



BY-LAW NO. 96-22

DATE: September 4, 1996

MOVED BY: [Signature]

SECONDED BY: [Signature]

THAT By-law No. 96-22 To Being a by-law for the regulating of dogs within the Township of McDougall and to repeal by-law Nos. 85-11, 89-19, and 90-7.

be introduced and read a FIRST and SECOND time.

-Carried- [Signature]

MOVED BY: [Signature]

SECONDED BY: [Signature]

THAT By-law No. 96-22 be Read a Third Time, Passed, Signed and Sealed this 4th day of September, 1996.

-Carried- [Signature]

**THE CORPORATION OF THE TOWNSHIP OF MCDOUGALL**

**BY-LAW NO. 96-22**

Being a By-law for the regulating of dogs within the Township of McDougall and to repeal By-law Nos. 85-11, 89-19 and 90-7

**WHEREAS** Section 210 (11) of the Municipal Act R.S.O. 1990, c.M.45, as amended, permits municipalities to pass by-laws to license and require the registration of dogs within the municipality;

**AND WHEREAS** Section 210 (13) of the Municipal Act R.S.O. 1990, c.M.45, as amended, permits municipalities to pass by-laws to prohibit or regulate the running at large of dogs within the municipality;

**AND WHEREAS** Section 210 (138) of the Municipal Act R.S.O. 1990, c.M.45, 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 McDougall hereby enacts as follows:

1. (a) "Dog" shall mean a male or female dog over the age of twelve weeks;
- (b) "Owner" of a dog, shall mean and include any person who possesses or harbours a dog, and "owns" or "owned" have a corresponding meaning;
- (c) "Animal Control Officer" shall include the person or association who has entered into a contract with the Corporation of the Township of McDougall to control dogs and to maintain a dog pound, and any servants or agents of such person;
- (d) "Peace Officer" shall include the Municipal By-law Enforcement Officer as appointed by municipal by-law from time to time;
- (e) "Running at Large" shall have the same meaning as in the Municipal Act, R.S.O. 1990, c.M.45, Section 210 (13).
2. (a) Every owner of a dog shall, on or before the 1st day of January in each year, or upon becoming the owner of a dog after the first day of January, register such dog with the Township Clerk and procure a license and dog tag for each dog owned by the persons, not later than February 15th.
- (b) Upon application for a licence, the owner shall produce a certificate signed by a practicing veterinarian that the dog has been inoculated with an anti-rabies vaccine within a period of twenty-four months of the date of application for the licence.
3. Every dog tag shall bear the serial number and the year in which it was issued and a record shall be kept the Township Clerk, showing the name and address of the owner and the serial number of the tag.
4. The owner shall keep the dog tag securely fixed on the dog at all times.
5. Every license issued pursuant to this By-law shall expire on the 1st day of January in each next following the year for which it was issued, and the license fee payable to the Clerk at the time of issuing of a license shall be in accordance with Schedule "A", attached hereto and forming part of this by-law.

6. Notwithstanding the provisions of Section 5 of this By-law, the owner of a kennel of pure bred dogs registered in the register of the Canadian Kennel Club Incorporated, shall pay an annual license fee upon renewal prior to January 1st in accordance with Schedule "A", attached hereto and forming part of this by-law.
7. (a) No owner of a dog shall allow the dog to run at large within the limits of the Township of McDougall.  
  
(b) For the purposes 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 any person.
8. (a) Subject to sub-section (d) of this Section, a Peace Officer or Animal Control Officer may:
  - (i) seize and impound any dog found running at large within the meaning of this By-law;
  - (ii) restore possession of the dog to the owner where:
    - (1) the owner claims possession of the dog within 3 days (exclusive of statutory holidays and Sundays) after the date of seizure; and
    - (2) the owner pays to the Peace Officer or Animal Control Officer a pound fee in accordance with the fee schedule of the Ontario Humane Society;
    - (3) if the Animal Control Officer is unable to seize any dog found to be at large contrary to this By-law and the owner of such dog is known to the Animal Control Officer, he shall require the owner to pay a pound fee in accordance with the Ontario Humane Society Schedule of fees. Such fee must be paid to the Animal Control Officer or the Clerk within 7 days of notification to the owner by the Animal Control Officer of the offence under this by-law;
    - (4) any female dog found to be running at large in heat, shall be held at the pound until no longer in heat, but in any case no longer than 21 days;
    - (5) whether 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 and maintenance fees prescribed and shall pay all fees on demand by the Animal Control Officer or Clerk.
- (b) Where, at the end of 3 days, possession of the dog has not been restored to the owner of the dog, the Animal Control Officer may sell the dog for such price as he deems reasonable;
- (c) Where the owner of a dog has not claimed the dog within 3 days after it is impounded and the dog has not been sold, the Animal Control Officer may kill the dog in an humane manner or otherwise dispose of the dog as he feels fit and no damages or compensation shall be recovered on account of its disposal from the Animal Control Officer or the municipality;
- (d) Where a dog seized is injured or should be destroyed without delay for humane reasons or the safety of persons or animals, the Peace Officer or Animal Control officer may kill the dog in an humane manner as soon after seizure as he feels is fit without letting any person reclaim the dog or without offering it for sale and no damages or compensation shall be recovered by the owner from the Animal Control Officer or the municipality.

9. No person having control of a dog or being the owner of a dog shall permit such dog to engage in persistent barking, calling or whining or other similar persistent noisemaking, such that the sound is clearly audible at any point on the premises of a person, other than those premises where the sound originates.
10. Any person who contravenes any provisions of this By-law is guilty of an offence an upon conviction is liable to a fine of not less than \$100.00 or a maximum of \$5,000.00 as established in the Provincial Offence Act for each offence committed.
11. By-law Nos. 85-11, 89-19 and 90-7 are hereby repealed.
12. This By-law shall come into force and take effect upon the third and final reading.

READ a FIRST and SECOND time this 4th day of September 1996.

Ron McEwen  
REEVE

Donna I Bryant  
CLERK-ADMINISTRATOR

READ a THIRD time, PASSED, SIGNED and SEALED this 4th day of September 1996.

Ron McEwen  
REEVE

Donna I Bryant  
CLERK-ADMINISTRATOR

THE CORPORATION OF THE TOWNSHIP OF MCDOUGALL

BY-LAW NO. 96-22

SCHEDULE "A"

1. License Fees:
  - a) First Dog \$ 10.00
  - b) Second Dog \$ 15.00
  - c) Third Dog \$ 25.00
2. Replacement License - \$ 2.00 each
3. Kennel of pure bred dogs \$ 20.00  
(pursuant to Section 6 of By-law 96-22)