

By-law Number 924-12

Being a by-law to provide for the licensing, regulation, and registration of dogs.

WHEREAS The Dog Tax and Live Stock & Poultry Protection Act, The Pounds Act, The Public Health Act, The Vicious Dogs Act, and The Municipal Act contain certain provisions enabling municipalities to pass by-laws relating to dogs;

AND WHEREAS it is considered desirable to pass a by-law, to provide for the licensing, regulation, and registration of dogs within the Township of Laird;

NOW THEREFORE the Council of the Corporation of the Township of Laird ENACTS as follows:

TITLE

1. This By-law may be referred to as "The Dog Control By-Law".

DEFINITIONS

2. (a) "Animal Control Officer" shall mean the person or persons, appointed by the Township of Laird to enforce this by-law and any servant or agent of such person employed for such purposes.
- (b) "Kennel" means a place or confine where purebred dogs are bred and raised and registered in the Register for the Canadian Kennel Club Incorporated.
- (c) "Licence" for the purpose of this by-law shall be deemed to be the receipt issued by the Clerk-Treasurer of the Township of Laird or his authorized agent, upon payment of the appropriate licence fee.
- (d) "Owner" shall include any person who possesses or harbours dogs and owns or owned shall have a corresponding meaning and shall include a person or persons who are temporarily the keeper of dogs.
- (e) "Pound" shall mean such premises and facilities designated by the Corporation of Sault Ste. Marie as a City Pound.
- (f) "Purebred" shall mean bred from stock having no admixture as certified by a competent authority.

DOG LICENSING, REGULATIONS AND REGISTRATION

3. (a) Every person and resident in the Township of Laird who is the owner of a dog shall register the dog with the Clerk-Treasurer on or before the 1st day of May in each and every year and pay a licence fee calculated in accordance with Schedule "A" attached to this by-law. If a person becomes an owner of a dog after the 1st day of July in any year, such person may obtain a licence for such dog for the remainder of the licence year upon payment of one-half of the yearly licence fee as set out in Schedule "A" attached to this by-law.

3.

- (b) On payment of the licence fee in accordance with subsection (a) of this section, the Township of Laird shall issue for each dog so registered, a serial numbered licence tag and the year to which it applies and shall cause the name of the owner, the amount paid, the name of the person who paid the fee, the year for which the receipt is issued and a description of the dog for which the licence is issued, to be entered in a record to be kept for that purpose.
- (c) Every owner shall affix to his or her dog the licence tag issued in accordance with subsection (b) of this section and shall keep such tag affixed on the dog at all times until a tag for the next year is purchased and so affixed.
- (d) No owner of a dog shall use a tag upon a dog other than that for which the tag was issued and the licence tag shall expire and become void upon the sale, death, or other disposal of the dog.
- (e) No person other than the owner or his agent shall remove the licence tag from a dog.
- (f) Upon application for a licence tag, the owner shall produce a written certificate of a Doctor of Veterinary Medicine or the local Medical Officer of Health to the effect that the dog has been inoculated with an anti-rabies vaccine within a period of twenty-four (24) months of the date of application for the licence tag.
- (g) Every owner of a dog shall cause such dog to be inoculated with an anti-rabies vaccine before such dog is eight (8) months old.
- (h) If an application is made for a licence for a dog which, at the time of the application, is less than eight (8) months old, subsection (f) of this section shall not prevent the issue of a licence for such dog if the owner files with the Clerk-Treasurer, in a form satisfactory to him, a certificate signed by a Doctor of Veterinary Medicine or the Local Medical Officer of Health stating that an appointment has been made with him to inoculate the said dog for rabies at some time prior to the day on which said dog will be eight (8) months old.
- (i) Every applicant for a licence tag for a spayed female dog or a neutered male dog, shall produce to the Clerk-Treasurer a certificate of a Doctor of Veterinary Medicine that such female dog has been spayed, or that such male dog has been neutered.
- (j) With respect to a dog that is less than eight (8) months old subsection (i) of this section is satisfactorily complied with if the owner of such dog files with the Clerk-Treasurer a certificate signed by a Doctor of Veterinary Medicine that an appointment has been made with him that such female dog will be spayed, or that such male dog will be neutered at some time prior to the day on which such dog will be eight (8) months old.
- (k) Where a licence has been issued pursuant to subsection (j) of this section and the owner fails to cause such dog to be spayed or neutered, as the case may be, before such dog becomes eight (8) months old, then the owner shall pay to the Clerk-Treasurer the additional licence fee as provided in Schedule "A" attached to this by-law.

3.

- (l) When any dog owner fails upon demand to produce to the Clerk-Treasurer the rabies inoculation certificate as set out in subsection (f) of this section, or fails upon demand to pay the required licence fee imposed by subsection (a) of this section, the Clerk-Treasurer or Animal Control Officer shall cause such dog to be impounded in the Pound. The owner may be summoned before a Justice of the Peace who may order the dog to become the property of the Pound which shall, upon such order being made, have the sole discretion to either place the dog for adoption or have the dog destroyed.
- (m) For the purpose of enforcing subsection (l) of this section, the Animal Control Officer or any Peace Officer may enter upon the premises of any such owner to impound such dog.
- (n) The replacement fee for a lost licence tag is set out in Schedule "A" attached to this by-law.

KENNELS

4. If a Kennel licence is issued by the Township of Laird for a kennel of pure-bred dogs registered in the register of The Canadian Kennel Club Incorporated, no further licence fee is required to be paid in respect of such pure-bred dogs while they are a part of the kennel.

CONTROL OF DOGS

5.
 - (a) No person who owns, harbours or possesses any dog shall allow the dog to run at large or trespass on private property.
 - (b) For the purpose of this by-law a dog shall be deemed to be running at large if found in any place other than the premises of the owner of the dog and not under the control of a competent person.
 - (c) Any dog running at large contrary to the provisions of this by-law, may be captured by an Animal Control Officer, any police constable or other person duly authorized by the Judge of the Provincial Court (Criminal Division) or the Chief of Police and delivered to an Animal Control Officer or the Pound.
 - (d) An 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 contrary to the provisions of this by-law.
 - (e) Any dog running at large contrary to the provisions of this by-law may be impounded and may be disposed of as hereinafter provided.
 - (f) The owner of a female dog in heat shall confine such dog in a building or enclosed pen or kennel until such heat has ended.

5.

- (g) Where a dog is captured under this section it shall be returned to the owner's habitual residence, if known, or to the Pound, where it shall be confined, subject to the right of the owner to redeem the dog in seventy-two (72) hours from the time of impounding, excluding the day the dog is impounded and holidays, by paying to the pound-keeper the poundage and in the event the dog is not redeemed within the period as aforesaid, the dog shall become the property of the pound-keeper who may sell the dog or dispose of it as he deems fit, and in either event aforesaid, no damages or compensation shall be recovered on account of its killing or its disposition.
- (h) Where a dog captured under this section is injured or should be destroyed without delay for humane reasons or for reasons of safety to persons or animals, the Animal Control Officer or other duly appointed Officer can kill the dog in a humane manner as soon after capture as he or she thinks fit without permitting any person to reclaim the dog or without offering it for sale, and in that event no damages or compensation shall be recovered on account of its killing.
- (i) Where an Animal Control Officer or other duly appointed Officer finds a dog running at large contrary to this section and he believes it may attack a human being, he is permitted to kill such dog and in that event no damages or compensation shall be recovered on account of its killing.
- (j) Where any person finds a dog running at large contrary to this section and the dog is in the act of attacking or threatening to attack a human being, he is permitted to kill such dog and in that event no damages or compensation shall be recovered on account of its killing.
- (k) No owner shall cause or permit a dog under its control to make excessive noise. If the owner of such dog cannot prevent it from making excessive noise then such dog must be taken inside a fully enclosed building so as not to disturb nearby residents. Where such owner fails to comply with this subsection then an Animal Control Officer or other duly appointed Officer is entitled to enter upon the premises and remove the offending dog or dogs for confinement in the Pound.

PENALTIES

Where Dog Not Impounded

- 6. (a) Where an Animal Control Officer is unable to seize any dog found to be running at large contrary to this by-law and the owner of such dog is known to the Animal Control Officer, an offence notice or summons may be served upon the owner and a fine imposed pursuant to this by-law is recoverable under the Provincial Offences Act, R.S.O. 1980.

Dogs Seized and Impounded

- (b) An Animal Control Officer or an other duly appointed Officer may:
 - (i) seize and impound any dog found running a large; and

6. (b)
- (ii) restore possession of the dog to the owner thereof where:
 - (1) The owner claims possession of the dog within three (3) days (exclusive of the day on which the dog is impounded, statutory holidays and Sundays) after the date of seizure; and
 - (2) The owner pays to the Animal Control Officer or other duly appointed Officer, a fee of ten(\$10.00) dollars in cases where the licensing fee has been paid for such dog and in cases where the licensing fee has not been paid a fee of fifteen (\$15.00) dollars and the licence fee; and
 - (3) The owner pays to the pound-keeper the costs of confinement of the dog for the duration subsequent to the initial day of confinement.
7. (a) Any person who contravenes any provision of this by-law is liable upon summary conviction thereof to a penalty of not less than fifty (\$50.00) dollars and not more than two hundred and fifty (\$250.00) dollars exclusive of costs and every such fine shall be recoverable under the Provincial Offences Act, R. S.O. 1980.

BY-LAW REPEALED

8. By-law 563-82 of the Corporation of the Township of Laird is hereby repealed.

EFFECTIVE DATE

9. This by-law comes into force on the 18th day of July, 2012.

Read a first, second and third time, and finally passed this 18th day of July, 2012.

Mayor

Clerk

SCHEDULE "A"
to
BY-LAW NUMBER 924-12

2. (a), ANIMAL LICENCE FEE

Owner of a kennel for purebred dogs
duly registered in the registry of
The Canadian Kennel Club and holding
a current Township of Laird Kennel Licence -----\$100.00

Each Male Dog -----\$15.00

Each Female Dog -----\$15.00

Each Spayed Female Dog -----\$10.00

Each Neutered Male Dog -----\$10.00

(Veterinarian's Certificate is necessary to certify that dogs have been
spayed or neutered.)

Replacement Fee for a Lost Licence Tag -----\$2.00