

THE CORPORATION OF THE TOWN OF CALEDON

BY-LAW NO. 2006-127

Being a by-law to regulate the care of animals
in the Town of Caledon and to provide for the
operation of the Caledon animal shelter

WHEREAS Council of the Town of Caledon considers it appropriate to enact a by-law providing for the humane treatment and care of animals and to ensure that owners of animals provide good quality care to animals and demonstrate responsible animal ownership

AND WHEREAS the Council considers it appropriate to enact a by-law providing for the effective and efficient operation of the Caledon Animal Shelter

AND WHEREAS the Council considers it appropriate to vary by by-law the application of the *Pounds Act* in respect of the running at large, impounding and redemption of animals in the Town of Caledon

NOW THEREFORE the Council of the Town of Caledon **ENACTS AS FOLLOWS:**

DEFINITIONS

1. In this by-law,

“animal” means any member of the animal kingdom or living beings, including mammals, birds and reptiles but excluding fish

“animal control officer” includes any person working or employed in that capacity on behalf of the Town and his or her delegate

“animal enclosure” means an enclosed place for the keeping of animals and includes bird lofts, bird cages, pigeon coops, dog runs, dog pens, rabbit hutches, catteries and reptile tanks, but the rear yard of a residential property where fencing has been erected on or along the property lines for the purpose of enclosing, in whole or in part, the rear yard itself, shall not be deemed to be an animal enclosure

“animal hospital” means a building or part of a building where one or more licensed veterinarians and associated staff provide medical, surgical or similar services solely for domestic pets and this definition may include grooming facilities but it shall not include any facilities for the cremation or disposal of dead animals

“animal services” means the Animal Services of the Building and By-law Enforcement Department of the Town of Caledon;

“animal shelter” means the animal shelter owned and operated by the Town

“at large” includes an animal when found in a place other than the premises of the owner of the animal and not under the control of the owner, and in the case of dogs and cats including not being on a leash, and not under the care and control of a person demonstrably capable of restraining the dog or cat, and includes a stray dog or a stray cat;

“cat” means a domesticated feline animal, male or female;

“Council” means the Council of the Town;

“dangerous dog” means a dog that harms or injures a victim (human or other animal) by biting, scratching or any other mode of injury where the behaviour occurs with little or no warning, is displayed at full intensity and is not easily stopped;

“destroy or otherwise dispose of in a humane manner” includes kill

“dog” means a domesticated canine animal, male or female;

“dwelling unit” means a room or rooms which function as a housekeeping unit used or intended to be used as a domicile by one or more persons, in which a kitchen, living quarters and sanitary facilities are provided for the exclusive use of the residents and with a private entrance from outside the building or from a common hallway or stairway

“kennel” means a building or structure or part thereof used for the breeding, raising, boarding, housing, feeding, sheltering, maintenance, grooming or sale of dogs, cats or other household pets in accordance with this by-law

“leash” means a rope chain or other restraining device for a dog which may not exceed 1.83 metres (6feet) long

“microchip” means a transponder implanted into an animal by a veterinarian or an animal control officer and registered with a microchip pet identification entity

“muzzle” means a humane fastening or covering device over the mouth of a dog that is of sufficient strength to prevent the dog from biting

“owner” includes a person who possesses, harbours, gives shelter to, or has custody of an animal, and in the case of a minor, “owner” means the person responsible for the custody of the minor

“person” means an individual, partnership, association, firm or corporation;

“police work dog” means a dog trained for and engaged in law enforcement by any federal, provincial or municipal government agency;

“premises” include a dwelling unit, a building or structure and the land on which the dwelling unit, building or structure is situated

“protective care” includes a temporary keeping of an animal as a result of an eviction, incarceration, medical or fire emergency, or any other similar circumstances

“running at large” includes a dog or dogs when found in a place other than the premises of the owner of the dog or dogs, and not on a leash and not under the care and control of a person demonstrably capable of restraining the dog or dogs and includes a stray dog or dogs

“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 disability

“stray” means a cat that is apparently not owned or under the care and control of a person and that is found within the geographical boundaries of the Town

“threatening dog” means a dog that displays aggressive behaviour including growling, snarling, snapping, baring teeth, lunging or inhibited biting where the behaviour does not harm or injure the victim (human or other animal)

“Town” means The Corporation of the Town of Caledon

“veterinary hospital” means a building or part of a building that is used by a veterinarian and associated staff for the purpose of treatment, care or grooming of

large and small animals, including livestock and birds and this definition shall not include any kennel as defined in this by-law
 "unclaimed" means,

- (a) where an owner of an impounded dog or received cat fails to attend at the animal shelter to redeem his or her dog or cat on or before the expiry of seventy-two hours (72 hours), exclusive of statutory holidays, Saturdays and Sundays and excluding the day the dog or cat is impounded or received, or
- (b) where an owner of an impounded dog or received cat attends at the animal shelter within the prescribed time but fails to submit the redemption payment required under this by-law.

PART I

LICENSING OF DOGS

2. The owner shall obtain an animal licence for every dog owned by him which is three (3) months of age or older, immediately upon the dog coming into his possession.
3. To obtain a licence, the owner shall
 - (1) submit a completed an application, and
 - (2) pay, in full, a non-refundable fee in accordance with the Town's Municipal Act Fees By-law.
4. Any fees paid for a licence are not refundable.
5.
 - (1) On payment of the licence fee for a dog, the owner shall receive a valid dog tag and he shall keep the valid dog tag securely fixed on the dog at all times until the tag is removed or replaced in accordance with this by-law.
 - (2) A dog tag is valid
 - (a) only for the calendar year in which it was issued, and
 - (b) only in respect of the particular dog for whom it was issued.
 - (3) Notwithstanding any provision of this by-law, a dog tag may be removed while the dog is being lawfully used for hunting.
6. No person, other than the owner, shall remove a tag from a dog without the prior consent of the owner.
7. The owner of a dog shall return the tag for the dog to the Town when the dog dies, is destroyed, or is transferred to another owner.
8. No owner shall attach a tag to a dog other than the dog for which the tag was issued.
9. Except when the lost dog tag is a tag for a lifetime licence, an owner may obtain a replacement dog tag upon payment in full of the non-refundable fee set out in the Town's Municipal Act Fees By-law.
10.
 - (1) The provisions of section 3 do not apply where an owner has obtained and is in possession of a lifetime licence for the dog owned by him on the day that this by-law is passed.

- (2) This exemption remains in effect
 - (a) for the life of the dog licensed by way of a lifetime licence, or
 - (b) for the length of time that the lifetime licence remains in possession of the owner to whom it was issued
 whichever is the shorter.
- (3) When a dog tag for a lifetime licence is lost, the owner of the dog shall apply for and obtain a replacement lifetime licence tag.

LEASHING OF DOGS

- 11. The owner of a dog shall keep the dog on a leash and under the control of a person who is physically capable of controlling the dog when the dog is on premises in the Town other than the dog owner's premises unless
 - (1) the dog is found on the premises of a person who owns or occupies the premises and who consents to the presence of the unleashed dog, or
 - (2) the dog is a service animal or police work dog and the dog is performing his duties.
- 12. The maximum length of the leash shall not exceed 1.8 metres (6 feet) and shall be constructed of material reasonably capable of restraining the dog to which it is attached.

NOISE BY DOGS

- 13. In addition to the provisions of By-law 86-100, every person who owns a dog or who has care and custody of a dog shall at all times take all precautions necessary to prevent undue noise by the barking, yelping, whining, calling or howling of his dog.

KEEPING OF ANIMALS

- 14. The owner of an animal shall treat every animal owned by him in a humane manner including but not limited to providing the animal with medical care, shelter, food and water, sanitary facilities and exercise appropriate to, and adequate in the circumstances.
- 15. Except for the keeping of animals on lands zoned and lawfully used for agricultural purposes, no person shall keep or permit to be kept, an animal in an animal enclosure outside of a building or structure unless the animal enclosure is
 - (1) located in the rear yard,
 - (2) at least 1 metre (3.3 feet) from any property line,
 - (3) of a size and in a condition such that the animal may extend its legs, wings and body to their full natural extent including standing, sitting and perching,
 - (4) soundly constructed of hard, durable material which is impervious to water and provides protection from the weather,
 - (5) constructed of a material that may be readily sanitized,
 - (6) adequately ventilated for the health, welfare and comfort of the animal,

- (7) designed so that every animal contained therein may be readily observed unless the natural habitats of the animal require otherwise,
 - (8) kept free of offensive odour, and
 - (9) maintained in a good state of repair.
16. (1) No person shall keep, permit to be kept, or cause to be kept, on any premises
- (a) more than three (3) dogs, and
 - (b) a total of six (6) animals.
- (2) The prohibition in regard to the number of dogs and total number of animals shall not apply to premises which are lawfully zoned and used for
- (a) an animal hospital,
 - (b) agricultural purposes
 - (c) a kennel,
 - (d) a pet grooming facility,
 - (e) a pet shop,
 - (f) a police facility,
 - (g) a registered research facility
 - (h) a security firm authorized to provide guard dog services,
 - (i) a shelter operated by a branch of the Ontario Society for Prevention of Cruelty to Animals, or
 - (j) a veterinary hospital.
17. (1) No person shall keep, or permit to be kept, or cause to be kept, an animal listed in Schedule A attached hereto and forming part of this by-law.
- (2) The prohibition in regard to the keeping of the listed animals shall not apply to the operator of a lawful
- (a) agricultural operation where the person may keep cattle, horses, donkeys, ponies, mules, goats, swine, sheep, chicken, turkeys, ducks, geese, emus, ostriches and llamas,
 - (b) animal hospital,
 - (c) registered research facility
 - (d) shelter operated by a branch of the Ontario Society for the Prevention of Cruelty to Animals,
 - (e) veterinary hospital, or
 - (f) zoo.
18. The prohibition in regard to the number of dogs shall not apply to an owner who was keeping more than three (3) validly licensed dogs on the day that By-law 93-90 was enacted from keeping these self same dogs until they have died or have been otherwise disposed of.

ANIMAL EXCREMENT

19. The owner of an animal shall remove immediately any excrement left by such animal on any premises in the Town of Caledon.
20. Section 19 shall not apply
- (1) to an owner who is a person who relies upon a service animal while that animal is being used to aid that person with a visual or other physical disability, or
 - (2) to a horse or other animal commonly used for agricultural purposes.

ANIMALS RUNNING AT LARGE

21. No person shall permit, or cause to permit, an animal to run at large on any premises in the Town.
22. Notwithstanding section 21, a dog is deemed not to be running at large where the dog is
 - (1) a service animal or police work dog performing its duties,
 - (2) in a park designated by the Town as a leash free park, or
 - (3) found on the premises of a person who owns or occupies the premises and who consents to the presence of the unleashed dog thereon.
23. Notwithstanding section 21, a cat is deemed not to be running at large where the cat is found on the premises of a person who owns or occupies the premises and who consents to the presence of the unleashed cat thereon.
24. Any animal running at large may be seized
 - (1) by any person who shall deliver it to an animal control officer as soon as reasonable in the circumstances, or
 - (2) by an animal control officer who may impound the animal.
25. An animal control officer may kill an animal or cause to be killed an animal where
 - (1) the animal is running at large and is a threat to persons or other animals, or
 - (2) the animal which has been running at large has been seized and impounded and, in his reasonable opinion, the animal should be destroyed by reason of injury, disease, safety to persons or animals or other humane reason.

ORDER TO COMPLY

26. (1) The animal control officer who finds a contravention of this by-law may make an order to comply directing compliance with this by-law and may require the order to be carried out immediately or within such time as he specifies.
- (2) The order to comply shall be served on the person whom the animal control officer believes is contravening this by-law.
- (3) The order to comply shall contain sufficient information to specify the nature of the contravention.
- (4) The contravener shall comply with the order immediately or within the time period specified in the order.

DANGEROUS OR THREATENING DOG

27. (1) An animal control officer may issue an order to an owner of a dog identifying the dog as a threatening dog.
- (2) The order shall be in writing and shall be served on the owner of the dog.
28. Where a dog has been identified as a threatening dog, the owner of the dog shall ensure that the threatening dog is

- (1) spayed or neutered,
 - (2) vaccinated, and
 - (3) microchipped.
29. A threatening dog shall only be outside on the property of its owner if
- (1) it is kept only in rear yard where the rear yard is secured in such a manner that the threatening dog is effectively prevented from escaping, and
 - (2) all gates into the rear yard are kept locked at all times.
30. Where a secure rear yard is unavailable, a threatening dog shall be kept in the dwelling or in a pen or animal enclosure located in the rear yard.
31. A threatening dog shall not be kept in a garage where the garage has access through which the threatening dog can exit the garage onto a driveway or a front yard.
32. When not on the property of its owner, an owner of a threatening dog shall ensure that the threatening dog
- (1) wears a muzzle,
 - (2) is supervised and under control of a person eighteen (18) years or older who is physically capable of controlling it, and
 - (3) is on a leash of six (6) feet or 1.83 metres in length or less.
33. (1) An animal control officer may issue an order to an owner of a dog identifying the dog as a dangerous dog.
- (2) The order shall be in writing and shall be served on the owner of the dog.
34. Where a dog has been identified as a dangerous dog, the owner of the dog shall ensure that the dangerous dog is
- (1) spayed or neutered
 - (2) vaccinated, and
 - (3) microchipped.
35. A dangerous dog shall only be outside on the property of its owner if
- (1) it is kept in an animal enclosure in a rear yard where the rear yard is secured in such a manner that the dangerous dog is effectively prevented from escaping,
 - (2) the enclosure and all gates into the rear yard are kept locked at all times, and
 - (3) the enclosure and the rear yard fence are kept in good repair at all times.
36. A dangerous dog shall not be left unattended outside of the enclosure in the rear yard.
37. Where no person, eighteen (18) years of age or older, who is physically capable of controlling the dangerous dog is present on the property, the dangerous dog shall only be left inside a building from which it can not escape.

38. When not on the property of its owner, an owner of a dangerous dog shall ensure that the dangerous dog
- (1) wears a muzzle,
 - (2) is supervised and under control of a person eighteen (18) years or older who is physically capable of controlling it, and
 - (3) is on a leash of six (6) feet or 1.83 metres in length or less.
39. Every owner of a dangerous dog shall ensure that a sign containing the words "beware of dangerous dog" is displayed at each entrance to his premises and to each building on the premises in which the dangerous dog is kept. This sign shall be visible and legible from the nearest road.
40. (1) Every owner of a dangerous dog shall ensure that a policy of public liability (homeowner's) insurance, satisfactory to the Town, is in force at all times in the amount of at least one million dollars (\$1,000,000.00).
- (2) Every owner of a dangerous dog shall provide proof of this policy at any time at the request of an animal control officer.
41. In addition to the fee for a dog licence imposed under the Town's Municipal Act Fees By-law, the owner of a dangerous dog shall pay a further annual fee of one thousand dollars (\$1,000.00).
42. The provisions of this by-law regarding threatening dogs and dangerous dogs shall not apply to a guard dog where
- (1) the guard dog is fully trained as a guard dog by an accredited training facility, and
 - (2) the guarded property is fully fenced by a visible fence which is kept in good repair and which effectively prevents the guard dog from escaping.
43. (1) Where the animal control officer has issued an order identifying a dog as a threatening or a dangerous dog, the owner of the dog may request a hearing before Council.
- (2) A request for a hearing under subsection (1) shall be in writing and shall be received by the Clerk of the Town within fifteen (15) days of the day that the animal control officer issued the order and shall be accompanied by the payment, in full, of a non-refundable fee in accordance with the Municipal Act Fees By-law.
- (3) The provisions of sections 5 to 15 and 21 to 24 of the *Statutory Powers Procedure Act*, R.S.O. 1990, c. S. 22, as amended, shall apply to all hearings conducted by Council.
- (4) Council may confirm, rescind, amend or modify the order of the animal control officer.
- (5) The decision of Council shall be final and the owner shall immediately comply with the decision.
- (6) A request for a hearing under subsection (1) does not operate as a stay of the order of the animal control officer.

SERVICE OF ORDERS

44. (1) Any order required under this by-law to be served may be served personally or by registered mail sent to the last known address of the person to whom the order is to be given or to that person's agent for service.
- (2) If an order is served by registered mail, the service shall be deemed to have been made on the fifth day after the day of mailing unless the person to whom the order is given or that person's agent for service establishes that, acting in good faith, through absence, accident, illness or other unintentional cause the notice was not received until a later date.

KENNELS

45. No person shall construct, own, operate, maintain, manage, control or supervise or cause to be constructed, owned, operated, maintained, managed, controlled or supervised a kennel except in accordance with the following provisions,
- (1) The kennel building and its location shall comply with the provisions of the zoning by-law and the *Ontario Building Code Act* and any other applicable law.
- (2) The kennel building shall have
- (a) a floor constructed of concrete or other impermeable material and a drain opening constructed as a plumbing fixture
 - (b) electrical lighting
 - (c) windows which may be opened for adequate ventilation
 - (d) heating system sufficient to adequately heat the kennel
 - (e) mechanical ventilation system to adequately ventilate the kennel with required number of daily air changes in accordance with sound engineering practice
 - (f) hot and cold running water, and
 - (g) a food preparation area.
- (3) Every cage in the kennel shall be
- (a) adequately sized to permit the animal to extend its legs to their full extent, to stand, to sit, to turn around or to lie down in a fully extended position
 - (b) constructed solely of metal or wire and shall have a floor made of metal or other impermeable material.
- (4) The kennel building and the cages shall be maintained in a sanitary clean condition, in good repair, and free from offensive odours, vermin and disease.
- (5) There shall be adequate number of outdoor dog runs or an exercise area that will allow the dogs to run and receive adequate amount of daily exercise.
- (6) Where animals are permitted to use an outside area, there shall be constructed around such area, a chain link fence having a height of at

least five (5) feet (1.5 metres) and the wall of an adjacent building may be included as part of such fenced-in area.

- (7) Where a clipping and grooming service is performed, it shall be carried out in the kennel building only.
- (8) The animals shall be adequately fed and watered and a healthful temperature shall be maintained at all times.
- (9) An animal control officer may at any reasonable time enter upon and may inspect, without notice, any kennel or any place where dogs are kept.
- (10) No person shall obstruct or hinder the entry or inspection of a kennel by an animal control officer.

OFFENCE

46. Every person who contravenes any provision of Part I 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*, as amended.

PART II

IMPOUNDING OF ANIMALS

47. (1) An animal may be impounded by an animal control officer if an animal control officer or other person finds the animal running at large in the Town,
- (2) Notwithstanding subsection (1), an animal control officer
- (a) is not required to pick up a stray cat and deliver it to the animal shelter, and
 - (b) may refuse to receive an animal at the animal shelter where in his opinion
 - (i) there are no facilities available in the animal shelter,
 - (ii) the animal is not a stray, or
 - (iii) the animal poses a health hazard to humans or other animals in the shelter.

REDEMPTION OF ANIMALS

48. The animal control officer shall keep a record of any animal impounded or cat received at the animal shelter including the date the animal or cat was delivered to the animal shelter, the disposition of the animal or cat, the date of the disposition and the serial number of the dog tag if available, the microchip identification of the dog or cat and/or other means of identification.
49. Where the animal control officer is able to identify the name of the owner of an animal that has been impounded or cat that has been received at the animal shelter the animal control officer shall take all reasonable steps to notify the owner
- (a) that the animal is impounded or
 - (b) that the cat is at the animal shelter,
 - (c) that if the animal is not a dog or cat, it may be sold after the expiry of eight clear days from the date of impounding, and

- (d) that if the animal is a dog or a cat, it may be transferred, sold, made available for adoption or disposed of in a humane manner.
50. (1) The animal control officer shall keep every impounded dog or received cat for redemption by the owner for a minimum period of seventy-two (72) hours, exclusive of statutory holidays, Saturdays and Sundays and excluding the day the animal is impounded or the cat is received.
- (2) Where an impounded dog or received cat is unclaimed, the animal control officer may transfer, sell, make available for adoption or destroy or otherwise dispose of the animal or cat in a humane manner.
51. (1) Where the animal control officer intends to sell an animal (other than a dog or a cat), the animal control officer shall post notices of sale for three clear successive days in one public place in the Town and shall specify the time and place at which the animal will be publicly sold if not redeemed in accordance with the provisions of this By-law.
- (2) Where the animal control officer sells the animal (other than a dog or cat), the animal control officer shall
- (a) apply the proceeds of the sale in discharge of the redemption costs set out in this By-law and of the costs of selling the animal, and
- (b) return the surplus, if any, to the owner of the animal, if known to the animal control officer.
52. An animal control officer may destroy or otherwise dispose of an animal as soon as the animal is received without notifying the owner or permitting the owner to reclaim it or without offering it for sale, where in the opinion of the animal control officer, the animal should be destroyed by reason of injury, disease, safety to persons or other domestic animals, or for any other humane reason.
53. Where an animal control officer sells, destroys or otherwise disposes of in a humane manner an animal pursuant to the provisions of this by-law, no damages or compensation shall be recoverable from the Town.

REDEMPTION FEES

54. The animal control officer may release an impounded animal to the owner of the animal on payment of:
- (1) the fees as set out in the Municipal Act Fees By-law;
- (2) any and all expenses incurred by the Town as a result of the animal receiving medical treatment including but not limited to examination, x-rays, tests, and non-prescription or prescription drugs;
- (3) any and all expenses incurred by the Town as a result of placing the animal in quarantine;
- (4) the damages, as appraised by the animal control officer, caused by an impounded animal while the animal was running at large;
- (5) any monies owing under the provisions of the *Livestock, Poultry and Honey Bee Protection Act*; or any other applicable legislation, and
- (6) where applicable, any grooming costs incurred by the Town.

55. Where a dog that has no visible identification is redeemed by its owner the animal control officer is not required to release the dog unless:
- (1) the owner, where the owner is a resident of the Town, purchases a Town licence and attaches the dog tag to the impounded dog, or
 - (2) the owner, where the owner is not a resident of the Town, provides to the animal control officer satisfactory evidence that the dog is licensed by the municipality in which the dog is normally resident.

ADOPTION OF DOGS AND CATS

56. A person who intends to adopt a dog or a cat at the animal shelter, shall
- (1) complete an application to adopt,
 - (2) pay the adoption fee set out in the Municipal Act Fees By-law and the surcharge fee as set out in this by-law, and
 - (3) ensure that the dog or cat is sterilized by a veterinarian within three months of the date of adoption or prior to the time that the dog or cat is six months of age, whichever occurs first.
57. Where the animal control officer is of the opinion that in any particular case the payment of the adoption fee may create undue hardship, he may reduce the fee.
58. The animal control officer may deny the application for adoption where
- (1) the applicant is a minor and cannot provide to the animal control officer the written consent of the applicant's legal guardian to the adoption, or
 - (2) the animal control officer has reasonable grounds to believe that the applicant cannot provide care for the dog or cat as required by the provisions of this by-law.
59. An owner is not required to ensure that the adopted dog or cat is sterilized where the owner has provided a statement in writing from a veterinarian, satisfactory to the animal control officer, that the required surgery would be detrimental to the health of the adopted dog or cat.
60. Upon receiving a certificate of sterilization of the adopted cat or dog and evidence of payment of invoice from the veterinarian, from the person who has adopted the cat or dog, the animal control officer will make a payment of \$50.00 to that person as a rebate of the sterilization costs.

PROTECTIVE CARE

61. (1) An animal control officer may take possession of an animal for the purpose of providing protective care to the animal.
- (2) Where the animal has been received into protective care, the provisions of this by-law in respect of impounded animals, redemption of animals and adoption of dogs and cats shall apply with any modifications appropriate in the circumstances.

SURRENDER OF CAT OR DOG

62. (1) The owner may apply to an animal control officer to surrender a cat or dog owned by him to the Town.
- (2) The animal control officer may accept the cat or dog where the owner of the cat or dog
- (a) pays the fee as set out in the Municipal Fees By-law,
 - (b) agrees in writing that upon surrender,
 - (i) the ownership of the dog or cat is with the Town,
 - (ii) the dog or cat may be transferred, made available for adoption, sold, or otherwise disposed of in a humane manner.

QUARANTINE OF ANIMALS

63. (1) Where
- (a) a medical officer of health has ordered that an owner of a dog or cat confine and isolate the dog or cat for at least 10 days from all persons and animals due to a threat of rabies, and
 - (b) the owner cannot so isolate and confine the cat or dog at his place of residence,
 - (c) the owner may apply to the animal control officer to isolate and confine the cat or dog at the animal shelter.
- (2) The animal control officer may accept the cat or dog at the animal shelter where
- (a) the animal control officer is of the opinion that there are facilities available,
 - (b) the cat or dog does not pose an undue health hazard to humans and other animals at the shelter,
 - (c) the owner agrees to pay the full cost of the confinement and isolation as set out in the Municipal Act Fees By-law, and
 - (d) the owner provides a deposit by way of cash or credit card for the costs satisfactory to the animal control officer.

RELEASE OF DOG OR CAT

64. Notwithstanding any other section of this by-law, no animal control officer, other Town employee or anyone working under their direction is required to release any dog or cat or animal to any person until all applicable fees due under the provisions of this by-law have been paid in full.

BOARDING OF DOGS AND CATS

65. Where in the opinion of the animal control officer there is space available, the animal shelter may board dogs and cats:
- (1) where the owner:

- (a) produces evidence that the dog or cat has been vaccinated for the current year and neutered or spayed,
 - (b) upon request, produces evidence satisfactory to the animal control officer that the dog or cat will not be a danger or health hazard to either humans or to the other dogs or cats in the animal shelter;
 - (c) pays in advance all amounts previously owing to the Town under this by-law;
 - (d) pays in advance the applicable fee as set out in the Municipal Act Fees By-law; and
 - (e) signs an agreement and release in a form acceptable to the Town which shall include but not be limited to an agreement by the owner to, prior to the release of the dog or cat, to pay any additional fees as set out in the Municipal Act Fees By-law, to pay all veterinary bills incurred by the Town for the dog or cat and to pay for any and all injuries or damages caused by the dog or cat.
- (2) where the dog or cat is in a condition acceptable to the animal control officer, and
 - (3) where the dog or cat is not required to take any medication unless, in the opinion of the animal control officer, it is practical and feasible for the animal shelter to administer the medication.
66. The Town, its employees and anyone at law for whom it is responsible shall not be liable for the loss, illness, injuries or death however caused to the dog or cat arising from the dog or cat boarding at the animal shelter.

GROOMING OF DOGS AND CATS

67. A person may reserve a time with the animal shelter to use its grooming facilities where the owner:
- (1) produces evidence that the dog or cat has been vaccinated for the current year,
 - (2) upon request, produces evidence satisfactory to the animal control officer that the dog or cat will not be a danger or health hazard to either humans or to the other dogs or cats in the animal shelter;
 - (3) pays in advance all amounts previously owing to the Town under this by-law;
 - (4) pays in advance the applicable fee as set out in the Municipal Act Fees By-law; and
 - (5) signs an agreement and release in a form acceptable to the Town which shall include but not be limited to an agreement by the owner to pay any additional fees as set out in the Municipal Act Fees By-law, and agrees to pay any and all injuries or damages caused by the dog or cat.
68. The animal shelter may sell products and supplies associated with the grooming of dogs and cats and may charge a fee as set out in the Municipal Act Fees By-law.
69. Where the owner intends to give a treatment for fleas or for a skunk attack to the dog or cat the owner shall either purchase the supplies from the animal shelter or use supplies approved by the animal control officer.

70. The Town, its employees and anyone at law for whom it is responsible shall not be liable for the loss, illness, injuries or death however caused to the dog or cat arising from the dog or cat being groomed at the animal shelter.

DOG AND CAT SUPPLIES

71. The animal shelter may sell leashes and collars for dogs and cats redeemed or adopted from the animal shelter and may charge a fee as set out in the Municipal Act Fees By-law.

ADMINISTRATION

72. The Building & By-law Enforcement Department is responsible for the administration and enforcement of this by-law.

REPEAL

73. By-law Nos. 84-106, 93-90, 96-61, 96-64, 2001-70, 2001-71, 2001-123, 2002-49, 2002-165, 2004-149, 2005-136 be and the same are hereby repealed.

SHORT TITLE

74. This By-law shall be known as the "Animal Care and Control By-law".

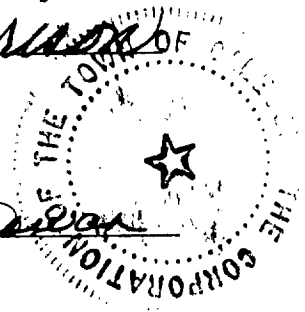
READ A FIRST, SECOND AND THIRD TIME

AND FINALLY PASSED IN OPEN COUNCIL

THIS 12th DAY OF September, 2006.


Marilyn Morrison, Mayor


Cheri Cowan, Clerk



SCHEDULE A

| CLASS | ORDER | COMMON NAMES |
|----------|------------------|---|
| Mammals | Artiodactyla | cattle, goats, sheep, pigs, deer, elk |
| | Carnivora | panda, otter, wolves, bears, seals, walruses, coyotes, foxes, leopards, cougars, lions, lynx, hyenas, minks, skunks, weasels, badgers, mongoose, civets, genets, coatimundi, cacomistles, raccoons (except domestic dogs, cats and ferrets) |
| | Chiroptera | bats, myotis, flying foxes |
| | Edentates | anteaters, sloths, armadillos |
| | Lagomorpha | hares, pikas (except domestic rabbits) |
| | Marsupialia | koala, kangaroo, possum, wallabies (except sugar gliders derived from self-sustaining captive populations) |
| | Primates | chimpanzees, gorillas, monkeys, lemurs |
| | Perissodactyla | horses, donkeys, jackasses, mules, zebras, ponies |
| | Proboscidea | elephants, rhinoceros, hippopotamus |
| | Rodentia | porcupines, prairie dogs, nutria, chinchillas (except rodents which do not exceed 1500 grams and are derived from self sustaining captive populations) |
| REPTILES | Crocodylia | alligators, crocodiles, gavia, caymans |
| | Squamata | venomous lizards & snakes and any snake that reaches an adult length greater than 3 metres (9.84 feet) |
| BIRDS | Anseriformes | ducks, geese, swans, screamers |
| | Galliformes | pheasants, grouse, quineafowls, turkeys, chickens, pea fowls, peacocks |
| | Struthioniformes | ostriches, rheas, cassowaries, emus, kiwis |
| | Raptors | eagles, hawks, falcons, owls |
| OTHER | | all venomous insects, reptiles and amphibians |