

THE CORPORATION OF
THE TOWNSHIP OF NORTH FRONTENAC

BY-LAW # 51-05

BEING a by-law for the licensing of dogs and for regulating the running at large of animals within the municipality.

WHEREAS Section 9(3)b of the Municipal Act, S.O. 2001, Chapter 25, authorizes the Council of a local municipality to pass by-laws to provide for a system of licenses, permits, approvals or registrations respecting the matter and impose conditions as a requirement of obtaining, continuing to hold or renewing a licence, permit, approval or registration;

AND WHEREAS Section 11(1)9, Section 103 and Section 105 of the Municipal Act authorizes the Council of a local municipality to pass by-laws with respect to animals, the seizure and impounding of animals, the sale of impounded animals, and for the muzzling of dogs;

NOW THEREFORE the Council of the Corporation of the Township of North Frontenac enacts as follows:

1. SHORT TITLE

This by-law shall be known and may be cited as the “**Animal Control By-law**”.

2. DEFINITIONS

“**Animal**” shall mean any member of the animal kingdom, other than a Human.

“**Dog**” shall mean a male or female dog.

“**Kennel**” shall mean a place where 4 or more dogs over the age of 6 months are kept.

“**Municipality**” shall mean the Corporation of the Township of North Frontenac.

“**Owner**” of an animal includes any person, organization or corporation who possesses or harbours an animal, and “owners” and “owned” shall have corresponding meaning.

“**Running at large**” shall mean an animal which is not on a leash and is found in any place other than the premises of the owner of the animal.

3. DOG LICENSING

- (1) The owner of any dog shall, on the first day of January in each year, or as soon thereafter as such dog shall attain the age of six (6) months, cause the same to be registered, numbered, described and licensed in the Office of the Treasurer at the Township Office in the municipality, or at such other place as the Township Council may from time to time designate. The deadline for registration of a dog shall be the 30th day of April in each year.
- (2) Each owner, upon the registration of a dog and application for a dog license, shall be furnished with a tag, the price of which is incorporated into the license fee hereinafter provided, with the registered number of each such dog, and shall pay for such licenses and registration.
- (3) A license fee as set out in Schedule "A" to this By-law shall be paid regardless of the number of dogs owned. On payment of the license fee for each dog, the owner shall be furnished with a dog tag which shall be kept securely fixed on the dog at all times until the tag is renewed or replaced, provided that the tag may be removed when the dog is lawfully used for hunting in the bush.
- (4) Each tag shall bear a serial number and the year in which it was issued. A record shall be kept by the Treasury Department for the purpose of showing the name and address of the owner and the serial number of the tag.
- (5) The owner of a Kennel shall pay an annual licence fee as set out in Schedule "A" to this By-law as well as a licence fee for all dogs at the Kennel during the year.
- (6) All licenses shall expire on the 31st day of December in the same year purchased.

4. ANIMALS RUNNING AT LARGE

- (1) The owner of the animal shall keep the animal leashed and under control of some person when the animal 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.
- (2) No owner shall allow his/her animal to urinate on any property, other than the property of its owner or other property by permission, nor to defecate on any such property, unless the droppings are forthwith cleaned up.

- (3) No owner shall allow an animal to run at large in the Township of North Frontenac and any animal running at large shall be liable to be seized, impounded and disposed of as hereinafter provided.
- (4) Where an Animal Control Officer is unable to seize an animal that is running at large contrary to the provisions of this By-law, he/she may kill the animal.
- (5) Where an Animal Control Officer finds an animal running at large contrary to the provisions of this By-law, and he/she believes that before the animal can be seized, it may attack a human being, he/she may kill the animal.
- (6) Where any person finds an animal running at large contrary to the provisions of this By-law and the animal is in the act of attacking or threatening to attack a human being, he/she may kill the animal.
- (7) An animal which is found, with or without a tag, running at large may be seized and impounded by the Animal Control Officer of the municipality. If called for within five (5) clear days from the time of being seized and impounded, the animal shall be released to the owner upon the payment of compensation for each day in which the animal has been impounded, such sum to be paid to the pound keeper plus administration costs of \$50.00 to be paid to the municipality.
- (8) Any animal seized and impounded and not called for within five (5) clear days from the time of such seizure and impounding, may be disposed of in the manner hereinafter provided or be sold by the Kingston Humane Society.
- (9) Any animal so sold shall be properly licensed and registered to the new owner thereof, if applicable, and accompanied by the bill of sale and receipt for payment of same, which shall vest title of any such animal in the new owner.
- (10) Any animal seized and impounded for running at large and not redeemed by the owner thereof, as herein before provided, or not sold by the Kingston Humane Society after the expiration of five (5) clear days, shall be destroyed in a humane manner.
- (11) Where an animal seized and impounded bears a tag issued by the municipality, the Animal Control Officer shall search the register kept for that purpose and notify the registered owner thereof within a reasonable time and cite the sections of this By-law which have been violated and shall indicate the location of the pound.

- (12) Notwithstanding Section 4(8) and (10) of this By-law, to the contrary, any dog bearing a tag issued by the Township of North Frontenac when seized and impounded shall not be destroyed or sold until the expiration of 72 hours after the owner thereof has been notified as herein before provided.
- (13) A statement of the purchasers of dog tag licenses, bearing the names and addresses and description of the dog to be licensed shall be forwarded to the Animal Control Officer on a regular schedule by the Treasurer.
- (14) No dog seized or impounded shall be released to the owner or sold to any person unless or until it is properly licensed and registered, the licence fee is paid and a tag securely fixed on the dog.

5. OTHER

- (1) (a) No person who owns an animal shall permit such to become a public nuisance.
 - (b) An animal shall be considered a public nuisance if,
 - a. The animal persistently barks, howls or makes other unnecessary noises.
 - b. It causes damage to public or private property.
 - c. It interferes with or dumps or scatters garbage.
 - d. It persistently barks at or chases persons using public or private property adjacent to the property where the animal is harboured.
 - e. It swims at a public beach.
 - f. It is in a public park and not on a leash.
- (2) No animal shall be allowed on any recognized municipal public beach.

6. ENFORCEMENT

- (1) The Animal Control Officer, shall enforce this By-law and keep records of all calls, animals seized and impounded.
- (2) The Animal Control Officer, is hereby authorized, in the course of his/her duties of seizing and impounding animals running at large contrary to this By-law, to use such reasonable means at his disposal to seize and impound such animals as may be required by the circumstances.

7. OFFENCES

(1) Every owner who contravenes any of the provisions of this By-law is guilty of an offence and on conviction is liable to a fine of not more than \$5,000.00 (Five Thousand Dollars).

8. VALIDITY

(1) If any section, clause or provision of this By-law is for any reason declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of the By-law as a whole or any part thereof, other than the section, clause or provision so declared to be invalid and it is hereby declared to be the intention that all the remaining sections, clauses or provisions of the By-law shall remain in full force and effect until repealed, notwithstanding that one or more provisions thereof shall have been declared to be invalid.

9. SCHEDULES

(1) Schedule "A" attached to this By-law is hereby submitted and shall form part of this By-law.

10. REPEALS

(1) This By-law repeals all other By-laws dealing with Dog Licensing, Registrations, and Regulating for the Township of North Frontenac.

11. EFFECTIVE DATE

(1) This By-law shall come into full force and take effect on the date of its passing.

READ A FIRST AND SECOND TIME THIS _____ DAY OF _____, 2005

READ A THIRD TIME AND FINALLY PASSED THIS _____ DAY OF _____, 2005.

Mayor

Clerk

DOG TAGS, LICENCE AND ANIMAL CONTROL FEES

\$5.00	Per dog for each tag purchased between January 1 st and April 30 th .
\$10.00	Per dog for each tag purchased between May 1 st and July 15 th .
\$15.00	Per dog for each tag purchased after July 16 th .
\$20.00	For Annual Kennel Licence Fee, plus applicable tag fees for each dog (provided all requirements met)
\$25.00	Levied to the owner of any animal picked up by the Animal Control Officer and returned directly to the owner.
\$75.00	Levied to the owner of any animal picked up and taken to the Humane Society by the Animal Control Officer. The fees are broken down as follows: \$50.00 to cover pick-up and delivery of said animal to the Humane Society, and \$25.00 to cover the pound charges assigned to the Township for each animal taken into their care. These fees are payable at the Humane Society upon the owner claiming such animal, but made payable to the Township of North Frontenac.