

# THE CORPORATION OF THE TOWNSHIP OF RED ROCK

## BY-LAW 2002-869

Being a by-law to provide for the licensing, registration and regulation of dogs and cats in the Township of Red Rock.

WHEREAS Section 210 of the Municipal Act, R.S.O. 1990, c.M.45 as amended to January 18, 2002, provides that the Councils of local municipalities may pass by-laws for licensing and requiring the registration of dogs and cats and for imposing a license fee on the owners of said dogs and cats;

AND WHEREAS Section 210 of the Municipal Act, R.S.O. 1990, c.M.45 as amended to January 18, 2002, provides that the Councils of local municipalities may pass by-laws for prohibiting and regulating the number of dogs and cats to be kept by an owner and for the running at large of dogs and cats within the municipality;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF RED ROCK ENACTS AS FOLLOWS:

### SECTION 1. DEFINITIONS:

- a) "Animal Control Officer" shall mean any person under the employ of the Corporation of the Township of Red Rock authorized to enforce this by-law;
- b) "Boarding Kennel" means any building, pen or other structure, other than a dwelling, used for the temporary keeping of dogs for gain;
- c) "cat" means a male, neutered male, female or spayed female cat;
- d) "council" shall mean the Council of the Corporation of the Township of Red Rock;
- e) "dog" means a male, neutered male, female or spayed female dog;
- f) "guide dog" means a registered guide dog used for the purpose of aiding persons with a sight or hearing impairment;
- g) "kennel" means any building, pen or other structure, other than a dwelling, used for the keeping of dogs that are registered or eligible for registration with an Association incorporated under the Animal Pedigree Act;
- h) "owner" means a person who possesses, harbours or has control of a dog/cat and, where the owner is a minor, the person responsible for the custody of the minor is deemed to be the owner;
- i) "Police Officer" shall mean any Police Officer, Police Cadet or Special Constable under the employ of the Corporation of the Township of Red Rock;

- j) "public property" means any land owned by the Corporation of the Township of Red Rock including public highways, public lanes, public sidewalks, pedestrian ways and public parks;
- k) "running at large" for the purpose of this by-law shall mean when found in any place other than the premises of the owner and not under the control of any person.
- l) "Township" shall mean the Corporation of the Township of Red Rock;
- m) "Veterinary Hospital" means a "Veterinary Hospital" as defined and licensed by the Ontario Veterinary Association.

## SECTION 2. GENERAL PROVISION

- 2.1 Subject to Section 7, no person shall keep in or upon any land or premises including a dwelling within the Corporation of the Township of Red Rock, more than a total of three (3) dogs and/or cats, provided that any young born in or upon such lands, premises or dwelling may be kept there for a period not exceeding twelve (12) weeks after birth.

## SECTION 3. LICENSING DOGS

- 3.1 Every person being the owner of a dog which exceeds the age of six (6) months shall:
  - a) Annually on or before the 31<sup>st</sup> day of January in each year; or
  - b) Forthwith upon a dog having passed the age of six (6) months or, within forty-eight (48) hours of becoming the owner of a dog, the age of which exceeds six (6) months, cause such dog to be registered, numbered, described and licensed in the office of the clerk of the Township of Red Rock.
- 3.2 Every person being the owner of a dog which is over the age of six (6) months shall pay to the Corporation of the Township of Red Rock for the license required under Section 3, an annual license fee as prescribed by council, from time to time by by-law.
- 3.3 Every person being a dog owner and being over the age of 65 shall not be required to pay any license fees required under Section 3.2, but shall be required to register said dog with the Corporation of the Township of Red Rock in accordance with Section 3.1.
- 3.4 Every person being a dog owner, on payment of the required license fee, shall be furnished by the Corporation of the Township of Red Rock with a dog tag bearing the name of the Township and a serial number.
- 3.5 Every person being the owner of a dog furnished with a dog tag under Section 3.4, shall keep the tag securely fixed on said dog at all times until such time as the tag is renewed or replaced.

- 3.6 Every person being the owner of a dog for which a tag was issued under the provisions of this by-law shall immediately upon losing said tag make application to the Clerk for a replacement tag and pay a replacement fee as prescribed by council, from time to time by by-law.

SECTION 4. LICENSING CATS

- 4.1 Every person being the owner of a cat which exceeds the age of six (6) months shall:
- c) Annually on or before the 31<sup>st</sup> day of January in each year; or
  - d) Forthwith upon a cat having passed the age of six (6) months or, within forty-eight (48) hours of becoming the owner of a cat, the age of which exceeds six (6) months, cause such cat to be registered, numbered, described and licensed in the office of the Clerk of the Township of Red Rock.
- 4.2 Every person being the owner of a cat which is over the age of six (6) months shall pay to the Corporation of the Township of Red Rock for the license required under Section 4, an annual license fee as prescribed by council, from time to time by by-law.
- 4.3 Every person being a cat owner and being over the age of 65 shall not be required to pay any license fees required under Section 4.2, but shall be required to register said cat with the Corporation of the Township of Red Rock in accordance with Section 4.1.
- 4.4 Every person being a cat owner, on payment of the required license fee, shall be furnished by the Corporation of the Township of Red Rock with a cat tag bearing the name of the Township and a serial number.
- 4.5 Every person being the owner of a cat furnished with a cat tag under Section 4.4, shall keep the tag securely fixed on said cat at all times until such time as the tag is renewed or replaced.
- 4.6 Every person being the owner of a cat for which a tag was issued under the provisions of this by-law shall immediately upon losing said tag make application to the Clerk for a replacement tag and pay a replacement fee as prescribed by council, from time to time, by by-law.

SECTION 5 – RUNNING AT LARGE

- 5.1 Every owner of a dog shall prevent such dog from running at large.
- 5.2 Every owner of a cat shall prevent such cat from running at large.
- 5.3 An animal control officer or police officer may impound any dog or cat found to be running at large.
- 5.4 Any dog or cat impounded pursuant to the provisions of this by-law may be redeemed by the owner during the regulated redemption period of the pound upon payment of the fees prescribed by said pound.

- 5.5 Any Police Officer or Animal Control Officer may put down any dog or cat found running at large that cannot be impounded and where it is deemed necessary to do so in the interest of public safety. No damages or compensation shall be recoverable on account of the putting down of a dog or cat in accordance with this provision.

#### SECTION 6. FOWLING PROPERTY

- 6.1 Every person being the owner of or having control of a dog which defecates in or upon any public property or any other property, other than the property of the owner or person having control of a dog, shall immediately cause such excrement to be removed and disposed of in a lawful manner.
- 6.2 Every person being the owner of or having control of a cat which defecates in or upon any public property or any other property, other than the property of the owner or person having control of a cat, shall immediately cause such excrement to be removed and disposed of in a lawful manner.

#### SECTION 7. REGULATING KENNELS

- 7.1 The owner of a kennel of dogs or cats that are registered or eligible For registration with an association incorporated under the Animal Pedigree Act, (Canada), shall pay an annual licence fee as prescribed by council, from time to time, by by-law.
- 7.2 Every application for a licence under Section 7 shall be accompanied by a report from an inspector assigned by the Corporation as to the adequacy of the kennel premises for the keeping and raising of dogs and cats.
- 7.3 The kennel building shall conform to the Ontario Building Code and shall be maintained in such a manner as to be safe.
- 7.4 The kennel shall be in a separate building or shall be a building or part thereof not directly connected to a building which is or can be used for human habitation.

#### SECTION 8. PENALTY

- 8.1 Every person who contravenes any provision of this by-law is guilty of an offence and on conviction, is liable to a fine as provided for in the Provincial Offences Act.

#### SECTION 9. ENACTMENT

- 9.1 By-law 94-737 and 97-770 are hereby repealed.
- 9.2 This by-law shall come into force and take effect upon receipt of written approval of set fines and short form wording from the Ministry of the Attorney General.

Read a first and second time

this 7<sup>th</sup> day of October, 2002.

Read a third time and finally passed

this        day of                2002.

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Reeve

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Chief Administrative Officer/Clerk