

DISTRICT OF COLUMBIA
OFFICIAL CODE

TITLE 8.
ENVIRONMENTAL AND ANIMAL CONTROL
AND PROTECTION.

CHAPTER 22.
WILDLIFE PROTECTION.

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DISTRICT OF COLUMBIA OFFICIAL CODE

CHAPTER 22. WILDLIFE PROTECTION.

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CHAPTER 22. WILDLIFE PROTECTION.

§ 8-2201. DEFINITIONS.

For the purposes of this chapter, the term:

- (1) "Animal Care and Control Agency" means the agency established by § 8- 1802.
- (2) "Department" means the District Department of the Environment.
- (3) "Director" means the Director of the District Department of the Environment.
- (4) "Licensed wildlife rehabilitator" means a wildlife rehabilitator licensed in any state or the District.
- (5) "Wildlife" shall include any free-roaming wild animal, but shall not include:
 - (A) Domestic animals;
 - (B) Commensal rodents;
 - (C) Invertebrates; and
 - (D) Fish.
- (6) "Wildlife control" means to harass, repel, evict, exclude, possess, transport, liberate, reunite, rehome, take, euthanize, or kill wildlife.
- (7) "Wildlife control operator" means a person who is licensed to perform wildlife control services under § 8-2204, but shall not include the Animal Care and Control Agency or a property manager as defined by § 47-2853.141.
- (8) "Wildlife control services provider" means the operator of a business which involves the charging of a fee for services in wildlife control.

(Mar. 8, 2011, D.C. Law 18-289, § 2, 57 DCR 11499.)

HISTORICAL AND STATUTORY NOTES

Legislative History of Laws

Law 18-289 , the "Wildlife Protection Act of 2010", was introduced in Council and assigned Bill No. 18-498, which was referred to the Committee on Government Operations and the Environment. The Bill was adopted on first and second readings on October 5, 2010, and November 9, 2010, respectively. Enacted without signature of the Mayor on December 2, 2010, it was assigned Act No. 18- 610 and transmitted to both Houses of Congress for its review. D.C. Law 18-289 became effective on March 8, 2011.

Editor's Notes

Former § 8-2201 has been recodified as § 8-2031.

§ 8-2202. WILDLIFE CONTROL SERVICE PROVIDERS.

- (a) A wildlife control services provider shall recommend and employ nonlethal means in preference to lethal means for the control of problem wildlife.
- (b) All traps and exclusion devices used by a wildlife control services provider shall be labeled with the name, address, and phone number of the wildlife control service provider.
- (c) Traps used by a wildlife control services provider shall be set in a manner designed to catch the target animal and in the manner likely to avoid capture of and harm to non-target animals.
- (d) Wildlife shall be captured, handled, and, when permissible, transported, in a manner to ensure against causing unnecessary discomfort, behavioral stress, or physical harm to the animal, including providing protections against weather extremes.
- (e) All traps shall be checked by the wildlife control services provider in a timely and reasonable manner, but no more than 24 hours after being set, and at least once every 24 hours thereafter; provided, that traps shall be checked more frequently if environmental conditions require.

(f) Captured non-target wildlife shall be released immediately at the site of capture. Captured non-target wildlife that pose an unreasonable risk to the health and safety to persons or domestic animals or that are injured and need veterinary care and rehabilitation shall:

- (1) With permission of the property owner, be relocated to a suitable location where nuisance problems are unlikely to occur;
- (2) Transferred to a wildlife rehabilitator, if the animal is sick, injured, or abandoned; or
- (3) Euthanized if relocation or rehabilitation are not feasible.

(g) Captured target wildlife shall be:

- (1) Released at the site of capture;
- (2) With permission of the property owner, be relocated to a safe location where nuisance problems are unlikely to occur;
- (3) Transferred to a wildlife rehabilitator, if the animal is sick, injured, or abandoned; or
- (4) If none of the other options are feasible, euthanized.

(h) Wildlife expressing symptoms of disease shall be taken to a licensed wildlife rehabilitator or surrendered to the Animal Care and Control Agency for evaluation and assessment. Outbreaks or potential widespread occurrence of suspect diseases, such as avian botulism, shall be reported to the Department.

(i) A wildlife control services provider shall make every reasonable effort to preserve family units using humane eviction or displacement and reunion strategies and shall not knowingly abandon dependent young wildlife in a structure.

(j) Wildlife shall not be kept in captivity longer than 36 hours unless specifically authorized by the Department or unless reunion attempts are being employed. In the case of attempted reunion, a wildlife control services provider may hold wildlife in captivity for up to 72 hours.

(k) Captured wildlife shall be transported in covered, secure containers in such a way as to:

- (1) Minimize stress to the animal and its exposure to the elements by covering the trap or vehicle with appropriate material;
- (2) Ensure that the covering is of such material that the animal has an adequate supply of air to prevent overheating; and
- (3) Minimize potential hazards to the general public.

(l) A wildlife control services provider shall not use sticky or glue traps to control any wildlife.

(m) A wildlife control services provider shall not use leghold and other body-gripping traps, body-crushing traps, snares, or harpoon-type traps to control any wildlife.

(n) A wildlife control services provider shall kill wildlife only by methods that conform to the most recently published Report of the American Veterinary Medical Association Panel on Euthanasia, unless otherwise prohibited by this chapter or rules promulgated by the Department.

(o) A wildlife control services provider shall use the available method of euthanasia that is the quickest, least stressful, and least painful to the animal under the circumstances.

(Mar. 8, 2011, D.C. Law 18-289, § 3, 57 DCR 11499.)

HISTORICAL AND STATUTORY NOTES

Legislative History of Laws

For history of Law 18-289, see notes under § 8-2201.

Editor's Notes

Former § 8-2202 has been recodified as § 8-2032.

§ 8-2203. NOTICE TO CLIENTS.

Before undertaking any control measures, a wildlife control services provider shall provide to the client, in writing, the following:

- (1) An assessment of the problem, including identification of possible causes of the problem;
- (2) The methods and practices that may be used to resolve the problem, clearly specifying possible lethal and nonlethal means;
- (3) Agreed-upon disposition of the animal;
- (4) An estimate of the fee to be charged; and

(5) Where applicable, the methods and practices which the client may employ in the future to limit recurrence of the problem.

(Mar. 8, 2011, D.C. Law 18-289, § 4, 57 DCR 11499.)

HISTORICAL AND STATUTORY NOTES

Legislative History of Laws

For history of Law 18-289, see notes under § 8-2201.

Editor's Notes

Former § 8-2203 has been recodified as § 8-2033.

§ 8-2204. WILDLIFE CONTROL OPERATOR LICENSE.[NOT FUNDED]

(Mar. 8, 2011, D.C. Law 18-289, § 5, 57 DCR 11499.)

HISTORICAL AND STATUTORY NOTES

Legislative History of Laws

For history of Law 18-289, see notes under § 8-2201.

Editor's Notes

Former § 8-2204 has been recodified as § 8-2034.

Miscellaneous Notes

The Budget Director of the Council of the District of Columbia has determined, as of February 15, 2012, that the fiscal effect of Law 18-289 has not been included in an approved budget and financial plan. Therefore, the provisions of sections 5 through 10 of Law 18-289 are not in effect.

§ 8-2205. GENERAL WILDLIFE CONTROL OPERATOR LICENSE CONDITIONS.[NOT FUNDED]

(Mar. 8, 2011, D.C. Law 18-289, § 6, 57 DCR 11499.)

HISTORICAL AND STATUTORY NOTES

Legislative History of Laws

For history of Law 18-289, see notes under § 8-2201.

Editor's Notes

Former § 8-2205 has been recodified as § 8-2035.

Miscellaneous Notes

The Budget Director of the Council of the District of Columbia has determined, as of February 15, 2012, that the fiscal effect of Law 18-289 has not been included in an approved budget and financial plan. Therefore, the provisions of sections 5 through 10 of Law 18-289 are not in effect.

§ 8-2206. CONTROL OF SPECIFIC SPECIES.[NOT FUNDED]

(Mar. 8, 2011, D.C. Law 18-289, § 7, 57 DCR 11499.)

HISTORICAL AND STATUTORY NOTES

Legislative History of Laws

For history of Law 18-289, see notes under § 8-2201.

Miscellaneous Notes

The Budget Director of the Council of the District of Columbia has determined, as of February 15, 2012, that the fiscal effect of Law 18-289 has not been included in an approved budget and financial plan. Therefore, the provisions of sections 5 through 10 of Law 18-289 are not in effect.

§ 8-2207. SERVICE RECORDS AND ANNUAL REPORTS.[NOT FUNDED]

(Mar. 8, 2011, D.C. Law 18-289, § 8, 57 DCR 11499.)

HISTORICAL AND STATUTORY NOTES

Legislative History of Laws

For history of Law 18-289, see notes under § 8-2201.

Miscellaneous Notes

The Budget Director of the Council of the District of Columbia has determined, as of February 15, 2012, that the fiscal effect of Law 18-289 has not been included in an approved budget and financial plan. Therefore, the provisions of sections 5 through 10 of Law 18-289 are not in effect.

§ 8-2208. SUSPENSION OR REVOCATION OF LICENSE.[NOT FUNDED]

(Mar. 8, 2011, D.C. Law 18-289, § 9, 57 DCR 11499.)

HISTORICAL AND STATUTORY NOTES

Legislative History of Laws

For history of Law 18-289, see notes under § 8-2201.

Miscellaneous Notes

The Budget Director of the Council of the District of Columbia has determined, as of February 15, 2012, that the fiscal effect of Law 18-289 has not been included in an approved budget and financial plan. Therefore, the provisions of sections 5 through 10 of Law 18-289 are not in effect.

§ 8-2209. FEES.[NOT FUNDED]

(Mar. 8, 2011, D.C. Law 18-289, § 10, 57 DCR 11499.)

HISTORICAL AND STATUTORY NOTES

Legislative History of Laws

For history of Law 18-289, see notes under § 8-2201.

Miscellaneous Notes

The Budget Director of the Council of the District of Columbia has determined, as of February 15, 2012, that the fiscal effect of Law 18-289 has not been included in an approved budget and financial plan. Therefore, the provisions of sections 5 through 10 of Law 18-289 are not in effect.

§ 8-2210. COMPLAINTS.

The Department shall keep a record of any written or oral complaints lodged against a wildlife control services provider and shall document action taken by the Department in response to the complaint.

(Mar. 8, 2011, D.C. Law 18-289, § 11, 57 DCR 11499.)

HISTORICAL AND STATUTORY NOTES

Legislative History of Laws

For history of Law 18-289, see notes under § 8-2201.

§ 8-2211. ENFORCEMENT.

(a) The Mayor, pursuant to subchapter I of Chapter 5 of Title 2, may issue rules to implement the provisions of this chapter.

(b) The Mayor may bring an action in the Superior Court of the District of Columbia to enjoin the violation or threatened violation of any provision of this chapter or of any rules promulgated under this chapter.

(Mar. 8, 2011, D.C. Law 18-289, § 12, 57 DCR 11499.)

HISTORICAL AND STATUTORY NOTES

Legislative History of Laws

For history of Law 18-289, see notes under § 8-2201.

§ 8-2212. APPLICABILITY.

Sections 8-2204 through 8-2209 shall apply upon the inclusion of their fiscal effect in an approved budget and financial plan.

(Mar. 8, 2011, D.C. Law 18-289, § 13, 57 DCR 11499.)

HISTORICAL AND STATUTORY NOTES

Legislative History of Laws

For history of Law 18-289, see notes under § 8-2201.

Miscellaneous Notes

The Budget Director of the Council of the District of Columbia has determined, as of February 15, 2012, that the fiscal effect of Law 18-289 has not been included in an approved budget and financial plan. Therefore, the provisions of sections 5 through 10 of Law 18-289 are not in effect.