

NORTH ALGONA WILBERFORCE TOWNSHIP

COPY

BY-LAW No. 99 - 14

BEING A BY-LAW TO REGULATE THE KEEPING AND CONTROL OF ANIMALS: THE LICENCING AND RESTRAINT OF ANIMALS: THE TAKING UP AND IMPOUNDMENT OF ANIMALS: THE DESTRUCTION OF ANIMALS IN CERTAIN INSTANCES AND CERTAIN OTHER ASPECTS OF ANIMAL CONTROL WITHIN NORTH ALGONA WILBERFORCE TOWNSHIP.

WHEREAS pursuant to the Municipal Act R.S.O. 1990, Chapter M.45, Section 210 a municipality may pass By-Laws with regard to regulating the keeping and control of animals; the licencing and restraint of dogs; the taking up, impoundment and destruction of animals, certain other aspects of animal control;

NOW THEREFORE the Council of the Corporation of North Algona Wilberforce Township enacts as follows:

1. DEFINITIONS – as used in this By-Law, the following terms shall have the meaning hereinafter ascribed to them:
 - Animal – refers to only a dog and a bitch as herein described;
 - Corporation – Corporation shall mean North Algona Wilberforce Township;
 - Owner – any person, group of persons, partnership, or corporation owning, keeping or harbouring animals;
 - Kennel – any person, group of persons, partnership, or corporation engaged in the commercial business of breeding, buying, selling, or boarding dogs;
 - Pet Shop – any person, group of persons, partnership, or corporation operating an establishment where live animals are kept and offered for sale;
 - Veterinary Hospital – any establishment maintained and operated by a licenced veterinarian for the diagnosis and treatment of diseases and injuries of animals;
 - Dog – the male of the domesticated canine species;
 - Bitch – the female of the domesticated canine species;
 - Spayed Female – a bitch or female animal which has been operated upon by a licenced veterinarian to prevent conception;
 - Animal Shelter – any premises designated by the Township for the purpose of impounding and caring for animals taken up by the agents of the Township in violation of this By-Law;
 - At Large – any dog, bitch or other animal shall be deemed at large when it is off the property of its owner and not under the control of a competent person and on a leash;
 - Officer – the By-Law Enforcement Officer.
2. The provisions of the By-Law shall be enforced by North Algona Wilberforce Township, its servants, agents, workmen, employees, or any one of them.
3.
 - (a) No person shall own, keep or harbour any dog or bitch within the limits of North Algona Wilberforce Township unless such dog or bitch is licenced in accordance with the provisions hereinafter described.
 - (b) From and after the passing of this By-Law, every owner of every dog or bitch in North Algona Wilberforce Township shall annually, immediately following the first day of January, and not later than the 31st day of March in every year, cause the same to be registered, numbered, described, and licenced for a period of one year thereafter in the offices of North Algona Wilberforce Township.
 - (c) No person shall own, keep or harbour any dog or bitch within the said Township without causing it to wear around its neck a collar, to which collar shall be attached a Township Dog Tag, having raised, cast or stamped thereon, figures indicating the year for which the said licence has been paid, together with a number corresponding with the number under which the said dog or bitch is registered in the offices of North Algona Wilberforce Township.
 - (d) Every owner of a dog or bitch shall pay for such licence tag and registration, the sum hereinafter

4. (a) Every dog shall be licenced as set out yearly by Resolution of Council.

In the event that the dog tag shall become lost, the owner of the dog or bitch for which a tag was issued, may obtain a duplicate tag upon payment of a fee of \$1.00.

- (b) No person shall own, operate, or conduct a kennel without payment to the Township immediately following the first day of January in any year a tax or licence as set out by Resolution of Council and in addition procuring additional tags from the Township for each additional dog or bitch over the above number of five at a cost of \$1.00 per tag providing always that such tags will be for specified dogs or bitches and shall not be used in general from time to time on different dogs or bitches in such kennel.
- (c) If there is a change of ownership of a dog, bitch, or kennel during the licence year, the new owner may have the current licence transferred to his name upon payment of a transfer fee of \$1.00.
- (d) No person shall use for any dog or bitch, a licence receipt or a licence tag issued for another dog or bitch.

5. TAG AND COLLAR

- (a) Upon the compliance of the provisions of subsection 5 (b) of this By-Law, Every owner of a dog or bitch shall be issued a numbered dog tag stamped with the year of issuance. The shape or design of such tag may be changed from year to year.
- (b) Every owner is required to see that the tag is securely fastened to the dog's or bitch's collar or harness which must be worn by the dog or bitch at all times.

6. IMPOUNDMENT

- (a) Unlicensed dogs or bitches found running at large may be taken up by the agents of the Corporation and impounded in the Township dog pound and there confined in a humane manner for not less than three days and may thereafter be disposed of in a humane manner if not claimed by their owners.
- (b) Licensed dogs or bitches not claimed by their owners at the expiration of seven days shall become the property of the Corporation and may be disposed of by the Corporation except as hereinafter provided in the case of certain animals.

7. RESTRAINT

- (a) No owner of any dog or bitch shall permit such dog or bitch to run at large in any of the public parks, squares, drives, streets, lanes, or other public places in the Township or upon any premises not owned or leased by the owner, unless such dog or bitch is accompanied by, and is under the immediate charge and control of some competent person, and such dog or bitch is at all times on a leash. Any dog or bitch found running at large contrary to the provisions of this By-Law will be liable to be captured and disposed of as herein provided. No dogs or bitches are allowed, at any time, on Township Public Beach Areas.
- (b) No owner of any other animal shall permit such animal to run at large in any of the public parks, squares, drives, streets, lanes or other public places in the Township or upon any premises not owned or leased by the owner, unless such animal is accompanied by, and is under the immediate charge and control of some competent person. Any animal found running at large contrary to the provisions of this By-Law will be liable to be captured and disposed of as herein provided.
- (c) Prohibits the persistent barking, calling, or whining or other similar persistent noise making by any domestic pet or any other animal kept or used for any purpose other than agriculture or guard purposes. The prohibited periods are from 23:00 one day to 07:00 the next day.

8. The Corporation or its agents may transfer title to all animals coming into its possession as set forth in Section 7 of the By-Law and may dispose of such animals for and at its discretion.

9. When dogs or bitches are found running at large and their ownership can be ascertained by agents of the Corporation, such dogs or bitches need not be impounded, but the agent may, in his discretion, take the dogs or bitches to their owners and may cite such offending owners for violations of the provisions of this By-Law.

10. Immediately upon the impoundment of dog or bitches, the agents of the Corporation shall make every reasonable effort to notify the owners of such dogs and bitches impounded, and inform such owners of the

12. REDEMPTION OF IMPOUNDED ANIMALS

- (a) The owner shall be entitled to regain possession of any impounded dog or bitch as hereinafter provided, and in the cases of certain dogs or bitches upon compliance with the licence provisions of Section 3 of this By-Law and the payment of all impoundment fees or any other fees as set forth herein.
- (b) Any other animal impounded under the provisions of this By-Law may be reclaimed by the owner upon the payment of impoundment fees or any other fees as set forth herein.
- (c) Any animal impounded under the provisions of this By-Law and not reclaimed by its owner within seven days may be humanely destroyed by the Corporation 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.

13. IMPOUNDMENT FEES

All fees set out by the Animal Control Shelter to be paid by the Owner.

14. CONFINEMENT OF CERTAIN DOGS AND BITCHES

- (a) No owner shall permit any dangerous or vicious dog or bitch to run at large within the Corporation. The owner shall confine such vicious dog or bitch within a building or secure enclosure and shall not take such vicious dog or bitch out of the building or secure enclosure unless the animal is securely muzzled.
- (b) No owner shall permit any bitch in heat to run at large within the Corporation. The owners of such animals shall keep the same confined within a building or secure enclosure or in a veterinary hospital or boarding kennel in such manner that such bitch cannot come in contact with another animal except for breeding purposes.
- (c) No person shall keep any wild animal within the Township limits except under such conditions as shall be fixed by the Corporation provided, however, that wild animals may be kept for exhibition purposes by circuses, zoos, and educational institutions in accordance with such regulations as shall be established by the Corporation.
- (d) Any animal described in sub-section 14 (c) hereof, found at large, shall be impounded by the Corporation and may not be redeemed by owners, unless such redemption be authorized by any Court having jurisdiction.
- (e) When in the judgement of the Corporation or its agents an animal should be destroyed for humane reasons, such animal may not be redeemed.

15. EXEMPTIONS

- (a) Hospitals, clinics, and other premises operated by licenced 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) The licencing requirements of this By-Law shall not apply to any dog or bitch belonging to a non-resident of the Township and kept within the Township for not longer than thirty days, provided such dogs or bitches shall, at all times while in the Township, be kept within a building, vehicle, or be under restraint by the owner.

16. INTERFERENCE

No person shall interfere with, hinder, or molest any agent of the Township in the performance of any duty of such agent, or seek to release any animal in the custody of the Township or its agents, except as herein provided.

- (a) For the purpose of discharging the duties imposed by this By-Law and to enforce its provisions, the Township shall engage the necessary personnel, equipment, vehicles, and facilities necessary to administer the same.
- (b) The Township or its agents shall keep or cause to be kept, accurate and detailed records of the licencing, impoundment, and disposition of all animals coming into the custody of the Township.

17. Any person or persons guilty of an infraction of any of the provisions of this By-Law shall, upon conviction

18. This By-Law shall come into force and take effect on the date of its passing.

READ A FIRST AND SECOND TIME THIS 19th DAY OF April 1999.

James W. Harty
REEVE

Maurice M. Schneider
CLERK TREASURER

READ A THIRD TIME AND FINALLY PASSED THIS 19th DAY OF April 1999.

James W. Harty
REEVE

Maurice M. Schneider
CLERK TREASURER