

THE CORPORATION OF THE CITY OF ELLIOT LAKE

***B*Y-LAW NO. 04-105**

Being a by-law to prohibit the
keeping of certain kinds of
animals.

The Council of The Corporation of the City of Elliot Lake, pursuant to Section 128 (Public Nuisances) of The Municipal Act, 2001, **ENACTS AS FOLLOWS:**

DEFINITIONS

1. In this by-law,

“**animal**” means any member of the animal kingdom or living beings, including mammals, birds and reptiles, but excluding fish.

“**keep**” means to have temporary or permanent control or possession of an animal.

KEEPING OF CERTAIN KINDS OF ANIMALS PROHIBITED

2. Subject to Section 3.0, no person shall keep or cause to be kept any animal listed on Schedule “A”, attached hereto.

EXEMPTIONS

3. The provisions of Section 2.0 do not apply to the keeping of those animals listed in Schedule “B” or, in the circumstances listed in Schedule “C”.

PENALTY

4. Every person who contravenes any provision of this by-law is guilty of an offence and upon conviction under the *Provincial Offences Act* is liable to a fine and any other penalty imposed.

SHORT TITLE

5. This by-law shall be known as the “Exotic Pets By-law”.

PASSED this 13th day of December, 2004.

MAYOR

CITY CLERK

SCHEDULE "A"

Being a list of animals the keeping of which is prohibited within the City of Elliot Lake.

- All Marsupials (such as kangaroos and opossums)
- All Non-human Primates (such as gorillas and monkeys)
- All Felids except the domestic cat
- All Canids except the domestic dog
- All Viverrids (such as mongooses, civets and genets)
- All Mustelids (such as skunks, weasels, otters, badgers) except the domestic ferret
- All Ursids (bears)
- All Artiodactylus Ungulates (such as domestic goats, sheep, pigs, and cattle)
- All Procyonids (such as racoons, coatis, and cacomistles)
- All hyaenas
- All Perissodaetylus Ungulates, except the domestic horse and ass
- All Elephants
- All Pinnipeds (such as seals, fur seals and walruses)
- All snakes of the families pythonidae and boidae
- All Venomous reptiles
- All Ratite Birds (such as ostriches, rheas, cassowaries)
- All Diurnal and Nocturnal Raptors (such as eagles, hawks, & owls)
- All Edentates (such as anteaters, sloths and armadillos)
- All bats
- All Rodentia, (such as rats, porcupines and prairie dogs) except domestic pets such as hamsters, white mice, gerbils and guinea pigs
- All Crocodylias (such as alligators and crocodiles)
- All Venomous Arachnids (such as scorpions and tarantulas)
- All Anseriformes (such as ducks, geese, swans)
- All undomesticated Galliformes (such as grouse, pheasant, turkeys)

Examples of animals of a particular prohibited group are given in parentheses. They are examples only and shall not be construed as limiting the generality of the group.

SCHEDULE "B"

Being a list of farm animals exempt from the application of this by-law but subject to the provisions of other by-laws of the City of Elliot Lake.

Horse

Donkey, pony

Mule

Cow or steer

Goat

Swine

Mink

Fox

Chinchilla

Sheep

Chicken, Or any other domestic galliformes

SCHEDULE "C"

Being a list of places or circumstances, which are exempt from the application of this by-law.

1. On the premises of a park, zoo or animal display operated by, or on behalf of The Corporation of the City of Elliot Lake;
2. On the premises of The City of Elliot Lake and the *District Society for the Prevention of Cruelty to Animals* and the *Society for Animals in Distress*;
3. In a veterinary hospital under the care of a licensed veterinarian;
4. On the premises of a university or community college where such animals are being kept for research, study or teaching purposes or on premises registered as research facilities under Section 5 of The Animals for Research Act, R.S.O. 1970, Chapter 22;
5. By anyone holding a licence under any statute of the Legislatures of Ontario or The Government of Canada, which permits the keeping of animals under stated conditions.
6. On the premises of any television studio where such animals are being kept temporarily for the purpose of a television production;
7. On premises which are temporarily used for a traveling show such as a circus or other like shows.