

THE CORPORATION OF THE TOWNSHIP OF TEMAGAMI

BY-LAW NO. 97-401

BEING A BY-LAW to regulate the keeping and control of animals; the licensing and restraint of dogs; taking up and destruction of dogs in certain instances and certain other aspects of animal control within the Township of Temagami;

WHEREAS Section 210, subsections 1 through 11 inclusive, of the MUNICIPAL ACT, R.S.O.1990, Chapter M.45; authorizes the council of the municipality to prohibit or regulate the keeping of animals;

THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF TEMAGAMI
ENACTS AS FOLLOWS:

1. **DEFINITIONS:** As used in this By-Law, the following terms shall have a meaning hereinafter ascribed to them:

DOG: The male or female of the domesticated canine species

OWNER: Any person in possession of any male or female of the domesticated canine species who shall harbour such animal to remain about his house or premises. A registered owner of a dog shall be sixteen (16) years of age.

CORPORATION: The Corporation of the Township of Temagami

ANIMAL CONTROL OFFICER: Includes the person or association who entered into contact with the Corporation to control dogs and to operate a dog pound and are hereby appointed Municipal Law Enforcement Officers who shall be peace officers for the purpose of enforcing the animal control and dog licencing by-law and related services.

LICENCE ISSUER: The Clerk of the Corporation or persons designated by said Corporation.

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.

PUBLIC NUISANCE: Any dog which by excessive barking or howling at any person or vehicles, or in any manner which disturbs the quiet of any person or persons in any manner.

2. No person within the limits of the Corporation of the Township of Temagami shall own, harbour or possess a dog unless such dog is licenced as herein provided and every owner of a dog shall be subject to the provisions of the By-Law.

3. No owner shall harbour or have about his premises more than two dogs at any given time.
4. From and after the passing of this By-Law, every owner of every dog within the Municipality of the Corporation of the Township of Temagami, shall annually, immediately following the first day of January and not later than the first day of March, in every year, cause the same dog to be registered, numbered and described.
5. A licence shall be produced and renewed pursuant to this By-Law by applying to the Licence Issuer for said Licence or renewed Licence as the case may be and by paying the Licence Issuer for the fee prescribed in Section 7 of this By-Law.
6.
 - (a) Any licence procured or issued pursuant to this By-Law shall be in the form of a dog tag.
 - (b) Every dog tag shall bear a serial number, the year of issue and the name of the Licence Issuer.
 - (c) A record shall be kept by the Licence Issuer showing the name, address and phone number of the owner and the serial number of the tag.
7. The yearly licence fee for every dog licenced under the provisions of this By-Law shall be as follows:
 - (a) For a male or female dog..... \$10.00
 - (b) For a second and subsequent male or female dog..... \$15.00
 - (c) For old age pensioners, for each dog..... \$ 5.00
8. The owner of a kennel of dogs that are purebred shall pay an annual licence fee of twenty-five dollars (\$25) to the Licence Issuer as a licence fee for the kennel and he is not liable to pay in respect of such purebred dogs any licence fee under this By-Law.
9.
 - (a) No person shall suffer, allow or permit a dog of which he is the owner, to run at large within the limits of the Corporation.
 - (b) For the purposes of the By-Law a dog shall be deemed to be running at large when found in any place other than the property of the owner of the dog and under the control of any person.
 - (c) For the purpose of this By-Law a dog shall be deemed not to be under the control of any person when the dog is not on a leash of a maximum length of two (2) meters held by a person or is not on a leash which is securely affixed to some permanent structure from which the dog cannot escape.
 - (d) No person shall suffer, allow or allow or permit a dog under his control or of which he is the registered owner to trespass on private

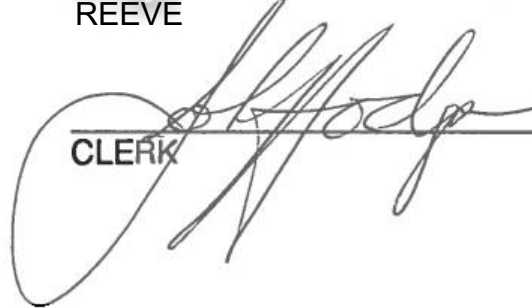
property whether on a leash or not, unless permission for the said trespass is first obtained from the property owner.

10. No dog owner and no person who has control of a dog shall leave excrement deposited by the dog on or in the following premises:
 - (a) Public place including highways, public parks and other Municipal property.
 - (b) Private property, without the consent of the owner of the premises.
11. No person shall allow or permit a dog under his control or of which he is the registered owner to be a public nuisance.
12. Any female dog found to be running at large in heat, shall be held at the pound until no longer in heat, but in any case, no longer than twenty-one (21) days.
13. A Peace Officer or Animal Control Officer may:
 - (a) Seize and impound any dog found in contravention of Sections, 2, 3, 4, 8, 9, 10 and 11 of this By-Law.
 - (b) Restore possession of the dog to the owner thereof where:
 - the owner claims possession of the dog within three (3) days (exclusive of the day of its impounding and of statutory holidays) after the date of seizure and
 - the owner pays to the Peace Officer or Animal Control Officer a pound fee of twenty-five (\$25) dollars for a dog seized and impounded plus a maintenance sum of fifteen (\$15) dollars for each day subsequent to the day of seizure that the dog remains impounded.
 - (c) Where, at the end of three days mentioned in subsection (a) of this section, the dog has not been restored to the owner, the Animal Control Officer may sell the dog for such price as he deems reasonable.
 - (d) Where the owner of a dog has not claimed the dog within three days after its seizure and where the dog has not been sold, the Animal Control Officer may kill the dog in a humane manner or otherwise dispose of the dog as he sees fit in accordance with the provisions of the Province of Ontario Animals for Research Act, as it relates to pounds and no damage or compensation shall be recovered by the dog owner on account of its killing or other disposition.
14. Approved set fines plus court costs shall be as follows:
 - (a) Failure to procure a licence.....\$25.00
 - (b) Failure to renew dog licence..... \$25.00
 - (c) Dog at large.....\$53.00
 - (d) Dog being a public nuisance..... \$53.00

(e) Failure by Owner to remove excrement
and provide for its sanitary disposition.....\$53.00

15. All previous By-Laws and their Amendments, relating to the keeping, licencing and regulating of dogs in the Corporation of the Township of Temagami are hereby repealed.
16. This By-Law shall come into focus from and after the third and final passing thereof.
17. Read a First and Second time in open Council on this 1 dayth of September > 1997.
18. Read a Third time and finally enacted and passed this 1 dayth of September, 1997. .


REEVE


CLERK