

CORPORATION OF THE TOWNSHIP OF MACHAR

DOG BY-LAW NO. 15-97

BEING A BY-LAW FOR LICENSING AND REQUIRING THE REGISTRATION OF DOGS AND FOR THE CONTROL OF DOGS WITHIN THE TOWNSHIP OF MACHAR.

WHEREAS the Municipal Act, R.S.O. 1990, as amended, provides that by-laws may be passed by the Councils of local municipalities for providing for animal identification systems; for requiring leashing of dogs; for requiring muzzling and leashing of dogs; for licensing and regulating and requiring the registration of dogs and for imposing a license fee; for prohibiting or regulating the running at large of dogs in the municipality; for seizing and impounding and for destroying, whether before or after impounding, dogs running at large contrary to the by-law.

AND WHEREAS it is deemed expedient that such a by-law be passed.

THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF MACHAR hereby enacts as follows:

1. This by-law may be cited as "The Dog By-Law".
- 2.a) "Dog" means a male or female dog over the age of 12 weeks.
 - b) "Owner" of a dog includes a person who possesses or harbours a dog and, where the owner is a minor, the person responsible for the custody of the minor.
 - c) "By-Law Enforcement Officer" includes the person so designated by the Council to administer and enforce this by-law.
 - d) "Running at Large" shall be deemed to mean any dog found in any place other than the premises of the owner of the dog and not under control of any person.
 - e) "Kennel" means any land on which purebred dogs, registered or eligible for registration under the Animal Pedigree Act of Canada are bred, boarded or trained in accordance with Schedule "B" attached hereto.
- 3.a) Every Person who owns a dog which is kept in the municipality shall, on or before the 31st day of March in each and every year or within 15 days of becoming the owner of such a dog, or within 15 days of becoming a resident of the municipality, register such dog with the municipality and procure a license and dog tag for each dog owned by them.
 - b) Every person described in subsection 3.a) shall pay a permanent life long tag fee in the amount of \$15.00 per dog licensed. There shall be no more than six dogs permitted on a property unless a Kennel License has been obtained.
4. A record shall be kept by the municipality showing the name and address of the owner of the dog, the serial number of the dog tag and the fees paid with respect to each dog.
5. The owner shall keep the dog tag securely fixed on the dog at all times and shall not use a dog tag upon a dog other than that for which it was issued.
6. The replacement fee for a lost dog tag shall be \$5.00.
7. The owner of a kennel of dogs shall pay an annual license fee in the amount of \$100.00 and shall not be liable to pay the annual license fee for each purebred dog. Individual tags will not be issued.
8. No owner of a dog shall allow a dog to run at large within the limits of the municipality or to kill or injure livestock, poultry or other domestic animals.

9. No owner of a dog shall allow their dog to be on a public road or in a public place at any time unless the dog is on a leash and such leash is held onto by a responsible person.
10. Notwithstanding the provisions of section 9, no person shall allow a dog, at any time, in any area designated as a public swimming area.
- 11.a) Every dog found running at large contrary to the provisions of this by-law, with or without a tag, may be seized and impounded by the By-Law Enforcement Officer or their agent. If claimed within 4 days, the dog may be redeemed for poundage levied as levied by the Poundkeeper, or may be destroyed if not claimed within the 4 day period. An attempt will be made to give the recorded owner a 24 hour notice prior to destroying the dog.
- b) Every dog, if impounded and not claimed within the 4 day period, may be sold by the Poundkeeper.
- c) An owner may surrender their dog to the pound for the purpose of adoption or euthanasia upon payment of a surrender fee.
12. The Poundkeeper as appointed by the Municipal Council, is authorized to collect the poundage levied by this by-law and to maintain a pound as directed by the Council and as approved by the Ministry of Agriculture & Food.
13. Where a dog is impounded, the owner, if known shall be liable for the pound fee as levied by the Poundkeeper whether the dog is claimed from the pound or not.
14. Where a dog has been injured on property other than that where it was kept and should be destroyed for humane reasons or for the reasons of safety to persons or animals, the By-Law Enforcement Officer or their agent may kill the dog in a humane manner as soon after seizure as they think fit without permitting any person to reclaim the dog, or without offering it for sale, and no damages or compensations shall be received by the owner on account of its disposal.
15. Every person who contravenes a provision of this by-law is guilty of an offence and is subject to the provision of the Provincial Offences Act.
16. All sections of this by-law shall be deemed to be separate and independent and the invalidity of any section or provision thereof shall not affect the remaining sections.
17. By-Law 15-96 is hereby repealed.

READ a 1st, 2nd, 3rd & Final time this 23rd day of June 1997.

Original signed by Wilfred McLaren
Reeve

Original signed by Brenda Sinclair Paul
Clerk-Treasurer

HW

SCHEDULE "A" – FINES

THE CORPORATION OF THE TOWNSHIP OF MACHAR

BY-LAW NO. 15-97

SCHEDULE OF OFFENCES

<u>Column 1</u>	<u>Column 2</u>	<u>Column 3-Set Fines (Incl. Cost)</u>
1. Fail to register dog and procure license.	Section 3 (a)	\$35.00
2. Fail to keep tag affixed.	Section 5	\$35.00
3. Use tag on dog other than dog for which tag issued.	Section 5	\$35.00
4. Fail to pay kennel fee.	Section 7	\$63.00
5. Owner allow dog to run at large.	Section 8	\$40.00
6. Owner allow dog to kill livestock/poultry.	Section 8	\$40.00
7. Fail to keep dog leashed in public place.	Section 9	\$35.00
8. Owner allow dog in public swimming area.	Section 10	\$40.00

The penalty provisions of the offences indicated above in Section 15 of By-Law No. 15-97, a certified copy of which has been filed.

SCHEDULE "B" – KENNEL REGULATIONS

THE CORPORATION OF THE TOWNSHIP OF MACHAR

BY-LAW NO. 15-97

- 1: No kennel or any part thereof shall be located closer than; 30 metres (98.5) feet to any roadway, 150 metres (492.5 feet) to any residential use on another lot or any boundary of a residential zone.
- 2: The building shall be separated and enclosed and shall not be attached to a dwelling unit or any other building which is or can be used for human habitation.
- 3: The building shall conform to the Building Code Act and be maintained in such a manner as to be free from damage.
- 4: The building shall have a floor of concrete or other impermeable material and shall have a drain opening constructed as a plumbing fixture, and such floor shall be thoroughly cleaned daily, or more often if necessary.
- 5: All dogs shall be kept in adequately sized cages to allow the animal to extend its legs to their full extent, stand or sit, turn around or lie down in a fully extended position, and all cages are to be constructed solely of metal, wire or impermeable concrete block.
- 6: The building shall be maintained in a sanitary, well ventilated, clean condition and free from offensive odours.
- 7: The building shall have windows that may be opened for proper ventilation.
- 8: All dogs shall be kept in sanitary, well bedded, well ventilated, naturally clean quarters and maintain and keep such quarters at a healthful temperature at all times.
- 9: All dogs shall be adequately fed and watered, periodically each day and kept in a clean, healthy condition free from vermin and disease.
- 10: Where dogs are permitted to use an outside area, there shall be constructed around such area, a galvanized chain link fence having a minimum height of 2 metres (7 feet), and shall be deemed part of the building for the purposes of Section 1, Schedule "B".
- 11: Every owner of a kennel shall file with the Township a Certificate from the Medical Officer of Health and the By-Law Enforcement Officer for the Township of Machar that the kennel complies with the requirements of this by-law and any other applicable law and shall file with the Township a survey indicating all building locations.
- 12: No operator or employee of such establishment shall permit the operation to become a nuisance by reason of incessant noise from barking dogs or otherwise.
- 13: Any individual in the employ of the Humane Society, North Bay and District Health Unit or the Township of Machar, who is duly authorized, may at any time enter an operation and inspect to ensure compliance to this by-law.
- 14: Where animals runs are permitted as part of any kennel no operator or employee of such establishment shall permit a dog to utilize the runs between the hours of 8:00 p.m. and 9:00 a.m. except during supervised exercise periods, at which time the operator or employee shall be in direct control of the dog.

BP Jun 11, 1997

File: By-Laws/Dog By-Law 15-97