

CORPORATION OF THE MUNICIPALITY OF CALVIN

BY-LAW NO. 2007-013

BEING A BY-LAW TO PROVIDE FOR LICENSING AND REGULATING OF DOGS, REQUIRING THE REGISTRATION OF DOGS AND TO PROHIBIT OR REGULATE THE RUNNING AT LARGE OF DOGS IN THE MUNICIPALITY OF CALVIN AND COMMONLY KNOWN AS THE “REGULATING OF DOGS” BY-LAW.

WHEREAS the Municipal Act, Section 10(2)9, 2001, c.25, as amended, provides that a single-tier municipality may pass by-laws respecting matters pertaining to animals,

AND WHEREAS the Municipal Act, 2001, S.O. 2001, c.25, Section 103(1)(a), as amended, provides that municipalities may provide for the seizure and impounding of animals being at large or trespassing contrary to the by-law.

NOW THEREFORE the Council of the Corporation of the Municipality of Calvin enacts as follows:

1. DEFINITIONS

“Municipal Enforcement Officer” means the officers or employees of the Corporation of the Municipality of Calvin responsible for the enforcement of this by-law

“At Large” means any dog shall be deemed at large when it is off the property of its owner and not under the control of a competent person

“License” for the purpose of this by-law shall be deemed to be the receipt and the metallic tag issued by the Clerk of the Municipality of Calvin or authorized agent

“Nuisance” means an act or circumstance which causes annoyance or offence to another person or the community at large

“Owner” means any person or group of persons, partnership or corporation owning, keeping or harbouring dogs

“Provincial Offences Officer” for the purpose of this by-law means the Municipal Enforcement Officer or Animal Control Officers, whose duties include the enforcement of this by-law

“Restraint” means a dog is on an owners property, out on a leash or at heel beside a competent person and obedient to that person’s command

2. GENERAL PROVISIONS

No person shall own, keep or harbour any dog within the Municipality of Calvin unless such a dog is licensed as herein provided

No person shall seek to release an animal or animals, which are in the custody of the Municipal Enforcement Officer or Animal Control Officer or the Provincial Police Officer, who is engaged in the performance of his/her duties within the provisions of this by-law

3. NUISANCE

No person who owns or harbours a dog within the Municipality of Calvin shall permit such dog to become a nuisance.

A dog shall be deemed a nuisance in the following circumstances:

- i) if the dog persistently cries, howls or barks
- ii) if the dog causes damage to municipal property or private property
- iii) if the dog interferes with dumps or scatters garbage or trash
- iv) if the dog persistently chases or intimidates pedestrians using public or private paths, roads or sidewalks adjacent to the property where the dog is kept or harbored

4. RESTRAINT

Every owner shall cause his/her dog(s) to be kept under restraint at all times.  
 No owner shall permit a dog(s) to be at large at any time.  
 No person who owns a dog shall allow such dog to trespass on municipal or private property.

5. LICENSING

No person shall own, keep or harbour any dog within the Municipality of Calvin unless such dog is licensed as herein provided.  
 The owner of every dog in the Municipality of Calvin shall register every dog one time (once) and that registration shall be deemed valid for the lifetime of the dog.  
 Each dog shall be registered, numbered, described and licensed.  
 Each owner shall keep a license tag securely fixed to their dog at all times.  
 No license tag or registered number under this section shall be transferable.  
 The license tag shall expire upon the death of the dog or the transfer of the dog to another municipality.

6. LICENSE FEES

Licenses are issued Free of Charge for the lifetime of the dog.  
 Licenses are not transferable.  
 In the event that a tag becomes lost or destroyed, the owner of the dog for which the tag has been issued may obtain a replacement tag free of charge.

## 7. DOGS RUNNING AT LARGE

The owner shall keep his/her dog under restraint at all times and shall not permit such dog to be off the premise or property unless under the control of a competent person, at heel beside a competent person and obedient to that person's command or leashed at all times.

No dog shall be permitted to run at large within the Municipality of Calvin at any time.

No person who owns a dog shall allow such dog to trespass on municipal or private property.

## 8. SEIZURE OF DOGS

- a) A Municipal Enforcement Officer, Provincial Offences Officer, Animal Control Officer or other duly appointed officer, may enter upon any public or private property with the consent of the owner or tenant of the property for the seizure of any dog(s) running at large.
- b) Where an injured dog is seized it shall be destroyed without delay, for humane reasons or for reasons of safety to other persons or animals.
- c) A Municipal Enforcement Officer, Animal Control Officer or Provincial Police Officer may destroy the dog in a humane manner as soon after he/she thinks fit and in that event, no damages or compensation shall be recovered on account of their action.
- d) Any dog running at large, contrary to the provisions of this by-law, shall be recovered by the Municipal Enforcement Officer, Provincial Offences Officer or Animal Control Officer.
- e) For the impounding of a dog under the provisions of this by-law, the dog shall be transported by a Provincial Offences Officer, Municipal Enforcement Officer, Animal Control Officer or a Provincial Police Officer and impounded in an approved animal shelter.
- f) Animals shall be confined in a humane manner and it is then the responsibility of that approved animal shelter to assume responsibility of any animal(s) surrendered by the representative from the Municipality of Calvin.
- g) For the purposes of this by-law the Municipality of Calvin shall approve the North Bay & District Humane Society as the closest approved animal shelter.

## 9. REDEMPTION OF IMPOUNDED DOG

Where the dog is registered and wearing a licensed tag, the owner shall be notified of the impoundment of their dog and shall be directed to the approved animal shelter for the recovery of their animal.

Where the dog is not licensed, the Municipality shall not be responsible for notifying the owner of the dog's impoundment.

## 10. ENFORCEMENT

Any police officer, provincial offences officer or employee of the Municipality whose duties include the enforcement of this by-law, is authorized to enforce this by-law pursuant to the

provisions hereof, the *Municipal Act*, 2001 S.O. 2001, c. 25 as amended or any successor thereof, and the *Provincial Offences Act*, R.S.O. 1990, c. P.33, or any successor thereof.

11. OFFENCES

Any person who contravenes any provision of this by-law is guilty of an offence and on conviction is liable to a fine, penalty or order as provided for in the *Provincial Offences Act*, R.S.O. 1990, c. P.33, as amended, or any successor thereof, or in the *Municipal Act*, 2001, S.O., c.25, as amended or any successor thereof.

All previous By-Laws or parts thereof concerning dog licensing, regulating and registration and dogs running at large are hereby repealed.

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED BEFORE AN OPEN COUNCIL THIS 22 DAY OF May 2007.

  
MAYOR

  
CLERK-TREASURER

THE CORPORATION OF THE MUNICIPALITY OF CALVIN – SET FINES  
PART 1 – PROVINCIAL OFFENCES ACT

REGULATING OF DOGS BY-LAW NO. 2007-013

ITEM	COLUMN 1 Short Form Wording	COLUMN 2 Offence Creating Provision or Defining Offence	COLUMN 3 Set Fine
1.	Nuisance dog	Section 3	\$105.00
2.	Dog running at large	Section 4	\$105.00

***Note: The penalty provision for the offence indicated above is Section 11 of By-Law No. 2007-013 a copy of which has been filed***