



THE CORPORATION OF THE TOWNSHIP OF NORWICH

BY-LAW NUMBER 39-2013

TO PROHIBIT, REGULATE, AND RESTRICT THE KEEPING OF ANIMALS IN THE TOWNSHIP OF NORWICH

WHEREAS the Municipal Act, S.O. 2001, as amended, Section 11 (3) provides that a lower-tier municipality may pass by-laws respecting matters including animals;

AND WHEREAS the Municipal Act, S. O 2001, as amended, Section 128 (1), states that “A municipality may prohibit and regulate with respect to public nuisances, including matters that, in the opinion of Council, are or could become or cause public nuisances”;

AND WHEREAS the Municipal Act, S. O 2001, as amended, Section 436, states that “A municipality is permitted to enter upon land and into structures at any reasonable time to inspect the land and structures to determine whether a by-law of the municipality under the Act is being complied with”;

AND WHEREAS the provisions of this by-law will not contradict any provincial or federal laws.

NOW THEREFORE the Council of the Corporation of The Township of Norwich hereby enacts as follows:

1 DEFINITIONS

- 1.1 “Animal” shall include any mammals, birds, reptiles, fish, amphibians and invertebrates;
- 1.2 “Keep” shall mean the act of having the care, custody, control or possession of an animal, whether temporary or permanent, kept and keeping have the same meaning;
- 1.3 “Owner” shall mean any person or persons who keep an animal, and where the owner is a minor, the person responsible for the custody of the minor;
- 1.4 “Prohibited animal” shall mean any animal listed in Schedule ‘A’ of this by-law
- 1.5 “Restricted animal” shall mean any animal listed in Schedule ‘B’ of this by-law

2 GENERAL PROVISIONS

- 2.1 No person shall keep, or permit to be kept, a prohibited animal anywhere within the Township of Norwich.

- 2.2 No person shall keep, or permit to be kept, a restricted animal anywhere within the Township of Norwich on a property, excluding any property zoned as General Agricultural, Limited Agricultural, or Existing Residential within the Township of Norwich Zoning By-law 07-2003-Z, as amended, being within:
- 2.2.1 A registered plan of subdivision;
 - 2.2.2 Settlement Areas and Rural Clusters as identified in the County of Oxford Official Plan;
- 2.3 Any person who, upon the date of the passage of this bylaw, was lawfully keeping any restricted animal contrary to the provisions of Section 2.2, shall comply with the following requirements:
- 2.3.1 To keep the restricted animal, when it is on the lands and premises of the owner, confined and under effective control.
 - 2.3.2 To advise the Township of Norwich forthwith if the restricted animal is running at large or has bitten or attacked any person or other animal.
- 2.4 Any person who, upon the date of the passage of this bylaw, was lawfully keeping any prohibited animal contrary to the provisions of Section 2.1, shall comply with the following requirements:
- 2.4.1 To register the prohibited animal within seven (7) working days of the passage of this by-law, or becoming the owner of a prohibited animal, by providing the Township of Norwich with the owner's name, current address and current telephone number and a description of the prohibited animal and alternate contact person's name and telephone number.
 - 2.4.2 To keep the prohibited animal, when it is on the lands and premises of the owner, confined and under effective control.
 - 2.4.3 To provide the Township of Norwich with the new address and telephone number of the owner within seven (7) working days of selling or giving away the prohibited animal.
 - 2.4.4 To advise the Township of Norwich within seven (7) working days of the death of the prohibited animal.
 - 2.4.5 To advise the Township of Norwich forthwith if the prohibited animal is running at large or has bitten or attacked any person or other animal.

3 ENFORCEMENT

- 3.1 The provisions of this by-law shall be enforced by a By-law Enforcement Officer, Provincial Offences Officer (as defined by the *Provincial Offences Act*), or other individual duly appointed for the purpose of enforcing this by-law.
- 3.2 A By-law Enforcement Officer is authorized to enter onto land to conduct an inspection to determine whether the provisions of this by-law are being complied with.
- 3.3 This by-law does not apply to:
 - 3.3.1 The premises of an affiliate or branch or similar entity of the Society for the Prevention of Cruelty to Animals
 - 3.3.2 The premises of an affiliate or branch or similar entity of the Ministry of Natural Resources
 - 3.3.3 The premises of an accredited veterinary hospital under the care of a licensed veterinarian.
 - 3.3.4 Dogs, the regulation of which falls within Township of Norwich By-law #06-2005.

4 PENALTIES

- 4.1 Every person who contravenes any provisions of this by-law is guilty of an offence and is liable, upon conviction, to any penalty as provided for in the *Provincial Offences Act*.

5 SEVERABILITY

- 5.1 In the event, that any provision, section, clause, sentence or any part or parts thereof of this by-law is declared by any Court of Law to be invalid, illegal or ultra-vires, such provision, section, clause, sentence or any part or parts thereof shall be severable and shall not affect the validity of any other provision, section, clause, sentence, or any part or parts thereof of this by-law.

6 EFFECTIVE DATE

- 6.1 This by-law shall be effective upon the final passing thereof.

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED ON THIS 8th DAY
OF OCTOBER, 2013.

A handwritten signature in cursive script, reading "Donald Doan", written over a horizontal line.

MAYOR
DONALD DOAN

A handwritten signature in cursive script, reading "Michael Graves", written over a horizontal line.

CAO / CLERK
MICHAEL GRAVES

BY-LAW NUMBER 39-2013

SCHEDULE "A"

Prohibited Animals Within the Township Of Norwich

- 1 Any animal restricted by the Convention on International Trade in Endangered Species of Wild Flora and Fauna (CITES)
- 2 Any animal restricted by the Wild Animal and Plant Protection and Regulation of International and Interprovincial Trade Act (WAPPRIITA)
- 3 Any mammal which is not a permitted or a restricted animal
- 4 Any venomous or poisonous animal which is being held in captivity
- 5 Any snake which can grow to more than two (2) metres in length
- 6 Any lizard which can grow to more than sixty-five (65) centimetres in length from snout to vent
- 7 Reptiles which are members of Order Crocodylia or Sphenodontida
- 8 Amphibians which are members of Order Gymnophiona
- 9 Birds which are members of Order Falconiformes or Accipitriformes
- 10 Any animal which is wild-caught
- 11 Any animal whose parent is a prohibited animal
- 12 Any animal deemed to be prohibited by Council

SCHEDULE "B"

Restricted Animals Within the Township Of Norwich

Any animal generally recognized as livestock and/or used for agricultural purposes, but not limited to:

- | | |
|------------|-----------------------------------------------------|
| 1 Cattle | 13 Chickens |
| 2 Horses | 14 Ducks |
| 3 Ponies | 15 Geese |
| 4 Donkeys | 16 Buffalo |
| 5 Mules | 17 Deer |
| 6 Swine | 18 Pheasants |
| 7 Mink | 19 Quail |
| 8 Foxes | 20 Emus |
| 9 Sheep | 21 Ostrich |
| 10 Goats | 22 Rheas |
| 11 Llamas | 23 Any animal deemed to be
restricted by Council |
| 12 Alpacas | |