

Pet By-law



THE CORPORATION OF THE TOWNSHIP OF BONNECHERE VALLEY



BY-LAW NUMBER 2005-36

**BEING A BY-LAW TO REGULATE THE KEEPING AND CONTROL OF ANIMALS,
OR ANY CLASS THEREOF, THE ANIMAL IDENTIFICATION SYSTEM,
LICENCING AND THE RESTRAINT OF DOGS AND CATS AND CERTAIN OTHER
ASPECTS OF ANIMAL CONTROL WITHIN THE CORPORATION OF THE
TOWNSHIP OF BONNECHERE VALLEY**

WHEREAS The Municipal Act, S.O. 2001, Chapter 25, provides that Council may pass a By-Law prohibiting, regulating and restricting the keeping of Animals or any class thereof, the destruction thereof and allow for a licensing and Animal identification system pursuant to the Provisions thereof;

AND WHEREAS The Animals for Research Act, R.S.O. 1990, Chapter A. 22, provides for the impounding and sale or destruction of any Cat or 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 Police Services Act, R.S.O. 1990, Chapter P. 15, as amended, provides that Council may appoint Municipal Law Enforcement Officers to enforce all Municipal By-Laws;

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;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF BONNECHERE VALLEY ENACTS AS FOLLOWS:

1.1 TITLE

- a. This By-Law shall be known and may be cited as “THE PET CONTROL BY-LAW”.

2.1 DEFINITIONS

As used in this By-Law, the following terms shall have the meaning hereinafter ascribed to them:

- a. **“ANIMAL CONTROL OFFICER”** means a person appointed or employed by the Corporation of the Township of Bonnechere Valley for the purposes of supervising all Animal husbandry matters within the limits of the Township of Bonnechere Valley and shall also be appointed a Municipal Law Enforcement Officer responsible for the enforcement and provision of this By-Law and related Provincial Offences by authority of the Ontario Police Services Act.
- b. **“ANIMAL CONTROL - MUNICIPAL BY-LAW ENFORCEMENT OFFICER”** means a person appointed by the Corporation of the Township of Bonnechere Valley for the purposes of enforcing the provisions of this By-Law and related provincial offences by authority of the Ontario Police Services Act, 1990, Chapter P.15, Section 15.
- c. **“ANIMAL SHELTER”** means any premises designated by the Corporation of the Township of Bonnechere Valley for the purpose of impounding and caring for Animals taken by the agents of the Corporation in violation of this By-Law.

- d. **“AT LARGE”** means any Animal will be deemed to be at large when it is off the property of its owner and not under control of a competent person.
- e. **“CAT”** shall mean any feline over the age of three (3) months of any domesticated Cat or crossbreed domesticated Cat.
- f. **“TOWNSHIP”** shall mean the Corporation of the Township of Bonnechere Valley.
- g. **“DOG”** shall mean Canis Familiaris, 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 Familiaris.
- h. **“FARM”** shall mean land used for the tillage of soil, the raising and harvesting of field, bush, vine, forest or tree crops, the growing of vegetables, fruits, grains and other staple crops. This definition may also apply to land used for livestock raising, horses, dairying, woodlots, grazing, trapping, horticultural crops, fish farming and beekeeping and includes a farm dwelling and accessory farm buildings and uses. Farm also means land on which the predominant economic activity consists of raising chickens, turkeys or other fowl, the raising of fur bearing Animals, the raising of swine or goats, the raising of Cattle on feed lots or the growing of mushrooms.
- i. **“FARM ANIMAL”** Shall mean any Animal normally raised or kept on a farm including but not limited to cows, pigs, chickens, horses, rabbits, goats, sheep or ducks.
- j. **“KENNEL”** shall mean an establishment in which greater than four Dogs or domesticated Animals are housed, groomed, boarded, bred or trained.
- k. **“LEASH”** includes any form of material lead or restraint, which does not exceed two (2) meters in length and has the capability to control an Animal from annoying, bothering or irritating persons or other Animals.
- l. **“NUISANCE ANIMAL”** shall mean any Animal found to be causing a common nuisance, irritation, annoyance or bother to other persons or other Animals.
- m. **“OWNER”** means and includes any person who possesses, keeps, feeds or harbours an Animal and “owns” or “owned” shall have a corresponding meaning.
- n. **“PET”** shall include Cat or Dog, or both, and any other common Animal, fish or bird that may be kept as a pet that is not prohibited in this By-Law.
- o. **“PUPPY”** Shall mean any Dog less than six (6) months of age.
- p. **“PET SHOP”** shall mean any person, group of persons, partnership or corporation operating an establishment where live Animals, birds and fish, other than those domestic Animals, farm Animals, wild Animals, exotic Animals, amphibians, reptiles, arachnids, birds and fish that are prohibited within the Township, are kept and offered for sale.
- q. **“PROHIBITED ANIMAL”** shall mean any vicious Animal as defined herein this By-Law.
- r. **“REGISTRATION PERIOD”** shall mean the period from January 1 to December 31 of each year with an extended period to March 15 of the next year which shall be an extension of the prior year registration period to allow owners of Animals that were registered in the prior year to purchase new pet tags.
- s. **“VETERINARY HOSPITAL”** shall mean any establishment maintained and operated with a licensed veterinarian for the diagnosis and treatment of disease and injuries of Animals and birds.

- t. **“VICIOUS ANIMAL”** shall mean any Animal that displays vicious tendencies such as growling, baring of teeth, charging or lunging, attacking or biting a person or other domestic Animal.

3.1 KEEPING OF ANIMALS

- a. It is prohibited to own, keep, harbour, feed or raise any Animal commonly identified as a farm Animal in any building, structure or on any property in the Township of Bonnechere Valley Ward 1 (Village of Eganville).
- b. It is prohibited to own, keep, harbour or possess any Animal that is found to be a Vicious Animal or Nuisance Animal in any building, structure or on any property in the Township of Bonnechere Valley.
- c. No person shall own, keep or harbour more than 4 dogs per location that are not puppies.

4.1 LICENSING AND ANIMAL IDENTIFICATION SYSTEM

- a. The owner of every Dog three (3) months of age or older, within (3) days of his / her becoming such, shall cause it to be licensed with a valid pet tag, numbered and described with the Township, which provision shall be called the Animal Identification System.

The Pet Tag, Registration and Identification Fees are as follows:

- o Before March 31 in any year \$20.00; and
- o After March 31 in any year \$30.00

Such license and registration shall expire on December 31st of each year. .

- b. Upon payment of the required fee, the owner shall be furnished with a tag for each Dog owned by him 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 procures a tag for the following year.
A record shall be kept by the licensing officer showing the name and address of the owner and the serial number on the tag. In the event that a tag is lost, the person to whom it was issued shall immediately claim another from the Licence Issuer and shall pay, therefore, the sum of TWO DOLLARS (\$2.00) for each tag.
- c. Every owner or harbourer of a Dog shall obtain a tag and keep it securely fixed on his 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 or the harbourer to the penalty provided for in this By-Law.
- d. The owner of every Cat three (3) months of age or older, within three (3) days of his / her becoming such, shall cause their Cat to have an identification tag specifying the owner of the Animal. Unidentified Cats found to be causing property damage shall be considered Wild Animals or Nuisance Animals and may be destroyed in a humane way.
- e. The owner of any Cat, which causes property damage, shall be liable to the penalties provided for in this bylaw.

5.1 KENNELS

- a. Every person who owns, operates or conducts a Kennel for the purpose of breeding pure breed Dogs shall be registered with the Canadian Kennel Club pursuant to the Statutes of Ontario enacted in that behalf, shall obtain a Licence and shall pay to the Township of Bonnechere Valley, immediately following the first day of January in any year, a Licence fee of FIFTY DOLLARS (\$50.00). Each Dog kept shall be licensed by the Township with the exception of unweaned pups.

- b. Every person who owns operates or conducts a kennel for the purpose of breeding or housing working or sporting Dogs shall obtain a Licence and shall pay to the Township of Bonnechere Valley, a license fee of FIFTY DOLLARS (\$50.00) Before March 31. After March 31 in any year a fee of SEVENTY-FIVE DOLLARS (\$75.00). Each Dog kept shall be licensed by the Township with the exception of unweaned pups.
- c. Every Kennel owner / operator of a kennel located in the Township of Bonnechere Valley shall be subject to inspection as deemed necessary by the Animal control officer prior to the issuance of a Kennel Licence to ensure compliance with standard Animal husbandry practices.
- d. Every Kennel owner operator of a kennel located in the Township of Bonnechere Valley shall follow the guidelines and regulations as set forth by the Ontario department of Agriculture regulating Kennels in the province.
- e. The Animal Control Officer of the Township of Bonnechere Valley, upon any application may issue the required license but if he/she does not issue such license at the request of the applicant, he/she shall refer the application to the CAO of the Township of Bonnechere Valley and the CAO may, at his/her discretion, grant or refuse the issuing of a permit hereunder.
- f. If there is a change of ownership of a Kennel during the Licence year the new owner shall purchase a new license.

6.1 IMMUNIZATION

- a. Every person who resides within the Township of Bonnechere Valley and owns or harbours any Dog or Cat over the age of six (6) months shall ensure that the Dog or Cat is inoculated for rabies and such inoculation shall be repeated bi-annually from the date of first inoculation.

7.1 IMPOUNDMENT

- a. Animals found running at large shall be taken up by the agents of the Township and impounded in a pound designated by the Township of Bonnechere Valley and there confined during the redemption period. Animals not claimed by their owners at the expiration of the redemption period shall become the property of the Township and disposed of by the Township, except as hereinafter provided in the cases of certain Animals.
- b. Sick or injured Animals found at large and taken up by the agents of the Township shall not be placed into the Animal shelter to save harm to other Animals and possible contamination of the pound facility. A quick attempt shall be made by the agents to find the owner. If the owner is not ascertainable during the attempt the agent may seek medical attention for the Animal or may have euthanasia performed to save further pain and/or suffering to the Animal.
- c. Animals found at large by an appointed agent or any police officer that pose a threat to the safety of persons or other domestic Animals may be destroyed forthwith at the discretion of the agent or officer.

8.1 REDEMPTION OF IMPOUNDED ANIMALS

- a. The owner shall be entitled to regain possession of any impounded Animal except as hereinafter provided in the cases of certain Animals, upon compliance with the license or identification provisions of Section 4 of this by-law and the payment of impoundment fees set forth in Section 9 of this By-Law.

- b. Any Animal impounded under the provisions of this by-law and not reclaimed by its owner at the expiration of the three (3) day redemption period as defined by Animals for Research Act Chapter 22 may be destroyed by the Township 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 Township.

9.1 IMPOUNDMENT FEES

- a. Any Animal picked up by the by-law enforcement officer and identifiably returned to the owner will be subject to a fee in the amount of THIRTY-FIVE DOLLARS (\$35.00), which shall cover the costs of returning the Animal to its rightful owner.
- b. Any Animal impounded hereunder may be reclaimed as herein provided upon payment by the owner to the shelter at time of recovery of the Animal. All recoverable costs for impounding the Animal including but not limited to transportation costs to the kennel, wages for travel time, and kennel fee of EIGHT DOLLARS (\$8.00) which shall cover the impoundment costs for the first day or partial day and the additional sum of EIGHT DOLLARS (\$8.00) for each additional day such Animal is kept commencing the second day of confinement.

10. RESTRAINT

- a. No person shall allow their animal to run at large.
- b. For the purpose of this By-Law, an Animal shall be deemed to be running at large if found in any place other than that of its owner/keeper and not under the control of any person.
- c. No person shall allow their Animal to become a common nuisance by:
 - i. barking or howling
 - ii. biting;
 - iii. howling;
 - iv. chasing or biting at livestock;
 - v. chasing or barking or biting at motor vehicles;
 - vi. chasing or barking or biting at bicycles;
 - vii. chasing or barking or biting or scaring persons walking or riding thereon any street.
 - viii. causing damage when running at large;
 - ix. causing damage to commonly shared property.
- d. Any such person who owns or possesses any Animal that is found repeatedly to be a nuisance Animal shall be subject to the penalties provided for in this By-law and may be ordered to leash, muzzle or otherwise put in place measures to correct or control the behaviors of such nuisance Animal.
- e. All animal owners shall comply with an order to leash or muzzle.
- f. Any such person who owns or possesses any Animal that is found repeatedly to be a Nuisance Animal shall be subject to the penalty provided for in this By-Law and may be ordered to remove such Animal from the limits of the Township of Bonnechere Valley. Any animal owner ordered to remove the animal from the Township shall comply with such order. If proven that such Animal has been enrolled into a recognized Animal training facility and has completed a course for the correction of the nuisance behavior, the Animal Control Officer may permit re-entry within the limits of the Township of Bonnechere Valley. Any person who possesses such Animal not having permission to re-enter such Animal shall be subject to the penalty provided for in this By-Law.

- g. No person who owns, keeps, harbours or possesses any Animal shall allow it to trespass on private property even when on a leash.
- h. No person who owns, keeps, harbours or possesses any Animal shall allow it to run on Township-owned property except when on a leash.
- i. Any person:
 - i. Who owns, keeps, harbours or possesses any Animal, which defecates on public, commonly shared or private property, other than that of the said owner, or keeper thereof, shall forthwith clean up excrement after it.
 - ii. No person who owns, keeps, harbours or possesses any Animal shall allow a build up of Animal fecal matter on the property where the Animal is kept and where it becomes offensive to other members of the community.

11. DANGEROUS OR VICIOUS ANIMAL RESTRICTION

- a. No person shall keep a dangerous or vicious animal within the limits of the Township and any owner, keeper or harbourer of such Animal found to be fierce, dangerous or vicious as defined in this By-Law shall be subject to the penalty provided for in this By-Law.
- b. The By-law enforcement officer has authority to seize any Animals that have bitten or attacked a person or other domestic Animal within the limits of the Township of Bonnechere Valley where the owner is unwilling to surrender the Animal for quarantine for a period in accordance with the Ministry of Health requirements.
- c. Dangerous or Vicious Animals which have attacked and bitten a person or other domestic Animal within the limits of the Township of Bonnechere Valley where the owner, keeper or harbourer of such Animal, and on completion of quarantine requirements, is not willing to hand over such Animal to the Animal Control Officer for the purpose of euthanasia to save further harm to members and Animals of the community, may be subject to the provisions of The Dog Owners Liability Act, Chapter D. 16. or under the provisions of this By-Law.

12. REPORT OF BITE CASES

- a. It shall be expected that every physician or other practitioner shall report the names and addresses of persons treated for bites inflicted by Animals, together with such other information as will be helpful in rabies control to the Renfrew County and District Health Unit.

13. RESPONSIBILITIES OF VETERINARIANS

- a. It shall be expected of every licensed veterinarian to report to the Renfrew County and District Health Unit his diagnosis of any Animal observed by him as a rabies suspect.

14. EXEMPTIONS

- a. Hospitals, clinics, and other premises in operation with 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.
- b. (i)The licensing and pet identification system of this By-Law shall not apply to an Animal belonging to a non-resident of the Township of Bonnechere Valley and kept within the Township for not longer than thirty (30) days provided such Animals shall, at all times while in the Township, be kept within a building or vehicles, or under restraint by the owner by means of a leash not measuring more than two (2) meters in length. The Animal must be duly immunized for rabies within the last 12 months.

(ii) Any person who owns, keeps, harbours or possesses any non-resident Animal within the limits of the Township shall ensure valid pet identification, licensing and immunization papers are kept with the Animal at all times while in the Township. Should the requirements of Section 14 (b) (i) and (ii) be ignored, the owner, keeper, harbourer or possessor shall be subject to the penalty provided for in this By-Law.

15. INVESTIGATION

- a. For the purpose of discharging the duties imposed by this By-Law and to enforce its provisions, any agent of the Township or any Police Officer is empowered to enter upon any premises upon which a Dog or Animal is kept or harboured and to request the exhibition by the Owner of such Dog or Animal. It is further provided that any agent of the Township or any Police Officer may enter the premises where any Animal is kept in a reportedly cruel or inhumane manner and request to examine such Animal and to take possession of such Animal to determine the validity of such complaint or report and to take appropriate corrective measures, if necessary.

16. ENFORCEMENT

- a. The Township By-Law Enforcement Officer shall enforce the provisions of this By-Law.
- b. No person shall interfere, hinder or molest any Township agent while enforcing this Bylaw

17. OFFENCES

- a. Every person who contravenes any section of this by-law is guilty of an offence and upon conviction shall forfeit and pay the fine for such offence as provided for under section 61 of the Provincial Offences Act.

18. REPEALS

- a. By-Law Number 2005-25 is hereby repealed effective as of the date the fines under Section 61 of The Provincial Offences Act for this By-Law are approved.

19. SEVERABILITY

- a. A decision of a competent court that one or more provisions of this By-Law are invalid does not affect the validity, effectiveness or enforce ability of the other provisions or part of provisions of this By-Law.

20. NOTE:

The general penalty provisions for the offences listed above is section 17 of by-law number 2005-36, a certified copy of which has been filed.

20.EFFECTIVE DATE

- a. This By-Law shall come into effect from the date of its passing by Council.

READ A FIRST AND SECOND TIME THIS 13th DAY JUNE 2005.

READ A THIRD TIME AND PASSED THIS 13th DAY JUNE 2005.

Mayor Zig Mintha

CAO Bryan Martin

THE CORPOARTION OF THE TOWNSHIP OF BONNECHERE VALLEY

BY-LAW #2005 – 36 REGULATING & CONTROL OF ANIMALS

ITEM	SHORT FORM WORDING	OFFENCE CREATING PROVISION	SET FINE
1	Failure to Licence Dog	Section 4.1 (a)	\$100.00
2	More than four (4) Dogs per location that are not puppies	Section 3.1 (c)	\$100.00
3	Tag not affixed to Dog	Section 4.1 (c)	\$50.00
4	Affix tag to Dog other than Dog for which it was issued	Section 4.1 (c)	\$100.00
5	Own or operate a kennel without a Licence	Section 5.1 (a) (b)	\$250.00
6	Allow Animal to run at large	Section 10 (a)	\$100.00
7	Interfere, hinder or molest any Agent performing duties	Section 16 (b)	\$400.00
8	Failure to clean up forthwith excrement from Dog	Section 10 (i) (i)	\$50.00
9	Build up of excrement where Dog kept	Section 10 (i)(ii)	\$100.00
10	Failure to comply with an order to leash or muzzle	Section 10 (e)	\$400.00
11	Allow Animal to be a common nuisance by barking or howling	Section 10 (c) (i)	\$75.00
12	Allow Animal to be a common nuisance by biting	Section 10 (c) (ii)	\$75.00
13	Allow Animal to chase or bite at livestock	Section 10 (c) (iv)	\$75.00
14	Allow Animal to chase, bite, bark at motor vehicles	Section 10 (c) (v)	\$75.00
15	Allow Animal to chase, bite, bark at bicycles	Section 10 (c) (vi)	\$75.00
16	Allow Animal to chase, bite, bark at any person walking or riding on any street	Section 10 (c) (vii)	\$75.00
17	Allow Animal to cause damage while running at large	Section 10 (c) (viii)	\$75.00
18	Allow Animal to cause damage to commonly shared property	Section 10 (c) (ix)	\$75.00
19	Failure to vaccinate Animal for rabies	Section 6.1 (a)	\$100.00
20	Possession of an Animal ordered removed from the Township	Section 10 (f)	\$100.00
21	Keeping a farm Animal in a prohibited area	Section 3.1 (a)	\$100.00

NOTE: the general penalty provisions for the offences listed above is section 17 of by-law 2005-36, a certified copy of which has been filed.