

THE CORPORATION OF THE MUNICIPALITY OF
NORTHERN BRUCE PENINSULA

BY-LAW NO. 2019-08

A BY-LAW TO LICENCE AND REGULATE THE
CARE AND CONTROL OF DOGS
WITHIN THE MUNICIPALITY OF NORTHERN BRUCE PENINSULA

WHEREAS Section 9 of the Municipal Act, 2001, S.O. 2001, c. 25, as amended, gives the council of the municipality the rights, powers and privileges of a natural person for the purpose of exercising its authority under this or any other Act;

AND WHEREAS Section 11 of the Municipal Act, 2001, S.O. 2001, c. 25, as amended, authorizes a lower tier municipality to pass by-laws respecting animals.

AND WHEREAS Section 103(1) (a) and (b) of the Municipal Act, 2001, S.O. 2001, c. 25, as amended, allows for the municipality to pass a by-law to control the running at large of animals, their seizure, impounding, the sale of impounded animals and the voluntary payment of the penalties out of court;

AND WHEREAS Sections 105(1), (2) and (4) of the Municipal Act, 2001, S.O. 2001, c. 25, as amended, allows for a municipality to require a dog to be muzzled or council may exempt said dog from said muzzle order;

AND WHEREAS Section 391 of the Municipal Act, 2001, S.O. 2001, c. 25, as amended, enables a municipality to pass by-laws imposing fees or charges for services provided or done by or on behalf of it.

AND WHEREAS the Ontario Society for the Prevention of Cruelty of Animals Act R.S.O., 1990, c. 36, provides special powers to help animals in distress.

AND WHEREAS the Dog Owners' Liability Act, R.S.O., 1990 c. D 16, provides for the rules and regulation that must be followed for the keeping of dogs.

NOW THEREFORE the Council of the Corporation of The Municipality of Northern Bruce Peninsula enacts as follows:

SECTION 1 – DEFINITIONS

For the purpose of this by-law, the following definitions shall apply:

“Agricultural Location” means a property where a valid Farm Business Registration number is required for the farm business operating on the land unless one of the exemptions applies and is granted. Under the Farm Registration and Farm Organization Funding Act, 1993, S.O. 1993, c. 21, a farm business generating Gross Farm Income of at least Seven Thousand (\$7,000.00) Dollars as reported to Canada Revenue Agency for income tax purposes must register annually; therefore, to qualify a Farm Business Registration number shall be produced.

“Animal” means any member of the animal kingdom, other than a human.

“At Large” means where an animal is found in a place other than the property of the owner of the animal and not under the control of the owner of the animal or his/her authorized representative, except where the owner of the property permits the animal to be on his/her property and an animal shall not be deemed to be under the control of any person unless accompanied by an attendant, under leash, who shall exercise the animal at all times.

"Boarding Establishment-Non-Breeding" means an establishment where more than two (2) unregistered, spayed or neutered dogs are kept in one (1) location and said establishment is duly licensed by the Municipality.

"Breeding" means the generation of offspring resulting in quality of bloodlines as in purebred.

"Breeding Kennel" means a formal establishment for the propagation of purebred dogs.

"Control" means the dog shall be on a leash or chain that must be held by the person accompanying the dog and that person must be physically able to control the dog with the leash or chain.

"Confined Space" means a fully or partially enclosed space.

"Clerk" means the Clerk of the Municipality of Northern Bruce Peninsula.

"Distress" means the state of being in need of property care, water, food or shelter or being injured, sick or in pain or suffering or being abused or subject or undue or unnecessary hardship, privation or neglect.

"Dog" means a domesticated canid (*Canis familiaris*) bred in many varieties being a male, female, spayed female or neutered male dog over the age of twelve (12) weeks.

"Dog Tag" means a licence bearing a serial number and the current year in which it was issued by the Municipality.

"Guide Dog or Special Assistance Dog" means a dog in which serves as a guide or leader for a person with a disability.

"Off Leash Dog Park" means a specific confined area designated by Council, where a dog owner is permitted to allow his dog to run at large, and is not required to leash such dog, in each year from sunrise to sunset.

"Hunting/Sport/Sled Dog" means any building, structure, dog run or other facility where dogs are kept solely for the purpose of routinely entering into dog sled or other sporting event; or hunting dogs which are kept for hunting purposes.

"Kennel" means a kennel of dogs which are all registered or eligible for registration with an association incorporated under the Animal Pedigree Act R.S.C., 1985, c. 8 (Canada).

"Leash" means a line or rope no more than three (3) meters in length used to walk or control a dog.

"Licence" means the metal tag and receipt issued by the Municipality or the Municipality has authorized agent upon registration of a dog or kennel along with payment of the appropriate fee.

"Licence Fee" means the licence fee established by the Municipality's Fees and Charges By-law.

"Municipality" means the Municipality of Northern Bruce Peninsula.

"Puppy Mill" means a commercial dog breeding operation where profit is given priority over the well-being of the dogs.

"Purebred" means a dog registered with an association incorporated under the Animal Pedigree Act, R.S.C., 1985, c. 8 (Canada).

"Officer" means an Animal Control Officer, By-law Enforcement Officer, and Police Officer and/or his/her designate, and/or any person or company who has entered into a contract to control dogs within the Municipality.

“Owner” means a person who:

- a) has the care, charge, custody or control of an animal
- b) owns or who claims proprietary interest in an animal
- c) harbours, suffers or permits an animal to be present on any property owned, occupied or leased by them or which is otherwise under their control
- d) claims and receives an animal from the custody of the animal shelter or an Officer;
- e) a person to whom a licence was issued for an animal in accordance with this bylaw.

“Shelter Operator” means a person or company that is contracted by the Municipality to house stray dogs.

“Spayed or Neutered” means a procedure carried out on a dog that will medically alter it so it will not reproduce.

“Veterinarian” means a person licensed under the Veterinarian Act in accordance with the Animal Health Act, 2009, S.O. 2009, Chapter 31, as amended.

“Working/Livestock Guardian Dog” means a dog that is specifically trained to work and/or live with domestic farm animals (i.e. cattle, sheep, goats, etc.) without causing them harm while aggressively repelling predators.

SECTION 2 - REGISTRATION AND LICENSING OF DOGS

- a) Every owner of a dog in the Municipality shall within one (1) week after the dog comes into his/her possession cause the dog to be registered and licensed at the Municipal Office, 56 Lindsay Road 5, Lion's Head, Ontario, N0H 1W0 for the balance of the calendar year.
- b) Notwithstanding Section 2 hereof, the fees to license and register a dog that is required to assist as a guide dog or special assistance dog person with disability the fee shall be waived.
- c) Registration and licensing of dogs shall be performed at the Municipal Office by paying the prescribed fee set out in the Municipality's Fees and Charges By-law.
- d) On payment of the licence fee, the dog owner shall be furnished with a metal tag bearing a serial number and the year for which the tag is issued for each licensed dog.
- e) The dog owner shall keep the metal tag securely fixed on the dog at all times or until the tag is renewed or replaced except when the dog is engaged in a lawful hunting activity.
- f) A record shall be kept by the Municipality stating the description of the dog for which the tag was issued including the name and address of the dog owner and the serial number of the tag.
- g) No person shall use a tag on a dog other than the dog for which the tag was issued.
- h) Any person who has paid his/her licence fee and loses his/her dog tag shall be entitled to purchase another tag upon application and receipt of payment for a replacement tag as established in the Municipality's Fees and Charges By-Law.
- i) If there is change of ownership of the dog after the licence year, the new dog owner may have the current licence transferred to his/her name upon application and payment of a transfer fee as established in the Municipality's Fees and Charges By-Law.
- j) The provisions of this By-law with respect to licensing of dogs shall apply to all dogs twelve (12) weeks of age or older.

- k) No person shall remove a collar or harness to which a tag has been attached from a licensed dog unless the dog is engaged in a lawful hunting activity.
- l) Where a certificate of a veterinarian is produced showing that a male dog is neutered or that a female dog is spayed, such dog shall be licensed at the lower rate as specified in the Municipality's Fees and Charges By-law.
- m) The working/livestock guardian dog will not be exempt from the Animal Control By-law. A licence fee will be established for working/livestock guardian dogs in the Municipality's Fees and Charges By-law.

SECTION 3 - LICENSING OF KENNELS AND BOARDING ESTABLISHMENTS-NON-BREEDING

- a) Every person who operates a kennel or boarding establishment-non-breeding within the Municipality shall purchase a Kennel or Boarding Establishment-Non-Breeding licence on or before April 1 in each and every year.
- b) The application, licensing and regulating of kennels and boarding establishments-non-breeding within the Municipality shall be in accordance with Schedule A attached hereto and on the prescribed application form as set out in Schedule E to this by-law as well as in keeping with the provisions of the Municipality's Fees and Charges By-law.

SECTION 4 - DOGS RUNNING AT LARGE

- a) No person shall allow a dog to run at large in the Municipality. Dogs will be considered to be running at large in the Municipality except in the following two areas:
 - 1. within the "Off Leash Dog Park"
 - 2. on the premises of the owner of the dog.
- b) No person shall allow a dog to be within the "Off Leash Dog Park" without adult supervision (adult shall be 18 years of age or older).
- c) A dog shall not be considered to be running at large if it is a guide/working or livestock guardian dog or a police work dog or if it is a hunting dog accompanied by the owner or other person while actively engaged in hunting or training for hunting on unposted land or on posted land with the permission of the owner.
- d) No person shall allow a dog to be off the owner's property unless under control and leashed. A dog shall be deemed to be not under the control of any person when the dog is not on a leash and it is on any land in the Municipality other than where the dog is usually kept.
- e) A dog, which is found running at large, contrary to this By-law, may be seized and impounded by an Officer or other person appointed to enforce the provisions of this By-law.
- f) A dog, which is impounded, shall be held for a redemption period of not less than four (4) days and not more than ten (10) days, exclusive of the day on which the dog was impounded and exclusive of Saturday, Sunday and public holidays. If the dog is not claimed, it may then be sold, destroyed or otherwise disposed of at the discretion of the Shelter Operator in accordance with the provisions of this By-law.
- g) An Officer may enter onto any public or private property without the consent of the owner or tenant for the purposes of capturing any dog running at large.
- h) Where a dog is captured while running at large is found to be ill or injured and a veterinarian is of the opinion that the dog should be destroyed forthwith, an Officer

or other person authorized to enforce this By-law may direct a veterinarian to destroy the dog immediately.

- i) Where a dog is seized and impounded, it will not be released until all seizure, pound, veterinarian and maintenance charges have been paid.
- j) Where a dog is injured before or after being taken into custody or, in the opinion of a veterinarian should be destroyed without delay for humane reasons or for reasons of safety to persons or animals, an Officer and the veterinarian shall decide whether to destroy the dog in a humane manner as soon after capture or custody as the Officer and the veterinarian may determine without permitting any person to reclaim the dog or without offering it for sale.
- k) Prior to an impounded dog (which has a tag or other means of identification) being destroyed in accordance with the provision of the By-law, an Officer shall take all reasonable steps to find the owner of the dog and shall forthwith notify the owner, when found, that the dog has been impounded.
- l) An Officer shall restore possession of an impounded dog to the dog owner thereof when the dog owner claims possession within the established redemption period as set out in Section 4(e) and the dog owner pays the animal reclaim administrative, boarding and all applicable fees as set out in the Municipality's Fees and Charges By-Law.
- m) If, at the end of the established redemption period, possession of the dog has not been restored to the dog owner, the Shelter Operator may sell or offer for adoption said dog.
- n) If a dog which has not been reclaimed within the established redemption period and the dog has not been sold or offered for adoption, the Shelter Operator may dispose of it as he/she sees fit subject to the provisions of this By-law and no damages or compensation shall be recovered by any person against the Shelter Operator, Officer or the Municipality.
- o) Working/Livestock Guardian Dogs are exempt from the dogs running at large provisions of this By-law when actively engaged in their duties.

SECTION 5 – MUZZLING OR LEASHING DOGS THAT BITE

- a) When a dog has bitten a person or a domestic animal, the dog owner or other person having control of the dog shall forthwith muzzle and leash the dog and shall keep the dog muzzled and leashed at all times until:
 - i. the dog is destroyed; or
 - ii. the Municipal Council exempts the dog owner from the muzzling or leashing requirement or both.
- b) Where an Officer for the Municipality or his/her designate acquires information or believes that a dog has bitten a person or domestic animal in violation of this By-law, he/she may issue an Order, in the form established by way of Schedule B to this By-law, to the dog owner or other person having control of the dog requiring that person to muzzle or leash the dog or both. Said Order shall be set out in the form established in Schedule B to this By-law as well as in accordance with the provisions of Schedule C and D attached hereto.
- c) The Order issued by the Officer shall state that the dog owner or other person to whom the Order is issued may appeal the Order to the Municipal Council provided he/she does so within seven (7) days of the date of the issuance of the Order.
- d) Where it appears there are grounds to believe that the behavior of the dog required to be muzzled, leashed or both, pursuant to this By-law, has improved, the dog

owner or person in charge of the dog may apply in writing, setting out the grounds for the belief that the dog's behavior has improved, to Municipal Council for an Order to revise, modify or rescind the Order to muzzle, leash or both.

- e) Owners of dogs, whose dogs are required to be muzzled, including Pit Bulls as defined in the Dog Owners' Liability Act, R.S.O. 1990, c. D.16, may not permit the dog that is required to be muzzled to run at large.

SECTION 6 - GENERAL PROVISIONS

- a) A dog owner shall pay all veterinarian costs that are assessed against his/her dog before being returned to the dog owner.
- b) Every owner of a dog shall remove forthwith excrement left by the dog anywhere in the Municipality including the Off Leash Dog Park.
- c) The provisions of Section 6(b) do not apply to the owner of guide dogs while in the control of a physically, visually or audibly impaired person.
- d) No person shall make a false statement on any registration or application required under this By-law.
- e) No person shall harbour more than the following number of dogs per household:
 - i. In the hamlet areas known as Barrow Bay, Dyers Bay, Ferndale, Miller Lake, Pike Bay, Spry and Stokes Bay as well as the secondary urban areas known as Lion's Head and Tobermory, the maximum number of dogs permitted per household shall be two (2);
 - ii. In all other areas of the Municipality outside those mentioned in Section 6(e)(i), the maximum number of dogs permitted per household shall be four (4).
 - iii. Notwithstanding Section 6(e)(i)(ii), no person shall keep more than the number of dogs unless they have been deemed as "Working/Livestock Guardian Dogs" wherein a maximum of five (5) dogs are permitted per agricultural location.
- f) Boarding establishment-non-breeding licences shall be required where there are more than two (2) dogs per location. The dogs must be spayed or neutered and the Municipality must be provided with written proof of the spaying or neutering of the dogs.
- g) Any person(s) owning more than the number established in Section 6(e) at the time of passage of this By-law may keep said dogs, but must not replace them unless a valid boarding establishment-non-breeding licence is issued.
- h) Where signs are erected stating "No Dogs Allowed", dogs are not permitted whether leashed or not.
- i) Every owner of a dog shall ensure that a current licence issued by the Municipality is affixed to the collar or harness of the dog.
- j) No person shall permit a dog to enter or exit the Off Leash Dog Park unless leashed.
- k) No person shall allow his/her dog to be in the Off Leash Dog Park unless it is accompanied by its owner or a guardian who is 18 years of age or older and this person must have verbal and visual care and control of the dog at all times.
- l) All dog owners must be prepared at any time to leash and remove their dog(s) if directed to do so by an Animal Control Officer acting on behalf of the Municipality or if an incident requires the Off Leash Dog Park to be cleared until such time as it

has been deemed safe by an Animal Control Officer acting on behalf of the Municipality.

- m) Dogs must not disturb wildlife within the Off Leash Dog Park.
- n) Food, glass containers, breakables, spiked collars, chain link collars or materials capable of causing injury to a dog are not permitted within the Off Leash Dog Park.
- o) No person shall play or practice a competitive sporting activity except walking with the dogs in the Off Leash Dog Park.
- p) No owner may be responsible for more than two (2) dogs in the Off Leash Dog Park.
- q) No person shall allow or permit an unaltered dog within the Off Leash Dog Park.
- r) All dogs using the Off Leash Dog Park must be spayed or neutered and, if requested by an Animal Control Officer, the owner of said dog shall produce verification that the dog has been spayed or neutered.
- s) No person shall allow a dog to be unsupervised in Off Leash Dog Park.
- t) Every owner of a dog shall ensure that a current rabies vaccination tag is affixed to the collar or harness of the dog.
- u) Working/Livestock Guardian Dogs are exempt from the Noise By-Law as long as they are actively engaged in their duties.
- v) An Officer may seize any dog that is being neglected, sick and/or suffering serious injury or presents a threat to the safety of persons and/or animals.
- w) The owner of said dog that has been seized will only be returned to the dog owner once all costs associated with the seizure have been paid in full to the Municipality.

SECTION 7 - STANDARD OF CARE

- a) Basic standards of care are as follows:
 - i. Every person shall provide a dog with adequate and appropriate food and water.
 - ii. Every person shall provide a dog with adequate and appropriate medical attention.
 - iii. Every person shall provide a dog with the care necessary for its general welfare.
- b) Every person shall transport a dog in a manner that ensures its physical safety and general welfare.
- c) Every person shall provide a dog with an adequate and appropriate resting and sleeping area.
- d) Every person shall provide a dog with adequate and appropriate:
 - i. space to enable the animal to move naturally and to exercise
 - ii. sanitary conditions
 - iii. ventilation
 - iv. light
- e) Every person shall ensure that a dog has protection from the elements including harmful temperatures.

- f) If a dog is confined to a pen or other enclosed structure or area:
- i. the pen or other enclosed structure or area and any structures or material in it must be maintained in a state of good repair.
 - ii. the pen or other enclosed structure or area and any surfaces, structures and materials in it must be made of and contain only materials that are safe and non-toxic.
 - iii. of a texture and design that will not bruise, cut or otherwise cause injury.
- g) The pen or other enclosed structure or area shall not contain one or more other dogs that may pose a danger to each other.
- h) Every dog that lives primarily outdoors must be provided with a structurally sound, weather-proofed and insulated enclosure for its use at all times.
- i) The size and design of the enclosure must be adequate and appropriate for the dog.
- j) A chain, rope or similar restraining device used to tether a dog that lives primarily outdoors.
- i. must be at least three (3) meters long
 - ii. must allow the dog to move safely and unrestricted (except by its length)
 - iii. must allow the dog to have access to adequate and appropriate water and shelter
- k) No person shall cause, permit or allow an animal to be confined in a vehicle or other confined space without appropriate ventilation or left in a vehicle or other confined space if the weather conditions are not suitable for containment of an animal.

SECTION 8 – PENALTIES

- a) Every person who violates a provision of this By-law is guilty of an offence and, upon conviction, is liable to the penalty provided in Section 61 of the Provincial Offences Act, R.S.O. 1990, Chapter P.33, as amended.
- b) No person shall obstruct or interfere with an Officer in the lawful execution of his/her duty enforcing the provisions of this By-law.
- c) If, for any reason, any section, clause or provision of this By-law is deemed by a court of competent jurisdiction to be invalid, the same shall not affect the validity of the by-law as a whole or any part thereof other than the part which was declared to be invalid.

SECTION 9 – SHORT TITLE

This by-law shall be known as the Animal Control By-law.

SECTION 10 - REPEAL

This By-law shall supersede and rescind any other by-laws inconsistent with this by-law.

SECTION 11 – EFFECTIVE DATE

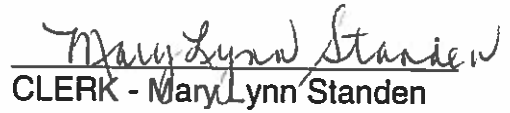
This by-law shall come into full force and effect immediately upon the final approval of the short form wording from the Regional Senior Justice.

READ A FIRST AND SECOND TIME THIS 11th DAY OF FEBRUARY, 2019.

READ A THIRD TIME, AND FINALLY PASSED, SIGNED AND SEALED THIS 11th DAY OF FEBRUARY, 2019.



MAYOR - Milt McIver



CLERK - MaryLynn Standen

Schedule A to By-law No. 2019-08

Licensing of Kennels and Boarding Establishments-Non-Breeding

1. No person shall operate a kennel or boarding establishment-non-breeding for dogs within the Municipality without first purchasing a licence.
2. Every person making application for a licence to operate a kennel shall make application in writing and provide proof that every dog in the kennel is registered or is eligible for registration with an association incorporated under the Animal Pedigree Act, R.S.C., 1985, c. 8 (Canada).
3. Every application for a kennel or boarding establishment-non-breeding shall pay the annual licence fee as set out in the Municipality's Fees and Charges By-Law.
4. A licence shall not be issued or renewed unless the applicant complies with the requirements of other relevant by-laws of the Municipality in force from time to time.
5. A kennel licence, as required under this By-law, shall not be available for any property which is located in a zone established under the Municipality's Comprehensive Zoning By-law, as amended, which does not permit as a permitted use a kennel as defined under said Zoning By-law.
6. All plans for the kennel must be submitted to an Officer for inspection before a licence may be issued.
7. The Municipality may refuse to issue or renew a licence after first providing the applicant with an opportunity for a hearing pursuant to the provisions of the Statutory Powers Procedure Act, R.S.O. 1990, c. S.22.
8. Every owner/operator of a kennel or boarding establishment-non-breeding shall allow access to the facility for the purpose of inspection at all reasonable hours to any person appointed by the Municipality to enforce this By-law.
9. Every owner/operator of a kennel existing at the time of the passage of this By-law shall comply with the standards to kennels contained in this By-law within six (6) months of the date of passing of this by-law.
10. Kennels must comply with the following minimum standards:
 - a. No dog shall be kept in unsanitary conditions including an accumulation of feces, odour, insect or rodent infestations.
 - b. The kennel building shall have floors and walls made of concrete or other impermeable materials (including rigid plastic). Wire floors will not be permitted.
 - c. The floor of the building shall be drained immediately after water is present. No water may sit on the floor of a kennel building. Any new kennel structure is required to install self-drain(s) with maximum five (5) minutes drain time.
 - d. The yards and runways associated with the kennel operation shall have adequate shelter and protection from the elements.
 - e. Every kennel shall be properly equipped with accessible fresh water and adequate feed in clean and properly sized stainless steel dishes in order to maintain dogs in a healthy condition.
 - f. Dishes shall be raised off the floor a minimum of two (2") inches to prevent the infiltration of bedding or excrement in the food and/or water. An exemption to this provision shall be permitted in whelping areas where there are unweaned puppies.
 - g. Every kennel shall be constructed to provide the following pen minimum space per dog or sufficient room to permit the dog confined therein to stand normally to its full height, turn around easily and lie down in a fully extended position.
 - i. Up to 12 kgs, 1.0 square meters per dog
 - ii. 12-30 kgs, 2.0 square meters per dog
 - iii. 30-50 kgs, 2.5 square meters per dog

iv. Over 50 kgs, 3.0 square meters per dog

h. Group housing is suitable provided that the following regulations apply:

- i. any dog exhibiting vicious behavior or dominant aggression is housed separately.
- ii. a dog under treatment for a communicable disease or suspected of harbouring a communicable disease is housed separately.
- iii. newly acquired dogs are isolated before full integration into group housing.

i. For record keeping requirements for breeding kennels, every owner of a licensed breeding kennel shall maintain records with the following minimum information:

- i. date of arrival and departure of each dog.
- ii. breeding and identification records of all whelping bitches and stud dogs and the results of litters.
- iii. age and breed of all dogs kept and sold.
- iv. name and addresses of the purchasers of each dog.

j. Breeding Kennel conditions shall be maintained to the following;

- i. the whelping bitch shall be housed in a separate accommodation from the balance of the dogs in the kennel.
- ii. the whelping box shall be constructed with four sides and a floor made from an impermeable material.
- iii. adequate supplemental heat shall be provided at all times.
- iv. all breeding kennels shall provide sufficient designated space for the proper enrichment and socializing of puppies being offered for sale.

Schedule B to By-law No. 2019-08

Part 1

NOTICE TO MUZZLE

To: _____ Date: _____
(Owner of dog)

Address:

Description of Dog:

Name:

Breed:

Colour:

Dog Tag Number: _____ Year of Dog Tag: _____

Rabies Tag Number:

(Including the year of issuance and veterinarian's company name and address)

Tattoo Number: _____ Microchip Number: _____

The Corporation of the Municipality of Northern Bruce Peninsula is in receipt of a declaration duly executed by an Officer pursuant to the provisions of By-law No. 2019-08 that the dog described above did on the _____ day of _____, 20 ____ bite and puncture the skin of a person or domestic animal. In accordance with Section 5 of By-law No. 2019-08, you are hereby ordered to restrain your dog in accordance with Schedule C to this By-law.

In accordance with the Municipal Freedom of Information and Protection of Privacy Act, personal information is collected under the authority of the Municipal Act and will be used to licence dogs and identify the owner(s) of said dog. Questions about the collection of information shall be addressed to the Clerk at 56 Lindsay Road 5, Lion's Head, Ontario, N0H 1W0.

Schedule C to By-law No. 2019-08

Part 2

METHOD OF RESTRAINT

While the dog is on the property of the dog owner or harbourer as described above, the owner shall be responsible for restraining the dog by keeping it inside a building or house or within a securely fenced yard or in an enclosed pen of sufficient dimension and strength to be humane and prevent said dog from coming into contact with person(s) other than the owner of the dog or any other domestic animal. The enclosed pen or the fenced yard shall be equipped with a locking device or self-latching device. Such self-latching device is to be designed in such a manner that the pen or gate cannot be opened from the outside by a small child.

While the dog is off the property of the owner, as described above, the owner shall ensure that:

- (1) It is securely on a collar-type leash with maximum length of one (1) meter and of sufficient strength to restrain the dog and keep it from chasing a person or domestic animal.
- (2) By fastening a muzzle humanely over the mouth of the dog of adequate strength and design and suitable to the breed of the dog that fits over the mouth of the dog and cannot be removed by the dog, to prevent the dog from biting or attacking a person or domestic animal.
- (3) It is under the control of a person sixteen (16) years of age or older that is physically able to control said dog.
- (4) Within thirty (30) days the dog is identified with a microchip implantation, at the owner's expense, and the said microchip number is registered with the Officer.
- (5) The Officer is notified within forty-eight (48) hours of any change to the residency of the vicious dog.
- (6) The Officer is notified within forty-eight (48) hours after the ownership of the vicious dog is transferred to another person.
- (7) The Officer is notified if the vicious dog is destroyed.

In accordance with Section 5, you may appeal this Notice to Muzzle to the Council of the Municipality of Northern Bruce Peninsula within seven (7) days of the date of this Notice by submitting a written request for a hearing. Such a request must be addressed to the Clerk at the Municipality of Northern Bruce Peninsula, 56 Lindsay Road 5, Lion's Head, Ontario, N0H 1W0.

This Notice is served upon the owner in accordance with Section 5 of By-Law No. 2019-08 on the _____ day of _____, 20____.

Officer

In accordance with the Municipal Freedom of Information and Protection of Privacy Act, personal information is collected under the authority of the Municipal Act and will be used to licence dogs and identify the owner(s) of said dog. Questions about the collection of information shall be addressed to the Clerk at 56 Lindsay Road 5, Lion's Head, Ontario, N0H 1W0.

Schedule D to By-law No. 2019-08

Part 3

DECLARATION REGARDING A VICIOUS DOG

Name of Person or Domestic Animal Bitten: _____

Address: _____

Telephone: _____

Name of Owner of Dog: _____

Address of Owner of Dog: _____

Name of Dog: _____ Dog Tag Number: _____

DESCRIPTION OF DOG

Breed: _____ Colour: _____

Other: _____

Rabies Tag Number: _____ Other Identification: _____

LOCATION OF INCIDENT

Address: _____

Location on Property: _____

Location on Street: _____

Description of Incident: _____

Date of Incident: _____ Time of Incident: _____

Signature of Witness

Name of Witness: _____
(Please print)

Address of Witness: _____

Telephone Number: _____

Signature of Clerk

In accordance with the Municipal Freedom of Information and Protection of Privacy Act, personal information is collected under the authority of the Municipal Act and will be used to licence dogs and identify the owner(s) of said dog. Questions about the collection of information shall be addressed to the Clerk at 56 Lindsay Road 5, Lion's Head, Ontario, N0H 1W0.

Schedule E to By-law No. 2019-08

Part 4

KENNEL LICENCE APPLICATION

New application Renewal

Check one of the following:

- Hunting/Sport/Sled
- Working/Livestock Guardian
- Breeding
- Boarding Establishment-Non Breeding

Mandatory inclusions with this application shall include:

- Site plan
- Clearance from Officer
- Proof of current rabies vaccination for each dog
- For Breeding Kennel License-Canadian Kennel Club Membership or registration details from an Association incorporated under the Animal Pedigree Act, R.S.C., 1985, c. 8 (Canada)

Owner:

(NOTE: Only the registered owner of the property may apply for a Kennel Licence)

Name: _____

Mailing Address: _____ Box No. _____

Municipal Address: _____

Assessment Roll No: _____

Phone: (W) _____ Phone: (H) _____

If owner is a Corporation: _____

Legal description of property on which Kennel/Boarding Facility is to be operated:

Lot: _____ Con: _____ 911 No. _____ Road/Line: _____

Canadian Kennel Club: Yes No CKC No _____

Kennel Name: _____

Name: (Use separate sheet for additional dogs)	Breed:	Age:	CKC or other registration	Proof of current rabies attached

I hereby certify that records kept in accordance with this By-law are available for review by the Officer at any time. I hereby certify that the information given in this application is accurate and complete to the best of my knowledge.

Signature of Owner/Applicant

Witness

Name:
(Please print)

Name:
(Please print)

Date

Date

In accordance with the Municipal Freedom of Information and Protection of Privacy Act, personal information is collected under the authority of the Municipal Act and will be used to licence dogs and identify the owner(s) of said dog. Questions about the collection of information shall be addressed to the Clerk at 56 Lindsay Road 5, Lion's Head, Ontario, N0H 1W0.

KENNEL SITE PLAN:

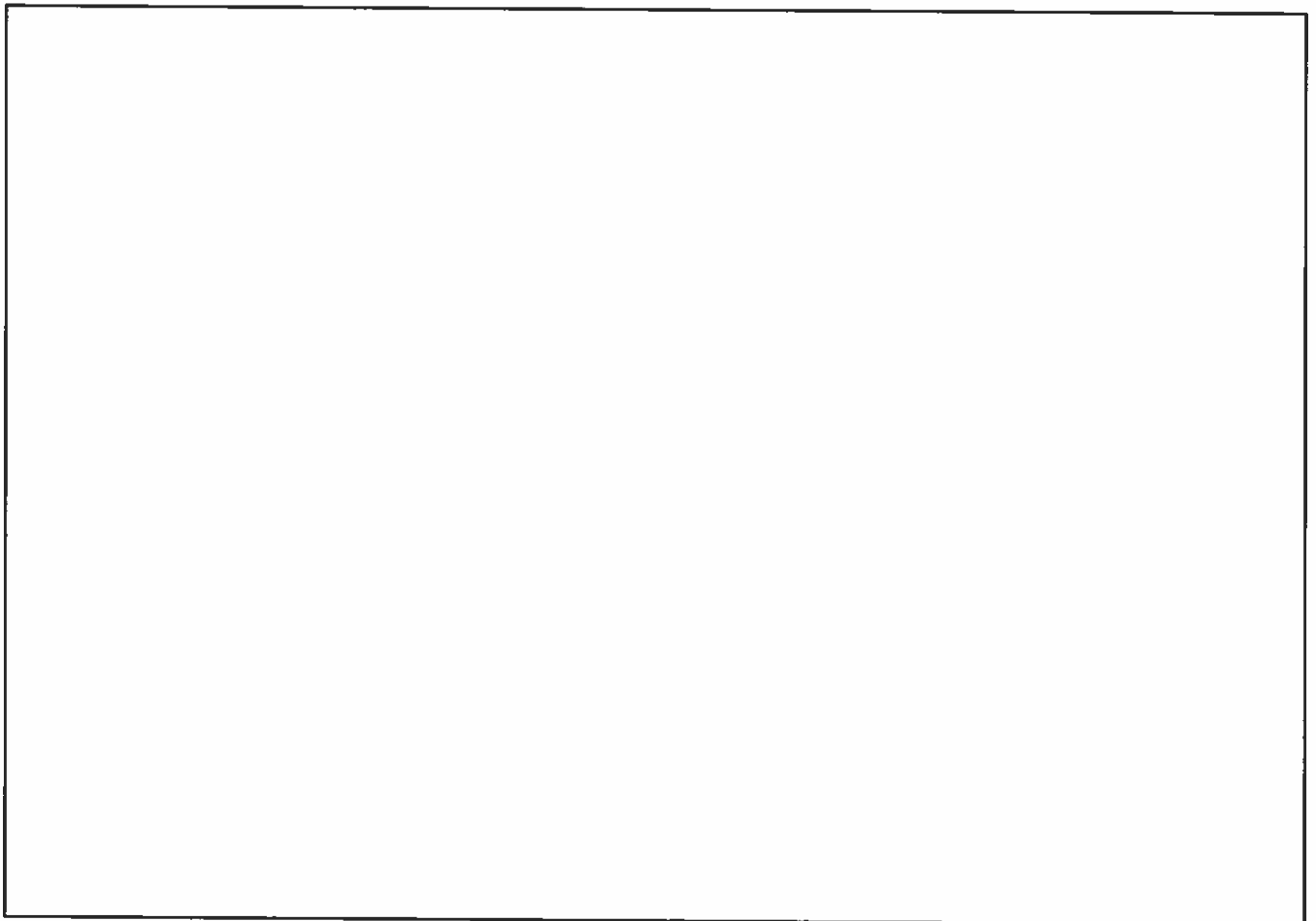
A licenced kennel owner shall apply in writing to the Officer for approval of any changes that would alter the approved Kennel Site Plan held on file at the Municipal Office, 56 Lindsay Road 5, Lion's Head, Ontario, N0H 1W0.

A new Kennel Licence application shall include submission of a Kennel Site Plan.

Said Kennel Site Plan shall include a diagram of premises and surrounding area drawn to scale and showing:

1. Location of building(s)
2. Dog run(s) and/or facility(ies)
3. Neighbouring building(s) within 300 metres.

PLEASE NOTE: All distances shall be shown.



Kennels are only permitted in appropriately zoned areas within the Municipality pursuant to the Comprehensive Zoning By-Law, as amended.

THE CORPORATION OF THE MUNICIPALITY OF NORTHERN BRUCE PENINSULA
PART I Provincial Offences Act
By-law No. 2019-08: Dog Regulation

Item #	Column 1 Short Form Wording	Column 2 Provisions Creating or Defining Offence	Column 3 Set Fine
1	Failure to licence dog	Section 2(a)	\$125.00
2	Failure to obtain a Kennel/Boarding Establishment-non breeding licence	Section 3(a)	\$300.00
3	Allow dog to run at large	Section 4(a)	\$125.00
4	Allow dog in Off Leash Dog Park without supervision	Section 4 (b)	\$125.00
5	Dog not on a leash	Section 4(d)	\$125.00
6	Failure to muzzle dog	Section 5(a)	\$150.00
7	Failure to remove excrement left by dog	Section 6(b)	\$300.00
8	Kept more than two (2) dogs per household	Section 6(e)(i)	\$125.00
9	Kept more than four (4) dogs per household	Section 6(e)(ii)	\$125.00
10	Kept more than five (5) dogs per agricultural location	Section 6(e)(iii)	\$125.00
11	Failure to affix a current Municipal licence	Section 6(i)	\$125.00
12	Owner having more than two dogs in the Off Leash Dog Park	Section 6(p)	\$125.00
13	Allow or permit an unaltered dog in Off Leash Dog Park	Section 6(q)	\$125.00
14	Failure to produce verification of an altered dog	Section 6 (r)	\$125.00
15	Failure to affix a current rabies vaccination tag	Section 6(t)	\$125.00
16	Failure to supply adequate food and water	Section 7(a)(i)	\$200.00
17	Failure to supply sanitary conditions	Section 7(d)(ii)	\$200.00
18	Failure to supply protection from the elements	Section 7(e)	\$200.00
19	Cause, permit or allow an animal to be confined in a vehicle	Section 7 (k)	\$300.00
20	Cause, permit or allow an animal to be confined in a confined space	Section 7 (k)	\$300.00
21	Obstruct or interfere with an Officer while performing his/her duties	Section 8(b)	\$300.00

NOTE: the penalty provision for the offences indicated above is shown Section 8 of By-law No. 2019-08, a certified copy of which has been filed.

THE CORPORATION OF THE MUNICIPALITY OF NORTHERN BRUCE PENINSULA
 PART I Provincial Offences Act
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NOTE: the penalty provision for the offences indicated above is shown Section 8 of By-law No. 2019-08, a certified copy of which has been filed.

OFFICE OF THE REGIONAL SENIOR JUSTICE
ONTARIO COURT OF JUSTICE
WEST REGION

80 DUNDAS STREET, 10th FLOOR, UNIT L
LONDON, ONTARIO N6A 6A8



CABINET DU JUGE PRINCIPAL RÉGIONAL
COUR DE JUSTICE DE L'ONTARIO
RÉGION DE L'OUEST

80, RUE DUNDAS, 10^e ÉTAGE, UNITÉ L
LONDON (ONTARIO) N6A 6A8

TELEPHONE/TÉLÉPHONE (519) 660-2292
FAX/TÉLÉCOPIEUR (519) 660-3138

February 22, 2019

Carol Hopkins
Municipality of Northern Bruce Peninsula
56 Lindsay Road 5, RR2
Lion's Head, ON N0H 1W0

Dear Ms. Hopkins:

**Re: Set Fines - Provincial Offences Act - Part I
By-law Number 2019-08, of the Municipality of Northern Bruce Peninsula**

Enclosed herewith is an original Order, and an original schedule of set fines for the above referenced By-Law, the By-law indicated in the schedule.

Please note that the set fine for item number 7 – *"Failure to remove excrement left by dog"* has been amended to \$150.00.

The setting of the fines does not constitute my approval of the short form of wording used to describe the offences.

I have forwarded the copy of the Order and the amended schedule of set fines to the Provincial Offences Court in Owen Sound together with a copy of the By-law.

Yours truly,

A handwritten signature in black ink, appearing to read "J. LeRoy".

Jeanine E. LeRoy
Regional Senior Justice
West Region

PROVINCIAL OFFENCES ACT

Part I

IT IS ORDERED pursuant to the provisions of the Provincial Offences Act and the rules for the Ontario Court of Justice that the amount set opposite each of the offences in the schedule of offences under the Provincial Statutes and Regulations thereunder and Municipal By-law No. 2019-08, of the Municipality of Northern Bruce Peninsula, attached hereto are the set fines for those offences. This Order is to take effect February 22, 2019.

Dated at London this 22nd day of February, 2019.



Jeanine E. LeRoy
Regional Senior Justice
West Region

OFFICE OF THE REGIONAL SENIOR JUSTICE
ONTARIO COURT OF JUSTICE
WEST REGION

80 DUNDAS STREET, 10TH FLOOR, UNIT L
LONDON, ONTARIO N6A 6A8



CABINET DU JUGE PRINCIPAL RÉGIONAL
COUR DE JUSTICE DE L'ONTARIO
RÉGION DE L'OUEST

80, RUE DUNDAS, 10^E ÉTAGE, UNITÉ L
LONDON (ONTARIO) N6A 6A8

TELEPHONE/TÉLÉPHONE (519) 660-2292
FAX/TÉLÉCOPIEUR (519) 660-3138

February 22, 2019

Manager, Provincial Offences
Ontario Court of Justice
595-9th Avenue East
Owen Sound, ON N4K 3E3

Dear Madam/Sir:

**Re: Set Fines - Provincial Offences Act - Part I
By-law Number 2019-08, of the Municipality of Northern Bruce Peninsula**

Please find enclosed a copy of the letter to the municipality, the signed Order, the schedule of set fines and a copy of the above by-law, for filing in the set fine binder.

Should you have any questions or concerns, please do not hesitate to contact my office at (519) 660-2293.

Yours truly,

A handwritten signature in blue ink, appearing to read "J. LeRoy".

Jeanine E. LeRoy
Regional Senior Justice
West Region

encl.
/kz

THE CORPORATION OF THE MUNICIPALITY OF NORTHERN BRUCE PENINSULA
PART I Provincial Offences Act
By-law No. 2019-08: Dog Regulation

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NOTE: the penalty provision for the offences indicated above is shown Section 8 of By-law No. 2019-08, a certified copy of which has been filed.