

# CORPORATION OF THE TOWNSHIP OF ADMASTON/BROMLEY

## By-Law No. 2014-32

Being a by-law to regulate the keeping and control of animals, or any class thereof, the animal identification system, licensing and restraint of dogs and certain other aspects of animal control within The Corporation of the Township of Admaston/Bromley.

**WHEREAS** Section 10 of the Municipal Act, 2001 authorizes the councils of municipalities to pass by-laws respecting dogs under the "animals" sphere of jurisdiction;

**AND WHEREAS** Section 103 of the Municipal Act, 2001 authorizes municipalities to impound animals which are at large in contravention of any such by-law;

**AND WHEREAS** Section 391 of the Municipal Act, 2001 authorizes municipalities to impose fees or charges for services rendered;

**AND WHEREAS** Section 20 of the Animals for Research Act, R.S.O. 1990, Chapter A.22, provides for the impounding and sale or destruction of any dog pursuant to the provisions thereof;

**AND WHEREAS** the Dog Owners' Liability Act, R.S.O.1990, Chapter D.16, provides for the protection of persons and property;

**AND WHEREAS** the Ontario Game and Fish Act, R.S.O. 1990, Chapter G. 1, Section 82, provides for the prohibition of keeping or harbouring of wild animals;

**AND WHEREAS** the Ontario Police Services Act, R.S.O. 1990 Chapter P. 15 as amended provides that Council may appoint Municipal By-Law Enforcement Officers to enforce all municipal By-laws;

**AND WHEREAS** the Council of The Corporation of the Township of Admaston/Bromley deems it desirable to license and regulate the keeping of dogs, within the boundaries of The Corporation, or within defined areas thereof;

**NOW THEREFORE** the Council of The Corporation of the Township of Admaston/Bromley hereby enacts as follows:

### **Part 1. Short Title**

- 1.1 This by-law may be cited as the "Animal Control By-Law".

### **Part 2. Definitions**

- 2.1 "Animal Control Officer" means a person appointed or employed by The Corporation for the purposes of supervising all the provisions of this by-law within the limits of The Corporation.
- 2.2 "Animal Shelter" means any premises designated by The Corporation for the purpose of impounding and caring for dogs taken by the Animal Control Officer in violation of this by-law.
- 2.3 "At Large" means any animal will be deemed to be at large when it is off the property of its owner and not on a leash and under the control of a person having care and custody of the animal.
- 2.4 "Corporation, The" means The Corporation of the Township of Admaston/Bromley.
- 2.5 "Dog" shall mean Canis Familiarise, male or female, over the age of three (3) months and shall not include wolf or fox or any other wild or part wild species of Canis Familiarise.

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- 2.6 “Immunization” means to protect against disease by annual inoculation of immunizing serums and vaccines.
- 2.7 “Kennel” means an establishment in which dogs are housed, groomed, boarded, bred or trained for gain or profit.
- 2.8 “Leash” includes any form of lead or restraint that has the capability to control an animal from annoying, bothering or irritating persons or other animals.
- 2.9 “License” shall mean a license issued under this By-Law.
- 2.10 “Municipal By-Law Enforcement Officer” means a person appointed by The Corporation for the purposes of enforcing the provisions of this by-law.
- 2.11 “Nuisance Animal” means any animal found to be causing a common nuisance, irritation, annoyance or bother to other persons or animals.
- 2.12 “Officer” shall mean the Municipal By-Law Enforcement Officer or the Animal Control Officer as appointed by Council.
- 2.13 “Owner” means a person who possesses or harbours a dog, and when the owner is a minor, the person responsible for the custody of the minor.
- 2.14 “Prohibited Area” means the Barr Line Community Centre located at 1766 Barr Line and any area or areas designated by Council where, with the exception of service animals, domestic animals/pets are prohibited. These areas will be posted with signs informing the public accordingly.
- 2.15 “Registration Period” means the period from January 1 to December 31 of each year.
- 2.16 “Restricted Animal” means an exotic animal.
- 2.17 “Service Animal” means a dog trained as a guide for a blind person, hearing impaired or physically impaired person, having the qualifications prescribed by the regulations and includes therapy dogs under the St. John Ambulance Renfrew County Therapy Dog Program.
- 2.18 “Sterilized Animal” means any spayed/neutered dog that is in support of such certificate from a licensed veterinarian.
- 2.19 “Veterinary Hospital” means any establishment maintained and operated with a licensed veterinarian for the diagnosis and treatment of disease and injuries of animals and birds.
- 2.20 “Vicious Animal” means any animal that displays vicious tendencies such as growling, baring of teeth, charging or lunging, attacking or biting a person or other domestic animal.

### **Part 3. Administration And Enforcement**

- 3.1 **Officer performing duties - rights.**  
The Officer may enter upon any premises where an animal is kept and request to see such animal. It is further provided that the Officer may enter any premises where any animal is kept in a reportedly cruel or inhumane manner and request to examine such animal.
- 3.2 The Officer may enter the premises where any animal is kept in a reportedly cruel or inhumane manner to take possession of such animal to determine the validity of such report or complaint, and to take appropriate corrective measures.

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- 3.3 For the purpose of discharging the duties imposed by this by-law and to enforce it's provisions, the Officer is empowered to demand the exhibition by the owner of such dog or the license/identification of such dog.
- 3.4 No person shall interfere, hinder or molest any Officer in the performance of any duty required in accordance with this by-law.

Part 4. Keeping And Care of Animals

- 4.1 No person shall own, keep, harbour or possess any animal that is found repeatedly to be a nuisance animal on any lot or in any building or structure on such lot within the limits of The Corporation.
- 4.2 Any owner of an animal, or person having care and custody of an animal, shall remove and dispose of any excrement left by the animal on any property in The Corporation other than the owner’s property.
- 4.3 No owner of a dog shall allow a build-up of animal fecal matter on the property where the, dog is kept to the point where it becomes a public health hazard, as defined by the Renfrew County and District Health Unit.

Part 5. Licensing And Animal Identification System

- 5.1 The owner of every dog three (3) months of age or older, within three (3) days of his/her becoming such, shall cause it to be licensed with a valid dog tag, numbered with The Corporation, which provision shall be called the Animal Identification System.
- 5.2 Upon payment of the required fee, the owner shall be furnished with a tag for each dog owned by him/her with a serial number and the year in which it was issued marked thereon and the owner shall keep said tag securely fixed on the dog for which it was issued at all times during the year and until he/she procures a tag for the following year. A record shall be kept by The Corporation, showing the name and address of the owner with the serial number of the tag. In the event that a tag is lost, the person to whom it was issued shall immediately claim another from The Corporation and shall pay, therefore, the sum of FIVE DOLLARS (\$5.00).
- 5.3 Every owner of a dog shall obtain a tag and keep it securely fixed on his/her dog and shall not affix the tag upon a dog other than the dog for which the said tag was issued. Affixing a tag upon a dog other than the dog for which the said tag was issued shall subject the owner to penalty provided for in this by-law.
- 5.4 Upon providing The Corporation with satisfactory evidence that the dog is used as a therapy dog under the St. John Ambulance Renfrew County Therapy Dog Program or that a person is blind, hearing impaired or physically impaired, and is the owner of a dog used to assist that person in overcoming the impairment, a dog license and dog tag may be issued at no charge.
- 5.5 The Dog Tag fees are as follows:

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|---|---------|
| <b>For all Spayed/Neutered Dogs:</b>      |         |
| Before April 30 <sup>th</sup> in any year | \$15.00 |
| After April 30 <sup>th</sup> in any year  | \$20.00 |
| <b>For all Unsterilized Dogs:</b>         |         |
| Before April 30 <sup>th</sup> in any year | \$20.00 |
| After April 30 <sup>th</sup> in any year  | \$25.00 |

And such license and registration shall expire on December 31<sup>st</sup> of each year.

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### Part 6. Kennels

- 6.1 Every person who owns, operates or conducts a kennel for pure bred dogs shall register the kennel with The Corporation and comply with the provisions as set out in Part 5.3 of this by-law.
- 6.2 At or before the time of registration, the owner/operator of a kennel shall furnish to The Corporation:
- (i) The name, address, and telephone number of the owner/operator,
  - (ii) A registration fee of \$50.00.
- 6.3 If there is a change of ownership of a kennel during the licence year, the new owner/operator must purchase a new license.

### Part 7. Restraint

- 7.1 No person shall allow his/her dog to run at large. For the purpose of this by-law, a dog shall be deemed to be running at large if found in any place other than that of its owner and not on a leash and under the control of a person having care and custody of the animal.
- 7.2 No person shall allow his or her dog to become a common nuisance by:
- (i) Biting;
  - (ii) Chasing or biting at livestock;
  - (iii) Chasing or biting at motor vehicles;
  - (iv) Chasing or biting at bicycles;
  - (v) Chasing or biting at persons walking or riding thereon any public roadway,
  - (vi) Causing damage when running at large,
  - (vii) Causing damage to commonly shared property.
- 7.3 No person shall own or possess a dog that is found repeatedly to be a nuisance animal.
- 7.4 No owner of a dog shall allow it to trespass on private property even when on a leash.
- 7.5 No person being the owner of a dog or having care and custody of the animal, with the exception of service animals, shall permit such dog to be present in any prohibited area at any time. Domestic animals/pets in prohibited areas shall be deemed to be running at large and trespassing.

### Part 8. Impoundment

- 8.1 Dogs being reported running at large to authorized personnel, shall be restrained or confined in a manner that enables the Animal Control Officer to readily take up the dog. An attempt shall be made by means of dog tags or other forms of identification to find the owner.
- 8.2 Dogs found running at large shall be taken up by the Animal Control Officer and impounded in the Animal Shelter and there confined in a humane manner for a period of not less than five (5) days, exclusive of the day of impoundment and exclusive of holidays and may thereafter be disposed of in a humane manner if not claimed by their owners.
- 8.3 Sick or injured dogs found at large and taken up by the Animal Control Officer shall not be placed into the Animal Shelter, to save harm to other animals and possible contamination of the pound facility. If the owner is not ascertainable, the Animal Control Officer may seek medical attention for the dog or may perform euthanasia to save further pain or suffering to the dog.
- 8.4 Dogs found running at large by the Animal Control Officer that pose a threat to the safety of persons or other animals may be destroyed forthwith.

## **Part 9. Redemption Of Impounded Dogs And Impoundment Fees**

- 9.1 The owner shall be entitled to regain possession of any impounded dog except as hereinafter provided in the cases of certain dogs, upon compliance with the license or identification provisions and the payment of fees set forth in Part 5 of this by-law.
- 9.2 Any dog impounded under provisions of this by-law and not reclaimed by it's owner within five (5) days, exclusive of the day of impoundment and exclusive of any day the pound may be closed during the impoundment, may be humanely destroyed by the Animal Control Officer, or placed in the custody of some person deemed to be a responsible and suitable owner who will agree to comply with the provisions of this by-law and such other regulations as shall be fixed by The Corporation.
- 9.3 Any dog impounded may be reclaimed upon payment by the owner to the Animal Control Officer for all costs incurred during the confinement.
- 9.4 No person shall seek to release any dog in the custody of The Corporation or its Officers, except as this by-law provides.

## **Part 10. Restricted Animals**

- 10.1 Dangerous or vicious animals shall not be kept within the limits of The Corporation.
- 10.2 Any owner of a dog found to be fierce, dangerous or vicious shall be dealt with under The Dog Owners Liability Act, Chapter D. 16, and shall be subject to penalty provided for in this by-law.
- 10.3 No person shall keep or raise any exotic animal on any lands or in any building or structure on such lands within the limits of The Corporation.

## **Part 11. Exemptions**

- 11.1 Hospitals, clinics and other premises operated by licensed veterinarians for the care and treatment of animals are exempt from the provisions of this by-law, except where such duties are expressly stated.
- 11.2 The licensing requirements of this by-law shall not apply to any dog belonging to a non- resident of The Corporation and kept within The Corporation for not longer than thirty (30) days provided such dogs shall at all times while within the limits of The Corporation be kept within a building or vehicle, or be under restraint by the owner.

## **Part 12. Penalty**

- 12.1 Any owner of an animal, or person having care and custody of an animal, guilty of any offence under any of the provisions of this by-law shall, upon conviction, forfeit and pay the fine for such offence as provided for under the Provincial Offences Act.
- 12.2 Every person who contravenes any provisions of this by-law is guilty of an offence and upon conviction is liable to pay a penalty recoverable under the provisions of the Provincial Offences Act.
- 12.3 To interfere, hinder or molest any Officer in the performance of any duty required in accordance with this by-law is an offence.

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**Part 13. Repeals**

13.1 By-Law Number 857-81 of the former Township of Bromley and By-Law Number 81-9 and By-Law No. 91-05 of the former Township of Admaston, and By-Law No. 2004-41 and By-Law No. 2006-29 of the Township of Admaston/Bromley and the amendments thereto are hereby repealed.

**Part 14. Severability**

14.1 If any part of this by-law shall be held void such part shall be deemed severable and the invalidity thereof shall not affect the remaining parts of this by-law.

This by-law shall come into force and shall take effect upon final passing thereof.

Read a first and second time this 4<sup>th</sup> day of September 2014.

Read a third time and passed this 4<sup>th</sup> day of September 2014.

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Mayor

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Clerk-Treasurer