

CORPORATION OF THE TOWNSHIP OF WESTMEATH

BY-LAW 83-04

A BY-LAW OF THE CORPORATION OF THE TOWNSHIP OF WESTMEATH TO REGULATE THE KEEPING AND CONTROL OF ANIMALS, THE LICENSING AND RESTRAINT OF DOGS; THE TAKING UP AND IMPOUNDMENT; THE DESTRUCTION OF DOGS IN CERTAIN INSTANCES AND CERTAIN OTHER ASPECTS OF ANIMAL CONTROL WITHIN THE TOWNSHIP OF WESTMEATH.

---

WHEREAS the Council of a municipality may pass by-laws with regard to regulating the keeping and control of animals; the licensing and restraint of dogs, the taking up and impoundment of animals, the destruction of dogs in certain instances and certain other aspects of animal control;

AND WHEREAS it has been deemed expedient to enact such a by-law for the Corporation of the Township of Westmeath;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF WESTMEATH ENACTS AS FOLLOWS:

1. DEFINITIONS:

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

Corporation:

Corporation shall mean the Corporation of the Township of Westmeath.

Owner:

Any person, group of persons, partnership or corporation owning, keeping or harboring animals.

Kennel:

Any person, group of persons, partnership or corporation engaged in the commercial business of breeding, buying, selling or boarding dogs and cats.

Pet Shop:

Any person, group of persons, partnership or corporation operating an establishment where live animals and birds are kept and offered for sale.

Veterinary Hospital:

Any establishment maintained and operated by a licensed veterinarian for the diagnosis and treatment of diseases and injuries of animals and birds.

Dog:

The male of the domesticated canine species.

Spayed Female:

A bitch or female animal which has been operated upon by a licensed veterinarian to prevent conception.

Bitch:

The female of the domesticated canine species.

Animal Shelter:

Any premises designated by the Corporation for the purpose of impounding and caring for animals taken up by agents of the Corporation in violation of this By-law.

At large:

Any dog shall be deemed at large when he is off the property of his owner and not under control of a competent person.

2. The provisions of this By-law shall be enforced by the Corporation, its servants, agents, workmen, employees or any one of them.

3. It is prohibited to keep or raise any domestic fowl or cattle, goats, swine and rabbits, mink, foxes, reptiles or any wild animal including any tamed or domesticated wild animal on any residential lot in any residential zone.

4. LICENSING:

(a) No person who resides within the Township of Westmeath shall own or harbor any dog without having first obtained a license from the Corporation to do so, which the license shall be called a Dog license, and pay a license fee as follows:

For a male dog	\$ 12.00
For a spayed female dog	12.00
For a female dog	20.00

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

(b) Where a certificate in writing by a Veterinary Surgeon is produced showing that a female dog has been spayed, the license fee for such female dog shall be at the same rate as for a male dog.

(c) Upon payment of the required fee, the owner shall be furnished with a tag for each dog 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 for which it was issued, at all times during the year, and until he procures a tag for the following year. A record shall be kept by the license officer showing the name and address of the owner and the serial number of the tag. In the event that a tag is lost, the person to whom it was issued shall immediately claim another from the License Issuer and shall pay therefore the sum of One dollar (\$1.00) for each such tag.

(d) Each owner or harbinger of a dog who neglects to obtain a tag and keep it securely fixed on his dog, or who uses the tag upon a dog other than the one for which said tag was issued, is liable to the penalty provided for in this By-law.

(e) Every person who owns, operates or conducts a kennel of pure breed dogs which are registered with the National Kennel Club pursuant to the Statutes of Ontario enacted in that behalf, shall pay to the Township of Westmeath immediately following the first day of January in any year, a license fee of \$30.00 which will entitle him to five dog tags and in addition shall obtain additional tags from the ~~Twp.~~ for each additional dog over and above the number of five (5) providing always that such tags will be for specified dogs and shall not be used in general from time to time on different dogs in such kennel.

(f) If there is a change of ownership of a dog or kennel during the license year, the new owner may have the current license transferred to his name upon payment of a transfer fee of \$1.00.

5. IMPOUNDMENT:

Unlicensed dogs, or dogs and other animals found running at large, shall be taken up by the agents of the Corporation and impounded in the pound maintained by the Animal Control Officer for the Township of Westmeath and there confined in a humane manner for a period of not less than three days, exclusive of day of impoundment and exclusive of holidays, and may thereafter be disposed of in a humane manner if not claimed by their owners. Dogs and cats not claimed by their owners at the expiration of three days, shall become the property of the Corporation and humanely disposed of by the Corporation, except as hereinafter provided in the cases of certain animals.

6. REDEMPTION OF IMPOUNDED ANIMALS:

(a) The owner shall be entitled to regain possession of any impounded dog except as hereinafter provided in the cases of certain dogs, upon compliance with the license provisions of Section 4 of this By-law and the payment of impoundment fees set forth in Section 7 of this By-law provided that the dog has not been disposed of in accordance with paragraph 5 or paragraph 6 (C) herein.

(b) Any other animal impounded under the provisions of this By-law may be reclaimed by the owner upon the payment of impoundment fees set forth herein provided that the animal has not been disposed of in accordance with Paragraph 5 or Paragraph 6(c) herein

(c) Any animal impounded under the provisions of this By-law and not reclaimed by its owner within three days, exclusive of day of impoundment and exclusive of holidays, may be humanely destroyed by the Corporation or placed in the custody of some person deemed to be 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 Corporation.

7. IMPOUNDMENT FEES:

Any animal impounded hereunder may be reclaimed as herein before provided upon payment by the owner to the Corporation the sum of Ten Dollars (\$10.00) for each licensed dog and Twenty-Five Dollars (\$25.00) for each unlicensed dog which shall cover the impoundment costs for the first three days and the additional sum of Nine Dollars (\$9.00) for each additional day such dog is kept commencing the fourth day of confinement.

Impoundment fees as set forth herein and such additional sums as herein provided for keeping animals shall be collected by the Corporation and retained by it to help defray the costs of keeping such animals beyond the period set forth herein.

8. RESTRAINT:

(a) No dog shall be allowed to run at large within the Corporation. A dog shall be deemed to be running at large when found on a Highway or other public place and not under the control of any person.

(b) On complaint made to the Provincial Court Judge that any dog within the Township has become a nuisance by barking, biting, or howling, or by chasing and barking or biting at horses, motor cars, vehicles or bicycles or persons riding thereon any street or that any dog has attacked or bitten any person, the Provincial Court Judge shall inquire into such complaint, and is satisfied that the said complaint is proved, shall order the owner, possessor or harbinger of such dog to deliver the dog over to the Animal Control Officer having jurisdiction within the Township of Westmeath in order that it may be destroyed and such dog shall thereupon be destroyed and any such owner or person who shall refuse or neglect to deliver said dog over to the Animal Control Officer having jurisdiction within the Township of Westmeath 24 hours thereafter shall be guilty of a further infraction of this By-law and liable to the penalty thereof, and

8. (b)

it shall be the duty of the Animal Control Officer having jurisdiction within the Township of Westmeath to destroy such dog if so ordered by the Provincial Court Judge so soon thereafter as it may be discovered.

(c) No person who owns, keeps, harbors or possesses any animal shall allow it to trespass on private property, even when on a leash.

9. CONFINEMENT OF CERTAIN DOGS AND OTHER ANIMALS:

The owner shall confine within a building or secure enclosure, every fierce, dangerous or vicious dog and not take such dog out of such building or secure enclosure unless such dog is securely muzzled.

10. RESPONSIBILITIES OF VETERINARIANS:

It shall be the duty of every licensed veterinarian to report to the Renfrew County and District Health Unit his diagnosis of any animal observed by him as a rabies suspect.

11. REPORTS OF BITE CASES:

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

12. EXEMPTIONS:

(a) Hospitals, clinics and other premises operated by 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.

(b) The licensing requirements of this By-law shall not apply to any dog belonging to a non-resident of the Township and kept within the Township for not longer than thirty days, provided such dogs shall at all times while in the Township be kept within a building, or vehicle, or be under restraint by the owner.

13. INVESTIGATION:

For the purpose of discharging the duties imposed by this By-law and to enforce its provisions, any agent of the Corporation or any police officer, is empowered to enter upon any premises upon which a dog is kept or harbored and to demand the exhibition by the owner of such dog or the license of such dog. It is further provided that any agent of the Corporation may enter the premises where any animal is kept in a reportedly cruel or inhumane manner and demand to examine such animal and to take possession of such animal, when in his opinion, it requires humane treatment.

14. INTERFERENCE:

No person shall interfere with, hinder or molest any agent of the Corporation in the performance of any duty of such agent, or seek to release any animal in the custody of the Corporation or its agents, except as herein provided.

(a) For the purpose of discharging the duties imposed by this By-law and to enforce its provisions, the Corporation shall engage the necessary personnel, equipment, vehicles and facilities necessary to administer the same.

(b) The Corporation or its agents shall keep, or cause to be kept, accurate and detailed records of the licensing, impoundment and disposition of all animals coming into its custody.

(c) The Corporation or its agents shall keep, or cause to be kept, accurate and detailed records of all bite cases reported

14. (c)  
to it, and its investigation of same.

15. PENALTY:

Any person or persons guilty of an infraction of any of the provisions of this By-law, shall, upon conviction thereof before the Police Magistrate, or any Justice of Justices of the Peace in and for the Township of Westmeath, forfeit and pay at the discretion of the said Police Magistrate, Justice or Justices convicting, a penalty of \$ 28.00 for each offence, exclusive of costs (Unless he shall have reclaimed and paid for such dog, as provided in Section 5 and 7 of this By-law); and in default of payment thereof forthwith, it shall and may be lawful for the Police Magistrate, Justice or Justices convicting as aforesaid to issue a warrant under his hand and Seal to levy such penalty and cost or costs only, by distress and sale of the offender's goods and chattels; and in case of no sufficient distress to satisfy the said penalty and costs; it shall be lawful for the Police Magistrate, Justice or Justices convicting as aforesaid to commit the offender or offenders to the common gaol of the County of Renfrew with or without hard labour for any period not exceeding one calendar month, unless the said penalty and costs are sooner paid.

16. REPEALS:

All By-laws of the Corporation relating to the keeping, licensing, restraining and regulating of animals are hereby repealed.

17. SEVERABILITY:

If any part of this By-law shall be held void such part shall be deemed severable, and the invalidity thereof shall not affect the remaining parts of this By-law.

18. This By-law shall come into force and take effect upon the day of the final passing thereof.

READ A FIRST TIME THIS 9th DAY OF March, 1983

Gordon White   
Reeve

Pat Burn   
Clerk

READ A SECOND TIME THIS 22 DAY OF March, 1983

Gordon White   
Reeve

Pat Burn   
Clerk

READ A THIRD TIME AND PASSED THIS 22 DAY OF March, 1983

Gordon White   
Reeve

Pat Burn   
Clerk