

**THE CORPORATION OF THE
TOWNSHIP OF ADELAIDE METCALFE**

BY-LAW NUMBER No. 44 of 2023

**BEING A BY-LAW TO REGULATE AND GOVERN ANIMALS, INCLUDING EXOTIC
ANIMALS WITHIN THE TOWNSHIP OF ADELAIDE METCALFE**

WHEREAS Section 8 of the *Municipal Act, 2001*, S.O. 2001, c. 25 ("**Municipal Act**") provides that a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising the authority under the Act;

WHEREAS Section 11 of the *Municipal Act* as amended provides that a lower-tier municipality may pass by-laws respecting the health, safety and well-being of persons;

AND WHEREAS Section 11 of the *Municipal Act*, S.O. 2001, c.25, provides that lower-tier municipalities may pass by-laws respecting animals;

AND WHEREAS the *Municipal Act* confers the power upon a municipality to pass a By-law to provide for the seizure and impounding of animals being at large or trespassing and the sale of impounded animals under certain conditions;

AND WHEREAS Section 103(1) of the *Municipal Act*, provides specifically that a By-law may provide for the impounding of animals;

AND WHEREAS Section 425 of the *Municipal Act*, establishes that any person who contravenes any By-law of the municipality is guilty of an offence;

AND WHEREAS Section 429 of the *Municipal Act* provides that a municipality may establish a system of fines for offences under a By-law of the municipality; and

NOW THEREFORE the Council of the Corporation of the Township of Adelaide Metcalfe enacts as follows, and deems it necessary to repeal By-law #26-2016 and 36-2009.

SECTION 1
SHORT TITLE

1. SHORT TITLE

This By-law may be cited as the Township of Adelaide Metcalfe "Animal Control By-law" or "By-law"

SECTION 2 DEFINITIONS

2. DEFINITIONS

In this By-law:

- 2.1 **“Aggressive Dog”** – means a dog which, in the opinion of the Municipality, Clerk, Council, By-law Enforcement Officer, or their designate, has demonstrated excessive and/or unprovoked aggression, or is of a threatening disposition.
- 2.2 **“Animal Control Officer”** – means an individual or association appointed by Adelaide Metcalfe Council enforcing Animal Control in the Township.
- 2.3 **“Animal”** – means any living organism belonging to the animal kingdom, excluding humans, and encompasses a variety of creatures, such as reptiles, arachnids, domestic animals (including canines and felines), domestic fowl, animals raised for commercial purposes, Livestock Guardian Dogs, animals kept for hobbies (e.g., breeding, showing, or sporting), household pets, exotic animals, livestock, pigeons, wild animals, and birds.
- 2.4 **“Assistance Dog”** – means a guide dog within the meaning of the *Blind Persons' Rights Act*, a hearing ear dog, where a certificate is produced from a recognized training establishment stating the dog is being used as a hearing assistance dog, a working dog, where a certificate is produced from a recognized establishment stating that the dog is being used as a working dog to assist a disabled person; is used for search and rescue or law enforcement; or is a member of Therapeutic Paws of Canada.
- 2.5 **“Bite”** – means the breaking, puncturing or bruising of the skin of a person or a domestic animal caused by the tooth or teeth of a dog.
- 2.6 **“By-law Enforcement Officer” or “Officer”** – means a person appointed by the Township of Adelaide Metcalfe for enforcing the provisions of this By-law or a Police Officer.
- 2.7 **“Certificate of Registration”** – means a certificate of registration issued by an association incorporated under the *Animal Pedigree Act*, R.S.C., for an animal of a distinct breed or issued by the Canadian Kennel Club, American Kennel Club or by the United Kennel Club.
- 2.8 **“Competent Person”** – means a person having the strength and capacity to securely control a dog so as to not permit or allow unwanted contact with another person or animal.

- 2.9 **"Council"** – means the Council of the Corporation of the Township of Adelaide Metcalfe.
- 2.10 **"Dog"** – means a canine of the species *canis familiaris* and includes both male and female of the species.
- 2.11 **Dog Owners' Liability Act** – means the *Dog Owners' Liability Act, R.S.O. 1990, Chapter D.16*, as amended or replaced.
- 2.12 **"Domestic Cat"** – means a feline which would customarily share human habitat and which would normally be considered dependent on humans for food and shelter. Shall not include a feline considered to be wild or indigenous to a species which would normally be considered to be wild.
- 2.13 **"Domestic Fowl"** – means any feathered vertebrate animal living in or near the habitations of humans and not being wild; shall include, but not be limited to hens, chickens, ducks, geese, turkeys but shall not include pigeons, song birds or vertebrates commonly kept as domestic pets such as parrots, budgies, cockatiels.
- 2.14 **"Household pet"** – means a domestic animal that is taken into the care of one or more persons for the purpose of personal enjoyment or protection which normally spends time in the dwelling unit of the owner and shall include but not be limited to caged birds, caged rodents or rabbits, cats, dogs, tropical fish and non-poisonous indigenous reptiles but shall not include livestock or any animal listed as a prohibited animal in this By-law.
- 2.15 **"Impound"** – means to confiscate, confine, hold or take possession.
- 2.16 **"Livestock Guardian Dog"** – means a dog that is specifically trained to work and/or live with domestic farm animals (i.e. cattle, sheep, etc.) without causing them harm while aggressively repelling predators and is used exclusively for that purpose.
- 2.17 **"Ontario SPCA"** – means the Ontario Society for the Prevention of Cruelty to Animals as defined in the *Ontario Society for Prevention of Cruelty to Animals Act, R.S.O. 1990, c O.63*, as amended;
- 2.18 **"Off Leash Dog Recreational Area"** – means a specific confined area designated by Council, from time to time, where a dog owner is permitted to allow his or her dog to run at large, and is not required to leash such dog.
- 2.19 **"Municipality"** – means the Corporation of Township of Adelaide Metcalfe.
- 2.20 **"New Registration Fee"** – means a fee charged by the Municipality for a dog or cat tag where such dog or cat has not previously been registered by the current owner in the Municipality.
- 2.21 **"Owner"** – means any person who owns, possesses, harbours or has custody of an animal and, where the owner is a minor, the person responsible for the custody of the minor. Shall also include a person who is temporarily the keeper of the animal.

- 2.22 **“Physically Disabled Person”** – means a person with any degree of physical disability, infirmity, malformation or disfigurement that is caused by bodily injury, birth defect or illness and, without limiting the generality of the foregoing, includes a brain injury, any degree or paralysis, amputation, lack of physical co-ordination, blindness or visual impediment, or physical reliance on a dog guide or other animal or in a wheelchair or other remedial appliance or device including but not limited to crutches or braces.
- 2.23 **“Person”** – includes an individual or individuals, or a corporation and the heirs, executors, administrators or other legal representatives of a person to whom the context can apply according to law, and for the purpose of this By-law also includes any person whose name appears as the registered owner of the subject animal, any person who harbours, keeps, has charge of, possesses or is an owner of the subject animal, the registered owner or occupant of the property where the subject animal is being kept or harboured, and where the person is a minor, the person or persons responsible for the custody of the minor.
- 2.24 **“Pet Shop”** – means an establishment lawfully engaged in the retail sale of animals.
- 2.25 **“Physically Restrained by Any Person”** – means when used in reference to dogs shall mean held securely by the said person on a leash not exceeding 3 metres in length, or confined to a cage, kennel or the interior of a vehicle from which the dog cannot escape, providing that such confinement is under the direction or supervision of either the registered owner, a person designated by the registered owner, a peace officer or Municipal Law Enforcement Officer and provided that the dog is not by reason of such confinement in apparent physical distress or exposed to the risk of imminent physical harm.
- 2.26 **“Pound”** – means premises that are used for the confinement, maintenance or disposal of animals that have been impounded pursuant to this By-law.
- 2.27 **“Pound Keeper”** – means such person, service or agency designated or appointed to maintain and administer the premises and facilities operated as a pound.
- 2.28 **“Premises”** – includes the lands and structures on a separately assessed parcel of land but does not include a multiple dwelling.
- 2.29 **“Proof”** – means documentation signed by a qualified veterinarian attesting to the age and breed of the animal together with vaccination history, the name and address of the qualified veterinarian administering such medical services and the dates such services were administered, all documentation submitted shall be to the satisfaction of the Municipality.
- 2.30 **“Purebred Dog”** – means a dog recognized as purebred of a distinct breed, by the Canadian Kennel Club, or by the American Kennel Club, or by the United Kennel Club or by any other association incorporated under the Animal Pedigree Act, R.S., 1985, c. 8.

- 2.31 **“Register” or “Registration”** – means to register and license your dog pursuant to the requirements in this By-law.
- 2.32 **“Registered Owner”** – means the person whose name appears on the animal license.
- 2.33 **“Residential Dwelling Unit” or “Dwelling Unit”** – means a suite of rooms used or intended to be used as a housekeeping unit by one or more persons and usually containing cooking, eating, living, sleeping and sanitary facilities.
- 2.34 **“Running at Large” or “Dog at Large”** – means to be found or to have been found, not physically restrained by any person, in any place other than the premises of the registered owner or the person that owns the animal, unless found in any area designated as an off leash area by the Municipality, while under the direct supervision of the registered owner or a person designated by the registered Owner.
- 2.35 **“Service Dog”** – means a dog that has been certified by a nationally recognized organization or association in providing assistance to a person by means of, guiding, hearing or providing the necessary emotional therapy to a person with a disability or impairment.
- 2.36 **“Service Animal”** – means an animal trained to do work or perform tasks for the benefit of an individual with a disability including, but not limited to, those with visual or hearing impairment and having the qualifications prescribed by the regulations made under the Human Rights Code, R.S.O. 1990c. H.19, the *Blind Persons’ Rights Act*, R.S.O. 1990, c. B. 7. and/or the *Accessibility for Ontarians with Disabilities Act*, S.O. 2005, C. 11;
- 2.37 **“Society”** – means the Ontario Society for the Prevention of Cruelty to Animals.

SECTION 3 **KEEPING OF ANIMALS**

3. Every Person or animal Owner must ensure that the animal under their care is treated in a humane manner, which encompasses the following provisions:
- a. Providing the animal with adequate shelter that effectively protects it from exposure to the elements.
 - b. Providing the animal with shelter that is appropriate in size and design, taking into consideration the animal's breed and physical requirements.
 - c. Ensuring the animal has a sufficient and easily accessible supply of potable water.
 - d. Supplying the animal with food that meets its nutritional requirements in terms of type and quantity.

- e. If it is customary to keep a dog or cat outdoors, the Person owning such an animal is obligated to provide a structurally sound and weather-proof enclosure with off-the-ground flooring at all times.
- f. Requiring every Person who owns an unspayed female dog to confine the dog during each heat cycle to prevent attracting other dogs.
- g. Prohibiting the tethering of dogs on chains, ropes, or similar restraining devices that are shorter than 3.5 meters in length within the boundaries of the Municipality.
- h. Prohibiting any Person or Owner from subjecting an animal to unsanitary living conditions.

SECTION 4 **LICENSING OF DOGS**

- 4.1 Every Person or Owner of a dog over the age of sixteen (16) weeks shall license the animal with the Municipality and shall obtain a licence and tag for the animal.
- 4.2 Every Person or Owner of a dog over the age of sixteen weeks is required to license the animal with the Municipality and obtain a corresponding licence and tag.
- 4.3 At the time of licensing, the Owner must ensure that the rabies vaccination for the animal is up to date and maintained throughout the licence term.
- 4.4 Upon licensing the animal, every Person or Owner of a dog must pay a licence fee to the Municipality, as specified in the Municipality's Fees and Charges By-law.
- 4.5 Once the licence fee is paid, the Owner must securely affix the tag provided by the Municipality on the dog or cat at all times.
- 4.6 No Person or Owner shall attach or allow the attachment of a tag issued by or on behalf of the Municipality to any dog or cat other than the specific animal for which the tag was issued.
- 4.7 Each tag shall bear an identification number, and the Clerk of the Municipality or a designated person shall maintain a record containing the Owner's name, address, and other relevant information, along with the tag's identification number.
- 4.8 The Municipality reserves the right to refuse the issuance of a dog licence to any person found to be in violation of this By-law.
- 4.9 Only the Owner or their agent is authorized to remove a tag from a dog.

- 4.10 In the event that a dog or registration tag is lost, the Owner must promptly apply to the Municipality, pay a replacement fee as determined by the fees established in the Municipality's Fees By-law, and provide any required information upon request.
- 4.11 Livestock Guardian Dogs are subject to licensing and follow the same process as dogs or cats, including payment of the corresponding fee. Additionally, the Owner must provide the Municipality with the farm's name, lot and concession number of the farm location, and a valid Farm Business Registration Number. The Municipality may exercise discretion in accepting this information or requiring further details from the Owner.
- 4.12 The following situations are exempt from the requirements stated in section 4:
- a. Puppies kept with the mother for a period of ninety (90) days following birth are not required to be licensed.
 - b. Dogs kept under a respite program sponsored by the Ontario SPCA or an Affiliated Society, as defined in the *Ontario Society for the Prevention of Cruelty to Animals Act*, R.S.O. 1990, c O.63, as amended, are not required to be licensed, provided the dog is microchipped.
 - c. Assistance dogs must be licensed as per this section but are exempt from dog license fees, replacement dog tag fees, or administration fees upon presenting satisfactory proof to the Municipality that the dog qualifies as an Assistance Dog, as defined in this By-law.

SECTION 5 **NUMBER OF DOGS**

- 5.1 No Owner shall store or house more than three (3) dogs in any residential dwelling unit or any structure used for residential, commercial, industrial, or institutional purposes within the Municipality.
- 5.2 The following situations are exempt from the requirement stated in section 5.1:
- a. The operation of a licensed kennel dedicated to breeding or boarding Animals under the provisions of the applicable Municipal By-laws and Zoning By-law.
 - b. An animal hospital owned and operated by a veterinarian licensed by the Ontario Veterinarian Association.
 - c. Pet stores in conformity with Zoning requirements of the Municipality.
 - d. Licensed Shelters or Pounds
 - e. Puppies may be kept with the mother for a maximum period of ninety (90) days following birth without being subject to the limitation in Section 5.1.

- f. Livestock Guardian Dogs – to be exempt from the limitation on owning more than three (3) dogs, the Owner must provide the Municipality with proof of permitted domestic farm animals on their property, along with a valid Farm Business Registration Number. The Municipality may use its discretion in granting permission to the Owner for keeping more than three (3) dogs in such cases. If the Municipality approves the Owner to have Livestock Guardian Dogs, the maximum limit shall be six (6) dogs unless the Owner can provide compelling reasons for needing a greater number. The Municipality retains sole discretion in approving such requests.

SECTION 6

NUMBER OF DOMESTIC CATS

- 6.1 No Person or Owner shall keep or house more than four (4) cats in any residential dwelling unit, or any structure used for residential, commercial, industrial or institutional purposes, or on any residential premises within the Municipality.
- 6.2 Exemptions to section 6.1 above:
 - a. The operation of a licensed kennel dedicated to breeding or boarding Animals under the provisions of the applicable Municipal By-Laws and Zoning By-Law.
 - b. Animal hospitals owned and operated by veterinarians licensed by the Ontario Veterinarian Association .
 - c. Pet stores in conformity with Zoning requirements of the Municipality.
 - d. Licensed Shelter or Pounds
 - e. Cats kept on lands zoned agricultural and used for agricultural operations, as defined in the *Farming and Food Production Protection Act*, 1998, S.O. 1998, c. 1.
 - f. The fostering of one (1) adult cat and up to nine (9) kittens under the age of twelve (12) weeks is permitted as part of a program sponsored by the Ontario SPCA or an Affiliated Society, as defined in the *Ontario Society for the Prevention of Cruelty to Animals Act*, R.S.O. 1990, c O.63, as amended or replaced. The cats must receive appropriate vaccinations based on their age and shall not be allowed to roam freely.
 - g. Cats may be kept in a kennel that has received approval in accordance with and operates in compliance with the Municipality's Zoning By-law.

- h. The use of agriculturally zoned lands for keeping cats is permitted, provided that the number of cats or specific details related to them do not infringe upon the regulations outlined in the Municipality's Zoning By-law.

SECTION 7 **CONTROL OF DOGS AND CATS**

7. General Control Provisions:

- 7.1 No Person or Owner shall knowingly or unknowingly allow a dog or cat to roam freely within the limits of the Municipality. A dog or cat shall be considered running at large when found outside the Owner's property and not under the control of any person.
- 7.2 Any Person has the authority to take custody of any dog or cat found running at large and must promptly deliver the dog or cat to an Animal Control Officer, Pound, Shelter, veterinary office, or Officer.
- 7.3 This section does not grant any Person the right to enter private premises.
- 7.4 A By-law Enforcement Officer, Pound Keeper or Animal Control Officer is authorized to seize and impound any dog or cat if found running at large.
- 7.5 A dog shall not be deemed to be running at large when present within a designated leash-free area established by the Municipality.
- 7.6 A dog shall be considered not under verbal control of the Owner in a leash-free area if it attacks or bites a person or another animal or fails to comply with the Owner's verbal commands.
- 7.7 No Owner shall knowingly or unknowingly allow their dog or cat to attack or bite a person or domestic animal.
- 7.8 Every Owner must keep their dog or cat leashed and under the control of a responsible person when off the Owner's property, unless the person owning the land grants prior consent.
- 7.10 No Person or Owner shall permit their dog or cat to dig holes or destroy vegetation on any property other than their own.
- 7.11 No Person or Owner shall permit their dog or cat to enter areas designated for public water activities, including splash pads, areas designated for wading, bathing, swimming, or adjacent beaches.

7.12 Leash Free Areas:

- 7.13 A pit bull, if permitted under the *Dog Owners Liability Act*, shall be leashed and muzzled at all times when in the Municipality.
- 7.14 Every Person or Owner of a dog, in a leash free area, shall ensure that their dog is under verbal control and within visual sight at all times
- 7.15 No Person or Owner shall have in their control, care or possession more than three (3) dogs while in a leash free area. No Owner or Person, in a leash free area, shall leave their dog unattended.
- 7.16 Every Person or Owner of a dog, in a leash free area, shall immediately leash their dog if it shows aggressive behaviour towards any person or other domestic animal.
- 7.17 Every Person or Owner of a dog, in a leash free area, shall be at least 18 years of age and capable of controlling the dog.
- 7.18 Every Person or Owner or any person attending a leash free area does so at their own risk.

SECTION 8
SEIZING AND IMPOUNDING ANIMALS

- 8.1 A By-law Enforcement Officer, Pound Keeper, or Animal Control Officer is authorized to seize and impound any dog or cat found running at large, attacking another animal or person, posing a threat to itself, anyone, or any property, or in any other reasonable circumstance. In such situations, the By-law Enforcement Officer or Animal Control Officer shall deliver the animal to a shelter, Pound, Pound Keeper, Veterinary Office, or any other suitable establishment.
- 8.2 It is the duty of the By-law Law Enforcement Officer, Animal Control Officer, or other duly appointed officer to impound or detain all dogs or cats found running at large in accordance with this Animal Control By-law. The Officer shall:
 - a. Return the dog or cat to the Owner, if the Owner is known; or
 - b. Impound the dog or cat, allowing the Owner the right to redeem the dog or cat.
- 8.3 To restore possession of a dog or cat to the Owner, the following conditions must be met:
 - a. The Owner claims possession of the dog or cat;
 - b. The Owner pays an impoundment fee for each day or part thereof that the dog or cat was impounded;

- c. The dog or cat is registered under Section 4 of this By-law;
 - d. The Owner pays the Municipality for any necessary veterinary care received by the dog or cat while in possession of the By-law Enforcement Officer for the well-being of the animal; and
 - e. The Owner pays the shelter for any necessary veterinary care received by the dog or cat while impounded for the well-being of the animal.
- 8.4 If, on the sixth day (excluding Sundays and statutory holidays) following the seizure and impounding, possession of the dog or cat has not been restored to the Owner under Section 8 of this By-law, the Animal Control Officer, Pound Keeper, Pound, or shelter staff may:
- a. Sell or give away the dog or cat; or
 - b. Euthanize the dog or cat in a humane manner. No damages or compensation shall be sought or awarded in relation to the disposition or destruction of the animal.
- 8.5 If a seized and impounded dog or cat is injured or requires immediate euthanasia for humane reasons or for the safety of persons or animals, the Animal Control Officer, its agents, or shelter staff may euthanize the dog or cat in a humane manner as soon as deemed appropriate after seizure. No person shall claim possession of the dog or cat, and no damages or compensation shall be sought or awarded for its destruction.
- 8.6 If the shelter, Pound or Municipality determines it necessary to euthanize a dog or cat under the provisions of Section of this By-law, every effort shall be made to contact the Owner and allow the Owner to transfer the animal, at the Owner's sole expense, to a veterinarian's office.
- 8.7 Where a By-law Enforcement Officer, Animal Control Officer or other duly appointed officer impounds or detains a dog or cat found running at large in violation of this By-law, and the Owner of the animal is known, and the animal does not pose a threat to itself, anyone else, any other animal, or any property, the officer may, at their sole discretion, return the dog to the Owner. In such cases, an Animal Control Services Fee may be issued to the Owner, payable within seven (7) days of the dog's return. Failure to pay the fee will result in it becoming a debt owed by the Owner, collectible under the debt provisions of the *Municipal Act*.
- 8.8 Where a By-Law Enforcement Officer, Animal Control Officer or other duly appointed officer impounds or detains an animal pursuant to any Section of this By-Law, any and all costs, including the Municipality's administrative costs and fees associated with the capture, pouncing and care of the animal shall be fully (100%) paid by the owner of the animal. Without limiting the above, any failure to pay the associated costs of the capture, pouncing and care of the animal, including administrative costs, the Municipality reserves the right to add said associated costs and expenses to the tax roll of the animal Owner and collect the debt for such expenses in a like manner as municipal taxes, as set out in the *Municipal Act*.

SECTION 9
PITBULLS

- 9.1 No Person shall own a pit bull unless the pit bull meets the requirements of a restricted pit bull as defined in the *Dog Owners' Liability Act*.
- 9.2 The provisions of Section 9 of this By-law will remain in effect until such time as the sections or regulations of the *Dog Owners' Liability Act* that impose restrictions or prohibitions on the ownership or control of pit bulls are repealed or amended. This revised wording clarifies that owning a pit bull is subject to meeting the requirements of a restricted pit bull as defined in the *Dog Owners' Liability Act*. It also specifies that the provisions of Section 9 will continue to be enforced until any relevant sections or regulations in the *Dog Owners' Liability Act*. are changed or removed.

SECTION 10
PROHIBITED EXOTIC ANIMALS

- 10.1 No Person or Owner shall own, harbour, possess, keep, sell, or offer for sale any animal listed below as a pet or for any other purpose or for any period of time:
- a. All marsupials (such as kangaroos and opossums)
 - b. All non-human primates (such as gorillas and monkeys)
 - c. All felids (such as lions and tigers), except for the domestic cat
 - d. All canids (such as wolves and hybrids), except for the domestic dog
 - e. All viverrids (such as mongoose, civets, and genet)
 - f. All mustelids (such as skunks, weasels, otters, and badgers), except the domestic ferret
 - g. All ursids (bears)
 - h. All artiodactylous ungulates (such as domestic goats, sheep, pigs, and cattle)
 - i. All procyonids (such as raccoons, coatis, and cacomistles)
 - j. All hyenas
 - k. All pinnipeds (such as seals, fur seals, and walruses)
 - l. All snakes of the families Pythonidae and Boidae
 - m. All venomous reptiles
 - n. All ratite birds (such as ostriches, emus, rheas, cassowaries)
 - o. All diurnal and nocturnal raptors (such as eagles, hawks, and owls)
 - p. All edentates (such as anteaters, sloths, and armadillos)
 - q. All bats
 - r. All crocodylians (such as alligators and crocodiles)
 - s. All arachnids (such as tarantulas)
 - t. All galliformes (such as grouse, pheasants, turkeys)
 - u. All anseriformes (such as ducks, geese, swans)
 - v. All sciuridae (such as prairie dogs, giant squirrels, and flying squirrels)
 - w. All perissodactylous ungulates (such as horses and zebras)

- x. All elephants
- y. Any other exotic animal not specified above or animal recognized as "alternate livestock" by the Ontario Ministry of Agriculture and Food or "farmed animal" as recognized by the Ministry of Natural Resources and Forestry.

10.2 Exceptions to Prohibition: Notwithstanding Section 10.1 (a-y), the exotic animal prohibition shall not apply to the following:

- a. Circuses;
- b. Premises operated by the Ontario Society for the Prevention of Cruelty to Animals;
- c. Veterinary hospitals under the control of a licensed veterinarian;
- d. Individuals holding a license under any statute of the Legislature of Ontario or the Government of Canada, permitting the keeping of animals under specified conditions;
- e. Animals being displayed or exhibited for a set period of time in a Municipally sanctioned event, operated in accordance with all applicable Municipal By-laws; or
- f. Premises of an Institution of Education where animals are kept for research, study, or teaching purposes, or on premises registered as Research Facilities under the *Animals for Research Act*, R.S.O. 1990, A.22, as amended;

SECTION 11

GENERAL PROVISIONS AND PROHIBITIONS

- 11.1 No Person shall keep any fox(es) within the limits of the Municipality.
- 11.2 No Person shall keep any mink within the limits of the Municipality.
- 11.3 No Person shall keep any domestic fowl, as defined by this Animal Control By-law, on any residential lot or in any residential dwelling unit within the Municipality.
- 11.4 Notwithstanding the provisions of section 11.3 above, any Person may keep any number of domestic fowl on any lot in any area within the Municipality that is zoned as Agricultural or Industrial.
- 11.5 No Person shall keep any cattle, goats, sheep, or swine within the limits of the Municipality, unless it's permitted under the Municipality's Zoning By-law.
- 11.6 No Person shall keep more than twelve (12) rabbits, with no more than two (2) over the age of six (6) months, within any residential lot or in any residential dwelling unit within the Municipality.
- 11.7 Domestic animals, excluding dogs, cats, and domestic fowl as defined by this By-law, must be contained within the Owner's property using fencing or other reasonable methods, including pens and flight cages, to ensure neighboring properties are not disturbed or hindered from enjoying their property.

- 11.8 No Person shall fail to obtain a license for a kennel in accordance with the applicable Municipal By-law.
- 11.9 No Person shall fail to promptly and hygienically remove and dispose of dog excrement left by a dog in their possession, anywhere within the Municipality, except when the excrement is left by an assistance dog during the performance of its duties.
- 11.10 No Person shall fail to take reasonable precautions to prevent a dog from biting, attacking a person or domestic animal, or behaving in a manner that poses a menace to the safety of persons or domestic animals.
- 11.11 Except as provided in this By-law, no Person shall keep or permit to be kept more than four (4) of any one species of household pet at any premises, unless such keeping is in compliance with the Municipality's Zoning By-law.
- 11.12 No Person shall permit a dog to bark continuously and excessively at any time, causing disturbance to the quality of life of residents in the Municipality. However, if the Municipality deems a dog(s) to be a Livestock Guardian Dog actively engaged in its duties, it shall be exempt from this section, provided that the dog(s) does not unreasonably bark and cause a disturbance.
- 11.13 The prohibition on owning prohibited animals, as stated in this By-law, does not apply to the following agricultural exemptions contained in section 11.14 below. Animals may be kept on land that satisfies the following conditions: a) the land is zoned for agricultural use in accordance with the Municipality's Zoning By-law; and b) the land is lawfully utilized for agricultural purposes permitted on such land.
- 11.14 The agricultural exemptions include, but are not limited to, the following animals:
- a. Horse
 - b. Zebra
 - c. Donkey
 - d. Pony
 - e. Mule
 - f. Cow or Steer
 - g. Goat
 - h. Swine
 - i. Mink
 - j. Fox
 - k. Sheep
 - l. Chinchilla
 - m. Chicken
 - n. Turkey
 - o. Peafowl
 - p. Emu
 - q. Grouse
 - r. Pheasant

- s. Duck
- t. Geese
- u. Swan
- v. Guinea Hen
- w. Any other domestic farm animal.

SECTION 12 **ANIMAL EXEMPTIONS**

- 12.1 Notwithstanding the provisions outlined in this By-law, an Owner may be permitted to keep prohibited animal(s) subject to compliance with the following conditions:
- a. The prohibited animal was already present on a property within the Municipality prior to the adoption of this By-law, and the Owner has previously registered the prohibited animal(s) at the Municipality's office, and the Municipality has already approved the animal.

SECTION 13 **ENFORCEMENT AND PENALTIES**

- 13.1 Any Police Officer, By-law Enforcement Officer or Animal Control Officer is hereby authorized to enforce the provisions of this By-law.
- 13.2 Every Person or Owner shall allow any Officer to conduct inspections of the premises where their animal(s) are kept or to make necessary inquiries to ensure compliance with the provisions of this By-law.
- 13.3 Any Person or Owner who contravenes any provision of this By-law commits an offence under the *Provincial Offences Act*, R.S.O 1990, c P.33, as amended or replaced. Upon conviction, they may be liable for a penalty not exceeding \$5,000, exclusive of costs.

SECTION 14 **SEVERABILITY**

- 14.1 If any section, clause or provision of this Animal Control By-law be held by a Court of competent jurisdiction to be invalid, in whole or in part, the validity of the remainder of that section, clause or provision and the validity of the remainder of this Animal Control By-law shall not be affected thereby. Each section, clause or provision of this Animal Control By-law are hereby deemed to be separate and distinct sections, clauses or provisions.

SECTION 15 **CHANGES IN STATUTES**

- 15.1 Where an Act or any portion of any Act is referred to in this By-law, such reference shall be interpreted as referring to any subsequently renumbered sections of the Act and/or changes to the date of the Act and/or amendments or revisions to the Act or re-enactments of the Act or any legislation that replaces the Act.

SECTION 16
EFFECTIVE DATE

- 16.1 This Animal Control By-law comes into full force and effect on the date of passage of this By-law.

SECTION 17
INCONSISTENCY

- 17.1 If any other By-law of the Municipality is inconsistent with the sections, clauses or provisions herein, the sections, clauses or provisions of this Animal Control By-law shall prevail to the extent of such inconsistency. If this section 17 is applied to any other By-law, all other sections, clauses or provisions of that By-law shall remain in full force and effect.


SECTION 18
REPEAL

- 18.1 This Animal Control By-law shall come into force on the date of its passing, and By-law 26 of 2016 and By-Law 36 of 2009 shall be repealed on the date of the passing of this By-law.


Read a first, second and third time

IN OPEN COUNCIL

This 17th day of July, 2023.



Sue Clarke, Mayor



Michael Barnier, Clerk