

BILL #23

THE CORPORATION OF THE TOWNSHIP OF RAMARA

BYLAW NUMBER 98.40

A BYLAW TO PROHIBIT AND REGULATE THE KEEPING OF EXOTIC ANIMALS

WHEREAS the Municipal Act, R.S.O. 1990, Chapter M 45, Section 210 provides for the prohibiting or regulating the keeping of animals or any class thereof within the municipality or defined areas thereof and for restricting, within the municipality or defined areas thereof, the number of animals or any class thereof that may be kept by any person, or that may be kept in or about any dwelling unit or class of dwelling unit as defined in the bylaw;

AND WHEREAS Section 10 of the Municipal Savings and Restructuring, 1996 Act, Bill 26 empowers municipalities to pass bylaws imposing fees or charges on any class of person for services or activities provided or done by or done on behalf of the municipality;

AND WHEREAS the Council of the Corporation of the Township of Ramara deems it expedient that no person shall own, harbor, possess, keep, sell or offer for sale any exotic animal as a pet or for any other purpose or for any period of time; and, to recover through charges and fees for any services provided;

NOW THEREFORE the Council of the Corporation of the Township of Ramara enacts as follows;

1. DEFINITION

- 1.1 Animal includes birds and reptiles as described in the Municipal Act R.S.O., 1990, Chapter 45 Section 210.
- 1.2 Exotic Animal means an animal of a species that is not native to Ontario and that in its natural habitat is usually found wild in nature and includes an animal of a species type designated in Section 2 of this Bylaw.
- 1.3 Owner of an exotic animal includes a person who possess or harbours an exotic animal; and where the owner is a minor, the person responsible for the custody of the minor.

2. EXOTIC ANIMALS

- 2.1 No person shall own, harbor, possess, keep, sell or offer for sale any animal as listed below as a pet or for any other purpose or for any period of time:
- a) all non human primates (such as gorillas and monkeys)
  - b) all felids, except the domestic cat
  - c) all canids, except the domestic dog
  - d) all mustelids (including but not limited to skunks, weasels, otters, badgers, etc. but not including the domestic ferret)
  - e) all marsupials (including but not limited to kangaroos and opossums)
  - f) all bats
  - g) all ursids (bear)
  - h) all hyaenas
  - i) all snapping turtles
  - j) all elephants
  - k) all snakes of the families Pythonidae and Boidae
  - l) all poisonous or venomous lizards
  - m) all poisonous or venomous snakes
  - n) all poisonous or venomous arachnids (including but not limited to alligators and crocodiles)
  - o) all endangered species as defined by the Canadian Wildlife Service

3. EXEMPTIONS

- 3.1 This bylaw shall not apply to the following :
- a) circuses
  - b) premises operated by the Ontario Society for the Prevention of Cruelty to Animals
  - c) a veterinary hospital under the control of a licenced veterinarian
  - d) anyone holding a licence under any statute of the Legislature of Ontario or the Government of Canada, which permits the keeping of animals under stated conditions
  - e) any animal being displayed or exhibited for a set period of time in a municipally sanctioned event, approved by Council which is operated in accordance with all bylaws of the municipality
  - f) the premises of an Institution of Education where such animals are being kept for research, study or teaching purposes, or on premises registered as Research Facilities under the Animals for Research Act, R.S.O. 1990, c. A.22, as amended.
  - g) Ostriches and emus bred or raised for the purposes of providing food

4. INSPECTION

4.1 A Provincial Offences Officer may enter onto private property at any reasonable time after a complaint is received for the purpose of inspecting to ensure that the provisions of the Bylaw have not been violated.

5. PENALTY

5.1 Any person who fails to comply with the provisions as set out in Section 2 of this Bylaw shall be subject to a fine of no less than \$250.00 and not more than \$5,000.00.

5.2 Every fine imposed under the provisions of this section, is recoverable under the Provincial Offences Act.

5.3 Where a conviction is entered under this Bylaw, in addition to any other remedy or penalty provided by law, the Court in which the conviction has been entered, and any Court of competent jurisdiction thereafter, may make an order prohibiting the continuation or repetition of the offence by the person convicted.

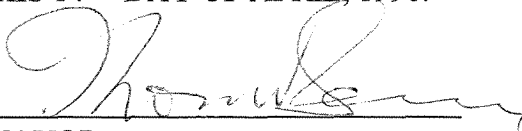
5.4 The fines and short wording of the offence is set out in Schedule "A" attached.

6. ENACTMENT

6.1 Schedule "A" attached hereto shall be and form part of this Bylaw

7. This bylaw shall come into force and take effect on the date of passing

BYLAW READ A FIRST, SECOND AND THIRD TIME THIS 14<sup>th</sup> DAY OF APRIL, 1998.



MAYOR



CLERK

**SCHEDULE "A" TO BYLAW 98.40**

**FINES**

<b>Section</b>	<b>Short Wording</b>	<b>Fine for 1<sup>ST</sup> Offence</b>	<b>Fine for 2<sup>nd</sup> Offence</b>
# 2	Possession of an exotic animal for own use	\$250.00	\$500.00
#2	Possession of an exotic animal for commercial purposes	\$2,500.00	\$5,000.00