

**Township of Cavan Monaghan
By-Law Number 2010-56**

*See former
2001-77
2001-73*

Being a By-Law to prohibit or regulate the keeping of certain animals within the Township.

Whereas Section 11 of the Municipal Act, 2001, S.O. 2001 c. 25 permit Councils of lower-tier municipalities to regulate animals;

And Whereas 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.

Now Therefore the Council for the Township of Cavan Monaghan enacts as follows:

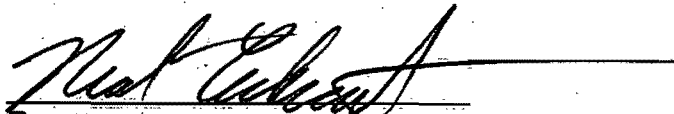
1. No person shall keep any animal of any class set out in Schedule "A" attached hereto and forming part of this by-law anywhere within the geographic limits of the Township of Cavan Monaghan.
2. No person shall keep a menagerie anywhere within the geographic limit of the Township of Cavan Monaghan.
3. No person shall keep any venomous reptiles anywhere within the geographic limits of the Township of Cavan Monaghan.
4. Notwithstanding any other by-law of the Township, no person shall permit any animal to run at large or to trespass within the geographic limits of the Township of Cavan Monaghan.
5. Notwithstanding any other by-law of the Township, 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 poundkeeper.
6. If any animal impounded pursuant to the provisions of this by-law is not claimed by its owner within seven (7) days and the expenses of the poundkeeper for the care and feeding of such animal are not paid, then the poundkeeper may sell such animal and apply the proceeds of sale to the payment of the poundkeeper's expenses in accordance with applicable legislation.
7. This by-law shall be enforced by the By-Law Enforcement Officer of the Township of Cavan Monaghan.
8. Any person or corporation convicted of a breach of any provision in this by-law shall be subjected to such penalties or orders provided for under the Provincial Offences Act, R.S.O. 1990 c. P-33 as amended.
9. Any person who owned an animal as set out in Schedule "A" to this by-law prior to passing of this by-law may continue to keep such animal until its death, but must register such animal with the Clerk of the Township of Cavan Monaghan, and provide facilities which are adequate for the safe keeping of such animals as set out in Schedule "B" to this By-Law. 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.

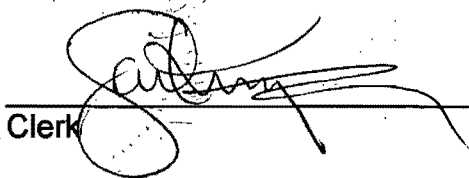
10. Any person who keeps any venomous reptiles anywhere within the geographic limits of the Township of Cavan Monaghan shall be required to keep appropriate antitoxins where feasible at a local hospital or health centre and shall provide proof of compliance therein.
11. Any animal of any class set out 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.
12. a) The following words and terms used in this by-law and the Schedules forming a part of this by-law shall have the following meanings:
 - i) "animal" includes reptiles, birds, and insects;
 - ii) "animal control officer" means a person appointed as such by by-law enacted by the Council of the Township;
 - iii) "at large" includes the circumstances in which an animal is found in any place other than on lands owned or lawfully occupied by its owner and when not under the physical control or restraint of any person;
 - iv) "menagerie" means a collection of wild animals in captivity;
 - v) "Township" means the Township of Cavan Monaghan;
 - vi) "owner" includes a person who keeps, or harbours an animal; and
 - vii) "poundkeeper" means the person or agency appointed as such by by-law enacted by Council of the Township.
- b) In this by-law unless the context stipulates otherwise, words importing the singular shall include the plural and works importing the masculine gender shall include the feminine.
- c) Should any part of this by-law be declared by a court of competent jurisdiction to be invalid in whole or in part, the validity of the other provisions of the by-law shall not be affected thereby, the intent of the Council of the Township in enacting this by-law being that each provision of this by-law shall be determined to be separately valid and enforceable to the fullest extent permitted by law.

Read a First time on the 3rd day of August, 2010.

Read a Second time on the 3rd day of August, 2010.

Read a Third time and finally passed in Open Council on the 3rd day of August, 2010.


Reeve


Clerk

Schedule "A"
To By-Law 2010-56

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, wolves
Cetaceans	dolphins, porpoises, whales
Crocodilians	alligators, crocodiles
Elephants	
Felids, except the common cat	cougars, leopards, lions, lynxes, panthers, tigers
Hyaenids	aardwolves, hyenas
Pinnepeds	sea lions, seals, walruses
Non-human Primates	baboons, gorillas, monkeys, orangutans, excluded are lesser bushbaby
Sirenians	dugongs, manatees
Snakes of the Family Boidae	boas, pythons
Ursids	bears
Venomous Reptiles	venomous lizards, venomous snakes
Hymenoptera (venomous insects)	wasps, hornets, yellow jackets, fire ants, bees, etc. (excluding honeybees)
Arachnida	scorpions and tarantulas

Schedule "B"
To By-Law 2010-56

Enclosures for Felids

1. Enclosures for Felids (large cats) shall be no less than 9.1 metres (30 feet) x 12.2 metres (40 feet) comprised of nine (9) gauge chain-linked fence, which fence is to be 3.05 metres (10 feet) high with an additional 0.9 metres (3 feet) on an angle to a height of 3.66 metres (12 feet). The top of the enclosure must be enclosed and shall be comprised of nine (9) gauge chain-linked fence with the required trusses. Main corner posts are to be 7.62 centimetre (3 inch) metal posts. The fence posts in between are to be 5.08 centimetre (2 inch) metal posts spaced every 3.05 metres (10 feet). Cross posts at bottom and top of enclosures are to be 5.08 centimetre (2 inch) metal posts. There will be additional cross posts placed horizontally at 0.9 metres (3 feet) and 1.83 metres (6 feet) from the bottom of the fence. The bottom of the enclosure shall be anchored securely to the ground every 0.61 metres (2 feet). Ten centimeter (4 inch) reinforced mesh shall be attached to the bottom of the enclosure and shall extend no less than 0.9 metres (3 feet) into the enclosure and weighted down by rocks. 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 door entry system.
2. There is to be a second chain link fence 1.83 metres (6 feet) out from the enclosure and at least 1.2 metres (4 feet) high. Danger signs must 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. All enclosures, 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 manual movements. All enclosures shall be kept within a secured (escape proofed) and locked area at all times while occupied by the 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.