

COUNCIL BILL NO. 14-3

ORDINANCE NO. 14-3

1 AN ORDINANCE AMENDING BUTTE-SILVER BOW ORDINANCE NO. 47 SECTION 6,
2 AND TITLE ~~6.12~~ OF THE BUTTE-SILVER BOW MUNICIPAL CODE (B-SB MC)
3 ENTITLED "CARE, KEEPING AND SALE OF ANIMALS AND DOMESTIC FOWL",
4 SPECIFICALLY AMENDING SECTION 6.12.060 ENTITLED "RAISING MICE OR
5 RATS"; AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

6 SECTION 1: Amendment: Ordinance No. 47, Section 6 and
7 Section 6.12.060 of the Butte-Silver Bow Municipal
8 Code (B-SB MC) shall be and are hereby amended to
9 read as follows:

10 "6.12.060 Selling mice, rats, gerbils, guinea
11 pigs or hamsters. It is unlawful for any person,
12 firm or corporation to sell, offer for sale,
13 harbor, raise or give away mice, rats, gerbils,
14 guinea pigs, or hamsters as pets, toys, premiums,
15 novelties, or for any other purpose except as
16 hereinafter set forth:

17 A. This section shall not be construed to
18 prohibit the keeping of rats or mice in proper
19 facilities by people engaged in a legitimate
20 scientific research project.

21 B. This section shall not prohibit any
22 household from having three mice, gerbils, guinea
23 pigs, hamsters or rats as pets.

24 C. This section shall not apply to any

1 licensed pet store doing business in the City-
2 County of Butte-Silver Bow, Montana subject to the
3 following conditions:

4 1. Each pet store shall maintain
5 enclosures sufficient to allow space for each pet
6 animal to exercise normal postural movements.
7 Adequate space shall be provided to prevent
8 crowding and to allow freedom of postural movement
9 and comfort to all animals. An enclosure is
10 deemed overcrowded unless its area is at least the
11 square of the following sum for each animal
12 confined therein; the sum of the length of the
13 animal in inches (tip of nose to base of tail)
14 plus six inches), with the following requirements:
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Animal	Size of animal	Minimum Floor Space Per Animal (in square inches)
Guinea pig	Weaning to 350 g	60
	350 g or more	101
	Breeders	180
Hamsters/gerbils	Less than 60 g	10
	60 to 80 g	13
	80 to 100 g	16
	greater than 100 g	19
Mice	Less than 10 g	6
	10 to 15 g	8
	15 to 25 g	12

	greater than 25 g	15
Rats		
	Less than 100 g	17
	100 to 200 g	23
	200 to 300 g	29
	300 to 400 g	40
	400 to 500 g	60
	greater than 500 g	70

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2. Each pet store shall maintain enclosures of sufficient height to permit every animal to stand and stretch normally to its full height and to turn.

3. Each enclosure shall be structurally sound and maintained in good repair to protect the animals from injury, to contain them and to keep predators out. Enclosures shall provide the animals contained within them adequate ventilation to avoid any discomfort associated with lack of proper air circulation and shall be constructed of nonabsorbent, nonporous material. Enclosures shall be constructed of materials that do not have a toxic or deleterious effect on the animals. Any enclosures having woven or wire mesh floors to confine or display animals must be constructed in a manner that protects the animals' feet and legs from injury and do not allow the animals' feet to pass through any openings in the

1 floor. If the floor of the primary enclosure is
2 constructed of woven or wire mesh, a solid
3 nonporous resting surface or surfaces that, in the
4 aggregate, are large enough to hold all the
5 occupants of the primary enclosure comfortably at
6 the same time must be provided. Enclosures shall
7 be maintained to enable the animals to remain dry
8 and clean and to provide convenient access to
9 clean food and water.

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11 Effective Date. This Ordinance shall be in full
12 force and effect from and after thirty (30) days
13 after its passage and approval.

14 PASSED this ____ day of _____, 2014.
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18 _____
19 CINDI SHAW
20 CHAIRMAN OF THE COUNCIL OF COMMISSIONERS
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22 APPROVED this ____ day of _____, 2014.
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26 _____
27 MATT VINCENT
28 CHIEF EXECUTIVE
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30 ATTEST:

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32 SALLY J. HOLLIS
33 CLERK AND RECORDER
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