



The Corporation of the Town of New Tecumseth

By-law 1993-135 (Consolidated – as amended)

WILDLIFE AND PROHIBITED ANIMALS

A by-law to prohibit or regulate the keeping of animals in the Town of New Tecumseth

Consolidation		
Amendment No. 2	By-law No. 2013-039	April 15, 2013
Amendment No. 1	By-law No. 1994-129	September 28, 1994

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**THE CORPORATION OF THE TOWN OF
NEW TECUMSETH**

BY-LAW

Number 93-135

"WILDLIFE AND PROHIBITED ANIMALS BY-LAW"

A by-law to prohibit or regulate the
keeping of animals in the
Town of New Tecumseth

WHEREAS the Municipal Act, R.S.O. 1990, C. M.45, Section 210(1), provides that by-laws may be passed by the councils of local municipalities for prohibiting or regulating the keeping of animals or any class thereof within the municipality or defined areas thereof and for restricting, within the municipality or defined areas thereof, the number of animals or any class thereof, the number of animals or any class thereof that may be kept by any person, or that may be kept in or about any dwelling unit or class of dwelling unit as defined in the by-law.

NOW THEREFORE the Council of the Corporation of the Town of New Tecumseth enacts as follows:

1. That in this by-law:
 - (a) "Animal" includes birds and reptiles.
 - (b) "Domestic Animals" shall include horses, donkeys, cows, goats, llamas, sheep, pigs and cattle.
 - (c) "Wildlife Animals" shall include all artiodactylus and perissodactylus ungulates except those included under the definition of "domestic animals".
2. The keeping of any prohibited animal of the kind listed in Schedule "A", attached hereto, for any purpose is hereby prohibited in the Town of New Tecumseth.
3. The keeping of any animals of a kind listed in Schedule "A" attached hereto is not prohibited in the following circumstances:
 - (a) In a veterinary hospital under the care of a licensed veterinarian.
 - (b) By anyone holding a licence under any statute of the Province of Ontario or the Dominion of Canada, which permits the keeping of animals under stated conditions.
 - (c) By anyone operating a Alliston and District Humane Society regulated foster home.
 - (d) On the properties and/or in the circumstances set out in Schedule "B" which may be, from time to time, amended as required.

4. That any person may keep wildlife animals provided they are kept in compliance with the following regulations:
- (a) The lands upon which the wildlife are kept in an Agricultural Zone under the Zoning By-law of the Town in effect from time to time.
 - (b) The wildlife shall be treated humanely.
 - (c) Upon the request of the Corporation of the Town of New Tecumseth, the owner or keeper of the wildlife will provide the municipality, in writing, particulars on the number and species of the wildlife and their location in the Town.
 - (d) The lands upon which the wildlife are kept must be fenced in the following manner, unless otherwise approved by the Corporation of the Town of New Tecumseth:
 - Wire: 4" 10 gauge G.A.W galvanized wire
(minimum 1.6 oz. galvanizing)
 - Top Rail: 1 1/16"
 - Line Posts: 2 3/8" to minimum depth of 3'6"
 - Main Posts: 3 1/2" to minimum depth of 4'0"
 - All rails and posts to be framed to be Schedule 40 pipe.

5. **PENALTY**

- 5.1 That every person who contravenes any of the provisions of this by-law is guilty of an offence and on conviction is liable to a fine as provided for in the Provincial Offences Act.

6. **VOLUNTARY PAYMENT**

- 6.1 Notwithstanding all other provisions of this by-law in respect of penalties for violations, any person may, upon presentation of a violation tag issued alleging commission of such an offence under this by-law, pay out of Court at the Administration Centre of the Town of New Tecumseth, in person or by mail, within fifteen (15) days from the date of said tag, a penalty of a set fine of fifty dollars (\$50.00), and upon such payment no further proceedings shall be taken under this by-law in respect of the said offence alleged in the violation tag.

7. **SEVERABILITY**

- 7.1 Should any section, subsection, clause, paragraph or provision of this by-law, including any part of schedules be declared by a court of competent jurisdiction to be ultra vires, invalid or illegal for any reason, the same shall not affect the validity of the by-law as a whole.
8. That this by-law shall be cited as the "Wildlife and Prohibited Animals By-Law".
9. That this by-law shall come into force and take effect upon the passing thereof.
10. That By-Law 93-27 is hereby repealed.

BY-LAW READ A FIRST, SECOND AND THIRD TIME THIS 7TH DAY OF DECEMBER, 1993

MAYOR

Office Consolidation

**SCHEDULE "A" TO
BY-LAW NO. 93-135 – AS AMENDED**

ANIMALS WHICH ARE PROHIBITED WITHIN THE
TOWN OF NEW TECUMSETH

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, civets and genets)
6. All Mustelids (such as skunks, weasels, otters, badgers, prairie dogs) except the domestic ferret
7. All Ursids (bears)
8. All Procyonids (such as raccoons, coatis and cacomistles)
9. All Hyaenas
10. All Elephants
11. All Snakes of the families Pythonidae and Boidae
12. All Venomous Reptiles
13. Deleted – **Bylaw No. 94-129**
14. All diurnal and nocturnal Raptors (such as eagles, hawks and owls)
15. All Edentates (such as anteaters, sloths and armadillos)
16. All Bats
17. All Crocodilians (such as alligators and crocodiles)

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" TO
BY-LAW NO. 93-135 – AS AMENDED

DELETED – By-law No. 2013-039