

CORPORATION OF THE TOWN OF RENFREW
BY-LAW NO. 26-2016

Being a by-law to regulate the keeping of certain animals and the taking up, impoundment and removal or destruction of prohibited animals within the Town of Renfrew, and to repeal By-Law No. 45-79.

WHEREAS Section 11 of the *Municipal Act 2001, S.O. 2001, c. 25*, permits a municipality to enact a by-law respecting matters within the animal sphere of jurisdiction; and

WHEREAS the Council of the Corporation of the Town of Renfrew deems it expedient and in the public interest to enact a by-law to regulate the keeping of certain animals and the taking up, impoundment and removal or destruction of prohibited within the Town of Renfrew.

NOW THEREFORE the Council of the Corporation of the Town of Renfrew hereby enacts as follows:

1. DEFINITIONS

For the purposes of this by-law, the following definitions shall apply:

- 1.1 **“Animal”** includes birds and reptiles.
- 1.2 **“Corporation”** means the Corporation of the Town of Renfrew.
- 1.3 **“Domestic Fowl”** includes but is not limited to domesticated bird, such as a chicken, duck, goose, or turkey, that is raised as pets or for eggs or food.
- 1.4 **“Municipal By-law Enforcement Officer”** means a person or entity appointed or employed by the Corporation of the Town of Renfrew for the purposes of enforcing the provisions of this by-law.
- 1.5 **“Releasable Age”** means that age when an animal is able to fend on its own, provided however, that such age shall be deemed to be two (2) months after birth.
- 1.6 **“Wild Animal”** means an animal of a wild nature or disposition (feral nature) but shall not include the domestic ferret.

2. THE KEEPING OF OTHER ANIMALS

2.1 No person shall keep, or cause to be kept:

- 2.1.1 any wild animal unless such animal is under releasable age, injured and unable to fend for itself and the facilities for keeping the animal are such that there is no danger or nuisance to people and to other animals;
- 2.1.2 any domestic fowl, pigeons, horses, donkeys, mules, cattle, goats, swine, mink, fox, or sheep except on lands or premises properly zoned by by-law of the Corporation of the Town of Renfrew, and
- 2.1.3 any animal, as listed in Schedule “A” attached to the By-law.

2.2 Notwithstanding the provisions of this By-law, written permission from the Corporation of the Town of Renfrew may be granted for the temporary keeping of the animals, snakes, insects and fowl as listed herein where required as part of a school project.

2.3 The provisions of this by-law do not apply to:

- a) The Renfrew Fairgrounds;
- b) Any property used by a Travelling Road Show, Circus, Zoo or any other activity authorized by the Corporation;
- c) Any property used by a person practicing veterinary science pursuant to the Veterinarians Act, R.S.O. 1990, Chapter V.3.

3. IMPOUNDMENT AND RECOVERY OF ANIMALS

3.1 A Municipal By-Law Enforcement Officer may seize any animal found to be in a contravention of the provisions of this By-law and cause such animal to be delivered to an animal shelter or pound.

3.2 If an animal is found trespassing upon another person's property, a Municipal Law Enforcement Officer may seize and cause such pet to be delivered to an animal shelter or pound.

3.3 The owner of any impounded animal may obtain the release of the animal that has been impounded by:

3.3.1 payment of the fee and associated costs incurred required by the animal shelter or pound operator; and

3.3.2 in the case of a prohibited animal, provide assurance, acceptable to the Animal Control Officer, that the prohibited animal will be removed from the Town of Renfrew forthwith upon its release from the pound facility.

3.4 If an owner fails to comply with section 3.3.2 or fails to claim the pet during the time prescribed in the regulations of the animal shelter or pound, the pet may be sold or disposed of by the said animal shelter or pound.

4. INVESTIGATION

4.1 A Municipal Law Enforcement Officer may enter on land at any reasonable time and in accordance with the conditions set out in Sections 435 and 437 of the *Municipal Act, 2001* for the purpose of carrying out an inspection to determine whether or not this By-law has been complied with.

4.2 No person shall hinder or obstruct, or attempt to hinder or obstruct, any person who is exercising a power or performing a duty under this By-law.

5. OFFENCES AND PENALTIES

5.1 Any person who contravenes any of the provisions of this By-law, and the procedure with respect thereto, is guilty of an offence and the penalty upon conviction therefore shall be as provided for in the *Provincial Offences Act*, R.S.O, 1990, P.33, and amendments thereto.

5.2 The Municipal Law Enforcement Officer or duly appointed agents shall enforce the provisions of this By-law.

5.3 Where a provision of this By-law conflicts with a provision of another by-law in force in the Town of Renfrew, the provisions that establish the higher standards shall prevail in order to protect the health, safety and welfare of the general public.

5.4 It is the declared intention of the Council of the Corporation of the Town of Renfrew that any section or part of a section of this By-law which may subsequently be held to be illegal shall be severable from the remainder of the By-law and shall not be deemed to have persuaded or influenced the Council to pass the remainder of the By-law.

6. REPEALS

By-law No. 45-79 and any other by-laws inconsistent with this By-law are hereby repealed.

7. SHORT TITLE

Short Title: "The Prohibited Animal Bylaw"

8. SEVERABILITY

If any section, clause, or provision of this By-Law is for any reason declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of the By-Law as a whole, or any part thereof, other than the section, clause, or provision so declared to be invalid and it is hereby declared to be the intention that all the remaining sections, clauses, or provisions of this By-Law shall remain in full force and effect until repealed, notwithstanding that one or more provisions thereof shall have been declared to be invalid.

9. ENACTMENT

This By-Law shall come into force and take effect immediately upon the passage thereof.

Read a first and second time this 26th day of April, 2016.

Read a third time and finally passed this 26th day of April, 2016.

Don Eady, Mayor

Kim R. Bulmer, Clerk

SCHEDULE "A"

BEING A LIST OF ANIMALS THE KEEPING OF WHICH IS PROHIBITED IN THE TOWN OF RENFEW

1. All Marsupials (such as Kangaroos and Opossums)
2. All non-human Primates (such as Gorillas and Monkeys)
3. All Felids, except the domestic cat
4. All Canids, except the domestic dog
5. All Viverrids (such as Mongooses, Civits and Genets)
6. All Ursidae (Bears)
7. All Hyaenas
8. All Perissodactyl Ungulates (such as the Domestic Horse and Ass, Antelopes, Wild Bores, Gazelle, Zebras)
9. All Elephants
10. All Pinipeds (such as Seals, Fur Seals and Walruses)
11. All Snakes of the Family Pythonidae and Boidae
12. All Venomous Reptiles (Vipers, Rattlers, Cotton Mouth, Copper Head, Cobras)
13. All Venomous Spiders (Black Widow, etc)
14. All Diurnal and Nocturnal Raptors, such as Eagles, Hawks and Owls, except those Raptors owned by residents of the Town of Renfrew who have successfully obtained a diploma of training for the appropriate bird and also a license for the same from the Ministry of Natural Resources.
15. All Edentates (such as Anteaters, Sloths and Armadillos)
16. All Crocodilians (such as Alligators and Crocodiles)
17. Skunks
18. Raccoons

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"

**TOWN OF RENFREW
PART 1 PROVINCIAL OFFENCES ACT**

BY-LAW NUMBER 26-2016 PROHIBITED ANIMALS BYLAW

Item*	Column 1 Short Form Wording	Column 2 Offence Creating provision	Column 3 Set Fine
1.	Keep a wild animal	Section 2.1.1	\$200.00
2.	Keep prohibited animal – <u>(specify)</u>	Section 2.1.2.	\$200.00
3.	Keep prohibited animal – Schedule "A"	Section 2.1.3.	\$200.00

* Note: The general penalty provision for the offences indicated above is Section 5.1 of By-law No. 26-2016, a certified copy of which has been filed.
