

THE CORPORATION OF THE MUNICIPALITY OF SOUTH DUNDAS

BY-LAW NO. 2015-29

A By-Law to prohibit and regulate exotic/non-domestic animals.

WHEREAS the *Municipal Act, 2001*, as amended, provides that a municipality may pass by-laws respecting animals;

AND WHEREAS the *Municipal Act, 2001*, as amended provides that a municipality may pass a by-law providing that a person who contravenes a by-law of the Municipality is guilty of an offence;

AND WHEREAS the Council of the Municipality of South Dundas deems it desirable to prohibit and regulate certain animals within the Municipality of South Dundas;

NOW THEREFORE the Council of the Corporation of the Municipality of South Dundas enacts as follows:

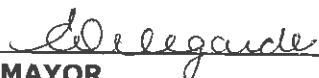
1. That the rules and regulations contained in this By-law as set out in Schedule "A" attached hereto and forming part of this By-law, shall be hereby adopted.
2. That the prohibited animals contained in this By-law as set out in Schedule "B" attached hereto and forming part of this by-law shall be hereby adopted.
3. That fines shall be set as per Schedule "C" attached hereto and forming part of this by-law shall be hereby adopted.
4. That By-law No. 11-93 of the former Village of Iroquois is hereby repealed in its entirety.

READ a first and second time in open Council, signed and sealed this 7th day of April, 2015.


MAYOR


CLERK

READ a third time and finally passed in open Council, signed and sealed this 2nd day of June, 2015.


MAYOR


CLERK

Schedule "A"
To By-Law No. 2015-29

1. Definitions

The following definitions apply to this By-law:

- a) **"Animal"** means any non-human member of the animal kingdom and includes domestic animals, animals reared for commercial purposes, and animals kept for working purposes or pets.
- b) **"Corporation or Municipality"** means the Corporation of the Municipality of South Dundas.
- c) **"Council"** means the Council of the Corporation of the Municipality of South Dundas.
- d) **"Domestic Animal"** means an animal which has been tamed by humans and has, through selective breeding, become notably different from its wild ancestors.
- e) **"Exotic/Non-Domestic"** shall mean of foreign origin or character; not native; introduced from abroad; but not fully naturalized or acclimatized.
- f) **"Institution"** means any organization accredited by the Canadian Associating of Zoos and Aquariums.
- g) **"Livestock"** means any domestic and captive raised fowl or poultry, domestic rabbits, horses, mules, asses, bulls, oxen, cows or other cattle, sheep, lamb, goats, pigs, llamas, mink, alpacas, wild boar, bison, deer elk used or kept for agricultural purposes on permitted land uses within the Municipality.
- h) **"Municipal Law Enforcement Officer"** means a Peace Officer for the purpose of enforcing municipal By-laws, as set out in the *Police Services Act*, and shall include a By-Law Enforcement Officer and/or his/her designate.
- i) **"Owner"** means the actual owner of the animal, whether a natural person or other entity and includes any person acting on behalf of the owner.
- j) **"Prohibited Animals"** means any animal listed in Schedule 'B' attached to this By-law.

- 2.** No person or entity shall, keep, own or harbor or permit to be kept, owned or harbored on any temporary or permanent basis any prohibited animal.

3. Notwithstanding Section 2 of this By-law, nothing in this By-law shall prohibit or restrict educational displays or programs involving a prohibited animal offered by a person or an institution, if and only if the person or institution is accredited by the Canadian Association of Zoos and Aquariums.
4. This By-law is not intended to supersede, replace or augment Provincial Legislation and Federal Statutes with respect to wildlife, endangered species or species at risk.
5. Each Section of this By-law is an independent Section and the holding of any Section or part thereof by a body of competent jurisdiction to be unlawful, void or ineffective for any reason shall not be deemed to affect the validity of any other Section or parts of Sections of this By-Law.
6. Every person who contravenes or causes or permits any contravention of any of the provisions of his By-law is guilty of an offence and on conviction is liable to a fine as provided for in the *Provincial Offences Act*, as amended.
7. Prior to passage of this By-law, this By-law shall be publicly advertised in print media for a period of thirty (30) days.

Schedule "B"
To By-Law No. 2015-29

PROHIBITED ANIMALS

Being a list of prohibited animals in the Municipality of South Dundas as per Section 2 of this By-law. Those animals listed include all animals in each prohibited group whether they have been bred in the wild or captivity.

1. All venomous amphibians
2. All venomous arachnids (spiders and scorpions)
3. All canids, except the domestic dog
4. All cetaceans (such as whales, dolphins and porpoises)
5. All venomous chilopods (centipedes)
6. All chiroptera (bats)
7. All crocodylians (such as alligators and crocodiles)
8. All elasmobranchii (such as sharks and rays)
9. All elephants
10. All felids, except the domestic cat
11. All hyenas
12. All venomous insects (such as bees, wasps and bullet ants), except the European honey bee
13. All venomous lizards
14. All non-human primates (such as gorillas and monkeys)
15. All rodentia (such as porcupines and capybaras), except the domestic mouse, rat, guinea pig and gerbil
16. All snakes of the families of pythonidas and boas
17. All venomous snakes (such as vipers, rattlers, cotton mouth, copper head and cobras)
18. All testudines (turtles, tortoise and terrapin), except domestic turtles
19. All ursids (bears)
20. All viverrinus (such as mongoose, civets and genets)

Examples of prohibited animals in particular groups are provided in parenthesis. They are examples only and should not be construed as limiting the generality of each group.

Schedule "C"



**The Corporation of the Municipality of South Dundas
Part I, Provincial Offences Act
Exotic/Non-Domestic Animals By-law No. 2015-29**

ITEM	Column 1: Short Form Wording	Column 2: Provision creating or defining offence	Column 3: Set Fines
1	Possess, keep, or harbor prohibited animal	Schedule "A" Section 2	\$300.00

Note: the general penalty provision for the offences listed above, in Schedule "A" Section 6 of By-law No. 2015-29, a certified copy of which has been filed, and Section 61 of the *Provincial Offences Act*, R.S.O. 1990, Chapter P.33.