

**THE CORPORATION OF THE TOWNSHIP OF SOUTHGATE
BY-LAW NO. 47-2004
BEING A BY-LAW TO PROHIBIT THE KEEPING OF EXOTIC ANIMALS**

WHEREAS the Municipal Act R.S.O. 2001 Section 8 empowers a natural person exercise of authority, Section 9 (3) scope of by-law making powers, Subsections (A) & (B) Section 11-1 spheres of jurisdiction, part c/ animals, & Section 130 health-safety-well being

AND WHEREAS the Provincial Offences Act R.S.O. 1990 C. P. 33 s 61 provides a penalty for persons who contravene any of the provisions of a municipal by-law

THEREFORE the Township of Southgate enacts as follows:

SECTION 1 DEFINITIONS:-

1. For the purpose of this by-law the following definitions shall apply.
 - (a) **Animal**, includes birds & reptiles, but does not include animals for farming or agricultural practice.
 - (b) **Owner**, a person or persons who possess, harbor or have custody of an animal and where the owner is a minor, the person responsible for the custody of the minor.
 - (c) **Keep**, to have permanent or temporary control or possession of an animal, keeping has the same meaning.
 - (d) **Township**, the Corporation of the Township of Southgate.
 - (e) **Council**, the Council of the Township of Southgate.
2. Keeping of certain animals prohibited.
 - (a) No person shall keep either on a temporary or permanent basis, any prohibited animal in the The Township of Southgate.
 - (b) For the purposes of Subsection A, prohibited animals are those classes of animals listed in Schedule A.
 - (c) Despite Subsection A, any person who, on the date of the passing of this by-law, was lawfully keeping an animal listed in Schedule A, may keep that animal until the animal has died or has otherwise been disposed of, provided that the owner has registered the animal with The Township of Southgate.
3. This by-law does not prohibit the keeping of animals of a class or species listed in Schedule "A" to this by-law in the following places or circumstances:
 - a) in a veterinary hospital under the care of a licensed veterinarian
 - b) on premises registered as a research facility under Section 5 of Animals for Research Act, R.S.O. 1990, Charter A.22;
 - c) by anyone holding a license under any Statute of the Legislature of Ontario or the Parliament of Canada which permits the keeping of Animals under stated conditions;
 - d) at a circus, carnival, exhibition, performance, or public display that has been approved by the Township of Southgate, and where the applicant seeking the exemption shall provide a liability insurance certificate in the amount of one million dollars (\$1,000,000.00) naming the Township of Southgate as an additional insured;
4. Every person who contravenes any provision of this by-law is guilty of an offence and is liable upon conviction of a fine up to five thousand dollars (\$5,000.00) as provided in the Provincial Offences Act, R.S.O. 1990, C.P.33, s, 61;

Read a first and second time this 29 day of September, 2004.

Read a third time and finally passed this 13 day of October, 2004.

"Don Lewis"
Mayor Don Lewis

"Don Seim"
Clerk Don Seim

Schedule "A"

MAMMALS: -

Non Human Primates: - (gorillas, baboons, monkeys), except those species kept by physically handicapped persons to assist in their day to day living.

Canidae: - (wolves, coyotes) except domestic dogs, and animals of this species bred for fur.

Felidae: - (tigers, lions, cougars) except domestic cats.

Ursidae: - bears

Mustelidae: - (skunks, badgers, weasels) except ferrets and animals of this species bred for fur.

Reptilia: -

Crocodylia: - (crocodiles, alligators) all snakes of the constrictor family (pythons, boas) that attain a mature adult length greater than 2 meters.

All snakes of the venomous family (vipers, mambas rattlesnakes)

All lizards that attain a mature adult length greater than 2 meters.