



The Corporation of the Municipality of Morris- Turnberry

BY LAW NO. 80-2013

BEING a bylaw to regulate animal care and control within the Municipality of Morris-Turnberry

WHEREAS Section 9 of the Municipal Act S.O. 2001 c.25; a Municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising it's authority under this or any other Act. 2006, c. 32, Sch. A, s. 8.part;

AND WHEREAS Section 11.3 of the Municipal Act S.O. 2001 c.25; a lower-tier municipality may pass bylaws respecting matters within the following spheres of jurisdiction - 9. Animals.

AND WHEREAS Section 11(1) of the Municipal Act S.O. 2001 c.25; a lower-tier municipality and an upper-tier municipality may provide any service or thing that the municipality considers necessary or desirable for the public, subject to the rules set out in subsection (4) . 2006, c. 32, Sch.A, s.8, part;

AND WHEREAS Section 103(1) of the Municipal Act S.O. 2001 c.25; Animal – impounding – by by-law, if a municipality passes a by-law regulating or prohibiting with respect to the being at large or trespassing of animals, it may provide for,

- (a) the seizure and impounding of animals being at large or trespassing contrary to the by-law; and
- (b) the sale of impounded animals,
 - (i) if they are not claimed within a reasonable time,
 - (ii) if the expenses of the municipality respecting the impounding of the animals are not paid, or
 - (iii) at such time and in such manner as is provided in the by-law. 2001, c. 25, s. 103(1); 2006, c.32, Sch.A, s.46(1);

AND WHEREAS Section 105 (1) (2) (3) (4) of the Municipal Act 2001 C25; allows for a Municipality to require a dog be muzzled or Council may exempt dog from muzzle order.

AND WHEREAS Section 12 of the Dog Owners' Liability Act R.S.O. 1990, Chapter D.16; designates a Municipal Law Enforcement Officer as a Peace Officer for the purposes of enforcing the Act.

AND WHEREAS The Corporation of the Municipality of Morris-Turnberry deems it desirable to pass a by-law with respect to the control of animals and prohibited animals.

NOW THEREFORE THE COUNCIL THE CORPORATION OF THE MUNICIPALITY OF MORRIS-TURNBERRY ENACTS AS FOLLOWS:

1. SHORT TITLE; This Bylaw may be cited as "Animal Control Bylaw"

2. DEFINITIONS IN this bylaw:

- 2.1 "Act" means the Municipal Act, R.S.O. 2001, Chapter M.25, as amended from time to time.
- 2.2 "Agreement" means the current agreement duly signed by the Officer of the Municipality setting out the fees and duties of the Pound Keeper.
- 2.3 "Animal Control Officer" means an Animal Control Officer appointed by bylaw of the Municipality of Morris-Turnberry; whose duty is to enforce ordinances regulating the ownership of animals and to respond to incidents in which animals are involved.
- 2.4 "Attack" means an assault resulting in bleeding, bone breakage, sprains, or bruising.
- 2.5 "Bite" means wound to the skin causing it to puncture or break.
- 2.6 "Clerk" means the Clerk appointed by the Council of the Corporation of the Municipality of Morris-Turnberry pursuant to the Act.
- 2.7 "Council" means the Council of the Corporation of the Municipality of Morris-Turnberry.
- 2.8 "Dog" means a male or female dog over the age of twelve (12) weeks and may be neutered or spayed, but does not include a Guide Dog or Special Assistance Dog.
- 2.9 "Dog Tag" means a metal licence bearing a serial number and the current year in which it was issued by the clerk, his designate, or the Animal Control Officer of the Corporation of the Municipality of Morris-Turnberry.
- 2.10 "Dwelling unit" means a room or suite of two or more rooms, designed or intended for use by any person or persons, in which sanitary conveniences are provided and in which facilities are provided for cooking or installation of cooking equipment and the land on which it is located.
- 2.11 "Guide dog" or "Special assistance dog" means a dog which serves as a guide or leader for a physically, visually or hearing impaired person or performs search and/or rescue functions and which has been specially trained for that purpose.
- 2.12 "Harbour" does not include the provision of shelter to a dog for a period of time of less than seven days, provided that the dog is owned by someone other than the household group normally a resident in the dwelling unit in which the dog is harboured and can provide proof of a permanent address.

- 2.13 "Herding Dog" means a dog that has been trained and is actively being used in a bona fide farming operation for the purposes of controlling livestock on the farm.
- 2.14 "Household group; means two or more persons who live in the same dwelling unit whether or not they are related to one another.
- 2.15 "Kennel" shall mean an establishment where more than three (3) dogs are kept for the purpose of show, training, keeping, breeding, and raising profit or gain, but shall not apply to the keeping of animals in a veterinary establishment for the purpose of observation and/or recovery to veterinary treatment.
- 2.16 "Livestock" means any domestic fowl (including chickens, geese, ducks, turkeys, guinea fowl, etc.), horse, donkey, mule, bull, ox, cow or other cattle, goat, swine, sheep, llama, mink, fox, emu, ostrich but not limited to the aforementioned or the young thereof.
- 2.17 "Livestock Guardian Dog" (LGD) be defined as a dog that works and/or lives with domestic farm animals (e.g. cattle, sheep, poultry) to protect them while repelling predators and is used exclusively for that purpose.
- 2.18 "Municipal Law Enforcement Officer" shall mean a Bylaw Enforcement Officer, interim or full time, as appointed by Council for the Corporation of the Municipality of Morris-Turnberry.
- 2.19 "Microchip" means an approved 'Canadian Standard' encoded identification device implanted into an animal, which contains a unique code that permits or facilitates access to owner information, including the name and address of the owner, which is stored in a central data base.
- 2.20 "Muzzle" means a humane fastening or covering device of adequate strength placed over the mouth of an animal to prevent it from biting and the words "muzzled" and "muzzling" have a similar meaning.
- 2.21 "Owner of a dog" means any person who owns, possesses, harbours or has custody of an animal and, where the owner is a minor, the person responsible for the custody of the minor. This shall also include a person who is temporarily the keeper of the animal.
- 2.22 "OSPCA" means the Ontario Society for the Prevention of Cruelty to Animals.
- 2.23 "Peace Officer" means the Animal Control Officer and / or a Provincial Offences Officer with the meaning of the Provincial Offences Act, R.S.O. 1990, Chapter P.33.
- 2.24 "Pet" a domestic or tamed animal or bird kept for companionship or pleasure and treated with care and affection. An animal kept for companionship and enjoyment or a household animal as opposed to livestock, laboratory animals, working animals or sport animals.

- 2.25 "Pet shop" means a shop or place where animals for use as pets are sold for retail or kept for sale.
- 2.26 "Pound" means the place which is used for the temporary housing and care of animals that have been impounded pursuant to this bylaw and so designated by the Council.
- 2.27 "Pound keeper" means the person or agency designated for the Municipality to oversee and operate the pound.
- 2.28 "Protective care" means the temporary, time-limited keeping of an animal by the Municipality as a result of an eviction, incarceration, fire or medical emergency.
- 2.29 "Redemption period" means the period of time which the owner of a dog that has been impounded pursuant to this by-law has the right to redeem it.
- 2.30 "Service animal" means an animal trained by a recognized school for service as a guide dog for the blind or visually-impaired, a guide dog for the deaf or hearing-impaired, or a special skills dog for other disabled persons and includes an animal used in therapy, registered with a recognized organization for that purpose.
- 2.31 "Urban" means those land uses designated for residential, recreational, commercial, industrial, institutional or developmental within a recognized Town, Village, Hamlet or other recognized urban area.
- 2.32 "Vicious dog" means a dog which has, without provocation, attacked or bitten a person or another animal or communicated by its actions an intention, habit, tendency or has demonstrated a propensity to do so.
- 2.33 "Without provocation" means in the absence of teasing, tormenting, abusing or assaulting actions upon the dog, or its owner, either in the past or the present, by the person or domestic animal, who sustained the bite or attack.

3. RESPONSIBILITY TO CARE FOR ANIMALS

- 3.1 Every person who keeps an animal within the Municipality shall ensure that such animal is provided with:
- (a) a clean and sanitary environment free from an accumulation of fecal matter,
 - (b) adequate and appropriate care, food, water, shelter, and opportunity for physical activity.
 - (c) such animal is not kept under conditions where an accumulation of fecal matter, odour, insect infestations or rodent attractants disturb or are likely to disturb the enjoyment, comfort, convenience of a person or may endanger the health of any person or animal.

4. LIMIT OF ANIMALS IN A DWELLING UNIT

- 4.1 The total number of cats and dogs shall not exceed five (5) within urban areas within the Municipality of Morris-Turnberry, with a maximum number of two (2) dogs harboured at any one time in a dwelling unit. No more than three (3) dogs shall be harboured, at any time, in a dwelling unit located within rural areas of the Municipality of Morris-Turnberry. In a rural area, if the number of dogs exceeds three(3), the owner must apply for a kennel licence.
- 4.2 Any dogs over the maximum allowed in section 4.1 not licensed at the time of passing of this Bylaw shall be licensed within forty five (45) days or shall be deemed in violation of this Bylaw.
- 4.3 In an Urban area, rats and/or mice for the purpose of a pet, shall not exceed a total of 5 (five) per dwelling unit.
- 4.4 In a Rural area, a person may harbor more than 3 dogs at a premises without a kennel license, provided:
- the person is keeping sheep upon the same premises;
 - the premises is on land that is zoned agricultural;
 - the person provides proof of producer registration issued in the name recorded by the Ontario Sheep Marketing Agency; and
 - the dogs are licensed annually in accordance with relevant municipal by-laws (if required)
 - and that the dogs are LGDs and or herding dogs

5. LICENCING OF DOGS

- 5.1 Every dog owner shall, on or before the 15th day of May in each and every year, register such dog or dogs with the Clerk or his/her designate or with the Animal Control Officer and pay the prescribed fees as set out in Schedule "B" of this by-law and in the Morris-Turnberry Fees and Charges by-law. If a person becomes the owner of a dog after the 15th day of May in any year, the person shall register the dog and pay the prescribed fee within 15 days of taking possession of the dog. In the case of every dog tag purchased after May 15th in a given year, or in the case of a dog purchased after May 15th where a dog tag has not been purchased within fifteen days of the date of possession of the dog, the owner shall pay a penalty as set out in Schedule 'B' to this By-law and in the Morris-Turnberry fees and charges By-law.
- 5.2 Notwithstanding section 5.1 hereof the fees to licence and register a dog that is required to assist a disabled person shall be waived with appropriate documentation.
- 5.3 Upon application for a licence, the owner shall sign the dog licence application that a certificate has been signed by a practicing veterinarian that the dog has been inoculated with an up to date Anti- Rabies Vaccine prior to the date of application for the licence. If the owner does not have a certificate, the owner shall be advised that one is required.

- 5.4 Upon application for a licence for a spayed female dog the applicant shall state that the female dog has been spayed.
- 5.5 A record of the dog tags issued shall be kept by the Clerk or other officer designated by the Corporation of the Municipality of Morris-Turnberry for that purpose, showing the name and address of the owner and the serial number of the dog tag.
- 5.6 No tag shall be used for a dog other than the one for which it was issued.

6. VICIOUS DOGS

- 6.1 A vicious dog shall have a special licence fee as set out in Schedule 'B' of this bylaw.
- 6.2 An owner of a vicious dog shall obtain and maintain a policy of public liability insurance by an insurer licenced by the Province of Ontario providing third party liability coverage in the amount of Five Hundred Thousand (500,000) dollars for any damage or injury caused by said dog.
- 6.3 An owner of a vicious dog shall implant an electronic identification microchip in the dog, obtained by a veterinary clinic or OSPCA.
- 6.4 An owner of a vicious dog shall provide the information contained on the microchip to the Clerk.
- 6.5 An owner of a vicious dog shall post "Beware of Dog Signs" on perimeter of property of the property upon which the dog is housed.
- 6.6 An owner of a vicious dog shall keep such dog confined within the premises; or keep such dog confined in an enclosed pen of sufficient dimension and construction to provide humane shelter for the dog while preventing the dog from escape and preventing entry from unsupervised children.
- 6.7 An owner of a vicious dog shall ensure that the enclosure or other structure is locked at all times.
- 6.8 An owner of a vicious dog shall notify the Animal Control Officer if the animal is running at large.
- 6.9 No owner of a vicious dog shall permit it to be walked by a person under 18 years of age and shall ensure that the vicious dog is muzzled and leashed.

- 6.10 All requirements for a vicious dog shall be required until the dog is destroyed or the Clerk, or designate appointed for the purpose of enforcing the Municipality's By law exempts the owner from the vicious dog requirements.

7. PIT BULLS AND PIT BULL CROSSES;

"pit bull" includes,

- (a) a pit bull terrier,
- (b) a Staffordshire bull terrier,
- (c) an American Staffordshire terrier,
- (d) an American pit bull terrier,
- (e) a dog that has an appearance and physical characteristics that are substantially similar to those of dogs referred to in any of clauses (a) to (d); ("pit-bull")

7.1 Pit bulls and Pit bull crosses shall have a special licence fee as set out in Schedule B of this bylaw and in the Morris-Turnberry Fees and Charges Bylaw.

7.2 No person shall walk a Pit bull and Pit bull crosses, unless they are muzzled and leashed and shall ensure that they comply with all other aspects and conditions as stated in this Bylaw, also Ontario Regulation 157-05 Pit bull Control.

8. KENNEL LICENCING

8.1 No person shall operate a kennel without, before the 15th day of May in each year, or upon the commencement of the operation of a kennel after the 15th of May in a given year, first applying for and obtaining a kennel licence and paying the prescribed fee as set out in Schedule "B" to this by-law and in the Morris-Turnberry Fees & Charges By-law.

8.2 No person or persons shall keep more than three (3) dogs over the age of twelve (12) weeks at one location unless a kennel licence is obtained.

8.3 Every person who holds a kennel licence shall comply with the following requirements:

- 1. The kennel shall be in separate building.
- 2. The kennel building and its location must conform to the applicable zoning bylaws and the Ontario Building Code as amended from time to time.
- 3. The kennel building shall have a floor of concrete or other impermeable material and shall have drain opening constructed as a plumbing fixture and such floor shall be thoroughly cleaned daily, or more often if necessary.

4. The kennel building shall have adequate lighting, windows that may be opened for proper ventilation, a heating system sufficient to adequately heat the building, running water and a food preparation area, pursuant to the Code of Practice for Canadian Kennel Operations, Second edition, May, 2007.
5. Inside dog runs minimum standards;
 - a) at least 2.5 feet (.75 metres) wide, 6 feet (1.8metres) high and 15 square feet (1.35 metres) in area.
 - b) has a floor of solid, readily sanitized and fluid-impervious material.
 - c) is enclosed by walls of solid, readily sanitized and fluid impervious material or surrounded by partitions which are solid, readily sanitized and fluid -impervious materials extending from the floor for at least 4 feet (1.2 metres) and, above the solid material,or other material that will prevent an animal confined in the run from escaping which extends to 6 feet (1.8 metres) above the floor.
 - d) is constructed so that liquid cannot escape or pass to another run except through a drain, or drainage channel leading directly to a drain, which is inaccessible to an animal in the run.
 - e) has a door which does not open into another run
 - f) is well constructed and secure.
 - g) is well ventilated.
 - h) is properly drained.
- 8.4. If dogs are being housed outside, an example being a Hunting dog, the breed of dog must be properly acclimatized to seasonal and regional temperatures. Aged, young, or infirmed dogs shall be housed indoors. Shelter and protection from cold and heat must be provided including protection from direct sunlight, rain, sleet, and snow, which includes an enclosed area with dry bedding, properly drained and a cement pad or patio stones in front of the dog house door.
- 8.5. Where a clipping and grooming service is performed, such clipping and grooming shall be carried out in the kennel building only. This service is not allowed in the Urban Areas.
- 8.6. The kennel licence shall be continuously displayed in a conspicuous place in the interior of the premises for which the licence has been issued.

- 8.7. At all times the kennel operator shall maintain the premises in a sanitary, well ventilated, clean condition, and free from offensive odours.
- 8.8. The operator shall keep the dogs in sanitary, well bedded, well ventilated, naturally lighted, clean quarters at a healthy temperature at all times.
- 8.9. The operator shall feed and give water to the dogs periodically each day and keep same in a clean, healthy condition, free from vermin and disease.
- 8.10. The Animal Control Officer and or Municipal Law Enforcement Officer and any other person authorized by the Corporation of the Municipality of Morris-Turnberry may inspect any place where dogs are kept, pursuant to this bylaw.
- 8.11. If the kennel is found not to conform, under the requirements set out herein, the Animal Control Officer and or Municipal Law Enforcement Officer may contact the O.S.P.C.A. or any other agency with the dog's best interests and well being in mind. The Animal Control Officer appointed by the Corporation of the Municipality of Morris-Turnberry may revoke the licence issued to the kennel if the owner is in contravention of this by-law.
- 8.12. In accordance to the Municipal Act S.151(1) the owner of a kennel of dogs that are registered or eligible for registration with an association incorporated under the Animal Pedigree Act (Canada) shall pay an annual license fee of \$85.00
- 8.13. No kennels will be allowed for Pit Bulls, Pit Bull Crosses and Staffordshire Terriers.

9. EXPIRATION OF LICENCE

- 9.1 A licence issued pursuant to section 5.1 or 8.1 of this Bylaw shall expire on the 31st day of December in the year for which it was issued.

10. HARBOURING DOG WITHOUT A LICENCE OR TAG

- 10.1 Except as provided herein, no person shall harbour a dog or dogs within the boundaries of the Municipality of Morris-Turnberry unless such dog has affixed to it a current dog tag issued under this Bylaw.

11. IMPROPER USE OF DOG TAG

- 11.1 No person shall use a dog tag other than for which the dog tag was issued, at the location stated in the dog licence application.

12. DOGS RUNNING AT LARGE

- 12.1 No person shall permit a dog to run at large within the boundaries of the Municipality of Morris-Turnberry.

- 12.2 For purposes of this section, a dog shall be deemed to be running at large if found not to be under the control of a competent and responsible person at any place within the boundaries of the Municipality of Morris-Turnberry other than the premises of the owner of the dog.
- 12.3 A dog shall be deemed to be running at large if found on municipal property and not on a leash, unless at a designated leash free park.
- 12.4 A dog shall not be deemed running at large if, while off the premises of its owner, the dog is within an enclosed area from which it does not appear to be able to escape, with the consent of the owner of such enclosed area.
- 12.5 A dog shall be deemed to be under control of a competent and responsible person if it is on a leash attached to a collar or harness and which leash is a maximum length of 6 feet (1.8 metres). In the hands of an individual who appears to be able to restrain the dog and/or maintain control over the dog.
- 12.6 Female dogs in heat must be confined to a building isolated from other dogs and remain there until such time as the heat has ended.
- 12.7 If a dog is tied or in a pen, it shall not be within three (3) feet of a property line.

13. PROHIBITED ANIMALS AT LARGE

- 13.1 No person shall permit a prohibited animal to be at large within the boundaries of the Municipality of Morris-Turnberry.

14. CAUSING A DISTURBANCE

- 14.1 No person, being the owner of a dog or the operator of a kennel shall permit a dog or dogs to persistently howl, bark or whine for a period in excess of 15 minutes, if such conduct disturbs or is likely to disturb the inhabitants of the Municipality.

15. REMOVAL OF DOG EXCREMENT

- 15.1 Every person who owns controls or harbours a dog shall remove forthwith any excrement left by such dog on public or private lands within the boundaries of the Municipality of Morris-Turnberry.
- 15.2 This provision shall not apply to persons who are legally blind and using guide dogs.

16. SEIZURE AND IMPOUNDING

- 16.1 A Peace Officer and/or Animal Control Officer appointed by the Corporation of the Municipality of Morris-Turnberry may seize and impound any dog found running at large. The dog will be impounded at the Wingham Veterinary Clinic, under the direction of the Pound Keeper named in the Morris-Turnberry Appointment Bylaw.
- 16.2 If a dog found running at large has been injured and should, at the discretion of the Peace Officer or the Animal Control Officer, be destroyed without delay for humanitarian reasons, the Peace Officer or Animal Control Officer may destroy the dog in a humane manner after the seizure as he/she thinks fit and no damages or compensation shall be recoverable by the owner of the dog on account of such destruction.
- 16.3 The Peace Officer or Animal Control Officer may destroy any animal found running at large if the animal cannot be seized within a reasonable time and which animal threatens the safety of the Peace Officer or Animal Control Officer or other persons, and no damages or compensation shall be recoverable by the owner of the dog on account of such destruction.
- 16.4 Where a dog has been impounded and has not been destroyed, the Animal Control Officer shall release possession of the dog to its owner where:
- 16.5 The owner attends at the pound and claims possession of the dog within three days, excluding the day which the dog was impounded, statutory holidays, Saturdays and Sundays.
- And
- a) The owner provides proof that the animal is licenced prior to release,
- And
- b) Any emergency veterinary fees deemed to be necessary during the time of impound have been paid
- And
- c) The owner pays to the Municipality of Morris-Turnberry or its agent, a seizure/pound fee, administration fee and boarding fee per day for each day the dog has been in the pound, commencing the day the dog is seized and including the day the dog is removed from the pound as described in Schedule 'B' of this bylaw and in the Morris-Turnberry fees and charges By-law by the Owner.

17. LIABILITY FOR FEES

- 17.1 Where a dog is impounded the owner of the dog shall be liable for all fees prescribed herein, including the fees for destruction of the dog where the dog has been destroyed, whether or not the dog is claimed by the owner. All such fees shall be payable on written demand to the owner from the Clerk or Animal Control Officer.
- 17.2 If the owner has not paid the fees demands within 30 days of the written demand for payment, such fees may be collected by action or in the same manner as municipal taxes.

18. DISPOSAL OF DOGS

- 18.1 Where a dog has been seized while found running at large and impounded and the owner has not claimed the dog within three days, excluding the day on which the dog was seized, statutory holidays, and Sundays, or having attended at the pound to claim the dog has not paid the prescribed seizure, pound and maintenance fees, the Animal Control Officer may sell the dog for such price as he/she deems fit, destroy the dog in a humane manner, or otherwise dispose of the dog as she/he deems fit in his/her discretion, and no damages or compensation shall be recoverable by the owner as a result of any such action.

19. PROHIBITED ANIMALS

- 19.1 Except as provided in Section 19.2, no person shall keep in the Municipality either on a temporary or permanent basis, any prohibited animal, as set out in Schedule "A".
- 19.2 Despite Section 19.1, a person shall be permitted to keep such prohibited animals if acquired prior to the passing of this by-law, and such person shall comply with the following conditions:
- (a) the prohibited animal was housed on a property within the limits of Morris-Turnberry prior to the adoption of this bylaw and such prohibited animal is registered at the Municipal office,
 - (b) the animal is kept in an environment which is appropriate for the species, and
 - (c) the owner has filed a letter of request, as shown in Schedule 'D' for an exemption from section 19.1 of this bylaw and has received approval in writing from the Clerk.
 - (d) An Initial inspection is conducted for prohibited animals by the Animal Control Officer.

- 19.3 The burden of proof for an exemption from Section 19.1 rests with the person making the request for exemption to the Clerk. Written approval from the Clerk shall be deemed as an exemption from Section 19.1 of this By-law.
- 19.4 The Clerk shall maintain a list of all prohibited animals and owners from which an exemption has been granted, in accordance with Section 19.2
Section 19 shall not apply to:
- (a) any of the Municipalities animal care and control centres, as applicable,
 - (b) the premises of the OSPCA,
 - (c) the premises of an accredited veterinary facility under the supervision of a veterinarian licenced pursuant to the Veterinarians Act, R.S.O. 1990, Chapter V.3, as amended,
 - (d) the premises of any licensed zoo or exhibit, permanently located in the Municipality,
 - (e) premises or facilities accredited by the Canadian Association of Zoos and Aquaria(CAZA)
 - (f) the areas of the Municipality in which professionally produced films are made using such animals, provided that there is supervision by Inspectors or Agents of the OSPCA or on of its affiliates or branches,
 - (g) the areas of the Municipality in which educational programs are being conducted with animals, provided that the animals are owned by institutions accredited by CAZA or the American Zoo and Aquarium Association and only while the educational programs are actually conducted, provided that such programs are limited to two days at any one location,
 - (h) premises registered as research facilities pursuant to the Animals for Research Act, R.S.O. 1990, c.A.22,
 - (i) premises where wildlife rehabilitation is being undertaken in accordance with the Fish and Wildlife Conservation Act, 1997, S.O. 1997, Chapter 41, as amended and associated regulations under the jurisdiction of the Ontario Ministry of Natural Resources.

20. ENFORCEMENT

20.1 This Bylaw shall be enforced by an Animal Control Officer, Municipal Law Enforcement Officer or Peace Officer, duly appointed for the purpose of enforcing the Municipality's Bylaw.

20.2 The Animal Control Officer may at any time request the assistance of the Ontario Provincial Police to enforce any provision of this Bylaw.

21. PENALTY OF OFFENCE

21.1 Every person who contravenes any provision of this by-law is guilty of an offence and on conviction and is liable to a fine as prescribed in Schedule "C" of this by-law or as prescribed by a judge pursuant to the Provincial Offences Act.

21.2 That the list of offences and applicable fines are attached in 'Schedule C'.

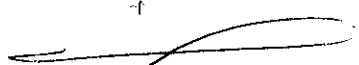
22. REPEAL OF BYLAWS

22.1 This Bylaw hereby repeals any previous by-laws for the regulating of dogs within the municipality which includes Bylaw No. 30-2001, and By-law No. 63-2004 and By-Law No. 71-2013.

22.2 This Bylaw shall come into force and take effect upon the final passage thereof.

Read a first and second time this 3rd day of December , 2013

Read the third time and finally passed this 3rd day of December , 2013



Mayor, Paul Gowing



Clerk, Nancy Michie

**SCHEDULE " A" of Bylaw No. 80-2013
PROHIBITED ANIMALS**

Being a list of animals the keeping of which is prohibited within the Municipality of Morris-Turnberry

- 1) All marsupials (such as kangaroos and opossums)
- 2) All non – human primates (such as gorillas and monkeys)
- 3) All felids, except the domestic cat
- 4) All canids, except the domestic dog
- 5) All viverrids (such as mongooses, civets and genets)
- 6) All mustelids (such as skunks, weasels, otters, badgers, except the domestic ferret)
- 7) All urside (bears)
- 8) All artiodactylus ungulates, except domestic goats, sheeps, pigs and cattle – prohibited in Urban areas.
- 9) All procyonide (such as raccoons, coatis and cacomistiles)
- 10) All hyaenas
- 11) All perissodactylus ungulates (horses) – prohibited in Urban areas only
- 12) All elephants
- 13) All pinnipeds (such as seals, fur seals and walruses)
- 14) All snakes of the families Pythonidae and Boidae
- 15) All venomous reptiles
- 16) All ratite birds (such as ostriches, rheas, cassowaries) –prohibited in Urban Areas only
- 17) All diurnal and nocturnal raptors (such as eagles, hawks and owls)- prohibited in Urban areas-only
- 18) All edentates (such as eagles, hawks and owls)
- 19) All bats
- 20) All crocodilians (such as alligators and crocodiles)
- 21) All venomous arachnids (such as scorpions and tarantulas)
- 22) All insectivorous mammals (Insectivora), including aardvark (Tubulidentata), anteater, shrew, otter shrew, mole and hedge hog.

Examples of animals of a particular prohibited group are given parentheses. They are examples only and shall not be construed as limiting one generality of the group.

Being a list of places or circumstances which are exempt from the application of this By-law.

- 1) On the premises of a zoo or animal display operated by or on behalf of the Corporation of the Municipality of Morris-Turnberry.
- 2) In a veterinary hospital under the care of a licensed veterinarian.
- 3) On the premises of a university or community college where such animals are being kept for research, study or teaching purposes, or on premises registered as research facilities under the Animals for Research Act.
- 4) By anyone holding a licence or permit under any statute of the Legislature of Ontario or the Government of Canada, which permits the keeping of animals under stated conditions.
- 5) On the premises of any television studio where such animals are being kept temporarily for the purpose of a television production.
- 6) During the transportation of such animals between the places or circumstances listed herein.
- 7) Premises which are temporarily used for travelling shows such as circus or other like shows.
- 8) All areas in the urban area of the Lower Town Wingham area, greater in size than 5 acres, is exempt from Section 11 of Schedule A.

**SCHEDULE "B" of Bylaw No.80-2013
Dog Licensing and Fees**

Now therefore, the council of the Municipality of Morris-Turnberry hereby established the following fee schedule for dog licensing, for dogs harboured in the Municipality of Morris-Turnberry.

<p>1.Males and Spayed Females Except Pit Bulls, Pit Bull Crosses and Staffordshire Terriers</p>	<p>First Dog All others</p>	<p>\$20.00 \$30.00 each</p>
<p>2.Females Except Pit Bulls, Pit Bull Crosses and Staffordshire Terriers</p>	<p>First Dog All others</p>	<p>\$20.00 \$30.00 each</p>
<p>3. Pit Bulls, Pit Bull Crosses, and Staffordshire Terriers, and dogs deemed Vicious</p>	<p>First dog All Others</p>	<p>\$100.00 \$110.00</p>

Therefore, the dog licensing fee each Male, Spayed Female or Female dog, will be \$20.00, except Pit Bulls, Pit Bull Crosses, and Staffordshire Terriers, and dogs deemed vicious which will be \$100.00, and \$110.00 thereafter.

Late penalty for Non Renewal: Any person who fails to renew a dog license on or before the 15th day of May shall be subject to a penalty of twenty dollars (\$20.00).

<p>4. Administration Fee for section 16.5 c)</p>	<p>\$50.00</p>
<p>5. Kennel Fee for section 8.1</p>	<p>\$85.00</p>
<p>6. Prohibited Animal fee for section 19.2</p>	<p>\$85.00</p>

The Municipality of Morris-Turnberry
SCHEDULE "C" of Bylaw No. 80-2013: Animal Control
Under Part 1 of the Provincial Offences Act

ITEM	(Column 1) Short Form Wording	(Column 2) Provisions creating or defining offence	(Column 3) Set Fine
1	Fail to keep legal number of animals	4(4.1)	\$125.00
2	Fail to keep legal number of dogs	4(4.1)	\$125.00
3	Fail to keep legal number of rats or mice	4(4.3)	\$125.00
4	Fail to license dog for current year	5(5.1)	\$125.00
5	Fail to license vicious dog	5(5.1)	\$125.00
6	Fail to use tag for dog it was issued to	5(5.6)	\$125.00
7	Fail to provide insurance policy for vicious dog	6(6.2)	\$125.00
8	Fail to provide microchip information	6(6.4)	\$125.00
9	Fail to post beware of dog signs	6(6.5)	\$125.00
10	Fail to enclose vicious dog	6(6.6)	\$125.00
11	Fail to lock vicious dog enclosure	6(6.7)	\$125.00
12.	Fail to notify vicious dog at large	6(6.8)	\$125.00
13.	Fail to leash vicious dog	6(6.9)	\$125.00
14.	Fail to muzzle vicious dog	6(6.9)	\$125.00
15.	Fail to walk vicious dog by adult	6(6.9)	\$125.00
16.	Fail to license Pit Bull	5(5.1)	\$200.00
17.	Fail to leash Pit Bull	7(7.2)	\$125.00
18.	Fail to muzzle Pit Bull	7(7.2)	\$125.00
19.	Fail to meet 157-05 of Pit Bull Control	7(7.2)	\$125.00
20.	Fail to license kennel for current year	8(8.1)	\$125.00
21.	Allow dog to run at large	12(12.1)	\$125.00
22.	Allow dog to howl, whine or bark causing noise, which may cause a disturbance	14(14.1)	\$125.00
23.	Fail to remove dog excrement from private or public land	15(15.1)	\$125.00
24.	Keeping a Prohibited Animal	19(19.1)	\$125.00
25.	Keeping a Prohibited Animal- fail to comply with conditions	19 (19.2)	\$125.00
26.	Prohibited Animals at Large	13(13.1)	\$200.00

NOTE: The penalty provisions for the offences indicated above is Section 61 of the Provincial Offences Act, R.S.O. 1990, c.P.33

SCHEDULE "D" of Bylaw No.80-2013

Letter of Request

1. **Name**
Address

2. **Property Description:**

3. **Type of Prohibited Animal:**

4. **Location :** where the Prohibited animal will be housed

5. **Inspection:** Inspection to determine if the housing facility is adequate:

1. Aquarium or Pen - that has a locking device (picture to be attached)
2. Adequate humidity
3. Adequate temperature

6. **Picture of the Animal:**

7. **Signatures:**

Signature of Animal owner requesting the approval _____

Date: _____ Print name

Signature of the Animal Control Inspector _____

Print name

Date of Inspection _____

Signature of the Municipal Approval _____

Date of Approval _____ Print name of Clerk