CORPORATION OF THE MUNICIPALITY OF MORRIS-TURNBERRY

ANIMAL CONTROL BY-LAW 63-2004

A By-law to amend the fee structure and Kennel criteria of By-law No. 30-2001.

WHEREAS the Municipal Act S.O. 2001, c.25 Section 9 authorizes municipalities to govern their affairs as they consider appropriate;

AND WHEREAS the Municipal Act S.O. 2001 c.25 Section 11 subsection (2) identifies the spheres of jurisdiction of upper and lower tier municipalities and authorizes the Council of a lower tier municipality to pass By-laws relating to animals;

AND WHEREAS the Municipal Act S.O. 2001 c.25 Section 103 authorizes the Council of a lower tier municipality that has passed a By-law to regulate and prohibit animals running at large, as set out in By-law 30-2001 of the Municipality of Morris-Turnberry;

AND WHEREAS the Municipal Act S.O. 2001 c.25 Section 391 authorizes the Council of the municipality to pass a by-law imposing fees or charges (a) for services or activities provided and (b) for costs payable for services or activities provided;

THEREFORE BE IT ENACTED, by the Council of the Corporation of the Municipality of Morris-Turnberry and it is hereby enacted by the authority of the same, that:

PART 2 – LICENSING AND REGISTRATION OF DOGS

2.1 Every owner of a dog shall cause such dog to be licensed annually on or before the 15th of May and in each year cause such dog to be again licensed for one year from the 1st day of January.

2.2 The maximum number of dogs in an Urban area allowed per household, where the property is located within a plan of subdivision, registered plan of subdivision, registered plan of subdivision, mobile home park, or trailer park, over the age of 12 weeks shall be 2.

LICENSE FEE

2.3 The license fee to be paid as follows:
   For each male or spayed female dog ) as per Schedule
   For each additional male or spayed female dog ) ‘A’ attached
   For each female dog, if only one is kept ) hereto
   For each additional female dog } hereto
2.4 On payment of the license for a dog, the owner shall be furnished with a dog tag and shall keep the tag securely fixed on the dog at all times until the tag is renewed or replaced.

2.5 No person, other than the owner of the dog, shall remove the tag from the dog.

2.6 The tag shall bear a serial number and the year in which it was issued and a record shall be kept at the Municipal Office, showing the name and address of the owner and serial number of the tag.

2.7 No tag shall be used for a dog other than the one for which it was issued.

2.8 Upon application for a license tag, the owner shall produce evidence 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 tag.

2.9 Every applicant for a tag for a spayed female dog or neutered male dog, shall produce to the Municipality of Morris-Turnberry, or its authorized agent, at the time of making application a certificate of veterinary surgeon that such female dog has been spayed, or that such male dog has been neutered.

2.10 A dog which is found without a tag, off the premises upon which it is habitually kept and whether or not under the control of any person, may apprehended by the Animal Control Officer and delivered to the Pound Keeper. If a dog is found without a tag, on the premises upon which it is habitually kept, the Animal Control Officer may demand to see the dog’s license tag and the owner must produce the license forthwith. If the license is not produced, the Animal Control Officer shall apprehend the dog and deliver it to the Pound Keeper. In either case, a dog so impounded shall be held for a period of three days, exclusive of the day it was impounded, Sundays and Statutory holidays. If it is not claimed and released to the owner within a period of three days, it may then be destroyed or sold and the proceeds of any sale shall be the property of the municipality. Each dog so impounded shall not be released until all fees are paid as set out in the current Agreement with the Pound Keeper.

2.11 When a dog which has not been licensed by the Municipality of Morris-Turnberry has been delivered to the Pound Keeper, such dog shall not be released from the pound to its owner until a Dog Release Certificate has been issued to the owner and submitted to the Pound Keeper confirming that:

i) The dog has been licensed

ii) The license fee, as set out in Part 2 has been paid
PART 3 – **PITBULLS** and **PITBULLS CROSS** and **STAFFORDSHIRE TERRIERS**

3.1 Pitbulls and pitbull cross and staffordshire terriers shall have a special license fee as set out in license fee Schedule “A”

3.2 No kennels will be allowed for Pitbulls and pitbull cross and staffordshire terriers, as set out in Kennel Licence Fee Schedule “B”.

Part 4- **Repeal of Schedule A & B of By-law No. 30-2001**

4. That this by-law comes into effect on the final passing thereof and hereby repeals Schedule A and B of By-law No. 30-2001.

Read a first and second time this 23rd day of November, 2004

Read a third and final time this 23rd day of November, 2004

Mayor- Dorothy Kelly
Clerk- Nancy Michie
Schedule A of By-law No. 63-2004 which amends By-law 30-2001

Dog Licensing - Fees

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

1. Males and Spayed Females
   - Except Pit bulls, Pit Bull crosses, Staffordshire Terriers
   - First Dog: $20.00
   - All others: $20.00 each

2. Females
   - Except Pit bulls, Pit Bull crosses, Staffordshire Terriers
   - First Dog: $20.00
   - All others: $20.00 each

3. Pit bulls, Pit Bull crosses, Staffordshire Terriers
   - First Dog: $100.00
   - All others: $100.00

Therefore, the dog licensing fee each Male, Spayed Female or Female dog, will be $20.00, except Pit bulls, Pit Bull crosses, Staffordshire Terriers, which will be $100.00.

Late penalty for Non Renewal: Any person who fails to renew a dog license on or before the 15\textsuperscript{th} day of May shall be subject to a penalty of twenty dollars ($20.00).
Schedule B – By-law No. 63-2004

Kennel License Fee

Municipality of Morris-Turnberry

In accordance to the Municipal Act S. 210 11(c) 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 $75.00.

No kennels will be allowed for Pit bull, Pit Bull Crosses and Staffordshire Terriers.

All other Kennel Fees established under this Act are hereby amended and repealed.