

## CHAPTER 604

# Petting Zoos – Public Exhibition of Animals

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### CROSS REFERENCES

Abatement of nuisances by Board of Health – see ORC3707.01 et seq.  
General provisions – see EHC100

**EHC** Environmental Health Code      **ORC** Ohio Revised Code      **OAC** Ohio Administrative Code

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### 604.01 DEFINITIONS

As used in this chapter:

- (a) “Animal” means all organisms commonly classified in the animal kingdom, excluding humans, and including, but not limited to: mammals, reptiles, amphibians, birds, fish, insects, spiders, and scorpions.
- (b) “Animal area” means all structures, pens, coops or yards wherein animals are kept or permitted to be kept.
- (c) “Board” or “Board of Health” means Summit County Combined General Health District dba Summit County Public Health or its authorized representative including the Health Commissioner, Environmental Health Director, Environmental Health Manager, Environmental Health Supervisor, Sanitarian, Public Health Nurse, and any authorized employee or agent.
- (d) “Educational demonstration” means presenting an animal, or group of animals, for the purpose of describing the characteristics, habits, or traits of the animal(s) during which there is no physical contact between the audience and the animal(s).
- (e) “Mobile petting zoo” means a petting zoo that can travel from place to place for the purposes of education and/or entertainment.
- (f) “Operator” means any person who has charge, care, control or part thereof, of any petting zoo.
- (g) “Person” means an individual, partnership, association, syndicate, company, firm, trust, corporation, government organization, department, bureau, agency or any entity recognized by law.

- (h) "Petting zoo" means permanent events, open farms or premises where contact is permitted between animals and members of the public, whether a fee is charged or not, including but not limited to animal nurseries, zoos, wildlife parks, wildlife sanctuaries, nature education centers, traveling farms, animal troupes, circuses, agricultural shows, field days, mini-farms at schools, and animal exhibits at shopping centers.
- (i) "Sanitized" means application of a chemical such as bleach, quaternary ammonia, alcohol, or similarly EPA registered in a concentration that will ensure a five-log reduction of pathogens.
- (j) "Temporary petting zoo" means petting zoos lasting no longer than seven (7) consecutive days.

#### **604.02 PROHIBITIONS**

- (a) No person shall operate a petting zoo without first obtaining an annual permit to operate from the Board of Health. An application must be submitted by April 1 of each calendar year for permanent and mobile petting zoos, and at least five days before any temporary event. The application shall be on a form prescribed by the Board of Health and must contain the name and telephone number of the operator or other responsible person, the date, time, location, and duration of the petting zoo, the number and species of animals that will be present, number and species of any animals that have been immunized for rabies, proof of insurance and proof of any applicable USDA license. A sketch of the petting zoo shall also be provided depicting the physical layout of the petting zoo, including locations of exhibits, barriers, eating areas, entrance(s) to and exit(s) from the petting zoo, hand-washing stations, and distances between such items. The permit shall be posted in a conspicuous location at the petting zoo. The Board may refuse to grant a permit or may suspend or revoke a permit for failure to comply with the requirements of this regulation.
- (b) No person shall operate a petting zoo without providing a sufficient number of hand-washing stations to serve members of the public at the busiest time of the petting zoo.
  - 1. At least one hand washing station (sink) for every 25 people expected shall be provided and made conveniently available to patrons and staff in areas when contact with animals or animal areas is permitted.
  - 2. If hand sinks are unavailable, hand sanitizer must be provided.
- (c) No person shall operate a petting zoo without providing an adequate barrier which prevents visitors from entering the animal area, unless the animal is being led by a staff member, for petting by visitors. The barrier shall be sanitized at least once daily by a method that is approved by the Board, unless directed to sanitize the barrier more frequently by the Board, and any visibly soiled areas must be cleaned as necessary. The disinfectant shall be appropriate for the potential pathogens associated with the animals in the animal areas.
- (d) No person shall operate a petting zoo without providing an adequate barrier which prevents visitors from touching animals that are not available for touching or that should not be touched. The barrier shall be constructed to prevent direct human contact with such animals.
- (e) No person shall operate a petting zoo without providing appropriate informational and educational materials to advise the public of the dangers associated with eating in animal areas and hand-to-mouth contact without hand-washing after contact with animals. At a minimum, this information should consist of signs and brochures. Signs should contain pictures, arrows, or other graphics, in addition to words, such that the intended message can reasonably be expected to be conveyed to people who cannot read.

- (f) No person shall operate a petting zoo without providing a first aid kit for treatment of accidental biting, scratching, or other injury to the public. All animal bites and escapes must be reported pursuant to state and local laws.
- (g) Eating areas shall be separated from animal areas, and animals shall not be permitted in eating areas. The preparation or sale of food shall be permitted in non-animal areas only.
- (h) No person operating a petting zoo shall allow contact between people and nonhuman primates, lions, tigers, ocelots, wolves/wolf-hybrids, bears, bats, raccoons, skunks, foxes, coyotes, and any other animal of a similar nature, that due to its strength, unpredictability, venom, or other pathogens it might carry, presents a risk of harm upon contact with people, including venomous or toxic insects, arachnids, amphibians, or reptiles.
- (i) No person operating a petting zoo shall fail to maintain animals in a healthy environment that is free of stress and overcrowding. Only healthy animals shall be displayed or permitted to have contact with the public. Animals that exhibit signs of illness shall be placed in isolation and shall not be exhibited to the public.
- (j) No person operating a petting zoo shall fail to cover animal areas with straw or an approved absorbent material at such a frequency as to minimize odors. The animal area must be regularly sanitized in a manner approved by SCPH and cleaned of feces and other wastes at least once daily, unless the Board directs that it be cleaned and sanitized more frequently. The disinfectant shall be appropriate for the potential pathogens associated with the animals in the venues.
- (k) No person, while offering an animal for petting, shall fail to restrain or control the animal so as to prevent potential injury or disease transmission to patrons.
- (l) Any location used temporarily for a petting zoo must be cleaned and sanitized after the animals are removed and before the location returns to its normal usage.
- (m) Animal wastes, garbage, debris, and liquids shall be contained, removed, and disposed of in a manner that minimizes environmental contamination, odors, and disease vectors.
- (n) Adequate integrated pest management principles shall be in place to minimize nuisance pests and disease vectors.
- (o) Nothing in this section shall be construed to relieve a petting zoo operator from compliance with other applicable laws, such as those regulating zoning, buildings, or fire prevention.

#### **604.03 FEES**

A permit fee will be collected for each permit. This fee is approved by the Board of Health and can be found in EHC 101.

#### **604.04 EXEMPTED EXHIBITS**

"Petting Zoo" shall not include animal exhibits at hospitals which are used for the purpose of treatment, pet stores engaged in selling animals where the animal exhibit occurs on the premises of where the animals are being sold, and animal exhibits presented in the context of theatrical performances, educational demonstrations or religious ceremonies.

**604.05 NOTICE AND ORDER TO REMEDY**

- (a) When the Board, after inspection of the Petting Zoo, is satisfied that the premises are improperly constructed or liable, from overcrowding or filth, to become infected with infectious, pestilential, or dangerous disease, do not conform to the requirements of this section, or have other conditions that constitute a nuisance or health hazard, the Board shall serve a written notice to the owner, agent, lessee, occupant, operator, or other person in charge of the premises, to correct or remove the nuisance or objection therein named, or otherwise correct the condition. The notice and order shall be served on the person personally, or by certified mail and regular mail to the person's residence, regular place of business or last known address, or posted at the premises in a conspicuous place. After service is completed, the Board may elect to proceed under any applicable statute providing the Board with relief of the nuisance condition.
- (b) Whenever the Board finds that an emergency exists which requires immediate action to protect the public health, it may proceed pursuant to ORC Chapter 3707 or any other applicable statutory provision.

**604.99 PENALTY**

Whoever violates or fails to comply with any of the provisions of this Environmental Health Code shall be in violation of ORC 3707.01, 3707.48, 3709.20, 3709.21, 3709.22, and subject to penalties provided therein or in ORC 3707.99 and 3709.99.