

BY-LAW NO. 1991-13

CORPORATION OF THE VILLAGE OF COBDEN

BEING A BY-LAW OF THE CORPORATION OF THE VILLAGE OF COBDEN TO REGULATE THE KEEPING AND CONTROL OF ANIMALS; THE LICENSING AND RESTRAINT OF ANIMALS; THE TAKING UP AND IMPOUNDMENT OF ANIMALS; THE QUARANTINING AND DESTRUCTION OF ANIMALS IN CERTAIN INSTANCES; AND CERTAIN OTHER ASPECTS OF ANIMAL CONTROL WITHIN THE CORPORATION OF THE VILLAGE OF COBDEN.

WHEREAS under Section 210, subsections 1 through 6 inclusive, of the Municipal Act, R.S.O. 1980, it is provided that the Council of Municipalities may pass by-laws providing for animal control within their jurisdictions;

AND WHEREAS the Council of the Corporation of the Village of Cobden deems it expedient to provide for the control and regulation of animals in the Village of Cobden;

NOW THEREFORE the Council of the Corporation of the Village of Cobden enacts as follows:

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

CORPORATION:- shall mean the Corporation of the Village of Cobden

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.

BITCH:- the female of the domesticated dog

SPAYED FEMALE:- a bitch or female animal which has been operated on by a licensed veterinarian to prevent conception

ANIMAL SHELTER:- any premises designated by the Corporation for the purpose of impounding and caring for animals taken up by the agents of the Corporation in violation of this by-law

AT LARGE: - any dog or other animal shall be deemed to be "AT LARGE" when it is off the property of its owner and not on a leash.

EXPOSED TO RABIES: - an animal has been exposed to rabies within the meaning of this by-law if it has been bitten by any animal or is suspected of having been bitten by any animal known or suspected of having rabies.

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

3. LICENSING

a) i) No person shall own, keep or harbor any dog within the limits of the Corporation unless such dog is licensed in accordance with the provisions hereinafter described.

*ii) No household shall own, keep or harbor more than three dogs or any combination thereof within the Municipal Boundaries. The Municipality further requires that any litters be removed from the property within six weeks of birth if the total number of animals exceeds the limit of 3. This section shall not apply to any existing farm operation within the Municipality.

iii) From and after the passing of this by-law every owner of every dog in the Corporation shall annually, immediately following the first day of January and not later than the first day of March in every year, cause the same to be registered, numbered, described and licensed for a period of one year thereafter in the offices of the Village Clerk.

iv) Every owner shall cause his or her dog, when on or off the premises of the owner thereof, but within the said Corporation to wear around its neck, a collar, to which collar shall be attached a Corporation Animal Tag, having raised, cast or stamped thereon, figures indicating the year for which the said license has been paid, together with a number corresponding with the number under which the said animal is registered in the offices of the Village Clerk.

- v) Every owner shall pay for such licenses, tag and registration, the sum hereinafter set out and every such license shall expire on the 31st day of December in each year next thereafter, written application for licenses shall be made to the Village Clerk or such departments of the said Corporation as may be designated by the Council of the Corporation. The application shall state the name and address of the owner, the name, breed, sex, color and age of the animal. The license fee shall be paid at the time of making the application, a numbered receipt given to the applicant and a numbered tag shall be issued to the owner.
- b) The yearly license fee for every dog licensed under the provisions of this by-law shall be as follows:--

In 1991

- 1) For a neutered male or a spayed female - \$8.00
 - 2) For each un-neutered male or unspayed female - \$12.00
- Effective January 1, 1992 - For All Dogs - \$15.00

In the event that the tag shall become lost, the owner of the dog for which a tag was issued may obtain a duplicate tag upon the payment of a fee of \$1.00.

- c) Every person who owns, operates or conducts a kennel of pure bred dogs which are registered with the National Kennel Club pursuant to the Statutes of Ontario enacted in that behalf must first obtain Council's permission and shall pay to the Corporation immediately following the first day of January in any year a tax of license of \$100.00 and in addition shall procure a tag from the Clerk for each dog at a cost specified in b) above providing always that such tags will be specified dogs and shall not be used in general from time to time on different dogs in such kennel.
- d) 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 the payment of a transfer fee of \$5.00.
- e) No person shall use for any dog, a license receipt or a license tag issued for another dog.

4. TAG AND COLLAR

a) Upon the compliance of the provisions of subsection b of Section 3 of this by-law, every owner of a dog shall be issued a number tag, stamped with the year of issuance. The shape or design of such tag may be changed from year to year.

b) Every owner is required to see that the tag is securely fastened to the collar or harness, which must be worn by the animal at all times.

5. IMPOUNDMENT

Unlicensed dogs or other animals found running at large may be taken up by the agents of the Corporation and impounded and there confined in a humane manner for not less than 72 hours and may thereafter be disposed of in a humane manner, if not claimed by their owners. Dogs, or other animals not claimed by their owners at the expiration of 72 hours shall become the property of the Pound and may be disposed of by the Pound, except as hereinafter provided in the case of certain animals.

6. RESTRAINT

The owner of any dog shall not permit such dog to run at large in any of the public parks, squares, drives, streets, lanes or other public places in the Corporation or upon any premises not owned or leased by the owner unless such dog is accompanied by, and is under the immediate charge and control of some competent person, and such dog is at all times on a leash, and any dog found running at large, contrary to the provisions will be liable to be captured and disposed of as herein provided. At no time shall any dog be allowed on any public beach, waterfront or docking area in the Village of Cobden.

7. The Corporation or its agents may transfer title to all animals coming into its possession as set forth in Section 5 of this by-law and may dispose of such animals for and at its discretion.

8. When dogs and other animals are found running at large and their ownership can be ascertained by the agents of the Corporation, such animals need not be impounded, but the agent may, in his discretion take the animals to their owners, and may cite such offending owners for violations of the provisions of this by-law.

9. Immediately upon the impoundment of animals, the agents of the Corporation shall make every reasonable effort to notify the owners of such animals impounded, and inform such owners of the conditions whereby they may regain custody of the animals.

10. It shall be mandatory for the agent of the Corporation to cite into Court the owner of any bitch who permits such bitch to be at large while in season of heat.

11. When dogs or other animals are impounded and are not claimed by their owners within the time specified by this by-law, if deemed suitable as pets, they may be placed under new owners who will agree to such conditions as the Corporation shall prescribe.

12. REDEMPTION OF IMPOUNDED ANIMALS

a) The owner shall be entitled to regain possession of any impounded animal or dog as hereinafter provided in the cases or certain dogs, upon compliance with the payment of all impoundment fees or any other fees as set forth 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 or any other fees as set forth herein.

c) Any animal impounded under the provisions of this by-law and not reclaimed by its owner within 72 hours may be humanely destroyed by the Pound or placed in the custody of some person deemed to be a responsible and suitable owner, who will agree to comply with the provisions of this by-law and such other regulations as shall be fixed by the Corporation.

13. IMPOUNDMENT FEES

Any animal impounded hereunder may be reclaimed as herein before provided upon payment by the owner to the Corporation the sum of Fifteen dollars (\$15.00) 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 Ten Dollars (\$10.00) for each additional day such a 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.

14. CONFINEMENT OF CERTAIN DOGS AND OTHER ANIMALS

- a) The owner shall confine with 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.
- b) Every female dog in heat shall be kept confined in a building or secure enclosure, or in a veterinary hospital or boarding kennel in such manner that such female dog cannot come in contact with another animal, except for breeding purposes.
- c) No wild animal may be kept within the Corporation limits except under such conditions as shall be fixed by the Corporation. Provided, however, that wild animals may be kept for exhibition purposes by circuses, zoos and educational institutions in accordance with such regulations as shall be established by the Corporation.
- d) No livestock or poultry shall be stabled, coralled or maintained within the Village excepting those places where stock is already kept and maintained.
- e) Any animal described in the foregoing subsection of Section-13, of this by-law, found at large, shall be impounded by the Corporation and may not be redeemed by the owners, unless such redemption be authorized by any Court having jurisdiction.

f) When in the judgement of the Corporation or its agents an animal should be destroyed for humane reasons, such animals may not be redeemed.

15. 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.

16. 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.

Every person convicted of a breach of this provision of this by-law shall be liable under the Provincial Offences Act to a fine of ONE HUNDRED AND FIFTY DOLLARS (\$150.00).

17. 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 to it, and its investigation of the same.

18. a) Every person who contravenes the provisions of this by-law, except for Provision #15, is subject to a fine of TWENTY-EIGHT DOLLARS AND FIFTY CENTS (\$28.50) exclusive of costs and every such fine is recoverable under the Provincial Offences Act.

b) Each day a violation continues may be deemed to be a separate offence.


19. SEVERABILITY

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

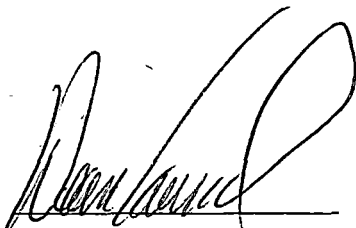
20. This by-law shall appeal and replace all previous animal control by-laws including By-Law 1212 and 1409 and 1990-19.

21. This by-law shall come into force and be effective from the 1st day of January, 1991.

Read a first and second time. Read a third time and passed this
11 day of June 1991.



REEVE



CLERK-TREASURER