

OFFICE CONSOLIDATION

CITY OF TIMMINS

REGULATE AND PROHIBIT  
KEEPING OF CERTAIN KINDS OF ANIMALS  
BY-LAW 1994-4232, AS AMENDED

Office Consolidation

This consolidated version of By-law No. 1994-4232, as amended, is prepared for the purpose of convenience only and for accurate reference, recourse should be had to the original By-law, and all amending By-laws.

AMENDING BY-LAWS: 94-4251, 95-4545, 05-6178

September 2005

CITY OF TIMMINS

BY-LAW NO. 1994-4232

BEING A BY-LAW to regulate and prohibit the keeping of certain kinds of animals within the City of Timmins.

WHEREAS pursuant to section 210, subsection 1 of the Municipal Act, R.S.O. 1990, Chapter M.45 and amendments thereto, by-laws may be passed prohibiting the keeping of animals or any class thereof within the municipality by any person;

AND WHEREAS the Council desires to control the keeping of certain animals within the corporate boundaries of the City of Timmins;

NOW THEREFORE the Council for the Corporation of the City of Timmins enacts as follows.

1. In this By-law

(1) "animal" includes birds and reptiles;

(2) "club" means an organization of six (6) or more pigeon fanciers where access to and use of the club's facilities is generally limited to the organization's members;

(3) "dwelling unit" means a separate set of living quarters including at least one room and separate kitchen and sanitary convenience, with a private entrance from outside or from a common hallway or stairway inside.

(4) "Pound Keeper" means a person or organization responsible for maintaining the pound on behalf of the Municipality for the purpose of enforcing and carrying out the provisions of this by-law (05-6178)

2. Except as provided for in Section 3, no person shall keep any animal of any kind listed in Schedule "A" attached hereto, for sale, exhibition, as a pet, or for any other purpose.

3. Despite Section 2, this by-law does not prohibit the keeping of any animal listed in Schedule "A" in the places or under the circumstances provided for in Schedule "B" attached hereto.

4. Every person who contravenes any of the provisions of this By-law is guilty of an offence and upon conviction is liable to a fine of not more than \$5,000.00 as provided for in the Provincial Offenses Act R.S.O. 1990 Chapter P.33, as amended.

5. (REPEALED BY-LAW 1994-4251)

READ a first, second and third time and finally passed this 25th day of April, 1994.

CERTIFIED TRUE COPY  
OF THE BY-LAW NO. 1994-4232

(SGD)VICTOR M. POWER  
MAYOR

\_\_\_\_\_  
CLERK

(SGD)R.J. WATSON  
CLERK

SCHEDULE "A"  
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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;

- (1) Chickens
- (2) Ducks
- (3) Geese
- (4) Pheasant
- (5) Quail
- (6) Rabbits
- (7) Turkeys
- (8) Peacocks
- (9) All Marsupials (such as Kangaroos and Opossums)
- (10) All Non-human Primates (such as Gorillas and Monkeys)
- (11) All Felids (such as Lions, Tigers and Cougars)
- (12) All Canids (such as Wolves)
- (13) All Viverrids (such as Mongooses, Genets)
- (14) All Mustilids (such as Skunks, Weasels and Ferrets)
- (15) All Ursids (Bears)
- (16) All Artiodactylus Ungulates (such as cattle, goats, sheep and pigs)
- (17) All Procyonids (such as Raccoons, Coatis and Cacomistles)
- (18) All Hyaenas
- (19) All Perissodactylus Ungulates (such as Horses, and Zebra)
- (20) All Elephants
- (21) All Pinnipeds (such as Seals, Fur Seals, and Otters)
- (22) All Venomous Snakes including snakes in the colubridae family (05-6178)
- (23) All Venomous Reptiles
- (24) All Ratite Birds (such as Ostriches, Rheas, Cassowaries)
- (25) All Diurnal and Nocturnal Raptors (such as Eagles, Hawks and Owls)
- (26) All Edentates (such as Anteaters, Sloths and Armadillos)
- (27) All Bats
- (28) All Crocodylians (such as Alligators and Crocodiles)
- (29) All Arachnids (such as Scorpions and Tarantulas)
- (30) All Columidae (such as Pigeons and Doves)
- (31) All non-venomous snakes including snakes from the Pythonidae and the Boidae families that at adult size have a length exceeding three (3) metres. (05-6178)

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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) in the public pound of the Corporation of the City of Timmins;
- (3) on the premises of a zoo or temporary zoo whether on display indoors or outdoors of various living animals housed in properly fitted cages;
- (4) on the premises of a university or community college, secondary school, junior high school, and pre-school, where such animals are being kept for research, study or teaching purposes, or on premises registered as research facilities under Section 5 of The Animals for Research Act;
- (5) on the premises of any television or film studio where such animals (amended by-law 1994-4251) are being kept temporarily for the purpose of a television production;
- (6) in a zone as defined pursuant to the City of Timmins zoning by-law 1977-850 as amended, as rural agricultural (AT) or rural wilderness (AW) subject to the animal being confined to the owner's property;
- (7) Pet Shops, except for animals identified in items (9) to (30) inclusive of Schedule "A" excluding the domestic Dog, Cat and Ferret (amended by by-law 1994-4251);
- (8) the maximum number of rabbits that may be kept on the premises of any dwelling unit is five (5) provided they are kept within such dwelling unit;
- (9) the maximum number of ferrets that may be kept on the premises of any dwelling unit is one (1) provided they are kept within such dwelling unit;
- (10) the maximum number of domestic cats that may be kept on the premises of any dwelling unit is six (6) provided they are kept within such dwelling unit;
- (11) an owner of pigeons must be a member in good standing of the Canadian Racing Pigeon Union Incorporated or of a club as defined in Section 1 of this by-law;
- (12) all owners shall ensure their pigeons carry identification in the form of a band and that each pigeon, so identified, is registered with the club's executive members of which the owner of the pigeons is a member;

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- (13) an owner of pigeons shall not permit his pigeons to stray, perch, roost or nest upon the lands, premises or buildings of any person or upon any public place within the City of Timmins, except upon the property of the pigeon owner;
- (14) no pigeon coop is to be closer than 10 meters to a dwelling on any abutting or adjacent property.
- (15) Where animals excluding dogs are kept in places or under circumstances provided for in Schedule "B" such animal shall not be permitted to be at large. Any animal running at large may be seized by any person and released to the City of Timmins animal control pound.(AMENDED BY BY-LAW 94-4255)
- (16) (1) Where any animal is impounded and detained at the pound, the owner of the animal may redeem such animal within 3 days exclusive of Saturdays, Sundays and statutory holidays. (05-6178)
- (2) After the expiration of the redemption period, the Pound Keeper may keep, sell or dispose of the animal. (05-6178)
- (3) Where the owner of the dog has signed a consent and indemnity form releasing the animal to the City of Timmins the animal becomes the property of the Timmins and District Humane Society and the Timmins and District Humane Society may at its discretion keep, sell or dispose of the animal. (05-6178)
- (4) Where in the opinion of the pound keeper, an animal impounded is injured or ill and should be destroyed without delay for humane reasons or for reasons of safety to persons, the animal may be euthanized humanely. (05-6178)
- (5) Any animal impounded and detained and not sold or euthenized, may be claimed by the owner upon payment of a fee and expenses in accordance with the policies of the Timmins and District Humane Society. (05-6178)