

THE CORPORATION OF THE TOWN OF LAURENTIAN HILLS

BY-LAW No. 14 - 05

BEING a by-law to provide for the keeping of animals, regulating, prohibiting and registration of animals (dogs and or cats) in the Town of Laurentian Hills.

WHEREAS sections 11 and 103 - 105 of The Municipal Act, C. 25, S.O. 2001 authorizes the municipality to pass a by-law regulating or prohibiting with respect to the being at large or trespassing of animals, and for the impounding or muzzling of dogs

AND WHEREAS the Town of Laurentian Hills did pass By-Law No. 10-01 and does wish to continue regulating and/or prohibiting animals save for the annual licence fee for dogs or cats

NOW THEREFOR the Council of the Corporation of the Town of Laurentian Hills does enact as follows that:

1 Definitions - in this by-law,

- a) “Animal Control Officer” means the person, society or association appointed to enforce this by-law and any officer, servant or agent of such person or association or society employed for such purposes including the By-Law Enforcement Officer
- b) “Boarding Kennel” means a place or confine where dogs are boarded for a fee or service as a home occupation or commercial business
- c) “Dangerous dog” means any individual dog that:
 - (i) has killed a domestic animal without provocation while off the owner’s property;
 - (ii) has bitten or injured a human being or domestic animal without provocation, on public or private property;
 - (iii) is attack trained;
 - (iv) is kept for the purpose of security or protection, whether residential, commercial or industrial, of persons or property;
 - (v) has shown the disposition or tendency to be threatening or aggressive.
- d) “Dog” means a male or female domestic dog over the age of three months whether or not neutered or spayed
- e) “Exposed to Rabies” means that an animal has been bitten by another animal and that confirmation that that animal is not infected with rabies can not be obtained
- f) “Impoundment” means the taking and impounding of all stray dogs in the Town
- g) “Kennel” means a place or confine where purebred dogs are bred and raised and registered in the Register for the Canadian Kennel Club Incorporated or other similar registry sanctioned by Agriculture Canada
- h) “Leash” means and includes any form of leash or restraint not to exceed 2 metres in length strong enough to halt or hold back the dog from lunging
- i) “Licence” - see Registration
- j) “Microchip” means an encoded electronic device implanted in an animal, which contains a unique code number that provides owner information that is stored in a central database
- k) “Owner” means and includes any person who possesses or harbours a dog or dogs, and “own” or “owned” shall have a corresponding meaning, and shall include a person or persons who are temporarily the keeper of the dog or dogs
- l) “Pound” means any premises or facilities designated as such by the Town

- m) "Pound keeper" means a person, persons, association or society appointed to maintain and administer an animal shelter.
- n) "Registration" means the receipt of a metal tag/disk issued by the Clerk's office of the Town or its authorized agent, officer, servant or employee, there is no fee for the registration of an animal under this by-law
- o) "Regulation(s)" means the regulations made under the authority of any Statute as approved by the Lieutenant Governor in Council
- p) "Residential One Zone (R1)" means a zoning area within the Town as defined in Comprehensive Zoning By-Law No. 11-05
- q) "Restraint" means a dog is under full control by a responsible person if it is on the owner's property, out on a leash or at heel beside a competent person and obedient to that person's command
- r) "Running at Large" means that any dog found in any place other than the premises of the owner of the dog and not under control and or restraint by being on a leash immediately held by a competent person shall be deemed to be running at large
- s) "Town" means the Corporation of the Town of Laurentian Hills

2 Registration

- a) no person shall own, keep or harbour any dog within the Town unless such dog is registered as herein provided
- b) cats may be registered and such registration is for the protection of the cat and to assist or aid in the return of the cat to the owner should the cat be lost or found wandering
- c) the owner of every dog in the Town shall immediately or once the dog has attained the age of three (3) months cause the same to be registered, numbered, described by the Town on the form prescribed
- d) no yearly licence fee is required or prescribed for the Town of Laurentian Hills
- e) except in the case of a Kennel, no person shall own more than three (3) dogs in a single household
- f) on completion of a registration in accordance with this section the Town or its authorized agents, shall issue for each dog registered, a serial numbered registration tag and shall cause the name of the owner, his or her address and telephone number of the owner, the call name and the apparent breed of the dog, and the number of the tag to be entered in the register to be kept for that purpose
- g) every owner, except a kennel operator shall keep the registration tag securely fixed on his or her dog at all times until the tag is renewed or replaced
- h) no registration tag under this section shall be transferable and the registration tag shall expire and become void upon the sale, death, or disposal of the dog or cat
- i) no person other than the owner or his agent shall remove the registration tag from a dog

3 Kennels

- a) any kennel or boarding kennel (hereinafter in this section referred to jointly as "kennel") shall be made available for inspection on reasonable notice by the Animal Control Officer or other person appointed by the town to carry out the duties of the Officer so the Officer may be satisfied that dogs are being kept in a clean and safe

establishment

- b) the owner who operates or conducts a kennel shall be entitled to 5 dog tags which shall not be restricted to use by specific individual dogs
- c) the operator of any kennel shall attach a registration tag to any dog from the kennel at any time that the dog is in the Town and not in the kennel
- d) the operator of any kennel shall register the kennel at the Clerk's office of the Town each year of operation of the kennel, and shall provide the name of the kennel operator, the address of the kennel and of the operator, and shall pay an annual fee of \$25.00 at the time of registration

4 Restraint

- a) the owner shall keep his or her dog under restraint at all times and shall not permit such dog to be off the premises or property of the owner, unless under the control of a responsible person. No dog shall be permitted to run at large within the Town at any time
- b) nothing in this section confers on any person the right to enter upon private property or posted land to run their dog without the express permission of the owner of the said land
- c) except under certain conditions, no dog shall be chained more than 14 hours per day

5 Seizure and Impounding of Dogs

- a) no dogs shall be allowed on posted areas including Burke's Beach, Tee Lake Park and Corry Lake Beach
- b) any person may capture any dog running at large and trespassing on his property and shall then contact the Animal Control Officer, who shall impound the said dog
- c) it shall be the duty of the Animal Control Officer to capture all dogs running at large and impound the dog or deliver them to the pound
- d) any Animal Control Officer or other duly appointed officer, may enter on any public property, or on private property with the consent of the owner or tenant of the property, for the purpose of catching any dog running at large
- e) for the impounding of all dogs under the provisions of this by-law a Pound shall be established which complies with the Regulations made pursuant to the Animals for Research Act and under the care and control a Pound keeper, whose duty it shall be to impound all dogs brought to him. If a registration tag is found on the dog, then the Pound keeper shall contact the owner identified in the registration information provided to the Town. All dogs shall be scanned for implanted identification Microchips in an attempt to identify the owner. The Pound keeper shall keep a record of all dogs impounded and how disposed of. The record shall show the number of dogs impounded, how disposed of, whether returned to owner, destroyed or sold and the amount collected for fines, impounding fees and proceeds of sale
- f) it shall be the duty of the Pound keeper to care for all animals after they have been impounded in accordance with the regulations made pursuant to the Animals for Research Act c. A22 R.S.O. 1990 as amended. An impounded dog may be claimed and released following payment of any and all required penalties set under this By-Law or by the pound and such fees and penalties shall include veterinary assessment or treatment fees where such were deemed urgent and necessary
- g) the minimum redemption period shall be three (3) days. The day on which the dog was impounded, holidays or any day which the pound is closed shall not be included in calculating the redemption period, in accordance with the Animals for Research

Act

- h) in the event that a dog is not claimed within the period prescribed above, the dog shall become the property of the Pound keeper who may dispose of the dog as deemed fit and no damages or compensation shall be recovered on account of its disposition
- i) where a dog is impounded, the owner, if known and having been given timely notice of the impoundment of the dog and whether or not the dog is claimed from the pound, shall be liable for pound and maintenance fees herein prescribed, and shall pay all fees on demand by the Pound keeper or other designated agent of the Town

6 Keeping of Animals

- a) no animals, other than household pets, shall be kept in any Residential One Zone (R1). In particular domestic fowl, members of the dog and cat families other than domestic dogs or cats, cattle, goats, swine, rabbits for breeding purposes, mink, sheep, foxes, horses and mules shall be specifically prohibited in any Residential One Zone (R1) in the Town. The keeping of any animals other than domestic dogs and cats shall be further subject to the Town's Zoning By-Law and any other applicable law

7 General

- a) no owner or person in charge of any dog shall allow the dog to defecate anywhere on property other than that of the owner unless the owner ensures that the excreta are removed and disposed of in a sanitary manner

8 Confinement of Certain Dogs and Other Animals

- a) the owner shall confine within a building or a secure enclosure, every dangerous dog, and shall not take such dog out of such building or secure enclosure unless such dog is securely muzzled
- b) every female dog in heat shall be kept confined in a building or secure enclosure, or in a veterinary hospital or kennel or boarding kennel, in such a manner that such female dog cannot come in contact with any other animal, except for controlled breeding purposes

9 Biting and Rabies

- a) where a dog is alleged to have bitten any person, such dog shall be impounded by the Animal Control Officer or a Peace Officer and held by the Pound keeper until the procedures referred to in the Dog Owner's Liability Act or any other Statute have been followed
- b) when a dog is known to have bitten a person, the Medical Officer of Health may order the agent for the Town to confine the dog under supervised quarantine
- c) any dog known to be rabid or suspected of being rabid shall be placed in quarantine, or it shall be destroyed in such a manner that the brain is not damaged and the dog shall be submitted to a laboratory for diagnosis
- d) the owner upon demand made by the Town shall forthwith surrender any dog which has bitten any person, or which is suspected as having been exposed to rabies, for supervised quarantine which expense shall be borne by the owner
- e) in the case of stray dogs, or in the case of dogs whose ownership is not known, such quarantine shall be at the Pound or as determined by the Medical Officer of Health

- f) it shall be lawful for the Mayor or designate at any time with the direction of the Medical Officer of Health whenever the disease of rabies is prevalent to order all dogs to be confined, tied up and/or muzzled for a limited period of time to be named. It shall be the duty of the Animal Control Officer or other authorized person to destroy any dog, which may be at large, or suspected of being rabid during such period

10 Investigation

- a) for the purpose of discharging the duties imposed by this by-law and enforcing its provisions, the Animal Control Officer or other authorized person assisting, may enter upon any premises upon which a dog is kept or harboured and demand the exhibition by the owner of such a dog and the registration of such dog. It is further provided that the Animal Control Officer or other authorized person assisting may enter the premises where any animal is kept in a reportedly cruel and inhumane manner and demand to examine such animal and to take possession of such animal, when in his opinion it requires humane treatment
- b) no person shall hinder, obstruct, molest or interfere with the Animal Control Officer in the Officer's exercise of duties under the provision of this by-law

11 Enforcement

- a) the provisions of this by-law shall be enforced by the Animal Control Officer, the By-Law Enforcement Officer or any other person duly appointed by the Town

12 Penalties

- a) any person who allows a dog to run at large commits an offence under this By-Law and is subject to a penalty of \$15.00 for the first offence and \$25.00 for the second and every offence thereafter
- b) this penalty shall be paid at the Town office or to the Animal Control Officer or the By-Law Enforcement Officer or pound prior to a dog being returned to its owner
- c) for all other provision of this By-Law, every person who contravenes those provisions commits an offence, and upon conviction is liable to a fine of not less than \$100.00 plus costs and all such penalties shall be recoverable under the Provincial Offences Act, c.P.33 R.S.O., 1990 as amended
- d) each day a contravention continues shall be deemed to be a separate offence

13 Repeals

- a) By-Law No. 10-01, regulating or licencing dogs, and By-Law No. 05-01, regulating or licencing cats, of the Corporation of the Town of Laurentian Hills and any other By-Laws regulating dogs or cats or of the Town's predecessor municipalities are hereby repealed and rescinded

READ a first and second time this 9th day of March, 2005

READ a third time and final time and passed this 9th day of March, 2005

MAYOR

CLERK