

THE CORPORATION OF THE TOWNSHIP OF RAMARA

CANINE CONTROL BYLAW NO. 2005.76

BEING A BYLAW FOR THE LICENSING AND REGULATING SEIZURE AND IMPOUNDING OF DOGS WITHIN THE TOWNSHIP OF RAMARA

WHEREAS Section 11 of the Municipal Act, Chapter RSO 2001 provides that a municipality may pass a bylaw respecting animals;

AND WHEREAS Section 103 of the Municipal Act RSO 2001 allows for the impounding of animals;

AND WHEREAS, the Public Safety Related to Dogs Statute Law Amendment Act RSO 2005 places restrictions on pit bull dogs;

AND WHEREAS the Council of the Corporation of the Township of Ramara is desirous of licencing, regulating and controlling dogs and for seizing and impounding of dogs at large within the Township of Ramara;

NOW THEREFORE, the Council of the Township of Ramara hereby enacts as follows:

0. INDEX

1. Definitions;
2. Licences for Dogs;
3. Predator Protection;
4. Dogs Running At Large;
5. Impoundment and Control of Dogs;
6. Number of Dogs;
7. General Provisions;
8. Fees and Charges;
9. Enforcement;
10. Schedules; and
11. Enactment.

1. DEFINITIONS

- 1.1 Bonafide Farmer
Means a person who farms and derives some of his/her income from the raising of livestock.
- 1.2 Clerk
Means the Clerk of the Township or other person designated for the purposes of this bylaw.

- 1.3 Dangerous Dog
Means a dog that has killed a domestic animal without provocation while off the owner's property, has bitten or injured a human being or domestic animal without provocation on public property, is attack trained, is kept for the purpose of security or protection whether residential, commercial or industrial or personal property and shows the disposition or tendency to be threatening or aggressive.
- 1.4 Dog
Means a male or female dog over the age of three (3) months, but does not include a guide dog within the meaning of The Blind Persons Rights Act, or a police work dog, or a dog specifically trained to assist those with disabilities.
- 1.5 Dwelling Unit
Means a dwelling unit as defined in the Township's Zoning Bylaw.
- 1.6 Hunting
Means the act of an individual or individuals who are armed with legal weapons in pursuit of game for food or sport.
- 1.7 Owner
Means a person who possesses or harbours a dog; and where the owner is a minor, the person responsible for the custody of the minor.
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- 1.8 Pit Bull
Means a pit bull dog as defined by the Dog Owner's Liability Act.
- 1.9 Provincial Offences Officer
Means any person who is employed or who has entered into a contract with the Township and who has been appointed by bylaw by Council to control dogs or any municipal law enforcement officer engaged to enforce bylaws of the Township.
- 1.10 Restricted Pit Bull
Means a pit bull that is owned by a resident and has been licenced by the Township prior to March 9, 2005 or is a pup from a litter of a pit bull that is owned by a resident and licenced by the Township prior to March 9, 2005 and such pup has been born by June 2005.
- 1.11 Running at Large
Means being found in any place within the geographic limits of the Township other than the premises of the owner of the dog or outside of the owner's premises and not under the control of any person.
- 1.12 Sled Dog
Means a dog that is actively involved in sled dog competitions or recreational sled pulling.

2. LICENSES FOR DOGS

- 2.1 All dogs within the geographic limits of the Township shall be annually registered and licenced by their owners whose permanent municipal address is within the Township except owners whose permanent municipal address is outside of the Township and who have legally registered and licenced their dogs in another municipality for the current year.
- 2.2 Owners shall have all dogs registered, numbered, described and licenced by the Clerk and pay the appropriate fee on or before the last business day in February, in each year, or before the dog attains the age of three (3) months whichever occurs last. Licence fees for dogs reaching the age of three (3) months after the last business day in February of the current year shall be pro rated monthly for the remainder of the year based on each month or part month thereof.
- 2.3 Owners of dogs who are absent from the Province for the entire months of January and February in any given year may pay the January/February licence fees provided the licence is obtained within two (2) weeks of their return to the Province.
- 2.4 On payment of the licence fee for the dog, the owner shall be furnished with a dog tag and shall keep the tag securely fixed on the dog at all times until the tag is renewed or replaced; provided however, that the tag may be removed while the dog is being lawfully used for hunting in the bush.
- 2.5 The tag shall bear a serial number, the year in which it was issued, and the name of the Township. A record shall be kept by the Clerk and showing the name and address of the owner and the serial number of the tag. In the event a dog tag is lost, the owner shall, upon satisfying the Clerk of such loss, be entitled to received a replacement tag upon payment of the prescribed fee.
- 2.6 A licence shall be issued to a restricted bit bull.

3. PREDATOR PROTECTION/DANGEROUS DOG

- 3.1 Any bonafide farmer who owns livestock, as defined in the Livestock, Poultry & Honey Bee Protection Act, Chapter L24, R.S.O. 1990, may harbour up to three dogs in addition to any licenced dogs for the property provided the predator protection does reside with the livestock they are protecting. The additional dogs must be registered with the Township.
- 3.2 Council for the Township may, by bylaw, vary the number of predator protection dogs for individuals who are bonafide farmers and for specified parcels of land. Council, at their discretion, may hold a public meeting.

- 3.3 Owners of dangerous dogs shall ensure that a sign is displayed at each entrance to the property and building in which the dog is kept warning in writing, as well as with a symbol that there is a dangerous dog on the property. This sign shall be visible and legible from the nearest highway.
- 3.4 The owner of a dangerous dog must provide proof of liability insurance annually for injuries caused by the owner's dangerous dog in the amount of one million dollars and name the Township as an additional insured.

4. DOGS RUNNING AT LARGE

- 4.1 No person shall allow any dog owned by that person to run at large within the geographic limits of the Township, except a dog being lawfully used for hunting when under the control of any person in the bush and such dogs must be legally licenced. Dogs with tracking collars when hunting under the control of any person in areas zoned Rural and Agricultural will not be impounded.
- 4.2 All dogs must be leashed other than on the land of the owner unless prior consent is given by the person owning the land on which the dog is found.
- 4.3 Any dog that has bitten a person or a domestic animal and any restricted pit bull and any dangerous dog shall thereafter be muzzled and leashed at all times when not on the lands of the owner of that dog.
- 4.4 Notwithstanding Subsection 6.3 of this bylaw, the owner of a dog that has bitten a person or a domestic animal may apply to the Township for, and is entitled to, a hearing by Council which may exempt the owner from muzzling or leashing requirement, or both.
- 4.5 The owner of a restricted pit bull that has bitten or attacked a person or domestic animal or whose behaviour is such that the dog is a menace to the safety of persons or domestic animals in the opinion of the Provincial Offences Officer, shall have a proceeding commenced in the Ontario Court of Justice.
- 4.6 No person shall allow a dog whether leashed or otherwise to be in a posted area prohibiting dogs;
- 4.7 If a Provincial Offences Officer is unable to seize any dog found to be running at large contrary to the bylaw, the Officer may require the owner to pay a penalty in accordance with Schedule "A". In the event that the owner of a dog fails to pay the penalty imposed by the Provincial Offences Officer pursuant to this Section within the time specified for payment, the owner shall be deemed to have contravened this bylaw.

5. IMPOUNDMENT AND CONTROL OF DOGS

- 5.1 A Provincial Offences Officer may seize and impound any dog running at large.

- 5.2 Any person shall be entitled to take charge of any dog found running at large and deliver the same to the Provincial Offences Officer or retain the dog for pick up by the Provincial Offences Officer.
- 5.3 A Peace Officer or Provincial Offences Officer may destroy any dog in a humane manner where required for reasons of safety to people or animals, where the dog is injured and should be destroyed without delay for humanitarian reasons, and no damages or compensation whatsoever shall be recovered by the owner of the dog or any other person on account thereof.
- 5.4 In the event that a dog is impounded and not destroyed, the Provincial Offences Officer shall, within 24 hours from the seizure of any dog bearing a tag, when possible, notify the owner that the dog is impounded and the conditions where custody of the dog may be regained.
- 5.5 Any dog so impounded, if not retrieved by the owner, shall be fed and watered for a period of not less than three (3) days, excluding the day on which the dog was impounded and excluding the days that the pound is closed. If not retrieved by the owner by the expiration of the three (3) day period, any dog may be sold or destroyed in a humane manner, or otherwise disposed of as the pound operator or Provincial Offences Officer sees fit and no damages or compensation whatsoever shall be recovered by the owner of the dog or any other person on account thereof.
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- 5.6 No dog shall be returned to the owner unless it has been licenced in accordance with the provisions of this bylaw, and any owner of a dog without a licence shall obtain a licence for the current year before delivery is made.
- 5.7 Where a dog is impounded, and whether the dog is retrieved by the owner from the pound or not, the owner of the dog shall be liable for the dog licence fee, transportation fee, impound fee and pound and maintenance fees prescribed, and shall pay all fees on demand by the Provincial Offences Officer, Clerk or keeper of the pound.
- 5.8 The Township may operate its own pound or enter into a contract with a person or agency to operate a pound.
- 5.9 No owner of a dog shall allow the dog to howl, or bark excessively or otherwise become a nuisance. In addition to the enforcement provisions of this bylaw, any person may appear before a Justice of the Peace and swear an information charging the owner of the dog with a breach of this Section.
- 5.10 The owner of every dog shall remove forthwith any excrement left by his/her dog on all public and private property and dispose of it in a sanitary way. In addition to the enforcement provisions of this bylaw, any person may appear before a Justice of the Peace and swear an information charging the owner of the dog with a breach of this Section.

- 5.11 Each individual adult person being part of a household group that possess or harbors a dog may be jointly or severally charged with a contravention of any provision of Section 5 of this bylaw.

6. NUMBER OF DOGS

- 6.1 The total number of dogs that may be kept in or about any dwelling unit or property with the Township shall be a maximum of three (3) dogs.
- 6.2 Section 6.1 of this bylaw does not apply to any property where a kennel licence has been issued under the provisions of this bylaw.
- 6.3 Section 6.1 of this bylaw does not apply to a bonafide farmer using dogs for predator protection for livestock in accordance with Section 3 of this bylaw, provided the predator protection dogs are registered with the municipality.

7. GENERAL PROVISIONS

- 7.1 No person shall harbour a dog unless such dog has a current licence except a registered predator protection dog.
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- 7.2 No person shall use a dog tag for a dog other than the dog for which the tag was issued.
- 7.3 Every licence issued pursuant to this bylaw shall expire on the last business day of February following the year in respect of which it was issued.
- 7.4 No person may own any dog or dogs for the purpose of fighting, or train, torment, badger, bait or use any dog for the purpose of causing or encouraging that dog to engage in unprovoked attacks upon human beings or domestic animals, nor may any person participate in, promote, or allow property the person owns to be used for dog fighting.

8. FEES AND CHARGES

- 8.1 The licence fee for dogs for inspection and re-inspection and for pound charges shall be as prescribed by Council from time to time in the Licencing Fee Bylaw.

9. ENFORCEMENT

- 9.1 Every person who contravenes the provisions of this bylaw is guilty of an offence and upon conviction is liable to a fine or penalty as provided by the Provincial Offences Act.

- 9.2 Where a conviction is entered under Section 9 of this bylaw, in addition to any other remedy or penalty provided by law, the court in which the conviction has been entered, and any court of competent jurisdiction thereafter, may make an order prohibiting the continuation or repetition of the offence by the person convicted.
- 9.3 Any person harbouring a pit bull, not a restricted pit bull, shall have a proceeding commenced in the Ontario Court of Justice.
- 9.4 Where a conviction has been laid and the fine has not been paid within three months of the date of issue the set fine will be added to the owners municipal tax bill.

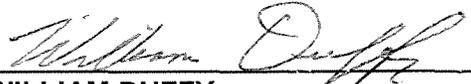
10. SCHEDULES

- 10.1 Schedule "A" attached hereto shall be and form a part of this bylaw.

11. ENACTMENT

- 11.1 That bylaw 2002.109 shall be repealed.
- 11.2 That this bylaw shall come into force and take effect on the date the Order for the set fines is approved by the Ontario Court of Justice.

BYLAW READ A FIRST, SECOND AND THIRD TIME AND PASSED THIS 29th DAY OF AUGUST 2005.



WILLIAM DUFFY
MAYOR



RICHARD P. BATES, BAS, CET,
CAO/CLERK

SCHEDULE "A"

TO BYLAW NUMBER 2005.

LICENSING AND REGULATING OF DOGS

	Description of Offence	Section	Set Fine
1	Failure to licence a dog	2.1	\$100.00
2	Failure to keep a dog tag securely fixed to the dog	2.4	\$50.00
3	Failure to register dog	3.1	\$100.00
4	Allow a dog to run at large	4.1	\$100.00
5	Allow a dog to be without a leash	4.2	\$100.00
6	Allow a dog to be unmuzzled	4.3	\$200.00
7	Allow a dog to bark or howl excessively	5.9	\$200.00
8	Failure to clean up dog excrement	5.10	\$150.00
9	Allow more than three dogs on property	6.1	\$200.00
10	Harbour an unlicensed dog	7.1	\$100.00
11	Teasing a dog	7.4	\$100.00
12	Dangerous dog running at large	4.1	\$500.00
13	Allow a dog to run at large in a posted prohibited area	4.6	\$100.00