

The Corporation of the Town of Minto

By-law Number 02-80

Being a by-law to prohibit the keeping of certain animals or classes of animals and to regulate all animals other than domestic cats and dogs, being at large or trespassing within the boundaries of the Town of Minto

Whereas pursuant to the provisions of Section 210.1 of the Municipal Act R.S.O. 1990, Chapter M. 45 municipalities may by by-law prohibit or regulate the keeping of animals of any class thereof within the municipality.

And whereas pursuant to the provisions of Section 210.4 of the Municipal Act R.S.O. 1990, Chapter M.45 municipalities may by by-law prohibit or regulate the being at large or trespassing of animals, other than domestic cats and dogs and providing for impounding them.

And whereas Council deems it expedient to prohibit and to control or regulate animals other than domestic cats and dogs as described herein.

Now therefore the Council of the Corporation of the Town of Minto enacts as follows:

1. No person shall keep, harbour or possess any animal or animals of any of the following classes anywhere within the boundaries of the Town of Minto:
 - a. All marsupials (*such as kangaroos and opossums*)
 - b. All non-human primates (*such as gorillas and monkeys*)
 - c. All feline, except the domestic cat
 - d. All canine except the domestic dog
 - e. All viverrine (*such as mongooses and civets*)
 - f. All musteline (*such as minks, chinchillas, weasels, ferrets, otters and badgers*)
 - g. All ursine (*bears*)
 - h. All hyena
 - i. All pinniped (*such as seals and walrus*)
 - j. All snakes
 - k. All reptiles
 - l. All ratite birds (*such as ostriches*)
 - m. All diurnal and nocturnal raptorial bird (*such as eagles, hawks and owls*)
 - n. All edentates (*such as anteaters, sloths and armadillos*)
 - o. All bats
 - p. All alligators and crocodiles
 - q. All wolves
 - r. All skunks except defumed.
 - s. All lizards, and
 - t. All arachnids (*such as spiders, tarantulas and scorpions*)
2. No person shall keep, harbour or possess any animal or animals of any of the following classes anywhere within the boundaries of the Town of Minto except in the operation of a farm where it is permitted under the Town of Minto Zoning By-law or the Town of Minto Nutrient Management By-law.
 - a. All ungulate artiodactyla and perissodactyla (*such as goats, sheep, pigs, cattle, deer, camels, emu, hippopotamuses, rhinoceros, tapirs, llama, domestic horse, pony, ass, donkey, mule, buffalo, bison, zebra, deer, elk, yak and elephants*)
 - b. All chickens

3. Section 1 and 2 shall not apply to:
 - a. The keeping of any animals in a veterinary hospital under the care of a veterinarian licensed under the laws of Ontario
 - b. The keeping of any animal in a public pound
 - c. The keeping of any animals during the transportation of such animals to either of the places noted in sub paragraphs (a) and (b)
 - d. The keeping or showing of any animal in a circus and fairs.

3. Within this by-law the following definitions shall be applicable;
 - a. "Animal" means any live, non-human vertebrate
 - b. "Animal Control Officer" means the person appointed by the Town of Minto or any Committee thereof to administer or enforce provisions of this by-law
 - c. "Dog Control Officer" means the person appointed by the Town of Minto or any Committee thereof to administer or enforce any by-law regarding the control of dogs within the Town of Minto
 - d. "Owner" means any person owning or, from time to time, being in control or possession of any animal and "owned" has a corresponding meaning
 - e. "Be at large" or "being at large" means the act of any animal being beyond the lands and premises of its owner and not under the control of any person.
 - f. "Trespass" means the act of any animal being upon the lands or premises on any person without the consent, express or implied of that person and "trespassing" has a corresponding meaning.

4. No person shall permit or allow any animal owned by him or her to be at large at any time within the boundaries of the Town of Minto.

5. No person shall permit or allow any animal owned by him or her to trespass on any property at any time within the boundaries of the Town of Minto.

6. The Council of the Corporation of the Town of Minto, a Committee thereof or any person appointed by resolution of the Council shall direct and supervise the work of the Animal Control Officer and prescribe the manner in which his or her duties are to be permitted.

7. Any person shall be entitled to take charge or control of any animal found running at large or trespassing within the Town of Minto and to deliver the same to the Animal Control Officer or the Dog Control Officer.

8. The Animal Control Officer or the Dog Control Officer may seize and impound any animal found running at large within the limits of the Town of Minto. Any animal so impounded shall be maintained for a period of not less than 3 days. At the expiration of such 3 day period such animal may be sold or destroyed in accordance with the provisions of the Animals for Research Act R.S.O. 1990, Chapter A. 22.

9. Any animal destroyed at the end of the aforesaid 3 day period shall be disposed of in such manner as Council may from time to time direct.

10. The Animal Control Officer or the Dog Control Officer shall within 24 hours from the seizure of any animal notify the owner of such animals if known that such animal has been impounded and the conditions whereby he or she may regain custody of such animal.

11. The owner of an impounded animal shall whether or not such animal is claimed from the pound shall be liable for payment of any costs associated with the picking up, control, maintaining and release of such animal.
12. Every person who contravenes any of the provisions of this by-law is guilty of an offence and upon conviction is liable to a fine or penalty as provided in the Provincial Offences Act.
13. The following provisions shall have the effect on all properties within the Town of Minto; except where a request by a property owner to be exempt from the By-law has been approved by Council. The property location will be included on Schedule A to this By-law as a property exempt from the provisions of this By-law.
14. The following provisions shall have the effect on all properties within the Town of Minto; except where the property owner was licensed or permitted by the Town of Minto/Township of Minto to harbour or possess the animals named in this By-law; prior to the passing of this By-law.
15. This by-law may be known and cited the "Exotic Animal Control By-law".
16. This by-law repeals all Animal Control and Exotic Animal By-laws for the former Town of Harriston, the former Town of Palmerston, the former Village of Clifford and the former Township of Minto.

Read a first and second time this 11th day of December, 2002

Read a third time and finally passed this 11th day of December, 2002.



Mayor Ronald B. Elliott



Clerk Barbara L. Sampson

SCHEDULE A TO BY-LAW NO.
PROPERTIES WITHIN THE TOWN OF MINTO
EXEMPT FROM THIS BY-LAW

THE CORPORATION OF THE TOWNSHIP OF MINTO

BY-LAW NO. 23-81.....

Being a By-law to prohibit the running at large of animals other than dogs - within the Township of Minto.

WHEREAS under The Municipal Act, Councils of Municipalities may pass By-laws to prohibit the running at large or trespassing of animals other than dogs and for impounding them if they are not claimed within a reasonable time, or if the damages, fines and expenses are not paid according to law.

AND WHEREAS it is deemed expedient that the Council of the Corporation of the Township of Minto institute and enforce the restrictions under this authority.

THEREFORE the Council of the Township of Minto ENACTS AS FOLLOWS:

1. By-law No. 18-81 of the Township of Minto is hereby repealed.
2. THAT the running at large or trespassing of animals, other than dogs, is prohibited within the whole of the Township of Minto.
3. THAT any animals so found running at large or trespassing may be impounded and shall be dealt with pursuant to the provisions of the Pounds Act, Chapter 353 R.S.O. 1970.
4. THAT the provisions of this by-law shall be enforced by any poundkeeper or by any other person appointed by Resolution of Council.
5. The owner and/or person having the custody and control of any animals contravening Section 1 herein, shall be guilty of an offence under this By-law to be prosecuted under the provisions of the Provincial Offences Act, 1979 and subject to a fine not exceeding \$300.00.

READ a first and second time this 6th. day of July, 1981

.....*W. A. L. L. L.*.....
Reeve

.....*S. M. Titchener*.....
Clerk

READ a third time and finally passed this 6th. day of July, 1981

.....*W. A. L. L. L.*.....
Reeve

.....*S. M. Titchener*.....
Clerk

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