
City of Tomah

Sec. 8-61. Housing of farm and exotic animals prohibited.

- (a) *Prohibited.* No farm or exotic animals shall be housed, quartered, stabled, pastured, kept, or in any manner maintained within the city limits except temporarily during special events or as otherwise specifically approved by the city council. The raising of livestock is permitted in the A-1 agricultural district.
- (b) *Applicability.* The animals prohibited by this section include, but are not limited to, horses, ponies, mules, cows, sheep, goats, llamas, pigs (including potbellied pigs), chickens and roosters, geese, ducks, peacocks, ostriches, and any other farm or exotic animals. The animals prohibited by this section also include any animal, other than domestic dogs and cats, that in wild state are carnivorous or that, because of their nature or physical makeup, are capable of inflicting physical harm on human beings or property, including, but not limited to, animals that belong to the cat family, snakes (either poisonous or that otherwise present a risk of physical harm to human beings as a result of their nature or physical makeup, including constrictors), bears, wolves, wolverines, badgers, lions, tigers and any hybrids of the same.
- (c) *Exception.* This section shall not apply to animals that are housed, quartered, stabled, pastured, kept, or in any manner maintained within the city limits as of the date of the adoption of the ordinance from which this section is derived by the city council; provided, however, that the exception granted herein shall terminate immediately upon the occurrence of any of the following:
 - (1) Transfer of ownership of the real property, by sale or otherwise, of the property upon which the animal is housed;
 - (2) Transfer of ownership of the animal that is subject to this exception, whether by sale or otherwise;
 - (3) Death of the animals existing on the date of the adoption of the ordinance from which this section is derived and subject to this exception; and
 - (4) Acquisition by the owner of an animal subject to this exception of one or more additional prohibited animals.

The application of this exception to a specific property due to preexisting use shall not be construed so as to authorize the acquisition of additional prohibited animals but shall permit continued use only until the property or animal is sold or the animal dies. Violation of this section shall result in immediate termination of the exception.

(Code 1993, § 11.04(3)(a); Ord. No. 2022-10-17-D , § 2, 10-18-2022)