

CORPORATION OF THE TOWNSHIP OF RYERSON

BY-LAW # 14-99

Being a By-Law for licensing and requiring the registration of dogs and for the control of dogs within the Township of Ryerson.

WHEREAS Section 210 of the Municipal Act, R.S.O., 1990, Chapter M45 as amended, provides that By-Laws may be passed by Councils of municipalities for licensing and requiring the registration of dogs for imposing a license fee on the owners of dogs with the right to impose a larger fee in the case of female dogs, or for each additional dogs or female dogs where more than one is owned by any person or any one household, and further provides that By-Laws may be passed for prohibiting or regulating the running at large of dogs within the municipality or within any definite area thereof, for seizing and impounding and for destroying whether before or after impounding dogs running at large contrary to the By-Law, and for selling dogs so impounded at such time and in such manner as may be provided by the By-Law and whereas it is deemed expedient that such a By-law be passed:

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:

THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF RYERSON hereby enacts as follows:

- This by-law may be cited as "The Dog By-Law".
- A) "Dog" means a male or female dog over the age of 12 weeks.
- "Owner" of a dog includes a person who possesses or harbours a dog and, where the owner is a minor, the person responsible for the custody of the minor.
- "By-Law Enforcement Officer" includes the person so designated by the Council to administer and enforce this by-law.
- "Running at Large" shall be deemed to mean any dog found in any place other than the premises of the owner of

the dog and not under the control of any person.

- "Kennel" means any land on which any dogs, registered or eligible for registration under the Animal Pedigree Act of Canada are bred, boarded or trained, or any seven or more dogs that are found in the same location, in accordance with Schedule "A" attached hereto.
  
- A) Every person who owns a dog which is kept in the municipality shall, on or before the 30<sup>th</sup> day of April in each and every calendar year or within 15 days of becoming the owner of such a dog, or within 15 days of becoming a resident of the municipality, register such dog with the municipality and procure a license and dog tag for each dog owned by them.
  - Every person described in subsection 3 A) shall pay an annual license fee in the amount of \$6.00 for the first dog, and \$10.00 for the second dog, and subsequent dogs upto an additional five dogs. The amount of the fee shall be determined by the number of dogs harboured on a property, incidental and regardless of the number of separate owners. There shall be no more than six dogs permitted on a property unless a Kennel License has been obtained.
  
- A record shall be kept by the municipality showing the name and address of the owner of the dog, the serial number of the dog tag and the fees paid with respect to each dog.
  
  
- The owner shall keep the dog tag securely fixed on the dog at all times and shall not use a dog tag upon a dog other than that for which it was issued.
  
  
- The replacement fee for a lost dog tag shall be \$3.00.
  
  
- The owner of a kennel of dogs shall pay an annual license fee in the amount of \$100.00 and shall pay the additional annual \$4.00 license fee for each dog. Individual tags will not be issued. A kennel shall be permitted only in premises zoned specifically for the purpose of the boarding and breeding of dogs.
  
  
- No owner of a dog shall allow a dog to run at large within the limits of the municipality or to kill or injure livestock, poultry or other domestic animals.
  
  
- No owner of a dog shall allow their dog to be on a public road or in a public place at any time unless the dog is on a leash and such leash is held by a responsible person.
  
  
- Notwithstanding the provisions of Section 9, no person shall allow a dog, at any time, in any area designated as a public swimming area.

- Every person who is the owner of a dog at a time when the dog fouls property other than that of the owner, shall forthwith remove or cause the removal of the excrement from such property. Failure to do so constitutes a breach of this by-law.
- A) Every dog found running at large contrary to the provisions of this by-law, with or without a tag, may be seized and impounded by the By-law Enforcement Officer or their agent. If claimed within 4 days, the dog may be redeemed for poundage levied as levied by the Poundkeeper, or may be destroyed if not claimed within the 4 day period. An attempt will be made to give the recorded owner a 24 hour notice prior to destroying the dog.

B) B) Every dog, if impounded and not claimed within the 4 day period, may be sold by the Poundkeeper.

C) An owner may surrender their dog to the pound for the purpose of adoption or euthanasia upon payment of a surrender fee.

- The Poundkeeper, as appointed by Council, is authorized to collect the poundage levied by this by-law and to maintain a pound as directed by the Council and as approved by the Ministry of Agriculture and Food. Fee payable upon the return to its owner of a dog found running at large and seized but not impounded : \$35.00. Fee payable upon the return to its owner of a dog found running at large and seized and impounded: \$50.00.
- Where a dog is impounded, the owner shall be liable for the pound fee as levied by the Poundkeeper whether the dog is claimed from the pound or not. The Pound Keeper's fees shall be paid in addition to the fee prescribed in clause 13 before a dog is released to the owner.
- Where a dog has been injured on property other than that where it was kept and should be destroyed for humane reasons or for reasons of safety to persons or animals, the By-law Enforcement Officer or their agent may kill the dog in a humane manner as soon after seizure as they think fit without permitting any person to reclaim the dog, or without offering it for sale, and no damages or compensations shall be received by the owner on account of its disposal.
- No owner shall permit a dog to bark in such a manner that the barking can be heard outside the boundary of his own property
  - (a) for longer than 10 minutes between the hours of 11:00 p.m. and 7:00 a.m.; or
  - (b) for longer than one- half hour between the hours of 7:00 a.m. and 11:00 p.m.

- Every person who contravenes a provision of this by-law is guilty of an offence and is subject to a fine not

exceeding \$2,000.00 upon prosecution under the provisions of the Provincial Offences Act. Subject to the approval of the Regional Senior Judge of the Ontario Court of Justice, the set fine for payment out of Court for each offence shall be as set out in Schedule "B" annexed hereto and forming part of this by-law.

- All sections of this by-law shall be deemed to be separate and independent and the invalidity of any section or provision thereof shall not affect the remaining sections.
- By-Law # 5-90 is hereby repealed.

Read a First, Second, and Third

time, and finally passed in Council

this 1st day of June 1999.

Original signed by Frank Gavine

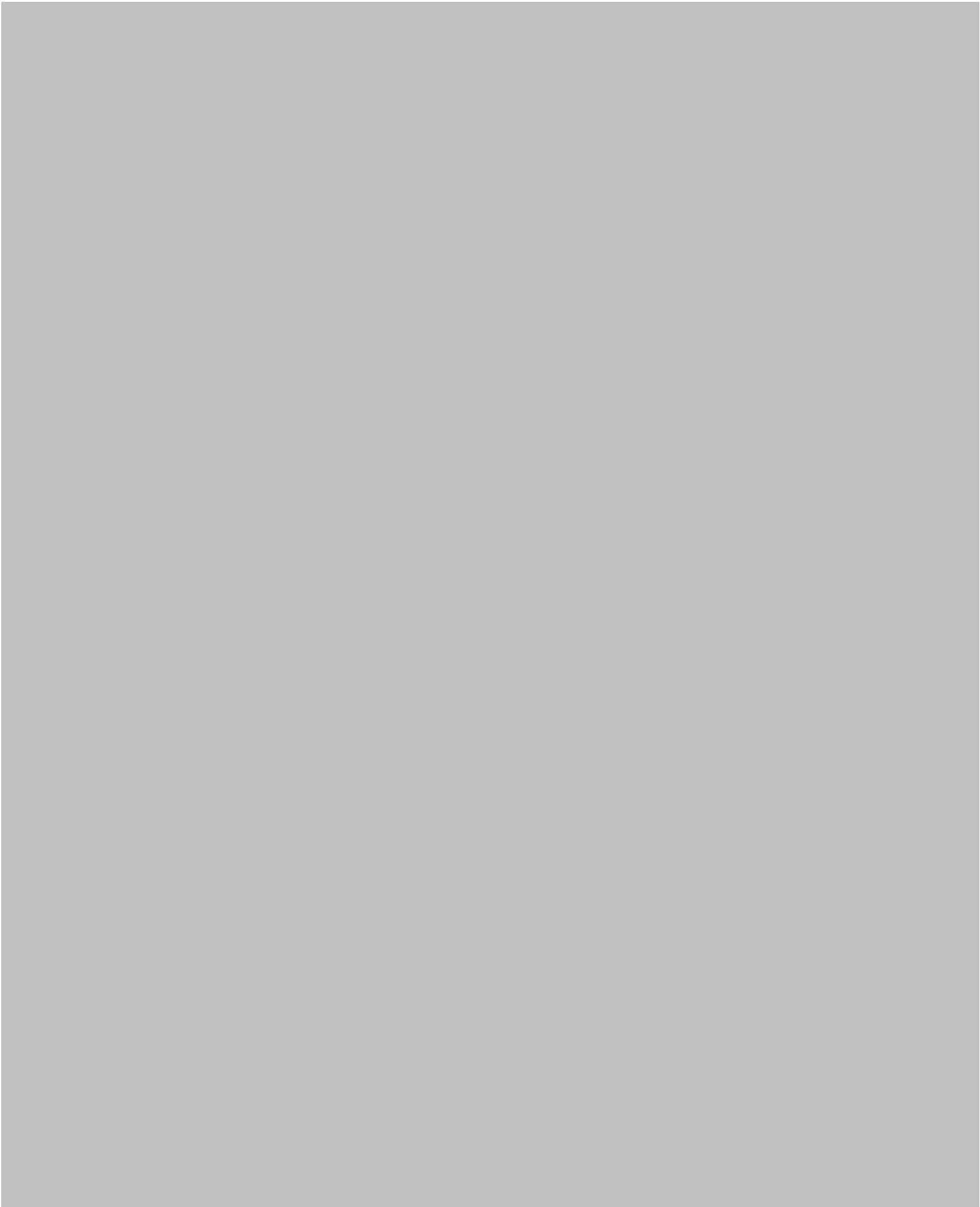
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REEVE.

Original signed by Judy McCarty

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CLERK.



## SCHEDULE "A" - KENNEL REGULATIONS

### THE CORPORATION OF THE TOWNSHIP OF RYERSON

#### BY-LAW # 14-99

- No kennel or any part thereof shall be located closer than 30 metres (98.5 feet) to any roadway, 150 metres (492.5 feet) to any residential use on another lot or any boundary of a residential zone.
- The building shall be separated and enclosed and shall not be attached to a dwelling unit or any other building which is or can be used for human habitation.
- The building shall conform to the Building Code Act and be maintained in such a manner as to be free from damage.
- The building shall have a floor of concrete or other impermeable material and shall have a drain opening constructed as a plumbing fixture, and such floor shall be thoroughly cleaned daily, or more often if necessary.
- All dogs shall be kept in adequately sized cages to allow the animal to extend its legs to their full extend, stand or sit, turn around or lie down in a fully extended position, and all cages are to be constructed solely of metal, wire or impermeable concrete block.
- The building shall be maintained in a sanitary, well ventilated, clean condition and free from offensive odours.
- The building shall have windows that may be opened for proper ventilation.
- All dogs shall be kept in sanitary, well bedded, well ventilated, naturally clean quarters and maintain and keep such quarters at a healthful temperature at all times.
- All dogs shall be adequately fed and watered, periodically each day and kept in a clean, healthy condition free

from vermin and disease.

- Where dogs are permitted to use an outside area, there shall be constructed around such area, a galvanized chain link fence having a minimum height of 2 metres (7 feet), and shall be deemed part of the building for the purposes of Section 1, Schedule "A".
- Every owner of a Kennel shall file with the Township a Certificate from the Medical Officer of Health and the By-law Enforcement Officer for the Township of Ryerson that the Kennel complies with the requirements of this by-law and any other applicable law and shall file with the Township a survey indicating all building locations.
- No operator or employee of such establishment shall permit the operation to become a nuisance by reason of incessant noise from barking dogs or otherwise.
- Any individual in the employ of the Humane Society, North Bay and District Health Unit or the Township of Ryerson, who is duly authorized, may, at any time, enter an operation and inspect to ensure compliance with this by-law.
- Where animal runs are permitted as part of any kennel, no operator or employee of such establishment shall permit a dog to utilize the runs between the hours of 8:00 p.m. and 9:00 a.m. except during supervised exercise periods, at which time the operator or employee shall be in direct control of the dog.

## SCHEDULE "B"

CORPORATION OF THE TOWNSHIP OF RYERSON

BY-LAW # 14-99

ITEM COLUMN 1 COLUMN 3

Short Form Wording Set Fine

(Including costs)

- Failure to purchase Dog Licence \$105.00
- Allow Dog to Run at Large \$105.00
- Trespass on Private Property \$105.00
- Fail to leash dog in public place \$105.00
  
- Have dog in public swimming area \$105.00
  
- Fail to clean up dog excrement \$105.00
  
- Allow persistent barking \$105.00
  
- Fail to purchase Kennel Licence \$105.00