



THE CORPORATION OF THE
TOWNSHIP OF MATACHEWAN

BY-LAW 2013-15

Being a by-law to provide for the licensing, registration, regulation and control of animals and for the determination of the compensation to be allowed for impounding, detaining and destruction of animals within the Township of Matachewan.

WHEREAS sections 103.(1), 105.(1) 128.(1) and 130 of the Municipal Act S.O 2001, Chapter M.25 and amendments thereto, permits municipalities to license and regulate animals within the municipality

NOW THEREFORE the Council of the Corporation of the Township of Matachewan hereby enacts the following By-law, including Schedules A, B, C, D, E and F, which form part of this by-law.

That By-Law 2008-25, or parts thereof, in conflict with or contrary hereto or inconsistent herewith, be and the same are hereby repealed.

That all previous by-laws and/or motions, or parts thereof, in conflict with or contrary hereto or inconsistent herewith, be and the same are hereby repealed.

That this by-law shall come into full force and effect upon its final passing thereof and remain in force and effect until repealed.

That By-law 2013-15 be referred to as the Animal Control By-law.

READ A FIRST, SECOND AND THIRD TIME, AND FINALLY ENACTED AND PASSED IN OPEN COUNCIL THIS 17th DAY OF JUNE 2013. SIGNED, SEALED AND NUMBERED 2013-15.

Reeve
Beverley Hine

CAO-Clerk-Treasurer
Andrew Van Oosten



THE CORPORATION OF THE
TOWNSHIP OF MATACHEWAN

Schedule A to Animal Control By-Law 2013-15: Definitions, Rules and Regulations

SECTION 1 – DEFINITIONS

- 1.1 *Animal* includes any mammal, bird and reptile and any of the kingdom Animalia, and any such organism other than a human being
- 1.2 *Animal Guardian* shall mean a person who owns an animal or person, who possesses, keeps or harbours an animal for any period of time
- 1.3 *Animal Shelter* shall mean the premises designated by the Corporation of the Township of Matachewan that are used for the detention, maintenance or disposal of animals that have been impounded pursuant to this by-law. The operation and maintenance of the designated Animal Shelter shall be the responsibility of the By-Law Enforcement Officer. Animal Shelter and Impound Centre shall have like meaning.
- 1.4 *Appeal Committee* shall mean a committee as designated by the Township of Matachewan for the purpose of this by-law for hearing appeals following the issuance of a Dangerous Animal Notice. If no committee has been designated then the committee will by default refer to the Council of the Corporation of the Township of Matachewan.
- 1.5 *At Large* shall mean to be found in any place other than the premises of the Guardian of the animal and not under the control of a person in such a manner as to prevent escape.
- 1.6 *By-Law Enforcement Officer* shall mean a person appointed by the Council of the Corporation of the Township of Matachewan to enforce the provisions of this by-law and shall include a Police Officer
- 1.7 *Cat* means a male or female feline of any breed of domesticated cat or cross-breed of domesticated cat.
- 1.8 *Cat Tag* shall mean a cat tag issued pursuant to this by-law.
- 1.9 *Certificate* shall mean a certificate, confirmation or other report, in writing, of a veterinary surgeon evidencing that a particular dog therein identified has been spayed or neutered; it also means a certificate of insurance from an insurer
- 1.10 *Control* includes care and custody
- 1.11 *Council* means the Council of the Corporation of the Township of Matachewan
- 1.12 *Dangerous Animal* includes;
- a) An animal that, in the absence of any mitigating factor has attacked, bitten, or caused injury to a person or has demonstrated a propensity, tendency or disposition to do so,
 - b) An animal that, in the absence of any mitigating factor, has significantly injured a domestic animal,
 - c) An animal, previously designated as a potentially dangerous animal, that is kept or permitted to be kept by its Guardian in violation of the requirements of such an animal
 - d) An animal that is attack trained, or
 - e) An animal that is kept for the principal purpose of security or protection, whether residential, commercial or industrial, of persons or property;
- 1.13 *Dog* means a domesticated canine animal, male or female, two months of age and older, but does not include a guide dog within the meaning of the *Blind Persons Act*, as amended, or a Police Work Dog

- 1.14 *Dog Tag* means dog tag issued pursuant to this by-law
- 1.15 *Dwelling* or *Dwelling Unit* means a premises or any part thereof occupied as living accommodation and includes the lot used in conjunction with it
- 1.16 *Guardian* includes any person who keeps, possesses, harbours an animal and where the Guardian is a minor, the person responsible for the custody of the minor and 'owns' has a corresponding meaning
- 1.17 *Keeps* means to own, harbour, maintain or feed an animal
- 1.18 *Leash* means a chain rope or other device used to restrain an animal, affixed to a collar and of not more than two (2) metres in length
- 1.19 *Microchip* means an encoded electronic device implanted in an animal by or under the supervision of a veterinarian, which contains a unique code number that provides Guardian information that is stored in a central database
- 1.20 *Mitigating Factor* means a circumstance that excuses aggressive behaviour of an animal and without limiting the generality of the foregoing may include circumstances where:
- a) An animal was, at the time of the aggressive behaviour, acting in defence to an attack from a person or animal
 - b) An animal was, at the time of the aggressive behaviour, acting in defence of its young or reacting to a person or domestic animal trespassing on the property of its Guardian
 - c) An animal was, at the time of the aggressive behaviour, being teased, provoked or tormented
- 1.21 *Municipal Property* means all lands owned by the Township, and local boards, any corporations owned or controlled by the Township
- 1.22 *Muzzle* means a humane fastening or covering device over the mouth of a dog and of sufficient strength to prevent the dog from biting
- 1.23 *Potentially Dangerous Animal* shall mean an animal that, in the By-Law Enforcement Officer's or Police Officer's opinion demonstrates a propensity, tendency or disposition to attack, bite or cause injury to a person or other animal without provocation
- 1.24 *Premises* means the entire lot or plot on which a single dwelling unit building or a multi-dwelling unit building is situated
- 1.25 *Registrar* means the person authorized by the by-law to administer and enforce this by-law, and where applicable, shall be deemed to include an agent appointed by the Registrar to perform that task or exercise that power under this by-law
- 1.26 *Responsible Person* shall mean a person having the strength and capacity to securely control an animal so as not to permit or allow escape, and unwanted contact with another person, or animal
- 1.27 *Rural Area of the Township* shall mean every part of the 6 geographic townships of the Corporation of the Township of Matachewan outside of the urban area as defined in subsection 1.30
- 1.28 *Service Dog* shall mean a dog that is trained to aid a person with (a) disability(ies) and is actively in use for such purpose
- 1.29 *Set Fine* shall mean the the amount of fine set by the Chief Justice of the Ontario Court of Justice for an offence for the purpose of proceedings commenced under Part I of this by-law's fine schedule
- 1.30 *Sporting Dog* shall mean dogs of various breeds raised, kept and trained to participate in sporting activities and competitions including, but not limited to dog shows, trials for retrievers, tracking dogs, sled dog races, and the hunting of game
- 1.31 *Tag* in reference to a dog means a dog tag, and in reference to a cat means a cat tag
- 1.32 *Township* means the Corporation of the Township of Matachewan
- 1.33 *Urban Area of the Township* shall mean every part known locally as the town site, including every part from Margaret Street in the east to Rye Street in the south, to Circle Drive in the west and the north end of Dales Street in the north
- 1.34 *Veterinarian* means a person registered or licensed under the Veterinarian Act

SECTION 2 – Application

2.1 Except as otherwise provided, this by-law shall apply to every person in the Township of Matachewan

SECTION 3 – Registrar

3.1 The Township staff shall be the Registrars pursuant to this by-law
3.2 The Registrar is responsible for the issuance of tags and may, from time to time appoint in writing agents for the issuance of tags as he or she may consider necessary. The Registrar may revoke any such appointment in writing for such reason as the Registrar in his or her sole discretion may determine

SECTION 4 – Requirement to Register

4.1 Every person who has become the Guardian of an animal shall obtain a licence for each such animal and pay to the Township of Matachewan a licence fee for each such animal, as laid out in Schedule E, in accordance with the provisions of this by-law

4.2 A dog used as a guide for assistance to a person with a disability shall be licensed and shall wear the current licence tag. Any person who produces evidence satisfactory to the Township showing that the dog is required as a guide or for assistance by a person with a disability shall be exempt from paying the licence fee as laid out in Schedule E

4.3 The Guardian shall register the animal with the Registrar on or before the first day the Township Office is open in January in each year that he or she is the Guardian of that animal

4.4 Every licence issued pursuant to this by-law shall expire on the 1st day the Township office is open in January of each year

4.5 Every licence issued pursuant to this by-law shall be in the form of a tag

4.6 Every licence shall bear a serial number for the year sold

4.7 A person claiming entitlement to a lower licence fee on the basis that the animal in question has been spayed or neutered shall produce a Certificate to the Issuer verifying such claim

4.8 No person shall produce to the Licence Issuer a Certificate respecting an animal other than the animal for which the Certificate was issued

4.9 Notwithstanding sections 4.3 and 4.11, no person need register an animal before the animal reaches the age of twelve (12) weeks. The onus of proof of the age of the animal shall rest with the Guardian.

4.10 If there is a change of Guardianship of an animal during the licence year, the Guardian shall notify the licence issuer immediately of the change of Guardianship and the new Guardian shall pay the transfer fee as outlined in Schedule E of this by-law

4.11 Every person who becomes a Guardian of an animal after January 1st in any year shall register the animal with the Registrar within 7 days of becoming the guardian of the animal and on or before the first day the Township Office is open in January in each year thereafter

4.12 Where a person who is the Guardian of an animal, becomes a resident in the Township of Matachewan and is in possession of a valid licence issued by another municipality, an application shall be made to the Licence issuer for a licence pursuant to this by-law and a licence shall be issued upon the following conditions:

a) Payment of the appropriate licence fee as outlined in Schedule E of this by-law

- b) Surrender of the licence issued by the other municipality
 - c) The animal meets the permitted criteria of this by-law
- 4.13 The registration of an animal shall expire upon the earliest of:
- a) The transfer of Guardianship of the animal for which it was issued;
 - b) The death of the animal for which it was issued; and
 - c) The day before the first day the Township Office is open in January of the year after the licence was issued
- 4.14 The Licence Issuer is hereby authorized to designate such Licence Agents as may be required from time to time to sell licences, provided however, that a Licence Agent shall be entitled to a commission as outlined in Schedule E to this by-law

SECTION 5 – Registration Process and Issuance of a Dog Tag / Cat Tag

- 5.1 Every person who applies to register a dog or cat shall:
- a) Provide the name, address, telephone number of the Guardian of the dog or cat
 - b) Provide a description of the dog or cat
 - c) Provide the name of any animal clinic with which the dog or cat is registered
 - d) Disclose whether or not the dog or cat has a microchip implanted
 - e) Provide a Certificate from a licensed veterinary surgeon evidencing that the animal identified has been spayed or neutered
 - f) Provide such other information or documentation as may be required by the Registrar
 - g) Unless subject to an exception under Subsection 4.2, the applicant shall pay the registration fee as outlined in Schedule E of this by-law
- 5.2 Upon the applicant providing all information and documentation required by the Registrar, and paying the appropriate registration fee, the Registrar shall register the dog or cat and shall issue to the applicant a dog tag or a cat tag as the case may be, which bears a unique serial number, shows the year of issue and such other information as may be determined by the Registrar
- 5.3 Every Guardian of a dog or cat shall advise the Registrar in writing within 7 days thereafter, of:
- a) A change of address or phone number of the Guardian of the dog or cat or of the animal clinic which cares for the dog or cat; and
 - b) The death or sale or other transfer of ownership of the dog or cat
- 5.4 The Registrar shall have the right to cancel the registration of a dog or cat in the event that the registration fee is not paid in full, through error, as a result of a cheque being returned marked as non-sufficient funds, a credit card charge being refused, or for any other reason
- 5.5 Every tag issued by the Registrar remains the property of the Township and in the event the registration of the animal is cancelled by the Registrar, the tag shall be surrendered to the Registrar
- 5.6 The Registrar shall issue a replacement dog tag or cat tag to the Guardian of a registered dog or cat upon application of the Guardian, provision of evidence satisfactory to the Registrar that the tag was lost or damaged and payment in the amount as laid out in Schedule E for the replacement tag

SECTION 6 – Registrar's Records

- 6.1 The Registrar shall maintain records of all dog tags, cat tags and replacement tags issued by the Registrar in each calendar year and shall update such records as additional information is received pursuant to subsection 5.4

6.2 The records under subsection 6.1 shall include: the name, address and telephone number of the Guardian of the dog or cat; a description of the dog or cat; the particulars of any microchip implanted in the dog or cat; the serial number of the dog tag or cat tag issued for the dog or cat; the fee paid; the particulars of any evidence provided in support of a fee reduction; and such other information as the Registrar in his or her sole discretion determines to be necessary

SECTION 7 – Dog/Cat to Wear Tag

- 7.1 Every Guardian of a registered dog or cat, whether or not the animal has a microchip implanted shall keep the tag securely fixed on the dog or cat for which it was issued, at all times during the year of issue
- 7.2 Despite subsection 7.1, a Guardian need not keep the tag on his or her dog or cat:
- a) While the dog or cat is within the dwelling unit or on the premises of its Guardian
 - b) Where a veterinarian has determined it is necessary to remove the tag for medical treatment
- 7.3 No person shall remove a tag from a dog or cat without the consent of the Guardian thereof
- 7.4 No person shall attach a tag to a dog or cat other than the dog or cat for which it was issued

SECTION 8 – Keeping of Certain Animals Prohibited

- 8.1 No person shall, either knowingly or unknowingly, keep in the urban area of the Township an animal of a class set out in Schedule B hereto
- 8.2 No person shall, either knowingly or unknowingly, keep in the rural area of the Township an animal of a class set out in Schedule C hereto
- 8.3 Each day of violating sections 8.1 and 8.2 under this by-law shall constitute as a separate offence. The fines as laid out in Schedule F to this by-law shall apply
- 8.4 The By-Law Enforcement Officer or their designate may remove the offending animals. The fees for impoundment, as laid out in Schedule E to this by-law shall apply

SECTION 9 – Limitation on Numbers

- 9.1 Except as otherwise provided in this by-law, no person shall keep or permit to be kept in or about any dwelling unit or premises more than four (4) domestic animals, regardless of species
- 9.2 Where there is more than one (1) dwelling unit on a parcel of land no person shall keep or permit to be kept more than two (2) domestic animals, regardless of species, per dwelling unit
- 9.3 Notwithstanding subsection 9.1 no person shall keep or permit in or about a dwelling unit or premises more than four (4) domestic animals except:
- a) a maximum of five (5) dogs temporarily in a dwelling unit for a continuous period not exceeding forty-eight (48) hours; or
 - b) a maximum of five (5) cats temporarily in a dwelling unit for a continuous period not exceeding forty-eight (48) hours; or
- 9.4 Subsections 9.1, 9.2 and 9.3 shall not apply to domestic animals under the age of eight (8) weeks
- 9.7 A person shall not keep more than four (4) rabbits over the age of eight (8) weeks in any dwelling unit or premises in the urban area of the Township and such person shall ensure:
- a) That any rabbit routinely kept outside is kept in a rabbit hutch:
 - i) Constructed in such a way as to prevent escape by the rabbit:

- ii) Located at a distance not less than five (5) metres from any dwelling unit, shop or store not occupied by the person keeping the rabbits;
- iii) Located at a distance not less than ten (10) metres from the property line
- b) All refuse and waste matter from any rabbit hutch is disposed of daily in a proper and sanitary manner and no such refuse or waste matter is burned or stored; or
- c) All food for rabbits is maintained in a rodent proof container

9.8 A person shall not keep in a dwelling unit or premises in the urban area of the Township more than two (2) ferrets, and shall ensure that same are housed in and kept in an escape-proof enclosure

9.9 A person shall not keep in a dwelling unit or premises in the urban area of the Township more than two (2) non-venomous snakes and two (2) non-venomous lizards, and shall ensure that same are housed in and kept in an escape-proof enclosure

9.10 Each day of violating any provisions under section 9 of this by-law shall constitute as a separate offence. The fines as laid out in Schedule F to this by-law shall apply

9.11 The By-Law Enforcement Officer or their designate may remove the offending animals. The fees for impoundment, as laid out in Schedule E to this by-law shall apply

SECTION 10 – Animals Running at Large

10.1 No Guardian of a domestic animal shall cause, allow or permit the domestic animal he or she owns to run at large, knowingly or unknowingly, within the Township of Matatchewan

10.2 When not within the dwelling unit or on the premises of its Guardian or on private property with the consent of the owner of said private property, every person shall cause, allow or permit a dog to be:

- a) On a leash of not more than two (2) metres in length

- b) On a leash held under the effective control of a responsible person

10.3 No Guardian of a domestic animal shall cause, allow or permit the domestic animal he or she owns to enter onto private property, and not where the Guardian resides, or is visiting with the domestic animal, whether the animal is on a leash or not. The animal shall, upon the request of the occupant of such property, be seized and impounded as provided for in this by-law

10.4 The By-Law Enforcement officer may enter any land without the consent of a Guardian or Owner of the land in pursuit of any animal that has been observed running at large. Where the Guardian or Owner of the land is not present to claim the animal, the By-Law Enforcement Officer may seize the animal as an animal found running at large

10.5 Any animal found running at large shall be seized, impounded, sold, redeemed, or humanely euthanized as provided for in this by-law

SECTION 11 – Animal Free Zones

11.1 No person shall bring any animal into an Animal Free Zone as listed in Schedule D

11.2 Notwithstanding Section 11.1 this requirement shall not apply to a service animal

SECTION 12 – Stoop and Scoop

12.1 Subject to subsection 12.2, every person who owns or keeps an animal shall forthwith remove and dispose of feces left by the animal within the urban area of the Township of Matachewan in a sanitary manner that does not adversely impact other individuals

12.2 Subsection 12.1 shall not apply to a person who owns or uses a seeing-eye dog registered with the Canadian National Institute for the Blind or a working police dog

SECTION 13 – Nuisance

13.1 No person shall keep or harbour any dog, cat or animal in a manner that adversely impacts neighbouring properties or residents whether through offensive odours, noise likely to disturb inhabitants, running at large of dog(s), cat(s) or animal(s), accumulation of feces or otherwise

SECTION 14 – Containment of Animals

14.1 Every Guardian, when their animal is on the property of the Guardian or on the property of some person with such person's consent, shall keep their animal from leaving the property on its own, by means of:

- a) An enclosure not within two (2) metres of the dwelling unit and five (5) metres of the property lines
- b) Containment within a fenced area, or
- c) Physical restraint of the animal by a chain or similar device

14.2 Notwithstanding subsection 10.1, when a dog is on the property of the Guardian or on the property of some other person with such person's consent and where such lands are in the rural area of the Township, and used for agricultural purposes, the Guardian may keep the dog from leaving such property on its own by any reasonable means

SECTION 15 – Dangerous and Potentially Dangerous Animals

15.1 No Guardian of an animal shall permit his or her animal to attack or bite a person, or other animal

15.2 A By-Law Enforcement Officer or Police Officer may either on their own initiative or as a result of a complaint received by them, conduct an inquiry into whether an animal should be designated a Potentially Dangerous Animal or a Dangerous Animal, as the case may be. The By-Law Enforcement Officer or Police Officer shall serve notice to the Guardian of the animal that the animal is deemed to be a Potentially Dangerous Animal or a Dangerous Animal, and requiring the Guardian to comply with any or all of the requirements set out in Section 15.7 through 15.14

15.3 Service of a notice that an animal has been deemed a Potentially Dangerous Animal or a Dangerous Animal may be effected on the person who shows in the Township's records as the Guardian of the animal, or where the animal does not appear to be registered pursuant to this by-law, on such other person who appears to be the Guardian of the animal. Any notices served by the By-Law Enforcement Officer or Police Officer or requests for hearings made by a Guardian pursuant to this by-law shall be provided by hand delivery or prepaid registered mail and, in event of service by prepaid registered mail, shall be deemed received on the fifth (5th) business day after the date of mailing

15.4 The notices referred to in Section 15.3 hereof shall include:

- a) a statement that the By-Law Enforcement Officer or Police Officer has reason to believe that the animal is a Potentially Dangerous Animal or a Dangerous Animal, as the case may be;
- b) The requirements that the Guardian must comply with in accordance with sections 15.7 through 15.14 and when such requirements take effect; and

c) A statement that the Guardian may request, within three (3) working days of receipt of the By-Law Enforcement Officer or Police Officer's notice, and is entitled to, a hearing by the Appeal Committee that may affirm or rescind the By-Law Enforcement Officer's or Police Officer's designation of the animal as a Potentially Dangerous Animal or Dangerous Animal, as the case may be and may substitute its own designation or its own requirements of the Guardian of a Potentially Dangerous Animal or a Dangerous Animal pursuant to subsection 15.7 through 15.14

15.5 If a Guardian receives notice from the By-Law Enforcement Officer or Police Officer designating their animal to be a Potentially Dangerous Animal or Dangerous Animal, and so requests in writing to the Clerk within three (3) working days of receipt of such notice, the Appeal Committee may hold a hearing and may:

- a) Affirm or rescind the By-Law Enforcement Officer or Police Officer's designation of the animal as a Potentially Dangerous Animal or as a Dangerous Animal, as the case may be;
- b) Substitute its own designation of the animal as a Potentially Dangerous Animal or as a Dangerous Animal, as the case may be;
- c) Substitute its own requirements of the Guardian of a Potentially Dangerous Animal or Dangerous Animal pursuant to section 15.7 through 15.14

15.6 The requirements of sections 15.7 through to 15.14 that may be imposed on a Guardian by the By-Law Enforcement Officer or Police Officer pursuant to each subsection shall not be required to be effected until the earlier of the time for appeal under section 15.5 has elapsed with a request for a hearing pursuant to that section being received by the Clerk, or the hearing under section 15.5 has been duly requested and a determination has been made by the Appeal Committee

15.7 When a By-Law Enforcement Officer or Police Officer designates an animal as a Potentially Dangerous Animal or a Dangerous Animal, the By-Law Enforcement Officer or Police Officer shall serve a Dangerous Animal Notice upon the Guardian, requiring the Guardian, upon receipt of such notice, to comply with such notice of the following requirements deemed necessary by the By-Law Enforcement Officer

15.8 The Guardian of a Potentially Dangerous Animal or a Dangerous Animal shall keep such animal confined, when on the Guardian's property;

- a) Within the Guardian's dwelling, or
- b) In a securely enclosed pen of sufficient dimension and strength to be a humane shelter for the animal and to prevent the animal from coming in contact with or making a real and substantial threat of attack on a person other than the Guardian of the animal, and
- c) The pen or structure shall not be within five (5) metres of the property line or within ten (10) metres of a neighbouring dwelling unit, and
- d) No Potentially Dangerous Animal or Dangerous Animal shall be chained and/or leashed as a means of confinement

15.9 The Guardian of a Potentially Dangerous Animal or a Dangerous Animal shall conspicuously display at each entrance to their property a sign in writing, as well as with a symbol, warning that there is a Potentially Dangerous Animal or a Dangerous Animal on the property. This sign shall be visible from the roadway or thoroughfare;

15.10 The Guardian of a Potentially Dangerous Animal or a Dangerous Animal shall, to keep such an animal, when it is on the property of another person with that person's consent, on a leash and under the control of a responsible person who is eighteen (18) years of age or more;

- 15.11 The Guardian of a Potentially Dangerous Animal or a Dangerous Animal shall securely attach a muzzle to such an animal at all times when it is not on the property of the Guardian
- 15.12 The Guardian of a Potentially Dangerous Animal or a Dangerous Animal shall obtain and maintain in force a policy of public liability insurance issued by an insurer licensed by the Province of Ontario providing third party liability coverage in an amount of not less than \$1,000,000.00 per incident for any damage or injury caused by such potentially dangerous animal and to provide to the By-Law Enforcement Officer a certificate of such policy and each subsequent renewal of it. Such policy shall contain a provision requiring the insurer to immediately notify the municipality should the policy expire, be cancelled or be terminated for any reason;
- 15.13 The Guardian of a Potentially Dangerous Animal or a Dangerous Animal shall permit the By-Law Enforcement Officer to have a veterinarian insert a microchip implantation in such an animal, at the Guardian's expense, for the purpose of identifying such animal as a Potentially Dangerous Animal or a Dangerous Animal,
- 15.14 The Guardian of a Potentially Dangerous Animal or a Dangerous Animal shall restrain the Potentially Dangerous Animal in accordance with written directives which may be given by the By-Law Enforcement Officer or a Police Officer
- 15.15 Notwithstanding section 15.16 where a Potentially Dangerous Animal or a Dangerous Animal has been impounded for any reason, the By-Law Enforcement Officer or pound keeper shall not restore the animal to its Guardian or to any other person unless the By-Law Enforcement Officer or Police Officer is satisfied that the person to whom the animal is to be restored is aware of and is compliant with the provisions of sections 15.7 through 15.14. All fees otherwise payable upon restoration of an impounded animal are payable by the Guardian of a Potentially Dangerous Animal or a Dangerous Animal for any length of time it may be held in the pound pursuant to this section.
- 15.16 If the Guardian of a Potentially Dangerous Animal or a Dangerous Animal that has been impounded is unable to demonstrate compliance with the provisions of sections 15.7 through 15.14, to the reasonable satisfaction of the By-Law Enforcement Officer or refuses to do so, the By-Law Enforcement Officer, after a reasonable period of time, may sell or otherwise dispose of the animal in accordance with this by-law
- 15.17 a) Every Guardian whose animal has been designated a Potentially Dangerous Animal or as a Dangerous Animal pursuant to this by-law shall advise the municipality within two (2) working days if they transfer Guardianship of such animal to another person or changes the address at which such animal is kept and shall furnish the municipality with particulars of the name and address of the new Guardian or the new address at which the Potentially Dangerous Animal or Dangerous Animal is kept
- b) A Dangerous Animal Notice served upon and being enforced on the Guardian who owned the animal at the time of service shall be deemed to have been served and is enforceable on the new Guardian of the animal. The new Guardian shall be required to comply with the requirements as set out in the Dangerous Animal Notice served upon the original Guardian of the animal
- 15.18 The Township shall have the authority to make whatever inquiry is deemed necessary to ensure compliance with the provisions outlined in section 15.7 through 15.14

SECTION 16 – Seize and Impound

- 16.1 A By-Law Enforcement Officer shall seize and impound every animal found:
- a) Running at large

b) On private property, where requested to do so by the Guardian or occupant of such private property

c) To be otherwise in contravention of this by-law

16.2 A By-Law Enforcement Officer may enter on any private property without the consent of the Guardian of the property, for the purpose of discharging the duties imposed by this by-law and to enforce its provisions, without a search warrant, provided he or she is in active pursuit of an animal, enter upon the private property of any person for the purpose of continuing his or her pursuit of the animal, providing that in no instance shall any such agent of the Township enter into any dwelling unit or other building situated on private property without a Search Warrant authorizing such entry

16.3 Any dog, cat or animal at large contrary to the provisions of this by-law which in the opinion of the By-Law Enforcement Officer appears to be vicious or rabid and to be a threat to the safety of the community, and which cannot be captured by the By-Law Enforcement Officer, may be euthanized by the By-Law Enforcement officer or other duly appointed officer

16.4 The By-Law Enforcement Officer and pound Keeper shall make all reasonable efforts to identify and contact the Guardian of every stray animal received

16.5 Where, in the opinion of the By-Law Enforcement Officer, an animal seized under subsection 16.1 is injured or should be destroyed without delay for humane reasons or for reasons of safety to persons or animals, the By-Law Enforcement Officer or his or her designate or agent, despite subsection 16.6 may euthanize the animal in a humane manner as soon after seizure as he or she thinks fit without permitting any person to reclaim the animal and without offering it for sale

16.6 Subject to subsection 16.5, any animal seized by a By-Law Enforcement Officer under this by-law, shall be impounded for three (3) days from the time of its impoundment, exclusive of the day on which the animal was impounded, and days on which the impound centre is closed

16.7 After the expiration of the redemption period, the Pound Keeper, where an animal has been impounded pursuant to this by-law, may keep, sell or dispose of the animal, subject to the provisions of the *Animals for research Act*, R.S.O. 1990, c. A. 22, as amended. The Pound Keeper shall ensure that a purchaser living within the Township first obtains a licence for the animal

16.8 Where the animal becomes the property of the Pound Keeper or the Township of Matachewan, the Township of Matachewan may at its discretion, keep, sell or dispose of the animal

16.9 Where an animal has been impounded for biting or attacking, and the Township is required by any Act to impound an animal for a determined period, the Guardian prior to release of the animal shall pay a maintenance fee for each day the animal was impounded as set out in section 17 of Schedule A of this By-Law

SECTION 17 – Impound Fees

17.1 Where the Guardian has requested the release of their animal from the pound, the Guardian shall sign a consent and indemnity form provided by the Pound Keeper prior to the Pound Keeper releasing said animal and the fines and fees as set out in this by-law shall be applicable. The Pound Keeper shall not consent to any animal being released to the Guardian without first viewing one (1) piece of identification confirming the identity of the Guardian satisfactory to the Pound Keeper.

17.2 Any applicable fees, fines or other charges applicable under this by-law may also be found in the municipality's User Fee By-law.

17.3 Where an animal is seized and impounded under authority of this by-law, the Guardian, if known, and whether the animal is claimed from the pound or not, shall be liable for the pound maintenance fees, fines and charges prescribed and shall pay all fees on demand by the By-Law Enforcement Officer, other Enforcement Agent or Township delegate.

17.4

The Pound Keeper may release an impounded animal to its Guardian:

- a) If the Guardian claims possession of the animal within three (3) working days after the date of seizure and impounding; and
- b) Where on application to the Pound Keeper or a By-Law Enforcement Officer and proving their Guardianship and being satisfied that the Guardian is in receipt of a valid licence for the current year from the Licence Issuer, upon payment of pound fees as follows:
 - i) When an animal is wearing a current licence and the animal has not been picked up since the purchase of the said licence the animal shall be returned to the Guardian subject to a fee as laid out in Schedule E
 - ii) When the Guardian is in possession of a current licence when the animal is seized or impounded however the animal is not wearing said licence, at the time of pick-up, the Guardian shall be subject to a fee as laid out in Schedule E
 - iii) When a licensed animal is seized or impounded on a second occasion since the purchase of the licence and any subsequent occasion during the current year of the licence and whether the animal is wearing the licence or not, the Guardian will be subject to a fee as laid out in Schedule E
 - iv) At any time that an unlicensed animal is seized or impounded the Guardian of said animal will be subject to a pound fee as laid out in Schedule E
 - v) In all circumstances listed in subsections i) to iv) the Guardian shall pay all boarding fees for each overnight stay the animal remains impounded
 - vi) When an animal has been impounded for biting and/or attacking, and the Township of Matachewan is required by any Act to impound an animal for a determined period, prior to releasing the animal to the Guardian, the Guardian shall pay a fee as laid out in Schedule E to this by-law
 - vii) When an animal has been impounded for biting and/or attacking, and the Township of Matachewan is required by any Act to impound an animal for a determined period, prior to releasing the animal to the Guardian, the Guardian shall pay a boarding fee as determined in section 16.4 b) v) for each overnight stay the animal was cared for at the pound
 - viii) The Guardian demonstrates that the place at which they intend to keep the animal is not within an area in the Township of Matachewan where the keeping of such an animal is prohibited by this by-law
 - ix) The Guardian pays any damages payable as a result of the trespassing animal
 - x) The Guardian pays any further expenses incurred by the Pound Keeper

SECTION 18 – Compensation

18.1 The Township, its employees, agents and servants, and the By-Law Enforcement Officer and Pound Keeper shall not be liable for damages or compensation for any animal, dog or cat humanely euthanized under the provisions of this by-law and no such damages or compensation shall be paid to any person.

SECTION 19 – Exemptions

19.1 This by-law shall not apply to:

- a) A veterinary hospital clinic, office, or veterinary service lawfully operated and supervised by a veterinarian licensed to practice in Ontario
- b) Premises registered as a research facility in accordance with the *Animals for Research Act*, as amended
- c) Any person licensed or exempted as an operator of animal supply facility in accordance with the *Animals for Research Act*, as amended, or the employees of such facility, during the course of their duties
- d) Any dog owned, possessed or harboured by the Ontario Provincial Police, Royal Canadian Mounted Police or any other local police or other governmental enforcement agency
- e) A Pound Keeper keeping animals on pound premises
- f) A person conducting an animal exhibition on premises approved by the Township, including but not necessarily limited to, a person conducting a circus, rodeo or petting zoo; and
- g) The vehicular transport of animals within the corporate limits of the Township

SECTION 20 – Penalty

20.1 If any section, subsection, clause or paragraph of this by-law is, for any reason, held invalid, such portion shall be deemed separate, distinct and independent and such holding shall not affect the validity of the by-law as a whole or any part thereof, other than the provisions so declared to be invalid.

20.2 a) Every person who contravenes any provision in this by-law is guilty of an offence, the *Municipal Act R.S.O 2001 c.25, Section 425*

b) No person shall hinder or obstruct, or attempt to hinder or obstruct, any person exercising a power or performing a duty under this by-law, the *Municipal Act R.S.O c.25, Section 426(1)*

c) Any person who contravenes section 12 is guilty of an offence, the *Municipal Act R.S.O 2001 c.25, Section 426(2)*

20.3 Any person who contravenes any of the provisions of this by-law is guilty of an offence and upon conviction thereof is liable to a fine of not more than the amount laid out in Schedule F of this by-law, exclusive of costs, which shall be recoverable under the provisions of the Provincial Offences Act and all of the provisions of the said Act shall apply to any prosecution for any offence under the provisions of this by-law.

SECTION 21 – Validity

21.1 If any section, clause or provision of this by-law, is for any reason declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of the By-law as a whole or any part thereof, other than the section, clause or provision so declared to be invalid and it is hereby declared to be the intention that all remaining sections, clauses or provisions of this By-law shall remain in full force and effect until repealed, notwithstanding that one or more provisions thereof shall have been declared to be invalid.



THE CORPORATION OF THE
TOWNSHIP OF MATACHEWAN

Schedule B to Animal Control By-Law 2013-15: Types of animals not permitted in the urban area of the Township of Matachewan

- 1.1 Class of animal common name set out in the second column are some of the common names of animals included in the classes of animals referred to in the opposite column of this schedule
- 1.2 The common names are provided for illustration purposes only and are not intended to limit the extent of the classes of animals referred to.

Class of Animal	Common Name(s)
Arthropods of the classes of scorpion, centipede, Arachnid Chilopoda and Diplopoda, millipede	
Arthropods of the class Insecta beetles and order Coleoptera	
Artiodactyl Ungulates	Camel, Cattle, Deer, Goat, Pig, Sheep
Columbidae	Homing Pigeon, Dove
Canidae (other than canis lupus familiaris)	Wolf, Jackal, Fox Familiaris
Chiropterare	Bat
Crocodyliade	Alligator, Crocodile
Edentates	Anteater, Armadillo, Sloth
Elephants	Elephant
Felids (other than felis catus)	Leopard, Lion, Lynx, Panther, Puma
Hyanenidae	Hyena
Marsupialia	Bandicoot, Kangaroo, Opossum, Wombat
Mustelidae (other than ferrets, rabbits or chinchilla)	Marten, Polecat, Weasel, Mink, Otters, Beaver
Perissodactyl Ungulates	Horse, Tapir
Phasianidae	Chicken, Partridge, Pheasant, Quail, Turkey
Pinnipediae	Seal, Walrus
Primata (other than homo sapiens)	Ape, Lemur, Monkeys
Procyonidae	Coati, Raccoon
Raptors	Eagle, Hawk, Owl, Vulture
Ratitae	Cassowary, Ostrich
Scavengers and Wild Birds	Ravens, Crows, Jays, Pigeons
Ursidae	Bear
Venomous Reptilia	Venomous Snake, Venomous Lizard
Serpents of the families Pythonidae, Boidae	Boa Snake, Python
Viverridae	Civet, Mongoose



THE CORPORATION OF THE
TOWNSHIP OF MATACHEWAN

Schedule C to Animal Control By-Law 2013-15: Types of animals not permitted in the rural area of the Township of Matachewan

- 1.1 Common name set out in the second column are some of the common names of animals included in the classes of animals referred to in the opposite column of this schedule
- 1.2 The common names are provided for illustration purposes only and are not intended to limit the extent of the classes of animals referred to.

Class of Animal	Common Name(s)
Arthropods of the classes of scorpion, centipede, Arachnid Chilopoda and Diplopoda, millipede	
Arthropods of the class Insecta beetles and order Coleoptera	
Artiodactyl Ungulates	Camel
Columbidae	Pigeon, Dove
Canidae (other than canis lupus familiaris)	Wolf, Jackal, Fox Familiaris
Chiropterare	Bat
Crocodyliade	Alligator, Crocodile
Edentates	Anteater, Armadillo, Sloth
Elephants	Elephant
Felids (other than felis catus)	Leopard, Lion, Lynx, Panther, Puma
Hyanenidae	Hyena
Marsupialia	Bandicoot, Kangaroo, Opossum, Wombat
Mustelidae (other than ferrets, rabbits or chinchilla)	Marten, Polecat, Weasel, Mink, Otters, Beaver
Perissodactyl Ungulates	Tapir
Pinnipediae	Seal, Walrus
Primata (other than homo sapiens)	Ape, Lemur, Monkeys
Procyonidae	Coati, Raccoon
Raptors	Eagle, Hawk, Owl, Vulture
Ratitae	Cassowary, Ostrich
Scavengers and Wild Birds	Ravens, Crows, Jays, Pigeons
Ursidae	Bear
Venomous Reptilia	Venomous Snake, Venomous Lizard
Serpents of the families Pythonidae, Boidae	Boa Snake, Python
Viverridae	Civet, Mongoose



THE CORPORATION OF THE
TOWNSHIP OF MATACHEWAN

Schedule D to Animal Control By-Law 2013-15: Animal Free Zones

Name	Address or Location
Matachewan Public Beaches	1. Situated off Rye Street to the immediate north of the Young-Davidson Multifunctional Complex (YDMC) as Cairo W of MC MR6252 PCL 9882S ST 2. Approximately 0.3 acres east of Circle Drive, situated on the Montreal River.
The Matachewan Cemetery	Margaret Street. Cairo MC MR6321 PCL 7223 SST
Matachewan Baseball Field	Margaret Street. Cairo MC MR6321 PCL 7097 SST
Young-Davidson Multifunctional Complex	Rye Street. Cairo W of MC MR6252 PCL 9882 SST
Matachewan Outdoor Rink	Matheson Street. Plan M117T Lots 287-283.
Matachewan Township Office	Margaret Street. Cairo MC MR 6321 PT RPTER 533 Part 1 PCL 17149 SST
Matachewan Recreation Hall	Margaret Street. Cairo MC MR 6321 PT RPTER 533 Part 1 PCL 17149 SST
Matachewan Fire Hall	Matheson Street North., Plan M108T Lot 80, 81, PCL 21841 SST
Matachewan Nursing Station	Located at the Fire Hall, Matheson Street North., Plan M108T Lot 80, 81, PCL 21841 SST
Matachewan Get Fit Centre	Located at the Fire Hall, Matheson Street North., Plan M108T Lot 80, 81, PCL 21841 SST



THE CORPORATION OF THE
TOWNSHIP OF MATACHEWAN

Schedule E to Animal Control By-Law 2013-15: Animal Control Fees

Item #	Short Form Wording	Provision creating or defining Fee	Set Fee
1	Animal Licence Tag	Sch. A, s.4.1	\$30.00
2	Animal Licence Tag for a service dog or police dog	Sch. A, s.4.2	No charge
3	Animal Licence Tag for a neutered or spayed animal	Sch. A, s.4.8	\$15.00
4	Transfer fee of an Animal Licence tag	Sch. A, s.4.10	\$10.00
5	Animal Licence Tag for a new resident with a valid licence tag from another community	Sch. A, s.4.12	\$10.00
6	Licence Agent Commission	Sch. A, s.4.13	\$2.00 per tag
7	Replacement Animal Licence Tag	Sch. A, s.5.6	\$10.00
8	Euthanized Services Fee	Sch. A, s.16.3 Sch. A, s.16.5	\$100.00 (or actual cost: whichever is greater)
9	Humane Services/Adoption Fee	Sch. A, s.16.7	\$50.00(or actual cost: whichever is greater)
10	Impoundment fee when the animal is wearing a current licence tag	Sch. A, s.17.4.a.i	\$20.00 per day (or actual cost: whichever is greater)

11	Impoundment fee when the animal is not wearing a current licence tag, but the Guardian is in possession of an animal licence	Sch. A, s.17.4.a.ii	\$25.00 per day (or actual cost: whichever is greater)
12	Impoundment of an animal for the second (2 nd) time in any calendar year	Sch. A, s.17.4.a.iii	\$30.00 per day (or actual cost: whichever is greater)
13	Impoundment of an unlicensed animal	Sch. A, s.17.4.a.iv	\$30.00 per day (or actual cost: whichever is greater)
14	Impoundment of an animal for biting and/or attacking	Sch. A, s.17.4.a.vi	\$70.00 per day (or actual cost: whichever is greater)
15	Daily Boarding Fee for an animal for biting and/or attacking	Sch. A, s.17.4.a.vii	\$75.00 per day



THE CORPORATION OF THE
TOWNSHIP OF MATACHEWAN

Schedule F to Animal Control By-Law 2013-15: Part 1 provincial offences Act Set Fines

Item #	Short Form Wording	Provision creating or defining offence	Set Fine
1	Failure to register an animal	Sch. A, s.4.1	\$50.00
2	Produce a Certificate respecting an animal other than the animal for which the Certificate was issued	Sch. A, s.4.8	\$25.00
3	Dog or cat not wearing a current licence tag when off the property of the Guardian	Sch. A, s.7.1	\$25.00
4	Removal of a licence tag without the consent of the Guardian	Sch. A, s.7.3	\$50.00
5	Attach a tag to a dog or cat other than the dog or cat for which the licence was issued	Sch. A, s.7.4	\$50.00
6	Keep prohibited animals within the urban area of the Township	Sch. A, s.8.1	\$100.00
7	Keep prohibited animals within the rural area of the Township	Sch. A, s.8.2	\$100.00
8	Keep or permit to keep more than four (4) domestic animals in or about one dwelling unit or premises	Sch. A, s.9.1	\$100.00
9	Keep or permit to keep more than two (2) domestic animals in or about one dwelling unit or premises when there is more than one unit on one parcel of land	Sch. A, s.9.2	\$100.00
10	Keep or permit to be kept more than five (5) dogs in a dwelling unit for more than forty-eight (48) hours	Sch. A, s.9.3.a	\$100.00
11	Keep or permit to be kept more than five (5) cats in a dwelling unit for more than forty-eight (48) hours	Sch. A, s.9.3.b	\$100.00
12	Keep or permit to be kept rabbits in a hutch that allows escape	Sch. A, s.9.7.a.i	\$50.00
13	Keep or permit to be kept rabbits in a hutch that is located less than five (5) metres from a dwelling unit, shop or store not occupied by the person keeping the rabbits	Sch. A, s.9.7.a.ii	\$50.00
14	Keep or permit to be kept rabbits in a hutch that is located less than ten (10) metres from the property line	Sch. A, s.9.7.a.iii	\$50.00

15	Keep or permit to be kept more than two (2) ferrets in one dwelling unit or premises	Sch. A, s.9.8	\$100.00
16	Keep or permit to be kept more than two (2) non-venomous snakes or two (2) non-venomous lizards in one dwelling unit or premises	Sch. A, s.9.9	\$100.00
17	To cause, allow or permit a domestic animal to run at large	Sch. A, s.10.1	\$50.00
18	To cause, allow or permit a dog to be on a leash of more than two (2) metres in length	Sch. A, s.10.2.a	\$50.00
19	To cause, allow or permit a dog to be on a leash not under the effective control of a responsible person	Sch. A, s.10.2.b	\$50.00
20	To cause, allow or permit a domestic animal to enter onto private property not owned by the Guardian, or where the Guardian is visiting	Sch. A, s.10.3	\$50.00
21	To bring an animal into an Animal Free Zone	Sch. A, s.11.1	\$25.00
22	Failure to dispose of animal feces in a sanitary manner that does not adversely impact other individuals	Sch. A, s.12.1	\$100.00
23	Harbour an animal that adversely impacts neighbouring properties or residents	Sch. A, s.13.1	\$100.00
24	Failure to prevent an animal from leaving the property on its own	Sch. A, s.14.1	\$50.00
25	Permit an animal to attack or bite a person or animal	Sch. A, s.15.1	\$900.00
26	Failure to comply with the necessary requirements for an animal designated as a Potentially Dangerous Animal or Dangerous Animal	Sch. A, s.15.7	\$500.00
27	Failure to keep a Potentially Dangerous Animal or Dangerous Animal confined when on the Guardian's property	Sch. A, s.15.8	\$500.00
28	To keep a Potentially Dangerous Animal or Dangerous Animal chained or leashed as a means of confinement	Sch. A, s.15.8.d	\$500.00
29	Failure to display at each entrance to a property a sign in writing, and with a symbol, warning that there is a Potentially Dangerous Animal or Dangerous Animal on the property	Sch. A, s.15.9	\$500.00
30	Failure to keep a Potentially Dangerous Animal or Dangerous Animal on a leash and under the control of a responsible person over the age of eighteen (18) years old	Sch. A, s.15.10	\$500.00
31	Failure to attach a muzzle to a Potentially Dangerous Animal or Dangerous Animal when the animal is off the property of the Guardian	Sch. A, s.15.11	\$500.00
32	Failure to obtain a public liability insurance for more than \$1,000,000 per incident for any Potentially Dangerous Animal or Dangerous Animal	Sch. A, s.15.12	\$500.00

33	Failure to allow a By-Law Enforcement Officer to insert a microchip into the Potentially Dangerous Animal or Dangerous Animal	Sch. A, s.15.13	\$500.00
34	Failure to restrain a Potentially Dangerous Animal or Dangerous Animal as outlined in written directives by the By-Law Enforcement Officer or Police Officer	Sch. A, s.15.14	\$500.00
35	Failure to advise the Township of the transfer of Guardianship or change of address of a Potentially Dangerous Animal or Dangerous Animal within two (2) working days	Sch. A, s.15.17	\$500.00
36	To hinder or obstruct, or attempt to hinder or obstruct any person exercising a power or performing a duty under this by-law	Sch. A, s.20.2.b	\$500.00

Note: the general penalty provision for the offences listed above is Sch. A, s.20.3 of By-Law 2013-15, a certified copy of which has been filed