

THE CORPORATION OF THE TOWNSHIP OF
GALWAY-CAVENDISH AND HARVEY

BYLAW NUMBER B2006- 44

**BEING A BYLAW TO PROHIBIT AND REGULATE THE KEEPING
OF CERTAIN ANIMALS WITHIN THE TOWNSHIP OF
GALWAY-CAVENDISH AND HARVEY**

WHEREAS the Municipal Act, S.O. 2001, Chapter 25, Section 9, as amended confer broad authority on municipalities to enable them to govern their affairs as they consider appropriate; and to enhance their ability to respond to municipal issues.

It is desirable for the protection of the public and in the public interest that the keeping of certain animals be prohibited or regulated within the geographic limits of the Township of Galway-Cavendish and Harvey.

NOW THEREFORE the Council of the Corporation of the Township of Galway-Cavendish and Harvey enacts as follows:

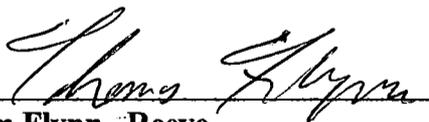
1. No person shall keep any animal of any class set out in Schedule "A" attached to and forming part of this Bylaw anywhere within the geographic limits of the Township of Galway-Cavendish and Harvey.
2. No person shall keep a menagerie anywhere within the geographic limits of the Township of Galway-Cavendish and Harvey.
3. No person shall keep any venomous reptiles anywhere within the geographic limits of the Township of Galway-Cavendish and Harvey.
4. Without derogating from any other Bylaw of the Township of Galway-Cavendish and Harvey, no person shall permit any animal to run or be at large, or to trespass within the geographic limits of the Township of Galway-Cavendish and Harvey.
5. Without derogating from any other Bylaw of the Township of Galway-Cavendish and Harvey, any animal found at large or trespassing may be impounded by an animal control officer or by any person who shall deliver such animal to an animal control officer or to a pound keeper.
6. If any animal impounded pursuant to the provisions of this Bylaw is not claimed by its owner within seven (7) days and the expenses of the pound keeper for the care and feeding of such animal are not paid, then the pound keeper may sell such animal and apply the proceeds of the sale to the payment of the pound keeper's expenses in accordance with applicable legislation.
7. This Bylaw shall be enforced by the Bylaw Enforcement Officer for the Corporation of the Township of Galway-Cavendish and Harvey.
8. Any person who owned an animal as set out in Schedule "A" to this Bylaw prior to the passing of this Bylaw may continue to keep such animal until its death, BUT must register such animal with the Clerk of the Township of Galway-Cavendish and Harvey and provide facilities which are adequate for the safe keeping of such animals as set out in Schedule "B" of this Bylaw. Schedule "B" may be amended from time to time as animals are registered with the Clerk of the Municipality. Breeding of any existing animal listed on Schedule "A" may be approved by Council upon receipt of a request by the owner stating why such permission should be granted.
9. Any person who keeps any venomous reptiles anywhere in the geographic limits of the Township of Galway-Cavendish and Harvey shall be required to keep appropriate antitoxins, where feasible, at a local hospital or health centre and shall provide proof of compliance therein.

10. Any animal of any class set out in Schedule "A" shall be kept within an adequate enclosure at all times. All holding areas must be within the enclosure. Transportation of such animals shall be in a secured enclosure.
11. The following words and terms used in this Bylaw and Schedules forming part of this Bylaw shall have the following meanings:
- (a) ANIMAL, includes reptiles.
 - (b) ANIMAL CONTROL OFFICER, means a person appointed as such by Bylaw enacted by the Council of the Township of Galway-Cavendish and Harvey.
 - (c) MENAGERIE, means a collection of wild animals kept in cages for exhibition.
 - (d) AT LARGE, includes the circumstances in which an animal is found in any place other than on the lands owned or lawfully occupied by its owner, and when not under the physical control or restraint of any person.
 - (e) TOWNSHIP, means the Corporation of the Township of Galway-Cavendish and Harvey.
 - (f) OWNER, includes a person who keeps or harbours an animal.
 - (g) POUND KEEPER, means the person or agency appointed as such by Bylaw enacted by the Council of the Township of Galway-Cavendish and Harvey.
12. In this Bylaw, unless the context stipulates otherwise, words importing the singular shall include the plural and words importing the masculine gender shall include feminine.
13. Should any part of this Bylaw be declared by a Court of competent jurisdiction to be invalid, in whole or in part, the validity of the other provisions of the Bylaw shall not be affected thereby and the intent of the Council of the Township of Galway-Cavendish and Harvey in enacting this Bylaw being that each provision of the Bylaw shall be determined to be separately valid and enforceable to the fullest extent permitted by law.
14. Any person who contravenes this Bylaw is guilty of an offence and is liable upon summary conviction to a fine of not more than FIVE THOUSAND DOLLARS (\$5,000.00), exclusive of costs and every such fine is recoverable under the Provincial Offences Act.

READ a First time this ____ day of _____, 200__.

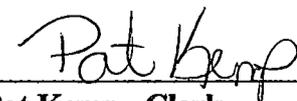
READ a Second time this ____ day of _____, 200__.

READ a Third time and finally passed this ____ day of _____, 200__.



Tom Flynn, Reeve

(SEAL)



Pat Kemp, Clerk

SCHEDULE "A"
TO BYLAW

CLASS OF ANIMAL

COMMON NAMES

Set out in this column are some of the names of animals included in the classes of animals referred to in this Schedule. The common names are provided for illustration purposes only and are not intended to limit the extent of the classes of animals referred to.

Canids-except the common dog	foxes, jackals and wolves
Cetaceans	dolphins, porpoises and whales
Crocodylians	alligators and crocodiles
Elephants	elephants
Felids-except the common cat	cougars, leopards, lions, lynxes, panthers and tigers
Hyaenids	aardwolves and hyenas
Pinnepeds	sea lions, seals and walruses
Non-Human Primates	baboons, gorilla, monkeys, orangutans, excluded are lesser bushbaby
Sirenians	dugongs and manatees
Snakes of Family Boidae	boas and pythons
Ursids	bears
Venomous Reptiles	venomous lizards and venomous snakes

SCHEDULE "B"
TO BYLAW B

ENCLOSURES FOR FELIDS

1. Enclosures for Felids (large cats) shall be no less than thirty feet by forty feet compromised of nine gauge chain-link fence, which fence is to be ten feet high with an additional three feet on an angle inward, to a total height of twelve feet. The top of the enclosure must be enclosed and shall be comprised of nine gauge chain link fence with the required trusses. The main corner posts are to be three inch diameter metal. Fence posts between are to be two inch diameter metal, spaced not less than every ten feet. Cross posts at bottom and top of enclosures are to be two inch metal posts. Additional cross posts are to be placed horizontally at three feet and six feet from the bottom of the fence. The bottom of the enclosure shall be anchored securely to the ground every two feet. Four inch reinforced mesh shall be attached to the bottom of the enclosure and shall extend no less than three feet into the enclosure and secured to the ground. Such enclosures shall provide an additional secured area attached to the main enclosure for the Felids when the enclosure is being cleaned. The access to the whole enclosure shall be through a double entry system.
2. There shall be a second chain-link fence, six feet out from the enclosure and be at least four feet high. Danger signs shall be posted on the outer fence and visible to the public.

ENCLOSURES FOR VENOMOUS REPTILES

1. Enclosures for venomous reptiles shall be kept in a secure and locked area or facility. All enclosures or facilities, including display exhibits in cages shall be enclosed by means of a mechanical fixture such as screws or hasps requiring a tool to open or a minimum of two movements. All enclosures shall be kept within a secured and escape proof locked area at all times while occupied by venomous animals. There shall also be a sign posted displaying the words "LIVE VENOMOUS ANIMALS - DO NOT TOUCH", which shall be posted within the secure and locked area.
2. It is required and it shall be the responsibility of the owner of the venomous reptiles to notify the local fire department to the fact that venomous animals are being kept within the premises.