

THE CORPORATION OF THE VILLAGE OF SUNDRIDGE

By-Law 2016 - 006

Being a By-law to prohibit the Keeping of Exotic, Wild and Non-Domestic Animals within the Village of Sundridge

WHEREAS pursuant to Section 11 of the Municipal Act, S.O. 2001, c. 25, as amended, authorizes a Municipality to pass by-laws respecting matters within the jurisdiction of animals;

AND WHEREAS the Council of the Corporation of the Village of Sundridge deems it desirable, for the protection of the public and in the public interest to pass a by-law to prohibit the keeping of exotic, wild and non-domestic animals within the limits of the Village of Sundridge;

NOW THEREFORE BE IT RESOLVED THAT the Council of the Corporation of the Village of Sundridge enacts as follows:

1. SHORT TITLE

1.1 This By-Law shall be known as the Exotic Animal By-Law.

2. DEFINITIONS

2.1 "M.L.E.O." means the person appointed by Council to be the Municipal Law Enforcement Officer;

2.2 "Village" means the Corporation of the Village of Sundridge;

2.3 "Control" includes care and custody;

2.4 "Owner" includes a person who registered as the owner, has legal title to, possesses, harbors, or someone who regularly feeds an animal and who is eighteen years of age or over and 'owns' has a corresponding meaning;

2.5 "Veterinarian" means a veterinarian and shall include care takers and inmates of a recognized Animal Care Centre where a veterinarian normally carries on business;

2.6 "Veterinary Hospital" as defined providing emergency or overnight medical care by a licensed Veterinarian to domestic and farm animals.

2.7 "Zoo or Wildlife Sanctuary" includes a person or persons who has registered with the Provincial Government and is in possession of all necessary documentation and complies with all regulations, provincial laws and municipal by-laws, to confine or keep captive any animal for the purposes of display or protection.

3. PROHIBITION

3.1 No person shall own, possess, harbour or in any other manner keep any Animal listed in Schedule A of this By-Law or any Endangered Species, except where provided for under the provisions of this By-Law or any Federal or Provincial legislation.

3.2 No person shall sell, offer for sale or display for sale any Animal listed in Schedule A of this By-Law or any Endangered Species, except where provided for under the provisions of this By-Law or any Federal or Provincial legislation.

3.3 No person shall import or export any Animal listed in Schedule A of this By-Law or any Endangered Species, except where provided for under the provisions of this By-Law or any Federal or Provincial legislation.

4. EXEMPTIONS

4.1 It shall be permissible to keep any animal of the kind listed in Schedule "A" of this By-law only under the following circumstances:

4.1.1 In a Veterinary Hospital under the care of a Licenced Veterinarian during the period of time required to care for the animal and then it shall be removed from the Village of Sundridge.

4.1.2. The animal is part of a Circus, Exhibition or Educational Display and such animals shall be exempt from this By-Law only for the period of time that the Circus, Exhibition or Educational Display is taking place.

5. ADMINISTRATION AND ENFORCEMENT

5.1 This By-Law shall be administered by the Municipal Law Enforcement Officer.

5.2 This By-Law shall be enforced by a Municipal Law Enforcement Officer, an Animal Control Officer or a Provincial Offences Officer.

6. RIGHT OF ENTRY

6.1 A Municipal Law Enforcement Officer may enter upon property at any reasonable time for the purpose of determining whether any prohibited animals are kept on the premises.

6.2 The Municipal Law Enforcement Officer may not enter a dwelling-place except with the consent of the occupant or person in charge of the dwelling-place or under the authority of a warrant.

7. SEVERABILITY

7.1 If a court of competent jurisdiction should declare any section or part of a section of this By-law to be invalid, such section or part of a section shall not be construed as having persuaded or influenced Council to pass the remainder of this By-law and it is hereby declared that the remainder of the By-law shall be valid and shall remain in force.

8. PENALTIES

8.1 Every person who contravenes any provision of this By-law is guilty of an offence and, on conviction, is liable to a fine as provided for under the Provincial Offences Act.

8.2. Where any part of this By-Law conflicts with any other Municipal By-Law, or any Federal or Provincial Legislation or article the Legislation that carries the more strict provision shall prevail.

9. EFFECTIVE DATE

9.1 This By-Law shall take effect on the passing thereof.

INTRODUCED AND READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS 10th DAY OF FEBRUARY 2016.

Lyle Hall, Mayor

Lillian Fowler, CAO/Clerk

SCHEDULE "A"

To By-law 2016 - 006

Class of Animal	Common Name Examples
All Venomous Arachnids	Tarantula
All Venomous Arthropods	Scorpion
All Crocodylidae	Alligator, Crocodile
All Ursidae	Bear
All Venomous Reptillia	Venomous Snake, Lizard
All Serpentes of the families Pythonidae and Boidae	Python, Boa, Anaconda
All Felids (other than common cat)	Leopard, Lion, Tiger, Lynx, Panther, Puma, Cheetah, Jaguar. Bobcat, Ocelot or Hybrids
All animal on the list of Convention on International Trade and Endangered Species (CITES #1 Endangered Species List)	
All Canidae (other than common dog)	Wolf, Fox, Jackals

Note: The common names referred to in the right hand column are some of the names of animals included in the classes of animals referred to in the left hand column of this schedule.

The common names are provided for information purposes only and are not intended to limit the extent of the classes of animals referred to above.