

## The Corporation of the Town of LaSalle

### By-law Number 8705

Being a By-Law to Regulate, Licence  
and Control Animals within the Town  
of LaSalle

**Whereas** Sections 9 and 11 of the *Municipal Act, 2001*, S.O. 2001, c.25, as amended, (the “Act”) provides that a municipality may pass By-laws respecting the following matters:

- Environmental well-being of the municipality (Section 11(2)5);
- Health, safety, and well-being of persons (Section 11(2)6); and
- Animals (Section 11(3)(9)).

**And whereas** Section 103 of the *Act* provides that if a municipality passes a By-law regulating or prohibiting animals from being at large or trespassing, the municipality may provide for the seizure and impounding of animals being at large or trespassing, and for the sale of impounded animals under certain conditions;

**And whereas** Section 105 of the *Act* provides that a municipality shall, upon the request of the owner of the dog, hold a hearing on whether to exempt an owner in whole or in part from muzzling requirements of a dog;

**And whereas** Section 23.1 and 23.5 of the *Act*, as amended, allows Council to delegate its administrative powers and its duty to hold a hearing to a person or a body, subject to certain restrictions;

**And whereas** Section 391 of the *Act* enables a municipality to pass By-laws imposing fees and charges on persons for services or activities provided or done by or on behalf of the person;

**And whereas** Council deems it desirable to pass a By-Law providing for a system of licencing, controlling, regulating and prohibiting certain animal species, and prohibiting the abandonment or disposal of animals and/or a litter of animals on private or other property, including public property, within the Town of LaSalle;

**And whereas** Council is desirous of ensuring that animals are kept and treated in a humane manner and that owners of animals provide good quality care to them.

**Now therefore the Council of The Corporation of the Town of LaSalle hereby enacts as follows:**

#### Part 1 – Definitions

1.1 In this By-law,

- i. **“Agricultural Area”** means those areas within the Town of LaSalle designated as “Agricultural” in the Comprehensive Zoning By-law of the Corporation, as amended;
- ii. **“Animal”** means a member of the animal kingdom, other than a human;
- iii. **“Animal Control Officer”** means a person appointed by Council to control animals under this By-law, and includes any servants of such person;
- iv. **“Bite”** verb or **“Bitten”** means to:
  - a) To cut, puncture, wound, tear, or bruise with teeth; or
  - b) To sever with teeth; or
  - c) To grip with teeth.

- v. **“Blind Person”** means a person who because of visual impairment is dependent on a guide dog or a white cane;
- vi. **“Boarding Establishment”** means a facility where, for a fee, gain or other compensation, lodging, meals or other services are provided to two or more dogs that do not ordinarily reside in that facility with their owner;
- vii. **“By-Law Enforcement Officer”** means a municipal By-law enforcement officer appointed by Council to enforce By-laws of the Corporation;
- viii. **“Choke Collar”, “Choke Chain” or “Prong Collar”** means a collar that tightens, constricts or pinches an animal’s neck when tension is applied and may inflict pain or discomfort on an animal;
- ix. **“Clerk”** shall mean a person appointed by Council as the Clerk of the Town of LaSalle;
- x. **“Collar”** means a strap which is placed around an animal’s neck, to which a leash, restraining device or tag may be attached;
- xi. **“Corporation”** means The Corporation of the Town of LaSalle;
- xii. **“Council”** means the Council for The Corporation of the Town of LaSalle;
- xiii. **“Dangerous Dog”** shall mean:
  - (a) a dog that, in the absence of any mitigating factor, has attacked, bitten, killed, or caused injury to a person or has demonstrated a propensity to, tendency or disposition to do so; or
  - (b) a dog that in the absence of any mitigating factor, has attacked, bitten, killed or significantly injured a domestic animal.
- xiv. **“Disability”** means any degree of physical disability, infirmity, malformation or disfigurement that is caused by bodily injury, birth defect or illness and, without limiting the generality of the foregoing, includes diabetes mellitus, epilepsy, a brain injury, any degree of paralysis, amputation, lack of physical co-ordination, blindness or visual impediment, deafness or hearing impediment, muteness or speech impediment, or physical reliance on a guide dog or other animal or on a wheelchair or other remedial appliance or device;
- xv. **“Dog” or “Domestic Dog”** means a canine of the species *Canis familiaris*;
- xvi. **“Dog Kennel”** means a building or structure or part thereof whereby dogs are kept for remuneration for the purpose of breeding, boarding, housing, feeding and/or maintenance;”
- xvii. **“Domestic Fowl”** includes chickens, geese, ducks, turkeys, and other such poultry and the young of any of them and includes game birds where the game birds are kept pursuant to the *Migratory Bird Convention Act, R.S.C. 1970, c. M-12*, as amended;
- xviii. **“Keep”** means to have temporary or permanent control or possession of an Animal;
- xix. **“Lakeshore Dog Pound”** means the pound which is jointly funded and managed by the Towns of Essex, Lakeshore, LaSalle and Tecumseh and receives stray dogs captured by the Town of LaSalle Animal Control Officer as well as the Animal Control Officers of the other funding municipalities;

- xx. **“Leash”** means a rope, chain or other restraining material that is attached to a collar or halter worn by an animal and that is capable of restraining the animal on which it is being used and is visible to others;
- xxi. **“Licence”** means a licence for a dog in the form of a dog tag;
- xxii. **“Medically Significant”** refers to venom or poison that causes severe illness, permanent or temporary tissue and/or nerve damage, blood pressure irregularities and possible death in humans and domestic animals;
- xxiii. **“Mitigating Factor”** shall mean circumstances which excuses aggressive behavior of a dog and, without limiting the generality of the foregoing, may include circumstances where:
  - (a) the dog was, at the time of the aggressive behavior, acting in defence to an attack by a person or domestic animal;
  - (b) the dog was, at the time of the aggressive behavior, acting in defence of its young;
  - (c) the dog was, at the time of the aggressive behavior, acting in defence to a person or domestic animal trespassing on the property of its owner;
- xxiv. **“Municipal Act, 2001”** means the *Municipal Act, 2001*, S.O. 2001, c.25, as amended and any regulations thereunder;
- xxv. **“Owner”** includes any person who keeps, harbors or is in control of an animal, and for the purpose of this definition “owns” or “owned” shall have a corresponding meaning and shall include a person who is temporarily the keeper or in control of an animal;
- xxvi. **“Person”** means any individual, firm, incorporated or unincorporated group or organization, business entity or club to whom the context can apply;
- xxvii. **“Premises”** means lands, buildings or any structures;
- xxviii. **“Poison”** means a substance that causes disturbance to organisms when a sufficient quantity is absorbed by an organism;
- xxix. **“Possession”** means the state of having, owning, or controlling something;
- xxx. **“Private Property”** means real property owned by a person(s) or individual(s) and which is located within the Town of LaSalle but does not include property owned by a government or a government agency, division or entity;
- xxxi. **“Prohibited Animal Species”** shall include animals that:
  - (a) Are Venomous or poisonous and whose Venom or poison is medically significant to humans or domestic animals;
  - (b) pose a real or potentially hazardous threat to humans, domestic animals or farm animals;
  - (c) pose a real or potentially hazardous threat to the local eco-system;
  - (d) are cited in the control list as published by the Canadian Wildlife Service of Environment Canada;

- (e) are listed in Schedule “B” Prohibited Animal Species, to this by law, which list may be revised from time to time; and/or,
  - (f) are prohibited or controlled by federal or provincial legislation.
- xxxii. **“Public Property”** means real property owned by a government or a government agency, division or entity and includes property owned by the Corporation;
- xxxiii. **“Restrained”** means being kept inside a building or house or in an enclosed pen of sufficient dimension and strength to be humane and to prevent a dog from coming into contact with persons, other than the owner of the dog, or any other domestic animal or within a securely fenced yard where the fence is a minimum height of 1.83 metres (6 ft.), The enclosed pen or the fenced yard shall be equipped with a locking device and self-latching device. The self-latching device shall be designed in such a manner that the pen or gate cannot be opened from the outside;
- xxxiv. **“Sell”** shall include the exchange of an animal for an amount of money or its equivalent;
- xxxv. **“Suitable Enclosure”** shall mean a building or structure that:
- (a) has its inside walls and ceiling lime washed or painted at least once per year;
  - (b) is screened as far as practicable from adjacent premises and streets by hedges, shrubs, or other suitable screening;
  - (c) is properly ventilated;
  - (d) in the opinion of the local Medical Officer of Health, does not house animals in such a manner or in such number as to be injurious or dangerous to the health the animal(s);
  - (e) is maintained in such a manner as to prevent odours arising from it;
  - (f) may be readily sanitized and is kept in a clean condition;
  - (g) is at least forty (40) feet from any school, church, dwelling, or other premises used for human habitation or occupancy other than premises occupied exclusively by the animal keeper or members of the keeper’s immediate family.
- xxxvi. **“Supervisor”** means the Supervisor of Planning & Development Services or his designate;
- xxxvii. **“Town of LaSalle”** means the lands lying within the geographical boundary limits of the Corporation;
- xxxviii. **“Venom”** means to any variety of toxins used by certain types of animals to inject their victims;
- xxxix. **“Venomous”** means any animals that inject their victims with toxin by means of a bite, sting, or other sharp body feature.

## Part 2 - Licencing and Control of Dogs

### Licencing & Registration

- 2.1 (a) No Person shall own any Dog or operate a Dog Kennel or Boarding Establishment within the Town of LaSalle unless that Person has obtained a Licence on an annual basis from the Corporation, which Licence shall expire on the 31<sup>st</sup> day of December in that year.

- (b) The owner of a Dog or Dog Kennel or Boarding Establishment shall obtain a Licence on an annual basis from the Corporation, which Licence shall expire on the 31<sup>st</sup> day of December of that year.
- (c) The Licence fee for the registration of a Dog or Dog Kennel or Boarding Establishment shall be payable by the owner in accordance with the fee schedule as set out in **Schedule "A"** attached hereto.

## **Dog Tags**

- 2.2 (a) Upon the payment of the Licence fee, the Owner of a Dog shall be furnished with a Dog tag for each dog so Licenced and registered.
  - (b) The Owner of a Dog shall keep the Dog tag securely fixed on the Dog at all times until the Dog tag is renewed or replaced in the following year.
  - (c) No Person shall permit a Dog tag issued by the Corporation to be worn by any Dog other than the Dog for which the tag was issued.
  - (d) In the event a Dog tag is lost or destroyed, upon producing a copy of his or her receipt showing payment had been made for a Licence for that Dog for the current licensing year, the owner shall, upon satisfying the Clerk of such loss or destruction, be entitled to receive one replacement tag, at no cost.
  - (e) In the event a Dog tag is lost or destroyed and the owner is not able to produce a copy of his or her receipt showing that payment had been made for a Licence for that Dog for the current licence year, the Owner shall, upon satisfying the Clerk of such loss or destruction, be entitled to receive a replacement tag upon payment of the replacement fee as set out in **Schedule "A"** attached hereto.
  - (f) No Person who has obtained a replacement tag pursuant to the provisions of subsection (d) or (e) herein, shall use or permit to be used the replacement tag to be worn by any Dog other than the Dog for which the original tag was issued.
  - (g) A Dog tag issued by the Clerk of the Corporation shall bear a serial number and the year in which it was issued.
  - (h) The Clerk shall maintain a record of the serial number of each Dog tag issued, and the name and address of the Owner of the Dog for which the tag was issued.
- 2.3 Any Person who becomes an Owner of a Dog or Dog Kennel or Boarding Establishment after the 1<sup>st</sup> day of February in any year shall be required to obtain a Licence from the Corporation within 15 days of acquiring the Dog, Dog Kennel or Boarding Establishment.
- 2.4 No Owner of a newborn Dog born to a Dog of the Owner shall be required to obtain a Licence for the said newborn until the newborn Dog has attained the age of 3 months, after which time the Owner shall be required to Licence and register the said newborn Dog within 15 days of that Dog attaining the age of 3 months.
- 2.5 (a) The Owner of a Dog Kennel, upon payment of the Licence fee shall not be liable to pay any further Licence fees to the Corporation for each Dog within the Dog Kennel.
  - (b) The Owner of the Dog Kennel shall not transfer the Licence obtained from the Corporation at any time to any other Person.
  - (c) No Person shall be entitled to obtain a Dog Kennel Licence unless the operation of the Dog Kennel complies with the provisions of the Comprehensive Zoning By-law of the Corporation.

- 2.6 Guide Dogs and Persons with Disabilities aid Dogs are exempt from the payment of all Licence fees applicable pursuant to this By-law but are still required to register the Dog and obtain a tag for identification purposes.

### **Number of Dogs**

- 2.7 No Person or household shall own in excess of three Dogs at any one time.
- 2.8 Section 2.7 does not apply in cases where a Person or household is temporarily fostering Dogs for one of the following organizations and can provide a copy of the foster agreement with the relevant organization:
- (i) a registered not for profit charitable organization devoted to the prevention of cruelty to animals; or
  - (ii) an animal shelter that is lawfully operated by the Ontario Society for the Prevention of Cruelty to Animals or an affiliated Society; or
  - (iii) the Lakeshore Dog Pound.
- 2.9 Notwithstanding section 2.8, no Person shall foster a Dog for a period exceeding ninety (90) days; and
- 2.10 Notwithstanding section 2.8, no Person or household shall foster more than three Dogs at any one time without providing proof that the Persons abutting the property on all sides of the property where the Dogs are being fostered consent, in writing, to such fostering activities.

### **Running at Large**

- 2.11 (a) No Person with a Dog shall cause or permit the Dog to run at large within the Town of LaSalle.
- (b) For the purpose of this By-law, a Dog shall be deemed to be running at large if it is found in any place other than the premises of the Owner and is not on a Leash.
- (c) A Dog shall not be deemed to be running at large if it is running within the confines of a municipal dog park.
- 2.12 Every Person with a Dog shall keep the Dog on a Leash that does not exceed six feet in length, and under the care and control of a Person when the Dog is not on the premises of the Owner, unless prior consent is given by the Person owning the premises upon which the Dog is found.

### **Control of Dogs**

- 2.13 (a) No Owner or Person in control of a Dog shall permit or encourage the Dog to bite, attack, kill or injure, with or without provocation, any Person or domestic Animal.
- (b) In the event a Dog bites, attacks, kills, or injures any Person or domestic Animal, or otherwise exhibits aggressive behaviour towards any Person or domestic Animal where a Mitigating Factor exists, the Owner or Person in control of that Dog shall not be considered in violation of Section 2.9(a) herein.
- 2.14 (a) An Animal Control Officer or Police Officer of the Corporation may seize and impound any Dog found:
- i. running at large contrary to this By-law;
  - ii. trespassing on Private Property, where requested to do so by the Owner or occupant of such Private Property; or

iii. not on the premises on which the Dog is habitually kept and is without a current Dog tag.

(b) The Animal Control Officer or Police Officer shall deliver every Dog seized pursuant to this By-law to the Lakeshore Dog Pound.

2.15 Every Person who owns or harbours a Dog shall immediately remove and dispose of any excrement left by his or her Dog.

2.16 No Person shall cause a Dog or permit a Dog to engage in persistent barking, calling, whining or other noise made by any Dog under his or her control.

### **Police Dogs**

2.17 This By-law shall not apply to any Dog owned, Possessed, or harboured by the LaSalle Police Service, Ontario Provincial Police, Royal Canadian Mounted Police or any other local police or other government enforcement agency.

## **Part 3 - Dangerous Dogs**

### **Designating a Dog as a Dangerous Dog**

3.1 Where the Supervisor has reasonable grounds to believe that a Dog has bitten, attacked, killed, or injured, with or without provocation, any Person or domestic animal, the Supervisor may designate that Dog as a Dangerous dog and shall:

(a) Serve notice or cause a notice to be served to the Dog Owner by delivering it personally to the Owner or sending it by registered mail to the last known address of the Owner of the dog.

(b) The notice shall include:

(i) a description of the Dog;

(ii) a statement that the Supervisor has designated the Dog as a Dangerous Dog;

(iii) requirements that the Owner must comply with and when they take effect; and

(iv) a statement that the Owner may appeal the decision of the Supervisor in writing, within fourteen (14) business days of the date of the notice.

(c) Where the Owner of the Dog is served with a notice designating the Dog to be a Dangerous Dog, the Owner may appeal the decision of the Supervisor to the By-law Review and Enforcement Committee ("the Committee") by filing an appeal with the Supervisor within fourteen (14) business days of the date of the notice.

(d) All appeals shall be in writing and include:

(i) reason(s) or grounds for the appeal;

(ii) identification of the appellant;

(iii) name of the agent, representative or lawyer representing the applicant (if applicable); and

(iv) municipal address, telephone number and email address for each Person identified in clause (ii) and (iii).

(e) Where an Owner files an appeal, the Committee shall hear the appeal by way of a hearing to determine whether the Dog is a Dangerous Dog. The Committee may confirm, alter, or repeal the designation, or direct the Owner to do anything the Committee

considers appropriate, and may substitute its decision for that of the Supervisor.

- (f) Notwithstanding that an Owner has filed an appeal, the designation by the Supervisor and the conditions imposed by the Supervisor remain in effect until the appeal is disposed of.
- (g) The decision of the Committee is final.
- (h) No member of the Committee or its staff is personally liable for anything done by it, or him or her under the authority of this By-law.

### **Restrictions Relating to a Dangerous Dog**

3.2 Where the Supervisor designates a Dog to be Dangerous, and serves the Owner with the notice of such designation, the Owner shall comply with such of the following conditions or requirements as may be set out in the notice:

- (a) Immediately upon being served with the notice, Keep the Dangerous Dog Restrained at all times when the Dangerous Dog is on the Private Property of the Owner in accordance with the definition for "Restrained" as outlined in section 1.1.
- (b) To obtain a new Licence for such Dangerous Dog from the Corporation and to pay the fee as set out in **Schedule "A"**, attached hereto;
- (c) To keep the Dangerous Dog under control at all times by a Person who is at least eighteen (18) years old;
- (d) To keep the Dangerous Dog securely on a Leash attached to a Dog collar or harness with such Leash to be a maximum length of one and one-half (1-1/2) metre and of sufficient strength to restrain the Dog and keep it from chasing a Person or a domestic animal at all times when the Dog is not on the owner's Private Property;
- (e) To securely attach a muzzle to the Dangerous Dog at all times when it is not on the owner's Private Property;
- (f) To display, at the entrance to the Owner's dwelling where a Person would normally approach, a warning sign that there is a Dangerous Dog on the property. The sign shall be posted in such a manner that it cannot be easily removed by passersby, and it is clearly visible to a Person approaching the entrance of the Owner's property. The sign shall be subject to the approval of the Supervisor;
- (g) To provide the Supervisor with any changes in the address or telephone number of the Owner within two (2) working days of moving with the Dangerous Dog;
- (h) To provide the Supervisor with the name, address and telephone number of the new Owner within two (2) working days of selling or giving away the Dangerous Dog to any other Person;
- (i) To advise the Supervisor forthwith if the Dangerous Dog has bitten or attacked any other Person or Animal;
- (j) To impound the Dog at the Owner's expense for a maximum of ten (10) days or until such time as the Owner of the said Dog has complied with all the requirements contained in this By-law for the Keeping of a Dangerous Dog;
- (k) To maintain a public liability insurance policy of a minimum amount of two million dollars (\$2,000,000.00), or in such higher amount as may be deemed appropriate by the Supervisor, and proof of such

insurance must be provided to the Supervisor with every application for a licence referred to in Section 2(a) of this By-law;

- (l) To obtain up-to-date rabies vaccination and provide proof of same satisfactory to the Supervisor;
  - (m) The Owner of a Dangerous Dog shall be prohibited from allowing such Dangerous Dog to enter a designated off-Leash area, that is so designated by signage and permits Dogs to be kept off-Leash; or
  - (n) Such other conditions as may be deemed appropriate by the Supervisor in his/her sole discretion.
- 3.3 No Person shall abandon a Dangerous Dog other than to a pound operated by, or on behalf of a municipality in Ontario, or to a registered research facility or supply facility under the *Animals for Research Act, R.S.O. 1990, c. A.22*, as amended.
- 3.4 The Owner of a Dog designated as a Dangerous Dog, shall comply with any additional conditions imposed by the Supervisor within ten (10) days thereof and shall provide proof satisfactory to the Supervisor.
- 3.5 In the event the Owner fails to comply with any of the requirements of this By-law or any condition imposed on the Owner for the Keeping of a Dangerous dog within ten (10) days thereof, the Corporation may seize the Dangerous Dog until such time as the Owner complies with the requirements to the satisfaction of the Supervisor.
- 3.6 Every Owner of a Dangerous Dog who is unable or unwilling to meet the requirements of this By-law or is unable or unwilling to comply with any condition imposed by the Supervisor, shall surrender such Dog into the care and control of the Animal Control Officer.
- 3.7 No Person shall interfere with, hinder, or impede the Supervisor in the performance of any duty authorized by this By-law or by provincial legislation.

#### **Part 4 - Appeal Hearing with Respect to Suspension of Dangerous Dog Designation**

- 4.1 One year following the issuance of the Dangerous Dog notice, or such other times specified by the Committee as part of an appeal hearing with respect to the issuance of a Dangerous Dog notice, and upon obtaining proof that the Dangerous Dog has been rehabilitated, the Owner of a Dangerous Dog may make appeal to the Committee for the suspension of the notice.
- 4.2 An application for a hearing with respect to the suspension of the Dangerous Dog designation shall be made to the Supervisor, in writing, by the Owner of the Dangerous Dog, and shall include proof that the appropriate steps have been taken to address the situation that led to the Dog being declared Dangerous.
- 4.3 Upon receipt of the application for a hearing with respect to the suspension of the Dangerous Dog designation from an Owner of a Dog that has been declared Dangerous, the Supervisor shall convene a meeting of the Committee and shall give the Owner of the Dog and the victim and/or Person who witnessed the Dangerous Dog injure, attack, bite or kill a Person or Domestic Animal, ten days written notice by hand delivery, email or registered mail of the date, time and location of the hearing.
- 4.4 Any evidence so provided to the Supervisor in accordance with section 4.1 shall be delivered to the members of the Committee, and the victim and/or Person who witnessed the Dangerous Dog by the Supervisor forty-eight (48) hours prior to the hearing.

- 4.5 When the Owner of the Dangerous Dog does not attend the hearing at the proper place and time, the Committee may proceed with the hearing in his or her absence and the Owner of the Dog that has been declared Dangerous shall not be entitled to any further notice of the proceeding.
- 4.6 The Committee shall deliberate the merits of the evidence presented and shall render its decision at the meeting or shall reserve its decision to be presented later, which shall not be later than ten (10) days following the date of the hearing.
- 4.7 A decision of the Committee may confirm that the Dog is Dangerous, and the designation is binding to the Owner, or may suspend the designation, which was previously issued, thereby exempting the Owner of the Dangerous Dog designation and any conditions that were required.
- 4.8 If the parties to the hearing consent, the hearing may be disposed of by a decision of the Committee without a hearing.
- 4.9 The decision of the Committee shall be final and binding.
- 4.10 The notice of the hearing or any matter which arises related to the proceeding of the Committee not covered in the provisions of this by-law shall be governed by the Statutory Powers Procedure Act, R.S.O. 1990, Chapter S.22.
- 4.11 A written copy of the decision of the Committee shall be prepared by the Supervisor as soon as is practicable after the conclusion of the hearing and shall be hand delivered or sent by registered mail to the Owner of the Dog that has been declared Dangerous at the address shown on their application, the victim and/or the witness, the Police Department, the Committee members, and the Clerk.

## **Part 5 - Dog Kennels**

- 5.1 Prior to establishing a Dog Kennel being operated for the purpose of breeding Dogs, every Person shall advise the Clerk, in writing of their intention to establish such Dog Kennel and shall provide, at the same time, documentation that clearly illustrates that the applicant is registered with the Canadian Kennel Club.
- 5.2 Prior to issuing a Licence for a Dog Kennel that is being Licenced for the first time, the By-Law Enforcement Officer for the Town shall visit the site to ensure that it meets the requirements of the following:
  - (a) the Owner of the Dog Kennel shall reside within the main building on the subject lands;
  - (b) shall be located in an Agricultural zone and a minimum lot size shall be one hectare;
  - (c) the Dog Kennel shall not be constructed within 120 meters of a school site recreational site or any dwelling on an adjacent lot other than the lot on which the Dog Kennel is located;
  - (d) a Dog Kennel shall be constructed in accordance with the following:
    - (i) minimum front yard depth of 15 meters,
    - (ii) minimum rear yard depth of 15 meters minimum side yard depth of 6 meters, and
    - (iii) maximum floor area of 200 square meters
- 5.3 No Dog Kennel may be established except where its permitted and in the manner prescribed in section 5.1.

- 5.4 Dog Kennels may be subject to an inspection from time to time by the By-law Enforcement Officer and where, in the opinion of the By-law Enforcement Officer, the Dog Kennel is not being kept in a manner prescribed by the Dog Kennel License issued under section 2.1 the Owner of such Dog Kennel will be required to meet the requirements within three days, failing which the Dog Kennel License will be revoked.
- 5.5 Every Dog Kennel shall always be kept in a clean and sanitary condition and free of refuse of any kind to prevent the odors therefrom and shall be kept free of flies and vermin at all times.

## **Part 6 - Keeping of Animals**

### **Responsibility to Care for Animals**

- 6.1 Every Person who owns an Animal within the Town of LaSalle shall ensure that such Animal is treated humanely, which shall include:
- (a) a clean and sanitary environment free from an accumulation of fecal matter;
  - (b) a shelter that is waterproof and that protects it from exposure to the elements;
  - (c) a shelter for the Animal that is adequate and appropriate for its size and breed; and
  - (d) adequate and appropriate care, food, water, shelter, exercise, attention, veterinary care, and opportunity for physical activity as may be required to meet the needs of the species.

### **Tethers**

- 6.2 No Person shall keep an Animal tethered on a rope, chain, cord, or similar restraining device unless:
- (a) the tether is of appropriate length for the species tethered;
  - (b) the Animal has unrestricted movement within the range of such tether;
  - (c) the Animal is not tethered for longer than 4 hours per day;
  - (d) the Animal has access to water and shelter while tethered; and
  - (e) the Animal cannot injure itself as a result of the tethering.
- 6.3 Notwithstanding Section 6.2, in the case of Dogs, the tether shall be a minimum of three (3) metres in length, provided the tether does not permit the Dog to go beyond the limits of the Dog Owner's Private Property.
- 6.4 Notwithstanding Section 6.2, 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 that is tied directly around an Animal's neck.

### **Animals in Vehicles**

- 6.5 No Person shall allow an Animal to be outside of the passenger cab of a motor vehicle on a roadway, regardless of whether the motor vehicle is moving or parked.
- 6.6 Notwithstanding Section 6.5, a Person may allow an Animal to be outside the passenger cab of a motor vehicle, including riding in the back of a pickup truck or flat bed truck if the Animal is:

- (a) in a fully enclosed trailer;
  - (b) in a topper enclosing the bed area of a truck;
  - (c) contained in a ventilated kennel or similar device securely fastened to the bed of the truck; or
  - (d) securely tethered in such a manner that it is not standing on bare metal, cannot jump or be thrown from the vehicle, is not in danger of strangulation and cannot reach beyond the outside edges of the vehicle.
- 6.7 No Person shall leave an Animal unattended in a motor vehicle if the weather conditions are not suitable for containment of an Animal.
- 6.8 A Police Officer and/or a By-law Enforcement Officer who has reasonable grounds to believe that an Animal left unattended in a motor vehicle is in imminent physical danger may take steps to remove the Animal from the vehicle and shall not be held liable for any damage to the vehicle by so doing.

### **Part 7 - Feeding of Wildlife**

- 7.1 No Person shall intentionally feed a wild Animal or leave food or attractants of any type or in any form out of doors in such a manner as to attract, or be accessible by a wild Animal, feral or stray domestic animal on Private or Public Property.
- 7.2 7.1 does not apply to the feeding of songbirds on a Private Property, provided the following feeding requirements are met by the resident:
- (a) seed is placed in a bird feeding device that is sufficiently above grade as to not attract or be accessible by wild Animals;
  - (b) bird feeding practices do not attract large flock of homing birds such as wild, feral, or domestic Pigeons; and
  - (c) spillage of seed upon the ground is removed by the property Owner or resident forthwith and disposed of in such a manner that it does not attract wild Animals, feral or stray domestic animals.
- 7.3 7.1 does not apply in the following situations:
- (a) the leaving of food as bait in a trap by a Property Owner or resident to capture a sick or injured Animal inhabiting or habituating their property pursuant to this by-law;
  - (b) the leaving of food as bait by a licensed trapper, an employee of a wildlife or pest control agency licensed by the province, the Animal Control Officer, a Police Officer, or other Government Entity in the performance of their duties;
  - (c) the leaving of food for a colony of Stray or feral cats for the purpose of trap, neuter or spay, and manage program approved by the Supervisor.

### **Part 8 - General**

- 8.1 No Person shall keep, either permanently or on a temporary basis, or cause to be Kept, either permanently or on a temporary basis, at or in any premises:
- (a) more than four (4) cats;
  - (b) any Domestic Fowl, including pigeons, horses, donkeys, mules, cattle, goats, swine, sheep, or any type thereof, except on a parcel of

land zoned Agricultural Area as per the Comprehensive Zoning By-law; and

- (c) any Prohibited Animal Species within the Town of LaSalle;
  - (d) no Person shall own, sell or cause to be sold, or transfer ownership of a Prohibited Animal Species within the Town of LaSalle;
  - (e) despite subsection (d), any Person who, on the date of the passage of this by-law, was lawfully Keeping a Prohibited Animal Species as defined in this bylaw may Keep that Animal until the Animal has died or has otherwise been disposed of;
  - (f) no Person shall permit a Prohibited Animal Species to run at large within the Town of LaSalle;
- 8.2 (a) Section 8.1 of this By-law shall not apply to any person who has lawfully been keeping Domestic Fowl, including pigeons, horses, donkeys, mules, cattle, goats, swine, sheep, or any type thereof on the date of the passage of By-Law Number 7841 on December 15, 2015.
- (b) In the event a person to whom section 8.2 (a) herein applies suffers a loss of any Domestic Fowl, including pigeons, horses, donkeys, mules, cattle, goats, swine, sheep, or any type thereof lawfully kept on the date of the passing of this By-law, either by death, sale, loss or other means, the said person shall not be permitted to replace or substitute the said Domestic Fowl, including pigeons, horses, donkeys, mules, cattle, goats, swine, sheep, or any type thereof.
- 8.3 (a) No Person who owns any Animal shall permit such Animal to run at large within the Town of LaSalle.
- (b) For the purpose of this By-law, an Animal shall be deemed to be running at large if it is in any place other than the premises of the Owner and is not under control of any Person.
- (c) Every Owner and every Person in control of an Animal shall Keep the Animal on a Leash that does not exceed six (6) feet in length and under the care and control of a Person when the Animal is not on the land or premises of the Owner within the Town of LaSalle, unless prior consent is given by the Person owning the land or premises upon which the Animal is found.
- 8.4 Section 8.1 of this By-law shall not apply to:
- (a) An Animal hospital or clinic lawfully operated and supervised by a veterinarian licensed to practice in Ontario;
  - (b) A pet store that is in compliance with the Corporation's Zoning By-law and has been registered as a pet store with the Corporation; or
  - (c) The lawful operation of any circus, exhibition, menagerie, or carnival.

## Part 9 – Enforcement and Penalties

- 9.1 Every person who contravenes any of the provisions of this By-law is guilty of an offence and, upon conviction is liable to a fine or penalty under the Provincial Offences Act, R.S.O 1990, Chapter P.33, as amended.
- 9.2 Each day that such offence is committed, or permitted to continue, shall constitute a separate offence and may be punishable as such. Such fines shall be recoverable under the Provincial Offences Act, R.S.O 1990, Chapter P.33, as amended.
- 9.3 An Officer or designate may enter on land at any reasonable time for the purpose of carrying out an inspection to determine whether or not the provisions of this By-law are in compliance and to enforce and carry out the provisions of this By-law or any direction or order issued pursuant to the Municipal Act, 2001, S.O 2001, c.25 or this By-law.
- 9.4 For the purpose of an inspection under section 9.3 an Officer or designate may,
- (a) Required 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 purpose of the inspection.
- 9.5 A sample taken under section 9.4 (d) shall be divided into two parts, and one part shall be delivered to the Person from whom the sample is taken if the Person so requests at the time the sample is taken and provides the necessary facilities.
- 9.6 If a sample is taken under section 9.4 (d) and the sample has not been divided into two parts, a copy of any report on the sample shall be given to the Person from whom the sample was taken.
- 9.7 A receipt shall be provided for any document or thing removed under section 9.4 (d), and the document or thing shall be promptly returned after the copies or extracts are made.
- 9.8 No Person shall interfere with, hinder or impede, or attempt to interfere, hinder or impede an Officer or designate in the performance of any duty authorized by this By-law or by provincial legislation.
- 9.9 If the Officer or designate is satisfied that a contravention of this By-law has occurred, the Officer or designate may make an order requiring the Person, Owner or occupier of the land who contravened the By-law or who caused or permitted the contravention to:
- (a) Discontinue the contravening activity; or
  - (b) Do work to correct the contravention.
- 9.10 Any Person who contravenes an order under section 9.9 is guilty of an offence.
- 9.11 An order under section 9.9 shall set out:

- (a) Reasonable particulars of the contravention adequate to identify the contravention and the location of the land on which the contravention occurred; and
  - (b) The date by which there must be compliance with the order.
- 9.12 An order under section 9.9 shall be served to the Owner or any Person the Officer or designate determines to be an interested party. Service of an order shall be deemed to be served by sending the order registered or first class mail, by posting or by personal service.
- 9.13 An order under section 9.9 may require work to be done even though the facts which constitute the contravention of the By-law were present before the By-law making them a contravention came into force.
- 9.14 In default of any work directed or required by the Town under this section being done by the Person directed or required to do it, the matter or thing shall be done at the Person's expense.
- 9.15 Where the Town or any authorized agent on behalf of the Town has performed the work required to bring about compliance with the By-law, the Town may recover the cost of doing anything or matter under section 9.14 by action or by adding the costs to the tax roll and collected in the same manner as property taxes.
- 9.16 The costs in section 9.15 shall include interest calculated at a rate of 15 percent, calculated for the period commencing on the day the Town incurs the costs and ending on the date the costs, including the interest, are paid in full.
- 9.17 For the purpose of section 9.14, the Town or any authorized agent on behalf of the Town may enter upon land at any reasonable time and complete the work set out in the order.
- 9.18 Where the singular is used it shall also mean or stand for the plural.
- 9.19 By-law Numbers 7841 and 7882 be and the same are hereby repealed.

Read a first second and third time and finally passed this 24 day of May, 2022

1st Reading – May 24, 2022

2nd Reading – May 24, 2022

3rd Reading - May 24, 2022

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Mayor

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Clerk

**Schedule "A" to By-Law No. 8705**

**Licence Fee Table**

<b>Category</b>	<b>Licence Fee Jan 1st to March 31st</b>	<b>Licence Fee Effective April 1st</b>
Unaltered Dog	\$22.00	\$44.00
Altered Dog	\$18.00	\$36.00
Kennel Licence	\$100.00	\$200.00
Boarding Establishment	\$100.00	\$200.00
Dangerous Dog	\$100.00	\$200.00
Replacement Dog Tag	\$11.00	\$11.00
Dog Adopted from Lakeshore Dog Pound	N/A	Fee waived for 1st year

## Schedule "B" to By-Law No. 8705

### Animal Care and Control By-Law Prohibited Animal Species

Order, Class or Family	Examples
<b>Mammals</b>	
<ul style="list-style-type: none"><li>• Canidae, excluding domestic dog</li><li>• Felidae, excluding domestic cat</li><li>• Non-Human Primates lemurs</li><li>• Proboscidae</li><li>• Ursidae</li></ul>	<p>Coyotes, wolves, foxes, hybrid wolf dog Tigers, leopards, cougars, lion, lynx Chimpanzees, gorillas, monkeys, Elephant Bears</p>
<b>Reptiles</b>	
<ul style="list-style-type: none"><li>• Crocodylia</li><li>• All Snakes which reach an adult length larger than 3 metres</li> <li>• All Lizards which reach an adult length larger than 2 metres, measured from snout to tip of tail</li></ul>	<p>Alligators, crocodiles, gavials, caiman Reticulated python, Burmese python, green anaconda, yellow anaconda, African rock python, Indian python, amethyst python Crocodile lizard, monitor lizard</p>

The examples provided are only provided as a guide and shall not be considered to include all prohibited animal species within an animal order, class, or family.