

**AN ORDINANCE OF THE PARK DISTRICT OF THE CITY OF FARGO
PROHIBITING THE USE OF WILDLIFE TRAPPING DEVICES
ON PARK DISTRICT PROPERTY**

WHEREAS, The Park District of the City of Fargo, under the authority granted by North Dakota Century Code Section 40-49-13 has the power to adopt ordinances; and

WHEREAS, it is the intent of the Park District of the City of Fargo to protect public health and safety and promote animal welfare by prohibiting the use of wildlife trapping devices; and

WHEREAS, this ordinance is necessary to preserve wild animals and to prevent the unselective catching and maiming of wild animals, including birds and companion/domesticated animals, and prevent injury to children and adults that may come into contact with these devices.

NOW, THEREFORE, be it enacted by the Board of Park Commissioners of the Park District of the City of Fargo of the following:

The following shall be added to Section 2 of the Revised Ordinances of the Park District of the City of Fargo, Definitions:

“Body-Gripping Device” includes, but is not limited to, any snare (neck, body or leg), kill-type trap, leg hold trap (steel-jaw, padded or offset), and any other device designed to grip a body or body part of an animal. Common rat and mouse traps shall not be considered Body-Gripping Devices.

“Person” means any individual, partnership, corporation, limited liability company or other business entity, organization, trade or professional association, trust, estate, or any other legal entity and any officer, member, shareholder, director, employee, agent or representative thereof.

New Section 18 to the Revised Ordinances of the Park District of the City of Fargo.

**SECTION 18
TRAPPING PROHIBITIONS**

1. It shall be unlawful for any person to set or use, or attempt to set or use a Body-Gripping Device on Park District owned or managed properties, whether or not within the City limits of the City of Fargo, North Dakota.

2. The provisions of this Ordinance shall not prohibit the use of live traps by persons provided they have made written application to the Park District to do so and received from the Park District specific written permission as to location and the duration of the live trapping activity.

3. Whenever a Body-Gripping Device is used contrary to the prohibitions outlined in this Ordinance, the same may be impounded by any duly authorized police officer of the Park

District or the City of Fargo or by any State Fish and Game Warden until judicial action requires the release of such device.

4. The provisions of this Ordinance shall not prohibit federal, state, county, municipal or Park District employees or their duly authorized agents to use a Body Gripping Device if it is a reasonable method available to protect human health and safety, or if the use of such device is the reasonable means of protecting threatened or endangered species and/or preserving or protecting public or private properties.

5. Conduct made unlawful by this Section 18 of the Ordinances of the Park District of the City of Fargo constitutes a Class B misdemeanor, similar to penalties imposed under the provisions set forth in North Dakota Century Code Chapter 20.1-01.

THE PARK DISTRICT OF THE
CITY OF FARGO

By: Matt Magness
Matt Magness, President
of the Board of Park
Commissioners

By: Jeff Gunkelman
Jeff Gunkelman, Clerk

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