

The Corporation of the Township of North Kawartha

By-Law 2025-

Being a by-law of the Corporation of the Township of North Kawartha for animal control for the regulating and licensing of dogs and kennel operations and for the prohibiting and regulating the running at large of dogs and to repeal by-law #2022-0028

Whereas Section 103 of the Municipal Act, S.O. 2001, c. 25, as amended, provides municipalities with the authority for regulating or prohibiting with respect to the being at large or trespassing of animals;

And Whereas Section 103 (1) (a) of the Municipal Act, S.O. 2001, c. 25, as amended, provides for the seizure and impounding of animals being at large or trespassing contrary to the by-law;

And Whereas Section 103 (1) (b) of the Municipal Act, S.O. 2001, c. 25, as amended, provides for the sale of impounded animals, if they are not claimed within a reasonable time, if the expenses of the municipality respecting the impounding of the animals are not paid, or at such time and in such manner as is provided in the by-law;

And Whereas Section 105 (1) of the Municipal Act, S.O. 2001, c. 25, as amended, provides for the muzzling of dogs;

And Whereas the Dog Owners' Liability Act, R.S.O. 1990, c.D16 provides for liability of owner of a dog;

And Whereas the Corporation of the Township of North Kawartha promotes and advocates the humane treatment of animals and responsible pet ownership.

Now Therefore the Council of the Corporation of the Township of North Kawartha do hereby enact as follows:

Definitions:

Animal Control Officer shall mean a person appointed by the Township of North Kawartha to enforce the provisions of this by-law.

Dog shall mean a canine of the species *Canis familiaris*.

Guide Dog means any trained and actively used dog to assist a person who is legally blind or legally deaf and is actively in use for such purposes.

Kennel Operator means holder of a valid license issued by this Municipality.

Municipality means the Corporation of the Township of North Kawartha.

Muzzled shall mean a humane fastening device to prevent a dog from biting.

Owner includes any person who possesses or harbours a dog within the Municipality.

Pound shall mean premises inspected and approved by the Animal Health & Welfare Branch and designated by the Municipality for the confinement, maintenance or disposal of animals that have to be impounded pursuant to this by-law.

Running at Large	shall mean when a dog is found on a highway, public space, or on any other property, other than property where it is usually kept, and the dog is not under the control of any person, except when a dog, or dogs are legally used for the purpose of hunting during hunting seasons.
Vicious Dog	shall mean a dog which without provocation has bitten a person, domestic animal or domestic fowl.

Section 1: Licensing

- (a) A license fee shall be levied upon every dog owner who resides in the municipality in accordance with the fees set out in Schedule "A" of this By-law.
- (b) All dogs over the age of three months owned by a person who resides within the Municipality must be licensed. Licenses obtained after the passing of this by-law are valid for the lifetime of the dog for which the license has been issued.
- (c) Upon making application for a dog license and making payment for the license, the owner shall be furnished with a numbered tag issued by the Municipality. The tag must be securely affixed to the dog at all times.
- (d) It is an offence to affix a tag on a dog other than the dog for which it was obtained.
- (e) Lost tags must be replaced and are subject to a fee set out in Schedule "A" of this By-law.
- (f) Every owner shall notify the Municipality in writing within seven (7) days of any changes to the dog licensing including address change and/or contact information.
- (g) An owner is exempt from the requirements of subsections 1(a) and (b) of this by-law if their residence in the Municipality is not the owner's primary residence and the dog is licensed with the Municipality where the owner's primary residence is located and the dog tag from that Municipality is affixed to the dog.
- (h) Subsections 1(a) and (b) of this By-law shall not apply to any person who is legally blind, legally deaf or disabled and who owns a dog (or dogs) trained and actively used as a guide dog or assistant.

Section 2: Waste

- (a) It is an offence for anyone to allow a dog to deposit waste (feces) on private property or property of the Municipality unless that person without leaving the scene picks up the waste and disposes of it in a proper manner.
- (b) Subsection 2(a) above does not apply if the said dog is a "guide dog".

Section 3: Running At Large

- (a) No person shall permit a dog owned by him/her to be running at large or be found on any highway or other public place in the Municipality unless it is under the control of some person and held firmly on a leash, to prevent the possibility of any person being attacked or bitten by such dog.
- (b) No dogs will be permitted on any public beaches and associated parkland within the Municipality.
- (c) The Animal Control Officer may seize any dog running at large and cause such dog to be returned to the owner or impounded.
- (d) Any owner of a dog that has been seized shall pay an amount consistent with fees set out by the pound in any current agreements prior to release.

- (e) Any owner of a dog seized that has not obtained a current license shall purchase a license prior to release.
- (f) Any impounded dog will be transported to the pound. Any owner who fails to claim the dog within the time period set by the regulations of the pound shall be responsible for all costs incurred and may forfeit all rights of ownership.
- (g) The Animal Control Officer may destroy any dog that is found running at large if:
 - i. it is reasonably believed that the dog is likely to or has caused harm to any person, dog, domestic animal or domestic fowl, or
 - ii. the dog is ill or injured and it is believed that it should be destroyed without delay for public safety or humane reasons.

Section 4: Dog Bites

- (a) When a dog has bitten or attacked a person or fought with, bitten or attacked a dog, domestic animal or fowl the owner shall be ordered to secure, leash and muzzle the dog in accordance with Schedule "B" of this By-law until such time as the incident has been reviewed by the Animal Control Officer and municipal law enforcement (currently, Ontario Provincial Police). As a result of this review the Animal Control Officer may:
 - i. Exempt the owner from the leashing or muzzling requirement.
 - ii. Rule that the dog is vicious whereby the owner must comply with Section 5 of this bylaw.
 - iii. Commence proceedings under the Dog Owners' Liability Act whereby at the discretion of the judge penalties ranging from a fine to an order to destroy the dog may be imposed.
- (b) When a dog is known to have bitten a person, the Medical Officer of Health shall be notified.
- (c) When the Animal Control Officer has issued a leash or muzzle order to the dog owner, the owner may request a hearing by Council.
- (d) An owner shall comply with an order issued by an Animal Control Officer.
- (e) No person shall obstruct an Animal Control Officer who is exercising a power or performing a duty under this by-law.
- (f) The order to leash or muzzle the dog shall be in the form in Schedule "B" of this by-law

Section 5: Vicious Dog

- (a) When not in the owner's dwelling unit but otherwise within the owner's property it shall constitute an offence for the owner to fail to ensure that the dog is secure in accordance with "Method of Restraining Dog" in Schedule "B" forming part of this By-law, as to prevent the dog from causing injury to any person, dog, or domestic animal or fowl.
- (b) It shall constitute an offence for the owner to fail to ensure that anyone left in charge of a vicious dog is fully capable of controlling the dog.
- (c) When the dog is outside the owners' property it is an offence for the owner to fail to leash and muzzle the dog at all times in accordance with "Method of Restraining Dog" in Schedule "B" forming part of this By-law.
- (d) It is an offence to fail to notify the Animal Control Officer that a dog is vicious at the time of licensing.

- (e) It is an offence for the owner of a vicious dog to fail to post a sign on his/her property stating that there is a vicious dog on the premises.

Section 6: Restrictions

- (a) It shall constitute an offence for any person to harbour more than a total of three dogs in or about any single dwelling unit.
- (b) The above restriction does not apply to kennel operations licensed through this municipality.
- (c) The restriction in subsection 6(a) does not apply to dogs under three months of age.

Section 7: Kennels

- (a) The owner of a kennel shall pay a total annual license fee as set out in Schedule "A".
- (b) The owner shall conform to guidelines set by this municipality prior to a license being issued.

Section 8: Guidelines for Kennel Operation

- (a) Every person who applies for a kennel license shall comply with the following requirements. No kennel license shall be issued unless the premises comply with all provisions of this by-law.
- i. Present zoning by-law must permit such use on the property.
 - ii. All building and structures must be built to a solid secure standard and require an inspection by a Building Inspector appointed by the municipality prior to Kennel license issuance.
 - iii. Kennel buildings shall not be directly connected to a building which is or can be used for human habitation.
 - iv. Provide adequate lighting for a minimum continuous period of eight hours within every twenty-four hour period.
 - v. Provide adequate food, shelter, exercise, potable water, veterinary care as set in the Code of Practice for Canadian Kennel Club.
- (b) Outside areas - minimum size requirements are eighty square feet for small to medium breeds plus an additional forty square feet for every dog after the second. Minimum 120 square feet for large breeds plus an additional sixty feet per dog after the second. Solidly constructed minimum of six feet in height and secured at the bottom to prevent escape by means of digging.
- (c) The Building Inspector and Animal Control Officer reserves the right to inspect any premises prior to licensing.

Section 9: Miscellaneous

- (a) The Ministry of Health and Long-Term Care requires that all dogs be vaccinated against rabies.
- (b) It is recommended that all dogs not used for breeding purposes be spayed or neutered to decrease the incidents of unwanted dogs.

Section 10: Offences

Now Therefore the Council of the Corporation of the Township of North Kawartha do hereby enact as follows:

- (a) Except for Section 9, every person who contravenes any section of this by-law is guilty of an offence and upon conviction is liable to a fine not to exceed the sum of \$5,000.00.
- (b) Every person who contravenes any provision of this by-law is guilty of an offence and upon conviction is liable to a fine as provided for by the Provincial Offences Act, R.S.O 1990, Chapter P.33, as amended.
- (c) That an individual who contravenes any provision of the Dog Owners Liability Act (18 (1)) or the regulations or who contravenes an order made under this Act or the regulations is guilty of an offence and liable, on conviction, to a fine of not more than \$10,000 or to imprisonment for a term of not more than six months, or both. 2005, C. 2, S. 1 (16).
- (d) That the fees for dog licenses and kennel operation licenses shall be listed in Schedule "A" and shall form part of this by-law.
- (e) That this bylaw shall repeal By-law 2022-0028 passed the 15th day of March, 2022.
- (f) That this by-law shall be in force and effect as of the 18th day of February 2025.

This by-law shall come into effect on the 18th day of February 2025.

Read and Adopted in open Council on the 18th day of February 2025.

Carolyn Amyotte, Mayor

Connie Parent, Clerk

Schedule "A"

By-law #2025- : Fees

Lifetime Dog License Fee	\$40.00
Replacement of Lost Tag	\$10.00
Kennel Operator	\$50.00 per year

Schedule "B" to By-law # 2025-

THE CORPORATION OF THE TOWNSHIP OF NORTH KAWARTHA

ANIMAL CONTROL ORDER TO LEASH AND MUZZLE

Pursuant to By-law # 2025-

Owner: _____
(Name)

(Address)

(Phone Number)

Description of Dog:

Name: _____ Sex: _____
Breed: _____ Age: _____
Colour: _____

As a result of an investigation The Corporation of the Township of North Kawartha executed by the Animal Control Officer pursuant to By-law # 2025- , Section 4(a).

YOU ARE HEREBY ORDERED TO IMMEDIATELY LEASH AND MUZZLE YOUR DOG as required in the attached "Method of Restraining Dog" which forms part of this Order.

The owner may appeal this Order by requesting a hearing by Council, in writing, to the Town Clerk within thirty (30) days of the owner receiving this notice. A notice that is not appealed within thirty (30) days is deemed to be confirmed.

Pursuant to the Dog Owner's Liability Act, R.S.O. 1990, c. D.16, as amended, the owner of a dog is liable for damages resulting from a bite or attack by a dog on a person or domestic animal.

NOTE: Failure to comply with the requirements of By-law # 2025- and this order may result in the owner of the dog being subject to a fine not exceeding \$5,000.00.

DATED THIS _____ day of _____, 20 ____.

Animal Control Officer/Provincial Offences Officer

THE CORPORATION OF THE TOWNSHIP OF NORTH KAWARTHA

ANIMAL CONTROL ORDER TO LEASH AND MUZZLE

Pursuant to By-law # 2025-

METHOD OF RESTRAINING DOG

- The owner shall, when the dog is not securely inside the owner's dwelling but is otherwise on the owner's property, at all times keep the dog securely restrained in one of the following manners so as to prevent the dog from escaping and to prevent the dog from biting or causing injury to any person or domestic animal entering onto the owner's property:
 - (a) The dog shall be located within a securely fenced yard where the fence is of sufficient dimension and design to prevent the dog from escaping from the yard, and any gate in such fenced yard shall be locked at all times when the dog is in the fenced yard; or
 - (b) The dog shall be located within a fully enclosed pen or run of sufficient dimension, design and strength to be humane and to prevent the dog from digging its way out or otherwise escaping from the enclosed pen or run; or
 - (c) The dog shall be muzzled so as to prevent it from biting a person or domestic animal and securely restrained by means of a leash or chain to prevent the dog from escaping from the yard; and
 - (d) The dog shall not be kept in the front yard of the owner's property when the property is zoned residential
- The owner shall securely attach a muzzle to the dog at all times when the dog is in any place other than the owner's property.
- The owner shall keep the dog under the physical control of a person eighteen (18) years of age or older by means of a non-retractable leash with a maximum length of two (2) meters held by the said person at all times when the dog is in any place other than the owner's property.
- The owner shall provide to the Animal Control Officer a copy of a current municipal dog tag receipt within forty-eight (48) hours of service of the Animal Control Order.
- The owner shall provide to the Animal Control Officer a copy of all immunization records of the dog within forty-eight (48) hours of service of the Animal Control Order.
- The owner shall notify the Animal Control Officer within forty-eight (48) hours of any changes to the residency or ownership of the dog.
- The owner shall notify the Animal Control Officer within forty-eight (48) hours of the death of the dog.

DATED THIS _____ day of _____, 20 ____.

Schedule "C"

By-law 2025- : Set Fines

ITEM	COLUMN 1 Short Form Wording	COLUMN 2 Provision creating or defining offence	COLUMN 3 Set Fine
1	Fail to obtain license for dog	Section 1(b)	\$100.00
2	Fail to affix tag to a dog	Section 1(c)	\$100.00
3	Affix tag on another dog	Section 1(d)	\$100.00
4	Fail to provide notice of license change	Section 1(f)	\$100.00
5	Fail to remove dog excrement	Section 2(a)	\$100.00
6	Permit dog to run at large	Section 3(a)	\$100.00
7	Permit dog on public beach	Section 3(b)	\$100.00
8	Fail to comply with an Order	Section 4(d)	\$300.00
9	Obstruct an Animal Control Officer	Section 4(e)	\$300.00
10	Fail to secure a vicious dog	Section 5(a)	\$300.00
11	Fail to control a vicious dog	Section 5(b)	\$300.00
12	Fail to leash and muzzle a vicious dog	Section 5(c)	\$300.00
13	Fail to notify of vicious dog	Section 5(d)	\$300.00
14	Fail to post a sign for vicious dog	Section 5(e)	\$300.00
15	Harbour more than 3 dogs	Section 6(a)	\$100.00