Hanover County
Board of Supervisors

May 8, 2013

Hanover: People, Tradition & Spirit

Curtis Shepperson
Application for Permit to Keep Vicious Animals
Cold Harbor Magisterial District

Request	Application for permit to keep four additional chimpanzees
Location	8207 Bultaco Trail, Cold Harbor, VA
Zoning	A-1
Acres	Over 30

WOODLAWN
EAWESWA
KNIGHT
NEW
MECHANICSVILLE TURNPIKE
ARNOLD ROAD
BEATTIES MILL ROAD
PEPPERTOWN ROAD
OLD CHURCH ROAD
MCCLELLAN ROAD
OLD
IMMANUEL ROAD
LAKE VIEW ROAD
HUGHES ROAD
NORTH SHALE DRIVE
FLORIDA FARM LANE
LITTLE FLORIDA ROAD
MIAMI LANE
BEATTIES MILL ROAD
DEEP BOTTOM ROAD
LLSWOOD DRIVE
HOOFPRINT LANE
ARMSTRONG DRIVE
FRALEY DRIVE
CROWN HILL ROAD
SANDY VALLEY ROAD
VALLEY
CORNER ROAD
HANOVER COUNTY
Formed in 1720
VIRGINIA

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Purpose of the Permitting Process

- To protect public health and safety
- To ensure the welfare of the wild, exotic and vicious animals

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Sec. 4-80. – Permit required to keep wild, exotic or vicious animals

- (a) No person shall keep or permit to be kept on his premises any wild, exotic or vicious animal, unless that person shall have previously obtained a permit from the county for such animal
- (b)(2) The board of supervisors has the authority to issue or deny permits for vicious animals.

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Sec. 4-1. – Definitions

Vicious animal: The term vicious animal shall include any leopard, panther, tiger, lion, cougar, puma, lynx, wolf, coyote, mountain lion, bobcat, bear, **chimpanzee** or other large primate, any member of crocodilia, including but not limited to alligators, crocodiles, caimans, and gavials, any poisonous snake or snake greater than six (6) feet in length or any animal or animals, other than a canine or canine crossbreed, that, in the judgment of the chief animal control officer, constitute a threat to public safety and welfare due to their size, species, and/or behavioral characteristics.

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(c) No permit shall be approved by the chief animal control officer or the board of supervisors unless the applicant has demonstrated in the application:

(1)That the wild, exotic or vicious animal(s) will be securely enclosed at all times in a manner that is appropriate for the character of the animal;

(2)That the animal(s) will be provided with an appropriate habitat and be properly fed, cared for and handled;

(3)That the keeping of such animal(s) on the premises is consistent with the nature and character of the neighborhood;

(4)That the owner has obtained any federal or state permits required for possession of that particular species of animal(s); and

(5)That, for vicious animals, the owner has obtained a surety bond or liability insurance or bond in the amount of fifty thousand dollars ($50,000.00) which covers incidents or occurrences involving the vicious animal.

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The permit shall be nontransferable and subject to such conditions as are deemed necessary to assure the public safety and welfare and appropriate care of the animal(s).

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- Any permitted animal that dies or is sold or relocated out of the county may be replaced by an animal of the same species.

- Any additions, as a result of breeding of permitted animals or acquisition of additional wild, exotic, or vicious animals, shall require an amendment to the permit.

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Background:

- 1999 and 2000 – Board of Supervisors approved Vicious Animal Permit and amended permit to allow 2 chimpanzees
- March 28, 2007 - Board of Supervisors approved a Conditional Use Permit for a zoo
- July 2010 – Second documented chimp escape occurred; County Administrator's Office became aware that Mr. Shepperson had 6 chimps in his possession
- August 2010 – Notice of Violation issued to Mr. Shepperson for violation of **Hanover County Code § 4-80, a class 4 misdemeanor**, giving Mr. Shepperson 90 days to come into compliance
- September 2010 – Revised Notice of Violation issued, giving Mr. Shepperson 90 days from revised Notice of Violation

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Background:

- December 2010 – Compliance Agreement between Hanover County and Mr. Shepperson.
  - Mr. Shepperson agreed to relocate 4 unpermitted chimps within 2 years and make structural and procedural improvements to his facility. *He is now seeking a permit for these four chimpanzees.*
  - Hanover County agreed to refrain from prosecuting Mr. Shepperson for violation of Hanover County Code § 4-80, conditions of permit, and zoning violations.
- 2011 – Structural/procedural improvements made
- December 12, 2012 – Board granted six month extension of deadline to relocate 4 chimps. New deadline: June 23, 2013.

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December 2010 Compliance Agreement:

- Use good faith efforts to relocate 4 unpermitted chimps within 2 years
  - Immediately begin the process of locating a suitable placement
  - Keep the County informed of this process
  - Work diligently in cooperation with Hanover County Animal Control and outside experts to find appropriate placements for 4 chimps

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Opposition to private possession of primates:

Curtis Shepperson

Cold Harbor Magisterial District

Staff Recommendation:

Staff recommends denial of permit request.

Reasons for recommendation:

1. **Public Safety is overarching concern**
   a. **Chimpanzees are extremely dangerous animals**
   b. **History of escapes**

2. Private ownership of chimpanzees is not in the best interests of the public or chimpanzees.

3. Long-term welfare and care of chimpanzees is not ensured at the Shepperson facility.

4. Mr. Shepperson already agreed to relocate these chimpanzees over two years ago.

This is a Public Hearing