

A3 Domestic and Wild Animals and Exotic Pets Bylaw

Be it enacted by the Municipal Council for the Municipality of the County of Annapolis the Domestic Animals, Wild Animals and Exotic Pets Bylaw:

PART I - DEFINITIONS

1. In this bylaw,
 - (a) **“destroy”** means kill;
 - (b) **“domestic or wild animal”** includes reptiles, arachnids and birds;
 - (c) **“livestock”** includes cattle, horses, ponies, mules, sheep, swine and goats;
 - (d) **“Municipal Staff”** means the Municipal Clerk, Bylaw Enforcement Officer/Animal Control Officer or a person appointed by the Chief Administrative Officer to act on the Municipality’s behalf for the purposes of this bylaw;
 - (e) **“proscribed animal, reptile, arachnid or fish”** means:
 - (1) a poisonous snake;
 - (2) a reptile whose adult length is five feet or more;
 - (3) a non-poisonous snake whose adult length is five feet or more;
 - (4) a scorpion;
 - (5) a poisonous spider; or
 - (6) poisonous or carnivorous fish.
 - (f) **“municipality”** means the Municipality of the County of Annapolis

PART II - EXEMPTIONS

2. This Bylaw does not apply to:
 - (a) livestock;
 - (b) dogs;
 - (c) domestic cats;
 - (d) fish which are non-poisonous or non-carnivorous.

PART III – REGULATIONS

- 3(1) No person, unless duly licensed to carry on an exhibition, circus or other itinerant amusement performance; shall bring into the Municipality, possess, have the care or control of, or harbour a proscribed animal, reptile or arachnid.
- 3(2) No person owning, possessing or having the care and control of a domestic or wild animal or being a parent, guardian or custodian of a minor who owns, possesses, have the care or control of a domestic or wild animal; shall cause, permit or suffer the domestic or wild animal to be a large within the Municipality.

- 3(3) For purposes of this bylaw, a domestic or wild animal is deemed to be at large when it is not under physical restraint and control of some person by means of:
- (a) enclosure inside an escape-proof building with the permission of the building's owner;
 - (b) enclosure inside an escape-proof aquarium, pen, cage or container of durable construction; or
 - (c) being securely tethered on a leash, harness, chain or other device in an escape-proof manner.
- 3(4) Municipal Staff may without notice to or complaint against the owner, destroy or have destroyed on sight or after capture:
- (a) a proscribed animal, reptile or arachnid which is found in the municipality.
 - (b) a domestic animal, wild animal or proscribed fish that is at large and which Municipal Staff believes, on reasonable and probable grounds, to pose a possible danger to a person or to a domestic animal or to property of persons other than the owner; and
 - (c) after **one written warning** has been given to the owner within any period of **six(6) months**, a domestic or wild animal that is at large.

PART IV – PENALTIES

- 4(1) Any person who contravenes Section 3(1) of this Bylaw and who is given notice of the contravention may pay to the Municipality, at the place specified in the notice, the sum of **two hundred fifty dollars (\$250)** within fourteen(14) days of the date of the notice and shall thereby avoid prosecution for that contravention.
- 4(2) Any person who contravenes any provision of this Bylaw is guilty of an offence punishable on summary conviction by a fine or not less than **one hundred dollars (\$100)** and not more than **one thousand dollars (\$1,000)** and to imprisonment of not more than **ninety (90) days** in default of payment thereof.
- 4(3) Each day that a person violates any provision of this Bylaw is considered a separate offence.

Clerk's Annotation For Official Bylaw Book

Date of first reading:	January 18, 2011
Date of advertisement of Notice of Intent to Consider:	January 27, 2011
Date of second reading:	February 15, 2011
Date of advertisement of Passage of Bylaw*:	March 17, 2011

I certify that this *A3 DOMESTIC AND WILD ANIMALS AND EXOTIC PETS BYLAW* was adopted / amended by Municipal Council and published as indicated above.

Carolyn A. Young
Municipal Clerk

February 16, 2011
Date

** Effective Date of the Bylaw unless otherwise specified*