

Corporation of the Township of Fauquier-Strickland

By-law number 2011-

Being a by-law respecting animal care and control.

DEFINITIONS

1 In this by-law

- (1) Animal means any member of the animal kingdom, other than a human.
- (2) Domestic animal means a cat or dog.
- (3) Keep means to have temporary or permanent control or possession of an animal, and the words kept or keeping have a similar meaning.
- (4) Kennel means an enterprise dealing with the breeding, buying, selling or boarding of dogs and cats.
- (5) 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, emus or ostrich, or the young thereof.
- (6) Parkland means land owned or leased by the Township and set aside for park purposes
- (7) Tether means a rope or chain or similar restraining device that prevents an animal from moving away from a localized area, and the words tethered or tethering have a similar meaning.
- (8) Township means the Corporation of the Township of Fauquier-Strickland.

INTERPRETATION

- 2 (1) It is declared that if any section, subsection or part or parts thereof be declared by any Court of Law to be bad or illegal, or ultra vires, such section, subsection or part or parts shall be deemed to be severable and all parts hereof are declared to be separate and independent and enacted as such.

RESPONSIBILITY TO CARE FOR ANIMALS

- 3 (1) Every person who keeps an animal within the Township 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.

TETHERS

- 4 (1) No person shall keep an animal tethered on a rope, chain or similar restraining device unless:
- (a) the tether is of appropriate length for the species tethered.
 - (b) the animal has unrestricted movement within the range of such tether, and
 - (c) the animal cannot injure itself as a result of the tethering.

KEEPING ANIMALS UNDER SANITARY CONDITIONS

- 5 (1) Every person who keeps an animal within the Township shall ensure that 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.

DOGS

RUNNING AT LARGE

- 6 (1) For the purposes of this by-law, a dog shall be deemed to be running at large if found in any place other than the premises of the owner of the dog and not under the control of any person.
- 7 (1) No owner of a dog shall permit the dog to run at large in the Township.
- 8 (1) Every owner of a dog shall ensure that the dog is kept on a leash and under the control of some person when the dog is on any land in the Township unless:
- (a) the land is the premises of the owner of the dog.
- 9 (1) No owner of a dog shall permit the dog to be off leash.
- 10 (1) No owner of a dog shall use on a dog a leash that exceeds three metres (3 m) in length.
- 11 (1) No owner of a dog shall control a dog by means of a leash that:
- (a) is not held by the person in his or her hand, or
 - (b) is not securely affixed to some immovable structure from which the dog cannot escape.

OWNERS TO TAKE PRECAUTIONS

- 12 (1) The owner of a dog shall exercise reasonable precautions to prevent it from:
- (a) biting or attacking a person or domestic animal, and
 - (b) behaving in a manner that poses a menace to the safety of persons or animals.

STOOP AND SCOOP

- 13 (1) Every owner of a dog shall immediately remove any feces left by the dog in the Township:
- (a) on a highway or roadway,
 - (b) in a public park,
 - (c) on any public property other than a public park or,
 - (d) on any private property other than the property of,
 - (i) the owner of the dog, or
 - (ii) the person having care, custody or control of the dog.
- 14 (1) Every owner of a dog shall dispose of any feces remove pursuant to Section 13 on his or her premises.
- 15 (1) Every owner of a dog shall remove from his or her premises, in a timely manner, feces left by such dog, so as not to disturb the enjoyment, comfort, convenience of any person in the vicinity of the premises.
- 16 (1) Section 13 does not apply to a handler of a service dog, where the handler is unable to remove excrement left by such dog due to a physical disability or impediment.
- 17 (1) Section 14 does not apply to a blind or visually impaired handler of a service dog if the feces was left while the dog was off premises of the handler and during the course of fulfilling its duties.

DOGS IN PARKS

- 18 (1) No owner of a dog shall have a dog on parkland, or any part thereof, where the dog is within five (5 m) meters of:
- (a) a play structure

NUMBER OF DOGS

- 19 (1) No person shall keep, in or about a dwelling unit in the Township more than three(3) dogs over twenty(20) weeks of age, unless such premises are Suggestion #1: No person shall keep, in or about a dwelling unit in the Township more than two(2) dogs over twenty(20) weeks of age, unless such...
Suggestion #2: No person shall keep, in or about a dwelling within a residential zone of the municipality more than three(3) dogs...
- (a) an accredited veterinarian licensed pursuant to the Veterinarians Act R.S.O. 1990, Chapter V.3, as amended.
 - (b) within a zone, under the Township's comprehensive zoning by-law permitting the operation of a kennel.
- 20 (1) Despite Section 19, any person who owns more than the permitted number of dogs on the date this by-law comes into force shall be permitted to keep those dogs.
- (a) The exemption provided for in section 20 (1), shall be for the life of the dog.

LIVESTOCK

- 21 (1) No person shall keep livestock in any area of the Township unless the area is zoned for that purpose in accordance with the Township's comprehensive zoning by-law.
- 22 (1) For the purpose of this by-law, livestock shall be deemed to be running at large if found in any place other than the premises of the owner of the livestock, and not under the control of any person.
- (a) No owner of livestock shall permit any livestock to run at large in the Township.
 - (b) The owner of any livestock found running at large shall be liable for all damages caused by such livestock.

NOISE FROM ANIMALS

- 23 (1) No person shall keep, own, or harbour in the Township any animal which makes or causes noises that disturb or are likely to disturb the peace, quiet, rest, enjoyment, or comfort of:
- (a) any person in a dwelling, apartment, or other type of residence in the neighbourhood,
 - (b) any person in the vicinity, or
 - (c) the neighbourhood.
- (2) Subsection (1) shall not apply to livestock kept in accordance with section 21 of this by-law.

OFFENCES

- 24 (1) Any person who contravenes any provisions of this by-law is guilty of an offence.

FINES

- 25 (1) Every person who is convicted of an offence under this by-law is liable to a fine as provided for in the Provincial Offences Act, R.S.O. 1990,

Chapter P. 33, as amended.

SCHEDULE A to this By-law

Set Fines Table

<u>First offence</u>		
Written warning for all listed below.		
<u>Second and subsequent offences</u>		
Section	Approved wording	Set Fines
3(1)(a)(b)	Responsibility to care for animal	\$ 75.00
5(1)	Keeping animals under sanitary conditions	
7(1) 8(1) 9(1) 11(1)	Dogs running at large	\$ 150.00
12(1)(a)(b)	Owners to take precautions	\$ 150.00
13(1)(a)(b)(c)(d)(i)(ii)	Stoop and scoop	\$ 150.00
19(1)	Number of dogs	\$ 150.00
23(1)	Noise from animals	\$ 150.00