



TOWN OF WINDSOR BYLAW # 42 EXOTIC PET BYLAW

AUTHORITY

Section 172 (1) (a-b) of the *Nova Scotia Municipal Government Act (MGA)* provides municipalities with the power to make bylaws, for municipal purposes, respecting the health, well-being, safety and protection of persons and the safety and protection of property.

INTERPRETATION

42.01 In this bylaw:

“exotic animal” means any species of animal that is not native to Nova Scotia

“owner” means and includes a company or any person who possesses, has the care of, has the control of, or harbours an exotic pet and, where said person is a minor, includes a person with custody, care or control of the minor;

“owner of premises” includes a tenant, occupier, a part owner, joint owner, tenant in common or joint tenant of the whole or any part of land or building, and in the case of the absence or incapacity of the person having title to the land or building, a trustee, personal representative, an agent, a mortgagee in possession, an attorney under a valid Power of Attorney or a person having the care or control of the land or building;

“prohibited animal(s)” means all exotic venomous (including those with toxin removed) snakes, arachnids, and reptiles; and, it includes non-poisonous snakes whose expected adult length is three (3) metres or more and lizard species whose expected adult length is 2 metres or more;

“Town” means the Town of Windsor;

“Town Staff” means the CAO, By-law Enforcement Officer/Animal Control Officer, Peace Officer or any person appointed by the CAO to act on the Town’s behalf for the purposes of this bylaw.

REGULATIONS

- 42.02** No person shall:
- (a) bring into the Town, possess, have the care or control of, or harbour a prohibited animal unless duly licensed to carry on an exhibition, circus or other itinerant amusement performance, or education display/workshop/session.
 - (b) dispose of any prohibited animal except by releasing the said animal to an Animal Control Officer or licensed organization that specializes in animals of the exotic nature; or
 - (c) sell or offer for sale any prohibited animal.
- 42.03** Owners shall ensure that exotic animals are kept in a secured enclosure(s).
- 42.04** Town Staff may without notice to or complaint against the owner, seize an exotic animal and turn it over to an approved agency who will provide 24/7 response for its care, should:
- (a) it pose an immediate threat; or
 - (b) is not in the proper care and control of the owner.
- 42.05** Provided that the non-venomous prohibited animal is licensed or registered with the Department of Natural Resources on or before September 01, 2012, the definition of prohibited animal shall not apply.

PENALTY

- 42.06** Every person who contravenes or fails to comply with any provision of this By-law is guilty of an offence and is liable on summary conviction to a penalty of not less than \$100.00 or more than \$5,000.00 and in default of payment to imprisonment for a period of not more than ninety (90) days. Each day a person violates any provision of this Bylaw is considered a separate offence.

This Bylaw is effective upon publication.

Clerk's Annotation (Office Use Only)

Date of first reading:	April 24, 2012
Dates of advertisement of Notice of Intent to Consider:	May 03, 2012
Date of second reading:	May 22, 2012
*Date of advertisement of Passage of Bylaw:	May 31, 2012
Date of mailing to Minister a certified copy of Bylaw:	

I certify that this **Exotic Pet Bylaw #42** was adopted by Council and published as indicated above.

Louis Coutinho, CAO
Town of Windsor

*Effective Date of the Bylaw unless otherwise specified in the text of the Bylaw