

THE CORPORATION OF THE TOWNSHIP OF CHAPLEAU

BY-LAW 97-36

Being a By-Law to provide for the registration and control of dogs in the Township of Chapleau and for the collection of a license fee from the owners thereof in the Township of Chapleau.

WHEREAS the Municipal Act R.S.O. 1990, Chapter M.45, Section 210 provides that by-laws may be passed by the Council of a local municipality for licensing, regulating, controlling, seizing and impounding, dogs running at large contrary to the By-Law and for selling dogs so impounded at such time and in such manner as is provided for in the By-Law; And

WHEREAS authority is granted under the Municipal Act R.S.O. 1990, Chapter M.45, Section 210(1), Subsection 9 authorizes By-Laws for removal of excrement left by dogs within a Municipality;

NOW THEREFORE the Council of the Township of Chapleau ENACTS AS FOLLOWS:

INTERPRETATION:

1. In this By-Law
 - a) "Clerk" shall mean the Clerk of the Corporation of the Township of Chapleau.
 - b) "Dog" shall mean any dog male or female, over the age of 8 weeks.
 - c) "Excrement" shall mean feces expelled from the body of any dog.
 - d) "Fenced Dog Enclosure" shall mean a fenced enclosure built for the specific purpose of preventing the escape of the dog ordinarily inhabiting same and constructed to the requirements of the Corporation of the Township of Chapleau and so as to comply with the provisions of Section 5 (d) (ii).
 - e) "Highway" means a common and public highway, street, sidewalk, boulevard, avenue, parkway, driveway, square place and bridge, designed and intended for use by the general public for the passage of vehicles and persons.
 - f) "Holiday" means New Year's Day, Good Friday, Easter Monday, Victoria Day, Dominion Day, Civic Holiday, Labour Day, Thanksgiving Day, Remembrance Day, Christmas Day and Boxing Day.
 - g) "Kennel" shall mean a premise where dogs are boarded, trained for a fee, or are bred for sale.
 - h) "Municipal Property" means property owned by the Corporation of the Township of Chapleau.
 - i) "Owner" means any person who owns, possesses, has care and/or control of, or harbours a dog; and "owns" and "owned" have a corresponding meaning.
 - j) "Pound keeper" shall mean the persons appointed under the provision of this By-Law as Pound Keeper.
 - k) "Premise" shall mean the dwelling house and/or the property of the owner of the dog. Or in the case of a kennel operator the facility and the property on which the kennel operates.

- l) "Pure Bred" shall mean
 - i) Registered or eligible for registration in the register of the Canadian Kennel Club Incorporated or
 - ii) Of a Class designated as pure bred by the regulations of the Township of Chapleau pursuant to this By-Law.
- m) "Public Park" means a park, recreation area, recreation centre, play lot, playground, school ground, athletic field, beach, square, avenue, boulevard, drive and any building thereon intended for or used by the general public.
- n) "Public Place" includes a highway, public park and municipal property.

LICENSES:

- 2. a) No person shall own a dog without obtaining a license or ensuring that a license has been obtained as required by this By-Law, and every owner of a dog shall be subject to the provisions of this By-Law.
- b) Every person shall register or ensure registration has occurred of each dog owned by that person in the Township of Chapleau at the earlier of; on or before the 1st of January in each year or within 15 days after acquiring ownership of the dog.
- c) Every owner shall pay to the Clerk of the Township of Chapleau a license fee prescribed by the Township of Chapleau to procure or renew a license at the time of registering the dog, as per Schedule "A" attached hereto.
- d) Every dog owner shall within 30 days of registering their dog, produce sufficient proof that their dog has been vaccinated annually for rabies. Owners registering pups shall within 14 weeks of registering their pup, produce sufficient proof that their pup has been vaccinated for rabies.
- 2.1 a) Any license issued pursuant to this By-Law shall be in the form prescribed by the Corporation of the Township of Chapleau.
- b) Every license shall bear a serial number and the year for which it was issued and a record shall be kept by the Clerk for the purpose of showing the name and the serial number of the license.
- c) Every person who obtains a license shall affix a current license to the dog for which it was issued. The owner shall keep the license securely fixed on the dog at all times until the license is renewed or replaced.
- d) No person shall put upon or fix to a dog a license unless it was issued pursuant to this By-Law for the said dog.
- e) A fee prescribed by the Township of Chapleau shall be charged for each license, including a replacement license.
- f) Every license issued pursuant to this By-Law shall expire on the 1st day of January in each year.
- g) Where a person who is the owner of a dog, becomes a resident in the Township of Chapleau during a license year and is in possession of a valid dog license issued by another municipality for that dog, said person shall obtain a license pursuant to this By-Law and surrender the dog license issued by the other municipality.

KENNELS

3. a) No person shall operate a kennel without having first obtained a license to do so. Kennel shall be located in accordance with the Township of Chapleau's Zoning By-Law.
- b) Notwithstanding Section 2 (c), the owner of a kennel shall pay an annual license fee as prescribed by the Township of Chapleau, and shall not be liable to pay in respect of such pure bred dogs bred at the kennel for sale any license fee under the By-Law, as per Schedule "A" attached hereto.

DOG: NUMBERS

4. a) No person shall own or possess more than two dogs at any one premise within the Township of Chapleau save and except under the authority of a kennel license.

RUNNING AT LARGE

5. a) No owner shall suffer, allow or permit the dog to run at large within the limits of the Township of Chapleau.
- b) For the purpose of this section a dog shall be deemed to be "running at large" if the dog is at any place other than the premise and not under the direct control of a competent person.
- c) For the purpose of Section 5 (b), a dog shall be deemed not to be under the control of a competent person when the dog is not on a leash.
- d) While on the premise the dog will be deemed to be running at large if it is not
 - i) secured with a chain, rope, cable or other restraint so as to keep the dog on the premises, and so as not to intrude upon one ordinary means of entrance or exit onto said premise; or
 - ii) secured within the premise by a fenced dog enclosure, approved of by the Corporation of the Township of Chapleau, sufficient to prevent escape of the dog and built so as not to intrude upon one ordinary means of entrance or exit onto said premise.
- e) No owner shall secure a dog on his or her premise in such a manner that will permit or allow the dog to encroach onto Municipal property or onto adjoining private property while it is secured on the premise.

EXCREMENT

6. a) No owner shall leave excrement deposited by the dog on or in:
 - i) a Public Place
 - ii) a Private Propertysaid excrement shall be immediately and without delay removed by the owner and disposed of in a sanitary manner.

ENFORCEMENT: POUND KEEPER

7. a) The person appointed by the Council as hereinafter provided and hereinafter referred to as the Animal Control Officer may capture and impound every dog running at large contrary to Section 5.

- b) It shall be the duty of the pound keeper to provide suitable quarters as may be approved by the Council in which to keep in a human manner all dogs that may be brought to him/her by the Animal Control Officer. The pound keeper shall in a book furnished to him/her by the Clerk keep an accurate account of all dogs placed in the pound entering the date of receipt, time of feeding and watering, manner of final disposal, methods of destruction of same, amounts received by way of redemption fees and sales, the names and addresses of purchasers of dogs and any other particulars the Clerk may deem advisable.
- c) Every dog seized by the Animal Control Officer under the provisions of (a) of this section and delivered to the pound keeper shall be confined in the pound for at least three clear days (72 hours) and at the end of such period if the dog is not redeemed or sold as here and after provided be destroyed by the pound keeper in such a manner as the Medical Officer of Health of the Township of Chapleau shall prescribe and the carcass shall be disposed of to the satisfaction of the Medical Officer.
- d) The owner of any dog impounded under the provisions of this By-Law may redeem the dog within the confinement period in (c) of this section by paying the pound keeper for the use of the Township of Chapleau the sum of \$10.00 per day. If the same dog is not redeemed by the owner the pound keeper may sell any impounded dog for not less than \$10.00 and a purchaser shall obtain a license for said dog.
- e) The By-Law Officer of the Township of Chapleau shall be deemed to be the Animal Control Officer for the purposes of this By-Law.

LEASH

- 7.1 Every owner shall ensure that when the owner's dog is off the premises, said dog shall be restrained by a leash that is not greater than three feet long.

GENERAL

- 7.2 Every person who contravenes any of the provisions of this By-Law is guilty of an offence and on conviction is liable to a fine as prescribed by the Township of Chapleau. Procedure shall be by way of the Provincial Offenses Act, R.S.O. 1990. Chapter P. 33.
8. That By-Laws 92-26, 94-34 and 95-17 be and they are hereby repealed in their entirety.
9. This By-Law shall come into force and take effect on the 27th day of October, 1997 with the exception of Section 5 (d) (ii) which shall come into effect on June 1st, 1998.

READ a FIRST, SECOND and THIRD TIME and FINALLY PASSED this 27th day of October, 1997.

Schedule "A"

To

By-Law 97-36

Spayed or Neutered

FEE

Spayed or neutered dog if only one is kept \$ 5.00

For the second spayed or neutered dog owned
by the same person or kept in any one household..... \$ 10.00

Non Spayed/Non-Neutered

Male or Female Dog if only one is kept..... \$ 30.00

For the second male or female dog owned
by the same person or kept in any one household..... \$ 35.00

Kennel License..... \$ 50.00

Dog Tag..... \$ 0.25

Replacement Dog Tag \$ 0.25

When a certificate of a veterinary surgeon is produced showing that a female dog has been spade or that a male dog has been neutered, it shall be licensed at the above mentioned rate.

THE CORPORATION OF THE TOWNSHIP OF CHAPLEAU

BY-LAW 2004-16

Being a By-Law to amend By-law 97-36 a by-law to provide for the registration and control of dogs in the Township of Chapleau and for the collection of a license fee from the owners thereof in the Township of Chapleau.

WHEREAS the Municipal Act, 2001, S.O. 2001, Chapter 25, Section 11(1), 103 and 104 provides that by-laws may be passed by the Council of a local municipality for licensing, regulating, controlling, seizing and impounding, dogs running at large contrary to the By-Law and for selling dogs so impounded at such time and in such manner as is provided for in the By-Law; And

WHEREAS Council wishes to amend By-law 97-36 to provide for increased dog pound fees:

NOW THEREFORE the Council of the Township of Chapleau ENACTS AS FOLLOWS:

1. That Section 7 (d) be deleted in it's entirety and replaced with the following:

The owner of any dog impounded under the provisions of this by-law may redeem the dog within the confinement period in (c) of this section by paying the Township of Chapleau the following pound fee:

Monday through Friday: \$15.00 per day.

Saturday through Sunday \$25.00 per day.

If the same dog is not redeemed by the owner, the pound keeper may sell the dog for not less than the daily pound fee applicable to that dog and the purchaser shall at the time of purchase, purchase a license for the said dog.

2. That all other provisions of By-law 97-36 shall remain in full force and effect.
3. That this By-Law shall come into force and take effect on the 1st day of March, 2004.

READ a FIRST, SECOND and THIRD TIME and FINALLY PASSED this 1st day of March, 2004.

Mayor

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