

## **CONSOLIDATED ANIMAL CONTROL BY-LAW**

The Town of Saugeen Shores Animal Control By-law is prepared by the Clerk's Department. This online edition is prepared for the purposes of convenience only. For accurate reference, recourse should be had to the original by-law and amendments thereto.

Animal Control By-law 36-2004 (Original) has been consolidated with the following By-law Amendment

By-law 46-2015 – Adopted by Council on June 8, 2015

By-law 86-2015 – Adopted by Council on November 9, 2015

### **THE CORPORATION OF THE TOWN OF SAUGEEN SHORES**

#### **ANIMAL CONTROL BY-LAW**

Being a By-law of the Corporation of the Town of Saugeen Shores for Regulating or Prohibiting of animals being at large or trespassing, and for the impounding of such animals and recoverable fines.

**WHEREAS** the Municipal Act R.S.O. 2001, c.25, Sections 11 and 103, as amended, and the Animals for Research Act, R.S.O. 1990, Chapter C.A. 22, as amended, provides that municipalities may pass by-laws to regulate, prohibit animals being at large or trespassing and for recoverable fines for impounding such animals.

**AND WHEREAS** the Council of the Corporation of the Town of Saugeen Shores deems it necessary and expedient to pass such a by-law;

**NOW THEREFORE** the Council of the Corporation of the Town of Saugeen Shores enacts as follows:

#### **PART 1**

##### **1. DEFINITIONS:**

For the purposes of this By-law the following definitions apply:

- (a) "Animal" includes cats, birds and reptiles, but does not include animals or birds possessed for farming and agricultural practice.
- (b) "Animal Control Officer" includes the person or association who has entered into a contract with, or has been appointed or hired by, the Corporation of the Town of Saugeen Shores for the purposes of enforcing the provisions of this By-law.
- (c) "Cat" means any cat or cats, male or female.
- (d) "Corporation" means the Corporation of the Town of Saugeen Shores.
- (e) "Dog" means any dog or dogs, male or female.
- (f) "Dwelling Unit" means single-family detached, semi-detached, duplex, triplex, four-plex, or townhouse or an apartment in a multi-unit.
- (g) "Kennel" means a kennel of dogs which are registered or eligible for registration with an association incorporated under the Animal Pedigree Act (Canada).

- (h) "License" means the receipt issued by the Corporation upon registration of a dog or kennel, or breeding or boarding establishment and payment of the appropriate fee.
- (i) "License Fee" means the regulatory measure to ensure that each animal is registered with the Town of Saugeen Shores and is established by Council in Schedule "A" attached to and forming part of this By-law, as amended from time to time.
- (j) "Non-Resident License" means an identification tag other than a tag issued by the Corporation of the Town of Saugeen Shores.
- (k) "Non-Resident" means the owner of a dog whose permanent residence and mailing address is located outside of the boundaries of the Corporation of the Town of Saugeen Shores.
- (l) "Owner" includes a person who possesses or harbours a dog or cat, and where the owner is a minor, the person responsible for the custody of the minor; and "owns" and "owned" have a corresponding meaning.
- (m) "Public Beach" *means the area of the beach that extends from the edge of the water of Lake Huron in an easterly direction to the limit of privately owned property, excluding all sidewalks, promenades and parking areas. [By-law 46-2015]*
- (n) "Run at Large" means a dog shall be deemed running at large when found in any place other than the premises of the owner and not under the control of any person.
- (o) "Sidewalk" *includes walkways, promenades, sidewalks and trails that are owned by the Corporation and are designed and intended for the use of pedestrians. [By-law 46-2015]*
- (p) "Service Dog" *means a dog trained by a recognized school for service as a guide dog for the blind or visually-impaired, a guide dog for the deaf or hearing-impaired, or a special skills dog for other disabled persons. [By-law 46-2015]*

## **PART II**

### **2. CAT LICENSING**

- (a) For the purpose of PART II of this By-law, cat shall mean cats twelve (12) weeks of age or older, excluding those cats within the Agricultural Zones.
- (b) For the purpose of this section of this By-law, owner shall not mean nor include "non-resident" owner.
- (c) The owner of every cat shall register the cat with the Town of Saugeen Shores within 10 days of becoming the owner. **[By-law 86-2015]**
- (d) The owner of every cat shall ensure the cat tag issued by the Town of Saugeen Shores is securely fixed to a durable collar around the cat's neck at all times. **[By-law 86-2015]**
- (e) A cat tag bearing a registration number will be issued upon registering the cat with the Town. The Town of Saugeen Shores shall record the description of the cat, the owner's name and contact information. **[By-law 86-2015]**

- (f) The owner of a cat shall pay the annual License Fee as prescribed in Schedule "A". Every license issued pursuant to this section shall be effective for the calendar year and shall be renewed annually. **[By-law 86-2015]**
- (g) The owner of a cat with a microchip implant shall register the cat(s) with the municipality and shall pay the license fee as prescribed in Schedule "A".
  - i) The registration and payment of the prescribed fee remains effective for the lifetime of the cat.
  - ii) The owner shall securely affix a cat tag to a durable collar around the cat's neck at all times.

### **3. DOG LICENSING**

- (a) For the purpose of Part II of this By-law, dog shall mean all dogs twelve (12) weeks of age or older.
- (b) For the purpose of the licensing section of this by-law, owner shall not mean nor include "non-resident" owner.
- (c) The owner of every dog shall register the dog with the Town of Saugeen Shores within 10 days of becoming the owner. **[By-law 86-2015]**
- (d) The owner of every dog shall ensure the dog tag issued by the Town of Saugeen Shores is securely fixed to a durable collar around the dog's neck at all times. **[By-law 86-2015]**
- (e) A dog tag bearing a registration number will be issued upon registering the dog with the Town. The Town of Saugeen Shores shall record the description of the dog, the owner's name and contact information. **[By-law 86-2015]**
- (f) The owner of a dog shall pay the annual License Fee as prescribed in Schedule "A". Every license issued pursuant to this section shall be effective for the calendar year and shall be renewed annually. **[By-law 86-2015]**
- (g) The owner of a dog with a microchip implant shall register the dog(s) with the municipality and shall pay the license fee as prescribed in Schedule "A".
- (h) The registration and payment of the prescribed fee remains effective for the lifetime of the dog.
- (i) The owner shall securely affix a dog tag to a durable collar around the dog's neck at all times.
- (j) No owner shall keep or permit any other person to keep in or upon any lands or buildings or premises at any time more than two dogs unless such owner or person has first obtained a Kennel License pursuant to Section 3 of this By-law except that the owner of a female dog with a litter may keep in or upon said lands, buildings or premises said litter until each dog has reached the age of twelve weeks.
- (k) All non-resident owners must have a form of identification sufficient to identify the owner of a dog unless the issuing municipality does not so prescribe.

### **4. KENNELS**

- (a) Licenses for kennels will only be issued for those kennels located on property which comply with the Comprehensive Zoning By-laws for the Corporation.
- (b) No person shall keep a kennel of dogs in the Town of Saugeen Shores except under the authority of a currently valid license which must be renewed annually. **[By-law 86-2015]**
  - i) Every person making application for a license to keep a kennel of dogs shall make application in writing and provide information including;
  - ii) A complete description of each dog in the kennel together with a tattoo number or other tag or marking identification to enable a person appointed to enforce the provisions of this By-law to clearly identify each dog for which a tag is issued;
  - iii) The location of the kennel and the number, size and construction of the facilities;
  - iv) The maximum number of dogs to to kept in the kennel at any time during the next twelve months;
  - v) Proof that every dog in the kennel is registered or eligible for registration with an association incorporated under the Animal Pedigree Act (Canada);
  - vi) Such other information as may be required by Council to properly consider the application, and shall;
  - vii) Obtain a tag for each dog in the kennel;
  - viii) Pay the current kennel license fee established in “Schedule A” attached to and forming part of this By-law.
- (b) The Corporation may refuse to issue or renew a license for a kennel of dogs.

### **PART III**

#### **5. DOGS PROHIBITED**

- a) No owner of a dog shall take or allow a dog to be in the following prohibited areas within the Town of Saugeen Shores at any time during the period of May 1<sup>st</sup> to October 1<sup>st</sup> in each year.
  - i) From the south limit of Lot 21, Lake Range northerly to the North Limit of Lot 38, Lake Range on the municipally owned land immediately adjacent to the shore of Lake Huron which is commonly used as a public beach.
  - ii) The area bounded on the west by the High Water Mark of Lake Huron, on the east by the west limit of Harbour Street, on the south by the north limit of Lot 38, Lake Range and on the north by the southerly limit of Elgin Street save and except the dock area at the westerly limit of Elgin Street and the docks south, and west of such limit.
  - iii) From the south limit of Lot 53, Lake Range northerly to the north limit of Lot 60, Lake Range on the municipally owned land immediately adjacent to the shore of Lake Huron which is commonly used as a public beach.

- iv) From the north limit of Lot 60, Lake Range northerly to the south limit of the Saugeen River on the municipally owned land immediately adjacent to the shore of Lake Huron which is commonly used as a public beach.
- b) *That Section 5 a) shall not apply to services dogs. [By-law 46-2015]*
- c) *No person shall allow a dog to be on a sidewalk unless the dog has a leash affixed to its collar and is under the care and control of a person. [By-law 46-2015]*
- d) *No person shall allow the length of the leash affixed to the collar of a dog to be of such length to allow the dog to:*
  - i. *enter or walk in a prohibited area*
  - ii. *interfere with other pedestrians [By-law 46-2015]*

## **PART IV**

### **6. CAT CONTROL**

- (a) No owner of a cat shall allow such cat to cause damage or otherwise create a disturbance to another person or person's property.
- (b) Where a person makes a complaint to the Animal Control Officer that a cat is causing or has caused damage to the said person or person's property or is creating or has created a disturbance, the Animal Control Officer may seize or impound such cat.
- (c) In accordance with the Animals for Research Act, R.S.O. 1990, C.A. 22, the minimum redemption period for a cat shall be (3) three days, excluding the day on which the cat was impounded, and if not claimed may be sold, destroyed or otherwise disposed of at the discretion of the pound-keeper, except where a cat is ill or injured and a veterinarian is of the opinion that the cat should be destroyed forthwith, a person authorized to enforce this By-law may direct the veterinarian to destroy the cat immediately. Where a cat is seized or impounded it will not be released until all seizure, pound and maintenance charges have been paid.
- (d) Where the identity of the owner of an impounded cat is known, the owner shall be notified and notice is sufficiently given personally or if sent by prepared first class post to the last known address of the owner. If the cat is not claimed within (3) three days, excluding the day on which the cat was impounded, the cat may be sold, destroyed or otherwise disposed of, in accordance with the Animals for Research Act, R.S.O. 1990, and the owner is liable for all costs incurred.
- (e) All fees for reclaiming, impounding, vet's service, and any other cost relevant to said cat shall be paid for before the cat is reclaimed. Fees are set out in Schedule "B" of this By-law.

### **7. DOGS RUNNING AT LARGE**

- (a) No person shall allow a dog to run at large within the limits of the Town of Saugeen Shores.
- (b) A dog shall be deemed to be running at large when found in any place other than the premises of the owner of the dog and not under the control of any person.

- (c) The Animal Control Officer may seize and/or impound any dog found running at large in the Town of Saugeen Shores contrary to the provisions of this By-law. In accordance with the Animals for Research Act, R.S.O. 1990, C.A. 22, the minimum redemption period for a dog shall be (3) three days, excluding the day on which the dog was impounded, and if not claimed may be sold, destroyed or otherwise disposed of at the discretion of the pound-keeper, except that where a dog is found running at large and is ill or injured and a veterinarian is of the opinion that the dog should be destroyed forthwith, a person authorized to enforce this By-law may direct the veterinarian to destroy the dog immediately. Where a dog is seized or impounded it will not be released until all seizure, pound and maintenance charges have been paid.
- (d) Where the identity of the owner of an impounded dog is known, the owner shall be notified and notice is sufficiently given personally or if sent by prepared first class post to the last known address of the owner. If the dog is not claimed within (3) three days, excluding the day on which the dog was impounded, the dog may be sold, destroyed or otherwise disposed of, in accordance with the Animals for Research Act, R.S.O. 1990, and the owner is liable for all costs incurred.
- (e) All fees for reclaiming, impounding, vet's service, and any other cost relevant to said dog shall be paid for before the dog is reclaimed. Fees are set out in Schedule "B" of this By-law.

## **PART V**

### **8. LEASHING OF DOGS**

Every person who is the owner of a dog shall keep the dog leashed and under the control of some person when the dog is on land in the municipality other than that of the owner, unless prior consent is given by the person owning the land on which the dog is found.

## **PART VI**

### **9. MUZZLING AND LEASHING OF DOGS**

Where a dog has bitten a person or a domestic animal, the municipality requires that the dog be muzzled or leashed however the owner of the dog may request and is entitled to a hearing by the Council or a Committee thereof who may exempt the owner from the muzzling or leashing requirements, or both.

## **PART VII**

### **10. ANIMALS**

- (a) No person shall operate an establishment for the boarding or breeding of animals, including dogs, in the Town of Saugeen Shores, except under the authority of a currently valid license which must be renewed annually. [By-law 86-2015]
- (b) Every person making application for a license to operate an establishment for the boarding or breeding of animals shall make application in writing and provide information including;
  - i) a full description of the animals to be boarded or bred and the maximum number of animals to be kept in the facility at any time during the following twelve (12) month period.
  - ii) a complete description of the location of the establishment and the number, size and construction of facilities.

- iii) Such other information as required by Council to allow them to properly consider the application and,
  - iv) Pay the current registration fees established in Schedule "A" attached to and forming part of this By-law.
- (c) Council of the Town of Saugeen Shores may refuse to issue or renew a license to operate an establishment for the boarding or breeding of animals.
- (d) No owner or any animal shall allow or permit the animal to be at large in the Town of Saugeen Shores or allow or permit the animal to trespass on the property of another person.
- (e) For the purpose of this section:
- i) "be or being at large" means an animal being in any place other than the premises of the owner of the animal and not under the control of any person;
  - ii) "trespass" means an animal being on property of a person other than the owner of the animal without the express permission of the owner or occupier of the property;
- (f) An animal which is found being at large or trespassing may be seized and not impounded. An animal which is impounded shall be held for a period of not less than (3) three days, excluding the day on which the dog was impounded, and if not claimed may be sold or otherwise disposed of in a manner prescribed by law, except when an ill or injured animal is seized or impounded and a veterinarian determines that the animal should be destroyed as provided by law. When an animal is seized or impounded it shall not be released until all seizure, pound and maintenance fees and damages for trespass have been paid.
- (g) The Municipal Treasurer may appraise damages caused by an animal trespassing on the property of another person and these damages shall be paid prior to release of the seized or impounded animal, as provided in Subsection (f) of this section.
- (h) Where the identity of the owner of an impounded animal is known, the owner shall be notified and notice is sufficiently given if given personally or if sent by prepaid first class post to the last known address of the owner. If the animal is not claimed in (3) three days, excluding the day on which the dog was impounded, the animal may be sold or disposed of in a manner prescribed by law and the owner is liable for all costs incurred.

## **PART VIII**

### **GENERAL PROVISIONS:**

11. No person shall make a false statement on any registration or application required under this By-law.
12. No owner of a dog or cat shall allow excrement to accumulate in such proportions that it causes a nuisance visually or by causing an odour.
13. Every owner of a dog or the owner or operator of a kennel, establishment for the breeding or boarding of dogs shall allow access to the facility for the purpose of inspection at all reasonable hours, to any person appointed to enforce the provisions of this By-law.

14. The Council of the Corporation of the Town of Saugeen Shores may by by-law enter into an agreement with a person or persons or an association for the enforcement of this By-law within the Town of Saugeen Shores.
- 14.1 a) *Every owner of a dog, ore person having custody of a dog, shall immediately remove and dispose of any feces left by the dog on any property, other than the Owner's property or the person's property having care and control of the dog. [By-law 46-2015]*
- b) *Section 14.1 a) does not apply to a handler of a service dog, where the handler is unable to remove the excrement left by such dog due to a physical disability or impediment. [By-law 46-2015]*
15. The Council of the Corporation of the Town of Saugeen Shores may by by-law enter into an agreement with a person or persons or a business to provide pound-keeping services as authorized in this by-law.
16. That By-law 36-99 is hereby repealed.
17. That this by-law shall come into force and effect on June 30, 2004.

## **PART IX**

### **18. PENALTIES**

Any person who violates a provision of this by-law is guilty of an offence an on conviction is liable to pay a penalty provided in Section 61 of the Provincial Offences Act R.S.O. Chapter P 33 as amended or re-enacted from time to time.

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED AND SEALED THIS 10<sup>TH</sup> DAY OF MAY, 2004.

**ORIGINAL COPY SIGNED BY MAYOR AND CLERK**



**THE CORPORATION OF THE TOWN OF SAUGEEN SHORES**

**SCHEDULE "A" TO BY-LAW 36-2004  
*[AS AMENDED BY BY-LAW 86-2015]***

**LICENSE FEES**

All Licensing Fees are established in the current Fees and Charges By-law.

**THE CORPORATION OF THE TOWN OF SAUGEEN SHORES**

**SCHEDULE "B" TO BY-LAW 36-2004**

**FEES FOR RECLAIMING DOGS OR OTHER ANIMALS**

	1 <sup>ST</sup> Time Offence in 12 Month Period	2 <sup>nd</sup> Offence in 12 Month Period	3 <sup>rd</sup> & Subsequent in 12 Month Period
Reclaim Fee plus all applicable costs (including board, shelter, animal control service fees, and veterinarian charges)	\$ 10.00	\$ 25.00	\$ 75.00