

**THE CORPORATION OF THE TOWNSHIP OF
STRONG
BY-LAW #2017-015**

**BEING A BY-LAW TO REGULATE OR PROHIBIT THE BEING
AT LARGE OR TRESPASSING OF ANIMALS OTHER THAN DOGS.**

WHEREAS Section 11. (3) (9). of the Municipal Act, 2001, S. 0. 2001, c. 25, as amended, provides that a lower-tier municipality and an upper tier municipality may pass by-laws subject to the rules set out in subsection (4), respecting matters within the following spheres of justice. (9) Animals.

AND WHEREAS Section 103. (1) of the Municipal Act, 2001, S. 0. 2001, c. 25, as amended, provides that municipalities may pass a by-law regulating or prohibiting the being at large or trespassing of animals,

(a) The seizure and impounding of animals being at large or trespassing contrary to the By-law

(b) The sale of impounded animals.

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

**NOW THEREFORE THE CORPORATION OF THE TOWNSHIP OF STRONG
HEREBY ENACTS AS FOLLOWS:**

SHORT TITLE: This By-law may be cited as "The Animal at large by-law".

1. DEFINITIONS:

- a) "animal" means any member of the animal kingdom, other than human.
- b) "bridge" means a public bridge, and includes a bridge forming part of a highway or on, over or across which a highway passes;
- c) "by-law enforcement officer" includes any person so designated by Council to administer and enforce this by-law;
- d) "Council" shall mean the Council of the Corporation of the Township of Strong;
- e) "highway" means a common and public highway, and includes a street and a bridge trestle, viaduct or other structure forming part of a highway and, except as otherwise provided, includes a portion of a highway;
- f) "in charge" means having control of or responsibility for (something)
- g) "Municipality" shall mean the Corporation of the Township of Strong;
- h) "Permit": means to allow (something) to happen
- i) "running at large" shall mean any animal or animals on a highway or bridge, or public or private property other than the owners, when unattended by a competent person or persons
- j) "Trespass" means to enter wrongfully or without proper authority or consent upon the real property of another
- H) "unattended" means: not watched or looked after: lacking a guard, escort, caretaker, etc.

2 SCOPE

- a) No owner or person in charge of cattle, horses, livestock or animal or animals shall permit such animal or animals to run at large or trespass upon a highway.
- b) No owner or person in charge of cattle, horses, livestock or animal or animals shall permit such animal or animals to trespass upon public or private property.

- c) All of the provisions of the Pounds Act, R. S. O. 1990, c.P.17, shall apply to the Corporation of the Township of Strong.
- d) Every owner or person in charge of cattle, horses, livestock or animal or animals shall be required to erect and maintain a fence in accordance with good fencing techniques and such fence shall be adequate enough to contain such cattle, horses, livestock or animal or animals within the fenced area, yard, field or pasture. Notwithstanding the generality of the foregoing, an electric barrier or electric fence may be used provided such barrier or fence is electrified by a constant source of power.
- e) Each fenced area, yard, field, or pasture shall include a gate or gates comprising of a swinging or sliding barrier used to fill or close an access and such gate or gates shall be closed at all times except for the purpose of moving the cattle, horses, livestock, or animal or animals under the direction of the owner or person in charge.

3.

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 "A" of this by-law.

4.

SEVERABILITY

That all sections of this by-law shall be deemed to be separate and independent and the validity of any section or provision thereof shall not affect the remaining sections.

5.

REPEAL

By-law No. 2007-1549 is hereby repealed.

6.

EFFECTIVE DATE:

This By-law shall take effect upon being passed and enacted.

READ A FIRST AND SECOND TIME THIS 9th day of May 2017

READ A THIRD TIME AND FINALLY PASSED THIS 9th day of May 2017

MAYOR: CHRISTINE ELLIS

CLERK: LINDA MAURER

**THE CORPORATION OF THE
TOWNSHIP OF STRONG
BY-LAW 2017-015
SCHEDULE "A"
SET FINE AMOUNTS
Provincial Offences Act-Part I**

ITEM	SHORT FORM WORDING	PROVISION CREATING OR DEFINING OFFENCE	SET FINE
1	Permit such animal or animals to run at large or trespass upon a highway	2.a)	\$300.00
2	Permit such animal or animals to run at large or trespass upon public or private property	2.b)	\$300.00
3	Fail to erect and maintain a fence in accordance with good fencing techniques and such fence shall be adequate enough to contain such cattle, horses, livestock or animal or animals within the fenced area, yard, field or pasture.	2.e)	\$300.00

**Note: The general penalty provision for the offences listed above is section 3 of the By-law 2017-015,
A certified copy of which has been filed.**