

THE CORPORATION OF THE TOWNSHIP OF MATACHEWAN

BY-LAW 2008-05

BEING A BY-LAW FOR LICENSING AND REQUIRING THE REGISTRATION OF CATS AND DOGS FOR THE CONTROL OF ANIMALS WITHIN THE TOWNSHIP OF MATACHEWAN.

1. Interpretation:
 - (a) “Animal Control Officer” and/or “By-Law Officer” includes the person or association who has entered into a contract with the Corporation of the Township of Matachewan to control cats and dogs and operate a dog pound and any servants of such person or association and all servants thereof are hereby appointed Municipal Law enforcement Officers who shall be peace officers for the purpose of enforcing the animal control and licensing By-Law and related legal serving process; included is a provincial or federal peace officer acting on behalf of the municipality;
 - (b) “Dog” means a male or female dog;
 - (c) “Cat” means a male or female cat;
 - (d) “Animal” means a dog or a cat;
 - (e) “License Agent” means the Town of Matachewan;
 - (f) “Owner” of an animal means a person who possesses or harbors a cat or a dog, and if the owner is a minor, the person responsible for the custody of the minor;
 - (g) “Purebred”, in relation to an animal of a distinct breed registered or eligible for registration as determined by the by-laws of the association authorized to register animals of that breed.
2. Every owner of a dog or a cat in the Corporation of the Township of Matachewan shall be subject to the provisions of this by-law.
3. No person shall suffer, allow or permit any dog or cat of which he is the owner to run at large within the limits of the Corporation of the Township of Matachewan.
 - (a) For the purpose of this by-law, a dog or a cat shall be deemed to be running at large when found in any place other than the property of the owner of the dog or cat
 - (b) For the purpose of this by-law, a dog or a cat shall be deemed not to be under the control of any person when the animal is not on a leash of a maximum length of two (2) meters held by a person or is not on a leash which is securely affixed to some permanent structure from which the animal cannot escape.
 - (c) No person shall suffer, allow or permit a dog or a cat under his control or of which he is the registered owner to trespass on private property whether on a leash or not unless permission for said trespass is first obtained from the property owner.
4. Subject to subsection (g) of this section, a By-Law Enforcement Officer or Animal Control Officer may;
 - (a) Seize and impound any animal found running at large;
 - (b) Restore possession of the animal to the owner thereof where; the owner claims possession of the animal within three (3) days (exclusively of its impounding and of statutory holidays) after the date of seizure and; the owner pays the License Agent or By-Law Enforcement Officer or Animal Control Officer fifty dollars (\$50.00) plus the cost of

enforcement as rendered by the By-law Enforcement Officer or Animal Control Officer;

- (c) Subject to subsection (g) of this section, any female dog or cat to be running at large in heat shall be held to the pound until no longer in heat, but in any case no longer than twenty-one (21) days;
 - (d) Where a dog is seized and impounded under subsection (1) of this section, the owner, if known and whether the animal is claimed from the pound or not, shall remain liable for the pound and maintenance fees prescribed and shall pay all fees on demand by the License Agent, Animal Control Officer or By-law Enforcement Officer;
 - (e) Where at the end of the three (3) days mentioned in subsection (b) of this section the dog has not been restored to the owner, the Animal Control Officer may sell the animal for such price as he deems reasonable;
 - (f) Where the owner of an animal has not claimed the animal within three (3) days after its seizure under subsection (a), subsection (b) and subsection (c) of this section the Pound's Procedures and Policy will then apply to the animal;
 - (g) Where an animal seized under subsection (a) (b) and (c) of this section is injured or should be destroyed without delay for humane reasons or for reasons of safety to persons or animal. The Animal Control Officer or By-Law Officer may choose for the animal to be taken to a facility where the animal may be destroyed in a humane manner; without permitting any person to reclaim the animal or without offering the animal for sale
5. Persons allowing his or her dog or cat to be in violation of this by-law;
- 1. A written warning will be given on the first violation;
 - 2. A second violation will result in a fine of no less than fifty dollars (\$50.00) plus the cost of enforcement as rendered by the By-Law Enforcement Officer or Animal Control Officer;
 - 3. Any subsequent violation may result in the removal of the offending animal and a further fine of no less than fifty dollars (\$50.00) plus the cost of enforcement as rendered by the By-law Enforcement Officer or Animal Control Officer.
6. That all previous by-laws and/or motions regarding animal control are hereby repealed.
7. That this by-law shall come into force and effect upon final passing thereof and remain in force and effect until such time as it is repealed by the Council of the Corporation of the Township of Matachewan.

READ a first, second and third time, and finally enacted and passed in open Council this 21st day of January 2008. Signed, sealed and numbered 2008-05.

Beverley Hine
Reeve

Andrew Van Oosten
CAO-Clerk-Treasurer