

**Massachusetts City and Town Bylaws/Ordinances Restricting Use  
of Nondomesticated Animals in Entertainment**

**1. Braintree (2001)**

Ordinance:

6.100.190. Displaying nondomesticated animals for entertainment.

No living nondomesticated animals shall be displayed for public entertainment or amusement in circuses, carnivals or similar entities on property by the Town of Braintree, or Town-owned property under lease, or on private property. As used in this paragraph, “displayed” shall include, but is not limited to, animal acts and performances, and competition.

Penalty:

6.100.180. Violations and penalties.

The Braintree prohibition is located in the “Dogs and Other Animals” section of the bylaws. The penalty for violation, associated broadly with the entire section is non-criminal: \$50 for the first offense; \$75 for the second; \$100 for the third; for each subsequent offense a fine of \$100 shall be imposed for each offense so committed in the same calendar year.

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**2. Cambridge (2016)**

Ordinance:

Chapter 6.18 PROHIBITING THE USE OF WILD AND EXOTIC ANIMALS IN TRAVELING SHOWS AND CIRCUSES

6.18.010. Intent

It is the intent of the Cambridge City Council to protect the public against hazards that wild and exotic animals used in traveling shows and circuses pose to society and to protect wild and exotic animals from cruel and inhumane treatment.

6.18.020. Definitions

For the purpose of this chapter only, the following words and terms shall be deemed to mean and to be construed as follows:

A. “Circus” means a class C licensee that is licensed under the Animal Welfare Act (7 USC Section 2131 et seq.) and its subsequent amendments, regulations, and standards adopted pursuant to the Act, that offers performances by live animals, clowns and/or acrobats.

B. “Person” means an individual, partnership, corporation, joint venture, association, trust, estate, or any legal entity, and any officer, member, shareholder, director, employee, agent or representative of these.

C. “Traveling show” means any mobile or stationary act or exhibition, circus, public show, trade show, photographic opportunity, carnival, city or county fair, ride, parade, race, performance, or similar undertaking incorporating wild or exotic animals wherein the animals are taken from their permanent residence and required to walk or travel for any distance.

D. “Wild or exotic animal” means any or all of the following orders and families, whether born in the wild or in captivity, and also any or all of their hybrids with domestic species. The animals listed in parentheses are intended to act as examples and are not to be construed as an exhaustive list or limit the generality of each group of animals, unless otherwise specified:

1. Non-human primates and prosimians (such as chimpanzees, baboons, monkeys, etc.) –All species
2. Felidae (such as lions, tigers, cougars, leopards, ocelots, servals, etc.) – All species except domestic cats.
3. Canidae (such as wolves, coyotes, etc) – All species except domestic dogs.
4. Ursidae (such as bears) – All species.
5. Marsupialia (such as kangaroos, etc.) All species.
6. Proboscidae (such as elephants) – All species.
7. Crocodilia (such as crocodiles, alligators, etc.) – All species.
8. Artiodactyla (such as hippopotamuses, giraffes, camels, etc.)- All species except domestic cattle, swine, sheep or goats.
9. Perissodactyla (such as zebras, rhinos, and tapirs) - All species except domestic horses, donkeys or mules.
10. Struthioniformes (such as ostriches) -All species.
11. Casuariiformes (such as emus) - All species.

E. “Wildlife sanctuary” means a 501 (c)(3) organization described in Section 170 (b)(1)(A)(vi) Internal Revenue Code 1986, and its subsequent amendments where:

1. No commercial trade in animals occurs (including, but not limited to, sale of animals, animal parts, by-products, offspring, photographic opportunities or public events for financial profit, or any other entertainment purposes),
2. No propaganda of animals occurs in the facility, and
3. No unescorted public visitation is allowed; no direct contact between the public and wild animals is allowed; animals are not taken from the sanctuary or enclosures for exhibition.

#### 6.18.030. Prohibition

It shall be unlawful for any person to conduct, sponsor, walk, exhibit, or operate a traveling show or circus that includes live wild or exotic animals on any public or private land within the City of Cambridge.

#### 6.18.040. Enforcement

Police officers, the Director of the Animal Commission or his or her designee shall have the power and authority to enforce the provisions of this chapter and perform all the duties imposed by the provisions of this ordinance. All fines and penalties assessed and collected under this chapter may be enforced by issuance of non-criminal tickets pursuant to G.L. c. 40, Section 21D, or as otherwise authorized by law.

#### 6.18.060. Exceptions

The provisions of this section shall not apply to: 1. Institutions accredited by the American Zoo and Aquarium Association, 2. Any wildlife sanctuary as defined under this ordinance, or 3. Any museum, educational, governmental or medical institution, or any other duly licensed place where such animals are kept for the purpose of instruction, treatment, or study.

#### Penalty:

6.18.050. Any person, firm, or corporation violating this section shall be fined not less than \$150.00 and not more than \$300.00 dollars per animal per day, or as otherwise permitted by law.

### 3. [Pittsfield \(2016\)](#)

#### Ordinance:

Article IV, NonDomesticated Animals

Sec. 2 ½-36 Display of Non-domesticated Animals for Entertainment

(a) No living non domesticated animal shall be displayed for public entertainment or amusement in circuses, carnivals, traveling events or other similar entities on property owned by the City of Pittsfield, city owned property under lease, or private property. As used in this paragraph, "displayed" shall include, but is not limited to animal acts, performances, competition, and rides.

(b) This article shall not apply to domestic animals including, but not limited to, dogs, cats, horses, donkeys, and farm animals.

(c) This Section 2 ½-36 shall not apply to educational exhibits.

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### 4. [Plymouth \(2014\)](#)

#### Bylaw:

Wild Animals § 23-19. Permit required.

(a) It shall be unlawful for any person to keep, maintain or have in his or her possession or under his or her control within the town any dangerous animal or reptile or carnivorous, wild animal or other animal or reptile of wild, vicious or dangerous propensities without obtaining an annual permit therefor from the Board of Selectmen.

(b) Under no circumstance will a permit be issued for the possession of any animal as described in 23-19

(a) if the animal is part of a traveling exhibition or show living in a mobile housing facility. An animal is deemed to be part of a traveling exhibition or show if, during the 15-day period preceding any proposed use in a traveling exhibition or show, such animal was traveling in a mobile housing facility.

§ 23-20. Definitions. For purposes of this article, the following terms shall have the meanings indicated: DANGEROUS ANIMAL -- Includes any wild mammal, reptile or fowl or a species which is not naturally tame or gentle but is of a wild nature or disposition and which, because of its size, breeding, vicious nature or other characteristics, would constitute a 2313 danger or threat to human life or property if it is not kept or maintained in a safe manner or in secure quarters. DANGEROUS DOMESTICATED ANIMAL -- Includes any domestic mammal, reptile or fowl which, because of its size, breeding or vicious propensity or other characteristics, ANIMALS § 23-21 would constitute a danger to human life or property if it is not kept or maintained in a safe manner or in secure quarters.

§ 23-21. Classification. Dangerous or wild animals include the following: all poisonous animals, apes, baboons, bears, bison, cheetahs, crocodilians 24 inches or more, constrictor snakes 36 inches in length or more, coyotes, deer, elephants, game cocks and other fighting birds, hippopotami, hyenas, jaguars, leopards, lions, lynxes, monkeys, ostriches, piranha, pumas, rhinoceroses, sharks, tigers, wolves and any dog found to be vicious under Section 23-1 of the Town Bylaws; provided, however, that the foregoing list is not deemed to be all-inclusive.

§ 23-22. Exceptions.

The provisions of §§ 23-19, 23-20 and 23-21 shall not apply to any duly licensed zoo or bona fide educational or medical institution, including a veterinarian, or any other duly licensed place where such animals are kept for the purpose of instruction, treatment or study; provided, however, that:

- A. The location and operation of the foregoing are in conformity with all applicable federal, state and local laws, bylaws, rules and regulations;
- B. All animals and animal quarters are kept in a clean and sanitary condition; and
- C. All animals are maintained in quarters so constructed and controlled as to prevent their escape.

Penalty:

§ 23-27. Violations and penalties.

Any person, corporation or otherwise violating any provision of this article shall be fined not less than \$100 and not more than \$300 for each offense, with each day during which a violation occurs or continues deemed to be a separate offense. Unless otherwise provided herein, the fine for each offense under noncriminal disposition shall be \$100.

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**Provincetown (2002)**

By-law (Note: Article 64 is not codified; it was passed as a non-binding resolution):

Article 64. Ban Use of Exotic Animals for Public Entertainment. To see if the Town will vote to ban the display (including, but not limited to, animal acts and performances, animal rides and competitive animal races) of Wild or Exotic animals for public entertainment or amusement in circuses, carnivals or similar entities on property owned by the town of Provincetown, on Town owned property under lease or on private property; or take any other action relative thereto.

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**5. Quincy**

*(The City of Quincy is updating its ordinances and these citations are not currently listed on their website, but remain part of the city code.)*

Ordinance:

6:04. No living non-domesticated animals shall be displayed for public entertainment or amusement in circuses, carnivals, or other similar entities on property owned by the City of Quincy, on City-owned property under lease, or on private property. As used in this paragraph, “displayed” shall include, but is not limited to, animal acts and performances, animal rides and competitive animal races.

This ordinance shall not apply to domestic animals including, but not limited to, dogs, cats, horses and farm animals except that no domestic animal shall be used in competitive animal races.

This ordinance shall not apply to exhibits deemed educational by the Massachusetts Society for the Prevention of Cruelty to Animals.

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**6. Revere (1991)**

Ordinance:

6.02.030. Nondomesticated animals displayed for public entertainment or amusement.

A. No living animals shall be displayed for public entertainment or amusement on property owned by the city of Revere on city-owned property under lease, or on private property, excluding competitive arena sports and exhibits deemed educational by the Massachusetts Society for the Prevention of Cruelty to Animals.

B. No captive animal shall be forced to live out of its natural environment, separated from its own species and displayed to the public in any exploitive manner.

Penalty:

6.03.040. Any person violating any provision of this chapter shall be liable to a fine not less than \$25 or more than \$490 for each offense. A separate offense shall be deemed committed on each day or part of each day during which a violation occurs or continues.

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**7. Somerville (2010)**

Ordinance:

3-39. Display of non-domesticated animals.

(a) No living non-domesticated animals shall be displayed for public entertainment or amusement in circuses, carnivals or other similar entities on property owned by the City of Somerville, on city-owned property under lease, or on private property. As used in this paragraph, "displayed" shall include, but is not limited to, animal acts and performances, animal rides and competitive animal races.

(b) This article shall not apply to domestic animals including, but not limited to, dogs, cats, horses, donkeys and farm animals, except that no domestic animal shall be used in competitive animal races.

(c) This article shall not apply to exhibits deemed educational by the Massachusetts Society for the Prevention of Cruelty to Animals.

(d) Violations of this article are subject to penalties in accordance with section 1-11(b) of the Code of Ordinances. Each consecutive day that a violation exists shall be considered a separate offense.

Penalty:

1-11. Penalties and violations.

Whoever violates any provision of this Code or any ordinance of the city, the violation of which is subject to a specific penalty, may also be penalized by a noncriminal disposition as provided in the General Laws, Chapter 40, Section 21D. The noncriminal method of disposition may also be used for violations of any rule or regulation of any municipal officer, board or department which is subject to a specific penalty. 1st offense: \$100; 2nd offense: \$200; 3rd & subsequent offense: \$300.

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**8. Topsfield (2019; article numbers not yet posted online)**

Chapter \_\_\_\_ – Prohibition of Wild or Exotic Animals for Entertainment

\_\_\_\_-1. Purpose

The purpose of this Bylaw is to prevent the cruel and inhumane treatment of certain wild or exotic animals displayed for public entertainment in the Town of Topsfield and to thereby preserve and protect the general safety, welfare, and health of the public.

\_\_\_\_-2. Definitions

“Displayed” – This term shall include, but is not limited to, animal acts or performances, animal rides, photographic opportunities, and parades.

“Domesticated Animal” - Any animal occurring naturally or historically in the United States, that through long association with humans, has been bred to a degree which has resulted in genetic

changes affecting the temperament, color, conformation or other attributes of the species to the extent that makes it unique and different from wild animals of its kind.

“Entertainment” - Any replication of the traditional wild animal circus or other carnival, traveling show, fair, or presentation of any kind in which wild or exotic animals are required to perform tricks or are used in performances for the amusement of an audience.

“Traveling Show” - Any mobile or stationary act, public show, trade show or similar undertaking incorporating wild or exotic animals as defined in this bylaw wherein the animals are taken from their permanent residence and required to walk or travel for any distance.

“Wild or Exotic Animal” - Any or all of the following, whether born in the wild or in captivity, and also any or all of their hybrids with domestic species:

- a. Elephants;
- b. Lions;
- c. Tigers;
- d. Ocelots;
- e. Cheetahs;
- f. Jaguars;
- g. Cougars;
- h. Lynx;
- i. Bears;
- j. Giraffes;
- k. Camels;
- l. Zebras;
- m. Kangaroos;
- n. All non-human primates.

### \_\_\_-3. Prohibition of Wild or Exotic Animals for Entertainment

No living wild or exotic animal as defined in this bylaw shall be displayed or used for public entertainment on any property in the Town of Topsfield, including land owned by the Town, leased by the Town, or private property, and regardless of how such public entertainment is characterized, including, for example, a circus, carnival, fair, traveling show, exhibit, or similar event or undertaking.

### \_\_\_-4. Exemptions

The provisions of \_\_\_-3 shall not apply to:

1. Domesticated animals, including, but not limited to, dogs, cats, horses, and farm animals
2. Any non-domesticated animal that is not included in this bylaw's definition of “Wild or Exotic Animal”
3. Exhibits that are part of a duly licensed zoo and accredited by American Zoo and Aquarium Association, and exhibits that are deemed educational by either Mass Audubon, Massachusetts Society for the Protection of Animals, or the New England Wildlife Center, provided that the required permitting from the MA Division of Fisheries and Wildlife, US Fish and Wildlife Service, and USDA has been obtained.

### \_\_\_-5. Enforcement and Penalties

This Bylaw shall be enforced by any available means in law or equity, including but not limited to enforcement by non-criminal disposition pursuant to M.G.L. Chapter 40, §21D. Display of a wild or exotic animal in violation of this bylaw shall constitute a separate violation for each day such

violation exists. When enforced through non-criminal disposition, the penalties shall be as follows:

First violation:	\$100.00
Second violation:	\$200.00
Third violation and subsequent offenses:	\$300.00

The Board of Selectmen or its designee, the Board of Health or its agent, and any Police Officer of the Town of Topsfield shall be considered “enforcing persons” for purposes of this bylaw.

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## 9. Weymouth

### Ordinance:

6-702. Displaying nondomesticated animals for entertainment.

(a) Definitions: The definitions contained in M.G.L. c.140, Section 136A, M.G.L. c. 131, M.G.L. c. 131A and regulations promulgated thereunder, shall be referenced to define terms used in this Ordinance. In addition, the definitions of the following terms shall apply:

*Animals* - Any mammal, bird, reptile, amphibian, or fish.

*Domesticated Animals* - Any animal occurring naturally or historically in the United States that, through long association with humans, has been bred to a degree which has resulted in genetic changes affecting the temperament, color, conformation or other attributes of the species to the extent that makes it unique and different from wild animals of its kind.

*Wild Animal* - Any animal occurring naturally and traditionally within the United States that is not a domesticated animal, livestock, or fowl.

*Exotic Animal* - Any animal not occurring naturally or historically in the United States. The phrase includes, but is not limited to, all manner of lions, tigers, leopards, jaguars, cheetahs, elephants, zebras, camels, giraffes, reptiles and any crossbreed of these animals other than fish or insects.

*Education* - Non-profit groups, institutions or individuals who engage in teaching and instructing with intent and the effect of imparting knowledge to others through oral presentations and/or written hand-outs (whose sole purpose is to teach without entertainment), or entity deemed educational by the Animal Control Officer, in consultation with the Mayor.

*Entertainment* - Any organization which uses animals to perform tricks or participate as accompaniments in performances for the amusement of an audience.

(b) No Living non-domesticated animals shall be displayed for public entertainment or amusement in circuses, carnivals or other similar entities on property owned by the Town of Weymouth, on Town-owned property under lease, or on private property. As used in this paragraph, “displayed” shall include, but is not limited to, animal acts or performances, animal rides and competitive animal races.

(c) Section 6-702 shall not apply to domestic animals including, but not limited to, dogs, cats, horses and farm animals.

(d) Section 6-702 shall not apply shall not apply to exhibits deemed educational by the Town of Weymouth, as determined by the Animal Control Officer, in consultation with the Mayor.

### Penalty:

1-109. Violations and Penalty - Municipal Infractions.

(a) Any Ordinance of the Town of Weymouth or any rule or regulation of its officers, boards or departments, the violation of which is subject to a specific penalty, may, in the discretion of the Town Official who is the appropriate enforcing person, be enforced in the method provided in MGL C. 40, s. 21D. The noncriminal fine for each such violation, if not otherwise specified, shall be fifty dollars (\$50).

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(c) Unless otherwise provided, each day a violation continues shall constitute a separate and repeat violation once notice of the violation has been given.

[1-110](#). Violations and Penalty - Criminal Complaint.

Any Ordinance of the Town of Weymouth or any Rule or Regulation of its Officers, Boards or Departments may, in accordance with the provisions of MGL C. 40, s. 21, also be enforced by criminal complaint in the district court. Except as otherwise provided by law, any person found guilty of violating any provision of this code in a criminal proceeding in the district court shall be subject to a fine within the limits otherwise prescribed by law. Each day a violation continues shall constitute a separate and repeat violation once notice of the violation has been given.