

**THE CORPORATION OF THE TOWNSHIP OF KILLALOE, HAGARTY AND  
RICHARDS**

**BY-LAW NUMBER 24-2001**

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 TOWNSHIP OF KILLALOE, HAGARTY & RICHARDS.

WHEREAS Section 210 of The Municipal Act, R.S.O. 1990, Chapter M.45, provides that Council may pass by-laws 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 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 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 MUNICIPAL COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF KILLALOE, HAGARTY & RICHARDS ENACTS AS FOLLOWS:

**1. DEFINITIONS:**

As used in the by-law, the following terms shall have the meaning hereinafter ascribed to them:

**Animal Control Officer** means a person appointed or employed by the Township of Killaloe, Hagarty and Richards for the purposes of supervising all the provisions of this by-law within the limits of the Township of Killaloe, Hagarty and Richards.

**Municipal Law Enforcement Officer** means a person appointed by the Township of Killaloe, Hagarty and Richards 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.

**Animal Shelter** means any premises designated by the Corporation for the purpose of impounding and caring for animals taken by the agents of the Corporation in violation of this bylaw.

**At Large** Any animal will be deemed to be at large when it is off the property of it's owner and not under control of a competent person.

**Corporation** shall mean the Corporation of the Township of Killaloe, Hagarty and Richards.

**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.

**Health Hazard** shall mean

- (a) condition of a premises,
- (b) a substance, thing, plant or animal other than man, or
- (c) a solid, liquid, gas or combination of any of them,

that has or is likely to have an adverse affect on the health of any person;

**Health Unit** shall mean an area that, by or under any Act, is the area of jurisdiction of a board of health

**Immunization** shall mean to protect against disease by annual inoculation of immunizing serums and vaccines.

**Kennel** shall mean any person, group of persons, partnership or corporation engaged in the commercial business of breeding, buying, selling or boarding of dogs.

**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.

**Nuisance Animal** shall mean any domestic animal found to be causing a common nuisance, irritation, annoyance or bother to other persons or other animals.

**Owner** means and includes any person who possesses, keeps, feeds or harbours an animal and "owns" or "owned" shall have a corresponding meaning.

**Pet** shall include dog.

**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 Corporation, are kept and offered for sale.

**Registration Period** shall mean the period from January 1 to December 31 of which year with an extended period to March 31 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.

**Sterilized Animal** shall mean any spayed/neutered dog that is in support of such certificate from a licensed veterinarian.

**Veterinary Hospital** shall mean any establishment maintained and operated with a licensed veterinarian for the diagnosis and treatment of diseases and injuries of animals and birds.

**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.

## **2. ENFORCEMENT:**

The provisions of this by-law shall be enforced by the Corporation, its servants, agents, workmen, employees or any of them.

## **3. KEEPING AND CARE OF ANIMALS:**

- (a) It is prohibited to 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 Township of Killaloe, Hagarty and Richards.
- (b) Any owner of a dog, or person having care and custody of a dog shall remove and dispose of any excrement left by the dog on any property in the township other than the owner's property.

## **4. LICENSING AND ANIMAL IDENTIFICATION SYSTEM:**

- (a) 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 pet tag, numbered and described with the Township, which provision shall be called the Animal Identification System.

The Pet License and Registration fees are as follows:

**For all Spayed/Neutered Pets:**

Before March 31 in any year	\$10.00
After March 31 in any year	\$15.00

**For all Unsterilized Pets:**

Before March 31 in any year	\$15.00
After March 31 in any year	\$20.00

\*\*\$5.00 for each additional dog\*\*

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

(b ) The owner of every dog shall not claim such dog to be sterilized when such dog is not sterilized and wrongful claiming shall subject the owner or harbourer to the penalty provided for in this by-law.

(c) 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 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 of the tag. In the event that a tag is lost, the person to whom it was issued shall immediately claim another from the License Issuer and shall pay, therefore, the sum of TWO DOLLARS (\$2.00) for each tag.

( d) Every owner or harbourer 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 or the harbourer of the penalty provided for in this by-law.

**5. KENNELS:**

(a) Every person who owns, operates or conducts a kennel for pure breed dogs which is registered with the National Kennel Club pursuant to The Statutes of Ontario enacted in that behalf, shall pay to the Township of Killaloe, Hagarty and Richards, immediately following the first day of January in any year, an annual license fee of SEVENTY-FIVE DOLLARS (\$75.00).

(b ) If there is a change of ownership of a kennel during the license year the new owner must purchase a new license.

( c ) (i) No person shall keep kennels for the breeding of dogs other than as set out in Section 5(a) of this by-law within the limits of the Township of Killaloe, Hagarty and Richards without first having received a license so to do. Upon applying for a license to be issued, the applicant shall file with the Treasurer a certificate from the Renfrew County and District Health Unit dated within ten(10) days of the application setting out that the quarters where the kennels for the breeding and boarding of dogs meet the health requirements and whether or not the keeping of such animals as set out in the application for a permit would constitute a nuisance to other residents in the Township of Killaloe, Hagarty and Richards.

(ii) The Clerk-Treasurer of the Township of Killaloe, Hagarty and Richards, upon any application under Section 5(c) (I), 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 Council of the Township of Killaloe, Hagarty and Richards at it' s next regular sitting and the Council may, at it' s discretion, grant or refuse the issuing of a permit hereunder.

(iii) Any license which may be issued pursuant to an application under Section 5(c)(I) shall expire on the 31st day of January in the year following the issuing of such permit and the same requirements for the original application will apply.

#### **6. IMPOUNDMENT:**

(a) Animals found running at large shall be taken up by the agents of the Corporation and impounded in the pound maintained by the Animal Control Officer for the Township of Killaloe, Hagarty and Richards 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. Animals not claimed by their owners at the expiration of (5) days shall become the property of the Corporation and humanely disposed of by the Corporation, 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 Corporation shall not be placed into the animal shelter to save harm to other animals and possible contamination of the pound facility. An attempt shall be made by means of dog tags or other forms of identification 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 perform euthanasia to save further pain/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 animals may be destroyed forthwith.

#### **7. 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 fees set forth in Section 8 of this by-law.

(b)Any animal impounded under the 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 Corporation or it' s agents, 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.

#### **8. REDEMPTION AND IMPOUNDMENT FEES:**

Any animal impounded hereunder may be reclaimed as herein provided for, upon payment by the owner to the Animal Control Facility/Officer of an impoundment fee in the amount of \$25.00 plus, an additional sum of \$5.00 for each day such animal is kept, commencing the second day of confinement.

Redemption & impoundment fees, as set forth herein, and such additional sums as may be deemed necessary for keeping animals, shall be collected by the Animal Control Facility/Officer. The Animal Control Officer/Facility shall return the impoundment fee to the municipality and shall retain the redemption fee to help defray the costs of keeping such animals during the period set forth herein. Redemption fees are deemed to be the mileage and per hour rates charged by the Animal Control Officer/Facility, relating to the collection and impoundment of the animal.

9 . **RESTRAINT:**

(a) No person shall allow his or her animal to run at large. 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.

(b ) No person shall allow their animal 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 street; or,
- (vi) causing damage when running at large;
- (vii) causing damage to commonly shared property.

(c) 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 shall be ordered to remove such animal from the limits of the Township of Killaloe, Hagarty and Richards. 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 Killaloe, Hagarty and Richards. Any person who possesses such animal not having permission to re-enter shall be subject to the penalty provided for in this by-law.

(d) No person who owns, keeps, harbours or possesses any animal shall allow it to trespass on private property even when on a leash.

(e) (i) Any person who owns, keeps, harbours or possesses any animal which defecates on a public, commonly shared or private property, other than that of the said owner or keeper thereof, shall forthwith clean up 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 to the point where it becomes a public health hazard, as defined by the Health Unit.

10. **DANGEROUS OR VICIOUS ANIMAL RESTRICTION:**

Dangerous or vicious animals shall not be kept within the limits of the Corporation and any owner, keeper or harbourer of such animal found to be fierce, dangerous or vicious shall be dealt with under The Dog Owners Liability Act, Chapter D.16.

11. **REPORT OF BITE CASES:**

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.

12. **RESPONSIBILITIES OF VETERINARIANS:**

It shall be the duty 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.

