

THE CORPORATION OF THE CITY OF CLARENCE-ROCKLAND

BY-LAW NUMBER 2003-25

BEING A BY-LAW TO PROHIBIT AND REGULATE THE KEEPING OF CERTAIN EXOTIC ANIMALS IN ACCORDANCE WITH SECTION 11 OF THE MUNICIPAL ACT, S.O. 2001, CHAPTER 25, AS AMENDED.

WHEREAS the Council of the City of Clarence-Rockland deems it necessary and expedient to prohibit and regulate certain exotic animals for the purpose related to the health, safety and well-being of the inhabitants of the municipality;

AND WHEREAS municipalities that pass by-laws to regulate and prohibit the being at large or trespassing of animals, may also provide for the seizure and impoundment of such animal;

THEREFORE the Council of the City of Clarence-Rockland enacts as follows:

DEFINITIONS

1. In this by-law,
 - (a) **“Animal”** means a mammal, bird, reptile, amphibian, fish or insect but does not include a human being.
 - (b) **“City”** means the Corporation of the City of Clarence-Rockland.
 - (c) **“Municipal Law Enforcement Officer”** means a peace officer for the purpose of enforcing City by-laws, as set out in the **Police Services Act**, as amended.
 - (d) **“Owner”** includes a lessee and occupant of the land;
 - (e) **“Person”** includes a corporation and the heirs, executors, administrators or legal representatives of a person.

GENERAL PROVISIONS

2. No person shall own, harbour, possess, sell or offer for sale any animal listed below as a pet or for any other purpose:
 - (a) All non-human primates (such as gorillas and monkeys);
 - (b) All felids (including but not limited to lions, cougars, tigers, leopards, cheetahs but not including the domestic cat);
 - (c) All canids (including but not limited to jackals, wolves and foxes but not including the domestic dog);

- (d) All mustelids (including but not limited to minks, polecats, 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, eagles, hawks, owls and falcons;
- (g) All ursine (bear);
- (h) All hyaenas;
- (i) All snapping turtles;
- (j) All elephants;
- (k) All snakes which reach an adult length larger than three (3) metres;
- (l) All poisonous or venomous snakes (including but not limited to cobras and rattlesnakes);
- (m) All the following boidae:
 - (i) Green anaconda;
 - (ii) Yellow anaconda;
 - (iii) Reticulated python;
 - (iv) African rock python;
 - (v) Burmese python;
 - (vi) Indian python;
 - (vii) Amethyst python.
- (n) All song birds in the family Paradisaeidae (including but not limited to birds of paradise);
- (o) All poisonous or venomous arachnids (including but not limited to spiders);
- (p) All lizards which reach an adult length larger than two (2) metres;
- (q) All poisonous or venomous lizards;
- (r) All crocodylians (including but not limited to alligators and crocodiles);
- (s) All endangered species as defined by the Canadian Wildlife Service and all species of animal whose ownership is already prohibited by existing Federal and Provincial legislation;
- (t) All perissodactyls (including but not limited to horses, asses, donkeys, zebras, mules and ponies);
- (u) All bovines (including but not limited to cattle, goats, sheep, swine, pigs and cows).

EXEMPTIONS PROVISIONS

- 3. Notwithstanding Section 2, the prohibition shall not apply to:
 - a. Any animal living in a zoo;
 - b. Circuses or other like shows and parades;
 - c. Premises operated by the Ontario Society for the Prevention of Cruelty to Animals;
 - d. A veterinary hospital under the control of a licensed veterinarian;
 - e. 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;
 - f. Any animal being displayed or exhibited for a set period of time in the City at a

sanctioned event which is operated in accordance with all by-laws of the City;

g. 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 Animal for Research Act.

4. Section 2 shall not apply to prevent the owners keeping a snake larger than three (3) metres and lizards larger than two (2) metres if such animal was owned and kept as a pet prior to the adoption of this by-law. These owners are required however to register their animal within a month after the passing of this by-law.

Section 5, as
Amended by
By-Law No.
2003-78

5. Section 2, Subsections (t) and (u) shall not apply to any land designated under the zoning by-law of the City for agricultural use or for the keeping of livestock.

6. Notwithstanding the provisions of Section 3, no person shall, on public property, walk with or ride on any animal listed in Section 2.

7. Every person and pet shop owner who owns a snake or lizard must register his/her animal with the City. No fee will be charged for the registration of such animal.

8. Pet shop owners must submit to the City each month an inventory list of all snakes and lizards purchased and sold including the purchaser(s') name and address.

9. No person shall keep more than six (6) guinea pigs in any residential dwelling unit within the City and no more than two (2) such guinea pigs shall be adults.

10. No person shall keep more than six (6) rodents in any residential dwelling unit within the City.

11. No person shall keep more than two (2) rabbits in a fenced cage outside a residential unit or dwelling.

12. All enclosures for the animals listed in Sections 9, 10 and 11 shall be kept clean and sanitary and all excrements shall be sanitarily disposed.

ENFORCEMENT PROVISIONS

13. Any person who contravenes any provision of this by-law is, upon conviction, guilty of an offence and liable to any penalty as provided in the *Provincial Offences Act*, as amended.

14. 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, and such order shall be in addition to any other penalty imposed on the person convicted.
15. A Municipal Law Enforcement Officer designated to perform inspections pursuant to this by-law may, at all reasonable times, enter onto land for the purpose of an inspection to ascertain compliance of the provisions of this by-law.

REPEAL - ENACTMENT

16. That By-Law Number 1984-15 and its amendments are hereby repealed.
17. This by-law shall come into force on the date it is passed by the Council of the Corporation of the City of Clarence-Rockland.

**READ A FIRST, SECOND AND DULY PASSED UPON THE THIRD READING, THIS
10TH DAY OF JUNE, 2003**

Original signed

Jean Pierre Pierre, Mayor

Original signed

Yvon Forget, Clerk