

CORPORTATION OF THE TOWN OF PETAWAWA

BY-LAW 174/2001

BEING A BY-LAW TO REGULATE THE KEEPING OF ANIMALS WITHIN THE MUNICIPALITY AND FOR PROVIDING FOR AN ANIMAL IDENTIFCATION SYSTEM AND FOR THE REGISTRATION AND REGULATION OF DOGS AND CATS

WHEREAS the Councils of Municipalities are authorized by Section 210(1) of the Municipal Act, R.S.O. 1990, c.M-45 to prohibit or regulate the keeping of animals or any class thereof within the Municipality or defined areas thereof;

AND WHEREAS Councils of Municipalities are authorized by Section 210(2) of the Municipal Act, R.S.O. 1990, cM-45 to pass By-laws to regulate establishments for the breeding or boarding of animals, within the Municipality or defined areas thereof;

AND WHEREAS Councils of Municipalities are authorized by Section 210(4) of the Municipal Act, R.S.O. 1990, cM-45 to pass By-laws to prohibit or regulate within any part of the Municipality the being at large or trespassing of animals other than dogs;

AND WHEREAS the Councils of Municipalities are authorized under Section 210(5) of the Municipal Act, R.S.O. 1990, cM-45 to pass By-laws providing for animal identification systems and for animal identification systems and for charging such fees as may be set out in a By-law in respect of the identification system;

AND WHEREAS Councils of Municipalities are authorized by Section 210(8) of the Municipal Act, R.S.O. 1990, cM-45 to pass By-laws for requiring an owner of a dog to keep the dog leashed and under the control of some person while within the Municipality or defined areas thereof;

AND WHEREAS the Councils of Municipalities are authorized by the provisions of Section 210(9) of the Municipal Act, R.S.O. 1990, c.M-45 to require an owner of a dog to remove forthwith excrement left by the dog anywhere in the Municipality;

AND WHEREAS Councils of Municipalities are authorized by Section 210(10) of the Municipal Act, R.S.O. 1990, cM-45 to pass By-laws requiring the muzzling or leashing of a dog that has bitten a person or a domestic animal, within the Municipality or defined areas thereof;

AND WHEREAS the Councils of Municipalities are authorized by the provisions of Section 210(11) of the Municipal Act, R.S.O. 1990, c.M-45 to license and regulate and require the registration of dogs;

AND WHEREAS Councils of Municipalities are authorized by Section 210(13) of the Municipal Act, R.S.O. 1990, cM-45 to pass By-laws prohibiting or regulating the running at large of dogs in the Municipality and for seizing, impounding and for humanly destroying dogs running at large contrary to the By-law;

AND WHEREAS Councils of Municipalities are authorized by Section 210(141) of the Municipal Act, R.S.O. 1990, cM-45 to pass By-laws empowering officers of the municipality, for removing or exterminating strayed pigeons upon complaint of the owner or occupant of any premises within the Municipality or defined areas thereof;

AND WHEREAS Councils of Municipalities are authorized by Section 210(144) of the Municipal Act, R.S.O. 1990, cM-45 to pass By-laws for regulating the location, erection and use of stables, garages, barns, outhouses and manure pits within the Municipality or defined areas thereof;

NOW THEREFORE the Corporation of the Town of Petawawa, enacts as follows:

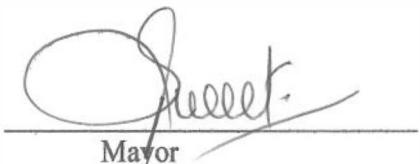
This By-law may be cited as the "Animal Control By-law" for the corporation of the Town of Petawawa.

DUTY OF ANIMAL OWNERS TO BE RESPONSIBLE OWNERS

IT SHALL BE THE DUTY OF EVERY OWNER OF ANY ANIMAL, OR ANYONE HA VING ANY ANIMAL IN HIS OR HER POSSESSION OR CUSTODY, TO EXERCISE REASONABLE CARE AND CONTROL AND TO TAKE ALL NECESSARY STEPS AND PRECAUTIONS TO PROTECT THEIR ANIMAL, OTHER PEOPLE, PROPERTY AND ANIMALS FROM INJURIES OR DAMAGE WHICH MIGHT RESULT FROM HIS OR HER ANIMALS BEHAVIOR, REGARDLESS OF WHETHER SUCH BEHAVIOR IS MOTIVATED BY MISCHEVOUSNESS, PLAYFULNESS OR FEROCITY.

Read a first and second time this 17 day of April, 2001.

Read a third time and passed this 17 day of April, 2001.



Mayor



Clerk

BY-LAW INDEX

Part 1 DEFINITIONS

Part 2 PROVISION OF NEEDS

Part 3 CLASSES OF ANIMALS

Part 4 APPLICATION OF BY-LAW - EXEMPTIONS

Part 5 CLASS 1 ANIMAL

Part 6 CLASS 2 ANIMAL

Part 7 CLASS 3 ANIMAL

Part 8 CLASS 4 ANIMAL

Part 9 VACCINATION OF DOGS AND CATS

Part 10 LICENCE AND IDENTIFICATION TAGS

Part 11 DOMESTIC CATS

Part 12 DOMESTIC DOGS

Part 13 IMPOUNDING

Part 14 KENNELS

Part 15 ENFORCEMENT

Part 16 REPEAL - ENACTMENT

SCHEDULE A LICENCE AND IDENTIFICATION FEES

**SCHEDULE B
SHELTER/IMPOUND FEES**

**SCHEDULE C
KENNEL/CATTERY LICENCE FEES**

SHORT TITLE
ANIMAL CONTROL BY LAW

Part 1
DEFINITIONS

1.1 Definitions

For the purpose of the By-law, the following terms, phrases, words, and their derivation shall have the meaning defined herein, unless the context clearly indicates that another meaning is intended. Words used in the present tense include the future and past tense, words in the plural number include the singular number, words in the singular number include the plural number, and words in the masculine gender include the feminine gender.

In this By-law:

Animal - defined

“animal” shall mean all species of fauna excluding humans, fish and aquatic invertebrates.

Animal Control Officer - defined

“Animal Control Officer” shall mean a person appointed by the Council whose duties include the administration and enforcement of this By-law.

At large - defined

“At large” shall mean to be any animal found in any place other than the premises of the owner and not under the physical control of a person responsible.

Cat - defined

“Cat” shall mean any domestic feline, male or female.

Cattery - defined

“Cattery” shall mean an establishment for the breeding and/or boarding of cats.

Clerk - defined

“Clerk” shall mean the clerk as appointed by By-law from time to time, pursuant to the provisions of the Municipal Act.

Council - defined

“Council” shall mean the Council for the Corporation of the Town of Petawawa.

Dangerous dog - defined

“Dangerous dog” shall mean any individual dog that:

- (a) that has killed a domestic animal without provocation while off the owner’s property;
- (b) that has bitten or injured a human being or domestic animal without provocation, on public or private property;
- (c) that is attack trained;
- (d) that is trained and kept for the purpose of security or protection, whether residential, commercial or industrial, of persons or property; and/or
- (e) that has shown the disposition or tendency to be threatening or aggressive.

Dog - defined

“Dog” shall mean any domesticated dog, male or female.

Dwelling Unit - defined

“Dwelling unit” shall mean a room or rooms operated as a housekeeping unit and used or intended to be used as a domicile by one or more persons and usually containing cooking, eating, living, sleeping and sanitary facilities.

Inspector – defined

“Inspector” shall mean any municipal employee of the Town of Petawawa delegated with enforcing or maintaining the provisions of this by-law.

Keeps - defined

“Keeps” shall mean owns, possesses or harbors.

Kennel - defined

“Kennel” shall mean a lot, building, structure or establishment for the breeding and/or boarding of dogs.

Lot - defined

“Lot” shall mean a lot as defined in the Zoning By-law for the Corporation of the Town of Petawawa.

Municipality - defined

“Municipality” shall mean the Corporation of the Town of Petawawa.

Muzzle - defined

“Muzzle” shall mean a humane fastening or covering device of adequate strength over the mouth of an animal to prevent it from biting.

Owner - defined

“Owner” shall mean any person, partnership, association or corporation that owns, keeps, possesses or has control, care or custody over an animal, and where the owner is a minor, the person responsible for the custody of the minor.

Poundkeeper - defined

“Poundkeeper” for the Corporation of the Town of Petawawa shall mean the operator of any animal shelter operation having contracted to the Town for the purpose of care, control and disposal of animals.

Public Nuisance Animal - defined

“Public Nuisance Animal” shall mean any animal that unreasonably annoys humans, endangers the life or health of domestic animals or persons, or substantially interferes with the rights of citizens, other than its owner, to enjoyment of life or property. The term shall include, but is not limited to, any animal that:

- (a) is repeatedly at large;
- (b) damages the property of anyone other than its owner;
- (c) molests or intimidates pedestrians or passersby;
- (d) chases vehicles;
- (e) excessively makes disturbing noises, including, but not limited to, continued or repeated howling, barking, whining, or other utterances causing unreasonable annoyance, disturbance, or discomfort to neighbors, or others in close proximity to the premises where the animal is kept or harbored;
- (f) causes unsanitary conditions in enclosures or surroundings where the animal is kept or harbored due to the neglect of the animal’s owner;
- (g) is offensive or dangerous to the public health, safety, or welfare; or
- (h) attacks other domestic animals.

Restraint - defined

“Restraint” shall mean:

- (a) controlled by means of a chain, leash or other like device;
- (b) on or within a vehicle being driven or parked;
- (c) within a secure enclosure; or
- (d) within the property limits of it's owner or keeper.

Zoning By-law - defined

“Zoning By-law” shall mean the Comprehensive Zoning By-law Number being By-law 1003/86 for the Corporation of the Town of Petawawa enacted on November 13, 1986 together with any amendments thereto or any successor to the By-law.

Part 2 **PROVISION OF NEEDS**

2.1 Keeping - basic needs - required

Every person who keeps an animal within the municipality, shall provide the animal or cause it to be provided with:

- (a) clean, fresh drinking water available and suitable food of sufficient quantity and quality to allow for normal, healthy growth and maintenance of normal, healthy body weight;
- (b) food and water receptacles kept clean and disinfected and located so as to avoid contamination by excreta;
- (c) 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
- (d) necessary veterinary medical care when the animal exhibits signs of pain, illness or suffering.

2.2 Keeping - outside of dwelling - needs - required

Every person who keeps an animal which normally resides outside, or which is kept outside unsupervised for extended period of time, shall ensure that animal is provided with an enclosure that meets the following criteria:

- (a) a total area that is at least twice the length of the animal in all directions;
- (b) 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;
- (c) in an area providing sufficient shade to protect the animal from the direct rays of the sun at all times; and
- (d) pens and run areas must be regularly cleaned and sanitized and excreta removed and properly disposed of daily.

2.3 Keeping - restraints - prohibited

No person shall 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.

2.4 Keeping - confinement - prohibited

No person shall cause an animal to be hitched, tied or fastened to a fixed object as the primary means of confinement for an extended period of time;

2.5 Confinement - ventilation - required

No person shall cause an animal to be confined in an enclosed space, including a car, truck or other such vehicle, without adequate ventilation.

2.6 Transportation - requirements

No person shall 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 or jumping off the vehicle or otherwise injuring itself.

2.7 Keeping - unsanitary Conditions - prohibited

No person shall keep an animal in an unsanitary condition within the municipality. 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, school, church, office, hospital or commercial establishment.

Part 3

CLASSES OF ANIMALS

3.1 Animals - ranked by class

Animals shall be ranked according to the classes set out in this Part of this By-law.

3.2 Class 1 animal

“Class 1 animal” shall mean cow, donkey, goat, horse, mule, pig (swine) of all species including hybrids, pony and sheep.

3.3 Class 2 animal

“Class 2 animal” shall mean chicken, goose, turkey, duck, pigeon and any domestic fowl.

3.4 Class 3 animal

“Class 3 animal” shall mean guinea pig, gerbil, hamster, mouse, rat, rabbit, chinchilla, mink, ferret and turtle.

3.5 Class 4 animal

“Class 4 animal” shall mean any animal of a type that is normally found in a wild and natural state, whether or not it has been bred and/or raised in captivity and includes but is not limited to:

- any amphibian, venomous or otherwise, that is not indigenous to the Province of Ontario;
- any reptile, venomous or otherwise, that is not indigenous to the Province of Ontario;
- any lion, tiger, leopard or other member of the feline family that is not indigenous to the Province of Ontario;
- non human primates (e.g. Monkeys, chimpanzees);
- wild canids (e.g. Wolves, coyotes, foxes);
- mustelids (e.g. Skunks, otters, weasels, but excluding mink, chinchilla and ferrets);
- raptors (e.g. Falcons, hawks, owls);
- arachnids (e.g. Scorpions, spiders);
- dangerous fish (e.g. Piranhas, electric eels)
- all birds the keeping of which is prohibited in the Migratory Birds convention Act, S.C. 1985, C.M-7, and regulations thereto; and
- all animals the keeping of which is prohibited in the Fish and Wildlife Conservation Act, 1997 and regulations thereto.

3.6 Domestic Cat

“Domestic Cat” shall mean any domestic feline, male or female.

3.7 Domestic Dog

“Domestic Dog” shall mean any domestic dog, male or female.

Part 4
APPLICATION OF BY-LAW - EXEMPTIONS

4.1 Animal Shelter (Contracted to Town)

This By-law shall not apply to premises maintained by the contracted animal shelter employed by the Town for the purpose of the impounding, care, control and disposal of animals.

4.2 Petawawa Humane Society (O.S.P.C.A.)

This By-law shall not apply to the premises maintained by the Petawawa Humane Society.

4.3 Animal Hospital - clinic

This By-law shall not apply to a small animal hospital or clinic operated by a duly qualified veterinarian.

4.4 Public park - zoo - fair - exhibition - circus - licensed

This By-law shall not apply to animals maintained in a public park, zoo, fair, exhibition or circus operated or licensed by a municipal or other governmental authority.

4.5 Research facility - registered

This By-law shall not apply to animals maintained at a research facility registered under the Animals for Research Act.

Part 5
CLASS 1 ANIMALS

5.1 Keeping - prior to enactment - continuation - permitted

This By-law does not apply to those persons legally keeping Class 1 animals at the passage of this By-law provided that such persons comply with the requirements set in sections 5.2 to 5.7 inclusive of this By-law.

5.2 Keeping - within Town - minimum area

No person shall keep any Class 1 animal:

- (a) on any lot within the Municipality having an area smaller than 4047 square meters (1 acre); or
- (b) on any lot within the Municipality zoned as Residential, Commercial (except Tourist Commercial) or Industrial.

5.3 Keeping - in building - stable - required

The keeper of Class 1 animals shall ensure that all Class 1 animals have access to a building or stable.

5.4 Building - stable - minimum distance - other premises

The keeper of Class 1 animals shall ensure that such building or stable as required under section 5.3 of this By-law shall be no less than 55 meters (180 feet) from any school, church, public hall, store, dwelling or premises used for human habitation or occupancy other than premises occupied exclusively by the owner or keeper of such animal or members of his immediate family.

5.5 Manure - collected - deposited - promptly

The keeper of Class 1 animals shall ensure all manure shall be promptly collected, deposited, removed or used in accordance with common agricultural practices.

5.6 Yards - kept cleaned - deodorized - at all times

The keeper of Class 1 animals shall ensure that such building or stable as required under section 5.3 of this By-law, together with any yard less than 200 square meters (2,152.8 square feet) in which animals are allowed to run, shall be kept at all times free from manure and other refuse and shall be properly cleaned or dug up and deodorized by means of chloride of lime or other suitable deodorant permitted by the laws of the Province of Ontario and the regulations made thereunder.

5.7 Food - feed - storage - rodent-proof containers

The keeper of Class 1 animals shall ensure that all feed or other animal food, excluding hay, shall be kept in rodent-proof containers.

5.8 Manure - collected - required

The keeper of Class 1 animals shall remove all animal waste from municipal and private property resulting from the transport or use of said animals.

Part 6
CLASS 2 ANIMALS

6.1 Keeping - prior to enactment - continuation - permitted

This By-law does not apply to those persons legally keeping Class 2 animals at the passage of this By-law provided that such persons comply with the requirements set out in sections 6.2 to 6.8 inclusive of this By-law.

6.2 Keeping - within Town - minimum area

No person shall keep any Class 2 animal:

- (a) on any lot within the Municipality having an area smaller than 1012 square meters ($\frac{1}{4}$ acre); or
- (b) on any lot within the Municipality zoned as Residential, Commercial (except Tourist Commercial) or Industrial.

6.3 Keeping - in building - structure - yard - coop - other

The keeper of Class 2 animals shall ensure that the Class 2 animals are kept in a building, structure, yard, coop, pen or run.

6.4 Structure - distance - from other premises

The keeper of Class 2 animals shall ensure that every such building as required under section 6.3 of this By-law (other than a dwelling), structure, coop, pen or run in which any such animal, bird or fowl is confined, kept or allowed to run, shall be no less than 15 meters (49.2 feet) from any school, church, public hall, or store, dwelling or premises used for human habitation or occupancy other than premises occupied exclusively by the owner or keeper of such animals, birds or fowl or members of his immediate family.

6.5 Walls - limed-washed - painted - annually

The keeper of Class 2 animals shall ensure that the inside walls of such building as required under section 6.3 of this By-law (other than a dwelling), structure, coop, pens or run shall be lime-washed or painted at least once a year.

6.6 Runs - outside - dug promptly - prevention of odours

The keeper of Class 2 animals shall ensure that all runs and outside areas of confinement shall be dug promptly as required to effectively prevent odours arising therefrom.

6.7 Refuse - removal - prevention of odours

The keeper of Class 2 animals shall ensure that all refuse resulting from the keeping of Class 2 animals shall be kept in substantial air-tight containers until it is removed from the premises or dug into the earth in such a manner as to prevent odours arising therefrom.

6.8 Food - feed - storage - rodent-proof containers

The keeper of Class 2 animals shall ensure that all feed or other animal food shall be kept in rodent-proof containers.

6.9 Strayed pigeons - removal - on complaint

Upon the complaint of the owner or occupant of any premises or land, the Animal Control Officer may enter upon such premises and the land and into any buildings in the vicinity for the purpose of trapping, removing or exterminating strayed pigeons that are causing annoyance to the owner or occupant or damage to such premises.

Part 7
CLASS 3 ANIMALS

(Reserved)

Part 8
CLASS 4 ANIMALS

8.1 Class 4 - keeping - within town

No person shall keep a Class 4 animal within the municipal boundaries of the Town of Petawawa.

Part 9
VACCINATION OF DOGS AND CATS

9.1 Vaccination - dogs and cats - annually - required

Every owner of any dog or cat within the Town of Petawawa, shall have such dog or cat vaccinated against rabies on a yearly basis by a licensed veterinarian of his or her choice.

9.2 Vaccination - proof - required

Every owner of any dog or cat within the Town of Petawawa shall provide evidence to the Animal Control Officer of such vaccination which shall consist of a current certificate issued and signed by the veterinarian administering the vaccine, or other reasonable proof. However, no dog or cat need be vaccinated where:

- (a) a licensed veterinarian has examined the animal and certified that, at such time, vaccination would endanger its health because of its age, infirmity, debility, illness or other medical consideration;
- (b) such exception certificate is presented to the Animal Control Officer within five days of such examination. However, the animal shall be vaccinated against rabies as soon as its health and age permit; and
- (c) as the result of a veterinarian's exception, the unvaccinated animals must be confined to the owner's property or a veterinary facility.

9.3 Rabies vaccination - cost

The cost of the rabies vaccination shall be borne by the owner or keeper of the animal.

Part 10
LICENCING AND IDENTIFICATION TAGS

PROHIBITED MATTERS

10.1 Unregistered - unlicensed - prohibited

No owner of a dog or cat shall, within the Town of Petawawa, fail to register said dog for a dog licence or cat for an identification tag.

10.2 Licence/identification tag - failure to renew - annually - prohibited

No owner shall, within the Town of Petawawa, fail to renew a dog licence or a cat identification tag for the current year.

10.3 Tag - removal - unlawful - prohibited

No person shall, within the Town of Petawawa, unlawfully remove a dog tag from a licensed dog or an identification tag from a registered cat.

10.4 Tag - lost - failure to replace - prohibited

No owner shall, within the Town of Petawawa, fail to apply for a replacement dog or cat tag where the originally issued tag has gone missing for whatever reason. Application for the replacement of a lost tag shall be made within seven days of the loss.

10.5 Tag - not securely affixed - prohibited

No owner of a dog or cat shall, within the Town of Petawawa, fail to affix the tag issued for said dog or cat securely on the animal to which it was issued.

10.6 Licence/identification tag – assuming residency – 30 days

The owner or keeper of a dog or cat, assuming residency with the municipality, shall licence said animal within 30 days.

ADMINISTRATION

10.7 Licensing agent - appointed - authorized

The Council appoints and authorizes the Animal Control Officer as licence agent for the Town and every such licence and identification tag shall be executed on behalf of the Town.

10.8 Registration - information - requirements

The licence agent shall keep a record showing the following animal registration information:

- (a) name, address and telephone number of the owner;
- (b) serial number of tag;
- (c) date of registration;
- (d) description of animal;
- (e) amount of fee paid upon registration; and
- (f) proof of current rabies vaccination.

10.9 Application - forthwith - upon ownership

The owners or keepers of a newly purchased or obtained dog or cat shall make application to the Town within thirty days of commencing ownership of a dog or cat.

10.10 Application - licence/registration - requirements

Every application shall be accompanied by the following:

- (a) description of the animal including colour, breed and name;

- (b) certification of the owner that the animal has been vaccinated against rabies;
- (c) applicable fee; and
- (d) where the applicant is applying for a reduced licence or identification tag fee as the result of a sterilized animal, proof of the sterilization.

10.11 Tag - serial number - issued - upon payment of fee

Upon payment of the applicable fee, the owner shall be furnished with a dog or cat tag bearing the serial number, the year of which it was issued and the words "Town of Petawawa".

10.12 Expiry - annual - December 31

Every licence and/or registration tag issued by the Town shall expire on the thirty-first day of December of the year for which it is issued and shall be renewable yearly.

10.13 Notice - to licence agent - change of ownership

Every holder of a licence and/or identification tag issued pursuant to the By-law shall notify the Town forthwith upon the change of ownership of an animal so licensed or tagged.

10.14 Transfer - of licence/identification tag - conditions

Every licence and/or identification tag issued by the Town may be transferred after such notification and payment of the applicable fee upon the following occurrences:

- (a) transfer in ownership of an animal during any licensing/tagging year;
- (b) replacement of animal upon death of licensed/tagged animal; and
- (c) transfer of current year's licence/tag from any municipality to the Municipality of Petawawa.

10.15 Tag - replacement - where lost

Where a tag has been lost, the owner shall make an application to the licence agent for a replacement tag within seven days of the loss.

10.16 Tag - replacement - proof of payment - plus fee

The application shall be accompanied by proof that the current year's licence /tagging fee has been paid and the applicable replacement tag fee provided.

10.17 Tag - affixed - securely - at all times

The tag shall be fixed securely on the dog or cat for which it was issued at all times until such time as the tag is renewed or replaced.

10.18 Tag - removal - while hunting - lawful

The tag may be removed from a dog while it is lawfully used for hunting in the bush.

FEES

10.19 Fees - set out - Schedule "A"

Licence and identification fees shall be set and approved by the Council of the Town from time to time and are listed in Schedule "A" of this By-law.

EXEMPTIONS

10.20 Guide dogs - hearing ear dogs - exempted

Guide dogs within the meaning of the Blind Persons' Rights Act, and hearing ear dogs, where a certificate is produced from a recognized training establishment stating the dog is being used as a hearing assistance dog, are exempt from the payment of all licence fees applicable pursuant to this By-law. Said dog shall be licenced and wear the current years licence tag as issued by the licencing agent.

10.21 Working Dogs for disabled persons - exempted

Working dogs, where a certificate is produced from a recognized training establishment stating that the dog is being used as a working dog to assist a disabled person, shall be exempt from all fees applicable pursuant to this By-law. Said dog shall be licenced and wear the current years licence tag as issued by the licencing agent.

10.22 Cats - farm exemption

The owners of all cats that are kept on a farm in the Town of Petawawa for the purposes of rodent control are exempt from having said cats licenced in accordance with this By-law. For the purposes of this section, "farm" means lands and buildings primarily used for agricultural purposes including the cultivating of the soil, production of crops or the raising of livestock.

Part 11
DOMESTIC CATS

PROHIBIT MATTERS

11.1 Unregistered - prohibited

No person shall, within the Town of Petawawa, fail to register a cat for an identification tag.

11.2 Running at large - prohibited

No person shall, within the Town of Petawawa, fail to prohibit a cat from running at large.

11.3 Tag - fail to renew - annually - prohibited

No person shall, within the Town of Petawawa, fail to renew a cat identification tag for the current year.

11.4 Tag - removal - unlawful - prohibited

No person shall, within the Town of Petawawa, unlawfully remove a cat identification tag from a cat.

11.5 Tag - lost - failure to replace - prohibited

No person shall, within the Town of Petawawa, fail to apply for a replacement cat identification tag should the original tag become lost or unreadable.

11.6 Tag - not securely affixed to cat - prohibited

No person shall, within the Town of Petawawa, fail to affix the identification tag issued for a cat securely on the cat.

11.7 Private property - entry - without consent - prohibited

No owner of a cat shall, within the Town of Petawawa, permit said cat to enter onto private property without the consent of the property owner.

11.8 Excrement - failure to remove - dispose - prohibited

No owner of a cat shall, within the Town of Petawawa, fail to forthwith remove and dispose of said cat's excreta from any and all property within the Town.

11.9 Public Nuisance Animal - prohibited

No owner of a cat shall, within the Town of Petawawa, permit said cat to become a Public Nuisance Animal as defined in this By-law.

11.10 Vaccination - fail to vaccinate - rabies - prohibited

No owner of a cat shall, within the Town of Petawawa, fail to have said cat vaccinated against rabies as required by this By-law.

IDENTIFICATION TAGS

11.11 Annual Cat Tag - Contents

Upon payment of the applicable annual fee, owners of domestic cats shall be furnished with a cat identification tag bearing a serial number, the year for which it was issued and the words "Town of Petawawa", and the name and address of the owner, the serial number of the tag, and the name and description of the cat shall be entered into an identification register.

11.12 Annual Identification System - Farm Exemption

All owners of domestic cats except cats which are kept on a farm in the Town of Petawawa shall annually identify their cats by affixing a tag issued pursuant to section 10.2.1 securely on the cat for which it was issued at all times until such time as the tag is renewed or replaced. For the purposes of this section,

“farm” means lands and buildings primarily used for agricultural purposes including the cultivating of the soil, production of crops or the raising of livestock.

11.13 Expiry - annual - December 31

Every cat identification tag issued by the Town of Petawawa shall expire on the thirty-first day of December of the year for which it is issued and shall be renewable yearly.

FEES

11.14 Fees - set out - Schedule “A”

Cat identification tag fees shall be set and approved by the Council of the Town of Petawawa from time to time and are listed in Schedule “A” of this By-law.

Part 12
DOMESTIC DOGS

PROHIBITED MATTERS

12.1 Unregistered - unlicensed - prohibited

No person shall, within the Town of Petawawa, fail to register a dog for a dog license.

12.2 License - failure to renew - annually - prohibited

No person shall, within the Town of Petawawa, fail to renew a dog license for the current year.

12.3 Kennel - operation - without license - prohibited

No person shall, within the Town of Petawawa, keep a dog kennel without a license.

12.4 Running at large - prohibited

No owner of a dog shall, within the Town of Petawawa, fail to prohibit said dog from running at large.

12.5 Tag - removal - unlawful - prohibited

No person shall, within the Town of Petawawa, unlawfully remove a dog tag from a licensed dog.

12.6 Tag - lost - failure to replace - prohibited

No person shall, within the Town of Petawawa, fail to apply for a replacement dog tag should the original tag become lost or unreadable.

12.7 Tag - not securely affixed to dog - prohibited

No person shall, within the Town of Petawawa, fail to fix the tag issued for a dog securely on the dog.

12.8 Private property - entry - without consent - prohibited

No owner of a dog shall, within the Town of Petawawa, permit said dog to enter onto private property without the consent of the property owner.

12.9 Excrement - failure to remove - dispose - prohibited

No owner of a dog shall, within the Town of Petawawa, fail to forthwith remove and dispose of dog excreta from any property within the Town.

12.10 Forcible retrieval of dog - prohibited

No person shall, within the Town of Petawawa, forcibly retrieve a dog from an Animal Control Officer or a vehicle under an officer's control.

12.11 Leash - over 2 meters - prohibited

No person shall, within the Town of Petawawa, have a dog under control on a leash exceeding 2 meters (6 feet, 6 inches) in length.

12.12 Ownership - change in - failure to notify - prohibited

No person shall, within the Town of Petawawa, fail to notify the Town upon the change in ownership of a licensed dog.

12.13 Vaccination - fail to vaccinate - rabies - prohibited

No owner of a dog shall, within the Town of Petawawa, fail to have said dog vaccinated against rabies as required by this By-law.

12.14 Expiry - annual - December 31

Every dog licence issued by the Town of Petawawa shall expire on the thirty-first day of December of the year for which it is issued and shall be renewable yearly.

KEEPING OF DOGS

12.15 Leash - required - land other than owner's - exception

Every 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.

12.16 Leash - maximum length - 2 meters

No leash referred to in section 12.11 of this By-law shall exceed 2 meters (6 feet, 6 inches) in length.

12.17 Excrement - removal - disposal - sanitary - immediate

Every owner of a dog shall remove forthwith and sanitarily dispose of excrement left by the dog anywhere in the Town.

12.18 Trespassing - without consent - by dog - prohibited

No person who has a dog under his control by means of a leash shall permit the dog to enter upon the private property of another person or to remain on the private property of another person without the property owner's consent.

12.19 Running at large - prohibited

No owner of a dog shall permit the dog to run at large or fail to prohibit the dog from running at large.

12.20 Public Nuisance Animal - prohibited

No person shall permit any dog to become a Public Nuisance Animal as defined in this By-law.

Part 13
IMPOUNDING

13.1 Seizure - dogs/cats - running at large

The Animal Control Officer shall, and any police officer may, seize any dog or cat found running at large as defined in this By-law.

13.2 Seizure - delivery - to Poundkeeper

Every dog or cat seized by a police officer shall forthwith be delivered to the Poundkeeper or to the Animal Control Officer.

13.3 Seizure - impounding

The Poundkeeper shall impound any dog or cat delivered to him by a police officer or Animal Control Officer.

13.4 Capture - any dog/cat - running at large - return to owner

The Animal Control Officer may capture all animals running at large contrary to this By-law and may take them to the animal's owner or keeper, if known, or at the Animal Control Officer's discretion, to the shelter for impounding by the Poundkeeper. No animal will be returned to a residence or private property unless an occupant of that property is immediately available to take possession of the animal.

13.5 Entry - upon land - Animal Control Officer

For purposes of section 13.4 of this By-law, an Animal Control Officer may enter onto any public property or may enter onto any private property and into the structures thereon with the consent of the owner or occupant.

13.6 Claim - within five (5) days - release

The owner or keeper of an animal impounded for being at large shall be entitled to redeem such animal within five days from the time of impoundment, exclusive of the day of impoundment, upon paying the Poundkeeper the applicable maintenance charges prescribed, and any other damages, fines and expenses according to law.

13.7 Pound fees - payment - proof of ownership - required

Where a dog or cat is claimed from the Poundkeeper, the owner shall provide proof of ownership of the animal, as well as proof of payment for a current dog licence or cat identification tag including proof of vaccination, and compensate the Poundkeeper according to the posted fees schedule.

13.8 Fees - unpaid - recovery - method

Every pound fee and board fee that is unpaid in whole or in part is a debt due the Poundkeeper and is recoverable in any court of competent jurisdiction in which a debt or money demand may be recovered.

13.9 Owner - to claim dog/cat - before disposal

The owner of a dog or cat that has been impounded shall, upon application to the Poundkeeper, claim the animal before the Poundkeeper is entitled to dispose of the animal according to the provisions of section 13.10 of this By-law.

13.10 Disposal - dog/cat - not claimed - Poundkeeper - discretion

Where the animal that is impounded is not claimed by the owner thereof within the redemption period specified in para 13(6), the Poundkeeper may retain the animal for such further time as he may consider proper and during that time the Poundkeeper may:

- (a) sell the animal for such price, as he may consider proper;

- (b) euthanize the animal; or
- (c) dispose of the animal as he sees fit.

13.11 Euthanasia - for humane - safety reasons

Where an animal that is captured or taken into custody is injured or in the opinion of the Animal Control Officer or Poundkeeper, should be destroyed without delay for humane reasons or for reasons of safety to persons or animals, the Animal Control Officer or Poundkeeper or other trained person, may euthanize the animal in a humane manner as soon after capture or taking into custody as he may determine, and may do so without permitting any person to reclaim the animal or without offering it for sale.

13.12 Euthanasia - dangerous dog - running at large

In the opinion of an Animal Control Officer, where a dog cannot be captured and where the safety of persons or animals are endangered, the Animal Control Officer or other trained person appointed by the Town, may euthanize the dog and no damages or compensation shall be recovered by the owner of the dog for said destruction.

13.13 Veterinary services - required - payable by owner

Where an animal is captured or taken into custody, and the services of a veterinarian are secured by the Animal Control Officer or Poundkeeper, the owner shall pay to the Poundkeeper or Town, all fees and charges of the veterinarian in addition to all other fees and per diem charges payable under this By-law, whether the animal is alive, dies or is euthanized.

13.14 Compensation - to dog/cat owner - prohibited

No compensation, damages, fees or any other sum of money on account of or by reason of the impounding, euthanasia or other disposal of the impounded animal in the course of the administration and enforcement of the By-law shall be:

- (a) recovered by any owner or other person; or
- (b) paid by the Poundkeeper or the Town of Petawawa or the Animal Control Officer.

13.15 Retrieval - forcibly - from the Poundkeeper - prohibited

No person shall forcibly retrieve an animal from the Poundkeeper, an Animal Control Officer or, break and enter into an animal control vehicle or retrieve an animal without payment in full of all fees and charges required to be paid under this By-law.

FEES

13.16 Impounding - fees

Impound fees shall be set and approved by the Town of Petawawa from time to time and are listed in Schedule "B" of this By-law.

PART 14 **KENNELS/CATTERIES**

14.1 Kennel/Cattery - permitted - where zoned

A kennel shall be permitted only in premises zoned for the purposes of the boarding and breeding of dogs and cats and upon written authorization of the Municipality.

14.2 Licence - required - annually

Every person who owns or operates a kennel or cattery shall, upon application and payment of a licence fee as set out in Schedule C and upon approval of the municipality, obtain, no later than 1 January in each year, a licence to operate such kennel or cattery.

14.3 Expiry - annual - December 31

Every kennel or cattery licence shall expire on the thirty-first day of December of the year issued and be renewable yearly.

14.4 Requirements - operation - compliance

Every person who owns or operates a kennel or cattery shall comply with:

- a. the requirements set out in "A Code of Practice for Canadian Kennel Operations"; and
- b. the bylaws of the municipality.

14.5 Kennel/Cattery - fail to comply - licence suspension

Where an owner or operator of a kennel or cattery fails to comply with a bylaw of the municipality, the licence may be suspended or revoked.

14.6 Entry - upon land - inspection

Every person who owns or operates a kennel or cattery shall permit an inspector or animal control officer to enter and inspect the kennel or cattery at all reasonable times, upon production of proper identification, for the purpose of determining compliance with this by-law.

14.7 Failure to comply - impounding - seizure

Where an inspector finds that the owner or operator of a kennel or cattery does not comply with any regulation in this section, he may direct that the animals be seized and impounded by the Poundkeeper.

14.8 Medical Officer of Health - powers - duties

The Medical Officer of Health for the County of Renfrew or his designate may enter any building and order the removal of any matter or thing which is dangerous or injurious to the public health including any or all the dogs, whenever it appears to the Medical Officer of Health that it is necessary for the preservation of the public health or for the abatement of anything dangerous or injurious to the public health.

14.9 Purchasers – dogs/cats - names - address - to animal control officer

Every kennel/cattery owner shall submit on a monthly basis, to the animal control officer, the names and addresses of Town of Petawawa residents who have purchased animals from the said kennel/cattery.

BUILDING REQUIREMENTS

14.10 Floors - in kennel/cattery - requirements

The floors of each room in which dogs and/or cats are kept shall be:

- a. constructed of an impermeable material;

- b. flushed with water and deodorized with a suitable disinfectant daily or more often if necessary and that the animals should be removed when this is being done; and
- c. if such a room is physically attached to a building used for human habitation, graded to an adequate drain that shall be connected to a municipal sewage system or sewer disposal system.

14.11 Lighting system – kennel/cattery rooms - requirements

Each room that is used for the housing of dogs and/or cats shall be equipped with a lighting system that is so designed, constructed and maintained that:

- a. it distributes light as evenly and with as little glare as possible;
- b. it provides adequate light for the proper observation of every animal in the room; and
- c. it is adequately lighted for a continuous period of at least eight hours in every twenty-four hour period.

14.12 Ventilation – kennel/cattery rooms - requirements

Each room that is used for the housing of dogs and/or cats shall provide ventilation for the health, welfare and comfort of every animal by either:

- a. having an opening or openings for natural ventilation with a minimum aggregate unobstructed free flow area of one percent (1%) of the floor area of the room; or
- b. having a mechanical ventilation device in working order that changes the air at least two times each hour.

14.13 Minimum temperature – kennel/cattery rooms

Each room that is used for the housing of dogs and/or cats shall, at all times, be maintained at a minimum temperature of 9 degrees Celsius for the health, welfare and comfort of every animal therein.

14.14 Cage - pen - construction - requirements

Each cage or pen used for the housing of dogs and/or cats shall be so constructed and maintained that:

- a. every animal in the cage or pen may comfortably extend its legs to their full extent, stand, sit, turn around and lie down in a fully extended position;
- b. it is not likely to harm, any therein;
- c. any animal therein cannot readily escape therefrom; and
- d. it may be readily cleaned.

14.15 Screens - on doorways - window - required

Each doorway, window and outside opening shall be screened during the period of May 1st to October 1st of each year.

14.16 Yards - runways - requirements

The yards and runways shall be:

- a. fenced; and

- b. if within 30 meters (98 feet) of an occupied building:
 - (i) paved with concrete, asphalt or other impermeable material;
 - (ii) graded to adequate drain or gutter; and
 - (iii) cleaned at least once daily when in use.

14.17 Kennel/cattery areas - kept clean - sanitary

Each area in which dogs and/or cats are kept shall, at all times, be maintained in a clean and sanitary condition.

14.18 Waste - removal - daily - required

Excreta, dead animals and other waste resulting from the keeping of dogs and/or cats shall be removed daily from the buildings and runs.

Part 15 **ENFORCEMENT**

15.1 Fine - for contravention

Any person who contravenes any provision of this By-law is, upon conviction, guilty of an offence and is liable to any penalty as provided in the Provincial Offences Act.

15.2 Continuation - separate offence

Each day of violation of any provision of this By-law shall constitute a separate offence.

15.3 Payment of fines - responsibility

The levying and payment of any fines shall not relieve a person from the necessity of paying any fees, charges or costs from which he or she is liable under the provision of this By-law.

15.4 Continuation - repetition - prohibited - by order

A Provincial Court Judge, in addition to the penalties provided in this By-law, may, if he or she considers the offence sufficiently serious, direct or order the owner of a dog or cat to prevent such dog or cat from doing mischief or causing the disturbance or nuisance complained of, or have the animal removed from the Town of Petawawa, or order the animal destroyed.

15.5 Repetition - second offence - increased fine

Where any person contravenes the same provision of this By-law twice within one twelve month period, the specified penalty payable in respect of the second contravention is double the amount specified in respect of that provision.

15.6 Repetition - third or subsequent offence - increased fine

Where any person contravenes the same provision of this By-law three or more times within one twelve month period, the specified penalty payable in respect of the third or subsequent contravention is triple the amount specified in respect of that provision.

CORPORATION OF THE TOWN OF PETAWAWA

BY-LAW 849/13

**BEING A BY-LAW TO AMEND BY-LAW 174/01
THE ANIMAL CONTROL BY-LAW**

WHEREAS the Council of the Town of Petawawa deems it expedient to amend the animal control by-law;

NOW THEREFORE BE IT ENACTED BY THE COUNCIL OF THE CORPORATION OF THE TOWN OF PETAWAWA AS FOLLOWS:

1. That the existing Schedule “A” attached to By-law 174/01 be removed in its entirety and deleted;
2. That Schedule “A” attached hereto, be inserted as the new Schedule “A” to By-law 174/01;
3. This by-law shall come into force and take effect following third reading.

By-law read a first and second time this 6th day of August, 2013.

By-law read a third time and passed this 6th day of August, 2013.



Mayor



Deputy Clerk

**SCHEDULE "A" TO BY-LAW 174/01
ADOPTED BY BY-LAW 849/13 ON AUGUST 6, 2013**

1. CAT IDENTIFICATION TAG - FEES

First Application (for newly purchased/adopted or obtained cats)

a. New cats obtained January 1st through December 31st:

(i)	Unsterilized Cat	\$15.00
(ii)	Spay/neuter Cat	\$10.00

Renewal (for all previously recorded/owned cats)

b. Renewal applications October 1st through December 31st:

(i)	Unsterilized Cat	\$15.00
(ii)	Spay/neuter Cat	\$10.00

c. Renewal applications January 1st through September 30th:

(i)	Unsterilized Cat	\$30.00
(ii)	Spay/neuter Cat	\$20.00

2. DOG LICENCE - FEES

First Application (for newly purchased/adopted or obtained dogs)

a. New dogs obtained January 1st through December 31st;

(i)	Unsterilized Dog	\$25.00
(ii)	Spay/neuter Dog	\$20.00

Renewal (for all previously licenced/owned dogs)

b. Renewal applications October 1st through December 31st:

(i)	Unsterilized Dog	\$25.00
(ii)	Spay/neuter Dog	\$20.00

c. Renewal applications January 1st through September 30th:

(i)	Unsterilized Dog	\$50.00
(ii)	Spay/neuter Dog	\$40.00

3. MISCELLANEOUS - FEES

a. Replacement tags (lost or stolen) \$2.00

b. Transfer of tags (from other municipality/jurisdiction) \$5.00

Part 16
REPEAL - ENACTMENT

16.1 By-law - previous

By-law 44/98 of the Town of Petawawa and all it's amendments are hereby repealed.

16.2 Licence - previous - valid - until expiry

A licence issued under the provisions of By-law 44/98 shall be deemed to have been issued under this By-law and will be valid until it is replaced or expires.

16.3 Effective date

This By-law shall come into force on and take effect upon the date of the final passing thereof.

**SCHEDULE “B”
TO BY-LAW 174/2001**

Impoundment Fees

1. **Dogs**

a. First three (3) days impoundment (flat rate):

(i) licenced.....	\$15.00
(ii) unlicenced.....	\$25.00

b. Each additional day of impoundment \$ 9.00

2. **Cats or other animals:**

a. First three (3) days of impoundment (flat rate).....\$10.00

b. Each additional day of impoundment.....\$3.00

SCHEDULE "C"
TO BY-LAW 174/2001

Kennel/Cattery Licence Fees

1. Yearly licencing fee \$125.00