

**TOWN OF WHEATON
CHAPTER 28
HARMFUL AND EXOTIC ANIMAL ORDINANCE**

SECTION I - TITLE AND PURPOSE

The title of this Ordinance is the “Town of Wheaton Harmful and Exotic Wild Animal Ordinance.” The purpose of this Ordinance is for the Town to regulate by permit and penalty the possession, display, sale, purchase, and exhibition of certain harmful wild animals and exotic or wild animals in the Town.

SECTION II – AUTHORITY

The Town Board of the Town of Wheaton has the specific authority under s. 169.43, Wis. Stats., and general authority under its village powers under s. 60.22, Wis. Stats., to adopt this Ordinance.

SECTION III - ADOPTION OF ORDINANCE

This Ordinance, adopted by a majority of the Town Board on a roll call vote with a quorum present and voting and proper notice having been given, provides for the regulation by permit of the possession, display, sale, purchase, and exhibition of certain harmful wild animals or exotic or wild animals within the Town.

SECTION IV – DEFINITIONS

In this Ordinance:

- A. "Bovine animal" means domestic cattle and American bison of any age or sex.
- B. "Cattle" means any of the various animals of the domesticated genus *Bos*.
- C. "Cervid" means a member of the family of animals that includes deer, elk, moose, caribou, reindeer, and the subfamily musk deer. "Cervid" includes all farm-raised deer.
- D. "Circus" means a scheduled event staged by a traveling company with mobile facilities in which entertainment consisting of a variety of performances by acrobats, clowns, or trained animals is the primary attraction or principle business.
- E. "Domestic animal" means any of the following:
 - 1. Domesticated cats of the subspecies *Felis silvestris catus*.
 - 2. Domesticated dogs of the subspecies *Canis lupus familiaris*.
 - 3. Rodents kept in cages, aquariums, or similar containers, including gerbils, hamsters, guinea pigs, and white mice.
 - 4. Fish kept in aquariums or self-contained bodies of water and farm-raised fish, except fish that have been released to waters of the state.
 - 5. Farm-raised deer that are kept by a person registered under s. 95.55, Wis. Stats.
 - 6. Livestock.
 - 7. Poultry.

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8. Farm-raised game birds, except farm-raised game birds that have been released to the wild.
 9. Ratites.
 10. Foxes, fitch, nutria, marten, fisher, mink, chinchilla, rabbit, or caracul that are born, bred, and raised in captivity and are not endangered or threatened species.
 11. Pet birds.
 12. Any other animal listed as a domestic animal by rule by the State of Wisconsin, Department of Agriculture, Trade and Consumer Protection.
- F. "Equine animal" means a horse, mule, zebra, donkey, or ass.
- G. "Exotic animal" means any non-native animal that is not a domestic animal and specifically includes all of the following:
1. Nonhuman primates and prosimians, including chimpanzees and monkeys.
 2. Felids, except domesticated cats of the subspecies *Felis silvestris catus*, including lions, tigers, and other felids generally referred to as big cats;
 3. Canids, except domesticated dogs of the subspecies *Canis lupus familiaris*, including foxes not born, bred, and raised in captivity, and all wolves, coyotes, and wolf hybrids.
 4. Ursids, including all bears.
 5. Elephants.
 6. Crocodylians, including alligators and crocodiles.
 7. Marsupials, including kangaroos, wallabies, and opossums.
 8. Hippopotami.
 9. Rhinoceroses.
 10. Hyenas.
 11. Mustelids, except domestic ferrets, including skunks, otters, and badgers.
 12. Procyonids, including raccoons and coatis.
 13. Dasypodidae, including anteaters, sloth, and armadillos.
 14. Viverrids, including mongooses, civets, and genets.
 15. Reptilia over one (1) foot in length, including boa constrictors, pythons, and any other snakes.
 16. Venomous reptilia.
 17. Cervids, except farm-raised deer that are kept by a person registered under s. 95.55, Wis. Stats.
 18. Camelids, except South American camelids.
- H. "Farm-raised deer" means a captive cervid, but includes a non-captive cervid that has an ear tag or other mark identifying it as being raised on a farm. "Farm-raised deer" does not include a cervid kept by an institution accredited by the American association of zoological parks and aquariums.
- I. "Farm-raised game bird" means a captive bird of a wild nature that is not native. "Farm-raised game bird" does not include poultry or ratites, or birds kept pursuant to a license issued under ss. 169.15, 169.19, 169.20, or 169.21, Wis. Stats.
- J. "Harmful wild animal" means members of the family ursidae commonly known as bears, the species *Felis concolor* commonly known as cougars, and any other animal designated as a harmful wild animal under Wisconsin Statutes, or by rule of the State of Wisconsin, Department of Natural Resources.
- K. "Livestock" means bovine animals, equine animals, goats, poultry, sheep, swine other than wild hogs, farm-raised deer, farm-raised game birds, South American camelids, and ratites.

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- L. "Person" means an individual, partnership, firm, joint stock company, corporation, association, trust, estate, or other legal entity.
- M. "Pet bird" means a psittacine or softbill that is not native, is not identified on the federal list of endangered and threatened species, and is not a migratory bird.
- N. "Poultry" means domesticated fowl, including chickens, turkeys, and waterfowl, that are bred for the primary purpose of exhibition or producing eggs or meat. "Poultry" does not include ratites.
- O. "Possess" means to own, control, restrain, transport, or keep.
- P. "Public zoo or aquarium" means a zoo or aquarium that is an accredited member of the American Zoo and Aquarium Association.
- Q. "Ratite" means a member of the group of flightless birds that includes the ostrich, emu, cassowary, kiwi, and rhea.
- R. "Self-contained body of water" means a body of water that has no inlet from or outlet to a natural body of water, except that it may have pipes or similar conduits to put in or withdraw water that are equipped with barriers that prevent the passage of fish between the body of water and the other waters of the State of Wisconsin.
- S. "South American camelid" means a llama, alpaca, vicuña, or guanaco.
- T. "Town" means the Town of Wheaton, Chippewa County, Wisconsin.
- U. "Town Board" means the Board of Supervisors for the Town of Wheaton, Chippewa County, Wisconsin, and includes designees of the Board authorized to act for the board.
- V. "Town Clerk" means the Clerk of the Town of Wheaton, Chippewa County, Wisconsin.
- W. "Veterinarian" means a person who is licensed in the State of Wisconsin to practice veterinary medicine under chapter 453, Wis. Stats., and who is certified under rules promulgated by the Department of Agriculture, Trade and Consumer Protection.
- X. "Wild animal" means any non-native animal of a wild nature that is normally found in the wild that is not domesticated pursuant to Wis. Stat. 169.01 (37).
- Y. "Wis. Stats." means the Wisconsin Statutes, including successor provisions to cited statutes.

SECTION V - AUTHORIZED POSSESSION

- A. The following persons may possess exotic or wild animals in the Town:
 - 1. A person licensed by the State of Wisconsin, Department of Natural Resources under Chapter 169, Wis. Stats.
 - 2. A veterinarian, for the purpose of providing medical treatment to the animal.
 - 3. A person authorized by the State of Wisconsin, Department of Natural Resources for the possession of the specific type of harmful wild animal or exotic or wild animal in the Town of Wheaton.
- B. A person is exempt from holding a license or other approval under s. 169.04 (4), Wis. Stats., to possess live native wild animals, if these wild animals are not endangered or threatened species and are any of the following:
 - 1. Arthropods.
 - 2. Chipmunks.
 - 3. Pocket gophers.
 - 4. Mice.
 - 5. Moles.
 - 6. Mollusks.

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- 7. Opossums.
- 8. Pigeons.
- 9. Porcupines.
- 10. Rats.
- 11. Shrews.
- 12. English sparrows.
- 13. Starlings.
- 14. Ground squirrels.
- 15. Red squirrels.
- 16. Voles.
- 17. Weasels.

SECTION VI- EXHIBITION OF CERTAIN ANIMALS

- A. No person may display in the Town of Wheaton for the purpose of public viewing any exotic or wild animals or harmful wild animals.
- B. This section shall not apply to any of the following:
 - 1. Persons that have received a license or authorization from the State of Wisconsin, Department of Natural Resources under Chapter 169, Wis. Stats.
 - 2. A veterinarian, for the purposes of providing medical treatment to the animal.

SECTION VII – PROHIBITION

No person may permit an exotic or wild animal or a harmful wild animal to run at large or to be released from captivity within the Town of Wheaton. Any exotic or wild animal or harmful wild animal running at large shall be subject to seizure, detention, possible disposal, and death.

SECTION VIII - EFFECTIVE DATE

This Ordinance is effective on passing and posting or upon adoption as a Chapter in a Code of Ordinances as provided by law.

Adopted on this _____ day of _____ 2026 by Town Board.

Town Board Supervisor

Town Board Supervisor

Town Board Supervisor

Town Board Chair

Town Board Supervisor

ATTEST: Town Clerk