

THE CORPORATION OF THE TOWNSHIP OF STRONG BY – LAW #2016-009

Being a By-law to License & Regulate Dogs

WHEREAS Section 11.1 Municipal Act, 2001 as amended, permits municipalities to pass by-laws to license and regulate dogs within the Municipality;

AND WHEREAS Section 129, Municipal Act, 2001 as amended, permits municipalities to pass by-laws to prohibit noises likely to disturb the inhabitants within the municipality;

NOW THEREFORE the Council of the Corporation of the Township of Strong ENACTS AS FOLLOWS:

SHORT TITLE: This By-law may be cited as “The Dog By-law”

1. DEFINITIONS:

- a) “Dog” means a male or female dog over the age of twelve (12) weeks
- b) “Owner” of a dog shall mean and include any person who possesses or harbors a dog and “owns” or “owned” have a corresponding meaning
- c) “Running at Large” shall mean found in any place other than the property on which it was kept or not under the control of any responsible person
- d) “Responsible Person” shall mean a person who has reached the age of reason and shall not include infants or mentally incompetent persons;
- e) “Public Property” shall mean any property in the Township of Strong owned by the Corporation of the Township of Strong and the Near North Board of Education
- f) “Council” means the Council of the Municipal Corporation of the Township of Strong
- g) “Animal Control Officer” includes any person so designated by Council to administer and enforce this by-law
- h) “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 “C” attached hereto for existing Kennels as of June 8th 1999.

2. LICENCING:

- a) No person shall within the Township of Strong own or keep any dog without having obtained a license for the dog and registering the dog with the Township of Strong
- b) The License shall be taken out annually on or before the 31st day of March of each year and shall expire on the 31st day of March of the following year.
- c) The Cost of the license shall be as prescribed in Schedule “A”. This Schedule may be amended by council from time to time and shall not affect the remaining sections of the By-law.
- d) The Owner at the time of purchasing a dog license shall furnish the following information to the Issuer of the License:
 - i. The Name, Address & Phone # of the Owner of the Dog
 - ii. The Breed, Name, Age and description of the Dog
- e) Upon payment of the license fee the owner of a dog shall be furnished with a dog tag and the said tag shall be kept securely on the dog at all times and shall not use the dog tag upon a dog other than the one it was issued to.

- f) The Replacement fee for a lost dog tag shall be prescribed in Schedule "A"
- g) A Record shall be kept by the Clerk showing:
 - i) The Name, Address, Phone # of the Owner of the Dog
 - ii) The Breed, Name, Age and Description of the Dog
 - iii) The serial number of the Dog Tag and the Fees Paid in respect of each dog
- h) The owner of a kennel of dogs that are purebred shall pay an annual fee for the Kennel and is not liable to pay in respect of each Purebred Dogs, any licensing fee under Section 2 (a) of this by-law.

3. RESPONSIBILITIES OF THE OWNER:

- a) No owner of a dog shall allow the dog to run at large within the limits of the Township of Strong
- b) No owner of a dog shall allow the dog to kill or injure livestock, poultry or any domestic animals.
- c) No owner 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.
- d) No owner shall allow their dog, whether leashed or unleashed to trespass on private property.
- e) No owner shall allow their dog at any time, in any area designated as,
 - (i) A public park, which includes a children's play area,
 - (ii) a public beach or public swimming area,
 - (iii) any school yard during school hours
- f) Every owner of a dog shall forthwith clean up and dispose of any excrement left by their dog on any property other than their own. This does not apply to the owners of Seeing Eye dogs or registered handicap assist dogs.
- g) No owner shall permit any dog owned by them to bark or create any noise that is likely to disturb any inhabitant of the Township of Strong
- h) The owner shall keep the tag securely fixed on the dog at all times and shall not use a dog tag upon a dog other than the dog for which it was issued.
- i) No owner or owners living at the same address shall keep more than 5 (five) dogs in any one household over the age of twelve weeks.

4. ANIMAL CONTROL OFFICER:

- a) The Animal Control Officer or their agent as appointed by Municipal Council is authorized to collect the poundage levied upon this by-law and to maintain a pound as directed by council and as approved by the Ministry of Agriculture and Food.
- b) The Animal Control Officer may seize and impound any dog found running at large within the Township of Strong with or without a license. If claimed within four days, the dog may be redeemed for poundage, levied at the current rate per day, as levied by the pound keeper, or may be destroyed if not claimed within seven days. An attempt will be made to give the recorded owner a twenty-four-hour advanced notice prior to the animal being destroyed.
- c) Every dog, if impounded and not claimed within the seven-day period, may be sold by the pound keeper.
- d) Where a dog is impounded, the owner, if known and whether the dog is claimed from the pound or not, shall be liable for the pound fees and

shall pay all fees on demand of the Animal Control Officer.

- e) If the Animal Control Officer or their agent is unable to seize any dog found to be running at large and the owner is known to the Animal Control Officer or their agent, the owner shall receive written notice of a fine as described in Section 6(a).
- f) Where a dog has been injured other than where it is kept and should be destroyed for humane reason or safety to persons or animals, the Animal Control officer or their agent may kill the dog in a humane manner as soon after the seizure as they think fit without permitting any person to reclaim the dog or without offering it for sale. No damages or compensation shall be recovered by the owner on account of its disposal.
- g) Nothing in this Section shall prevent the Animal Control Officer from destroying an animal which is ill or injured and where, in the opinion of the Animal Control Officer, it is incapable of being cured.
- h) Any person may surrender their dog to the pound for the purpose of adoption or euthanasia upon payment of a surrender fee.
- i) Any person may be entitled to take charge of any dog found running at large and deliver same to the Animal Control Officer.
- j) Any person in the Township of Strong may kill any dog:
 - (i) that is found killing or injuring livestock, poultry, or other domestic animals
 - (ii) that is found straying at any time, and not under property control, upon premises where livestock or poultry are kept.
- k) This by-law shall be enforced by the Animal Control Officer, By-law Enforcement Officer or any police officer.

5. SEVERABILITY:

If a court of competent jurisdiction should declare any section or part of a section of this by-law to be invalid, such section or part of a section shall not be construed as having persuaded or influenced council to pass the remainder of the by-law and it is hereby declared that the remainder of the by-law shall be valid and shall remain in force.

6. PENALTY

- a) Every person who contravenes any provision of this by-law is guilty of an offence and on conviction is liable to a fine as provided for in the Provincial Offences Act, R.S.O. 1990, c. P. 33.
- b) Every person who is guilty of an offence under this by-law may, if permitted under the Provincial Offences Act, pay a set fine and the Chief Judge of the Ontario Court (Provincial Division) shall be requested to establish, pursuant to the Provincial Offences Act, set fines in accordance with Schedule "B" of this by-law.

REPEAL

- 1. That By-law #2005-1519 is hereby repealed This By-law shall take effect upon being passed

READ A FIRST AND SECOND TIME THIS 12TH DAY OF APRIL 2016

READ A THIRD TIME AND FINALLY PASSED THIS 12TH DAY OF APRIL, 2016

Linda Maurer, Clerk/Treasurer

Chris Ellis, Mayor

**CERTIFIED to be a true
Copy of By-law 2016-009
Enacted in open council
This 12th day of APRIL 2016**

BY – LAW 2016-009

SCHEDULE 'A'

FEEES

IF PAID PRIOR TO THE 31ST DAY OF MARCH FOR THAT YEAR

- | | | |
|----|---|---------------|
| 1. | FIRST DOG, MALE OR SPAYED FEMALE | \$ 10.00 EACH |
| 2. | FEMALE DOG | \$15.00 EACH |
| 3. | ADDITIONAL DOG | \$15.00 EACH |
| 4. | KENNEL LICENCE Existing as of June 8 th 1999 | \$75.00 EACH |

AFTER THE 31ST DAY OF MARCH FOR THAT YEAR

- | | | |
|----|---|---------------|
| 1. | FIRST DOG, MALE OF SPAYED FEMALE | \$20.00 EACH |
| 2. | FEMALE DOG | \$30.00 EACH |
| 3. | ADDITIONAL DOG | \$30.00 EACH |
| 4. | KENNEL LICENCE Existing as of June 8 th 1999 | \$100.00 EACH |

THE REPLACEMENT FEE FOR A LOST TAG SHALL BE \$ 1.00 EACH

PART 1- PROVINCIAL OFFENCES ACT
TOWNSHIP OF STRONG
BY-LAW # 2016-009
DOG BY-LAW
SCHEDULE "B"

ITEM	SHORT FORM WORDING	PROVISION CREATING OR DEFINING OFFENCE	SET FINE
1	Allow the dog to run at large within the limits of the Township of Strong	S 3.a	\$ 50.00
2	Allow the dog to kill or injure livestock, poultry or any domestic animals.	S 3.b	\$ 100.00
3	Allow their dog to be in public unleashed or leashed – no responsible person	S 3.c	\$ 50.00
4	Allow their dog to trespass on private property.	S 3.d	\$ 50.00
5.	Allow dog at any time in a public park/children's paly area	S 3 e(i)	\$50.00
6.	Allow dog at any time on a public beach or public swimming area	S. 3 e(ii)	\$50.00
7.	Allow dog at any time in any school yard during school hours	S. 3e(iii)	\$50.00
8	Fail to clean up and dispose of excrement	S 3.f	\$ 50.00
9	Permit any dog to bark or create noise that will disturb the public	S 3.g	\$ 50.00
10	Fail to affix tags on dog	S 3.h	\$ 50.00
11	Fail to pay dog pound fee	S 4.d	\$ 100.00
12	Fail to purchase kennel licence	S 2.h	\$ 100.00

Note: The general penalty provision for the offences listed above is section 6 of the bylaw 2016-009

THE CORPORATION OF THE TOWNSHIP OF STRONG BY – LAW
#2016-009

SCHEDULE 'C'
KENNEL REGULATIONS FOR EXISTING KENNELS AS OF JUNE 8TH
1999

1. No New Kennels allowed in the Township of Strong after June 8th 1999.
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 odors.
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 meters (7 feet) and shall be deemed part of the building for the purposes of Section 1, Schedule 'C'
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 Strong that the Kennel complies with the requirements of this by-law and any other applicable law and shall file with the Township of Strong 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, Muskoka Parry Sound Health Unit or the Township of Strong who is duly authorized, may at any time enter an operation and inspect to ensure compliance to this by-law
14. Where animal runs 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 pm and 9 am except during supervised exercise periods, at which time the operator or employee shall be in direct control of the dog.