

CITY OF CASTLEGAR

BYLAW 1104

A bylaw to prohibit certain wild or exotic animals in the City of Castlegar.

**WHEREAS** it is provided by Section 8(3)(k) of the Community Charter as amended, that a council may, by by-law, prohibit the operation of a public show, exhibition, carnival or performance of any particular kind or in any particular location, or both;

**AND WHEREAS** it is deemed by the Municipal Council that it is necessary and desirable to exercise the authority provided by Section 8(3)(k) of the Community Charter;

**NOW THEREFORE** the Municipal Council of the City of Castlegar, in open meeting assembled, enacts as follows:

1. This bylaw may be cited as "**City of Castlegar Wild or Exotic Animal Prohibition Bylaw No. 1104**".
2. For the purposes of this by-law "wild or exotic animals" shall be defined as those animals listed in Schedule "A" attached to and forming part of this bylaw.
3. No person shall:
  - i) Operate or carry on a circus, public show, exhibition or carnival display or performance (the "show"), whether temporary or permanent, in which wild or exotic animals are travelling with or otherwise accompanying the show; or
  - ii) Operate or carry on a circus, public show, exhibition or carnival display or performance (the "show") where wild or exotic animals are required to perform tricks, fight or participate in performances by the show for the amusement or entertainment of an audience while the show is within the municipal boundaries of the City of Castlegar.
4. Nothing in this by-law shall prohibit or restrict:
  - i) Performances or shows in which a person or persons ride a horse or pony;
  - ii) Displays or showings of animals, save and except wild or exotic animals, in agricultural fairs, pet shows or other animal shows or exhibits;

SCHEDULE "A"  
WILD OR EXOTIC ANIMALS

The following list of animals constitutes "wild or exotic animals" for the purposes of this bylaw. The list includes all such animals whether bred in the wild or in captivity and also includes their hybrids with domestic species. The words in parentheses are intended to act as examples only and are not to be construed as limiting the generality of the group.

1. Non-human primates (such as gorillas and monkeys);
2. Felidae (except the domestic cat);
3. Canidae (except the domestic dog);
4. Ursidae (bears);
5. Elephantidae;
6. Pinnipedia (such as seals and walruses);
7. Marsupials (such as kangaroos and opossums);
8. Reptilia (such as crocodiles and alligators);
9. Amphibia (such as frogs, toads and salamanders);
10. Artiodactyla (except domestic cows, goats, sheep, pigs, llamas and alpacas);
11. Perissodactyla (except domestic horses, mules and donkeys);
12. Hyaenidae (hyaena);
13. Mustelidae (except captive-bred ferrets);
14. Procyonidae (such as raccoons and coatis);
15. Edentates (such as anteaters, sloths and armadillos);
16. Viverridae (such as mongooses, civets and genets);
17. Cetacea (such as whales, porpoises and dolphins);
18. Falconiformes (such as hawks, falcons and eagles);
19. Stringiformes (such as owls and barn owls);
20. Rodentia (except the hamster, guinea pig, domestic rat and mouse);
21. Chiroptera (bats); and
22. Lagomorpha (except the domestic rabbit).

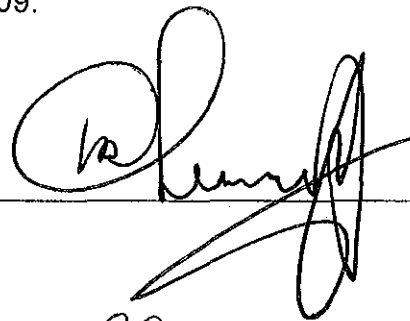
- iii) Horse races and dog races;
  - iv) Rodeos and any activities associated with rodeos, excluding the use of wild or exotic animals;
  - v) The use of animals, other than wild or exotic animals, in magic acts; or
  - vi) The ownership of wild animals as pets within the City of Castlegar and in compliance with the City of Castlegar Animal Control By-law and relevant provincial legislation;
  - vii) Activities of Canadian Association of Zoos and Aquariums (CAZA) accredited zoological facilities.
5. Any person who contravenes the provisions of this by-law is guilty of an offence and on summary conviction is liable to a fine of not more than Two Thousand Dollars (\$2,000.00). Each day a violation of the provisions of this bylaw exists or is permitted to exist shall constitute a separate offence.
6. This bylaw shall come into full force and effect on January 01, 2009.


READ A FIRST TIME on the 6th day of April, 2009.

READ A SECOND TIME on the 4<sup>th</sup> day of May, 2009.

READ A THIRD TIME AND PASSED on the 4<sup>th</sup> day of May, 2009.

ADOPTED on the 19 day of MAY, 2009.

  
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Mayor

  
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Director of Corporate Services