



CORPORATION OF THE TOWNSHIP OF PRINCE

By-Law 2024-04

Licensing: A by-law for licensing dogs, requiring the registration for dogs and for prohibiting the running of at large of dogs and cats

THE COUNCIL of the Corporation of the Township of Prince pursuant to The Municipal Act, S.O. 2001, c.25 as amended, ENACTS as follows:

1. INTERPRETATION

In this by-law:

- (1) "Kennel" means an establishment where a kennel of purebred dogs are registered with the Canadian Kennel Club under the owner's name
- (2) "Dog" means a dog of any age, gender or breed.
- (3) "Owner" of a dog or cat includes a person who possesses or harbors a dog or cat and, where the owner is a minor, the person responsible for the custody of the minor
- (4) "Poundkeeper" means the shelter operated by the Sault Ste. Marie Humane Society on behalf of the Corporation of the Township of Prince
- (5) "By-law Enforcement Officer" means the by-law enforcement officer of the Township of Prince.
- (6) "Animal Control Officer" means the staff responsible for the observance, collection and transfer to Owner/ Poundkeeper, etc, for the Township of Prince.

2. POUNDKEEPER

For the purpose of this by-law, the Sault Ste. Marie Human Society shall be deemed to be the Poundkeeper of the City of Sault Ste. Marie and the Animal Shelter operated by the Society shall be deemed to be the Pound.

3. LICENSE REQUIREMENT

- (1) On or before the first day of March each year, every person who owns a dog and cat shall:
 - (a) register every dog and cat owned with the Township; and

(b) obtain a license and tag for every dog and cat owned from the Township

(2) New dog and cat owners shall comply with section 3, subsection {1 }(a) and (b) within seven

{7} days of acquiring the dog

4. PENALTY FOR NON-RENEWAL

Any person who fails to renew a dog license on or before March 1st of each year shall be subject to a penalty of Fifteen Dollars (\$15.00) on renewal.

5. LICENCE FEE AND REGULATION

The Township shall not issue a license or tag to any person for any dog unless: (1) a certificate signed by a Doctor of Veterinary Medicine is provided to the Township or Animal Control Officer that indicates that such dog has been inoculated against rabies within 24 months of the 1st day of January of the year in which the application is made; and

(2) the following fees are paid in office:

For each neutered/spayed dog or cat:	\$10.00
For each unaltered dog or cat:	\$20.00
Penalty for late renewal:	\$15.00
Kennel Fee for impounded dogs – per day:	\$10.00
Kennel Fee for Purebred dogs :	\$37.50
Surcharge for transporting a pet to kennel:	\$20.00

(3) Failure to comply will result in the following fines:

Fail to treat animal in a humane way:	\$250.00
Fail to provide animal with adequate/appropriate water:	\$250.00
Fail to provide animal with adequate/appropriate shelter:	\$250.00
Fail to provide animal with veterinary medical care:	\$500.00
Fail to provide animal with sufficient physical activity:	\$250.00
Fail to provide animal with raised shelter:	\$150.00
Fail to provide animal with sufficient shade:	\$300.00

Fail to provide animal with area dry and free from standing water:	\$150.00
Improper tethering of an animal - tether less than four (4) meters Improper tethering of an animal - failing to give animal unrestricted Or unobstructed movement within a range of tether:	\$150.00
Improper tethering of an animal - no access to food/water/shelter Improper tethering of an animal tether causing pain or distress Improper collar restrict breathing or cause distress:	\$300.00
Improper tethering of an animal (cats) left outside unsupervised:	\$200.00
Fail to keep animal in sanitary conditions:	\$250.00
Fail to register dog	\$250.00
Fail to renew registration:	\$100.00
Fail to obtain a replacement dog identification tag:	\$50.00
Fail to display identification tag on collar:	\$50.00
Use improper tag/ providing false identification:	\$250.00
Remove identification tag:	\$100.00
Permit dog to bite or attack - a person or domestic animal:	\$500.00
Fail to comply with a Dangerous Dog Notice:	\$400.00
Fail to muzzle a dangerous dog:	\$400.00
Fail to securely tether a dangerous dog:	\$400.00
Fail to securely confine a dangerous dog with appropriate fence OR enclosure:	\$400.00
Fail to display Dangerous Dog warning sign:	\$200.00
Use leash more than 2m on dangerous dog:	\$400.00
Fail to notify of change of address or ownership:	\$300.00
Fail to notify running at large of dangerous dog:	\$400.00
Failing to notify attacking or biting by dangerous dog:	\$400.00
Permit dog or cat to damage public or private property:	\$150.00
Permit dog or cat to chase persons, vehicles, domestic animals, Livestock, or poultry:	\$150.00

Permit dog or cat to run at large:	\$200.00
Permit Dangerous Dog to run at large:	\$400.00
Fail to properly control a dog on a leash:	\$100.00
Fail to turn over a found cat or dog to Pound or Owner:	\$200.00
Fail to confine a dog or cat that is in heat:	\$150.00
Keep more than 4 dogs on premises:	\$250.00
Keep more than 5 cats on premises:	\$250.00
Keeping an animal in enclosed space or car without adequate ventilation:	\$400.00
Improper Transportation of animal:	\$250.00
Fail to notify Pound Keeper of injuring an animal while operating a motor vehicle:	\$300.00
Fail to turn over an injured animal to Owner:	\$500.00
Fail to turn over an injured animal to Officer or Pound Keeper:	\$300.00
Annoy or assault or batter or torment or willfully and recklessly kill or cause injury or cause pain or cause suffering to an animal:	\$5000.00
Trap an animal causing pain injury and suffering:	\$150.00
Keep livestock in area not zoned for keeping of livestock:	\$250.00
Permit livestock to run at large:	\$300.00
Fail to turn over livestock to its Owner or Officer or Pound:	\$200.00
Remove a wild animal from Township Property:	\$150.00
Keep or cause to be kept a wild animal:	\$150.00
Feed a wild animal or leave food or attractant out:	\$200.00
Keep a prohibited animal:	\$300.00
Keep more than ten (10) animals - Breeding Kennel:	\$250.00
Fail to permit an Officer to inspect premises:	\$300.00

Obstructing an Officer in the execution of their duties: \$300.00

Furnish false information to an Officer: \$300.00

(4) If a kennel license is issued for a kennel of purebred dogs or cats registered in the register of the Canadian Kennel Club, no further license fee is required to be paid in respect of such purebred dogs or cats, while they are part of the kennel.

(5) If an application is made for a license for a dog which at the time of the application is less than 8 months old, subsection 1 of section 5 shall not prevent the issue of a license for such dog if the owner undertakes to file with the Animal Control or By-law Enforcement Officer, in a form satisfactory to them, a certificate signed by a Doctor of Veterinary Medicine providing that the dog has been inoculated for rabies when the dog attains the age of 8 months.

(6) No female dog shall be licensed as a spayed female dog and no male dog shall be licensed as a neutered male dog unless a certificate signed by a Doctor of Veterinary Medicine is provided to the Township or By-law Enforcement Officer certifying that such female dog has been spayed or that such male dog has been neutered.

(7) With respect to a dog that is less than 8 months old, subsection 5 is satisfactorily complied with if the owner of such dog or cat files with the Township a certificate signed by a Doctor of Veterinary Medicine that an appointment has been made with them, to spay the said dog or cat at some time prior to the day on which such dog will be 8 months old.

(8) If a person becomes an owner of a dog after the first day of July in each year, the fee payable for each license applied for in that year shall be one-half the yearly license fee required by this by law.

(9) A blind owner of a guide dog shall be issued a *dog license free of charge* upon production of a card from the Canadian National Institute for the Blind issued to such owner and provided that all other provisions of this by-law are satisfied.

(10) A hearing-impaired owner of a hearing ear dog shall be issued *a dog license free of charge* upon production of a card from the Hearing Ear Dogs of Canada issued to such owner and provided that all other provisions of this by-law are satisfied.

6. PROHIBITIONS

(1) Every owner shall procure a tag for each dog or cat owned and shall keep the tag affixed to the dog or cat for which it was procured at all times during the year and until such time as he procures a tag for each dog for the following year.

(2) No owner shall use a tag upon a dog other than that for which the tag was issued.

(3) Every owner shall cause each dog or cat owned to be inoculated for rabies before each dog is 8 months old

(4) No person shall procure a license for a female dog as a male dog.

(5) No person shall remove a license tag from a licensed dog.

7. TAGS

A tag shall bear a serial number and the year to which it applies; a license shall state 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, which particulars shall be entered in the records kept in the Municipal Office.

8. RUNNING AT LARGE

(1) No person shall cause or permit a dog or cat owned by a resident to run at large in the Township of Prince.

(2) For the purpose of this section, a dog or cat shall be deemed to be running at large:

(a) when found in any place other than the premises of the owner of the dog or cat not on a leash held by a responsible person;

(b) when found on any private property without the consent of the person apparently in possession or having ownership of the property or

(c) when although chained up or fastened to a particular μ.:m on private property, if the chain or other means of fastening is of sufficient length so that the dog or cat is found on a highway, other public place, or other private property not owned by the owner of a dog or cat.

(3) No person shall keep a dog or cat within the Township of Prince tethered on a chain rope or restraining device of less than ten feet in length.

9. IMPOUNDING AND DESTRUCTION

(1) A dog or cat which is found running at large contrary to the provisions of this by-law may be seized and impounded in the Pound for a period of 5 days after which time, the township can make decisions on their custody, as deemed appropriate by the Township.

(2) Where three charges are laid under this section against the owner of a dog or cat and result in conviction, the Animal Control or By-law Enforcement Officer shall be entitled to retrieve the dog or cat from the owner and keep the dog or cat in the animal shelter for a period of ten days or until the Township is satisfied that the owner of the dog or cat has taken proper and effective steps to restrain the animal whichever is the lesser.

(4) A dog or cat so impounded shall not be released until the owner thereof has paid to the Township the sum of ten dollars (\$10.00) for each twenty-four hours or part thereof during which the dog or cat has been impounded plus a \$20.00 surcharge to be forwarded to the municipality to cover the costs of mileage, plus any administrative fee approved by the Board of the Society

(5) Where a dog or cat is adopted under this by-law, the proceeds of the adoption shall be paid to the Pound keeper.

10. INJURED DOGS AND CATS

(1) Where, in the opinion of the constable, peace officer, Animal Control Officer, Poundkeeper, or By-law Enforcement Officer, a dog or cat under this by-law is injured or should be euthanized without delay for humane reasons; or for safety to persons, such person may euthanize the animal as soon after the seizure as they see fit without permitting any person to reclaim the animal or without offering it by public auction or otherwise for sale, and no damages or compensation shall be recovered by the owner.

(2) Where a dog or cat seized or impounded by the Animal Control Officer, Poundkeeper or By-law Enforcement Officer under section 9 subsection (1) is injured or ill and is treated by a veterinary surgeon, the Poundkeeper shall, in addition to any amount charged under section 9 subsection (4) be entitled to charge the person claiming the dog or cat the cost for veterinary treatment.

11. ATTACKING DOGS AND CATS

(1) Where a constable, animal control officer or other peace officer or the By-law Enforcement Officer finds a dog or cat running at large contrary to the provisions of this by-law and he or she believes that before the dog or cat can be seized it may attack a human being, they may euthanize IF needed.

(2) Where a person finds a dog or cat running at large contrary to the provisions of this by-law and the dog or cat is in the act of attacking or threatening to attack a human being, that person must contact the humane society.

(3) No damage or compensation shall be recovered for the killing of a dog or cat under this section.

12. CONFINEMENT OF FEMALE DOGS AND CATS IN HEAT

The owner of a female dog or cat in heat shall confine such dog in a building or enclosed pen or kennel until such heat has ended.

13. KENNEL LICENCES

All kennel licensees shall abide by the provisions of this by-law, including being a member in good standing of the Canadian Kennel Club.

14. POTENTIALLY DANGEROUS AND DANGEROUS DOGS

(1) In this section,

(a) "potentially dangerous dog" means

(i) a dog that in the absence of any mitigating factor, chases or approaches any person or domestic animal, anywhere other than on the property of its owner in a menacing fashion or apparent attitude of attack including, but not limited to, behaviour such as growling or snarling; or

(ii) a dog that has been impounded or for whom the owner has been convicted on a total of three occasions within a 24 month period for such dog being at large in the municipality.

(b) "dangerous dog" means:

i) a dog 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

ii) a dog that, in the absence of any mitigating factor, has significantly injured a domestic animal; or

(iii) a dog, previously designated as a potentially dangerous dog, that is kept or permitted to be kept by its owner in violation of the requirements for such dog

(c) "mitigating factor" means a circumstance which excuses aggressive behaviour of a dog and, without limiting the generality of the foregoing, may include circumstances where:

(i) the dog was at the time of the aggressive behaviour, acting in defense to an attack from a person or domestic animal;

(ii) the dog was, at the time of the aggressive behaviour, acting in defense of its young or to a person or domestic animal trespassing on the property of its owner; or

(iii) the dog was, at the time of the aggressive behaviour, being teased, provoked, or tormented.

(d) "muzzle" means a humane fastening or covering device of adequate strength placed over a dog's mouth to prevent it from biting.

(2) Potentially Dog - Notice and Owner Requirements

Where the Animal Control Officer, Poundkeeper or By-law Enforcement Officer designates a dog as a potentially dangerous dog, the Animal Control officer, By-law Enforcement Officer or Poundkeeper shall serve notice upon the owner of such dog requiring the owner, upon receipt of such notice, to comply with any or all of the following requirements:

(a) to keep such dog, when it is on the lands and premises of the owner, confined

(i) within the owner's dwelling; or

(ii) in an enclosed pen of sufficient dimension and construction to provide humane shelter for the dog while preventing it from escaping therefrom and preventing the entry therein of unsupervised children;

(b) to securely attach a muzzle to such dog at all times when it is not on the property of the owner or on the property of another person with such person's consent;

(c) to permit the Poundkeeper to insert a microchip implantation in such dog, at the owner's expense for the purpose of identifying such dog as a potentially dangerous dog

(3) Dangerous; Dogs - Notice and Owner Requirement.

Where the Animal Control officer, By-law Enforcement Officer or Poundkeeper designates a dog as a dangerous dog, the By-law Enforcement Officer or Poundkeeper shall serve notice upon the owner of such dog requiring the owner upon receipt of such notice to comply with the following requirements:

(a) to keep such dog confined

(i) within the owner's dwelling, or

(ii) in an enclosed pen of sufficient dimension and construction to provide humane shelter for the dog while preventing it from escaping therefrom and preventing the entry therein of unsupervised children;

(b) to securely attach a muzzle to such dog at all times when it's not confined in accordance with Section 15, subsection 3(a)

(c) to permit the Poundkeeper to insert a microchip implantation in such dog, at the owner's expense for the purpose of identifying such dog as a dangerous dog.

(d) to permit the Animal Control officer, By-law Enforcement Officer or Poundkeeper to deliver the dog for spaying or neutering, if unaltered, at the owner's expense.

(4) Notice Requirements

The notice referred to in Section 15, subsections (2) and (3) shall be served by hand delivery or registered mail. In the event of service by registered mail, it shall be deemed received on the fifth working day after the date of mailing. Such notices shall include:

(a) a statement that the Animal Control Officer, Poundkeeper or By-law Enforcement Officer has reason to believe that the dog is a potentially dangerous or dangerous dog, as the case may be;

(b) the requirements that the owner must comply with in accordance with this Section and when such requirements take effect; and

(c) a statement that the Owner may request, within three working days of receipt of the notice, and is entitled to, a hearing by the Council of the Township of Prince which may affirm or rescind the By law Enforcement Officer's or Animal Control Officer or Poundkeeper's designation of the dog as potentially dangerous or dangerous, as the case may be, and which Council may substitute its own designation or its own requirements of the owner of a potentially dangerous dog pursuant to Section 15 subsections (a) to (c).

(5) Notice Received - Hearing Requested

Where the owner of a dog receives a notice from the By-law Enforcement Officer, Animal Control Officer or Poundkeeper designating such dog as a potentially dangerous dog or as a dangerous dog, he may request an appeal hearing. Such requests must be made in writing to the Administrator of the Township of Prince within five working days of receipt of such notice. Hearing requests shall be served by hand

delivery or prepaid registered mail. In the event of service by registered mail, it shall be deemed received on the tenth working day after the date of mailing. The Council shall hold a hearing pursuant to the provisions of the Statutory Powers Procedure Act within fifteen working days of the Administrator's receipt of the request for a hearing and the Council may:

(a) affirm or rescind the By-law Enforcement Officers, Animal Control Officers, or Poundkeeper's designation of the dog as a potentially dangerous dog or as a dangerous dog, as the case may be

(b) substitute its own designation of the dog as a potentially dangerous dog or as a dangerous dog, as the case may be, and/or

(c) substitute its own requirements of the owner of a potentially dangerous dog pursuant to section 15 subsections 2 (a) and (c)

(6) Complaint Inquiry by By-law Enforcement Officer or Animal Control Officer

The Animal Control Officer, By-law Enforcement Officer may either on his or her own initiative or as a result of a complaint received by him or her from the public conduct an inquiry into whether a dog should be designated a potentially dangerous dog or a dangerous dog, as the case may be

(7) Compliance Deadline of Owner

The requirements of section 15 subsections 2(c) and 3(c) and (d) which may be imposed on a dog owner by the By-law Enforcement Officer, Animal Control Officer, or Poundkeeper pursuant to such sections shall not be required until either the time for appeal under section 15 subsection 5 has elapsed without the dog owner requesting an appeal pursuant to that section or the Council has ordered such requirement, whichever occurs earlier

(8) Change of Ownership

An owner of a dog which has been designated a potentially dangerous dog or a dangerous dog pursuant to this Section shall advise the Township immediately if he or she transfers ownership of such dog to another person or changes the address at which such dog is kept and furnish the Township with particulars of same

(9) Dog Owner's Liability Act

Where it is alleged that a dog has bitten or attacked a person or domestic animal. such dog may be impounded on the order of the Chief of Police and held by the Pound keeper until the proceedings provided in the Dog Owner's Liability Act R.S.O. 1990 cD 16 have been followed provided that no dog shall be so impounded for a period in excess of twenty-one days unless otherwise ordered by an Ontario Court (Criminal Division) or Provincial Offences Court

15. PENALTY

Any person who contravenes any of the provisions of this by-law is guilty of an offence and is liable to a penalty in accordance with the provisions of the Provincial Offences Act as amended.


16 BY-LAWS REPEALED

By-law 2023-06 of the Township of Prince is hereby repealed.

17. EFFECTIVE DATE

This by-law comes into force on the date of its final passing.

PASSED in Open Council this 9th day of January 2024.



Mayor, E. Palumbo



CAO/Clerk, Steve Hemsworth