

**THE CORPORATION OF THE MUNICIPALITY
OF OLIVER PAIPOONGE**

BY-LAW NO. 513 - 2008

*A by-law to provide for the licencing and registration of dogs
and prohibiting or regulating the running at large of dogs in the
municipality.*

WHEREAS the *Municipal Act*, S.O. 2001, c. 25, s. 10 (2) (8), provides that a municipality may pass by-laws respecting matters pertaining to animals;

AND WHEREAS the *Municipal Act*, SO 2001, c. 25, s. 103 (1), provides 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;
- 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

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE MUNICIPALITY OF OLIVER PAIPOONGE ENACTS AS FOLLOWS:

Definitions

1. In this by-law:
 - a. “*Corporation*” means the Corporation of the Municipality of Oliver Paipoonge.
 - b. “*Owner*” of a dog includes a person who possesses or harbors a dog and where the owner is a minor, the person responsible for the minor.
 - c. “*Dog*” means a male or female dog.
 - d. “*By-law enforcement officer*” includes the person employed by the Corporation for the purpose of enforcing the provisions of the by-law of the Corporation, or such other person as the Corporation may designate from time to time and any peace officer whether he/she is employed by the Corporation or not.
 - e. “*Running at large*” 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 when off this property not under the immediate control of any person.

Licensing

2. Every owner of a dog shall on or before the 1st day of February in each and every year when the dog becomes 6 months of age register such a dog with the Clerk for the Corporation and procure a license and dog tag for each dog owned by him/her.
3. The license fee payable to the Clerk of the Corporation shall be \$15.00 per year for every dog per household.
4. Every license issued pursuant to this by-law shall expire on the 31st of January next following the year in respect of which it was issued.

5. Every dog tag shall bear the serial number and the year in which it was issued and a record tag shall be kept by the Clerk of the Corporation showing the name and address of the owner and the serial number of the tag.
6. The owner shall keep the dog tag securely fixed to the dog, for which the tag was issued at all times.
7. Notwithstanding the provisions of section 2 of this by-law, the owner of a kennel of dogs that are registered or eligible for registration with an association incorporated under the Animal Pedigree Act (Canada) or lawfully operate a boarding kennel shall pay an annual license fee of \$50 instead of a license fee for each dog.

Dogs Running At Large

8. No owner of a dog shall allow the dog to run at large anywhere within the Municipality of Oliver Paipoonge.
9. Subject to the provisions of by-law, any dog found running at large may be seized by the By-law Enforcement Officer and impounded at such place as Council of the Corporation may designate, notice of which shall be posted in the office of the Corporation, and any such dog or dogs impounded may be destroyed or disposed of by way subject to the following conditions:
 - a. The By-law Enforcement Officer is hereby required to impound the dog for a period of three (3) days exclusive of the day on which the dog was impounded.
 - b. For each dog, a seizure fee of thirty five dollars (\$35.00), a poundage fee of forty dollars (\$40.00), plus a maintenance fee of ten dollars (\$10.00) will be charged for each day subsequent to the day of seizure that the dog or dogs remain impounded.
 - c. If the owner has not redeemed his dog or dogs in the time limits prescribed by this by-law, the By-law Enforcement Officer may dispose of the dog or dogs in the manner herein referred to:
 - i. Hold, sell or otherwise dispose of the dog, by gift or otherwise at such time and in such manner as the municipality determines.
 - ii. Deliver the dog to the operator of a pound within the meaning of the Animals for Research Act, RSO 1990, c. A-22.
 - d. Where a dog found running at large or having been seized by the municipality:
 - i. Appears to be seriously injured or ill and suffering; or
 - ii. Its behaviour presents a risk to the safety of persons, animals or property in the municipality,

The municipality may destroy the dog at such time and such manner as the municipality deems reasonable.

Penalty

10. Every person who contravenes any provision of the By-law is guilty of an offence and on conviction is liable to a fine as provided for in Schedule "A" to this By-law.

Enforcement

11. This By-law may be enforced by the By-law Enforcement Officer.

Repeal - Enactment

12. By-law 484-2008 of the Municipality of Oliver Paipoonge is hereby repealed.
13. This By-law shall come into force and take effect when it is advised that the Set Fines established by this By-law have been approved by the Ministry of the Attorney General.

Read a first and second time this 15th day of October, 2008
Read a third time and finally passed this 15th day of October, 2008

**THE CORPORATION OF THE
MUNICIPALITY OF OLIVER PAIPOONGE**



Mayor Lucy Kloosterhuis



Sharron Martyn
Chief Administrative Officer / Clerk

CERTIFIED TRUE COPY
Date _____
C.A.O. / Clerk Corporation of the Municipality of Oliver Paipoonge

**THE CORPORATION OF THE MUNICIPALITY
OF OLIVER PAIPOONGE**

PART 1/ *PROVINCIAL OFFENCES ACT*

SET FINE

SCHEDULE 'A' to By-Law No. 513-2008

**A By-law to provide for the licencing and registration of dogs and prohibiting or regulating
the running at large of dogs in the municipality.**

ITEM	COLUMN 1 Short Form Wording	COLUMN 2 Provision creating or defining Offence	COLUMN 3 Set Fine
1	Owner failing to license dog	Section 2	\$ 75.00
2	Owner failing to affix tags	Section 6	\$ 75.00
3	Kennel owner failing to pay license fee	Section 7	\$ 100.00
4	Failure to prevent dog from running at large	Section 8	\$ 100.00

Note: The penalty provision for the offences listed above is Section 10 of By-law 513-2008, a certified copy of which has been filed and s. 61 of the Provincial Offences Act, R.S.O. 1990, c. P. 33.