

**ORDINANCE NO.**

**AN ORDINANCE AMENDING TITLE 3 OF THE CITY CODE RELATING TO ANIMAL REGULATION.**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN**

**PART 1.** City Code Section 3-1-1 (*Definitions*) is amended to add new definitions to read as follows and to renumber the subsequent definitions accordingly:

(6) FOR-PROFIT ZOO OR AQUARIUM means an entity or individual who (1) exhibits any animals to the public for compensation and (2) is not described in Section 501(c)(3) of the Internal Revenue Code of the United States and currently exempt from taxation under 501(a) of that Code. Such term includes carnivals, circuses, and zoos exhibiting animals, but such term excludes retail pet stores, an owner of a household pet who derives less than the majority of their income from exhibiting an animal that exclusively resides at the residence of the pet owner, organizations sponsoring and all persons participating in State and country fairs, livestock shows, rodeos, dog and cat shows, and other fairs or exhibitions intended to advance agricultural arts and sciences.

(16) PUBLIC CONTACT means any form of direct physical contact such as touching or handling an animal as well as interacting with an unrestrained animal in close proximity and without a physical barrier, such that direct physical contact between the animal and members of the public is possible.

(24) WILD ANIMAL means a species, including each individual of a species, that normally lives in a state of nature and is not ordinarily domesticated. This definition applies to species whether they are native to Texas or not. This definition applies to individuals regardless of the individuals' origins, including captive bred as well as wild caught animals. For the purposes of this section, "wild animal" includes any member of the phylum Chordata, with the exception of fish, as well as any species of octopus from the phylum Mollusca.

**PART 2.** Chapter 3-2 (*Restrictions on Animals*) is amended to add a new Section 3-2-10 to read:

**§ 3-2-10 FOR-PROFIT ZOOS AND AQUARIUMS**

(A) A for-profit zoo or aquarium may not allow public contact with wild animals. This prohibition does not apply to facilities accredited by the Association of Zoos and Aquariums (AZA).

(B) For any animal bite or scratch that must be reported pursuant to Tex. Health & Safety Code § 826.041, the for-profit zoo or aquarium will quarantine the animal

