



THE CORPORATION OF TOWNSHIP OF SOUTHWOLD

BY-LAW NO. 2010-25

Being a By-law to prohibit the keeping of certain animals in the Township of Southwold.

WHEREAS Section 11 (1) of the Municipal Act, S.O., 2001, Chapter 25, provides that by-laws may be passed by councils of local municipalities respecting matters pertaining to animals;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF SOUTHWOLD ENACTS AS FOLLOWS:

PART I - DEFINITIONS

In this by-law, unless the context otherwise requires:

- a) "animal" includes mammals, birds, reptiles, amphibians and invertebrates;
- b) "animal control officer" means mean a person appointed by the Council whose duties include the administration and enforcement of this by-law
- c) "Township/Municipality" means the Township of Southwold
- d) "Council" means the Council of the Corporation of the Township of Southwold
- e) "keep" means the act of having the care, custody, control or possession of an animal, whether temporary or permanent, and keeping has the same meaning;
- f) "owner" means a person or persons who possess, harbor or have custody and control of an animal and where the owner is a minor, the person responsible for the custody of the minor

PART II - PROHIBITED ANIMALS

1. For the purposes of subsection (1), prohibited animals are those animals listed in Schedule "A".
 - (i) Despite subsection (1) of this by-law, any person who, on the date of the passage of this by-law, was lawfully keeping any animal listed in Schedule "A" may keep that animal until the animal has died or has otherwise been disposed of.

PART III - EXEMPTIONS

1. the premises of an affiliate or branch or similar entity of the Society for the Prevention of Cruelty to Animals;
2. the premises of an accredited veterinary hospital under the care of a licensed veterinarian; or

PART IV - ENFORCEMENT

- 1) Animal Control Officers shall administer and enforce this By-law.

PART V - FINE

- 1). Every person who contravenes any provision of this By-law is guilty of an offence and, upon conviction is liable to a fine and penalty prescribed in the Provincial Offences Act, R.S.O. 1990, C. P. 33. Each day that such offence is committed, or permitted to continue, shall constitute a separate offence and may be punishable as such.
- 2). The Court in which a conviction has been entered and any court of competent jurisdiction thereafter may make an order prohibiting the continuation or repetition of the offence by the person convicted and such order shall be in addition to any other penalty imposed on the person convicted.

PART VI - OTHER ENFORCEMENT

- 1). Nothing herein shall limit the power of the Municipality to enforce the terms of this By-law by seeking any other remedy in a Court of competent jurisdiction.
- 2). If any section or sections of this By-law or parts thereof be found by any court to be illegal or beyond the power of the Municipality to enact, such section or sections or parts thereof shall be deemed to be severable and all other sections or parts of this By-law shall be deemed to be separate and independent and continue in full force and effect unless and until similarly found and this By-law shall be enacted as such.

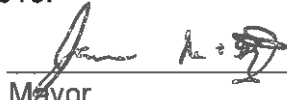
THIS BY-LAW SHALL COME INTO FORCE AND TAKE EFFECT ON THE DATE OF PASSAGE.

First and Second Reading

Read a First and Second time this 26th day of April 2010.




 Clerk
 Donna Ethier




 Mayor
 James McIntyre

Third and Final Reading

READ a third time and finally passed on this 10 day of May 2010.



 Clerk
 Donna Ethier



 Mayor
 James McIntyre

SCHEDULE "A"

By-law 2010-25

PROHIBITED ANIMALS

1. All species listed on Appendix 1 of the Convention on International Trade in Endangered Species of Wild Flora and Fauna (CITES)
2. All marsupials (such as kangaroos and opossums)
3. All non-human primates (such as monkeys and apes)
4. All felids (such as tigers and lions), except the domesticated cat
5. All canids (such as wolves and coyotes), except the domesticated dog
6. All hyenas
7. All mustelids (such as weasels, badgers and skunks), except the domesticated ferret (mustela putorius)
8. All viverids (such as mongooses, civets, and genets)
9. All procyonids (such as raccoons, coatimundis and cacomistles)
10. All edentates (such as anteaters, sloths, and armadillos)
11. All ursids (bears)
12. All artiodactylus Ungulates, except domesticated goats, sheep, pigs, cattle or deer
13. All perissodactylus Ungulates, except domesticated horses, donkeys, asses, or mules
14. All hyraxes
15. All erinacids (such as hedgehogs)
16. All elephants
17. All bats
18. All pinnipeds (such as seals, fur seals and walruses)
19. All cetaceans (such as dolphins and whales)
20. All raptors (such as eagles, hawks and owls)
21. All venomous reptiles (such as cobras, rattlesnakes, and Gila monsters)
22. Pythons, boas, such as the Burmese python, reticulated python, African rock python, Indian python, Australian scrub python, boa constrictor and green anaconda)
23. All varanus (monitor) lizard
24. All crocodilians (such as alligators, crocodiles and caiman)
25. All other reptiles
26. All wild-caught animals