Office Consolidation

The Corporation of the Town of Orangeville

Animal Control By-law

By-law 2024-026

Amended By:

By-law Number	Date Amended:
2024-074	November 18, 2024
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The Corporation of the Town of Orangeville

By-law Number 2024-026

A by-law to regulate the keeping, licensing, registration, and control of certain classes of animals

WHEREAS Section 8 of the *Municipal Act,* 2001, S.O. 2001, c. 25, as amended hereinafter referred to as the "*Municipal Act*" provides that a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising the authority under the Act;

AND WHEREAS Section 8(3) of the *Municipal Act* authorizes a municipality to provide for a system of licences;

AND WHEREAS Sections 8, 11, 11(2) and 11(3) of the *Municipal Act* authorizes a municipality to pass a by-law to regulate, prohibit and require persons to do things respecting animals and in relation to health, safety and well-being of persons, the social well-being of the municipality and the protection of persons;

AND WHEREAS Sections 9, 11 and 391 of the *Municipal Act* authorizes a municipality to impose fees and charges on persons;

AND WHEREAS Section 23.1, 23.2 and 23.3 of the *Municipal Act* authorizes a municipality to delegate its powers and duties under the Act to a person;

AND WHEREAS Section 103 of the *Municipal Act* authorizes a municipality to pass by-laws to seize, impound, and sell animals that are trespassing or at large;

AND WHEREAS Section 425(1) of the *Municipal Act* authorizes a municipality to pass by-laws providing that a person who contravenes a by-law of a municipality passed under the *Municipal Act* is guilty of an offence;

AND WHEREAS Section 431 of the *Municipal Act* authorizes that where any by-law of a municipality under the *Municipal Act* is contravened and a conviction entered, in addition to any other remedy and to any penalty imposed by the by-law, the court in

which the conviction has been entered and any court of competent jurisdiction thereafter may make an order prohibiting the continuation or repetition of the offence by the person convicted and requiring the person convicted to correct the contravention;

AND WHEREAS Section 436 of the *Municipal Act* authorizes a municipality to pass a by-law providing that the municipality may enter on land to conduct inspections;

AND WHEREAS Section 62 of the *Provincial Animal Welfare Services Act*, 2019 provides municipalities the authority to deal with impounded animals as owners of animals;

AND WHEREAS the *Dog Owners' Liability Act*, R.S.O. 1990, c. D.16 authorizes a Municipal Law Enforcement Officer to seize and impound a dog under certain circumstances;

AND WHEREAS the Council for the Town of Orangeville deems it necessary and desirable to regulate the keeping of dogs and other animals in the Town of Orangeville;

NOW THEREFORE the Council of the Corporation of the Town of Orangeville enacts as follows:

1. Definitions

1.1 In this By-law:

Administrative Penalty By-law" means the Administrative Penalty By-law of the Town being By-law 2025-049, as amended from time to time, or any successor thereof;
(Amended by By-law 2025-051)

"**Animal"** means any member of the animal kingdom, other than a human;

"**Animal Control Officer**" means a person appointed as such by a by-law of the **Town**, or any other person directed by the **Clerk** to enforce this By-law, and includes the **pound keeper;**

"Cat" means a regular domestic cat;

"Clerk" means the Clerk for the **Town,** or any person designated by the Clerk;

"**Council**" means the Council of the Corporation of the Town of Orangeville;

"**Dog**" means a domestic dog;

"**Dwelling Unit**" means a room, or a suite of rooms operated as a housekeeping unit, used or intended to be used as a domicile by one or more persons and supporting general living conditions including cooking, eating, sleeping and sanitary facilities;

"Handler" means the person who has care and control of a **dog** at a particular point in time;

"**Harbour** or **Harboured**" shall include **keeping** or possessing for any period of time, whether temporary or not;

"Hen" means a female chicken;

"Hen Coop" means a structure used to house a **hen** and includes the covered outdoor enclosure area;

"**Keep**" or "**Kept**" shall include **harbouring** or possessing for any period of time, whether temporary or not;

"**Leash**" means a rope, chain or other material or restraining device used to restrain a **dog;**

"Leash Free Park" means a park owned by the **Town** where a **dog** is permitted to be off a **leash**;

"**Licence**" means a licence issued pursuant to this By-law;

"**Licence Issuer**" means a **Town** employee responsible for issuing a **licence** or any person designated by the **Clerk,**

"**Microchip**" means a device, designed to an approved Canadian standard, implanted in an **animal**, containing a unique code that permits or facilitates access to information such as the name and contact information of the **animal's owner**;

"**Officer**" means an **Animal Control Officer**, a **pound keeper** and their designates, an Ontario SPCA Officer, Police Officer, Municipal Law Enforcement Officer, the Medical Officer of Health, or other person appointed by by-law to enforce the provisions of this By-law;

"**Owner**" includes:

(a) any person who owns, **keeps,** or has custody of an **animal** and where the owner is a minor, the person responsible for the custody of the minor;

(b) a person who is temporarily the **keeper** of the **animal**;

"**Police Working Dog**" means a **dog** trained and actually engaged in law enforcement by any federal, provincial, or municipal government agency;

"**Pound**" means any premise or facility, or part thereof used by the **Town** for the temporary housing or boarding of **animals** that have been impounded pursuant to this By-law;

"**Pound Keeper**" means any premise or facility, or part thereof used by the **Town** for the temporary housing or boarding of **animals** that have been impounded pursuant to this By-law;

"**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 the **pound keeper** or **Officer** deems appropriate for the health and safety of the **animal**;

"Rear Yard" means a yard extending the full width of the property between the rear lot line and the main building on a property;

"Reputable Organization" means a reputable, recognized service dog training organization that offers the services of training and placing certified service dogs to persons with disabilities. Reputable Organizations shall include, but not be limited to: Assistance Dogs International, Canadian Assistance Dog Institute and National Service Dogs. Additional organizations included will be at the discretion of the Clerk upon receipt of appropriate supporting information;

"Rooster" means a male chicken;

"Service Animal" means an **animal** described in subsection 80.45(4) of O. Reg. 191/11, under the *Accessibility for Ontarians with Disabilities Act*, 2005, S.O. 2005, c.11, and may include **animals** in training to become a service animal with a **reputable organization**;

"**Songbird**" means a bird of the order:

(a) Passeriformes, which includes, but is not limited to birds commonly known as robins, blue jays, and cardinals;

(b) Apodiformes, which includes but is not limited to hummingbirds;

"**Tag**" means a tag issued by the **Town**;

"**Town**" means the Corporation of the Town of Orangeville;

"**Veterinary Clinic**" means a building, land or vehicle or any combination of them used or intended to be used as a place in or from which to engage in the practice of veterinary care;

"Wildlife" means an **animal** that belongs to a species that is wild by nature, but does not include:

(a) domestic **animals**; or

(b) a feral or stray **cat**.

2. Application and General

2.1 This By-law shall apply throughout the whole of the **Town**.

2.2 No person shall **keep** or **harbour** or permit to be **kept** or **harboured** at any one time, more than three (3) **dogs** on a property or per **dwelling unit**.

2.3 No person shall **keep** or **harbour** or permit to be **kept** or **harboured** at any one time, more than four (4) **cats** on a property or per **dwelling unit**.

2.4 Sections 2.2, 2.3 and 2.8 do not apply to the:

(a) **pound**; or

(b) **owner** of a:
   i. **veterinary clinic**;
   ii. pet store;
   iii. **pound** or an **animal** shelter operated by or on behalf of the **Town** for impounding **animals**;
   iv. facility in which **animals** are placed for care pursuant to the *Pounds Act*, R.S.O. 1990, c. P.17, as amended;
   v. facility registered as a research facility in accordance with the *Animals for Research Act*, R.S.O. 1990, c. A. 22, as amended.

2.5 No person shall own or **keep** a **dog** over the age of twelve (12) weeks without a current valid **dog licence**.

2.6 An **owner** of a **dog** shall **keep** the **tag** issued by the **Town** securely fixed on the **dog** it was issued at all times.

2.7 No person shall:

(a) affix a **tag** to any **dog** other than the **dog** for which it was issued; or

(b) remove a **tag** except to replace it with a current or valid **tag**.

2.8 No person shall **keep** or cause to be **kept** an **animal** identified as prohibited in Schedule A to this By-law.

2.9 No person shall own, **keep** or **harbour** a prohibited grandparented **animal** unless it is registered in accordance with Section 14.

2.10 No person shall own, **keep** or **harbour** a prohibited grandparented **animal** other than in accordance with the terms and conditions imposed by the **Clerk** and this By-law.

2.11 No person shall alter or modify or permit the alteration or modification of a **licence**.

2.12 No person shall use or attempt to use a **licence** issued to another person.

2.13 Every person who knowingly makes a false statement in an application, declaration, or paper writing required by this By-law or the **Town** is guilty of an offence.

2.14 No person shall dispose of or bury an **animal** on **Town** property or **Town** land.

2.15 Unless otherwise permitted by **Town** policy, other by-laws, or any legislation, no person **keeping** an **animal** shall allow such **animal**, other than a **service animal**, to be in **Town** facilities.

3. Licences and Registration

3.1 The **Clerk** is hereby delegated authority to issue **licences** and register **animals** in accordance with the provisions of this By-law.

3.2 The **Clerk** is hereby delegated authority to impose additional terms and conditions to an **owner** of a prohibited grandparented **animal** that in the opinion of the **Clerk** are reasonable and taking into consideration:

(a) health, safety and welfare of the **animal**;

(b) health, safety and well-being of persons;

(c) health, safety and welfare of other **animals**; and

(d) the impact on a neighbouring property or neighbouring property owner.

3.3 A **licence** or registration automatically expires and becomes null and void upon the sale, death or other disposal of an **animal** to which such **licence** and registration applies.

3.4 A **licence** issued by the **Town** is non-refundable.

3.5 A **licence** issued pursuant to this By-law is valid for a 12-month period from the date of purchase.
(Amended by By-law 2025-020)

3.6 A lifetime **licence** may be issued at the discretion of the **Clerk**, where proof of microchipping of the **animal** is provided.

3.7 Any record required by this By-law shall be produced by the Licensee upon request of an **Officer**.

4. Dogs – Application for a Licence

4.1 An **owner** of a **dog** that is over the age of twelve (12) weeks shall immediately obtain a **dog licence** from the **Town** or delegated entity.

4.2 An **owner** of a **dog** making an application for a **dog licence** shall submit:

(a) a complete application in the form provided by the **Town**;

(b) a certificate signed by a practicing veterinarian that the **dog** has been inoculated with an anti-rabies vaccine in accordance with Regulation 567: Rabies Immunization of the *Health Protection and Promotion Act,* R.S.O. 1990, c. H.7;

(c) proof of **microchip** where the application is for a lifetime **licence**; and

(d) the required **licence** fee.

(e) Any other documents that may be requested by the **Clerk**.

5. Dog – Licence

5.1 A **dog licence** in the form of a **dog tag** shall be issued where the **Clerk** is satisfied that the requirements of this By-law have been met.

5.2 An **owner** of a **dog** may obtain a replacement **dog tag** upon payment of the prescribed fee.

5.3 A lifetime **licence** may be transferred to a new **owner** of the same **animal** within the **Town** upon payment of the prescribed fee and receipt of sufficient information to validate the change of ownership, at the discretion of the **Clerk**.

6. Dogs – Leashes and at Large

6.1 No **owner** of a **dog** shall permit a **dog** to be at large in the **Town** except in a **leash free park**.

6.2 A **dog** is deemed to be running at large if found in any place other than the property of the **owner** of the **dog** and the **dog** is not on a **leash** and under the control of a person capable of handling the **dog**, unless prior consent is given by the person owning the property on which the **dog** is found.

6.3 Sections 6.1 and 6.2 of this By-law shall not apply to a:

(a) **police working dog**;

(b) **service animal** while under the care and control of its **handler** and/or actively engaged in its trained duties;

(c) **service animal** in training while under the care and control of its **handler** and/or actively engaged in its trained duties.

7. Excrement

7.1 Every **owner** of a **dog** shall immediately remove excrement left by the **dog** on property anywhere within the **Town** other than the property of the **owner**.

8. Leash Free Parks

8.1 No **owner** shall cause or permit their **dog** to enter or use a **leash free park** unless such **dog** is:

(a) vaccinated; and

(b) older than four (4) months.

8.2 No **owner** shall cause or permit their **dog** to enter or use a **leash free park** if the:

(a) **dog** poses any danger to other persons or **dogs**;

(b) **dog** displays, or has in the past displayed, aggressive behavior;

(c) **dog** is subject to a dangerous **dog** order from any municipality;

(d) **dog is** subject to a current interim order issued under the *Dog Owners' Liability Act*, R.S.O. 1990, c. D.16;

(e) **owner** has been advised by an **Officer**, **Town** designate, **Town** staff or authorized agent on behalf thereof, that the **dog** is prohibited from using the **leash free park**;

(f) **dog** is a Pit Bull as defined by the *Dog Owners' Liability Act*, R.S.O. 1990, c. D.16; or

(g) the female **dog** is in heat.

8.3 Every **owner** who permits their **dog** to enter or use a **leash free park** shall immediately remove the **dog** from the **leash free park** if:

(a) it shows any aggressive behaviour toward a person or other **dog**; or

(b) an **Officer**, **Town** designate, **Town** staff or authorized agent on behalf thereof, requests the removal of the **dog** for any reason.

8.4 Every **owner** shall:

(a) ensure that their **dog** is controlled by **leash** when entering and leaving a **leash free park**;

(b) accompany their **dog** while it is within a **leash free park** to ensure that it remains under control and within their sight at all times;

(c) be capable of controlling the **dog**;

(d) immediately remove any excrement left by such **dog**; and

(e) not bring more than three (3) **dogs** per visit at a **leash free park**.

8.5 No person shall cause or permit any **animal** other than a **dog** to enter or remain within a **leash free park**.

8.6 Every child within a **leash free park** shall be supervised and accompanied by their parent or a legal guardian at all times.

8.7 Every **owner** assumes all risks by entering into the **leash free park**.

9. Protective Care and Impoundment

9.1 An **Officer** may seize and impound an **animal** found running at large and may apprehend an **animal**.

9.2 Any **animal** trespassing or at large may be seized by any person, who shall deliver the **animal** to an **Officer** or the **pound keeper** and the **animal** will then be impounded.

9.3 An **Officer** may take possession of an **animal** for the purpose of providing **protective care** and is authorized to:

(a) receive **animals** pursuant to an eviction, incarceration, fire or medical emergency, or for any other situation that the **Officer** deems appropriate;

(b) temporarily **keep** such **animals** for a maximum of five (5) days;

(c) charge the **owner** the current per diem sheltering fee and all costs for required veterinary medical care, when the **animals** are redeemed; and

(d) at the end of the five (5) day **protective care** period, unless other arrangements are agreed to between the **owner** and the **Town**, treat such **animals** as day-one impounded **animals**.

9.4 Where an **animal** is seized and is injured or should be euthanized without delay for humane reasons or for reasons of safety to persons or **animals**, an **Officer** may euthanize the **animal**, or have the **animal** euthanized in a humane manner as soon after seizure as the **Officer** thinks fit without permitting any person to reclaim the **animal**.

9.5 Where the **owner** of an **animal** is known, the **pound keeper** shall make reasonable efforts to notify the **owner** that the **animal** has been impounded.

9.6 Where an **animal** is seized and impounded, the **pound keeper** shall return it to the **owner** provided that:

(a) the **owner** claims possession of the **animal** within three (3) days (excluding Sundays and holidays) after the date of seizure;

(b) the **animal** can be lawfully returned;

(c) upon payment of any applicable licensing and registration fees; and

(d) upon payment of the impound, boarding fees and veterinary fees necessary for the well-being of the **animal**.

9.7 The **owner** of an **animal** seized or impounded, if known, whether or not the **animal** is claimed by the **owner** from the **pound**, shall be liable for the payment of the impound fee, the boarding fee, and any veterinary care, and euthanasia and disposal fees applicable, and shall pay all fees on demand by the **pound keeper**.

9.8 Where at the end of three (3) days (excluding Sundays and holidays) an **animal** has not been returned to the **owner**, the **pound keeper** may dispose of the **animal** in accordance with the provisions of the *Animals for Research Act,* R.S.O. 1990, c. A. 22, as amended.

9.9 The **pound keeper** may destroy, or cause, or permit to be destroyed, any **animal** that has been impounded in the **pound** where the person that owned the **animal** before it came into the possession of the **pound keeper** has requested in writing that the **animal** be destroyed.

9.10 The **pound keeper** may refuse:

(a) the surrender of an **animal** for any reason; and

(b) the adoption of an **animal** for any reason.

9.11 All monies received for the sale or adoption of unclaimed **animals** shall become the property of the **Town** or the **pound keeper** as agreed to by the **Town**. However, in the event where the **Town** has entered into a contract, the terms of the contract shall prevail.

10. Cats – Identification

10.1 Every **owner** of a **cat** shall ensure that it has a **microchip**, identification nametag or similar means of identification always affixed to it, which shall include the current contact information for the **owner** of such **cat**.

11. Hens– General Provisions

11.1 No person shall **keep** or permit to be **kept** in the **Town**:

(a) more than three (3) **hens** on a property;

(b) more than one (1) **hen coop** on a property; or

(c) a **rooster**.

11.2 No person shall permit a **hen** to be outside of its **hen coop.**

11.3 Every person who owns, or **keeps** a **hen** on a property shall:

(a) reside on the property where a **hen** is **kept**;

(b) **keep** the **hen** in the **hen coop** at all times;

(c) ensure that between 9:00 p.m. one day and 6:00 a.m. of the following day, the **hen** is **kept** in the structure used to house the **hen** and the roof and door are locked;

(d) feed a **hen** in a manner that minimizes the attraction of rodents or other **animals**;

(e) store feed in a rodent-proof secured container and secure it at all times to prevent entry of rodents or other **animals**;

(f) not sell from the property, eggs, manure, meat or other products associated with the **keeping** of a **hen**;

(g) not slaughter or butcher a **hen** on the property;

(h) dispose of a dead **hen** immediately through:
   i. a livestock disposal facility;
   ii. veterinarian services; or
   iii. a facility approved by the applicable provincial Ministry;

(i) **keep** a **hen** in accordance with all other applicable laws.

12. Hen Coop – General Provisions

12.1 Every person who has a **hen coop** on a property shall ensure that:

(a) it is located in the **rear yard;**

(b) it does not interfere with any lot grading drainage or drainage swales;

(c) it is located a minimum of 3 metres from the side or rear lot line;

(d) it is located a minimum of 5 metres from any catch basin;

(e) it is a maximum size of 9 m^2;

(f) it is a maximum height of 2.1 metres;

(g) it provides a minimum floor area of 0.37 m^2 per **hen**;

(h) it provides a covered outdoor enclosure area of a minimum 0.92 m^2 per **hen**;

(i) it provides a perch area sufficient to accommodate all **hens**;

(j) it be constructed:
   i. to fully enclose a **hen** to prevent it from escaping;
   ii. to prevent other **animals** from entering the **hen coop;**
   iii. with a lockable roof and door; and
   iv. in the case of a floor, it shall be made of material resistant to moisture and mould, and lined with shavings, straw, or other appropriate materials to absorb manure and facilitate cleaning;

(k) they maintain the **hen coop** in a clean condition and free from the accumulation of feces, offensive odours, insect or rodent infestations;

(l) they remove feces daily from the **hen coop** and deposit in a secured waste receptacle or composter;

(m) they ensure the secured waste receptacle or composter is:
   i. stored in the **rear yard**;
   ii. located a minimum of 3 metres from any lot line;
   iii. maintained to prevent offensive odours; and
   iv. emptied on a regular basis.

12.2 A **hen coop** is only permitted on a property that:

(a) is zoned residential that contains a single detached dwelling or semi-detached dwelling in accordance with the **Town's** Zoning By-law; and

(b) is not located within a wellhead protection area where the vulnerability score is ten (10), as delineated in vulnerable area mapping in the Source Protection Plan, or where the **keeping** of **hens** would be identified as a significant drinking water threat activity under the *Clean Water Act* S.O. 2006, c.22.

13. Prohibited Animals

13.1 Notwithstanding Section 2.8, an **animal** identified as prohibited in Schedule A to this By-law may be **kept** or **harboured**:

(a) at a special event approved by the **Town**;

(b) at a premise licensed or exempt under the *Animals for Research Act,* R.S.O. 1990, c.A.22, as amended;

(c) by a person licensed, exempt or otherwise expressly permitted by provincial or federal legislation.

13.2 Notwithstanding Section 13.1, no person shall **keep** an **animal** prohibited by or under any federal or provincial legislation.

14. Prohibited Grandparented Animals

14.1 Any person who **harbours** or **keeps** a prohibited **animal** shall remove the prohibited **animal** or make an application and provide to the **Clerk** proof that the prohibited **animal** was lawfully owned prior to the prohibition within 90 days of the passing of this By-law.

14.2 The **Clerk** upon considering those **animals** that were prohibited by By-law 68-2000, as amended, this By-law and being satisfied that the prohibited **animal** was lawfully owned prior to the prohibition, may deem the prohibited **animal** to be grandparented.

14.3 The **Clerk**, upon deeming a prohibited **animal** to be grandparented shall enter information pertaining to the prohibited **animal** and its **owner** into a registry of prohibited grandparented **animals**.

14.4 The **Clerk** may impose additional terms or conditions on the **keeping** or **harbouring** of any prohibited grandparented **animal**.

14.5 Every **person** who owns a prohibited grandparented **animal** shall comply with all terms and conditions imposed under Section 14.4.

14.6 Any person who moves a prohibited grandparented **animal** to a location other than the one on file with the **Town**, shall notify the **Clerk** of the new location within the **Town** within forty- eight (48) hours after the prohibited grandparented **animal** is moved.

14.7 A prohibited grandparented **animal** may be **kept** until it dies or has otherwise been disposed of.

14.8 A person who has a prohibited grandparented **animal** that dies or is otherwise disposed of shall notify the **Clerk** within forty-eight (48) hours of its death.

14.9 The grandparented status of an **animal** may be revoked by the **Clerk** or designate at any time:

(a) where any grandfathered **animal** is deemed to be dangerous and/or poses a health or safety risk and/or is deemed to be improperly or unsafely housed,

enclosed or cared for;

(b) where an **owner** hinders, obstructs, or attempts to hinder or obstruct any inspection or enforcement provision in this By-law;

(c) where the applicant fails to comply with any provisions set out in this By-law;

(d) grandparented **animals** that upon inspection by the **Clerk** or designate are deemed to be improperly or unsafely housed, enclosed or cared for, may be seized and impounded.

15. Wildlife- Feeding

15.1 No person shall feed or attempt to feed **wildlife**, or permit the feeding of **wildlife** on their property, except:

(a) a person feeding **songbirds** as follows:
   i. the food intended for the **songbirds** is placed in a bird feeding device that is sufficiently above grade so as to not attract or be accessible to **wildlife**;
   ii. the bird feeding device is located on private property, and the property **owner** or occupant has given permission for the installation and use of the bird feeding device;
   iii. any food spilled from the bird feeding device is removed in a timely manner such that it does not attract other **wildlife**; and
   iv. the bird feeding device is **kept** in a sanitary condition and in good working order.

15.2 No person shall cause or permit a feeding device or any attractants to be left outside on any property, including but not limited to **Town** property or lands.

15.3 Notwithstanding Sections 15.1 and 15.2, a person may feed **songbirds** on their property provided it does not create a nuisance by reason of odour, sight or otherwise.

16. Fees

16.1 The fees for any **licence**, registration, or replacement **tag** issued pursuant to this By-law shall be as prescribed in Schedule B of this By-law and is payable upon submission of an application.

16.2 Where the **Clerk** has delegated the powers and responsibilities for the

administration and enforcement of this By-law to an external third party, the third party may charge fees in excess of the fees prescribed by Schedule B.

17. Enforcement and Power to Enter

17.1 The enforcement of this By-law shall be conducted by an **Officer**.

17.2 An **Officer** may enter on land at any reasonable time for the purpose of carrying out an inspection to determine whether or not:

(a) the By-law is complied with;

(b) the **licence**, or the term or condition of a **licence**, or this By-law is complied with; or

(c) a direction or order made under the *Municipal Act,* S.O. 2001, c.25, as amended, or this By-law is complied with.

17.3 For the purposes of an inspection under this By-law, an **Officer** may:

(a) require the production for inspection of documents or things relevant to the inspection;

(b) inspect and remove documents or things relevant to the inspection for the purpose of making copies or extracts;

(c) require information from any person concerning a matter related to the inspection; and

(d) alone or in conjunction with a person possessing special or expert knowledge, make examinations or take tests, samples or photographs necessary for the purposes of the inspection.

17.4 An **Officer** may enter on any public property or on any private property, for the purpose of catching, confining and transporting any **animal** at large to a safe location as determined by an **Officer**.

17.5 Nothing in this section confers on any **person** a right to enter any **dwelling unit** unless the prior consent of the **owner** or tenant of the **dwelling unit** is first obtained by the **person** who desires to enter the **dwelling unit.**

18. Orders

18.1 If an **Officer** has reasonable grounds to believe that a contravention of this By-law or the terms and conditions of an exemption have not been complied with, the **Officer** may make an Order requiring the person who contravened this By-law or the conditions of an exemption or who caused or permitted the contravention to occur to:

(a) discontinue the contravening activity; and/or

(b) do work or take action to correct the contravention.

18.2 An Order under Section 18.1 shall set out:

(a) reasonable particulars of the contravention adequate to identify the contravention;

(b) the location of where the contravention occurred; and

(c) either:
   i. in the case of an Order under Section 18.1 (a), the date by which there must be compliance with the Order; or
   ii. in the case of an Order under Section 18.1 (b), the action to be done and the date by which the action must be done.

18.3 An Order made under this By-law may be served personally, ordinary mail to the last known address or by email transmission to:

(a) the person the **Officer** believes contravened this By-law or the conditions of an exemption; and

(b) such other persons affected by the Order as the **Officer** making the Order determines.

18.4 An Order may be posted on site.

18.5 An Order sent by ordinary mail, shall be deemed to have been served on the seventh (7^{th}) day after the date of mailing, or if sent by registered mail, shall be deemed to have been served on the fifth (5^{th}) day after the date of mailing, or on the date of personal service, or on the date of email transmission.

18.6 An **Officer** who is unable to effect service of an Order pursuant to this By-law shall place a placard containing the Order in a conspicuous place at the last known address of the person named in the Order, and the placing of the placard shall be deemed to be sufficient service. The placing of the placard of the Order shall be deemed to be served on the date of placing the placard.

19. Penalty Provisions

19.1 Every person who contravenes any provision of this By-law, including failing to comply with an Order made under this By-law, and every director or officer of a corporation, who knowingly concurs in the contravention by a corporation is guilty of an offence and upon conviction is liable to:

(a) on a first offence, to a fine not more than $50,000.00; and

(b) on a second offence and each subsequent offence, to a fine of not more than $100,000.00.

19.2 Every person who contravenes any provision of this By-law is guilty of an offence and upon conviction is liable to a fine as provided for by the *Provincial Offences Act*, R.S.O. 1990, Chapter P.33, as amended.

19.3 Every person shall comply with any Order or Notice issued under the authority of this By-law.

19.4 No person shall hinder or obstruct, or attempt to hinder or obstruct, any **Officer** exercising a power or performing a duty under this By-law.

19.5 Every person who is alleged to have contravened any of the provisions of this By-law, shall identify themselves to an **Officer** upon request. Failure to do so shall be deemed to have hindered or obstructed an **Officer** in the execution of his or her duties.

19.6 Upon conviction any penalty imposed under this By-law may be collected under the authority of the *Provincial Offences Act*, R.S.O. 1990, c. P. 33, as amended.

19.7 This by-law is hereby designated as a By-law to which the Administrative Penalty By-law applies.
(Amended by By-law 2025-051)

19.8 Any person who contravenes any Designated Provision shall, upon issuance of a penalty notice in accordance with the Administrative Penalty By-law, be liable to pay an administrative penalty.
(Amended by By-law 2025-051)

20. Reserved

21. Severability

21.1 If a court of competent jurisdiction declares any section or part of this By-law invalid, it is the intention of **Council** that the remainder of this By-law shall continue in force unless the court makes an order to the contrary.

22. Administration

22.1 The **Clerk** is authorized to delegate the powers and responsibilities for the administration and enforcement of this By-law to any **Town** staff or external third parties deemed to be qualified and appropriate by the **Clerk** for such purposes.

22.2 The provisions of this By-law shall be without effect in the event of a conflict with the appropriate practices, as deemed by the **Town**, of the following:

(a) any public authority;

(b) a branch of the Ontario SPCA;

(c) an **animal** hospital, clinic or facility that is lawfully operated or supervised under the direction of a veterinarian licensed by the College of Veterinarians of Ontario.

23. Interpretation

23.1 References in this By-law to any statute or statutory provision include references to that statute or statutory provision as it may from time to time be amended, extended or re-enacted.

23.2 In this By-law, unless the context otherwise requires words importing the singular shall include the plural and use of the masculine shall include the feminine, where applicable.

23.3 The Schedules appended to this By-law are incorporated into and form part of this By-law.

24. Transitional Rules

24.1 By-laws 68-2000, 48-2003, 2020-061, 2021-034 and 2023-094, shall continue to apply to any enforcement proceedings commenced prior to the effective date of this By-law.

24.2 Any **dog licence** issued under By-law 68-2000 that expires on December 31, 2024 shall be extended to April 30, 2025.

25. Repeal

25.1 That By-laws 68-2000, 48-2003, 2020-061, 2021-034 and 2023-094 are hereby repealed.

26. Effective Date

26.1 This By-law shall come into effect on April 29, 2024.

Read three times and finally passed this 29th day of April, 2024.

Lisa Post, Mayor

Raylene Martell, Town Clerk

SCHEDULE 'A' to BY-LAW 2024-026

Prohibited Animals

1. With the exception of those **animals** which meet the requirements of the Permitted Exceptions, names of **animals** listed in the table below are provided as examples only and do not limit the generality of the Type.

Class	Type	Common Names	Permitted Exceptions
Arachnida	Araneae (non-indigenous)	Spiders	
	Pseudoscorpiones	Book scorpion, false scorpion	
	Scorpiones	Scorpions	
	Solifugae	Camel spider, wind scorpion, sun scorpion	
Aves	Accipitriformes	Hawks and eagles	
	Anseriformes	Ducks, geese and swans	
	Apterygiformes	Kiwis	
	Casuariformes	Emus and cassowaries	
	Columbiformes	Pigeons and doves	
	Falconiformes	Falcons	
	Galliformes	Pheasants, grouse, guineafowls, turkeys, and peafowls	**Hens**
	Gruiformes	Cranes	
	Phoenicopteriformes	Flamingoes	
	Rheiformes	Rheas	
	Sphenisciformes	Penguins	
	Strigiformes	Owls	
	Struthioniformes	Ostriches	
Mammalia	Artiodactyla	Cattle, goats, sheep, swine, deer, elk, camels, llamas, alpacas and reindeer (caribou)	
	Carnivora	Wolves, coyotes, foxes, fox hybrids, wolf hybrids, hyenas, tigers, leopards, jaguars, cougars, lions, lynx, cheetahs, hybrid bengal, savannah and chausie cats and similar hybrids, minks, skunks, weasels, otters, badgers, mongoose, civets, genets, cacomistles, raccoons, kinkajous, bears, seals, and walruses	Domesticated **dogs** Domesticated **cats** Domesticated ferrets

Class	Type	Common Names	Permitted Exceptions
	Chiroptera	Bats, myotis and fruit bats	
	Dermoptera	Flying lemurs	
	Eulipotyphla	Shrews	African pygmy hedgehogs
	Hyracoidea	Hyrax	
	Lagomorpha	Hares and pikas	Domesticated rabbits
	Marsupialia	Koalas, kangaroos, possums, opossums, wombats and wallabies	Sugar gliders derived from a self-sustaining captive population
	Monotremata	Platypus	
	Perissodactyla	Horses, donkeys, mules, zebras and ponies	
	Pholidota	Pangolins and scaley anteaters	
	Primates	Gorillas, monkeys, chimpanzees, lemurs, orangutans and bush babies	
	Proboscidea	Elephants	
	Rodentia	Porcupines, prairie dogs and nutria	Rodents such as hamsters, gerbils, chinchillas and guinea pigs which do not exceed 1,500 grams and are derived from a self-sustaining captive population
	Scadentia	Treeshrews	
	Sirenia	Manatee	
	Tubulidentata	Aardvark	
	Xenarthra	Anteaters, armadillos and sloths	
Reptilia	Crocodilia	Alligators, crocodiles, gharial and caimans	
	Squamata	Iguanas, savannah monitors, pythons and boas (including anacondas)	Non-venomous or non-poisonous lizards which have a maximum length of 70 cm

Class	Type	Common Names	Permitted Exceptions
			Non-venomous or non-poisonous snakes which have a maximum length of 3 metres
	Testudines	Terrapins, tortoises and turtles	Turtles derived from a self-sustaining captive population
Other	All venomous or poisonous **animals**		
	Exotic **animals** – not indigenous to Canada		

Schedule B to By-law 2024-026

(Amended by By-law 2024-074)

Fees

As per the Fees and Charges By-law currently in effect.