

THE CORPORATION OF THE TOWN OF INNISFIL

BY-LAW NO. 068-06

A By-Law of The Corporation of the Town of Innisfil to provide for the licensing, restraining and regulating the control of Animals, for the impounding and disposing of same, and to repeal By-Law No. 066-00.

NOW THEREFORE the Council of The Corporation of the Town of Innisfil enacts as follows:

1. **GENERAL**

This By-Law shall be known as a By-Law for the Licensing, restraining and regulating the control of Animals and for the impounding and disposing of same and may be cited by its short title, The Animal Control By-law.

1.1 **Authority**

Municipal Act, 2001 S.O. 2001
The Animals for Research Act R.S.O. 1990 C. A.22
The Pounds Act, R.S.O. 1990 C. P.17
Dog Owner's Liability Act, R.S.O. 1990, C. D.16
Health Protection and Promotion Act R.S.O. 1990, C. H.07
Livestock, Poultry and Honey Bee Protection Act R.S.O. 1990 C. L.24
as may be amended from time to time

1.2 **Repeal Existing By-Laws**

By-Law 066-00.

1.3 **Penalties**

Any Person who contravenes any provision of this By-Law, unless otherwise provided herein, is guilty of an offence and upon conviction is liable to a fine under the *Provincial Offences Act*.

1.3.1 Each day that a breach of this By-Law continues shall constitute a separate offence.

1.4 **Validity**

1.4.1 Should any section, sub-section, clause, paragraph or provision of this By-Law be declared by a Court of competent jurisdiction to be invalid, the same shall not affect the validity of the By-Law as a whole.

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- 1.4.2 Words used in the singular shall have corresponding meanings when used in the plural.
- 1.4.3 "May" shall be construed as permissive.
- 1.4.4 "Shall" shall be construed as imperative.
- 1.4.5 For the purpose of this By-Law a Dog shall be deemed to be Running At Large if found in any place other than the premises of the Owner of the Dog and not under the control of any Person.

1.5 **Enforcement**

This By-Law shall be enforced by the Municipal Law Enforcement Officers as are appointed by By-Law.

1.6 **Administration**

This By-Law shall be administered by the Director of Planning and Development or his duly authorized representative.

1.7 **Force and Effect**

1.7.1 This By-Law shall come into force and take effect on and from the day it is finally passed by Council.

1.7.2 Every License issued under this By-Law shall expire at 12:00 midnight one year from the day on which the License was issued in each calendar year.

1.8 Except as otherwise provided herein, no Person shall keep, possess or harbor an Animal listed in Schedule 'B' of this By-Law, on any property within the Town.

1.9 Except as otherwise provided herein, no Person shall keep, protect or harbor any Animal listed in Schedule "C" of this By-law on any property within the areas designated as settlements as shown on Schedule "D" to this By-law.

1.10 No Person shall own, control, possess, board or harbor more than two (2) Dogs on any property within the Town.

1.11 Sections 1.8, 1.9, and 1.10 do not apply to:

1.11.1 A veterinary hospital;

1.11.2 An Ontario Humane Society shelter or an Animal control Pound which complies with the Town's Zoning By-Law;

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- 1.11.3 Any Animal being displayed or exhibited for a set period of time in a Town sanctioned event, which is operated in accordance with the Town's conditions;
 - 1.11.4 Any Municipal, Provincial or Federal Government agency;
 - 1.11.5 The premises of an Institution of Education where such Animals are being kept for research, study or teaching purposes, or on property or premises registered as Research Facilities under the Animals for Research Act, R.S.O. 1990, c. A.22, as amended.
 - 1.11.6 Any lawful Menagerie, Exhibition or Zoo. The property and facilities must be accredited by the Canadian Association of Zoos and Aquariums.
- 1.12 Sections 1.10 does not apply to:
- 1.12.1 Service Dogs;
 - 1.12.2 A Kennel Licensed under the provisions of this By-Law;
 - 1.12.3 Dogs under the age of 90 days;
 - 1.12.4 a bona fide farmer to a maximum of six (6) Herding Dogs on an operating farm property.
 - 1.12.5 A pet store;
- 1.13 Section 1.9 does not apply to a bona fide farming operation for the keeping of any Livestock if the keeping of such Livestock was in existence on the date of adoption of this by-law and the use is permitted under the Town's Zoning By-Law;
- 1.14 Any Owner who is so requested by the Town shall forthwith provide to the Town, a written statement indicating the number of Dog(s), Cat(s) or other Animals which are habitually kept upon the property of the Owner.
- 1.15 No Person shall erect an enclosure for containing an Animal within one metre of any property line or within three metres of a neighboring Dwelling Unit.
- 1.16 Notwithstanding Schedules 'B' or 'C', any Person may apply in writing to Council of the Town for an exemption to keep an Animal. Prior to granting its exemption, Council shall make whatever inquiry is deemed necessary to determine if the exemption is warranted and will not pose an undue risk to the Public. The decision of Council will be final.

Upon granting an exemption to keep an Animal, the Owner of the Animal shall abide by such terms and conditions as imposed by Council in granting the exemption. Such terms and conditions may include the posting of notices at the premises, the enclosure of the Animal, the requirement for specific insurance and the requirement for mandatory periodic inspections of the premises where the Animal is to be kept.

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- 1.17 Any Animal found Running At Large, contrary to the provisions of this By-Law may be captured and impounded by the Municipal Law Enforcement Officer and thereafter shall be kept in a Pound for a period of five days and, if not claimed by the Owner within the said detention period and the proper costs and charges of the Pound Keeper paid, the Animal may thereafter be destroyed or otherwise disposed of by or under the direction of the Pound Keeper.
- 1.18 The Municipal Law Enforcement Officer or Pound Keeper shall make all reasonable efforts to identify and contact the Owner of every stray Animal received, whether the Animal is living or dead.
- 1.19 Where in the opinion of the Pound Keeper, in consultation with a veterinarian, an Animal seized and impounded is injured or ill and should be destroyed without delay for humane reasons or for reasons of safety to the public, the Animal may be euthanized humanely if reasonable efforts to locate the Owner of the Animal have failed.
- 1.20 Where an Animal seized and impounded is injured or ill and is treated by a veterinarian, the person claiming the Animal shall, in addition to any impoundment fees, pay the Town for the cost of the treatment.

2. **Definitions and Interpretation**

For the purpose of this By-Law:

- 2.1 ***ANIMAL*** means all species of fauna excluding humans, fish and aquatic invertebrates, both Domestic and Prohibited.
- 2.2 ***BLIND PERSON*** means a person in possession of a letter from a qualified physician certifying that person to be legally blind.
- 2.3 ***CAT*** means male or female feline of the species Felis Catus.
- 2.4 ***DANGEROUS DOG*** means any individual Dog that:
 - 2.4.1 has killed a Domestic Animal without provocation;
 - 2.4.2 has bitten or injured a human being or Domestic Animal without provocation;
 - 2.4.3 is attack trained;
 - 2.4.4 is kept for the purposes of security or protection of a Person's property, whether residential, commercial or industrial;
 - 2.4.5 shows the disposition or tendency to be threatening or aggressive.

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- 2.5 **DEAF PERSON** means a person in possession of a letter from a qualified physician certifying that person to be legally deaf;
- 2.6 **DOG** means any male or female canine of the species *Canis familiaris*.
- 2.7 **DOMESTIC** means an Animal of any species which would customarily be kept for pleasure or husbandry, which may share human habitat (includes cars, houses etc.) and/or which would normally be considered dependant on humans for food and shelter. It shall *not* include Animals which would be normally considered to be wild or indigenous to a species which would normally be considered wild or Livestock.
- 2.8 **DWELLING UNIT** means a separate set of living quarters provided for human habitation which has a private entrance, from outside the building, or from a common hallway, or stairway inside a building.
- 2.9 **EXHIBITION** means a public showing or display of Animals as sanctioned by the Town.
- 2.10 **GUIDE DOG** shall mean a Dog used by a Blind Person which is professionally trained by a recognized school for the purpose of training Guide Dogs. A Guide Dog shall carry an Identification Card issued by the Ministry of the Attorney General, Canadian Guide Dog for the Blind Organization or other Provincially recognized institutions.
- 2.11 **HEARING EAR DOG** shall mean a Dog used by a Deaf Person which is professionally trained by a recognized school for the purpose of training Guide Dogs. A Guide Dog shall carry an Identification Card issued by the Ministry of the Attorney General, Canadian Guide Dog for the Blind Organization or other Provincially recognized institutions.
- 2.12 **HERDING DOG** means a Dog that has been trained and is actively being used in a bona fide farming operation for the purposes of guarding, control or protection of Livestock on a farm.
- 2.13 **KENNEL** means:
- 2.13.1 an establishment for the breeding and/or boarding of Dogs for which the Town has issued a License, or;
- 2.13.2 a place or confine where Purebred Dogs are kept, bred or raised and that is registered with an association incorporated under the Animal Pedigree Act (Canada), or;

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- 2.14 **LICENSE** means an approval issued pursuant to this By-Law. Licensing and Licensed shall have a corresponding meaning.
- 2.15 **LIVESTOCK** means Animals normally associated with a farming operation where the Animals are kept for the purpose of breeding, sale and the provision of meat.
- 2.16 **MENAGERIE** means a Property where Animals are kept and trained for Exhibition, and Licensed by the Town.
- 2.17 **MICROCHIP** means an encoded electronic device implanted in an Animal by or under the supervision of a veterinarian, which contains a unique number that provides Owner information that is stored in a central database.
- 2.18 **MUNICIPAL LAW ENFORCEMENT OFFICER** means a Person or Persons duly appointed by the Council of the Town to enforce the provisions of this By-Law, and includes any Police Officer appointed pursuant to the Police Services Act and/or an Animal Control contractor as are appointed by By-Law.
- 2.19 **MUZZLE** means a humane fastening or covering device of adequate strength to cover the mouth of an Animal to prevent it from biting.
- 2.20 **NEUTERED MALE** means an Animal for which the Owner produces satisfactory evidence of its being neutered.
- 2.21 **OWNER** means any Owner of an Animal, including a Person, partnership, association or corporation that owns, possesses or has control, care or custody over the Animal and where the Owner is a "minor", the Person responsible for the custody of the minor.
- 2.22 **PERSON** means any human being, association, firm, partnership, private club, incorporated company, corporation, agent or trustee and the heirs, executors, or other legal representatives to whom the context can apply according to law.
- 2.23 **PERSON WITH DISABILITY** shall mean a Person who is in possession of a letter from a qualified physician certifying that Person to be physically disabled.
- 2.24 **POLICE WORK DOG** shall mean a Dog trained to aid Police Officers and is actually being used for police work purposes for the protection of the public, including the investigation of crime and the apprehension of law violators.
- 2.25 **POUND** shall mean such property and facilities designated by the Town as an Animal control Pound.
- 2.26 **POUND KEEPER** means a Person, who has entered into a contract with the Town to maintain a Pound and any servants or agents of such Person.

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- 2.27 **PRIVATE PROPERTY** shall mean property other than the property of the Owner or the normal residence of the Person having care, custody or control of the Animal.
- 2.28 **PROHIBITED ANIMAL** is any live Animal listed in Schedule 'B', attached to this By-Law, except as otherwise exempted.
- 2.29 **PUREBRED** means an Animal registered or eligible for registration with an association incorporated under The Animal Pedigree Act (Canada).
- 2.30 **RUNNING AT LARGE** means an Animal that is not on the property of the Owner or when not on the property of the Owner not on a leash and/or under the control of the Person responsible for the Animal. Run at Large shall have the same meaning.
- 2.31 **SERVICE DOG** includes Police Dog, Guide Dog, Hearing Ear Dog, and other recognized service Dogs.
- 2.32 **SOCIETY OR HUMANE SOCIETY** means the Ontario Humane Society, (Ontario Society for the Prevention of Cruelty to Animals).
- 2.33 **SPAYED BITCH** means a female Animal for which the Owner produces satisfactory evidence of its being spayed.
- 2.34 **TOWN** means The Corporation of The Town of Innisfil.
- 2.35 **URBAN AREA** means the entire Lake Simcoe and Kempenfelt Bay shorelines, and the communities of Alcona, Lefroy, Gilford, Stroud, Churchill, Fennells Corner & Cookstown.
- 2.36 **ZOO** means a Property where Animals are kept as a collection for public display or Exhibition as Licensed by the Town

3. **Provision of Needs**

- 3.1. Every Person who keeps an Animal within the Town shall provide the Animal, or cause it to be provided with:
- 3.1.1 clean, fresh drinking water available and suitable food of sufficient quantity and quality to allow for normal, healthy growth and the maintenance of normal, healthy body weight;
- 3.1.2 food and water receptacles kept clean and disinfected and located so as to avoid contamination by excreta;

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- 3.1.3 the opportunity for periodic exercise sufficient to maintain good health, including the opportunity to be unfettered from a fixed area and exercised regularly under appropriate control; and
- 3.1.4 necessary veterinary medical care when the Animal exhibits signs of pain, illness or suffering;
- 3.2 Except for bona fide farmers keeping Herding Dogs, every Person who keeps an Animal which normally resides outside, or which is kept outside unsupervised for extended periods of time, shall ensure the Animal is provided with an enclosure that meets the following criteria:
 - 3.2.1 a total area that is at least twice the length of the Animal in all directions;
 - 3.2.2 contains a house or shelter that will provide protection from heat, cold and wet that is appropriate to the Animal's weight and type of coat. Such shelter must provide sufficient space to allow the Animal the ability to turn around freely and lie in a normal position;
 - 3.2.3 in an area providing sufficient shade to protect the Animal from the direct rays of the sun at all times; and
 - 3.2.4 pens and run areas must be regularly cleaned and sanitized and excreta removed and properly disposed of daily.
 - 3.2.5 a fence suitable to maintain control of the Animal and prevent it from Running At Large.
- 3.3 No Person may cause an Animal to be hitched, tied or fastened to a fixed object where a choke collar or choke chain forms part of the securing apparatus, or where a rope or cord is tied directly around the Animal's neck.
- 3.4 No Person may cause an Animal to be hitched, tied or fastened to a fixed object as the primary means of confinement under circumstances that can be reasonably deemed to be inhumane.
- 3.5 No Person may cause an Animal to be confined in an enclosed space, including a car, without adequate ventilation.
- 3.6 No Person may transport an Animal in a vehicle outside the passenger compartment unless it is adequately confined or unless it is secured in a body harness or other manner of fastening which is adequate to prevent it from falling off the vehicle or otherwise injuring itself

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4. **Unsanitary Conditions Prohibited**

No Person shall keep an Animal in an unsanitary condition within the Town. Conditions shall be considered unsanitary where the keeping of the Animal results in an accumulation of fecal matter, an odour, insect infestation or rodent attractants which endanger the health of the Animal or any Person, or which disturb or are likely to disturb the enjoyment, comfort or convenience of any Person in or about any dwelling, office, hospital or commercial establishment.

5. **Animal and Owner's Responsibilities**

5.1 The Running At Large of Animals is prohibited within the Town.

5.2 No Owner of an Animal shall suffer or permit such an Animal to Run At Large within the Town. For the purposes of this By-Law, an Animal shall be deemed to be Running At Large when it is found not under the control of a Person and not under leash to, or within 3 metres (10 feet) of that Person, or leashed to a structure, unless the Animal is on the lands of its Owner or a Person who has consented to it being on his lands while it is unleashed.

5.3 No leash shall exceed 3 metres (10 feet) in length.

5.4 Every leash used or carried for the use of restraining any Animal shall be substantially constructed or composed of strong material and shall be capable, at all time, of securely restraining such Animal.

5.5 Every Owner of an Animal shall carry on his Person a leash for his/her Animal, unless the Animal is on his lands or on lands of a Person who has consented to it being on his lands while it is unleashed.

5.6 If an Animal defecates on any public or private property other than the property of its Owner, the Owner shall cause such feces to be removed immediately.

5.7 No Owner shall suffer, permit, allow or for any reason have his or her Animal, bark or howl excessively or in any other manner disturb the quiet of any Person.

5.8 No Owner of an Animal shall permit his or her Animal to, without provocation:

5.8.1 chase, bite or attack any Person

5.8.2 chase, bite, attack or fight with any Animal.

5.8.3 damage public or private property

5.9 No Owner of an Animal shall permit it to trespass on any Private Property.

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- 5.10 Every Person who owns, controls or harbors an Animal shall remove forthwith any excrement left by such Animal onto public or private lands in the Town of Innisfil.
- 5.11 Notwithstanding the above, Herding Dogs actively engaged in the performance of their trained duty shall not be considered to be running at large, chasing, biting, barking or attacking for the purpose of this section.

6. **Licensing**

Dogs

- 6.1 The Owner of a Dog shall obtain a License annually and cause the same to be registered, numbered, described and Licensed with the Town:
 - i) for any Dog over the age of 90 days.
 - ii) for any Dog in a Kennel over the age of 180 days.
- 6.2 The Town shall keep a record of all Dogs Licensed, showing the date and number of registration and License, and the name and description of the Dog with the name and address of the Owner.
- 6.3 The Owner of the Dog shall renew the License with the Town annually prior to expiration.
- 6.4 On payment of the License fee, as per Schedule "A", the Owner shall be furnished with a Dog License tag and shall keep the Dog's current License tag securely fixed on the collar or harness on the Dog at all times, but the tag may be temporarily removed while the Dog is being lawfully used for hunting.
- 6.5 The License fee for a Dog owned by any Person over 65 years of age shall be reduced by 50%. Proof of age shall be provided at the time of registering/Licensing for the Dog with the Town.
- 6.6 A Dog used as a Service Dog pursuant to Section 2.0 shall be Licensed and shall wear the current License tag. Any Person who produces evidence satisfactory to the Town showing that the Dog is required as a Service Dog or for assistance to a Person With a Disability shall be exempt from paying the License fee.
- 6.7 No Person shall:
 - 6.7.1 register an unspayed female Dog as a spayed female
 - 6.7.2 register an unneutered male Dog as a neutered male
 - 6.7.3 use a tag upon a Dog other than that Dog for which it was issued.

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- 6.7.4 Each Person shall provide proof of the Dog having been spayed or neutered acceptable to the Town.
- 6.8 No License tag under this section shall be transferable and the License tag shall expire and become void upon the sale, death, or other means of disposal of the Dog. No refund shall be issued for the unused portion of the License.
- 6.9 No Person other than the Owner or his agent shall remove the License tag from the Dog.
- 6.10 The Municipal Law Enforcement Officer may seize and impound every Dog not wearing a Dog License tag where one is required pursuant to this By-Law.
- 6.11 Where the Town refuses to grant, suspends or revokes a License under this By-Law, the applicant may appeal this decision to the Council of the Town by filing with the Clerk, an appeal in writing, of the said decision within fifteen days of being notified of the decision of the Town. The decision of the Council will be final and binding.

7. **Impoundment**

- 7.1 During the impoundment period, the Owner may claim the Animal upon proof of ownership of the Animal, and payment to the Town of:
 - 7.1.1 the appropriate fine where applicable as outlined in Schedule A;
 - 7.1.2 the appropriate License fee where the Animal is not licensed;
 - 7.1.3 maintenance fees as identified in Schedule A; and
 - 7.1.4 veterinary and treatment fees where applicable.
- 7.2 Where the Owner of an Animal does not claim the Animal he shall, when known to the Pound Keeper, pay a pound fee as outlined in Schedule A and maintenance fees for each day the Animal is in custody.
- 7.3 Any Animal that is impounded and not claimed by the Owner within the time provided for in this By-Law may:
 - 7.3.1 be adopted for such price as has been established; or
 - 7.3.2 be euthanized by lethal injection of a barbiturate.

8. **Dangerous Animals**

Dogs

- 8.1 The Clerk of the Town shall have the authority to designate a Dog as a Dangerous Dog and make whatever inquiry is deemed necessary to determine if a Dog is a Dangerous Dog.

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8.2 **Complaint – inquiry by Clerk**

The Clerk may either on its own initiative or as a result of a complaint received by it from a resident of the Town conduct an inquiry into whether a Dog should be designated as a Dangerous Dog.

8.3 Where the Clerk of the Town designates a Dog as a Dangerous Dog, the Clerk shall serve notice upon the Owner of such Dog requiring the Owner to comply, upon receipt of such notice, with the requirements of Section 8.3. The notice shall include:

- a) a statement that the Clerk has reason to believe that the Dog is a Dangerous Dog;
- b) the requirements that the Owner must comply with in accordance with this By-Law and when such requirements take effect; and
- c) a statement that the Owner may request, within three (3) working days of receipt of the notice, and is entitled to a hearing by the Council of the Town which may affirm or rescind the Clerk's designation of the Dog as a Dangerous Dog and who may substitute its own requirements of the Owner of the Dog pursuant to Section 8.8.

8.4 **Notice – received – hearing requested**

Where the Owner of a Dog receives a notice from the Clerk designating such Dog as a Dangerous Dog so requests in writing to the Clerk of the Town within three (3) working days of receipt of such notice, the Council of the Town shall hold a hearing pursuant to the provisions of the *Ontario Statutory Powers Procedure Act* within twenty (20) working days of the Clerk's receipt of the request for a hearing and Council may:

- a) affirm or rescind the Clerk's designation of the Dog as a Dangerous Dog;
- b) substitute its own requirements of the Owner of the Dog pursuant to Section 8.8.

8.5 Upon receipt of notice from the Clerk of the Town, the Owner of a Dangerous Dog shall ensure that:

- 8.5.1 Such Dog is Licensed with the Town as a Dangerous Dog in accordance with the fees outlined in Schedule A;
- 8.5.2 such Dog is Spayed or Neutered;
- 8.5.3 at all times when off the Owner's property, the Dangerous Dog shall be muzzled;
- 8.5.4 at all times when off the Owner's property, the Dangerous Dog shall be on a leash not longer than **one** metre and under the control of a responsible Person over the age of eighteen;

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- 8.5.5 when such Dangerous Dog is on the property of the Owner, it shall be either securely confined indoors or in a securely enclosed and locked pen or structure, suitable to prevent the escape of the Dangerous Dog and capable of preventing the entry of any Person not in control of the Dangerous Dog. Such pen or structure must have minimum dimensions of two metres by four metres and must have secure sides and a secure top. If it has no bottom secured to the sides, the sides must be embedded into the ground no less than thirty centimetres deep, (1 foot). The enclosure must also provide protection from the elements for the Dangerous Dog. The pen or structure shall not be within one metre of the property line or within three metres of a neighbouring Dwelling Unit. Such Dangerous Dog may not be chained as a sole means of confinement;
- 8.5.6 a sign is displayed at each entrance to the property and building in which the Dangerous Dog is kept warning in writing, as well as with a symbol, that there is a Dangerous Dog on the property. This sign shall be visible and legible from the nearest road or thoroughfare;
- 8.5.7 a policy of liability insurance, satisfactory to the Town, is in force in the amount of at least one million dollars, covering the twelve month period during which licensing is sought for injuries caused by the Owner's Dangerous Dog. This policy shall contain a provision requiring the Town to be named as an additional insured for the sole purpose of the Town to be notified by the insurance company of any cancellation, termination or expiration of the policy.
- 8.5.8 The Dangerous Dog shall be implanted with a microchip for the purposes of identifying such Dog as a Dangerous Dog.

8.6 **Owner Requirements – Compliance Deadline**

The requirements of Section 8.5 which may be imposed on a Dog Owner by the Clerk pursuant to such Section shall not be required until either the time for appeal under Section 8.4 has elapsed without the Dog Owner requesting an appeal pursuant to that Section or the Council of the Town has ordered such requirement, whichever occurs earlier.

8.7 **Change of Ownership – Notice to the Clerk**

An Owner of a Dog which has been designated a Dangerous Dog pursuant to this By-Law shall advise the Clerk immediately if he/she transfers ownership of such Dog to another Person or changes the address at which such Dog is kept and furnish the Clerk with particulars of same.

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8.8 **Notices – How Served**

Any notices served by the Clerk or requests for hearings made by an Owner pursuant to this By-Law shall be provided by hand delivery or prepaid registered mail and in the event of service by prepaid registered mail, shall be deemed received on the fifth (5th) working day after the date of mailing.

- 8.9 If the Owner of a Dog that has been designated as a Dangerous Dog is unwilling or unable to comply with the requirements of this section, said Dangerous Dog shall then be seized, impounded and humanely euthanized by a Pound, dog control agency or licensed veterinarian, after a fourteen day holding period. Any Dog that has been designated as a Dangerous Dog under this By-Law may not be offered for adoption. The cost of humanely euthanizing the Dangerous Dog will be at the Owner's expense.

9. **Immunization**

9.1 **Rabies Certificate - Requirement**

A valid rabies certificate from a veterinary surgeon registered as a member of the *Ontario Veterinary Association* under the *Veterinarians Act*, and amendments thereto shall be produced when a License is purchased.

9.1.1 **Rabies Certificate - Validity - One Year**

A rabies certificate shall be dated no longer than one year from the date of the purchase of the License.

9.1.2 **Rabies Certificate - Failure to Produce**

Failure to produce a rabies certificate shall constitute an offence under the provisions of this By-Law and in addition to any other penalty or remedial action provided herein, the failure to provide such a certificate shall be forthwith reported to the Simcoe County District Health Unit.

10. **Kennel**

- 10.1 Every Person who owns or operates a Kennel shall, upon application and payment of a License fee as set out in Schedule 'A' and upon the approval of the Town, obtain a License to operate such Kennel.

10.2 Every Kennel License shall be for one year from the date of issue.

10.3 Every Person who owns or operates a Kennel shall comply with the requirements set out in "A Code of Practice for Canadian Kennel Operations" (Canadian Veterinary Medical Association, September 1994).

10.4 Every Person who owns or operates a Kennel shall comply with all the By-Laws of the Town.

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- 10.5 Where an Owner or Operator of a Kennel fails to comply with a By-Law of the Town, the License may be suspended or revoked.
- 10.6 Every Person who owns or operates a Kennel shall permit a Municipal Law Enforcement Officer, the Ontario Society for the Prevention of Cruelty to Animals, the Chief Building Official, or his/her designate under the Building Code Act or such other Person as may be appointed by Council and/or Police Officer to enter and inspect the Kennel at all reasonable times, upon production of proper identification, for the purpose of determining compliance with this By-Law.
- 10.7 Every person who holds a Kennel License, or the operator of the Kennel, shall not admit a Dog into the Kennel unless it is immunized against distemper, hepatitis, rabies and parvo virus. If a veterinarian confirms that a Kennel has an outbreak of distemper, hepatitis, rabies, parvo virus, or any infectious or contagious disease, the Kennel may be closed forthwith by a Municipal Law Enforcement Officer, the Simcoe County District Health Unit, or other persons appointed by Council and the License suspended. The Kennel may reopen and have its License reinstated by Council upon a written report from the veterinarian that danger of disease is past.
- 10.8 No Owner of a Kennel shall construct, erect or maintain:
- 10.8.1 a Kennel, except in accordance with all other applicable By-Laws of the Town;
 - 10.8.2 a Kennel, except on a parcel of land with an area of not less than one hectare and a frontage of not less than 73 metres on a public highway;
 - 10.8.3 runs, pens or exercise yards within 15 metres of any lot line or inhabited or habitable buildings, or
 - 10.8.4 any buildings for the purpose of housing a kennel within 15 metres of any property lines, inhabited or habitable buildings.

11. Veterinarian Clinics - Animal Hospitals

- 11.1 No Person shall own or operate a veterinarian clinic or animal hospital unless it is located in an area zoned to permit such a use pursuant to the Town's Zoning By-Law.

12. Traps

No person shall use, set or maintain a leg hold trap, a killing trap or a snare within the Urban Areas of the Town.

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**READ A FIRST AND TAKEN AS READ A SECOND AND THIRD TIME AND
FINALLY PASSED THIS 26TH DAY OF JULY, 2006.**

Brian H. Jackson, Mayor

Paul G. Landry, Clerk

SCHEDULE 'A'

DOG LICENSING FEES

To establish fees for Licensing, impoundment, boarding and other related charges for the Owners of Dogs.

1. Unless otherwise provided for in this By-Law, the Owner of each Dog shall pay a Dog License fee in accordance with the following schedule:

	<u>With Microchip Or Breeder Tattoo</u>	<u>Without Microchip</u>
1.1 for each male or female Dog	\$ 30.00	\$ 35.00
1.2 for a Neutered Male or Spayed Female	\$ 15.00	\$ 20.00
1.3 for a Dangerous Dog	\$250.00	\$250.00

- 1.4 The Town may appoint an agent to sell Dog Licenses and pay a commission as may be established from time to time.
2. Every Owner shall pay a fee of \$5.00 for the replacement of lost or stolen Dog License tags.
3. The Owner of any Dog impounded, pursuant to the provisions of this By-Law shall pay to the Pound Keeper:
 - 3.1 a fee of \$110.00 to be known as a pick up fee;
 - 3.2 a fee of \$25.00 for the first day or part thereof to be known as an impounding fee;
 - 3.3 a fee of \$20.00 per diem for every day thereafter that the Dog remains impounded to be known as a boarding fee;
 - 3.5 all pick up fees will be remitted to the Town of Innisfil along with the monthly report.
 - 3.6 the Pound Keeper may charge an administrative fee in the amount of \$2.00 for each Dog Tag sold at the Pound.
 - 3.7 the Owner of any Dog who request the assistance of the Municipal Law Enforcement Officer for the transportation of any pet to the Pound Keeper for disposal; shall pay the applicable disposal fee plus and additional \$100.00 pickup fee to the Town of Innisfil.
4. The Owner of a Kennel, as defined in this By-Law, shall:
 - 4.1 pay an annual License fee of \$100.00, and;

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4.2 pay a License fee for each Dog that he/she owns in accordance with the fees as set out below:

	Regular Fees
1 or 2 Dogs	\$10.00 each
3 to 10 Dogs	\$ 5.00 each
11+ Dogs	

5. If a Municipal Law Officer seizes any Animal found to be Running At Large, contrary to the provisions of this By-Law, and the Owner of such Animal is known and is requesting return of the Animal prior to impoundment, a voluntary penalty invoice may be issued requiring the voluntary payment of a catch and holding penalty be paid by the Owner to the Town, in the amount of:

5.1 First Time - One Hundred and Ten dollars - \$110.00

5.2 Seconded Time - One Hundred & Seventy Five dollars - \$175.00

5.3 Third Offence - Two Hundred dollars - \$200.00

5.4 Dangerous Dogs:

5.4.1 First Offence - Seven Hundred and Fifty dollars - \$750.00

5.4.2 Second Offence - One Thousand Five Hundred dollars - \$1500.00

(Municipal Act S.O. 2001, C 25, Section 103)

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SCHEDULE 'B'
PROHIBITED ANIMALS

1. All Didelphimorphia (such as Kangaroos, Opossums, Koala, Cuscus)
2. All Paucituberculata “ “
3. All Microbiotheria “ “
4. All Dasyuromorphia “ “
5. All Peramelemorphia “ “
6. All Notoryctemorphia “ “
7. All Diprotodontia “ “
8. All non human Primates (such as Monkeys, Apes, Chimpanzees, Lemurs)
9. All Carnivora (such as Wolf, Coyote, Fox), except Domestic Dogs permitted
(such as Lion, Tiger, Leopard, Panther, Lynx), except Domestic Cat permitted
(such as Weasels, Ferret, Wolverine, Mink, Badger), except Domestic Ferret permitted
(such as Bear, Panda)
(such as Hyena)
(such as Raccoon, Panda, Coatimundi, Skunk, Otter)
(such as Mongoose, Civet, Genet)
(such as Seals, Sea Lions, Walruses)
10. All Perissodactyla (such as Zebra, Tapir, Rhinoceros)
11. All Artiodactyla (such as Hippopotamus, Camel, Giraffe, Llama)
12. All Xenarthra (such as Anteaters, Sloth, Armadillos)
13. All Proboscidea (such as Elephants)
14. All Chiroptera (such as Bats)
15. All Sirenia (such as Manatees, Grey Whales)
16. All Odontoceti (such as Dolphins, Sperm Whales)
17. All Monotremata (such as Platypuses, Echidnas)
18. All Insectivora (such as Mole, Solenodon) except Hedgehog
19. All Rodentia (such as Porcupine, Squirrel, Beaver, Woodchuck) except Domestic Guinea Pig, Hamsters, Gerbils, Chinchilla permitted
20. All Crocodilia (such as Crocodiles, Alligators, Caimans, Gavials)
21. All Chelydridae (such as Painted Turtle, Snapping Turtle), except Green Turtle
22. All Squamata (such as Anacondas, Pythons, Boa)
(such as Kraits, Coral Snake, Cobra)
(such as Vipers, Rattlesnakes, Pit Viper, Adder)
(such as Water Mossasin, Bushmaster, Fer-De-Lance)
(such as Sea Snake)
(such as File Snake)
(such as Lizards, Gila Monster, Dragons, Beaded Lizard), except Gekko Lizards
23. All Arachnida (such as Tarantulas, Spiders, Scorpions)
24. All Struthioniformes (such as Rhea, Pampas, Ratite Birds)
(such as Cassowaries)
(such as Kiwis)
25. All Falconiformes (such as Hawks, Eagles, Kites, Harriers, Osprey)
26. All Strigiformes (such as Owls, Vultures, Buzzards)
27. All Charadriiformes (such as Woodcock, Snipe, Auk, Puffin, Penguin)
28. All venomous insects, except bees as defined in the Bees Act, R.S.O. 1990, B.6

SCHEDULE 'C'
(Typical Farm-related Animals)

1. Those Anseriformes such as geese, swans, ducks
2. Those Artiodactyla such as Cows, Bulls, Oxen, Bison, Sheep, Goats, Antelopes
3. Those Equidae such as horses donkeys, mules
4. Those Columbiformes such as pigeons, doves
5. Those Galliformes such as Grouse, Peacock, Chickens, Pheasants, Turkeys
6. Those Suidae such as Pigs, Boars
7. Those Lagomorpha such as Rabbit, Hare or Domestic Rabbits
8. Those Struthioniformes such as Ostrich or Emus
9. Those Austroargiolestes such as Elk.

Schedule D to By-Law 068-06

Legend

 Settlements

