

BYLAW NO. 3838, 2009

A Bylaw to Prohibit Certain Wild or Exotic Animals in the City of Coquitlam

WHEREAS:

- A. Section 8(3)(k) of the *Community Charter*, S.B.C. 2003, c. 26, as amended (the “Charter”) allows a council to regulate, prohibit and impose requirements in relation to animals;
- B. Sections 9(1)(c) and 9(3)(c) of the Charter requires ministerial approval prior to a Council adopting a bylaw in relation to wildlife;
- C. Council for the City deems it appropriate to prohibit the sale, display and keeping of certain wild or exotic animals; and
- D. The Minister of Environment has approved this bylaw;

NOW THEREFORE, the Council of the City of Coquitlam, in open meeting lawfully assembled, ENACTS AS FOLLOWS:

1. Name of Bylaw

This Bylaw may be cited for all purposes as the “Wild or Exotic Animal Prohibition Bylaw No. 3838, 2009.”

2. Repeal of Existing Bylaws

Bylaw No. 2994, 1996 is hereby repealed in its entirety.

3. Exotic Animals Defined

For the purposes of this Bylaw “wild or exotic animals” shall be defined as those animals listed in Schedule “A” to this Bylaw.

4. Prohibited Animals

Except as provided in sections 5 and 6 of this Bylaw, no person shall sell, keep, exhibit or display any wild or exotic animal.

5. Existing Exotic and Wild Animals

A person who, on the date of the adoption of this Bylaw was keeping any wild or exotic animal other than an animal whose ownership in captivity violates existing Provincial or Federal statutes may continue to keep that animal under the following conditions until the animal has died or otherwise been disposed of:

- (a) the wild or exotic animal is kept secure at the owner's premises except for visits to a veterinarian's office;
- (b) the wild or exotic animal is not used in a show, circus, for entertainment purposes or for educational purposes, except as provided in section 6 of this Bylaw;
- (c) the wild or exotic animal is not permitted to reproduce;
- (d) the owner registers the wild or exotic animal with the City no later than September 30, 2009, by filing with the City a completed registration form in the form attached to this Bylaw as Schedule "B";
- (e) the owner retains and produces when requested by a City employee, a copy of the City-approved registration form in relation to the wild or exotic animal

provided that the prohibitions in section 4 besides "keeping" continue to apply.

6. Exemptions

- 6.1 This Bylaw does not apply to the premises of a City facility used for keeping impounded animals.
- 6.2 The prohibition against keeping wild or exotic animals in section 4 of this Bylaw does not apply to:
 - (a) any premises occupied for use by the R.C.M.P.;
 - (b) the premises of a veterinarian if the veterinarian is providing temporary care for an wild or exotic animal;
 - (c) the premises of the B.C.S.P.C.A.;
 - (d) a school, as defined in the *School Act*, R.S.B.C. 1996, c. 412, an incorporated institution of learning that is regularly giving children instruction accepted as equivalent to that given in a public school, a university so designated under the *University Act*, R.S.B.C. 1996, c. 468, or a college or institution so designated under the *College and Institution Act*, R.S.B.C. 1996, c. 52, where the wild or exotic animal is kept for educational purposes;
 - (e) a recognized animal rescue group which rescues wild or exotic animals;

provided that:

- (i) except for visits to a veterinarian's office, the wild or exotic animal is kept secure at the owner's premises, or in the case of a rescue group, at premises used by the rescue group for this purpose;

- (ii) the wild or exotic animal is not used in a show, circus or for entertainment purposes;
- (iii) the wild or exotic animal is not permitted to reproduce;
- (iv) all prohibitions contained in section 4 except "keeping" continue to apply.

7. Offence

Any person who contravenes any provision of this Bylaw commits an offence punishable upon summary conviction and is liable to a fine not exceeding \$10,000.00.

8. Severability

If any section, subsection, clause or phrase of this Bylaw is, for any reason, held to be invalid by a court of competent jurisdiction, it will be deemed to be severed and the remainder of the Bylaw will remain valid and enforceable in accordance with its terms.

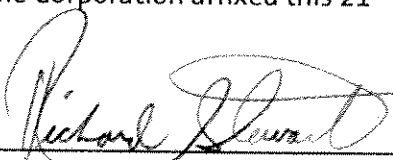
RECEIVED APPROVAL of the Minister of Environment the 16th day of August, 2007.

READ A FIRST TIME this 20th day of July, 2009.

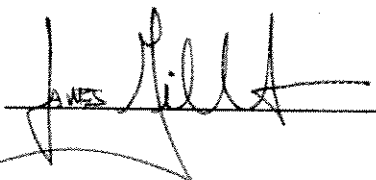
READ A SECOND TIME this 20th day of July, 2009.

READ A THIRD TIME this 20th day of July, 2009.

GIVEN FOURTH AND FINAL READING and the Seal of the Corporation affixed this 21st day of September, 2009.



MAYOR



CLERK

SCHEDULE "A"

The following list of animals constitutes "wild or exotic animals" for the purposes of the Bylaw to which this Schedule is attached. The list includes all such animals whether bred in the wild or in captivity and also includes all their hybrids with domestic species. The words in parentheses are intended to act as examples only and are not to be construed as being an exhaustive list or to otherwise limit the generality of each group of animals:

1. Non-human primates (such as gorillas and monkeys).
2. Felids, except domesticated cats.
3. Canis, except dogs (as defined in the Bylaw).
4. Ursids (bears).
5. Elephants.
6. Pinnipedia (such as seals and walruses).
7. Crocodylians (such as alligators and crocodiles).
8. Marsupials (such as kangaroos and opossums).
9. Snakes (except non-venomous snakes native to British Columbia) and venomous reptiles.
10. Ungulates, except domestic horses, mules, asses, goats, sheep, pigs and cattle.
11. Hyenas.
12. Mustelines (such as skunks, weasels, otters and badgers).
13. Procyonids (such as raccoons and coatis).
14. Edentates (such as anteaters, sloth and armadillos).
15. Viverrines (such as mongooses, civets and genets).

SCHEDULE "B"



**City of Coquitlam
Registration of Wild or Exotic Animal**

Bylaw & Animal Services Department

500 Mariner Way
Coquitlam, BC V3K 3B7

Phone: 604.927.7387

Fax: 604.927.7388

Today's Date: _____

Name: _____

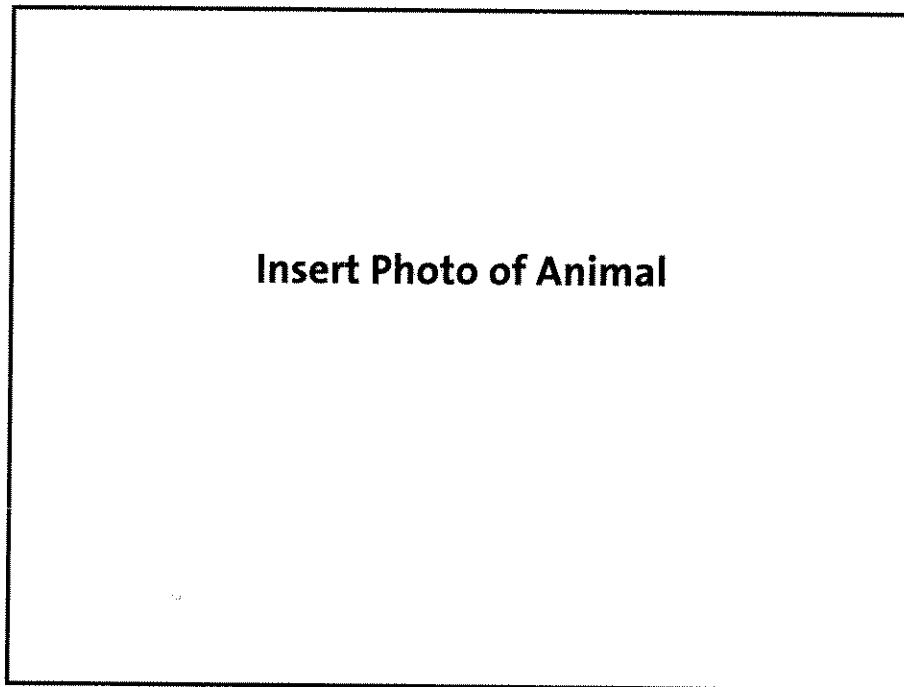
Address: _____ Postal Code: _____

Phone No.: _____ Alternate phone No.: _____

Animal Information

Animal Name	
Date of Acquisition	
Place of Acquisition	
Age of Animal at Acquisition	
Animal Life Expectancy	
Type of Animal (Genus & Species)	
Sex : <i>circle one</i>	Male Female
Colour(s) and/or Patterns	
Tattoo or Micro-chip (if applicable)	

**City of Coquitlam
Registration of Wild or Exotic Animal**



* This registration form must be completed and submitted to the address indicated above.

Personal information collected on this form is done so under the authority of the Freedom of Information and Protection of Privacy Act (the Act). Personal information will only be used by authorized staff to fulfill the purpose for which it was originally collected or for a use consistent with that purpose unless you expressly consent otherwise.