

THE CORPORATION OF THE TOWN OF THESSALON

BY-LAW NUMBER 1248

Being a by-law to require the registration and licensing of dogs and to prohibit dogs and other animals from running at large.

WHEREAS Section 11 (9) of The Municipal Act, 2001, c.25, provides that a municipality may pass by-laws respecting matters within the "Animals" sphere of jurisdiction;

AND WHEREAS it is deemed expedient to pass such a by-law;

NOW THEREFORE the Council of the Town of Thessalon hereby **ENACTS AS FOLLOWS:**

1. This by-law may be cited as the "Animal Control By-law".
2. **DEFINITIONS:**
 - (a) **DOG** means a male or female dog over the age of TWO MONTHS.
 - (b) **OWNER** shall include any person who possesses or harbours a dog or dogs and, owns or owned shall have a corresponding meaning and shall include a person or persons who are temporarily the keeper of dogs, and where the owner is a minor, the person responsible for the custody of the minor.
 - (c) **ANIMAL CONTROL OFFICER** includes the person so designated by the Council to administer and enforce this by-law.
 - (d) **RUNNING AT LARGE** shall be deemed to mean any dog found in any place other than the premises of the owner of the dog and not under the control of any person.
3.
 - (a) Every person who owns a dog which is kept within the Town of Thessalon shall, on or before the 1st day of April in each and every year register such dog with the Clerk-Treasurer or Animal Control Officer and procure a license and dog tag for each dog owned by them. If a person becomes an owner of a dog after the 1st day of July in any year, such person shall obtain a license for such dog for the remainder of the license year upon payment of one-half of the yearly license fee as set out in Section 3 (b) of this by-law.
 - (b) Every person described in 3 (a) shall pay an annual license fee in the amount of \$5.00 for each neutered male or spayed female dog, and \$15.00 for each unneutered male and each unspayed female dog. Dog licenses are valid only for each calendar year, and shall become due and payable on January 1st of each year. A replacement fee for lost license tags shall bear a fee of \$1.00.
 - (c) On payment of the license fee in accordance with subsection (b) of this section, the Town of Thessalon shall issue for each dog so registered, a serial numbered license tag and year to which it applies and shall cause the name of the owner, the amount paid, the name of the person who paid the fee, the year for which the receipt is issued and a description of the dog for which the license is issued, to be entered in a record to be kept for that purpose.
 - (d) The issuer of dog licenses is to supply the owner with a tag for each licensed dog, and such tag must be kept securely fixed on the dog at all times.

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- (e) No owner of a dog shall use a tag upon a dog other than that for which the tag was issued and the license tag shall expire and become void upon the sale, death, or other disposal of the dog.
 - (f) Upon application for a license tag, the owner shall produce a written certificate of a Doctor of Veterinary Medicine or the local Medical Officer of Health to the effect that the dog has been inoculated with an anti-rabies vaccine within a period of twenty-four (24) months of the date of the application for the license tag.
- 4.
- (a) Every owner of a dog shall cause such dog to be inoculated with an anti-rabies vaccine before such dog is eight (8) months old.
 - (b) If an application is made for a license for a dog which, at the time of the application, is less than eight (8) months old, subsection (a) of this section shall not prevent the issue of a license for such dog if the owner files with the Clerk-Treasurer or Animal Control Officer, in a form satisfactory to him, a certificate signed by a Doctor of Veterinary Medicine or the local Medical Officer of Health stating that an appointment has been made with him to inoculate the said dog for rabies at some time prior to the day on which said dog will be eight (8) months old.
 - (c) When any dog owner fails upon demand to produce to the Clerk-Treasurer or Animal Control Officer the rabies inoculation certificate as set out in subsection 3(f) of this section, or fails upon demand to pay the required license fee imposed by subsection 3(b) of this section, the Clerk-Treasurer or Animal Control Officer shall cause such dog to be impounded in the Pound. The owner may be summoned before a Justice of the Peace who may order the dog to become the property of the Pound which shall, upon such order being made, have the sole discretion to either place the dog for adoption or have the dog destroyed.
 - (d) For the purpose of enforcing subsection (c) of this section, the Animal Control Officer or any Peace Officer may enter upon the premises of any such owner to impound such dog.
 - (e) Every applicant for a license tag for a spayed female dog or a neutered male dog, shall produce to the Clerk-Treasurer or Animal Control Officer a certificate signed by a Doctor of Veterinary Medicine that such female dog has been spayed, or that such male dog has been neutered.
 - (f) Where a license has been issued pursuant to subsection (c) of this section and the owner fails to cause such dog to be spayed or neutered, as the case may be, before such dog becomes eight (8) months old, then the owner shall pay to the Clerk-Treasurer or Animal Control Officer the additional license fee as provided in section 3(b) of this by-law.
- 5.
- No person who owns, harbours or possesses any dog shall allow such dog to run at large within the limits of the Town of Thessalon. Any dog running at large contrary to the provisions of this by-law, may be captured by an Animal Control Officer, any police constable or other person duly authorized by the Judge of the Provincial Court (Criminal Division) or the Chief of Police and delivered to an Animal Control Officer or the Pound.

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6. Every Owner of a dog shall remove forthwith excrement left by its dog anywhere in the municipality. Physically handicapped persons in a wheel chair shall be excluded from the operation of this requirement.
7. No person who owns, harbours or possesses any dog shall allow such dog to be on a public road or in a public place at any time unless the dog is on a leash and under the control of a competent person.
8. Notwithstanding the provisions of section 5, no Owner or other person shall allow a dog, at any time, in any area designated as a public swimming area.
9. An Animal Control Officer or other duly appointed officer, may enter on any public property, or on private property with the consent of the owner or tenant of the property, for the purpose of catching any dog running at large contrary to the provisions of this by-law.
10.
 - (a) Every dog found running at large contrary to the provisions of this by-law, maybe seized and impounded, and untagged dogs may be disposed of at the pound; licensed, tagged dogs must be kept at the pound for 72 hours, after which they may be destroyed or otherwise disposed of by the Animal Control Officer.
 - (b) Before being allowed to re-posses any dog which has been seized, but not impounded, the owner must pay the fine as set in Schedule "A" of this by-law.
 - (c) Before being allowed to re-possess any dog which has been seized and impounded the owner must pay a fine as set in Schedule "A", plus the Pound Operator's charges for each day subsequent to the day of seizure that the dog remains impounded, and such owner must pick up his/her dog at the Pound.
 - (d) Before being allowed to re-possess any dog which has been seized and impounded the owner must pay any veterinary fees incurred for the dog.
11. Where an animal has been injured on property other than that where it was kept and should be destroyed for humane reasons or for reasons of safety to persons or animals, the Animal Control Officer or their agent may cause the animal to be destroyed in a humane manner as soon after seizure as they think fit without permitting any person to reclaim the animal, or without offering it for sale, and no damages or compensations shall be received by the Owner on account of its disposal.
12. Where an Animal Control Officer or other duly appointed Officer finds a dog running at large and he believes it may attack a human being, he is permitted to destroy such dog and in that event no damages or compensation shall be recovered on account of its killing.
13. Where any person finds a dog running at large contrary to this section and the dog is in the act of attacking or threatening to attack a human being, he is permitted to destroy such dog and in that event no damages or compensation shall be recovered on account of its killing.

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14. Where an Animal Control Officer is unable to seize any dog found to be running at large contrary to this by-law and the owner of such dog is known to the Animal Control Officer, an offence notice or summons may be served upon the owner and a fine imposed pursuant to this by-law is recoverable under the Provincial Offences Act. R.S.O. 1980.
15. Every person who contravenes a provision of this by-law is guilty of an offence and is subject to the provisions of the Provincial Offences Act and subject to the fines as set out in Schedule "A".
16. All sections of this by-law shall be deemed to be separate and independent and the invalidity of any section or provision thereof shall not affect the remaining sections.
17. By-law Number 975 is hereby repealed.
18. This by-law comes into full force and effect on the date of final passing.

READ A FIRST AND SECOND TIME THIS 4th DAY OF OCTOBER, 2004.

READ A THIRD TIME AND FINALLY PASSED THIS 4th DAY OF OCTOBER, 2004.

MAYOR

Seal

CLERK

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SCHEDULE "A"

SCHEDULE OF FEES PERTAINING TO BY-LAW NUMBER 1248:

1.	Failure to register dog and procure license:	\$ 50.00
2.	Allowing animal to run at large within the Town of Thessalon	\$ 50.00
3.	Failure to remove excrement left by any dog:	\$ 50.00
4.	Failure to keep dog leashed in public place:	\$ 50.00
5.	Failure to pay Pound Operators fee:	\$ 50.00
6.	Allowing dog in public swimming area	\$ 50.00
7.	Pound Operators Fee per Day	\$ 7.00