



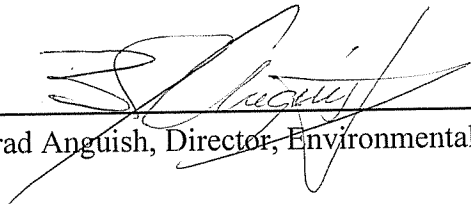
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5.

Halifax Regional Council
October 21, 2003

TO: Mayor Kelly and Members of Halifax Regional Council

SUBMITTED BY:



Brad Anguish, Director, Environmental Management Services

DATE: October 2, 2003

SUBJECT: Exotic Pets

INFORMATION REPORT

ORIGIN

Motion of Regional Council on August 26, 2003, (Item 12.1) for a staff report outlining how many instances there are annually regarding exotic pets at large, what by-laws are currently in place to address situations concerning exotic pets, and discuss the potential for providing new regulations which can further assist in situations dealing with exotic pets. In addition, staff was asked to discuss whether or not there was any form of licensing currently in place for these pets and, if not, whether this avenue could be examined.

BACKGROUND

With the recent confirmed cases of snakes at large in the municipalities core area, citizens are expressing concerns and would like to know how the HRM currently deals with these animals.

Exotic pets include poisonous reptiles and other animals that may pose a danger to humans. The by-laws that are currently available for the municipality to enforce, focus on irresponsible owners of exotic pets.

DISCUSSION

Reported Cases of Exotic Pets at Large

The following table outlines the number of reported cases of exotic pets at large received by HRM Animal Control Services since 1999. The table is broken down into two species of exotic pets, snakes and iguanas, as they are the only exotic pets to have been reported at large to HRM Animal Control Services.

Year	Snake	Iguana	Annual Total
1999	1	5	6
2000	2	1	3
2001	1	0	1
2002	2	0	2
To Sept. 8 th , 2003	3	2	5
Total	9	8	17

Legislation in Place

Animal Control Services currently enforces the four by-laws outlined in appendix A. Three of these by-laws deal specifically with exotic pets, while one deals more generally with animals at large. These by-laws were all developed before the existence of HRM; therefore, the by-laws can only be enforced in the former region in which they were originally developed.

The former City of Halifax Ordinance 184, *Respecting the Regulations of Reptiles* restricts snakes or reptiles to be at large within the City of Halifax.

The former City of Dartmouth By-Law E-300, *Keeping of Reptiles and Arachnids*, prohibits all reptiles with the exception of non-poisonous snakes (whose adult length is two feet or less), turtles and tortoises within the City of Dartmouth. Boa Constrictors are also prohibited along with scorpions, tarantulas, and black widow spiders. In addition, no one shall sell any of the prohibited animals listed.

The former Town of Bedford By-Law 22931, *Exotic Pets*, restricts non-poisonous snakes whose adult length is two feet or more, poisonous reptiles, scorpions and poisonous spiders.

Section 6 of the former Halifax County Municipality By-Law 12, *The Regulation of Animals By-Law*, prohibits any owned domestic fowl or animal from being at large. "Animal" is not defined for the purposes of this By-Law.

HRM Animal Control Services also has the authority to obtain a search warrant to seize from a building, receptacle or place an exotic animal which is prohibited in the aforementioned by-laws. This authority originates from section 2B(1)(b) & (c) of the Summary Proceedings Act attached as appendix B, which allows for the seizing of evidence with respect to the commission of an offence against an enactment.

New Regulations

Staff are undertaking a process to harmonize animal related by-laws which can be enforced throughout the entire HRM.

Licensing

Currently there are no HRM licensing requirements for exotic pets. The physical structure of most exotic pets is not conducive to attaching a licence tag. In addition, our research indicates that it is not possible to insert microchips into many types of exotic pets. Alternative methods of licensing will be examined further during the harmonization process of the animal by-laws.

BUDGET IMPLICATIONS

N/A

FINANCIAL MANAGEMENT POLICIES / BUSINESS PLAN

This report complies with the Municipality's Multi-Year Financial Strategy, the approved Operating, Capital and Reserve budgets, policies and procedures regarding withdrawals from the utilization of Capital and Operating reserves, as well as any relevant legislation.

ALTERNATIVES

N/A

ATTACHMENTS

Appendix A: **CITY OF HALIFAX ORDINANCE 184 (RESPECTING THE REGULATION OF REPTILES)**

CITY OF DARTMOUTH BY-LAW E-300 (KEEPING OF REPTILES AND ARACHNIDS)

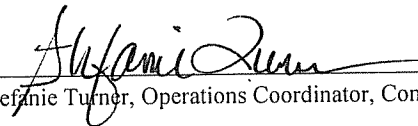
TOWN OF BEDFORD BY-LAW NUMBER 22931 (RESPECTING EXOTIC PETS)

HALIFAX COUNTY BY-LAW 12 (RESPECTING THE REGULATION OF ANIMALS BY-LAW)

Appendix B: SECTION 2B(1) (b) & ©) OF THE SUMMARY PROCEEDINGS ACT

Additional copies of this report, and information on its status, can be obtained by contacting the Office of the Municipal Clerk at 490-4210, or Fax 490-4208.

Report Prepared by:


Stefanie Turner, Operations Coordinator, Community Projects, EMS

490-4398

Report Approved by

Allan Waye, General Manager, Community Projects, EMS

490-6484

APPENDIX A

**CITY OF HALIFAX
ORDINANCE 184**

RESPECTING THE REGULATION OF REPTILES

BE IT ENACTED by the Council of the City of Halifax, under the authority of Section 354 (1) of the Halifax City Charter 1963, as follows:

1. This Ordinance shall be known as Ordinance 184 and may be cited as the "Reptiles Ordinance".
2. In this Ordinance:
 - (a) "Owner" means any person owning or possessing or having apparent care and control over any snake or reptile.
3. (1) No owner of a snake or reptile shall cause, permit or suffer that snake or reptile to be at large within the City of Halifax.
4. (1) For a violation of any provision of this Ordinance, the owner of the snake or reptile shall be guilty of an offense and shall be liable to a penalty of not more than Five Hundred Dollars (\$500.00) and, if default of payment, to imprisonment for a term not exceeding ten (10) days.
 - (2) A person who is alleged to have violated this Ordinance and is given a notice of the alleged violation, may pay a penalty in the amount of \$50.00 to the Chief of Police at the Halifax Police Department provided that said payment is made within a period of fourteen days following the day on which the alleged violation was committed and where the notice so provides for payment in thus manner, and such payment shall be in full satisfaction, releasing and discharging all penalties and imprisonments incurred by the person for such violation.

Passed City Council April 30, 1992 and May 14, 1992. Approved by Minister of Municipal Affairs on August 6, 1992.

CITY OF DARTMOUTH

BY-LAW E-300

Being a by-law of the City of Dartmouth to regulate keeping of reptiles and arachnids within the City of Dartmouth:

NOW THEREFORE the Council of the City of Dartmouth enacts as follows:

1. (1) No reptile shall be kept within the City of Dartmouth with the exception of:
 - (a) non-poisonous snakes whose adult length is two feet or less, and
 - (b) turtles and tortoises.
- (2) Without restricting the generality of subsection (1), no one shall keep a boa constrictor within the City of Dartmouth.
2. No one shall keep scorpions, tarantulas, or black widow spiders within the City of Dartmouth.
3. No one shall sell or offer for sale within the City of Dartmouth the reptiles and arachnids prohibited from being kept within the City of Dartmouth as set out in Sections 1 and 2 of this by-law.
4. By-law C-415 is hereby repealed. Done and passed in Council this _____ day of _____ 19

Mayor

City Clerk

**BY-LAW NUMBER 22931
RESPECTING EXOTIC PETS**

1. No one, unless duly licensed to carry on an exhibition, circus or other itinerant amusement performance, shall keep a non-poisonous snake whose adult length is two feet or more, a poisonous reptile, a scorpion or a poisonous spider within the Town of Bedford.
2. 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 not exceeding Five Hundred (\$500.00) Dollars.

APPROVED BY TOWN COUNCIL ON
OCTOBER 24, 1983.

APPROVED BY MINISTER OF
MUNICIPAL AFFAIRS ON JANUARY
19, 1984

BY-LAW 12

THE REGULATION OF ANIMALS BY-LAW

Title

1. This By-law shall be know as and may be cited as the “Animals By-law”.

Application

2. (1) No provision of this By-law shall apply to dogs unless they are specifically included in the provision.

(2) This By-law shall apply to all of the Municipality.

Cruelty to Animals

3. (1) No person shall cause pain to any wild or domestic bird or animal including any dog unless the infliction of pain is necessary for its care, cure or training.

(2) No person shall maim any wild or domestic bird or animal including any dog, nor bind it so as to cause suffering, nor treat it otherwise than in a humane manner.
4. Repealed August 25, 1983.

Diseased animals and fowl

5. The owner or harbourer of any domestic fowl or animal which is suffering from an infectious or contagious disease who
 - (a) does not prevent it from leaving his premises except under effective control; or,
 - (b) does not prevent it from herding with undiseased animals or fowlshall be liable to a penalty not exceeding twenty dollars (\$20.00) and in default of payment to imprisonment for a period not exceeding ten days.

Animals and fowl at large

6. The owner or harbourer of any domestic fowl or animal who does not prevent it from going at large shall be liable to a penalty not exceeding twenty dollars (\$20.00) and in default of payment to imprisonment for a period not exceeding ten days.

Effect of Penalties

7. The penalties prescribed in this By-law do not in any way affect liability for damages or poundage fees which may result from the violation of any of its provisions.
8. Repealed August 25, 1983.

Pounds

9. (1) Where a majority of the resident ratepayers of a district or school section petitions the Council to have a district or school section designated a pound district, the Council shall, if satisfied that the petition is in the required form, designate the district or school section a pound district.

Expenditure for

- (2) Where a majority of the resident ratepayers of a pound district petition the Council for the erection of a pound the council may authorize an expenditure for the purchase of land and erection of a pound thereon and the expenditure shall be a charge on the pound district.

Where no pound erected

- (3) Where no pound is created the Warden may authorize any suitable building or enclosure to be used as a pound.
9. (4), (5), (6) Repealed August 25, 1983.

Repeal

10. All former Regulations of Animals By-laws passed by the council are hereby repealed and this By-law substituted therefor.

THIS IS TO CERTIFY that the By-law of which the foregoing is a true copy was duly passed at a duly called meeting of the Municipal Council of Halifax County Municipality held on the 18th day of January A.D. 1972.

GIVEN under the hand of the Municipal Clerk and under the corporate seal of the said Municipality this 28th day of January A.D. 1972.

(sgd) R. G. Hattie
Municipal Clerk

APPENDIX B

SUMMARY PROCEEDINGS ACT

Search warrant

Section 2B (1) “A justice who is satisfied by information upon oath in the form prescribed in the regulations that there are reasonable grounds to believe that there is in a building, receptacle or place

(b) anything that there are reasonable grounds to believe will afford evidence with respect to the commission of an offence against an enactment,

may at any time issue a warrant under the justice's hand authorizing a person named therein or a peace officer

c) to search the building, receptacle or place for any such thing and to seize it;”