



BY-LAW NO. 1997-089

“A BY-LAW TO PROHIBIT THE KEEPING OF CERTAIN KINDS OF ANIMALS IN THE CITY OF OWEN SOUND”

Originally Passed and Enacted June 23, 1997

Amended By By-law:	Passed On:
2008-170	December 1, 2008

Consolidated Version
Revised and Verified October 15, 2013

Consolidated for Convenience Only

This is a consolidation copy of a City of Owen Sound By-law for convenience and information. While every effort is made to ensure the accuracies of these by-laws, they are not official versions or legal documents. The original by-laws should be consulted for all interpretations and applications on this subject. For more information or original signed copies of by-laws please contact the City Clerk's Department.

BY-LAW NO. 1997-089

THE CORPORATION OF THE CITY OF OWEN SOUND

**A BY-LAW TO PROHIBIT THE KEEPING OF CERTAIN
KINDS OF ANIMALS IN THE CITY OF OWEN SOUND**

WHEREAS the Municipal Act, R.S.O. 1990, Chapter M. 45, Section 210 (1) provides that City Council may prohibit and/or regulate the keeping of animals or certain animals within the municipality or defined areas thereof.

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE CITY OF OWEN SOUND HEREBY ENACTS AS FOLLOWS:

1. In this By-law the following definitions shall apply:
 - 1.1 **"Animal"** shall include birds, reptiles and insects.
 - 1.2 **"Domesticated"** shall mean bred or kept by humans as a pet.
 - 1.3 **"Escape Proof Enclosure"** is a cage, box, or other enclosed container from which an animal cannot escape without human intervention, and from which no part of the animal can protrude or extend.
 - 1.4 **"Keep"** shall include the keeping, storing or caring of an animal, or permitting any of the same, temporarily or permanently, for oneself, the owner, or for some other person.
 - 1.5 **"Lot"** shall mean a parcel or tract of land which is held under separate ownership or control.
2. No person shall keep, or cause to be kept within the City of Owen Sound, any animal listed on Schedule "A" to this By-law.
3. No person shall keep, or cause to be kept, any snake, reptile, insect, or spider not otherwise prohibited by this By-law unless they are kept in an escape proof enclosure.
4. Despite Section 3, persons may keep, or cause to be kept, iguanas provided they are kept on a leash or are otherwise under the control of a person when off the owner's premises.
5. No person shall keep, or cause to be kept within the City of Owen Sound, any non-domesticated animal that is indigenous to Ontario and identified as such by the Government of Ontario.
6. No person shall keep, or cause to be kept within the City of Owen Sound, any animal that is listed within Part 1 of the Committee for International Trade and Endangered Species (CITES) as an endangered or rare species.
7. Despite Section 2, this By-law does not prohibit the keeping of an animal listed on Schedule "A" to this By-law, in the places or under the circumstances provided for on Schedule "B" to this By-law.
8. Despite Section 2, persons may keep, or cause to be kept, the domesticated horse, ass, cattle, goat, deer, swine, sheep, or domesticated fowl, in the areas shown as the General Rural Area as shown on Schedules "C1" and "C2" to this By-law.
 - 8.1 Within the **General Rural Area** shown on Schedule "C1" and "C2" to this By-law, persons may keep, or cause to be kept, a domesticated horse, ass, cattle, goat, deer, swine, sheep, or domesticated fowl on any lot in accordance with the provisions of the City's Zoning By-law or as permitted pursuant to any development permit issued by the Niagara Escarpment Commission, as applicable.
9. Despite Section 2, persons may keep, or cause to be kept, domesticated ferrets provided they are kept on a leash or are otherwise under the control of a person when off of the owner's premises.

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10. *No person shall keep, or cause to be kept, any pigeons or rabbits within the limits of the City of Owen Sound in any coop, cote, pen, building or enclosure of any kind, which is within a distance of 7.5 metres of any adjacent dwelling in the said City.*
11. No person who keeps, or causes to be kept, pigeons or rabbits shall keep, or cause to be kept, the said pigeons or rabbits in a coop, cote, pen, building or enclosure of any kind that is not clean or sanitary or that is or may become a nuisance, or that is or may become injurious or dangerous contrary to the Health Protection and Promotion Act, or any regulations thereunder.
- 11.1 No person shall permit the accumulation in or around a coop, cote, pen, building or enclosure in which are or may be kept, or caused to be kept, pigeons or rabbits, of any kind of any manure, offal, refuse or offensive matter likely to become a nuisance or dangerous to health.
12. Schedules "A", "B", "C1" and "C2" attached hereto form a part of this By-law.
13. Every person who contravenes the provisions of this By-law is guilty of an offence and upon conviction therefor is liable to a penalty as provided for in the Provincial Offences Act.
14. If, for any reason, any section, clause or provision of this By-law is declared by a Court of competent jurisdiction to be invalid, the same shall not affect the validity of this By-law as a whole or any part thereof, other than the part which was declared to be invalid.
15. By-laws 1344 and 1345 of the City of Owen Sound are hereby repealed.
16. This By-law shall come into full force and effect upon the final passing thereof.

PASSED this 23rd day of June, 1997.

1st reading June 23, 1997

2nd reading June 23, 1997

3rd reading June 23, 1997

Signature on file

Mayor

Signature on file

Clerk

SCHEDULE `A' TO BY-LAW NO. 1997-089**A LIST OF ANIMALS OF WHICH THE KEEPING IS PROHIBITED IN THE CITY OF OWEN SOUND**

1. All Non-Human Primates, such as Gorillas and Monkeys.
2. All animals within the family Canidae, which includes felids and canids, except the domestic dog and cat.
3. All Viverrids, such as Mongooses.
4. All Ursides, being Bears.
5. All Hyenas.
6. All Perissodactylus Ungulates (odd toed hoofed animals), such as the zebra and rhinoceros and Artiodactylus Ungulates (even toed hoofed animals), such as the camel, llama , hippopotamus, Alpaca, giraffe, antelope, buffalo, yak and elk, save and except the domesticated horse, ass, cattle, goat, deer, swine and sheep being allowed to be kept in accordance with Section 8 of this By-law within the areas defined on Schedules "C1" and "C2" attached to this By-law.
7. All Elephants.
8. All Pinnipeds, such as Seals, Fur Seals and Walruses.
9. All Venomous Reptiles, such as Vipers, Rattlers, Cotton Mouths, Copper Heads, and Cobras.
10. All Venomous Arachnids, such as Black Widows, save and except Tarantulas.
11. All Diurnal and Nocturnal Raptors, such as Eagles, Hawks and Owls.
12. All Edentates, such as Anteaters, Sloths and Armadillos.
13. All Crocodylians, such as Alligators and Crocodiles.
14. All domesticated fowl, save and except pigeons, with the exception that all domesticated fowl may be kept in accordance with Section 8 of this By-law within the areas defined on Schedules "C1" and "C2" to this By-law.
15. All Mustelids, such as skunks, mink, weasels, otters and badgers, save and except the domesticated ferret.

SCHEDULE `B' TO BY-LAW NO. 1997-089**A LIST OF PLACES WHERE THE KEEPING OF CERTAIN
KINDS OF ANIMALS IS NOT PROHIBITED IN THE CITY
OF OWEN SOUND**

Notwithstanding what is herein otherwise set out, any animal listed in Schedule `A' may be kept in places or under the circumstances as follows:

1. In a veterinary hospital under the care of a licensed veterinarian.
2. By anyone holding a valid licence issued under any City of Owen Sound By-law, or under any statute of the Province of Ontario or the Dominion of Canada, which permits the keeping of animals under stated conditions, such as circuses, fairs and petting zoos.

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3. *In the Harrison Park Sanctuary under the jurisdiction of the City of Owen Sound, Operations Department.*
4. In the care or control of the Animal Control Officer, or other authorized representative of the City of Owen Sound.

SCHEDULE C-1 TO BY-LAW 1997-089 (EXOTIC PETS BY-LAW)

OWEN SOUND LOCATION MAP

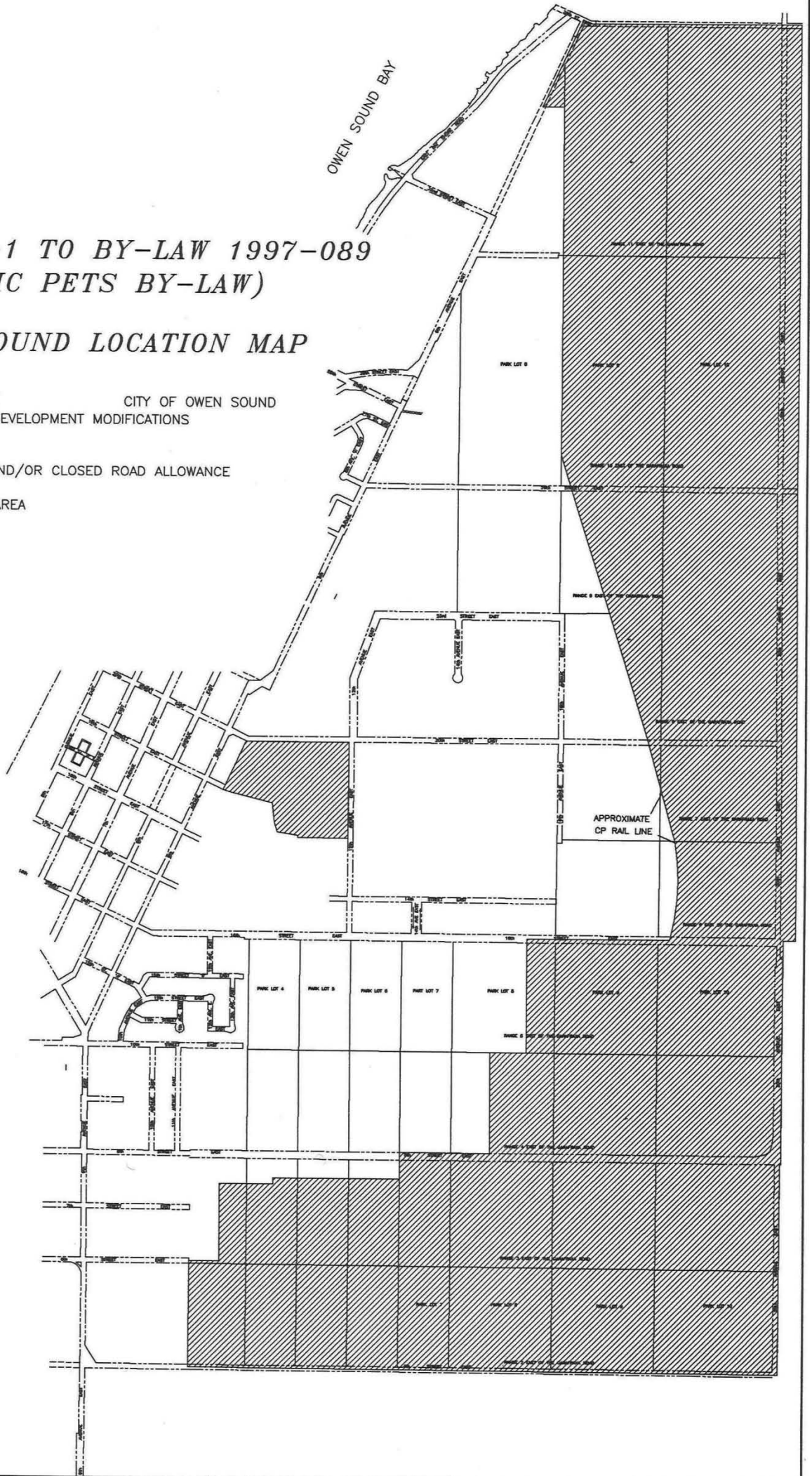
ENGINEERING DEPARTMENT CITY OF OWEN SOUND
PLANNING & DEVELOPMENT MODIFICATIONS

UNOPENED AND/OR CLOSED ROAD ALLOWANCE

GENERAL RURAL AREA




1:20000



SCHEDULE C-2 TO BY-LAW 1997-089 (EXOTIC PETS BY-LAW)

OWEN SOUND LOCATION MAP

ENGINEERING DEPARTMENT
PLANNING & DEVELOPMENT MODIFICATIONS

- UNOPENED AND/OR CLOSED ROAD ALLOWANCE
-  GENERAL RURAL AREA

SCALE 1:20000

