

The Corporation of the Township of Whitewater Region

By-law Number 20-07-1308

A by-law to regulate the keeping and control of animals

Whereas, the Municipal Act, S.O. 2001, Chapter 25, as amended, Section 11(3) provides that a lower-tier municipality and an upper-tier municipality may pass by-laws respecting animals; and

Whereas, Section 103(1) states that if a municipality passes a by-law regulating or prohibiting with respect to the being at large or trespassing of animals, it may provide for,

- (a) the seizure and impounding of animals being at large or trespassing contrary to the by-law; and
- (b) the sale of impounded animals,
 - (i) if they are not claimed within a reasonable time,
 - (ii) if the expenses of the municipality respecting the impounding of the animals are not paid, or
 - (iii) at such time and in such manner as is provided in the by-law.

Whereas, Section 425 (1) allows a municipality to pass by-laws providing that a person who contravenes a by-law of the municipality passed under the Act is guilty of an offence; and

Whereas, Section 20 of the Animals for Research Act, R.S.O. 1990, Chapter A. 22, as amended, provides for the impounding and sale or destruction of a Dog pursuant to the provisions thereof; and

Whereas, the Dog Owners Liability Act, R.S.O. 1990 Chapter D. 16, as amended, provides for the protection of persons and property; and

Whereas the Ontario Police Services Act, R.S.O. 1990 Chapter P. 15, as amended, provides that Council may appoint By-Law Enforcement Officers to enforce all municipal by-laws.

Now Therefore the Council of the Corporation of the Township of Whitewater Region enacts as follows:

1.0 Short Title

This by-law shall be known and may be cited as the "Animal Control By-law."

2.0 Definitions

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

- a. **Animal Control Officer or By-Law Enforcement Officer** means a person appointed by the Corporation of the Township of Whitewater Region for the purposes of enforcing the provisions of this by-law and related provincial offences by authority of the Ontario Police Services Act, 1990, Chapter P. 15, Section 15, as amended.
- b. **Animal Shelter** means any premises designated by the Township of Whitewater Region for the purpose of impounding and caring for animals taken by the agents of the Corporation, including the Bonnechere Valley Pound.
- c. **Backyard Chicken** means a pullet or hen kept for the purpose of providing food for the personal consumption of occupants of a dwelling

on the same lot kept in the rear yard of a property which does not specifically permit a farm use pursuant to the Zoning By-law. A hen is a domesticated female chicken that is at least four months old. Roosters are not permitted.

- d. **Cat** means any feline over the age of three months of any domesticated cat or crossbreed domesticated cat.
- e. **Chief Administrative Officer** shall mean the CAO of the Corporation of the Township of Whitewater Region or that person appointed to act in their capacity.
- f. **Coop** shall mean an approved fully enclosed weatherproof Coop conforming to the guidelines set out in this by-law where chickens are kept and which the interior includes nest boxes for egg laying, perches for the chickens to sleep on and food and water containers.
- g. **Corporation** shall mean the Corporation of the Township of Whitewater Region.
- h. **Dangerous Dog** shall mean any individual Dog that:
 - (i) has killed a domestic animal without provocation while off the Owner's property;
 - (ii) has bitten or injured a person or domestic animal without provocation on public or private property;
 - (iii) any Dog with a known propensity, tendency or disposition to attack without provocation other domestic animals, livestock or persons;
 - (iv) any animal that displays vicious tendencies such as growling, baring of teeth, charging or lunging, attacking or biting a person or other domestic animal or livestock;
 - (v) is attack trained;
 - (vi) is trained and kept for the purpose of security or protection, whether residential, commercial, or industrial, or persons or property; and/or
 - (vii) has shown the disposition or tendency to be threatening or aggressive.
- g. **Dog** shall mean any domestic Dog, male or female.
- h. **Farm** means a farm residence, farm building, and accessory use and structure, and land used for the tillage of soil, the growing of vegetables, fruits, grains and other staple crops, 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.
- i. **Farm Animal** means any Animal normally raised or kept on a Farm including but not limited to cows, pigs, chickens, horses, rabbits, goats, sheep or ducks.
- j. **Fenced Yard** means a yard which is completely enclosed by a fence constructed in accordance with the specifications set out in Schedule "B" to this by-law provided that the walls of a continuously occupied building are considered as portions of the required fence, provided that all doors in such walls are equipped with locks and that all doors providing access to the fenced yard are locked when a Dangerous Dog or Dog are inside the fenced yard.
- k. **Gate** means a swinging or sliding barrier used to fill or close an access and includes a door.
- l. **Hens** shall mean female chickens.
- m. **Inspector** shall mean any person delegated by the Corporation with enforcing or maintaining the provisions of this by-law.

- n. **Kennel** means any premises where four (4) or more adult Dogs are lodged, groomed, bred, treated, kept, boarded, trained or raised for gain or profit. This includes kennels for purebred Dogs which are registered with the Canadian Kennel Club. It does not include an accredited veterinary facility under the supervision of a veterinarian licensed pursuant to the Veterinarians Act, R.S.O.1990, Chapter V.3, as amended.
- o. **Leash** means any form of material lead or restraint which does not exceed two (2) metres in length and has the capability to control an animal from annoying, approaching, bothering, or irritating persons or other animals.
- p. **Licence** means a licence issued under this by-law.
- q. **Muzzled** means to have securely affixed around the snout or the mouth and nose of a Dog a device commonly known as a muzzle manufactured by a recognized manufacturer of muzzles for Dogs such that the Dog when muzzled will be prevented from biting a person or animal.
- r. **Nuisance Animal** shall mean any animal that unreasonably annoys humans, endangers the life or health of domestic animals or persons, or substantially interferes with the rights of persons, other than its Owner, to enjoyment of life or property. The term shall include, but is not limited to, any animal that:
 - (i) is repeatedly at large;
 - (ii) damages the property of anyone other than its Owner;
 - (iii) molests or intimidates pedestrians or passerby;
 - (iv) chases vehicles;
 - (v) is offensive or dangerous to the public health, safety, or welfare;
 - (vi) attacks other domestic animals or livestock;
 - (vii) excessively makes disturbing noises, including, but not limited to, continued or repeated howling, barking, whining, or other utterances causing unreasonable annoyance, disturbance, or discomfort to neighbors, or others in close proximity to the premises where the animal is kept or harboured; or
 - (viii) causes unsanitary conditions in enclosures or surroundings where the animal is kept or harboured due to the neglect of the animal's Owner.
- s. **Owner** includes any person who owns, possesses, harbours or has the care and control of a Dog, Cat or Chicken and "owns" and "owned" have a corresponding meaning. Where the Owner is a minor, the person responsible for the custody of the minor.
- t. **Person** includes any physical or corporate entity, partnership or any association and the heirs, executors, administrators, successors and assigns or other legal representative thereof to whom the context may apply.
- u. **Runs at Large** means off the premises of the Owner and not under the control of any person.
- v. **Township** shall mean all lands contained within the geographical limits of the Township of Whitewater Region.

3.0 Licensing and Identification System

Every person shall comply with the following provisions:

- 3.1 Every Owner of a Dog shall annually, not later than March 31st in each year or within 30 days of becoming an Owner of a Dog, cause the Dog to be licensed with the municipality.

- 3.2 No more than a maximum of three (3) dogs are permitted per household and all must be licensed.
- 3.2 All licenses and tags issued pursuant to this by-law shall be serially numbered and a record of their issue be kept by the Corporation. Such record shall set out the name and address of the Owner, the name of the Dog and may include information as to the date of the Dog's last anti-rabies inoculation.
- 3.3 At the time of registration, the Owner/applicant shall be required to pay to the Corporation the required licence fee pursuant to current Fees and Charges By-law.
- 3.4 On payment of the licence fee for a Dog, the Owner shall be furnished with a Dog tag by the Corporation.
- 3.5 The fee charged for the replacement tags shall be that set out in the current Fees and Charges By-law.
- 3.6 The Owner of a Dog shall keep the Dog tag securely affixed on the Dog for which it was issued until renewed or replaced.
- 3.7 No Owner shall assign or transfer the licence which has been issued for a Dog to any other Owner or Dog.
- 3.8 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 licence fees applicable pursuant to this by-law. Said Dog shall be licensed and wear the current year's licence tag issued by the Corporation.

4.0 Kennels

- 4.1 No person shall operate or own a Kennel within the boundary of the Township of Whitewater Region:
 - (i) on property that does not meet zoning provisions or fire regulations
 - (ii) without a licence
 - (iii) with an expired licence.
- 4.2 Every person who operates or owns a Kennel shall annually, and not later than March 31st in each year, obtain a licence from the Corporation to operate a Kennel and shall pay the licence fee set out in the Fees and Charges By-law.
- 4.3 An inspection by the Animal Control Officer/By-law Enforcement Officer at any time during daylight hours shall be made at least annually and prior to issuance of a Kennel licence.

5.0 Restraint

- 5.1 The running at large of Dogs is prohibited and no Owner of a Dog shall allow the Dog to run at large.
- 5.2 Every owner shall maintain control over their dog when it is not on the owner's property or the property of someone who has consented to it being on their lands. A Dog shall be deemed to be running at large when it is found not under control of the Owner or is not on a Leash securely attached to the Owner.
- 5.3 No Owner of a Dog shall permit or allow it to trespass on any private property.
- 5.4 No person shall permit a Dog to become a Nuisance Animal by barking excessively at any time to disturb the peace or quiet of any residence or any persons in the vicinity.

- 5.5 No person, having the custody, care, or control of any Dog, shall allow said animal to defecate 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.
- 5.6 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.
- 5.7 Dogs are permitted off-leash for swimming, under the control of their owner, at municipal boat launches and designated off-lease areas at municipal beaches.

6.0 Impoundment

- 6.1 Any Dog found to be running at large shall be seized and impounded by the Animal Control Office /By-law Enforcement Officer or any person acting under their authority.
- 6.2 The Animal Control Officer/By-law Enforcement Officer or any person acting under their authority may kill any Dog they find running at large if:
 - (i) they reasonably believe the Dog is likely to cause imminent harm to any person or animal; or
 - (ii) the Dog is injured or should be destroyed without delay for humane reasons, and no damages or compensation shall be recovered on account of such disposition by the Owner.
- 6.3 Upon discovery, a Dog found running at large shall be taken to the Animal Shelter contracted by the Corporation.
- 6.4 During the redemption period the operator of the Animal Shelter shall, when the Dog which is impounded has a tag, name plate or other means of identification, take all reasonable steps to find the Owner and shall forthwith notify the Owner, if found, that the Dog can be redeemed.
- 6.5 Possession of a Dog impounded under the authority of this by-law may be restored to the Owner, if the Owner claims possession of the Dog prior to it being sold or disposed of in accordance with the rules and regulations of the Pound Keepers Act, upon obtaining a release from the Animal Control Officer/By-law Enforcement Officer, or such other person as they may designate as well as payment to the Animal Shelter.
- 6.6 Where an animal is captured or taken into custody, and the services of a veterinarian are secured by the appointed agents, the Owner shall pay all fees and charges of the veterinarian in addition to all other fees and charges payable to the Animal Shelter under this By-Law, whether the animal is alive, dies or is euthanized.

7.0 Dangerous Animal Restrictions

- 7.1 No Owner shall permit their Dog to attack any person, livestock, domestic animal or domestic bird or to fight with another Dog and shall maintain effective control by means of a Muzzle and/or Leash as defined in this by-law.
- 7.2 The Owner of a Dog shall be notified in writing by the Animal Control Officer/By-law Enforcement Officer when a Dog has been deemed to be a Dangerous Dog.
- 7.3 The Owner of a Dangerous Dog shall maintain effective control and 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.
- 7.4 The Owner of a 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 a Committee appointed by Council with delegated authority to confirm/amend/rescind the conditions imposed.
- 7.5 If the Owner of a Dangerous Dog fails to comply with the Corporation's direction to remove the Dangerous Dog from the Township, the Owner may be subject to a proceeding under section 4 of the Dog Owners Liability Act R.S.O 1990 Chapter D.16, as amended.
- 7.6 The Owner of an animal included in Schedule "A" to this by-law shall not keep or harbor the prohibited animal within the limits of the Township. Any Owner, keeper or harbourer of such an animal shall be subject to the penalty provided for in this by-law.
- 7.7 No person shall keep any Dangerous Dog or animal included in Schedule "A" to this by-law within the limits of the Township. Any Owner, keeper or harbourer of such animal found to be dangerous as defined in this by-law shall be subject to the penalty provided for in this by-law.
- 7.8 This section shall not apply to a police-working Dog while on duty.

8.0 Report of Bite Cases

It shall be expected that 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.

9.0 Investigation

For the purpose of discharging the duties imposed by this By-Law and to enforce its provisions, any agent of the Animal Control Officer/By-law Enforcement Officer or any Police Officer may enter onto any public property and into the structures thereon and with the consent of the Owner or occupant upon any premises upon which a Dog or animal is kept or harboured and to demand the exhibition by the Owner of such Dog or the licence/identification of such Dog.

10.0 Exemptions

- 10.1 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.
- 10.2 The licensing and pet identification system of this by-law shall not apply to an animal belonging to a non-resident of the Township 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.

- 10.3 Any person who owns, keeps, harbours or possesses any non-resident Dog within the limits of the Township shall ensure valid pet identification, licensing and immunization papers are always kept with the animal while in the Township.
- 10.4 Should the requirements of Sections 10.2 and 10.3 be ignored, the Owner, keeper, harbourer or possessor shall be subject to the penalty provided for in this by-law.

11.0 Special Events Involving Prohibited Animals

- 11.1 Where a special event such as an exhibition, circus, traveling show, petting zoo or any other like event that has prohibited animals, as defined in Schedule "A" of this by-law, requests entry into the Township for the purposes of public display of such animals the operator or Owner in charge of the special event must apply in writing 45 days prior to the intended date to the Chief Administrative Officer for permission to enter the Township with prohibited animals for the said purpose.
- 11.2 The operator or Owner in charge of the special event must obtain and provide proof of a Comprehensive Policy of Public Liability and Property Damage insurance acceptable to the Corporation providing at least Two Million Dollars (\$2,000,000) coverage.
- 11.3 The Chief Administrative Officer may approve the application and issue a permit from the Corporation for the authorized purpose.
- 11.4 The operator or Owner in charge of the special event must obtain such permit prior to the commencement of the permitted activity.
- 11.5 The operator or Owner in charge of the Special Event must always display the permit in plain sight and in a conspicuous location during the times and dates of the special event.

12.0 Cats

- 12.1 No Owner shall allow or permit their Cat to run at large.
- 12.2 No Owner shall allow or permit their Cat to damage public property or the property of any other person.
- 12.3 No person shall keep or harbour any Cat or kitten in a manner that adversely impacts the health or well-being of the Cat or kitten.
- 12.4 For the purposes of Section 12.3, the following are deemed to be circumstances which could adversely impact the health or well-being of a Cat or kitten: unsanitary conditions, neglect, overcrowding, inadequate feeding, and inadequate medical attention.
- 12.5 The Animal Control Officer/By-law Enforcement Officer shall report any apparent illness, communicable disease, injury, or unhealthy condition of any Cat to a veterinarian and act upon their recommendation.

13.0 Backyard Chickens

- 13.1 A person may keep up to four (4) Backyard Chickens at a residential, rural or agriculture zoned property or a property used primarily for residential purposes which does not specifically permit a farm use pursuant to the Zoning By-law provided the conditions and requirements contained in this by-law are met.
- 13.2 No person shall keep up to four (4) Backyard Chickens at a residential, rural or agriculture zoned property or a property used primarily for residential purposes which does not specifically permit a farm use pursuant to the Zoning By-law without first obtaining a licence from the Corporation, shall pay the licence fee set out in the Fees and Charges By-law, and have completed an inspection at any time during daylight hours by the Animal Control Officer/By-law Enforcement Officer.
- 13.3 A tenant must obtain permission from the property Owner to keep Backyard Chickens on the owner's property.
- 13.4 Every Owner of Backyard Chickens and every Owner of property on which Backyard Chickens shall comply with the following general conditions:
- (i) The Owner of the hens resides at the property.
 - (ii) The property on which the hens are kept contains a single detached, semi-detached, or townhouse dwelling.
 - (iii) All Owner(s) and all adult occupant(s) of the property have consented in writing to the satisfaction of the Corporation to the keeping of hens at the property.
 - (iv) The hens are kept in a fully enclosed Coop or run in a manner that contains the hens on the property and prevents their escape from such Coop or run.
 - (v) The Coop and any run are within the rear yard.
 - (vi) The Coop and run are constructed in such a fashion as to deter predators from entering that section of the property where the chickens are kept and maintained in good repair, in a safe and structurally sound condition free from hazards.
 - (vii) Unsightly markings, stains, or other defacements on the exterior surfaces of fences shall be removed and the surface shall be refinished when necessary.
 - (viii) No Coop or run shall be placed in the front or side yards.
 - (ix) The Coop and any run are set back at least 2.5 metres from the rear and side lot lines.
 - (x) Coops and runs shall be a minimum distance of 3 metres from all windows and doors of any dwellings that are located on an abutting property.
- 13.5 Every Owner of Backyard Chickens and every property Owner on which Backyard Chickens shall comply with the following Property and Coop maintenance:
- (i) Coops and runs are maintained in a clean condition.
 - (ii) Coops and runs are maintained to ensure that smells do not cause a nuisance to residents of any neighbouring property or any residents of the Township.
 - (iii) Coop floors are lined with shavings, straw, or other appropriate materials to absorb manure and facilitate cleaning.
 - (iv) Coops are deep cleaned at least two times yearly including disinfecting of troughs, perches, and nests.
 - (v) Feeders and water containers are provided and are cleaned and disinfected regularly.

- (vi) All stored feed is always kept in rodent-proof containers and secured to prevent rodents and other animals from accessing it.
- (vii) Feeding of hens is done in a manner that minimizes the attraction of rodents or other animals.
- (viii) Manure and droppings are cleaned out daily and stored in a secured container or composter until disposed of in accordance with all applicable laws and regulations.
- (ix) Hens have access to an enclosed outdoor run area.
- (x) Deceased hens are disposed of at a livestock disposal facility, through the services of a veterinarian, chicken exchange program, or through a facility as approved by the Ministry of Agriculture, Food and Rural Affairs, and are disposed of in accordance with all laws.
- (xi) There is no sale of eggs, manure or other products associated with the keeping of hens.
- (xii) Chickens must be secured and confined inside their Coops or shelters from 9:00 p.m. to 6:00 a.m.
- (xiii) No slaughtering or butchering of hens is done on the property.
- (xiv) Hens are kept in accordance with all other laws including the Corporation's by-laws respecting noise, yard maintenance, property standards, and animals as well as provincial legislation respecting the keeping of animals.

14.0 Offences

- 14.1 Every person who contravenes any provision of this by-law is guilty of an offence and upon conviction, is liable to a fine as provided for in the Provincial Offences Act, as amended.
- 14.2 Each day a contravention continues may be deemed to be a separate offence.
- 14.3 No person shall hinder or otherwise obstruct, nor attempt to hinder or obstruct, either directly or indirectly, an officer, employee and/or agent of the Corporation in the lawful exercise of a power or duty under this by-law.
- 14.4 Every person shall comply with any Order or Notice issued under the authority of this bylaw.

15.0 Severability

It is hereby declared that each and every of the foregoing provisions of this By-law is severable and that, if any provision of this By-law should for any reason be declared invalid by any Court, it is the intention and desire of this Council that each and every of the then remaining provisions hereof shall remain in full force and effect.

Read a first, second and third time and finally passed this 17th day of June, 2020.



Michael Moore, Mayor



Carmen Miller, Clerk

The Corporation of the Township of Whitewater Region
By-law 20-07-1308: Animal Control
Schedule "A" –Animal Restrictions

1. The following Dogs are prohibited subject to the Dog Owners Liability Act:

Any pure breed or mixed Pit Bull, including American Pit Bull Terrier, Pit Bull Terrier, Staffordshire Bull Terrier, American Staffordshire Terrier, or any Dog of mixed breeding which includes any of the aforementioned breeds.

2. It is prohibited to keep or raise any 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 that is included in this schedule. Therefore, it is prohibited to keep or raise:

- Non-humane primates (i.e. Monkeys, Chimpanzee)
- Wild Canids (i.e. Foxes, Wolves, Coyotes)
- Wild felids (i.e. Leopard, Cougar, Lynx)
- Mustelids (i.e. Mink, Skunks, Otters, Weasels, but excluding Ferrets)
- Reptiles (i.e. Snakes, Alligators)
- Ungulates (i.e. Horses, Cattle, Swine, Sheep, Goats (any hoofed animal)
- Raptores (i.e. Falcons, Hawks, Owls)
- Galliformes (i.e. Quail, Pheasants, Turkeys, Guinea Fowl, but excluding chickens)
- Anseriformes (i.e. Geese, Swans, but excluding Ducks)
- Columbiformes (i.e. Pigeons)
- Arachnids (i.e. Scorpions, Spiders)
- Dangerous Fish (i.e. Piranha, Electric Eels)
- Bees (excluding those kept by a beekeeper as part of a Farm).

The Corporation of the Township of Whitewater Region
Bylaw 20-07-1308: Animal Control
Schedule "B" – Fences

1. Fences shall have a height not less than 2m (6.56ft) from the ground.
2. Fences shall be of a design that will reasonably deter children from climbing it to gain access to the Fenced Yard and that will prevent a Dangerous Dog from digging its way out of or otherwise escaping from the enclosed yard.
3. If a fence contains an opening for access, the opening shall be closed with a Gate which shall provide protection equivalent to the fence and shall be equipped with self-closing, self-latching devices, and locks located at the top of and inside the Gates.
4. A fence shall:
 - a. If of chain link construction:
 - i. Be not greater than 50 mm (2 inches) diamond mesh.
 - ii. Be construction of galvanized steel wire not less than 3.6 mm diameter (No. 11 gauge) steel wire covered with a vinyl coating forming a total thickness equivalent to 3.6 mm diameter (No. 9 gauge).
 - iii. Be supported by at least 38 mm (1.5 inches) diameter galvanized steel posts installed in accordance with good fencing techniques. Such posts shall be spaced not more than 3 m (10 feet) apart. Top horizontal rails shall be at least 32 mm (1.25 inches) diameter galvanized steel. Bottom horizontal rails shall be a 12 mm (.5 inch) diameter galvanized tension rail or a 32 mm (1.25 inches) diameter galvanized rail.
 - b. If of wood construction:
 - i. Be of alternating vertical boards attached to supporting horizontal members. Such vertical boards shall have a minimum dimension of 19 x 88 mm (1 x 4 inches nominal) and spaced at a maximum of 100 mm (4 inches).
 - ii. Supporting horizontal members shall have a minimum dimension of 38 x 38 mm (2 x 4 inches nominal) and shall be spaced a minimum of 1.4 m (4 feet 6 inches) apart.
 - iii. Horizontal members shall be supported by posts spaced not more than 2.4 m (8 feet) on center. Such posts shall be 88 mm (4 inches nominal) square or in diameter and securely placed to a minimum of 0.6 m (2 feet) below grade.
 - iv. That portion below grade shall be treated with a wood preservative or the post shall be of pressure treated wood.
 - c. If the fence design is other than specified in (i) or (ii) either in material or otherwise, such fence shall require approval by the Animal Control Officer/By-law Enforcement Officer.

**The Corporation of the Township of Whitewater Region
Part I Provincial Offences Act
Bylaw 20-07-1308: Animal Control**

Schedule "C" – Penalty Provisions

Item	Short Form Wording	Provision creating or defining offence	Set Fine
1.	Fail to licence dog	3.1	\$100
2.	More than 3 licensed dogs	3.2	\$100
3.	Dog tag not attached to Dog	3.6	\$50
4.	Use Licence Receipt/Tag for Another Dog	3.7	\$50
5.	Own/Operate Kennel – Without Licence	4.1 (ii)	\$500
6.	Own/Operate Kennel – expired licence	4.1(iii)	\$250
7.	Owner - Permit Dog to Run at Large	5.1	\$100
8.	Dog - Not Under Control	5.2	\$100
9.	Allow dog to trespass on private property	5.3	\$100
10.	Permit Excessive Barking	5.4	\$100
11.	Fail to Remove Excrement	5.5	\$100
12.	Owner permit buildup of fecal matter on property	5.6	\$100
13.	Dog off leash outside designated swim areas	5.7	\$50
14.	Owner fail to maintain effective control	7.1	\$100
15.	Permit Dog to attack a person, livestock, domestic animal or domestic bird	7.1	\$500
16.	Fail to maintain effective control of Dangerous Dog	7.3	\$500
17.	Owner keep/harbour prohibited animal	7.6	\$750
18.	Owner keep/harbour Dangerous Animal	7.7	\$750
19.	Nonresident – animal not leashed	10.2	\$100
20.	Nonresident – no valid licence/immunization papers	10.3	\$50
21.	Special Events no permission	11.1	\$750

22.	Special Event no Insurance	11.2	\$250
23.	Special Event not displaying permit	11.5	\$50
24.	Owner - Cat run at large	12.1	\$50
25.	Owner – Cat damage property	12.2	\$50
26.	Conditions impact health or wellbeing of cat	12.3	\$250
27.	Keep more than 4 backyard chickens	13.1	\$100
28.	Keep backyard chickens - no license	13.2	\$100
29.	Owner fail to meet general conditions (backyard chickens)	13.4	\$100
30.	Owner fail to meet conditions with respect to property and coop maintenance (backyard chickens)	13.5	\$100
31.	Obstruction/Hinder Officer	14.3	\$250
32.	Non-Compliance with an Order or Notice	14.4	\$250

Note: The penalty provision for the offences as indicated above is Section 14.1 of By-Law # 20-07-1308, a certified copy of which has been filed.