

THE MUNICIPAL CORPORATION OF THE TOWNSHIP OF ARMOUR

BY-LAW #63-2016

BEING A BY-LAW FOR THE REGULATING OF DOGS
WITHIN THE TOWNSHIP OF ARMOUR

WHEREAS Section 11(3) of the Municipal Act, 2001, S.O. 2001 c. 25 as amended, permits municipalities to pass by-laws to license and regulate dogs within the municipality, and

WHEREAS Section 103 of the Municipal Act, 2001, S.O. 2001 c. 25 as amended, permits municipalities to provide for the seizure and impounding of animals found at large contrary to this by-law, and

WHEREAS Section 129 of the Municipal Act, 2001, S.O. 2001 c. 25 as amended, permits municipalities to pass by-laws to prohibit noises likely to disturb inhabitants:

NOW THEREFORE the Council of The Municipal Corporation of the Township of Armour enacts as follows:

SECTION 1 - DEFINITIONS

- (a) "Animal Control Officer" includes any person so designated by Council to administer this by-law.
- (b) "Dog" shall mean a male or female dog over the age of twelve weeks.
- (c) "Commercial Kennel" means a Breeding Kennel for the breeding of purebred dogs that are registered or eligible for registration; a Boarding Kennel for the temporary lodging of dogs; OR a Kennel used for the lodging of more than 4 dogs kept for activities resulting in monetary gain
- (d) "Owner" shall mean and include any person who possesses or shelters a dog and "owns" or "owned" have a corresponding meaning.
- (e) "Pound or Shelter" means premises that are used for the detention, maintenance or disposal of dogs that have been impounded pursuant to this by-law.
- (f) "Private Kennel" means a non-commercial private property where more than 4 dogs are kept for the private enjoyment of the owner of the property and not resulting in monetary gain.
- (g) "Public Property" shall mean any property in the Township of Armour owned by The Municipal Corporation of the Township of Armour.
- (h) "Running at Large" shall mean being found in any place other than the premise of the owner and not under the physical control of any person.

SECTION 2 - LICENSING:

- 2.1 No person shall, within the Township of Armour, own or keep any dog without registering and obtaining a license for the dog with the Township.
- 2.2 No person shall, within the Township of Armour, own or keep more than four (4) dogs without obtaining a kennel license.

- 2.3 The license shall be taken out annually on or before the 15th day of February each year and shall expire on the 31st day of December that year. The cost of the license shall be prescribed in the Township's current fee by-law.
- 2.4 An owner at the time of purchasing a dog license shall furnish the following information to the Issuer of Licenses:
 - a) the name, address and phone number of the owner of the dog,
 - b) the breed, name and description of the dog.
- 2.5 Upon payment of the license fee the owner of the dog shall be furnished with a dog tag and the said tag shall be kept securely fixed on the dog at all times and shall not use the dog tag upon a dog other than the one it was issued for.
- 2.6 The replacement fee for a lost license shall be prescribed in the Township's current fee by-law.
- 2.7 Commercial and Private Kennels shall only be allowed in those areas within the municipality zoned Rural by Zoning By-law #27-95, as amended and the license fee shall be as set out in the Township's current fee by-law.

SECTION 3 - RESPONSIBILITIES OF THE OWNER:

- 3.1 No owner of a dog shall permit it to run at large in the Township of Armour.
- 3.2 No owner shall permit their dog, whether leashed or unleashed to trespass on private property.
- 3.3 No owner 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 onto by a responsible person.
- 3.4 Notwithstanding section 3.3 no dog shall be allowed at any time in any area designated as a public park or public beach and swimming area.
- 3.5 Every owner of a dog shall forthwith clean up and dispose of any excrement left by their dog on any property other than their own. This section 3.5 does not apply to owners of seeing eye dogs or registered handicap assist dogs.
- 3.6 No owner shall permit their dog to bark or create any noise that is likely to disturb any inhabitant of the Township.

SECTION 4 - ANIMAL CONTROL OFFICER:

- 4.1 The Animal Control Officer may seize and impound any dog found running at large within the Township of Armour with or without a license. If claimed within four days, the dog may be redeemed for poundage, levied at the current rate per day as set out in the Township's current fee by-law, or may be destroyed if not claimed within seven days. An attempt will be made to give the recorded owner 24 hour advance notice prior to the animal being destroyed.
- 4.2 Every dog, if impounded and not claimed within a four day period, may be sold by the pound keeper.
- 4.3 The Animal Control Officer or their agent, as appointed by the Municipal Council, is authorized to collect the poundage levied upon this by-law and to maintain a pound as directed by the Council.

- 4.4 Where 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 fees and shall pay all fees on demand to the Animal Control Officer.
- 4.5 Nothing in this section shall prevent the Animal Control Officer from destroying an animal which is ill or injured and where, in the opinion of the Animal Control Officer, it is incapable of being cured.
- 4.6 This by-law shall be enforced by the Animal Control Officer, By-law Enforcement Officer or by any Police Officer.

SECTION 5 - PENALTIES:

- 5.1 Any person who contravenes any provision of this by-law is guilty of an offense and upon conviction is liable to a fine not to exceed the maximum provided under the Provincial Offences Act, exclusive of costs, and every such fine shall be recoverable under the Provincial Offences Act.
- 5.2 That all sections of this by-law shall be deemed to be separate and independent, the validity of any section or provision thereof shall not affect the remaining sections.
- 5.3 Schedule A, attached to this by-law and being an integral part of this by-law.

SECTION 6 - REPEALS:

- 6.1 By-law # 11-2007 is hereby repealed.

That this By-law shall come into force and take effect upon signing of this by-law.

Read in its entirety, approved, signed and the seal of the Corporation affixed thereto and finally passed in open Council, this 13 day of December, 2016.

Original signed by Bob MacPhail
REEVE

Original signed by Wendy Whitwell
CLERK-ADMINISTRATOR

**THE MUNICIPAL CORPORATION OF THE TOWNSHIP OF
ARMOUR**

SCHEDULE A - BY-LAW #63-2016

Part I Provincial Offences Act

ITEM	COLUMN 1 Short form wording	COLUMN 2 Provision creating or defining offence	COLUMN 3 Set Fine
1.	Fail to obtain dog license	s. 2.1	\$50.00
2.	Fail to obtain a kennel license	s. 2.2	\$75.00
3.	Permit dog to be at large	s. 3.1	\$75.00
4.	Permit dog to trespass on private property	s. 3.2	\$75.00
5.	Permit dog to be in public place without leash	s. 3.3	\$75.00
6.	Permit dog to be in public park or public swimming area	s. 3.4	\$75.00
7.	Fail to clean-up and dispose of dog excrement	s. 3.5	\$75.00
8.	Permit dog to bark or make excessive noise	s. 3.6	\$75.00
9.	Permit dog to disturb others	s. 3.6	\$75.00

NOTE: The penalty provision for the offence listed above is Section 5.1 of By-law #63-2016, a certified copy of which has been filed.

**THE MUNICIPAL CORPORATION OF THE TOWNSHIP OF
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Schedule A of Fees By-law #4-2016 – for reference purposes

Animal Control

Description	Effective Date	2016	2017	2018	2019	2020
Dog license per dog – 1 st dog	Jan 1st	\$15.00	\$15.00	\$15.00	\$15.00	\$15.00
Dog license per dog – 2 nd dog	Jan 1st	\$20.00	\$20.00	\$20.00	\$20.00	\$20.00
Dog license per dog – 3 rd dog	Jan 1st	\$25.00	\$25.00	\$25.00	\$25.00	\$25.00
Dog license per dog – 4 th dog	Jan 1st	\$30.00	\$30.00	\$30.00	\$30.00	\$30.00
Private kennel	Jan 1st	\$150.00	\$150.00	\$155.00	\$160.00	\$160.00
Commercial kennel	Jan 1st	\$210.00	\$210.00	\$215.00	\$215.00	\$220.00
Replacement license	Jan 1st	\$6.00	\$6.00	\$6.00	\$6.00	\$6.00
Pickup fee	Jan 1st	\$50.00	\$50.00	\$50.00	\$55.00	\$55.00
Dog redemption daily impound fee	Jan 1st	\$25.00	\$25.00	\$25.00	\$30.00	\$30.00