

THE CORPORATION OF THE TOWNSHIP OF LAURENTIAN VALLEY
BY-LAW NUMBER 2017-09-036

A BY-LAW TO REGULATE THE KEEPING AND CONTROL OF ANIMALS, OR ANY CLASS THEREOF, THE ANIMAL IDENTIFICATION SYSTEM, LICENCING AND THE RESTRAINT OF DOGS AND CATS AND CERTAIN OTHER ASPECTS OF ANIMAL CONTROL WITHIN THE CORPORATION OF THE TOWNSHIP OF LAURENTIAN VALLEY

WHEREAS Section 11(3) of the *Municipal Act, 2001, S.O.* provides that a lower tier municipality may pass By-laws within the sphere of jurisdiction of “animals”.

AND WHEREAS Section 103 of the said *Municipal Act* provides that the municipality may pass a By-law for the impounding of animals being at large or trespassing.

AND WHEREAS Section 20 of the *Animals for Research Act, R.S.O. 1990, Chapter A. 22,* provides for the impounding and sale or destruction of any cat or dog pursuant to the provisions thereof;

AND WHEREAS Section 15 of the *Police Services Act, R.S.O. 1990, Chapter P. 15,* provides that Council may appoint Municipal Law Enforcement Officers to enforce all Municipal By-Laws;

AND WHEREAS Section 40 of the *Fish and Wildlife Conservation Act, 1997, S.O. 1997 c. 41* prohibits the keeping of live game wildlife or protected wildlife in captivity;

AND WHEREAS Regulation 567 R.R.O. 1990 made under the *Health Protection and Promotion Act, R.S.O. 1990,c.H.7* provides for the immunization of rabies for animals;

AND WHEREAS Section 21 of the *Animal Health Act 2009, S.O. 2009 c.31* provides that inspectors may issue quarantine orders when certain hazards are identified.

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF LAURENTIAN VALLEY ENACTS AS FOLLOWS:

1. TITLE

- (a) This By-Law shall be known and may be cited as "THE ANIMAL CONTROL BYLAW".

2. DEFINITIONS

As used in this By-Law, the following terms shall have the meaning hereinafter ascribed to them:

- (a) "ANIMAL" means any member of the animal kingdom, other than a human.
 - (b) "ANIMAL CONTROL OFFICER" means a person appointed by By-law of the Municipality for the purposes of enforcing the provisions of this By-Law and shall also be appointed a Municipal Law Enforcement Officer for purposes of enforcing this By-Law pursuant to *Police Services Act*, 1990, Chapter P. 15, Section 15.
 - (c) "ANIMAL SHELTER" means any premises authorized by the Corporation of the Township of Laurentian Valley for the purpose of impounding and caring of and lawful adoption of animals.
 - (d) "AT LARGE" means any animal will be deemed to be at large when it is off the property of its owner and not under control of a competent person.
 - (e) "BITE" means an action with the mouth, of any dog or cat, on a person or animal that results in contact.
 - (f) "CAT" shall mean any feline over the age of three (3) months of any domesticated cat or crossbred domesticated cat.
 - (g) "C.A.O." means the Chief Administrative Officer of the Township of Laurentian Valley.
 - (h) "DANGEROUS DOG" shall mean any dog that;
 - (i) has killed a domestic animal without provocation while off the owner's property; OR
 - (ii) has bitten or injured a human being or domestic animal without provocation on public or private property; OR
 - (iii) is attack trained; OR
 - (iv) has shown the disposition or tendency to be threatening or aggressive
 - (i) "DOG" shall mean *Canis Familiaris*, male or female, over the age of three (3) months and shall not include wolf or fox or any other wild or part wild species of *Canis Familiaris*.
 - (j) "EXHIBIT" means an exhibition of animals permitted and/or prohibited by this By-Law.
 - (k) "FARM" means a farm residence, farm buildings and accessory uses and structures and land used for the tillage of soil, the growing of vegetables, fruits, grains, and other staple crops and includes land used for livestock raising; raising of other animals for food, fur or fibre; dairying; woodlots; horticultural crops; fish farming and beekeeping and shall include an intensive farm and a limited farm.
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- (l) "GRANDFATHERED PIT BULL DOG" shall mean a defined pit bull dog for which a valid pit bull dog licence was issued by the animal control officer and was either born in Ontario between August 29th, 2005 and November 26th, 2005, or owned by a resident of Ontario on August 29th, 2005.
 - (m) "IMMUNIZATION" shall mean to protect against disease by annual inoculation of immunizing serums and vaccines.
 - (n) "KENNEL" shall mean an establishment in which greater than four dogs or domesticated animals are housed, groomed, boarded, bred or trained for gain or profit.
 - (o) "LEASH" includes any form of material lead or restraint which does not exceed 1.8 metres in length and has the capability to control an animal from annoying, bothering or irritating persons or other animals.
 - (p) "M.N.R.F. DOG" means a dog trained specifically for Ministry of Natural Resources and Forestry duties as defined in its Act and so utilized by the Ministry of Natural Resources and Forestry.
 - (q) "MEDICAL OFFICER OF HEALTH" means the Medical Officer of Health for the County of Renfrew or authorized assistants acting under his or her authority.
 - (r) "MICROCHIP" shall mean an object which may be permanently implanted in a dog by injection or surgical procedure, which is programmed to store a permanent identification number and is capable of relaying stored information to a scanning device.
 - (s) "MUZZLE" means a humane fastening or covering device of adequate strength placed over a dog's mouth to prevent it from biting.
 - (t) "NUISANCE ANIMAL" shall mean **any animal** found to be causing a common nuisance, irritation, annoyance or bother to other persons or other animals by being at large, trespassing on private property, chasing, barking / whining / howling or making any other excessive animal noise but does not included animals kept or harboured on a farm as defined in this bylaw
 - (u) "ONTARIO PROVINCIAL POLICE" means the Police service in affect for the Township of Laurentian Valley.
 - (v) "OWNER" means and includes any person who possesses, keeps, feeds or harbours an animal and "owns" or "owned" shall have a corresponding meaning.
 - (w) "PET" shall include cat or dog, or both, and any other common animal, fish or bird that may be kept as a pet that is not prohibited in this By-Law.
 - (x) "PET SHOP" shall mean any person, group of persons, partnership or corporation operating an establishment where live animals, birds and fish, other
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than those listed in Schedule 'A' of this By-Law, as prohibited animals, are kept for retail as pets.

- (y) "PIT BULL DOG" means a dog that:
 - (i) is of the Pit Bull Terrier breed, or
 - (ii) is of the Staffordshire Bull Terrier breed, or
 - (iii) is of the American Staffordshire Terrier breed, or
 - (iv) is of the American Pit Bull Terrier breed, or
 - (v) has an appearance and physical characteristics that are substantially similar to those of dogs referred to any of clauses A) to D), having regard to the breed standards established for American Staffordshire Bull Terriers or American Pit Terriers by the Canadian Kennel Club, United Kennel Club, American Kennel Club or the American Dog Breeders Association.

- (z) "POLICE DOG" means a dog trained specifically for police duties as deemed by the Ontario Provincial Police.

- (aa) "PREMISES" means a house or building, together with its land and outbuildings.

- (bb) "PROHIBITED ANIMAL" shall mean any animal or category of animal that is forbidden to be kept or raised in the Township of Laurentian Valley as listed in Schedule 'A' to this By-Law or a pit bull dog as prohibited by section 6 of the Dog Owners Liability Act, R.S.O.1990, Chapter D.16.

- (cc) "PUBLIC UTILITY EMERGENCY VEHICLE" means the vehicle used by the Animal Control Officer or its designate while on duty.

- (dd) "REGISTRATION PERIOD" shall mean the period from January 1 to December 31 of each year with an extended period to March 31 of the next year which shall be an extension of the prior year registration period to allow owners of animals that were registered in the prior year to purchase new pet tags.

- (ee) "SERVICE DOG" Guide dogs within the meaning of the Blind Persons' Rights Act, and hearing ear dogs, where a certificate is produced from a recognized training establishment stating the dog is being used as a hearing assistance dog, are exempt from the payment of all license fees applicable pursuant to this By-law. Said dog shall be Licensed and wear the current years license tag issued by the licensing agent.

Working dogs, where a certificate is produced from a recognized training establishment stating that the dog is being used as a working dog to assist an ill or disabled person, as well as for therapeutic reasons shall be exempt from all fees applicable pursuant to this By-law. Said dog shall be licensed and wear the current year's license tag as issued by the licensing agent.

- (ff) "STERILIZED ANIMAL" shall mean any spayed / neutered dog or cat that is in support of such certificate from a licensed veterinarian.
- (gg) "TOWNSHIP" means the Corporation of the Township of Laurentian Valley.
- (hh) "VETERINARIAN" shall mean a member of the College of Veterinarian of Ontario.
- (ii) "VETERINARY HOSPITAL" shall mean any establishment maintained and operated with a licensed veterinarian for the diagnosis and treatment of disease and injuries of animals and birds.
- (jj) "VICIOUS ANIMAL" shall mean any animal that displays vicious or aggressive tendencies such as growling, baring of teeth, charging, chasing or lunging at a person or other domestic animal.
- (kk) "ZONING BY-LAW" shall mean Comprehensive Zoning By-law 08-04-391 of the Township of Laurentian Valley, as may be amended from time to time, or any subsequent Comprehensive Zoning By-law passed under Section 34 of the Planning Act.

3. KEEPING OF ANIMALS

- (a) No person is permitted to own, keep, harbour, feed or raise any prohibited animal as identified under Appendix "A" to this By-Law on any lot or in any building or structure on such lot within the limits of the Township of Laurentian Valley.
- (b) No person is permitted to own, keep, harbour or possess any animal that is found to be a vicious animal or nuisance animal, as defined by this by-law, on any lot or in any building or structure on such lot within the limits of the Township of Laurentian Valley.
- (c) No person will keep an animal within the Municipality unless such animal is provided with:
 - (i) a clean and sanitary environment free from accumulation of fecal matter,
 - (ii) adequate and appropriate care, food, water, shelter and opportunity for physical activity.

4. LICENSING AND ANIMAL IDENTIFICATION SYSTEM

- (a) The owner of every dog three (3) months of age or older, within (3) days of his / her becoming such, shall cause it to be licensed with a valid pet tag, numbered
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and described with the Township, which provision shall be called the Animal Identification System.

- (b) The owner of every cat three (3) months of age or older, within three (3) days of his / her becoming such, shall cause it to be registered with a valid pet tag, numbered and described with the Township, which provision shall be called the Animal Identification system.

The Pet Tag, Registration and Identification Fees are as follows:

<u>For all Sterilized Pets:</u>	
Before March 31 in any Year	\$15.00
After March 31 in any Year	\$25.00
<u>For all Unsterilized Pets:</u>	
Before March 31 in any Year	\$20.00
After March 31 in any Year	\$30.00
<u>'Dangerous Dog'</u>	\$500.00
<u>For all Service Dogs</u>	
Before March 31 in any year	\$0.00
After March 31 in any year	\$0.00

And such license and registration shall expire on December 31st of each year.

- (c) The owner of every dog or cat shall not claim such dog or cat to be sterilized when such dog or cat is not sterilized and wrongful claiming shall subject the owner or harbourer to the penalty provided for in this By-Law.
 - (d) Upon payment of the required fee, the owner shall be furnished with a tag for each dog or cat owned by him with a serial number and the year in which it was issued marked thereon and the owner shall keep said tag securely fixed on the dog or cat for which it was issued at all times during the year or until he procures a tag for the following year. A record shall be kept by the licencing officer showing the name and address of the owner and the serial number on the tag. In the event that a tag is lost, the person to whom it was issued shall immediately claim another from the Licence Issuer and shall pay, therefore, the sum of TWO DOLLARS (\$2.00) for each tag.
 - (e) Every owner or harbourer of a dog or cat shall obtain a tag and keep it securely fixed on his dog or cat and shall not affix the tag upon a dog or cat other than the dog or cat for which the said tag was issued. Affixing a tag upon a dog or cat other than the dog or cat for which the said tag was issued shall subject the owner or the harbourer to the penalty provided for in this By-Law.
 - (f) Section 4 of this By-Law does not apply to police dogs during the course of fulfilling their duties.
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- (g) Section 4 of this By-Law does not apply to M.N.R. dogs during the course of fulfilling their duties.

5. **KENNELS**

- (a) Every person who owns, operates or conducts a kennel for pure breed dogs which is registered with the Canadian Kennel Club pursuant to the Statutes of Ontario enacted in that behalf shall obtain an annual licence and pay to the Township of Laurentian Valley, immediately following the first day of January in any year, a licence fee of ONE HUNDRED DOLLAR. Each dog kept shall be licenced by the Township with the exception of unweaned pups.
- (b) If there is a change of ownership of a kennel during the license year the new owner must purchase a new license.
- (c) The Licencing Officer of the Township of Laurentian Valley, upon any application may issue the required license but if he/she does not issue such license at the request of the applicant, he/she shall refer the application to the Council of the Township of Laurentian Valley at its next regular sitting and the Council may, at its discretion, grant or refuse the issuing of a permit hereunder.

6. **IMMUNIZATION**

- (a) No person who resides within the Township of Laurentian Valley shall own or harbour any dog or cat over the age of six (6) months without immunization for the rabies virus and that the immunization is current as defined by the rabies virus serum.
- (b) Section 6. of this By-Law shall be jointly enforced by the Medical Officer of Health pursuant to the provisions of the *Health Protection and Promotion Act*, R.S.O. 1990,c.H.&, as amended, and the Animal Control Officer for the Township of Laurentian Valley pursuant to the provisions of this By-Law and Section 61 of the *Provincial Offences Act*.

7. **IMPOUNDMENT**

- (a) Animals found at large shall be taken up by the Animal Control Officer of the Township and impounded and confined during the redemption period. Animals not claimed by their owners at the expiration of the redemption period shall become the property of the Township and disposed of by the Township, except as hereinafter provided in the cases of certain animals.
- (b) Sick or injured animals found at large and taken up by the Animal Control Officer of the Township shall not be placed into the animal shelter to save harm to other animals and possible contamination of the pound facility. A quick attempt shall be made by the Animal Control Officer to find the owner. If the owner is not ascertainable during the attempt the Animal Control Officer may seek medical
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attention for the animal or may have euthanasia performed to save further pain and/or suffering to the animal.

- (c) Animals found at large by an appointed Animal Control Officer or any Police Officer that pose a threat to the safety of persons or other domestic animals may be destroyed forthwith.
- (d) Every owner of a dog or cat in the Township, which is suspected of having been exposed to the rabies virus, or which has been bitten scratched or has had other contact that may result in rabies in a person or animal, shall on demand surrender such animal to the Township to be held by the Township in quarantine, without cost to the owner, for ten (10) days from the date of contact and such animal shall not be released from such quarantine without permission from the Medical Officer of Health. At the discretion of the Medical Officer of Health, an animal may be placed in quarantine on the premises of the owner

8. REDEMPTION OF IMPOUNDED ANIMALS

- (a) The owner shall be entitled to regain possession of any impounded animal except as hereinafter provided in the cases of certain animals, upon compliance with the license or identification provisions of Section 4 of this by-law and the payment of impoundment fees set forth in Section 9 of this By-Law.
- (b) Any animal impounded under the provisions of this by-law and not reclaimed by its owner at the expiration of the three (3) day redemption period as defined by *Animals for Research Act*, Chapter 22., may be destroyed by the Township or placed in the custody of some person deemed to be a responsible and suitable owner who will agree to comply with the provisions of this By-Law and such other regulations as shall be fixed by the Township.

9. IMPOUNDMENT FEES

- (a) Any animal impounded hereunder may be reclaimed as herein be provided upon payment by the owner to the Animal Shelter.

10. RESTRAINT

Every person shall control a dog while off its own property with a leash that:

- (a) is held by the person in his or her hand, or
- (b) is securely affixed to some immovable structure from which the dog cannot escape.

Section 10 of this By-Law does not apply to Police Dogs or M.N.R.F. Dogs during the fulfillment of their duties.

11. DANGEROUS OR VICIOUS ANIMAL RESTRICTION

- (a) No person shall permit a dog to attack or bite any person, or other animal, or fight with another dog, and shall maintain effective control of his dog by means of a muzzle and/or leash at all times.
- (b) If a dog attacks or bites any person, or other animal, without provocation, such dog shall be deemed to be a “dangerous dog”.
- (c) Once a dog is deemed to be “dangerous”, the Animal Control Officer, or his designate, shall notify the owner of the “dangerous dog”, in writing, that the dog has been deemed to be “dangerous” and the owner shall ensure the following:
 - i. the “dangerous dog” does not attack or bite any person or other animal whether on the owner’s property or not;
 - ii. when the “dangerous dog” is on the property of the owner, it is confined in an enclosed area, in a fenced yard, on a chain or other suitable restraint device capable of restraining the animal;
 - iii. when the “dangerous dog” is off the property of the owner, it is securely leashed and muzzled in a manner that prevents it from biting or attacking a person or other animal and is under the control of a person over the age of eighteen (18) years;
 - iv. Remove the dangerous dog from the Township.
- (d) The owner of the “dangerous dog” after having been notified in writing to comply with the provisions of this by-law, may request, and is entitled to, a hearing before Council who may confirm/amend/rescind the conditions imposed,
- (e) If the owner of a “dangerous dog” fails to comply with the municipalities direction to remove the Dangerous Dog from the Township of Laurentian Valley the owner may be subject to a proceeding under section 4 of the Dog Owners Liability Act R.S.O 1990 Chapter D.16. Attached as Appendix B to this by-law.
- (f) This section shall not apply to a police working dog while on duty.

12. REPORT OF BITE CASES

Every Physician or other practitioner shall report the names and addresses of persons treated for bites inflicted by animals, together with such other information as will be helpful in rabies control to the Renfrew County and District Health Unit and Township of Laurentian Valley.

13. RESPONSIBILITIES OF VETERINARIANS

Every licensed veterinarian is to report to the Renfrew County and District Health Unit his diagnosis of any animal observed by him/her as a rabies suspect.

14. EXEMPTIONS

- (a) Hospitals, clinics, and other premises in operation with Licensed veterinarians for the care and treatment of animals are exempt from the provisions of this By-Law, except where such duties are expressly stated.
- (i) The licensing and pet identification system of this By-Law shall not apply to an animal belonging to a non-resident of the Township of Laurentian Valley and kept within the Township for not longer than thirty (30) days provided such animals shall, at all times while in the Township, be kept within a building or vehicles, or under restraint by the owner by means of a leash not measuring more than two (2) metres in length. The animal must be duly immunized for rabies within the last 12 months.
- (ii) Any person who owns, keeps, harbours or possesses any non-resident animal within the limits of the Township shall ensure valid pet identification, licensing and immunization papers are kept with the animal at all times while in the Township. Should the requirements of Section 14 (a) (i) and/or (ii) be ignored, the owner, keeper, harbourer or possessor shall be subject to the penalty provided for in this By-Law.
- (b) Any Farm as defined herein this By-Law and registered with the Ontario Ministry of Agriculture and Food is exempt from the provisions of Section 4. Licensing And Pet Identification System for dogs and cats numbering up to FIVE (5) in combination.
- (i) Every owner of a Farm shall register the respective animals and pay an annual pet tag fee of TWENTY (\$20.00) DOLLARS which shall entitle the farm to FIVE (5) pet tags for dogs and cats being kept at the site of the farm business at all times and dogs and cats over the combined number of FIVE (5) are subject to the provisions of Section 4. of this By-Law
- (ii) Any Farm as defined herein this by-law shall conform to all provisions of this By-Law other than as stated in Section 14. (c) (i), and 14. (c) (ii) of this By-Law and shall be exempt further to those entities in Category Numbers 4., 6., 8., 9., 10., and 13. of Appendix "A" to this By-Law that are not conflictive to the *Ontario Game and Fish Act*, Chapter G. 1. S.82.
- (c)
- (i) Notwithstanding any other provision of this By-law to the contrary, the owning, keeping, harbouring, feeding or raising of entities identified on Appendix "A" in Categories 4., 6., 8., 9., 10., and 13., shall be permitted on any lands which are zoned Agriculture (A) in the Zoning Bylaw, or zoned in a zone category in the Zoning By-law which permits a Farm, Intensive Farm, Limited Farm as defined in this By-law or the keeping of any one or all of the types of farm animals or any entities identified on Appendix "A" in Categories 4., 6., 8., 9., 10. and 13, and subject to compliance with the Minimum Distance Separation (MDS) formula, where applicable, and the Nutrient Management Act, where applicable;
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- (ii) Notwithstanding any other provision of this By-law to the contrary, the owning, keeping, harbouring, feeding or raising of horses shall be permitted on lands which are zoned in the Zoning By-law to permit a boarding stable and subject to compliance with the Minimum Distance Separation (MDS) formula where applicable, and the Nutrient Management Act, where applicable;
- (iii) Where the applicable zoning in the Zoning By-law specifically prohibits the owning, keeping, harbouring, feeding or raising of any of the entities identified on Appendix "A" in Categories 4., 6., 8., 9., 10. and 13, on a specific property, the exemption provided under 14.(f) (i) shall not apply to that property for those categories that are prohibited;
- (iv) Where there is conflict with the Ontario Game and Fish Act, Chapter G.1.S.82, or any other Provincial or Federal Act or legislation which would prohibit the owning, keeping, harbouring, feeding or raising of any of the entities identified in Categories 4., 6., 8., 9., 10. and 13., the provisions of those Acts or legislation shall supercede this By-law; and
- (v) All other applicable provisions of this By-law and any other By-law of the Township shall apply.

15. SPECIAL EVENTS INVOLVING ANIMALS

Where a Special Event such as an exhibition, circus, traveling show, petting zoo or any other like show that has prohibited animals, as defined in Schedule A of this By-Law, requests entry into the Township of Laurentian Valley for the purposes of public display of such animals the operator / owner in charge of the Special Event must:

- (a) Apply in writing 45 days prior to the intended date, to the C.A.O. for the Corporation of the Township of Laurentian Valley, for permission to enter the Township of Laurentian Valley with prohibited animals for the said purpose.
 - (b) The operator / owner in charge of the Special Event must provide proof of a Comprehensive Policy of Public Liability and Property Damage insurance acceptable to the Township providing at least Two Million Dollars (\$2,000,000) coverage.
 - (c) The C.A.O. for the Township of Laurentian Valley may approve the application and issue a permit from the Township of Laurentian Valley for the authorized purpose.
 - (d) The operator / owner in charge of the Special Event must obtain such permit prior to the commencement of the permitted activity.
 - (e) The operator / owner in charge of the Special Event must display the permit in plain sight and in a conspicuous location at all times during the times and dates of the special event.
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- (f) No person will obstruct, interfere or prevent an Animal Control Officer / Municipal Law Enforcement Officer from conducting an Inspection under section 17 of this by-law before or during the special event.
- (g) Be in full conformance with all applicable Federal, Provincial and Municipal laws governing the possession, keeping and transportation of the subject animals being used in the said function in the Township of Laurentian Valley as well as the location where the subject animals are being kept on a permanent basis.
- (h) Failure to comply with all requirements of this by-law as well as any other conditions set out by the C.A.O., may result in the permit being revoked and the person / persons in possession of any animals listed in Appendix A be subject to the provisions of the By-Law.

16. ANIMAL EXCREMENT

- (a) No person, having the custody, care, or control of any animal, shall allow said animal to defecates on public, commonly shared or private property, other than that of the animal owner or keeper thereof, and shall remove and dispose of such excrement forthwith.
- (b) No person who owns, keeps, harbours or possesses any animal shall allow a buildup of animal fecal matter on the property where the animal is kept and where it becomes offensive to other members of the community.
- (c) Section 16 (a) and (b) do not apply to a farm as defined in the by-law.

17. INSPECTION

For the purpose of discharging the duties imposed by this By-Law and to enforce its provisions, any agent or Animal Control Officer / Municipal Law Enforcement Officer, of the Township or any Police Officer is empowered to enter upon any property or structure, other than a dwelling, where a dog or animal is kept or harboured and to request the exhibition, by the Owner, of such dog or animal.

It is further provided that any agent of the Township or any Police Officer may enter the premises where any animal is kept in a reportedly cruel or inhumane manner and request to examine such animal and to take possession of such animal to determine the validity of such complaint or report and to take appropriate corrective measures, if necessary.

18. ENFORCEMENT

The provisions of this By-Law shall be enforced by the Township and its appointees.

19. OFFENCES

Any person or persons who contravene any section of this By-Law is guilty of an offence and upon conviction shall forfeit and pay the fine for such offence as provided for under Section 61 of *The Provincial Offences Act*.

20. PROHIBITION ORDER

When a person has been convicted of an offence under this By-Law in the Ontario Court of Justice and/or the Ontario Provincial Court may, in addition to any other penalty, the court may, imposed on the person convicted, make an order prohibiting the continuation or repetition of the offence by the person convicted.

21. REPEALS

By-Law Number 06-01-271 of the Township of Laurentian Valley and amending bylaws 2012-11-063, 2014-04-019 and 2016-05-019 are hereby repealed effective as of the date the fines under Section 61 of The Provincial Offences Act for this By-Law are approved.

22. SEVERABILITY

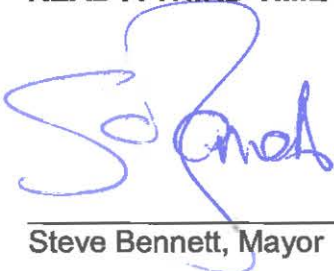
A decision of a competent court that one or more provisions of this By-Law are invalid in whole or in part does not affect the validity, effectiveness or enforce ability of the other provisions or part of provisions of this By-Law.

23. EFFECTIVE DATE

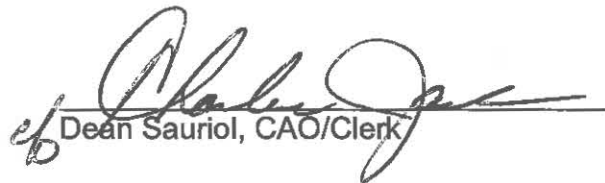
This By-Law shall come into force and effect on the final date of passing thereof.

READ A FIRST AND SECOND TIME THIS 19TH DAY OF SEPTEMBER, 2017

READ A THIRD TIME AND FINALLY PASSED THIS 19TH DAY OF SEPTEMBER, 2017



Steve Bennett, Mayor



Dean Sauriol, CAO/Clerk

APPENDIX "A"
TO BY-LAW NUMBER 2017-09-036
RE: SECTION 3(a)

It is prohibited to keep or raise any domestic animal, farm animal, wild animal, exotic animal, amphibian, reptile, arachnid, fish or insect including any tamed or domesticated wild animal or part wild animal on any lot or in any building or structure on such lot within the limits of the Township of Laurentian Valley that is included in this Appendix hereunder and therefore it is prohibited to keep or raise:

ANY ANIMAL IN THE CATEGORY:

1. Non-humane primates (ie. Monkeys, Chimpanzee)
2. Wild Canids (ie. Foxes, Wolves, Coyotes)
3. Wild Felids (ie. Leopard, Cougar, Lynx)
4. Mustelids (ie. Mink, Skunks, Otters, Weasels, but excluding Ferrets)
5. Reptiles (ie. Snakes, Alligators)
6. Ungulates (ie. Horses, Cattle, Swine, Sheep, Goats, any hoofed animal)
7. Raptores (ie. Falcons, Hawks, Owls)
8. Galliformes (ie. Chickens, Quail, Pheasants, Turkeys, Guinea Fowl)
9. Anseriforms (ie. Ducks, Geese, Swans)
10. Columbiformes (ie. Pigeons)
11. Arachnids (ie. Scorpions, Spiders)
12. Dangerous Fish (ie. Piranha, Electric Eels)
13. Bees
14. Pit Bull dog - as defined in this by-law.
Ref: Section 6(a) Dog Owners Liability Act R.S.O. 1990 CHAPTER D.16

APPENDIX "B"
TO BY-LAW NUMBER 2017-09-036
RE: SECTION 11(6)

DOG OWNERS LIABILITY ACT
R.S.O. 1990 Chapter D.16

PROCEEDINGS — PART IX OF THE PROVINCIAL OFFENCES ACT

Proceedings against owner of dog

4. (1) A proceeding may be commenced in the Ontario Court of Justice against an owner of a dog if it is alleged that,

- (a) the dog has bitten or attacked a person or domestic animal;
- (b) the dog has behaved in a manner that poses a menace to the safety of persons or domestic animals; or
- (c) the owner did not exercise reasonable precautions to prevent the dog from,
 - (i) biting or attacking a person or domestic animal, or
 - (ii) behaving in a manner that poses a menace to the safety of persons or domestic animals. 2005, c. 2, s. 1 (6).

Same

(1.1) A proceeding may be commenced in the Ontario Court of Justice against a person if it is alleged that the person contravened a provision of this Act or the regulations or a court order made under this Act. 2005, c. 2, s. 1 (6).

Nature of proceeding

(1.2) Part IX of the *Provincial Offences Act* applies to a proceeding under this section. 2005, c. 2, s. 1 (6).

Standard of proof

(1.3) Findings of fact in a proceeding under this section shall be made on the balance of probabilities. 2005, c. 2, s. 1 (6).

Interim order

(2) When a proceeding has been commenced under subsection (1) or (1.1), the Ontario Court of Justice may, pending a determination of whether an order should be made under subsection (3) or pending an appeal of such an order, make an interim order requiring the

owner to take measures specified in the interim order for the more effective control of the dog. 2000, c. 26, Sched. A, s. 6; 2005, c. 2, s. 1 (7).

Final order

(3) If, in a proceeding under subsection (1), the court finds that the dog has bitten or attacked a person or domestic animal or that the dog's behaviour is such that the dog is a menace to the safety of persons or domestic animals, and the court is satisfied that an order is necessary for the protection of the public, the court may order,

- (a) that the dog be destroyed in the manner specified in the order; or
- (b) that the owner of the dog take the measures specified in the order for the more effective control of the dog or for purposes of public safety. 2000, c. 26, Sched. A, s. 6; 2005, c. 2, s. 1 (8, 9).

Examples, measures for more effective control

(4) Some examples of measures that may be ordered under subsection (2) or clause (3) (b) are:

- 1. Confining the dog to its owner's property.
- 2. Restraining the dog by means of a leash.
- 3. Restraining the dog by means of a muzzle.
- 4. Posting warning signs. 2000, c. 26, Sched. A, s. 6; 2005, c. 2, s. 1 (10).

Automatic restraint order

(5) If a dog whose destruction has been ordered under clause (3) (a) is not taken into custody immediately, the owner shall restrain the dog by means of a leash and muzzle and such other means as the court may order until the dog is taken into custody. 2000, c. 26, Sched. A, s. 6; 2005, c. 2, s. 1 (11).

Considerations

(6) Except as provided by subsections (8) and (9), in exercising its powers to make an order under subsection (3), the court may take into consideration the following circumstances:

- 1. The dog's past and present temperament and behaviour.
 - 2. The seriousness of the injuries caused by the biting or attack.
 - 3. Unusual contributing circumstances tending to justify the dog's action.
 - 4. The improbability that a similar attack will be repeated.
 - 5. The dog's physical potential for inflicting harm.
 - 6. Precautions taken by the owner to preclude similar attacks in the future.
 - 7. Any other circumstances that the court considers to be relevant. 2000, c. 26, Sched. A, s. 6; 2005, c. 2, s. 1 (12).
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Sterilization requirement

(7) The owner of a dog that is subject to an order under clause (3) (b) shall ensure that the dog is neutered or spayed, as the case may be, within 30 days of the making of the order or, if the court specifies a different time period, within the time period specified by the court. 2005, c. 2, s. 1 (13).

Mandatory order under cl. (3) (a)

(8) When, in a proceeding under this section, the court finds that the dog is a pit bull and has bitten or attacked a person or domestic animal, or has behaved in a manner that poses a menace to the safety of persons or domestic animals, the court shall make an order under clause (3) (a). 2005, c. 2, s. 1 (13).

Same

(9) When, in a proceeding under this section, the court finds that the owner of a pit bull contravened a provision of this Act or the regulations relating to pit bulls or contravened a court order relating to one or more pit bulls, the court shall make an order under clause 3 (a). 2005, c. 2, s. 1 (13).

Onus of proof, pit bulls

(10) If it is alleged in any proceeding under this section that a dog is a pit bull, the onus of proving that the dog is not a pit bull lies on the owner of the dog. 2005, c. 2, s. 1 (13).

Order to prohibit dog ownership

5. When, in a proceeding under section 4, the court finds that the dog has bitten or attacked a person or domestic animal or that the dog's behaviour is such that the dog is a menace to the safety of persons or domestic animals, the court may make an order prohibiting the dog's owner from owning another dog during a specified period of time. 2000, c. 26, Sched. A, s. 6; 2005, c. 2, s. 1 (14).

APPENDIX C
 THE CORPORATION OF THE TOWNSHIP OF LAURENTIAN VALLEY
 BY-LAW NUMBER 2017-09-036
 "THE ANIMAL CONTROL BY-LAW"

Page 1 of 1 Item	COLUMN 1 Short Form Wording	COLUMN 2 Provision Defining Offence	COLUMN 3 Set Fine
1.	Own/harbour a prohibited animal	Section 3(a)	\$1000.00
2.	Own/harbour a vicious animal	Section 3(b)	\$500.00
3.	Own/harbour a nuisance animal	Section 3(b)	\$150.00
4.	Fail to care for an animal in a clean environment	Section 3(c)(i)	\$200.00
5.	Fail to provide adequate food /water/shelter/ care	Section 3(c)(ii)	\$200.00
6.	Owner – No Dog Tag	Section 4(a)	\$100.00
7.	Owner – No Cat Tag	Section 4(b)	\$100.00
8.	Make False Claim - sterilized	Section 4(c)	\$200.00
9.	Pet Tag not affixed to pet	Section 4(d)	\$100.00
10.	Pet Tagged with other than tag issued	Section 4(e)	\$100.00
11.	Own, operate or conduct a kennel without licence	Section 5(a)	\$200.00
12.	Owner – Dog / Cat No Current Rabies Immunization	Section 6(a)	\$1500.00
13.	Dog not under control	Section 10(a)	\$150.00
14.	Permit dog attack / bite of person / animal	Section 11(1)	\$250.00
15.	Fail to Maintain effective control of a Dangerous Dog	Section 11(1)	\$250.00
16.	No Special Event Permit	Section 15(d)	\$500.00
17.	Fail to Display Special Event Permit	Section 15(e)	\$250.00
18.	Obstruct officer conducting inspection	Section 15(f)	\$500.00

NOTE: The general penalty provision for the offences listed above is section 20 of By-Law 2017-09-036, certified copies of which have been filed.

THE CORPORATION OF THE TOWNSHIP OF LAURENTIAN VALLEY
BY-LAW NUMBER 2017-09-036

"THE ANIMAL CONTROL BY-LAW"

Page 1 of 1 Item	COLUMN 1 Short Form Wording	COLUMN 2 Provision Defining Offence	COLUMN 3 Set Fine
	Own/harbour a prohibited animal	Section 3(a)	
2.	Own/harbour a vicious animal	Section 3(b)	
3.	Own/harbour a nuisance animal	Section 3(b)	
4.	Fail to care for an animal in a clean environment	Section 3(c)(i)	
5.	Fail to provide adequate food /water/shelter/ care	Section 3(c)(ii)	
6.	Owner – No Dog Tag	Section 4(a)	
7.	Owner – No Cat Tag	Section 4(b)	
8.	Make False Claim - sterilized	Section 4(c)	
9.	Pet Tag not affixed to pet	Section 4(d)	
10.	Pet Tagged with other than tag issued	Section 4(e)	
11.	Own, operate or conduct a kennel without licence	Section 5(a)	
12.	Owner – Dog / Cat No Current Rabies Immunization	Section 6(a)	
13.	Dog not under control	Section 10(a)	
14.	Permit dog attack / bite of person / animal	Section 11(1)	
15.	Fail to Maintain effective control of a Dangerous Dog	Section 11(1)	
16.	No Special Event Permit	Section 15(d)	
17.	Fail to Display Special Event Permit	Section 15(e)	
18.	Obstruct officer conducting inspection	Section 15(f)	

NOTE: The general penalty provision for the offences listed above is section 20 of By-Law 2017-09-036, certified copies of which have been filed.

TO: Chief Justice

The Township of Laurentian Valley supports the efforts of the Province of Ontario with respect to the amendments of the Dog Owners Liability Act.

By-Law 2017-09-036 of the Township of Laurentian Valley provides an effective tool in the control and enforcement of these new amendments to the Act, and will ensure that all persons and animals in our community are treated fairly.

When required, our Municipality must take the proper corrective measures regarding Pit Bulls in our community. We believe that for the fine to be effective and a real deterrent to first time and future repeat offences the maximum set fine must be applied to only the most serious offences and that is what we are attempting to accomplish.