

ORDINANCE NO. 2224

AN ORDINANCE AMENDING TITLE 6 OF THE EUREKA SPRINGS MUNICIPAL CODE, TO PROHIBIT TRAVELING EXOTIC AND/OR WILD ANIMAL EXHIBITIONS AND/OR PERFORMANCES

WHEREAS, the City Council of the City of Eureka Springs has determined that transporting exotic and/or wild animal(s) long distances is detrimental to animal welfare; and,

WHEREAS, the City Council of the City of Eureka Springs has determined that the welfare of animal(s) subjected to constant travel and confinement in temporary, collapsible enclosures/facilities, long periods of restricted movement, and stress may be compromised as to their physical and mental condition, which could lead to increased risks to worker and public safety; and

WHEREAS, the City Council of the City of Eureka Springs has determined that restricting the exhibition of exotic and/or wild animal(s) which have recently been subjected to long distance travel is the most efficient way to safeguard animal welfare, worker safety and public safety.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EUREKA SPRINGS, ARKANSAS:

Section 1. That Title 6 of the Eureka Springs Municipal Code is hereby amended to add the following:

No individual, partnership, corporation, exhibitor and/or other entity may allow for the participation of any exotic and/or wild animal(s), including non-human primates, in an animal act or exhibition within the Corporate City Limits of Eureka Springs, Arkansas, if during the 15-day period preceding such participation, such animal traveled more than 50 miles, whether in one or multiple travel segments, in a mobile or traveling housing facility.

Section 2. Definitions

“Exotic animal” means any animal that is native to a foreign country or of foreign origin or character, is not native to the United States, or was introduced from abroad. This term specifically includes animals such as, but not limited to, lions, tigers, leopards, elephants, camels, antelopes, anteaters, kangaroos, water buffalos, and species of foreign domestic cattle, such as Ankole, Gayal, and Yak.

“Wild animal” means any animal which is now or historically has been found in the wild, or in the wild state, within the boundaries of the United States, its territories, or possessions. This term includes, but is not limited to, animals such as: deer, skunks, opossums, raccoons, minks, armadillos, coyotes, squirrels, foxes and wolves.

“Mobile or traveling housing facility” means a transporting vehicle such as a truck, trailer, or railway car, used to house animals while traveling for exhibition or performances.

Section 3. That provisions of this ordinance are hereby declared to be separable and if any provision shall for any reason be held illegal or invalid, such holding shall not affect the validity of the remainder of this ordinance.

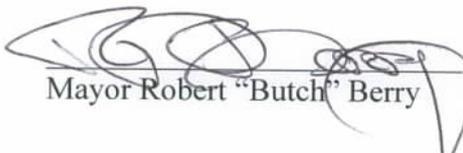
Section 4. All ordinances and resolutions or parts thereof, in conflict herewith are hereby repealed to the extent of such conflict

**PASSED AND ORDAINED BY THE CITY COUNCIL OF THE CITY OF
EUREKA SPRINGS, ARKANSAS, ON THIS 9th DAY OF MARCH, 2015**

ATTEST:


City Clerk/Treasurer Ann Armstrong

APPROVED:


Mayor Robert "Butch" Berry

Aldermen voting "Aye" – Joyce Zeller, Bob Thomas, James DeVito and David Mitchell
Aldermen voting "No" – Terry McClung and Mickey Schneider