



**OFFICE CONSOLIDATION
EXOTIC ANIMAL BY-LAW
BY-LAW NUMBER 1769/83**

Passed by Council on September 17, 1984

Amendments:

By-law	date passed	section amended
By-law 1926/84	November 19, 1984	Schedule C
By-law 4373/93	December 20, 1993	Schedule B-2, Item 19
By-law 4614/95	June 5, 1995	Schedule A-2, Item 16, Schedule B-2, Item 13, Schedule C, Item 2
By-law 5567/99	October 18, 1999	Section 8 (Penalties)

THE CORPORATION OF THE TOWN OF PICKERING

BY-LAW NO. 1769/83

Being a By-law to prohibit or regulate the keeping and running at large of certain animals.

WHEREAS, pursuant to the provisions of paragraphs 210.1, 210.4, 210.5 and 210.6 of the Municipal Act, R.S.O. 1980, chapter 302, by-laws may be passed by the Councils of local municipalities, for, inter alia,

- (a) prohibiting the keeping of animals;
- (b) restricting the number of animals kept in a dwelling unit;
- (c) prohibiting the being at large or trespassing of animals other than dogs;
- (d) appraising the damages to be paid by owners of impounded animals; and
- (e) determining compensation for services rendered in respect to impounded animals:

NOW THEREFORE, the Council of the Corporation of the Town of Pickering HEREBY ENACTS AS FOLLOWS:

1. In this by-law, the term,
 - (a) "animal" includes a bird and a reptile; but for the purposes of sections 5, 6, 7 and 8, excludes a dog;

- (b) "dwelling unit" means a room or suite of two or more rooms,
- (i) designed or intended for residential use by a person or persons,
 - (ii) in which culinary and sanitary conveniences are provided for the exclusive use of such person or persons,
 - (iii) having a private entrance from outside or from a common hallway or stairway, and
 - (iv) located in a residentially zoned part of the Town;
- (c) "highway" means any common and public highway in the Town, and includes a street and bridge forming part of any highway or on, over or across which a highway passes;
- (d) "keep" or "own" means own, harbour or have the temporary or permanent control of an animal and "keeper" or "owner" has a corresponding meaning;
- (e) "poundkeeper" means a person or persons employed by, under contract to, or employed by a contractor under contract to, the Town, to operate an animal pound for the Town;
- (f) "Town" means the Corporation of the Town of Pickering.

PROHIBIT KEEPING OF CERTAIN ANIMALS

2. No person shall, knowingly or not knowingly, keep, in that area of the Town defined in Schedule A-1 hereto, an animal of a class set out in Schedule A-2 hereto.
3. No person shall, knowingly or not knowingly, keep, in that area of the Town defined in Schedule B-1 hereto, an animal of a class set out in Schedule B-2 hereto.

RESTRICT NUMBER OF CERTAIN ANIMALS

4. No person, being an owner, tenant or occupant of a dwelling unit shall, knowingly or not knowingly, keep or permit to be kept in or about any dwelling unit, a greater number of the animals of the class or classes set out in Column 2 of Schedule C, here, than the number set out in Column 3 thereof for each class.

PROHIBIT ANIMALS RUNNING AT LARGE

5. (1) For the purposes of this section, an animal shall be deemed to be running at large or trespassing when found in any place in the Town, other than the premises of the keeper of the animal, and not under the control of any person.
- (2) No keeper of an animal shall, knowingly or not knowingly, allow the animal to run at large or trespass within the limits of the Town.
- (3) (i) Any person may take charge of an animal found running at large or trespassing but shall forthwith deliver the animal to a poundkeeper.
- (ii) Nothing in this subsection confers on any person a right to enter any premises.

(iii) A person taking charge of an animal under this subsection shall be deemed not to be a keeper of the animal unless the person fails to forthwith deliver the animal to a poundkeeper.

- (4) A poundkeeper may impound any animal,
 - (a) delivered to him under the provisions of subsection 3. above; or
 - (b) found running at large or trespassing by him.
 - 6. (1) A poundkeeper shall restore possession of the animal to a person claiming it only where,
 - (a) the person claims possession within five (5) days, exclusive of Sundays and statutory holidays, after the day of impounding, and
 - (b) the person was the most recent keeper of the animal prior to its impounding, and
 - (c) the person pays to the poundkeeper, or provides to the poundkeeper proof of payment of,
 - (i) any damages payable pursuant to an appraisal under subsection (3), below,
 - (ii) any fine payable hereunder, and
 - (iii) any expenses incurred by the poundkeeper for,
 - 1. the making of an appraisal referred to in subsection (3), below, and
 - 2. services rendered to the impounded animal.

and

 - (d) the person demonstrates that the place at which he intends to keep the animal is not within an area of the Town where the keeping of such an animal is prohibited by this by-law.
 - (2) For the purposes of subsection (1)(c)(iii), above, and section 7(b), below, "services rendered to the impounded animal" shall include, without limiting the generality thereof, reasonable shelter and food for the animal so long as it is impounded.
 - (3) the poundkeeper shall, at the request of any person, examine any thing, matter or circumstances relating to the trespassing of an impounded animal and shall appraise the damages, if any, to be paid by the owner of the animal as a result of such trespassing.
7. Where, on the sixth day, exclusive of Sundays and statutory holidays, after the day of impounding, possession of an animal has not been restored under section 6 to a person claiming it, the poundkeeper shall sell the animal and the proceeds of such sale shall be applied,
 - (a) firstly, to any expenses incurred by the poundkeeper in conducting the sale,
 - (b) secondly, to any expenses incurred by the poundkeeper for services rendered to the impounded animal,

- (c) thirdly, to any expenses incurred by the poundkeeper in the making of an appraisal referred to in section 6(3),
- (d) fourthly, to any damages payable pursuant to an appraisal under section 6(3), and
- (e) fifthly, to the Town.

GENERAL

- 8. Every person who contravenes any provisions of this By-law is guilty of an offence and liable upon conviction to a penalty provided for under the *Provincial Offences Act*, as amended.
- 9. By-law 1311 is hereby repealed.
- 10. This by-law shall come into force on January 1, 1985.

BY-LAW read a first, second and third time and finally passed this 17th day of September, 1984.

(signed) John E. Anderson

(signed) Bruce Taylor

Clerk

Schedule A-1

(description of urban area of municipality)

All that portion of the Town of Pickering lying south of a line described as follows:

Commencing at a point in the west boundary of the Town located 975 metres north of the northerly boundary of the road allowance between Concession 1 and Broken Front Concession, Range 3;

Thence North $47^{\circ} 06' 00''$ East to the centre line of the road allowance between Lots 24 and 25, Concession 2;

Thence North $72^{\circ} 55' 50''$ East to the centre line of the road allowance between Lots 22 and 23, Concession 2;

Thence southerly along the centre line of the road allowance between Lots 22 and 23, Concession 2, to a point opposite the north-east corner of Lot 1, Plan M-1215;

Thence North $81^{\circ} 34' 00''$ East to the middle of the main channel of West Duffins Creek;

Thence following the main channels of West Duffins Creek and Duffins Creek to the west boundary of the Town of Ajax;

SAVE AND EXCEPT in the case of mustelidae only that portion of the Town described as follows:

Commencing at a point in the west limit of Lot 24, Concession 2, located northerly 2339.38 feet from the south-west angle of the Lot;

Thence northerly in the west limit of the Lot 106.92 feet;

Thence easterly parallel to the south limit of the lot 175 feet;

Thence southerly parallel to the west limit of the Lot 22 feet;

Thence easterly parallel to the south limit of the Lot 485 feet;

Thence southerly parallel to the west limit of the Lot 103 feet;

Thence westerly parallel to the south limit of the Lot 557.41 feet;

Thence south $81^{\circ} 41' 00''$ west 103.94 feet to the point of commencement.

Schedule A-2

<u>Item</u>	<u>Class of Animal</u>	<u>Common Names</u>
1.	Anatidae	duck
2.	Anserinae	goose
3.	Arthropods of the classes Arachnid, Chilopoda and Diplopoda	scorpion, spider/centipede/ millipede
4.	Arthropods of the class Insecta and order Coleoptera	beetles
5.	Artiodactyle Ungulates	cattle, deer, goat, pig, sheep
6.	Columbidae, unless kept for racing or show purposes only	pigeon
7.	Canidae, other than canis familiaris	wolf, jackal, fox
8.	Chiropterae	bat
9.	Crocodylidae	alligator, crocodile
10.	Edentates	anteater, armadillo, sloth
11.	Elephants	elephant
12.	Felids, other than felis catus	leopard, lion, lynx, panther, puma
13.	Gallus domesticus	chicken
14.	Hyaenidae	hyena
15.	Marsupialia	bandicoot, kangaroo, opossum, wombat
16.	Mustelidae (excluding ferrets)	marten, mink, polecat weasel
17.	Perissodactyl Ungulates	horse, tapir
18.	Pinnipediae	seal, walrus
19.	Primata, other than man	ape, lemur, monkey
20.	Procyonidae	coati, raccoon

<u>Item</u>	<u>Class of Animal</u>	<u>Common Names</u>
21.	Raptors	eagle, hawk, owl, vulture
22.	Ratitae	cassowary, ostrich
23	Ursidae	bear
24.	Venomous Reptilia	venomous snake, lizard
25.	Serpentes of the families Pythonidae and Boidae	boa, python
26.	Viverridae	civet, mongoose

Schedule B-1

(description of rural area of municipality)

All that portion of the Town of Pickering lying north of a line described as follows.

Commencing at a point in the west boundary of the Town located 975 metres north of the northerly boundary of the road allowance between Concession 1 and Broken Front Concession, Range 3;

Thence North $47^{\circ} 06' 00''$ East to the centre line of the road allowance between Lots 24 and 25, Concession 2;

Thence North $72^{\circ} 55' 50''$ East to the centre line of the road allowance between Lots 22 and 23, Concession 2;

Thence southerly along the centre line of the road allowance between Lots 22 and 23, Concession 2, to a point opposite the north-east corner of Lot 1, Plan M-1215;

Thence North $81^{\circ} 34' 00''$ East to the middle of the main channel of West Duffins Creek;

Thence following the main channels of West Duffins Creek and Duffins Creek to the west boundary of the Town of Ajax.

Schedule B-2

<u>Item</u>	<u>Class of Animal</u>	<u>Common Names</u>
1.	Arthropods of the classes Arachnid, Chilopoda and Diplopoda	scorpion, spider/centipede/ millipede
2.	Arthropods of the class Insecta and order Coleoptera	beetles
3.	Artiodactyl Ungulates	camel, deer
4.	Columbidae, unless kept for or show purposes only	pigeon
5.	Canidae, other than canis familiaris	wolf jackal, fox
6.	Chiropterae	bat
7.	Crocodylidae	alligator, crocodile
8.	Edentates	anteater, armadillo, sloth
9.	Elephants	elephant
10.	Felids, other than felis catus	leopard, lion, lynx panther, puma
11.	Hyaenidae	hyena
12.	Marsupialia	bandicoot, kangaroo, opossum, wombat
13.	Mustelidae (excluding ferrets)	marten, mink, polecat, weasel
14.	Perissodactyl Ungulates	horse, tapir
15.	Pinnipediae	seal, walrus
16.	Primata, other than man	ape, lemur, monkey
17.	Procyonidae	coati, raccoon
18.	Raptors	eagle, hawk, owl, vulture
19.	Deleted by By-law 4373/93	
20.	Ursidae	bear
21.	Venomous Reptilia	venomous snake, lizard

<u>Item</u>	<u>Class of Animal</u>	<u>Common Names</u>
22.	Serpentes of the families Pythonidae and Boidae	boa, python
23.	Viverridae	civet, mongoose (By-law 1769/83)

Schedule C

Column I	Column II	Column III
<u>Item</u>	<u>Class of Animal</u>	<u>Maximum Number</u>
1.	Birds of the family Columbidae kept for racing or show purposes only	70
2.	Ferrets of the Mustelidae family	2