THE CORPORATION OF THE

TOWNSHIP OF BLANDFORD-BLENHEIM

BY-LAW NUMBER 2184-2020

Being a By-Law to regulate ANIMAL CARE AND CONTROL, and to provide for a system of licensing, permits, approvals or registrations respecting the matter including the imposing of fees and charges.

WHEREAS sections 9 to 11 of the Municipal Act, 2001, S.O. 2011, c.25, as amended (hereinafter referred to as "Municipal Act), confer the power to pass by-laws regulating or prohibiting animals to a lower-tier municipality:

AND WHEREAS section 8(3)(c) of the Municipal Act confers the power upon a municipality, in exercising its powers to regulate and prohibit respecting a matter, to provide for a system of licenses, permits, approvals or registrations respecting the matter, and to impose conditions as a requirement of obtaining, continuing to hold or renew a license, permit, approval or registration;

AND WHEREAS section 103 of the Municipal Act confers a power upon a municipality to pass a by-law to provide for the seizure and impounding of animals being at large or trespassing and the sale of impounded animals under certain conditions;

AND WHEREAS section 391 of the Municipal Act enables a municipality to pass by-laws imposing fees or charges on any class of person for services or activities provided or done by or on behalf of it;

AND WHEREAS the Dog Owners' Liability Act, 1990, R.S.O. 1990, c.D16, as amended, including amendments made by the Public Safety Related to Dogs Statute Law Amendment Act, 2005, provides for the control of dogs;

AND WHEREAS the Ontario Police Services Act, R.S.O. 1990 Chapter P. 15 as amended provides that Council may appoint Municipal Law Enforcement Officers to enforce all municipal By-Laws;

AND WHEREAS Council deems it expedient to ensure that animals are kept and treated in a humane manner and that the owners of animals provide good quality care to them;

NOW THEREFORE the Council of the Corporation of the Township of Blandford-Blenheim enacts as follows:

SECTION 1: DEFINITIONS

In this By-Law:

1.1. **Animal** means any member of the animal kingdom, other than human, as defined in the Municipal Act;
1.2. **Animal Enclosure** means an enclosed place for the keeping of animals but shall not include the yard of a property where fencing has been erected on or along the property lines for the purposes of enclosing, in whole or in part, the yard itself;

1.3. **Animal Control Officer** means the By-Law Enforcement Officer as well as a person or company or corporation, or their employees, under contract with the Municipality to enforce the requirements of this by-law, or an employee of the Corporation of the Township of Blandford-Blenheim employed to administer and enforce the requirements of this by-law or any Police Officer;

1.4. **Animals for Research Act** means Animals for Research Act – R.S.O., 1990, c. A22, as amended;

1.5. **At Large** or **Trespass** means an animal being at any place other than the premises of the owner of the animal and not under the control of the owner or a person acting on behalf of the owner, and in case of dogs including not being put on a leash, except where the owner of the property, other than the animal owner's property, permits the animal to be on his or her property;

1.6. **Cat** means a domesticated feline animal, male or female, spayed or neutered or natural, and harboured or kept by any person;

1.7. **Certificate of Registration** means a certificate of registration issued by an association incorporated under the Animal Pedigree Act, R.S.C., 1985, c. 8 (4th Supp.) for an animal of a distinct breed or issued by the Canadian Kennel Club, American Kennel Club or by the United Kennel Club;

1.8. **Commercial Dog Kennel** means any building, pen or other structure, but not including a building used for human habitation, in which a dog or dogs not belonging to the owner of the property, in return for payment of a fee, are kept for breeding or boarding;

1.9. **Corporation** means the Corporation of the Township of Blandford-Blenheim;

1.10. **Council** means the Council of the Corporation of the Township of Blandford-Blenheim;

1.11. **Dangerous Dog** means a dog that in the absence of any mitigating factor has bitten or attacked a person or domestic animal or has behaved in a manner that poses a menace to the safety of persons or other domestic animals. Dangerous

dog also means a dog, previously designated as a potentially dangerous dog, that is kept or permitted to be kept by its owner in violation of the requirements for such dog;

1.12. **DOLA** means the Dog Owners' Liability Act, 1990, R.S.O. 1990, c.D16 as amended, including amendments made by the Public Safety Related to Dogs Statute Law Amendment Act, 2005.

1.13. **Domestic Animal** means an animal kept by or living with human beings;

1.14. **Dog** means a domesticated canine animal, male or female, spayed or neutered or natural, harboured or kept by any person;

1.15. **Dog Kennel** means any building, pen or structure, but not a building used for human habitation, in which registered purebred dogs are kept as pets for show and/or breeding or a Boarding facility, or Hunting/Sporting Kennel, but does not included a veterinary facility or the Ontario SPCA or affiliated society;

1.16. **Dog License** means a license issued for a dog pursuant to section 3.1 of this By-law as evidenced by the license records of the Township;

1.17. **Dwelling Unit** means one (1) or more habitable rooms occupied or capable of being occupied by a person or a family as an independent and separate housekeeping establishment in which separate kitchen and sanitary facilities are provided for the use of such person or family, with a private entrance from outside the building or from a common hallway or stairway inside the building in which the dwelling unit is located;

1.18. **Excrement** shall mean the waste matter expelled from the bowels of an animal;

1.19. **Extreme Weather** means a cold warning, heat warning or other weather warning issued be either or both Southwestern Public Health or Environment Canada for weather in Oxford County.

1.20. **Herding Dog** shall mean a dog that has been trained and is actively being used in a bona fide farming operation for the purposes of controlling livestock on the farm;

1.21. **Household Pet** means a domestic animal that is taken into the care of one or more persons for the purpose of personal enjoyment or protection which normally spends time in the dwelling unit of the owner and shall include but not be limited to caged birds, caged rodents or rabbits, cats, dogs tropical fish and non-poisonous indigenous reptiles;

1.22. **Hunting/Sporting Kennel** means any building, structure, dog run or other facility, or part thereof, other than a dwelling unit that provides shelter for three or

more dogs, that are routinely entered into dog sled or other similar races or hunting events or other authorized sporting competitions;

1.23. **Identification Microchip** shall mean an object which may be permanently implanted in a dog by injection or surgical procedure, which is programmed to store a unique and permanent identification number and is capable of using radio-frequency signals to relay the stored information to a scanning device;

1.24. **Impounded** shall mean seized, delivered, received or taken into the pound or any authorized vehicle operated by an officer pursuant to the previsions of the by-law;

1.25. **Keep** means to have temporary or permanent control or possession of an animal;

1.26. **Kennel License** means a license issued for a Commercial Dog Kennel, Purebred Kennel or Hunting/Sporting Kennel, as evidenced by the license records of the Township;

1.27. **Leash** means rope, chain or other restraining device suitable to the size of the dog which may not exceed 3.5 meters (11.5 feet) in length, except for pit bull dogs the leash for which shall not exceed 1.8 meters (5.9 feet) in length;

1.28. **License** when used in reference to a dog shall mean a dog license, when used in reference to a pit bull shall mean a pit bull license and when used in reference to a kennel, shall mean a kennel license;

1.29. **Livestock Guardian Dog** shall mean a dog that works and/or lives with domestic farm animals to protect them while repelling predators and is used exclusively for that purpose;

1.30. **Mitigating Factor** means circumstances which excuses aggressive behaviour of a dog without limiting the generality of the foregoing, may include circumstances where:

1.30.1. The dog was, at the time of the aggressive behaviour, acting in defense to an attack from a person or domestic animal;
1.30.2. The dog was, at the time of the aggressive behaviour, acting in defense of its young or reacting to a person or domestic animal trespassing on the property of its owner, or
1.30.3. The dog was, at the time of the aggressive behaviour, being teased, provoked or tormented.

1.31. **Muzzle** shall mean a humane fastening or covering device of adequate strength which when placed over the mouth of a dog will then prevent that dog from biting;

1.32. **Muzzle Order** means an Order issued by the Animal Control Officer or an Officer for a muzzle to be placed on a dog;

1.33. **Officer** is the Animal Control Officer designated by the Council, a Municipal By-Law Enforcement Officer designated by the Council and/or the Ontario Provincial Police;

1.34. **Owner** means a person who keeps, harbours or has custody of an animal, and, in the case of a minor, "Owner" means the person responsible for the custody of the minor. If there is more than one owner of an animal, they are jointly and severally the owner;

1.35. **Person** means an individual, partnership, association, firm or corporation;

1.36. **Pit Bull** means the breed of dog which includes:

1.36.1. A pit bull terrier,

1.36.2. A Staffordshire bull terrier,

1.36.3. An American Staffordshire terrier,

1.36.4. An American pit bull terrier, or

1.36.5. A member of a class of dog that have the appearance and physical characteristics that are substantially similar to the dog referred to above. In determining whether a dog is a pit bull, regard may be had to breed standards established, for dogs referred in above, by the Canadian Kennel Club, the United Kennel Club, the American Kennel Club or the American Dog Breeders Association.

1.37. **Police Work Dog** means a dog trained for and engaged in law enforcement by any federal, provincial or municipal government agency;

1.38. **Potentially Dangerous Dog** means a dog that in the absence of any mitigating factors, chases or approaches any person or domestic animal, anywhere other than on the property of its owner, in a menacing fashion or apparent attitude of attack, including but not limited to, behaviour such as growling or snarling or shows the disposition or tendency to be threatening or aggressive.

1.39. **Pound** means those premises designated by the Corporation for the detention, maintenance or disposal of animals that have been impounded by an officer and shall include any building or buildings and enclosures maintained on behalf of the Corporation by any person or organization as is duly authorized to do so for the purposes of carrying out the provisions of this by-law or the Dog Owner's Liability Act and such building or buildings and enclosure shall conform to the Animals for Research Act, 1990, as may be amended;

1.40. **Pound Keeper** shall mean the person or organization responsible for maintaining the pound on behalf of the Corporation for the purpose of enforcing and carrying out the provisions of this by-law;

1.41. **Premises** includes a dwelling unit, a house or building and the land or premises on which the building or house is situated or attached;

1.42. **Prohibited Dog** means:

1.42.1. A pit bull dog that is not restricted,
1.42.2. A pit bull dog, previously designated as a restricted dog, that is kept or permitted to be kept by its owner in violation of the requirements for such dog, or
1.42.3. A dog previously designated as a potentially dangerous dog or a dangerous dog, which is kept or permitted to be kept by its owner in violation of the requirement for such dog.

1.43. **Protective Care** means the temporary keeping of an animal as a result of an eviction, incarceration, medical or fire emergency, or any other situation that an Officer deems appropriate for the health and safety of the animal;

1.44. **Purebred** means a recognized breed, unmixed by crossbreeding; that is eligible for registration with an association incorporated under the Animal Pedigree Act (Canada);

1.45. **Restricted Dog** means a dog that is a pit bull that is owned by a resident on August 29, 2005, or was born before the end of the 90-day period beginning on August 29, 2005, and that has been registered by the owner with the Corporation and maintains a valid municipal dog license;

1.46. **Sanitary Condition** means a condition that does not result in an accumulation of fecal matter, odour, insect infestation, or rodent attractants which endanger the health, comfort or convenience of any person or animal;

1.47. **Sanitize** means to clean for the purpose of controlling disease-producing organisms and "sanitized" has a corresponding meaning;

1.48. **Service Animal** means a guide dog and other trained service animal identifiable by a harness and used principally to assist persons with a visual, hearing or other impediment;

1.49. **Veterinarian** means a member of the College of Veterinarians of Ontario.

SECTION 2: ADMINISTRATION AND ENFORCEMENT

2.1 The Animal Control Officer of the Corporation shall be responsible for the administration of this by-law, and the Animal Control Officer of the Corporation shall be responsible for the enforcement of this by-law.

SECTION 3: LICENSING OF DOGS

Requirements of a License

3.1. Every owner of a dog within the municipality shall obtain an annual license for each dog owned by him/her.

3.2. A person who acquires a dog during the year shall obtain from the Corporation a tag within fourteen (14) days after acquiring the dog.

3.3 The owner of any dog(s) who does not have a current license for his/her dog(s) may be subject to a fine as noted in Schedule "A" of this By-Law.

3.4 A dog license shall be valid only for the fiscal year in which it is issued.

3.5 The Animal Control Officer shall maintain a registry with the serial number of the dog tag along with the name, address, and telephone number of the owner, the name, breed, colour/markings, gender of the dog and the date that the dog tag is furnished to the owner. Any changes to the status of the information must be reported promptly to the Township of Blandford-Blenheim Clerk's Department.

3.6 No tag issued for a dog pursuant to the provisions of this by-law is transferrable between dogs or between owners without the written permission of the Corporation.

3.7 No person shall own, possess or harbour a dog within the municipality or allow a dog to be owned, possessed or harboured on the premises of that person unless a dog tag has been obtained, as required by this by-law and every owner of a dog shall keep the tag securely fixed on the dog at all times.

3.8 Where a dog tag issued pursuant to the provisions of this by-law has been lost or destroyed, the owner on application to the Township of Blandford-Blenheim Clerk's Department may be issued a new dog tag upon payment of the replacement fee as set out in the Fees and Charges By-law.

3.9 Every dog owner who takes up residence within the municipality and where a current tag has been issued by another municipality shall be required to obtain a new tag from the Corporation.

3.10 Licenses and tags will be issued by the Township of Blandford-Blenheim Clerk's Department.

3.11 Every officer appointed under this by-law or any other by-law has the authority to issue a Notice of Offense to the owner of any dog that has not been registered/licensed in accordance with the provisions of this by-law. The owner of the dog may be subject to a fine in accordance with the amount as set out in the Fees and Charges By-law.

Exceptions:

3.12 The requirement for a dog license does not apply to a pet shop whose business includes the sale of dogs.

3.13 The requirement for a dog license shall not apply to a police work dog trained for and engaged in law enforcement by any federal, provincial or municipal government agency.

3.14 The requirement for a dog license shall not apply to a service animal.

3.15 The requirement for a dog license does not apply to a person who has a Kennel License by March 15th of each calendar year, and the kennel license fee in the Township's Fees and Charges By-law shall be paid. The kennel license entitles the owner to a dog tag for each purebred dog kept as a pet. It shall be the responsibility of those individuals who purchase dogs from a kennel to obtain the license and tag as per Section 3.1 and 3.2 of this by-law.

3.16 The requirement for a dog license does not apply to any person or organization authorized by the Municipality to be a pound keeper for the Municipality and shall be exempt from paying the annual kennel license fee.

3.17 The requirement for a dog license does not apply to any organization mentioned in Section 4.5 of this by-law.

3.18 Proof of up-to-date rabies inoculation shall be provided when requested by the Animal Control Officer.

3.19 Herding dogs and livestock guardian dogs are exempt from wearing a collar and tag provided they have identifying tattoos or microchips. Such information must be provided to the Township office at the time of obtaining a dog license.

SECTION 4: KEEPING OF ANIMALS

General Provisions

4.1. Every owner of an animal shall treat the animal in a humane manner, including but not limited to the provision of:

4.1.1. A shelter for the animal that is waterproof and that protects the animal from exposure to the elements;

4.1.2. A shelter for the animal that is adequate for its size and breed;
4.1.3. Adequate amounts of potable water for the animal; and
4.1.4. Food of a type and in amounts nutritionally adequate for the animal.

4.2. No person shall keep an animal in unsanitary conditions.

4.3. Except as otherwise provided in this by-law, no person shall keep, or permit to be kept more than three of any one species of household pet, at any premises unless such keeping is in compliance with the Township Zoning By-law.

4.4. If more than three livestock guardian dogs or herding dogs are required, written permission must be obtained from the Township office.

4.5. Whether temporarily, permanently, or otherwise, no more than 3 domestic dogs of any age in excess of 3 months shall be kept, harboured, maintained or possessed at any location within the Municipality.

4.6. Despite section 4.3 hereof, a person who on March 6, 2013, kept or permitted to be kept more than three dogs for which valid dog licenses were issued pursuant to By-Law No. 1362-2002 with respect to a dwelling unit, may continue to keep the said dogs until they are no longer in the possession of their owner, and said dogs shall not be replaced in such dwelling unit.

4.7. Sections 4.3 does not apply to:
4.7.1. Pet Shops in the Municipality;
4.7.2. A police work dog in a Police Canine Unit;
4.7.3. Dog kennels and commercial dog kennels located in with the Municipality's zoning by-law and the Ontario Building Code Act, 1992, as amended, and licensed by the Corporation;

4.7.4. Security firms' licenses and authorized by the Province of Ontario to provide guard dog services;

4.7.5. The keeping of animals on lands zoned for agricultural purposes.

4.7.6. An animal hospital or clinic that is lawfully operated and supervised by a veterinarian licensed by the Ontario Veterinary Association;

4.7.7. A pound or shelter lawfully operated by the Corporation, or the Ontario Society for the Prevention of Cruelty to Animals (OSPCA):

4.7.8. Any organization permitted by law to provide protection and humane treatment of animals;

4.7.9. Any person while rendering emergency treatment to an injured or abandoned animal;

4.7.10. The Corporation or other governmental authority while lawfully operating a public park, exhibition, or zoological garden, and maintaining animals therein;

4.7.11. Any person in charge of a traveling circus, exhibition, or road show, or any employee thereof, lawfully displaying animals;

4.7.12. Persons operating premises registered as research facilities under the Animals for Research Act, R.S.O. 1990, c.A-22, as amended, or the persons in charge, or the employees thereof, during the course of their duties;

4.8. No person shall keep, or cause to be kept, a reptile, insect or amphibian permitted under this by-law outside a building or structure unless it is in an appropriate animal enclosure.

4.9. Keeping of Animals Prohibited

4.9.1. No person shall keep, or permit the keeping of an animal or animals of any of the following classes anywhere within the Township of Blandford-Blenheim:

a) All marsupials (such as kangaroos and opossums)
b) All non-human primates (such as gorillas and monkeys)
c) All felids, except the domestic cat
d) All canids, except the domestic dog
e) All viverids (such as mongooses, civets, and genets)
f) All mustelid, except the ferret (such as skunks, weasels, otters and badgers)
g) All ursids (bears)
h) All artiodactylus ungulates, except the domestic buffalo, deer, cattle, goats, pigs and sheep
i) All procyonids (such as raccoons, coatis and cacomistles)
j) All hyenas
k) All perissodactylus ungulates, except the domestic horse and ass
l) All elephants
m) All pinnipeds (such as seals, fur seals, and walruses)
n) All snakes of the families pythonidae and boidae
o) All venomous reptiles and amphibians
p) All diurnal and nocturnal raptors (such as eagles, hawks and owls)
q) All edentates (such as anteaters, sloths and armadillos)
r) All bats

s) All crocodilians (such as alligators and crocodiles)
t) All arachnids (such as tarantulas)

4.9.2 No person shall sell, offer to sell, permit the sale or otherwise make available in any way to any person residing in the Township, any of the animals listed in 4.9.1.

4.9.3 No person shall keep, or permit to be kept, more than three cats, over the age of eight (8) weeks, at any premises. This section does not apply to cats that are kept on lands zoned agricultural and used for agricultural operations as defined in the Farming and Food Production Protection Act, 1998, S.O. 1998, c.1.

4.10. General Restrictions

4.10.1. No person shall keep, harbour or possess a prohibited dog in the Township of Blandford-Blenheim.

4.10.2. No person who operates a business within the Township that includes the sale of pets or other animals shall sell, offer to sell, or otherwise make available in any way, to any person, a prohibited dog.

4.10.3. No owner of an animal shall allow it to enter onto a splash pad unless such animal is acting as a Service Animal for a person with a disability who is on the splash pad.

4.11. Pit Bulls – Special Requirements

4.11.1. No person shall:
4.11.1.1 Own a pit bull, except a restricted pit bull;
4.11.1.2 Breed a pit bull;
4.11.1.3 Transfer a pit bull by sale;
4.11.1.4 Transfer a pit bull by gift or bequest; if the person to whom the pit bull is transferred will own more pit bulls after August 29th, 2005 than on that day (maximum number of dogs per premises is three);
4.11.1.5 Transfer more than one pit bull by gift or bequest to a person who did not own a pit bull on August 29, 2005;
4.11.1.6 Abandon a pit bull other than to a pound operated by or on behalf of the Municipality, the province or a designated body;
4.11.1.7 Allow a pit bull in his or her possession to stray; or
4.11.1.8 Train a pit bull for fighting.

4.12. Pit Bulls – Other Requirements

4.12.1.1 All other requirements regarding Pit Bulls specifically shall be in accordance with the Dog Owners Liability Act, 1990 (DOLA), as amended,

including regulations pertaining to DOLA, and the Animals for Research Act, 1990, as amended.

4.12.1.2 The Animal Control Officer is authorized to issue pit bull licenses on behalf of the Township.

4.12.1.3 Every application for a pit bull license shall include the following as applicable:

a) Name, address and phone number of the registered owner
b) Address of the property where the pit bull is being kept
c) Description of the pit bull including breed, sex, colour, name
d) Upon first registration evidence satisfactory to the Animal Control Officer that the pit bull was born in Ontario between August 29, 2005 and November 26, 2005
e) Evidence satisfactory to the Animal Control Officer that the pit bull has been sterilized, unless a veterinarian's written opinion is provided that the pit bull is physically unfit to be anaesthetized because of old age or infirmity in accordance with section 2(3) of Ontario Regulation 157/05.
f) License fee.

SECTION 5: ANIMAL ENCLOSURES

5.1 General Provisions

5.1.1 Every owner of an animal shall ensure that the animal enclosure provided for the animal meets the following requirements, regardless of whether the animal enclosure is located indoors or outdoors.

5.1.2 The animal enclosure shall be of a size and in a condition such that the animal may:

5.1.2.1Extend its legs, wings, and body to their full natural extent;
5.1.2.2Stand;
5.1.2.3Sit;
5.1.2.4Perch.

5.1.3 Every reptile, fish, mammal and amphibian shall be provided with an enclosed space adequate for the needs of the species.

5.1.4 The enclosure is of such a nature and condition that the animal contained therein would not be harmed and its health would not be negatively affected for the reason of being placed in such an animal enclosure.

5.1.5 Every animal contained therein may be readily observed unless the natural habits of the animal require otherwise.

5.1.6 The animal enclosure is kept in a clean and sanitary condition.

5.1.7 The animal enclosure is kept free of offensive odour.

5.1.8 The animal enclosure is escape proof.

5.2 Additional Provisions for Outdoor Animal Enclosures

5.2.1 Except for the keeping of animals on lands zoned for agricultural purposes no person shall keep, or cause to be kept, any animal enclosure for an animal outside a building or structure unless:

5.2.2 The animal enclosure is in the rear yard; and

5.2.3 The animal enclosure, is located at least 3.1 metres (10 feet) from the property line and at least 6.1 metres (20 feet) from any school, church, or residential building not located on the same lot; and

5.2.4 No person shall keep an animal tethered on a rope, chain, cord or similar restraining device unless:

5.2.4.1 The tether is of appropriate length for the species tethered;
5.2.4.2 The animal has unrestricted movement within the range of such tether;
5.2.4.3 The animal is not tethered for longer than twelve (12) hours per day;
5.2.4.4 The animal has access to water, food and shelter while tethered;
5.2.4.5 The animal cannot injure itself as a result of the tethering;
5.2.4.6 The tether shall be a minimum of 3.5 metres in length, provided the tether does not permit the animal to go beyond the limits of the animal owner's property, and;
5.2.4.7 No person shall keep an animal tethered where a Choke Collar, a Choke Chain or a Prong Collar forms part of the tether or a rope, chain, cord or similar restraining device is tied directly around the animal's neck.

5.2.5 In addition to the requirements in this part of the by-law, an animal enclosure kept outside shall be:

5.2.5.1 Soundly constructed of hard, durable material;

5.2.5.2 Impervious to water for the housing unit within the enclosure and the housing unit must comply with all animal enclosure requirements;

5.2.5.3 Constructed of a material that may be readily sanitized;

5.2.5.4 Maintained in a good state of repair from cracks, holes, rust and other damage;

5.2.5.5 Kept in a way that minimizes as nearly as practicable the transfer of disease-causing agents; and

5.2.5.6 Adequately ventilated and maintained at a suitable temperature and lighting for the health, welfare and comfort of the animal enclosed therein.

5.2.6 No animal shall be kept outdoors during Extreme Weather unless the animal has access to an enclosure that will adequately protect the animal from the elements

5.3 Compliance with the requirements under Part 5 of this By-Law does not exempt any person from compliance with other applicable laws and by-laws, including the Building Code Act 1992, as amended, and the municipal zoning by-law, as amended.

5.4 Every owner shall allow any officer to carry out an inspection of premises where animal(s) of the owner are kept or to make inquiries deemed necessary for the purposes of insuring compliance of this by-law.

5.5 Kennels

5.5.1 Any person or persons who keep more than three (3) dogs, which are over three (3) months of age, at one (1) location shall obtain a dog kennel license and section 4.5.3 and Section 5 of this by-law shall be complied with regarding the location and operation of a kennel.

5.5.2 Unless currently on file, upon first registration with the Township pursuant to the provisions of this By-law, verification that the kennel complies with the Township Zoning By-law.

5.5.3 In the case of a Purebred Kennel upon first registration and annually thereafter, proof of active membership in the Canadian Kennel Club, American Kennel Club, United Kennel Club or any other association incorporated under the Animal Pedigree Act (Canada). This section does not apply to kennels which are licensed by the Township on or before the date of passage of this by-law; and

5.5.4 In the case of a Purebred Kennel upon first registration and annually thereafter pursuant to the provisions of this by-law, a Certificate of Registration for each of the dogs kept therein and annually a Certificate of Registration for any additional dogs kept therein for which registration papers have not been previously provided. This section does not apply to kennels which are licensed by the Township on or before the date of passage of this by-law.

5.5.5 In the case of a Hunting/Sporting Kennel, upon proof of first registration and annually thereafter, proof of active membership in the Canadian Kennel Club, American Kennel Club, United Kennel Club or any other association incorporated under the Animal Pedigree Act (Canada) for the purpose of regulating dog sled or other similar races, hinting events or other sporting competitions; and

5.5.6 Registration documentation from the applicable governing association indicated in 5.5.5 for each dog kept therein, and annually thereafter for any additional dos kept therein for which registration papers have not been previously provided; and

5.5.7 Upon first registration and annually thereafter, a list of all dogs to be kept at the subject property, and proof of current rabies vaccination for each dog.

5.5.8 The applicable license fee.

5.5.9 The kennel license must be posted in a conspicuous place on the kennel premises.

5.5.10 Kennel licenses are not transferable.

5.5.11 The Animal Control Officer may refuse to issue a kennel license with respect to any kennel that does not meet with all of the requirements of this By-law.

SECTION 6: EXCREMENT

6.1. Every owner of an animal shall remove forthwith and sanitarily dispose of any excrement left by the animal on any property anywhere in the Township including highways.

6.2. Section 6.1 does not apply to:

6.2.1 Persons reliant upon a service animal while that animal is being used in the performance of its' duties to aid a person with a visual, hearing or other impediment;

6.2.2 Permitted farm animals when animals are on lands zoned for agricultural purposes.

SECTION 7: ANIMALS AT LARGE

7.1. No owner shall cause or permit an animal to be at large, subject to the provisions of this part of the by-law.

7.2. A dog is not considered to be at large if the dog is:

7.2.1 A service animal or a police work dog; or

7.2.2 On the premises of a person who has consented to the dog on the person's premises.

SECTION 8: SEIZURE AND IMPOUNDMENT

8.1. Any animal found at large contrary to this by-law may be seized by an Officer.

8.2. An Officer may take possession of an animal for the purpose of providing protective care to it at any time when the Officer deems it necessary to provide protective care to the animal.

8.3. A dog seized under this by-law shall be impounded for a period of three (3) days, exclusive of the day on which the dog was impounded and statutory holiday and Sundays, unless:

8.3.1 The dog is redeemed by the Owner during this period of impoundment in accordance with the provisions of this by-law;

8.3.2 The dog was seized for the purpose of providing protective care to it; or

8.3.3 In the opinion of the Animal Control Officer, the dog should be euthanized or receive veterinary care immediately.

8.3.4 A dog is seized for the purpose of providing protective care, in which case it shall be impounded for a period of up to ten (10) days, exclusive of the day on which the dog was impounded and statutory holiday and Sundays, unless the animal is redeemed by the owner during this period if impoundment in accordance with the provisions of this by-law or is euthanized for humane reasons.

8.3.5 Where the pound operator has impounded a dog or a cat that has a tag, name plate or other means of identification, the operator shall take all reasonable steps to find the owner of the dog or cat and shall forthwith notify the owner, if found, that the dog or cat has been impounded and can be redeemed on payment in full of all costs, fines and penalties.

8.4. Any other animal seized under this by-law shall be impounded for a period of three (3) days, exclusive of the day on which the animal was impounded and statutory holidays and Sundays, unless;

8.4.1 The animal is redeemed by the owner during this period of impoundment in accordance with the provisions of this by-law; or

8.4.2 In the opinion of the Officer, the animal should be euthanized or should receive veterinary care immediately.

8.4.3 Any other animal seized for the purpose of providing protective care to it shall be impounded for a period of eight (8) days, exclusive of the day on which the animal was impounded and statutory holiday and Sundays, unless the animal is redeemed by the owner during this period of impoundment in accordance with the provisions of this by-law or is euthanized for humane reasons.

8.5. The owner of an animal impounded under this by-law may redeem the animal upon payment of the appropriate impoundment and maintenance fees for the time of the impoundment and any fines under this and any other applicable Township by-laws.

8.5.1 In addition, the owner of a dog seized and impounded shall produce a valid dog tag for the dog before the owner may redeem it.

8.5.2 If a valid tag cannot be produced the owner of the dog shall obtain a license for the dog and be responsible for the payment of the penalty in Schedule "A" of this by-law.

8.6. If an animal is not redeemed within the time period specified in this by-law, the animal shall become the property of the Corporation and may be:

8.6.1 Put up for adoption; or

8.6.2 Euthanized by the Animal Control Officer

8.7. An Animal Control Officer may euthanize an animal without delay without permitting any person to redeem it if:

8.7.1 The animal seized and impounded under this by-law is seriously injured or ill and should be euthanized without delay for humane reasons; or

8.7.2 Euthanasia of the animal seized and impounded under this by-law is necessary for the safety of persons

8.8. Where, in the opinion of the Animal Control Officer, an animal seized and impounded under this by-law is injured and requires the services of a veterinary surgeon, the Animal Control Officer shall arrange for such services and, in addition to any amount charged under this Part, be entitled to charge the owner of the animal the cost of the veterinary care to the Animal Control Officer.

SECTION 9: QUARANTINE OF ANIMALS

9.1 If, in the opinion of the local Health Unit or an officer, an animal shall be put in quarantine, the owner of the animal shelter shall:

9.1.1. Comply with the quarantine order of the Health Unit or Officer; and

9.1.2. Be responsible for the costs associated with the quarantine, including the costs of any veterinary care required for the animal and any other applicable fees.

SECTION 10: PRECAUTIONS BY DOG OWNERS

10.1 The owner of a dog shall exercise reasonable precautions to prevent it from:

10.1.1. Biting or attacking a person or domestic animal;

10.1.2. Behaving in a manner that poses a menace to the safety or persons or domestic animals;

10.1.3. Shall ensure the dog is properly leashed when not on the property of the owner, or not on the property of a person who authorizes the dog to be on his/her property;

10.1.4. Persistently barking or howling;

10.1.5. Fail to prevent your dog from biting.

SECTION 11: MUZZLE ORDER - DOGS

11.1 General Provisions

11.1.1.Where an Officer determines that a dog is a potentially dangerous dog or a dangerous dog, the Animal Control Officer may issue a Muzzle Order to the owner of the dog;

11.1.2.The Animal Control Officer may impose conditions on the Muzzle Order to ensure the health and safety of the owner, the dog, and other persons and animals, and the order is effective immediately on issuance.

11.2 A Muzzle Order may be served by:

11.2.1 Delivering it personally to the owner of the dog; or

11.2.2 Sending it by registered mail to the last known address of the owner of the dog.

11.3 Notwithstanding other sections of the By-Law, when a Muzzle Order has been served, the owner of the dog:

11.3.1. Shall not permit the dog to be off the premises of the owner unless it is muzzled, and secured on a leash that shall be no longer than 1.8 metres (5.9 feet);

11.3.2. Shall ensure that the dog does not bite, chase or attack a person or a domestic animal on any property, including that of the owner;

11.3.3. Shall either restrict the dog on a chain capable of restraining the dog or confine it within a fenced yard capable of preventing the dog from escaping;

11.3.4. Shall put the dog under the control of a person at least eighteen (18) years of age when the dog is not on the owner's premises;

11.3.5. Shall notify the Animal Control Officer within five (5) days of transfer if the dog is transferred to a new location or if the ownership of the dog is transferred to another person in the municipality, and the Muzzle Order shall still apply;

11.3.6. Shall ensure that the dog is spayed or neutered;

11.3.7. Shall obtain a warning sign as prescribed by the Animal Control Officer which shall be posted and displayed continuously by the owner in a prominent location in close proximity where the particular dog is kept;

11.3.8. The dog shall be implanted with an identification microchip;

11.3.9. Shall comply with any other conditions imposed in the Muzzle Order.

11.4 A Muzzle Order expires when the dog dies or the Animal Control Officer is satisfied that it no longer resides in the Township.

SECTION 12: PAYMENT OF FEES

12.1. General Provisions

12.1.1. Every person responsible for the payment of any and all fees, costs and fines under this by-law shall make such payment in full upon demand by the Corporation.

12.1.2. The payment of any fees and charges as required under this by-law does not constitute partial or full payment of any fines imposed by a court of

competent jurisdiction for an offence committed under this or any other by-laws.

12.1.3. The Township Treasurer may add any charges payable to the tax roll of any property owned by the animal's owner and collect the amount in the same manner as taxes.

SECTION 13: OFFENCE

13.1. Every person who contravenes any provision of this by-law is guilty of an offence and is liable to a fine and any other penalties imposed pursuant to the Provincial Offences Act, 1990, c. P-33, as amended, the Dog Owner's Liability Act, 1990, as amended, if applicable, and the Pounds Act, 1990, as amended, if applicable.

13.2. Any person who receives a Notice of Offense is required to comply within seven (7) days of its delivery.

SECTION 14: VALIDITY

14.1. If a court of competent jurisdiction declares any section or part of a section of the by-law invalid, it is the intention of Council that the remainder of the by- law shall continue to be in force.

SECTION 15: REPEAL AND EFFECTIVE DATE

15.1. The following Township of Blandford-Blenheim by-laws are hereby repealed:

By-Law 1313-2000
By-Law 1362-2002
By-Law 1774-2013

SECTION 16: SHORT TITLE

16.1 This by-law shall be referred to as the "Animal Care and Control" By-Law.

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED ON THIS 15TH DAY OF APRIL, 2020.

MAYOR: Mark Peterson

Rodger Mordue, CAO/Clerk

SCHEDULE "A" TO BY-LAW 2184-2020,
as amended: Animal Care and Control

Part 1 Provincial Offences Act

Short Form Wording and Set Fines

Item	Short Form Wording	Column 2 Offence Creating Provisions	Column 3 Set Fines
1	Fail to obtain dog tag	Section 3.1	$105.00
2	Fail to keep dog license fixed on dog	Section 3.7	$105.00
3	Fail to obtain dog tag after moving to the Township	Section 3.9	$105.00
4	Fail to provide proof of rabies inoculation	Section 3.18	$105.00
5	Fail to protect animal from exposure to elements	Section 4.1.1	$300.00
6	Fail to shelter animal adequately for size	Section 4.1.2	$300.00
7	Fail to provide animal with adequate potable water	Section 4.1.3	$300.00
8	Fail to provide adequate nutritional food	Section 4.1.4	$300.00
9	Keep animal in unsanitary condition	Section 4.2	$300.00
10	Keeping more than three (3) dogs	Section 4.5	$105.00
11	Keeping prohibited animals	Section 4.9	$105.00
12	Fail to ensure that the animal enclosure is of an appropriate size and/or condition	Section 5.1.2	$300.00
13	Fail to ensure that the animal enclosure for every reptile, fish, amphibian has an enclosed space adequate for the needs of the species	Section 5.1.3	$300.00
14	Fail to ensure that the nature and condition of the animal enclosure are such that the animal would not be harmed and its health would not be negatively affected	Section 5.1.4	$300.00
15	Fail to ensure the animal enclosure is such that the animal can be readily observed	Section 5.1.5	$300.00
16	Fail to ensure that the animal enclosure is kept in a clean and sanitary condition	Section 5.1.6	$300.00

17	Fail to ensure that the animal enclosure is kept free of offensive odour	Section 5.1.7	$300.00
18	Fail to ensure that the animal enclosure is escape proof	Section 5.1.8	$105.00
19	Fail to keep/cause to be kept an animal enclosure outside a building or structure in a rear yard	Section 5.2.2	$105.00
20	Fail to keep/cause to be kept an animal enclosure outside a building or structure at least 3.1 meters from the property line	Section 5.2.3	$300.00
21	Fail to keep/cause to be kept an animal enclosure outside a building or structure at least 6.1 meters from any school, church, or residential building not located on the same lot	Section 5.2.3	$105.00
22	Fail to tether dog on restraining device more than 3.5 meters	Section 5.2.4.6	$300.00
23	Fail to allow officer to carry out inspection	Section 5.4	$105.00
24	Fail to pay annual kennel fee	Section 5.5.8	$105.00
25	Fail to remove excrement left by an animal on any property	Section 6.1	$105.00
26	Being an owner of an animal, permitting it to run at large	Section 7.1	$105.00
27	Fail to prevent dog from biting	Section 10.1.5	$500.00