

**THE CORPORATION OF THE
TOWNSHIP OF EAST ZORRA-TAVISTOCK
COUNTY OF OXFORD
BY-LAW #2008-35**

BEING a by-law to establish licensing provisions and for the regulation of dogs in the Township of East Zorra-Tavistock.

WHEREAS Section 11 of the Municipal Act 2001, S.O. 2001, Chapter 25, as amended, provides that lower tier municipalities may pass by-laws respecting animals;

AND WHEREAS section 8 of the said Act provides that a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under this or any other Act;

AND WHEREAS section 103 of the said Act provides that where a municipality passes a by-law regulating or prohibiting animals from running at large or trespassing it may provide for the seizure and impounding of animals found trespassing or being at large and provide for procedures to deal with such animals;

AND WHEREAS section 129 of the said Act provides that a local municipality may prohibit and regulate with respect to noise, vibration and odour;

NOW THEREFORE the Council of the Township of East Zorra-Tavistock enacts as follows:

1. DEFINITIONS

1.1. The following definitions shall apply in this by-law:

- 1.1.1. "Animal Control Officer" shall mean an employee of the Township or employee of an Animal Control Company or individual contracted by the Township to provide Animal Control Services.
- 1.1.2. "Dog" shall mean any domesticated canine, male or female.
- 1.1.3. "Owner of a Dog" means any person who owns, possesses, harbours, shelters or has custody of an animal and, where the Owner is a minor, the person responsible for the custody of the minor.

2. DOG LICENSING

- 2.1. All owners of dogs in the Township must purchase a dog tag for each dog under their care.
- 2.2. All owners of dogs shall ensure the tag is appropriately affixed to the animal.
- 2.3. Every licence issued by the Township shall expire annually on the 31st day of December in the year in respect of which it was issued.
- 2.4. All Kennel Operators in the Township shall obtain a Kennel License.
 - 2.4.1. Kennel licences shall be granted for purebred breeding operations and must meet all zoning regulations as provided under the Township of East Zorra-Tavistock Consolidated Zoning By-law.
- 2.5. The fee for a dog tag or Kennel Licence shall be as set out in the latest fee schedule approved by the Township of East Zorra-Tavistock.
- 2.6. Dog licensing requirements do not apply to the following:
 - 2.6.1. an animal hospital owned and operated by a veterinarian licensed by the Ontario Veterinarian Association;
 - 2.6.2. a shelter or pound of the Humane Society;

3. DOGS RUNNING AT LARGE

- 3.1. No owner of a dog shall allow the dog to run at large.
- 3.2. No owner of a dog shall allow the dog to trespass.
- 3.3. Notwithstanding Sections 3.1 and 3.2, a dog shall not be considered to be running at large if it is a Guide Dog or a Police Work Dog or a Livestock Guardian Dog and is actively engaged in the performance of its trained duty.
- 3.4. Any person may capture any dog found running at large on their property and must immediately or as soon as practicable contact the Township or the Township's authorized animal control contract, who shall impound the said dog.
- 3.5. Any dog found running at large shall be liable to be seized and confined in a pound.
- 3.6. If a dog is seized by the Animal Control Officer and impounded, the owner shall be responsible for payment of all pound fees, dog tag licensing fees and fines in effect at the time of redemption.

4. DOGS BEING A NUISANCE BY BARKING

- 4.1. No owner shall allow a dog to howl or bark such as to disturb the peace of the surrounding residents or otherwise become a nuisance.
- 4.2. Livestock Guardian Dogs are exempt from Section 4.1 of this By-law if actively engaged in the performance of its trained duty.

5. ENFORCEMENT AND PENALTIES

- 5.1 This by-law may be enforced by a Township By-law Enforcement Officer, Police Officer, Peace Officer, or other individual duly appointed for the purpose of enforcing this by-law.
- 5.2 Each day of contravention shall be a separate offence.
- 5.3 Any person who contravenes any of the provision of this by-law is guilty of an offence and upon conviction is liable to a fine or penalty for each offence established pursuant to the Provincial Offences Act, R.S.O. 1990, c. P33 and included within Schedule "A" forming part of this by-law.

6. GENERAL PROVISIONS

- 6.1 This by-law shall be called "The Canine Licensing and Control By-law".
- 6.2 Should any section of this By-law be declared by a Court of competent jurisdiction as ultra vires or illegal for any reason, the remaining parts shall nevertheless remain valid and binding and shall be read as if the offending section or part had been struck out
- 6.3 Should the provisions of this By-law be found to conflict with the provisions of any other By-law of the Township the provisions of the by-law providing for the greater degree of safety shall prevail.
- 6.4 This by-law shall come into force and effect on the final passing thereof.
- 6.5 Bylaws #21-75, #22-75 and #01-63 are hereby repealed.

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS 6th DAY OF AUGUST, 2008.

seal



Don McKay, Mayor



Jeff Carswell, Clerk

SCHEDULE "A"**Part I Provincial Offences Act**

Item	Short Form Wording	Provision Creating or Defining Offence	Set Fine
1.	Fail to purchase dog tag for current year	Section 2.1	\$30.00
2.	Fail to have current licence tag properly fixed upon dog	Section 2.2	\$30.00
3.	Being a Kennel Operator and failing to obtain a licence	Section 2.4	\$50.00
4.	Permit dog to run at large	Section 3.1	\$50.00
5.	Permit dog to trespass	Section 3.2	\$50.00
6.	Permit dog to disturb the peace	Section 4.1	\$50.00

Note: The general penalty provision for the offences cited above is Section 5.3 of By-law #2008-35, a certified copy of which has been filed.

**Set Fines approved September 23, 2008 by
Ontario Court of Justice.**