

How Ferret Owners Can Keep Current With Animal Law

Rules and regulations about ferrets can be difficult to find, but these suggestions can help you keep current.

By Wendy Bedwell-Wilson

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Laws can regulate whether you can own a ferret, whether it needs vaccinations or how many you can own.

They vary by state. They vary by county. They vary by municipality. Animal laws, especially those addressing ferrets, prove to be a complex subject to follow and, as interest in ferrets grows, so do laws pertaining to their ownership.

"Because of our unique — and uniquely cumbersome — federal system, we don't have a single law [pertaining to ferret ownership]," said David Gaines, director, legal and legislative affairs for the American Ferret Association Inc., in Annapolis, Md. "We have 51 different laws — 52 if you count Puerto Rico — and then underneath, you have all the counties, towns and cities. And there is no one place that tracks all these things. So it's challenging to try and figure it out."

Husbandry issues exacerbate the legislative quagmire. Does your city require that your ferret be licensed? Do you need to have your ferret vaccinated against rabies? Is there a limit to how many critters can live in your home? If you don't know the answers to these questions, keep reading. Laura Ireland Moore, an animal law attorney in Waldport, Ore., says it's your responsibility to know the laws and comply with them.

"Ignorance of the law is not a defense, so it is on them as responsible ferret owners to be aware of the rules and regulations that apply to them," Moore said.

If you don't comply with the ordinances and codes in your locality, you could be fined or imprisoned, and your pet can be seized and impounded, according to a 2005 article entitled "Overview of Municipal Animal Control Ordinances" by Rebecca F. Wisch at the Michigan State University College of Law.

"Generally, municipal codes impose a fine or other such monetary penalty for violations," Wisch wrote. "Another available remedy all jurisdictions employ is the use of impoundment. Animals found in violation of a code are subject to seizure, impoundment, and potential euthanasia. Burlington, Vt., specifically lists impoundment as an available remedy in addition to the monetary penalties imposed."

Michael Maddox, governmental affairs division of the Pet Industry Joint Advisory Council in Washington D.C., follows legislation for the pet industry, and he's seen how laws affect pet ownership.

"Ferret owners should be concerned because the laws can dramatically affect whether they can even continue keeping their pet," he said. "Some of the proposals we've seen would effectively eliminate the opportunity to even keep ferrets."

As a responsible ferret owner, there's no doubt that you want to know the laws in your locality and comply, but how do you stay abreast of current and pending legislation? It starts with a little patience and a lot of research.

On The Move

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Surfing For Answers

Because no single uniform structure exists in our legislative system with regard to animal ownership and control, your first step is to determine which lawmaking entity or entities govern animals in your area. It could be the state. The state could delegate to the county. Or the county could delegate to the municipality. Most animal control ordinances and municipal codes, however, stem from state and county legislation, Moore said.

"It starts with the state laws, and then it's going to be county-wide animal control ordinances that will apply," she said. "Most counties have them online, so ferret owners can just go to their local county's website and look up animal control ordinances or animal laws."

Sounds simple, doesn't it? Hop online, look up the laws and be on your way. Think again. Just as individual cities, counties and states differ in how they propose and enact ferret legislation, the websites and search engines differ in how they're structured and organized. They can stump the savviest of Internet surfers.

"The best thing to do is to go straight to the relevant city, town or county website and look around for a link that says 'government,' 'legislative,' 'laws,' 'codes,' 'ordinances,' or something along those lines, and drill down until you find the complete display of that jurisdiction's code or ordinances," Gaines said.

From there, use the site's search function to locate the section, usually referred to as "title," that deals with animals. Gaines said it could be under "agriculture," "miscellaneous" or "health and safety," just to name a few.

"Frequently this is buried under another section, so you may have to use the website's search engine and use 'animal' or 'ferret' as the search term," he said.

When you find the proper title, get ready to do some reading, starting with the municipal code or ordinance's "definitions" chapter. In it, you'll find whether your ferret is considered an "animal," an "exotic," a "wild animal" — or something else.

"There's a legal definition, and in that legal definition an 'animal' is not the same from one state to the next," Gaines said. "Most people don't realize that. What is an 'animal'? An 'animal' can be a dog or a cat, and that's it. If you're not a dog or a cat, you're not protected by 'animal welfare' legislation because you're not an 'animal' by the legal definition of that state legislature.

"With ferrets, this is a problem," he said. "Is a ferret an 'animal'? In some places it is. In some places it's a 'dangerous animal.' In some places it's an 'exotic animal.' And in some places it's an 'exotic animal' but 'exotic animals' are OK."

Many times, ferrets aren't even mentioned, which leads to more challenges.

"Some localities have very lengthy and specific lists of prohibited animals; some just have vague undefined phrases such as 'dangerous animals are not permitted,'" Gaines said. "Most are somewhere in the middle. Some localities, such as the District of Columbia, have a list of permitted animals instead of prohibited animals, and if ferrets are not on that list, they're illegal."

Once you've determined if a ferret is permitted and how that ferret is defined in your county or state legislature, then you can read the rules and regulations regarding its ownership.

If you're searching pending legislation, you can use a similar approach to searching sites.

"You can go to state websites," Maddox said. "They're different depending on the state. But a lot of them nowadays will include some kind of search mechanism that will allow people to do general searches, such as just putting 'ferret' in, and see what bills might be pending."

To stay current on proposed bills and laws, keep an eye on trends in the federal and state arenas, Moore said. They may affect local rules and regulations. "Ferret owners should know what the general issues are that may be coming up in terms of trends in the country," she said. "And then that's a good search to do in your own area, too." Start Your Search Engines If you've given up on wading through your state or county's website, try one of these sites, recommended by David Gaines, director, legal and legislative affairs for the American Ferret Association in Annapolis, Md. In most cases, you can search by state, county and municipality.

Michigan State University College of Law Animal Legal Center
American Legal Publishing Online Library
LexisNexis Municipal Codes
Municode.com

Doing It The Old-Fashioned Way

Sometimes, a good old-fashioned approach is best. A phone call or e-mail to your local animal control office will yield the most up-to-date information.

"If ferret owners are concerned and want to learn more, there are animal control officers or local animal services, or even local humane societies that might be a good place to get started in terms of answering questions," Moore said.



Staying in touch with your legislator keeps lines of communication open, too, especially when you have an opinion about pending legislation or want to voice concern about any restrictions, Maddox said.

“You can establish a relationship with your legislator, and that’s always a good thing to do just as a matter of course, because if you do have an issue that comes up, you want to make sure you have someone you can talk to about it,” Maddox said. “We encourage ferret owners to get to know the people representing their district. Give them a phone call, or if you have an opportunity, stop by their legislative office and introduce yourself.”

Because laws can change quickly and, many times, websites are not updated in a timely way, check your municipality’s website, and then make a phone call, Gaines said.

“Very few localities update their web-based ordinances immediately,” Gaines said. “So the very best thing to do is to find out what organization or agency has jurisdiction over animal control in the particular locality, and contact them directly. They may tell you, for example, that until very recently, ferrets, hedgehogs and sugar gliders were illegal, but they took ferrets off the list just last month. You won’t see that on the web.”

Wendy Bedwell-Wilson writes about pet topics from her home in Oregon.