

**THE CORPORATION OF THE TOWNSHIP OF PERRY**

**BY-LAW No. 2013-42**

Being a By-law to Prohibit the Keeping of Certain Animals within the Township of Perry

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

**AND WHEREAS** the Council of the Corporation of the Township of Perry 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 Township of Perry;

**NOW THEREFORE BE IT RESOLVED THAT** the Council of the Corporation of the Township of Perry enacts as follows:

**1. PROHIBITION**

1.1 Except as provided in Section 3 of this by-law, the keeping or harbouring of any animal as listed in Schedule "A" to this By-law is prohibited anywhere in the Township of Perry.

**2. EXEMPTIONS**

2.1 It is permissible to keep any animal of the kind listed in Schedule "A" to the by-law in the following places or circumstances:

- a) In a Veterinary Hospital under the care of a Licensed Veterinarian.
- b) In a Zoo or Wildlife Sanctuary.
- c) In a designated pound or shelter.

2.2 Applications for exemptions from this by-law may also be received by Council.

2.3 Applications for temporary exemptions may be received by Council from but not limited to traveling circuses, film projects, person delivering educational programs, fairs, school and group presentations.

2.4 Each Application for exemption will be reviewed on an individual basis. Council may consult with experts and may either refuse the application, grant an exemption or grant a conditional exemption.

**3. BUSINESSES**

3.1 Unless exempt under section 3 of this by-law, no person who operates a business within the Township of Perry shall possess, keep, sell or otherwise make available any animals listed in Schedule 'A' of this by-law.

**4. RIGHT OF ENTRY**

4.1 A By-law Enforcement Officer may enter onto the property, at any reasonable time, for the purpose of determining whether any prohibited animals are being kept on the premises.

**5. ISSUE OF AND COMPLIANCE WITH NOTICE**

- 5.1 The By-law Enforcement Officer may issue a notice of removal with respect to any prohibited animal found on the premises, setting out a time and date by which such animals shall be removed from the premises.
- 5.2 An Owner or Lessee shall comply with such notice within the stated time.

**6. SEIZURE OR SURRENDER**

- 6.1 The By-Law Enforcement Officer may take into its possession any animal listed in Schedule 'A' that may be seized or surrendered to him/her by the owner.
- 6.2 Animals surrendered to the By-Law Enforcement Officer become the property of the Township of Perry and may be kept, adopted out to a lawful recipient or humanely destroyed by and agent of the Township of Perry.
- 6.3 Every person who contravenes any provision of the by-law is guilty of an offence and shall be subject to a penalty in accordance with the Provincial Offences Act.

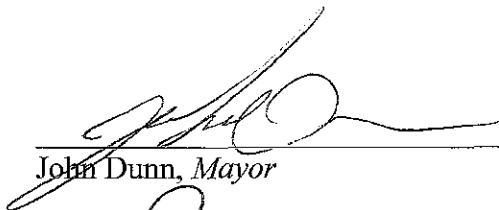
**7. SEVERABILITY AND CONFLICT**


- 7.1 If any provision or part of a provision of this Bylaw is declared by any court or tribunal of competent jurisdiction to be illegal or inoperative, in whole or in part, or inoperative in particular circumstances, the balance of the Bylaw, or its application in other circumstances, shall not be affected and shall continue to be in full force and effect.

**8. EFFECTIVE DATE**

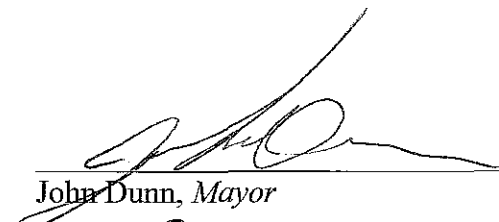
- 8.1 This By-law shall come into force and take effect upon the final passing thereof.

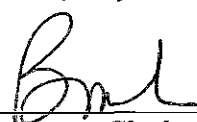
READ a First and Second Time this 6<sup>th</sup> day of November, 2013.

  
\_\_\_\_\_  
John Dunn, Mayor

  
\_\_\_\_\_  
Beth Morton, Clerk-Administrator

READ a Third and Final Time and Enacted in Open Council this 6<sup>th</sup> day of November, 2013.

  
\_\_\_\_\_  
John Dunn, Mayor

  
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Beth Morton, Clerk-Administrator

## Schedule "A" to By-law 2013-42

<b>Class of Animal</b>	<b>Common Name – Examples*</b>
All Venomous Arachnids	tarantula
All Venomous Arthropods	scorpion
All Crocodylidae	alligator, crocodile
All Ursidae	bear
All Venomous Reptilia	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

\*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.