginous Fish):
   - (1) Family Carcharhinidae (Freshwater or Bay Shark).
   - (2) Family Potamotrygonidae (Freshwater Stingray).

(h) All exotic fish which are not held in aquaria or tanks. As used herein 'aquaria or tanks' shall mean containers for holding fish from which no water is discharged, except during periodic cleaning, and which discharged water is passed through a filtering system capable of removing all fish and fish eggs and is disposed of only in a septic tank permitted by the county or in a waste water treatment system permitted by the Environmental Protection Division of the Department.

(i) All other wild animals specified by regulation of the Board.
• **45-1104. Release of Certain Wild Animals Prohibited.** It shall be unlawful for any person to release from captivity a wild animal regulated by this Chapter or to import, **transport,** sell, transfer or maintain such a wild animal in such a manner as to pose a reasonable possibility that such wild animal may be released accidentally or escape from captivity.

• **45-1105. Disposition of Wild Animals Under Certain Circumstances.** (a) Any wild animal imported, **transported,** sold, transferred or possessed in violation of any provision of this Chapter or any regulation promulgated pursuant thereto or any permit or license issued thereunder, may, at the option and expense of the owner or consignee, be returned to the point of origin or disposed of within the time specified in an administrative order issued by the Department. If the owner or consignee fails to exercise such option within the time specified in the order, the Department may seize and dispose of any such wild animal.

(b) Notwithstanding subsection (a) of this section, where a wild animal regulated by this Chapter has escaped, the Department may destroy or authorize the destruction of such animal if it determines that such animal is posing a threat to the safety of human beings, or if it determines that there is very little likelihood of recapturing such animal. Provided, however, if such an animal is recaptured, the Department may return such animal to the permittee or licensee, or it may take or retain possession of such animal and allow such permittee or licensee to make arrangements for the disposition of such animal, which arrangements are subject to the approval of the Department, or it may dispose of such animal as it deems necessary to fulfill its responsibilities under this Chapter.