

THE CORPORATION OF THE TOWNSHIP OF TINY

BY-LAW NO. 02-115

Being a by-law to licence dogs and to prohibit the running of dogs at large and to carry out the operation of an animal shelter and pound.

by Council Resolution 03-070  
June 30/03

**WHEREAS** Section 210 of the Municipal Act, R.S.O. 1990, c.M.45, as amended, authorizes the Council of a local municipality to pass by-laws prohibiting or regulating the keeping of animals or any class animals within the municipality, prohibiting or regulating the running at large of dogs in the municipality and requiring licensing and registration of dogs;

**NOW THEREFORE** the Council of The Corporation of the Township of Tiny ENACTS AS FOLLOWS:

1. **Definitions**

In this by-law:

- 1.1 "Animal Control Officer" shall mean a person appointed as such by a by-law of the Township, or any other person directed by the Township to enforce this by-law.
- 1.2 "Capable Person" shall mean a person of sufficient size and status able to control and restrain a dog to such an extent that the physical well being of any person or animal is not threatened.
- 1.3 "Control" shall mean secured by a leash of not more than 1.5 metres in length and under the supervision of a capable person.
- 1.4 "Dog" shall mean a male or female dog.
- 1.5 "Guide Dog" shall mean a dog trained and used as a guide for a blind person or for the hearing impaired.
- 1.6 "Kennel" shall mean:
  - 1.6.1 A place where more than four (4) dogs are kept for the purpose of show, training or breeding, or;
  - 1.6.2 A place where more than four (4) dogs are kept and cared for on behalf of the owners of dogs.
- 1.7 "Licence Inspector" shall mean the person or persons appointed as a municipal law enforcement officer.
- 1.8 "Muzzling" shall mean a covering for the snout of a dog that when fastened over a dog's snout and mouth prevents the dog from biting.
- 1.9 "Owner" of a dog includes a person who possesses or harbours a dog, and if the owner is a minor, the person responsible for the custody of the minor, and "owns" and "owned" have a corresponding meaning.
- 1.10 "Police Work Dog" shall mean a dog trained to aid law enforcement officers and used by such officers in the execution of their duties.
- 1.11 "Pound" shall mean such premises and facilities designated as a Township Animal Shelter and Pound.
- 1.12 "Poundkeeper" shall mean the person appointed as such by By-law of Council.
- 1.13 "Pure-bred" shall mean:
  - 1.13.1 registered or eligible for registration in the register of The Canadian Kennel Club, Incorporated or;

1.13.2 of a class designated as purebred in any regulations passed pursuant to provincial legislation.

1.14 "Tag" shall mean a metal tag indicating the year issued and tag number.

1.15 "Township" shall mean the Township of Tiny.

2. In this by-law, unless the context otherwise requires words importing the singular shall include the plural and use of the masculine shall include the feminine, where applicable.

3. This by-law shall be enforced by the Poundkeeper and the licence Inspector, and by other persons appointed to do so by resolution or by-law of Council.

**4. Licensing**

4.1 Every owner of a dog shall ensure that each dog owned by him is registered with and licensed by the Township for each calendar year.

4.2 Every owner of a dog shall register and license the dog with the Township each calendar year, before the 31st day of March of that year, unless the dog came into his possession or care after that date.

4.3 Every owner of a dog, immediately after the dog comes into his possession or care, shall register and licence the dog with the Township.

4.4 In order to license a dog and obtain a tag, the owner of the dog must produce to the Township a certificate or letter signed by a practicing veterinarian indicating that the dog has been inoculated with a current and up to date rabies vaccine.

**4.5 Guide Dogs or Police Work Dogs**

4.5.1 The owner of a guide dog or a police work dog, is not required to register or licence the dog with the Township.

4.5.2 The Township may require the owner of a dog to establish to its satisfaction that the dog is a guide dog or a police work dog.

**5. Fees**

5.1 On payment of the licence fee for a dog, the owner shall be furnished with a dog tag and shall keep the tag securely fixed on the dog at all times until the tag is replaced.

5.2 The licence fee for each dog shall be set out in the Township's User Fee schedule by-law, as amended.

**6. Tags & Replacement Tags**

6.1 Every tag shall be valid for the calendar year as indicated for the particular dog for which it was obtained.

6.2 No owner shall use a tag on a dog other than the dog for which the tag was issued.

6.3 A replacement tag may be obtained upon payment of the fees set out in the Township's User Fee by-law, as amended, if it is shown to the

satisfaction of the Township that a tag for that dog had already been obtained for the current calendar year.

## 7. **Kennels**

7.1 The owner of a kennel for dogs that are purebred shall pay to the Township, before the 31st day of March in each year, a licence fee for the kennel, as set out in the Township's User Fee by-law, as amended.

7.2 Kennels may be licensed only if they are located where permitted by the applicable zoning by-laws.

7.3 No person or persons shall keep more than four (4) dogs over three (3) months of age at one location unless a kennel licence is obtained.

7.4 Every person who applies for a kennel licence or operates boarding facilities for animals, shall comply with the following requirements:

7.4.1 The kennel buildings shall be in a separate building and shall not be attached to a building which is or may be used for human habitation.

7.4.2 The kennel building and its location must conform to the applicable zoning by-laws and the Ontario Building Code and be maintained in such a manner as to be free from damage.

7.4.3 The kennel building shall have a floor of concrete or other impermeable material, shall have a drain opening constructed as a plumbing fixture and the floor shall be thoroughly cleaned daily, or more often if necessary.

7.4.4. The kennel building shall have:

7.4.4.1 Electric lighting;

7.4.4.2 Windows, which may be opened for proper ventilation;

7.4.4.3 A heating system sufficient to adequately heat the building;

7.4.4.4 Hot and cold running water; and

7.4.4.5 A food preparation area.

7.4.5 Where dogs are permitted to use an outside area, there shall be constructed around such area a solid board fence having a height of at least four feet (4'); the wall of an adjacent building may be included as part of the fenced-in area. The fenced-in area shall not be required where the outside area is more than two hundred feet (200') from the property lines.

7.4.6 Where a clipping and grooming service is performed, this work shall be carried out in the kennel building only.

7.4.7 Every person who holds a kennel licence or operates boarding facilities for animals or both, shall comply with the following requirements:

7.4.7.1 While the licence is in force; the licence must be continuously displayed in a conspicuous place in the interior of the premises for which the licence is obtained.

7.4.7.2 At all times, he shall maintain the premises in a sanitary, well ventilated clean condition, and free from offensive odours.

7.4.7.3 He shall keep the dogs in sanitary, well bedded, well ventilated, naturally lighted, clean quarters at an appropriate temperature at all times.

7.4.7.4 He shall adequately feed and give water to the dogs periodically each day and keep them in a clean, healthy condition free from vermin and disease.

7.4.7.5 The Licence Inspector or designated staff and any other person authorized by the Township, may inspect any place where dogs are kept, pursuant to this by-law.

7.4.7.6 If the kennel is found not to conform to these requirements, the Licence Inspector may direct that the dogs be seized and impounded by the Animal Control Officer and that the licence issued to the kennel be revoked.

## **8. Number of Dogs**

8.1 Subject to Section 8.2, no person shall keep or permit to be kept at any one time more than four (4) dogs older than three (3) months, at any one time in or about any one property.

8.2 Section 8.1 does not apply to the owner of a licensed kennel, the owner of an animal hospital operated by a veterinary surgeon, the owner of a pet store or the Poundkeeper.

## **9. Running at Large**

9.1 Every dog owner shall ensure that his dog does not run at large within the Township of Tiny.

9.2 A dog running at large may be seized by any person, who shall deliver the dog to an Animal Control Officer or the Poundkeeper.

9.3 Any dog running at large may be seized and impounded, and may be sold or destroyed by the Poundkeeper.

9.4 For the purpose of this by-law, a dog shall be deemed to be running at large when found in any place other than the premises of the owner of the dog and not under the control of a capable person.

9.5 The Animal Control Officer may destroy any dog running at large if it;

9.5.1 represents a threat to the safety of any person or animal; or

9.5.2 is severely injured.

## **10. Leashing of Dogs**

10.1 Every owner of a dog shall keep the dog leashed and under the control of a capable person when the dog is on land in the municipality other than that of the owner, unless prior consent is given by the person owning the land on which the dog is found.

10.2 After a dog has bitten a person or a domestic animal, the Animal Control Officer may issue a muzzling order as set out in Schedule "A" to the owner. The owner shall ensure that the dog is muzzled at all times when out of the owners residence.

10.3 The owner of any dog required to be muzzled or leashed may request and shall have a hearing before a committee appointed by Council who may exempt the owner from the muzzling or leashing or both.

10.4 Every dog owner shall immediately remove excrement left by the dog anywhere in the municipality.

10.4.1 Section 10.4 does not apply to the premises of the owner of the dog.

11. **Keeping of Dogs**

No person shall keep, or permit to be kept, any dog in a building, structure, pen or run unless it is at least 2 metres (6 feet) from the boundary of the property upon which it is located.

12. **Impoundment**

12.1 The Poundkeeper, on satisfactory identification, may release an impounded animal to the owner on payment of the fees as set out in The Township's user fee schedule by-law as amended plus the cost of any damages, fines, expenses, veterinary care, vaccination or immunization.

12.2 Any dog impounded and not wearing a tag for the current year, may at the discretion of the Poundkeeper be given an inoculation to provide temporary immunization against distemper or any other contagious or infectious disease.

12.3 The Poundkeeper is hereby authorized to charge fees for services as set out in the Township's user fee schedule by-law as amended.

13. **Penalty**

Every person who contravenes any of the provisions of this by-law is guilty of an offence and upon conviction is liable to a fine as provided for in the Provincial Offences Act, R.S.O. 1990, as amended.

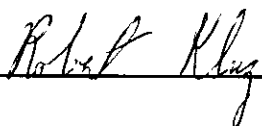
14. By-laws 97-9 and 97-50 are hereby repealed.

**THIS BY-LAW SHALL COME INTO FULL FORCE AND EFFECT UPON THE RECEIPT OF THE APPROVAL OF THE SET FINE SCHEDULE AS ISSUED BY THE REGIONAL CHIEF JUSTICE OF THE ONTARIO COURT OF JUSTICE, CENTRAL EAST REGION.**

**READ A FIRST AND SECOND TIME THIS 9<sup>th</sup> DAY OF DECEMBER 2002.**

**READ A THIRD TIME AND FINALLY PASSED THIS 9<sup>th</sup> DAY OF DECEMBER 2002.**

**THE CORPORATION OF THE TOWNSHIP OF TINY**

  
 \_\_\_\_\_  
**Mayor, Robert Klug**

  
 \_\_\_\_\_  
**Chief Administrative Officer/Clerk, Earl D. Evans**

6  
**SCHEDULE "A"**  
**By-law 02-115**

**NOTICE TO MUZZLE**

To: \_\_\_\_\_ Date: \_\_\_\_\_

Address:

\_\_\_\_\_

Description of Dog:

Name: \_\_\_\_\_ Breed: \_\_\_\_\_

Dog Tag Number: \_\_\_\_\_ Year of issue: \_\_\_\_\_

Rabies Tag Number: \_\_\_\_\_ Year of issue: \_\_\_\_\_

Veterinary's Office: \_\_\_\_\_

Tattoo Number: \_\_\_\_\_ Microchip Number: \_\_\_\_\_

This Notice is served upon the owner in accordance with Section 10.2 of By-law 02-115 on this \_\_\_\_\_ day of \_\_\_\_\_ Year \_\_\_\_\_ and you are ordered to restrain your dog as follows (see reverse).

\_\_\_\_\_  
Animal Control Officer

I have read this notice and agree to the following methods of restraining my dog.

\_\_\_\_\_  
Owner's signature

**METHOD OF RESTRAINING DOG**

- a) While the dog is on the property of the owner or harbourer as described above, the owner shall be responsible for restraining the dog by keeping it inside a building or house or in an enclosed pen of sufficient dimension and strength to be humane and to prevent a dog from coming into contact with persons other than the owner of the dog or any other domestic animal, or within a securely fenced yard where the fence is a minimum height of 1.83 metres. The enclosed pen or the fenced yard shall be equipped with a locking device and self-latching device. Such self-latching device to be designed in such a manner that the pen or gate cannot be opened from the outside by a small child. The owner is responsible for ensuring that the dog is prevented from escaping and running at large.
- b) While the dog is off the property of the owner, as described above, the owner shall ensure that:
  - 1) It is securely on a collar-type leash with a maximum length of one (1) metre and of sufficient strength to restrain the dog and keep it from chasing a person or domestic animal.
  - 2) By fastening a muzzle humanely over the mouth of a dog of adequate strength and design and suitable to the breed of the dog that fits over the mouth of a dog and cannot be removed by the dog, to prevent a dog from biting or attacking a person or domestic animal.