The Corporation of the Municipality of Brighton

By-law No. 017-2026

Being a By-law to License, Regulate and Control Certain Animals within the Municipality of Brighton.

Whereas, pursuant to the Municipal Act 2001, S.O. c.25, Section 11(3) (9) Municipalities have the authority to pass by-laws with respect to animals;

And Whereas, Section 103 of the Municipal Act, 2001 , S.O. 2001 , c. 25, as amended, provides for the seizure and impounding of animals being at large or trespassing and the sale of impounded animals;

And Whereas, Council recognizes that free-roaming cats contribute to wildlife predation, neighbourhood nuisance complaints, and public health concerns;

And Whereas, the Dog Owners Liability Act R.S.O. 1990 Section 18 creates offences and obligations for dog owners;

And Whereas, Section 434.1 (1) of the Municipal Act, without limiting sections 9, 10 and 11, a municipality may require a person, subject to such conditions as the municipality considers appropriate, to pay an administrative penalty if the municipality is satisfied that the person has failed to comply with a By-law of the municipality passed under this Act;

And Whereas, the Council of the Municipality of Brighton deems it is in the best interest of the residents to provide for the licensing, regulation and control of animals in the Municipality of Brighton;

Now Therefore - the Council of the Corporation of the Municipality of Brighton hereby enacts as follows:

1.0 SHORT TITLE

This By-law shall be referred to as the “Animal Control By-law”.

2.0 DEFINITIONS

2.1 In this By-law:

“Animal” shall mean and include, a dog, a cat, or any other mammal, bird or reptile being kept as a household pet, or is an animal bred, kept, or raised on a farm;

“Animal Control Officer” shall mean a person who has entered into a contract with the Corporation of the Municipality of Brighton to control animals, and any servants or agents of such a person;

“Barn Cat” means a domestic or semi-feral cat kept on agricultural or rural property for the primary purpose of rodent control and not ordinarily confined within a dwelling;

“By-law Enforcement Officer” shall mean a person appointed by the Municipality of Brighton for the purpose of enforcing by-laws, or any delegate or agent thereof;

“Cat” shall mean a male or female cat;

“Cat Nuisance” means a cat that, as a result of human action or inaction, causes repeated trespass, defecation, spraying, fighting, excessive noise,

damage to property, disturbance or destruction of wildlife, or unsanitary conditions;

“Clerk” shall mean the Clerk of the Municipality of Brighton;

“Colony Caregiver” means a person who provides food, water, shelter, or care to one or more feral cats or a feral cat colony;

“Control” shall mean having at all times, the ability to manage, direct, restrict and restrain the movements of an animal;

“Council” shall mean the Council of the Corporation of the Municipality of Brighton;

“Domestic Cat” means a cat that is owned, harboured, fed, or otherwise cared for by a person and ordinarily confined within a dwelling;

“Dangerous Dog” means a dog that:

a) has in the absence of any mitigating factor, attacked, bitten or caused injury to a person or has demonstrated a propensity, tendency or disposition to do so;
b) hassignificantly injured a domestic or farm animal; or
c) hasshown the disposition or tendency to be threatening or aggressive to persons or animals;

“Dog” shall mean a male or female domesticated dog, or any member of the species Canis familiaris, that is twelve (12) weeks or older;

“Excessive Barking” shall mean when a dog creates a noise, by barking or otherwise, which persistently occurs or continues to such a degree or extent that it unreasonably interferes with the peace, comfort or convenience of a person;

“Feral Cat” means a cat that is not owned, socialized, or accustomed to human contact and lives independently of direct human care or control;

“Feral Cat Colony” means a group of feral cats that congregate, shelter, or are fed at a specific location on a recurring basis;

“Guide Dog” shall mean a dog professionally trained as a guide dog for a blind or visually impaired person and having the qualifications prescribed by the regulations under the Blind Person’s Rights Act; and shall also include a dog professionally trained as a guide dog for other physically disabled persons;

“Kennel” shall mean an establishment kept solely, or in part, for the breeding, boarding, showing, training, owning or a combination of any of the aforementioned services, of more than 3 dogs, whether or not the activity is performed for financial gain, profit or personal;

“Leash” means a fixed-length restraining device made of rope, leather, nylon or similar material and does not include a retractable or extendable leash device;

“Leashed” shall mean when an animal is wearing a restraining device of sufficient strength and material appropriate to the size of the animal, and is held or controlled by a person or object;

“Licence” for the purpose of this By-law, shall be deemed to be the receipt issued by the Treasurer of the Corporation of the Municipality of Brighton or his/her authorized agent, upon payment of the appropriate tax or licence fee;

“Medical Officer” shall mean the Medical Officer of Health or Health Inspector of the Haliburton, Kawartha, Pine Ridge District Health Unit;

“Mitigating Factor” shall mean any circumstance which reasonably excuses aggressive behavior of a dog and may include, but is not limited to:

a) the dog was, at the time of the aggressive behavior, acting in defense of an attack by a person or domestic animal;
b) the dog was, at the time of the aggressive behavior, acting in defense of its young or reacting to a person or domestic animal trespassing on the property of its Owner; or
c) the dog was, at the time of the aggressive behavior, being teased, provoked or tormented;

“Municipality” shall mean the Corporation of the Municipality of Brighton;

“Off-Leash Areas” shall mean areas approved by the Municipality whether Public or Private where dogs are permitted to roam without a leash while still under the direct control of its owner or handler;

“Order to Restrain” shall mean the order issued to the owner of a dog by the Animal Control Officer or By-law Enforcement Officer, where the Officer is satisfied on the balance of probabilities and in the absence of any mitigating factor, that the dog has bitten a person and/or domestic animal, placed a person or domestic animal at risk of physical harm, or behaved in a manner that poses a menace to the safety of persons or domestic animals;

“Owner” means any person, partnership, association or corporation that owns, possesses, harbours, or has control, care or custody over an animal; and where the owner is a minor, the person responsible for the custody of the minor;

“Person” shall mean any individual, firm, society, association, partnership or corporation;

“Possession or Harbouring” shall mean deemed to occur when a person permits an animal to remain at or about or on the property or the premises which they own or occupy, or which is habitually kept on such property;

“Pound” shall mean such premises and facilities designated by the Corporation of the Municipality of Brighton as the Municipal Pound;

“Pound Keeper” shall mean a person, persons, association or society appointed by the Corporation of the Municipality of Brighton to maintain and administer the Pound;

"Premises” shall mean lands as specified in the Transfer/Deed of Land of the Owner or in leased lands;

“Registered Service Dogs” shall mean dogs that are individually trained to do work or perform tasks for persons with disabilities and that are registered with an accredited "Service Animal" organization;

“Restrained” shall mean being kept inside a building or house or in an enclosed pen of sufficient dimensions and strength to be humane or leashed to prevent a dog from coming in contact with any person other than the owner of the dog;

“Running at Large” shall mean any animal as defined herein that is found any place other than the premises of the owner and is not under control of any person;

"Under Control of a Capable Person" shall mean a dog that is at all times, while the dog is off its owner's property, on a leash and under care and control and capable of being physically restrained in such a manner as to prevent the dog from biting or attacking a person or other animal and to prevent contact with people and other animals when the dog is off the premise of the owner;

"Waste" shall mean waste matter sent out from the body (excrement/feces); or a solid waste matter sent from the body;

"Working Dog" shall mean any of various breeds of dogs developed or trained to perform useful work to assist humans (i.e. herding animals, pulling wagons or sleds, livestock guardian, or guarding property) and excludes hunting dogs;

"Yard" shall mean a space, appurtenant to a building or structure, located on the same property as the building or structure, and which space is open, uncovered and unoccupied from the ground to the sky except for such accessory buildings, structures, or uses as are specifically permitted;

"Zoning By-law" shall mean the Municipality of Brighton Comprehensive Zoning By-law No. 140-2002, as amended.

3.0 DOG LICENSING PROVISIONS

3.1 No person shall own, possess, harbour or keep any dog within the Municipality unless a licence has been issued for the dog by registering the dog with the Municipality, or it's agent, and paying a fee as determined by the Municipality in accordance with the provisions of this By-law.

3.2 Every dog owner shall renew their dog licence annually with the Municipality effective January 1 of each calendar year. If it is determined by the Municipality that property owner is in possession of a dog without a licence, a licence renewal invoice will be sent to the dog owner.

3.3 When a dog is off the property of its owner, the owner shall ensure that the dog is fitted with a collar appropriate to the size of the dog, to which shall be attached the current licence tag issued by the Municipality of Brighton for that dog. This provision shall not apply to "Off-Leash" areas when the dog is accompanied by and under the control of its owner or handler.

3.4 Disabled persons who use a guide dog or for assistance shall licence the dog and cause it to wear the current licence tag. Any person who produces evidence satisfactory to the Municipality showing that the dog is required as a guide or for assistance by a disabled person shall be exempt from paying the licensing fee.

3.5 The Municipality shall keep a record of all dogs registered and licenced, showing the date and number of registration and licence, and the name and description of the dog, with the name and address of the owner.

3.6 If a dog is licenced in another jurisdiction for the current year, the owner shall advise the Municipality providing proof of such licensing.

3.7 Each dog residing in a dwelling unit requires a licence tag and the following information is required in order to obtain a licence tag:

a) the name, address and telephone number of the Owner;
b) the name, approximate age of dog;
c) if the dog is spayed or neutered;
d) a general description of the dog including its colour, distinguishing marks/physical characteristics and the breed;

e) payment of the established tag fee as approved and set out in the Schedule of Fees established by the Municipality; and
f) whether an Order to Restrain has ever been issued in any Municipality.

4.0 OWNERS' RESPONSIBILITIES

4.1 Every dog or cat owner shall ensure that the dog or cat has a current anti-rabies vaccine.

4.2 Every dog or cat owner shall produce a Certificate of Proof issued by a qualified veterinarian attesting to an up-to-date anti-rabies vaccine if requested to do so by the Animal Control Officer or a By-law Enforcement Officer.

4.3 If a dog defecates on any public or private property other than the property of its owner, the owner shall cause such excrement/feces to be removed immediately and entirely and disposed of in an environmentally approved manner. This section shall not apply to a guide dog while on a leash and actually in use providing assistance to a disabled person.

4.4 No owner of a dog shall permit or cause the dog to cry or bark in a manner which disturbs the quiet, peace, rest, enjoyment, comfort or convenience of the neighbourhood or of persons in the vicinity of the place where the dog is kept.

4.5 In order for excessive barking to be in violation of this By-law it must be:

a) frequent and persistent; and
b) disturb the neighbourhood.

4.6 Every person or animal owner shall take all precautions necessary to prevent the animal from biting or attacking any person or fighting, attacking or biting any domestic animal or domestic fowl, whether on private or public property.

4.7 Every owner or caregiver of a cat shall provide adequate food, water, shelter, and veterinary care where required.

4.8 Every owner of a domestic cat shall ensure that the cat is kept indoors at all times or is otherwise confined to the owner's property in a manner that prevents the cat from roaming or running at large.

4.9 For the purpose of this Section, a domestic cat shall be considered confined where it is:

a) kept within a dwelling;
b) kept within a fully enclosed outdoor structure or "catio"; or
c) under the physical control of a person by means of a harness and leash.

5.0 DOG OWNERS' LIABILITY ACT

5.1 The declared intention of Council is that the Dog Owners' Liability Act may be enforced under the Provincial jurisdiction, and further that By-law Enforcement Officers and Animal Control Officers are recognized as Officers under the authority of the Dog Owners' Liability Act to ensure the expedient and efficient application of this Act.

6.0 ORDER TO RESTRAIN

6.1 All Owners shall exercise all reasonable precautions to prevent their dog from:

a) biting or attacking a person or domestic animal; or
b) behaving in a manner that threatens or poses a menace to the safety of persons or domestic animals.

6.2 Where a By-law Enforcement Officer or an Animal Control Officer is satisfied on the balance of probabilities and in the absence of any mitigating factor, that a dog has placed a person or domestic animal at risk of physical harm or behaved in a manner that poses a menace to the safety of persons or domestic animals, the Officer may issue an Order to Restrain to the Owner, as set out in Schedule "A" of this By-law. Every person shall comply with such an Order to Restrain.

6.3 An Order to Restrain shall be served upon the dog's Owner by delivering it personally to the Owner or to an inhabitant of the Owner's usual place of residence who appears to be at least 18 years of age.

6.4 Notwithstanding other Sections of this By-law, when an Order to Restrain has been served on the Owner, and at the discretion of the Officer, the Owner shall, as indicated on the Order:

a) keep the dog, when on the Owner's premises, confined within the dwelling and under the effective control of an adult, or in a secured yard that prevents the dog from escaping over or under the fence or by any other means, or enclosed in a pen constructed with a secure top, sides and bottom, so as to prevent escape of the dog and prevent entry therein by the public;
b) when not confined in accordance with paragraph 6.4(a), to keep the dog under the effective control of an adult person and on a leash of not more than 1.8 metres (6 feet) in length;
c) ensure that the dog is muzzled at all times when it is not confined in accordance with paragraph 6.4(a);
d) provide proof that the dog has been permanently identified (i.e. microchipped) within 30 days of receipt of the Order to Restrain;
e) notify the Municipality within two working days of moving the dog (new address and phone number), selling the dog, giving the dog away, or death of the dog;
f) immediately advise the Municipality if the dog is at large, or has bitten or attacked any person or domestic animal;
g) display warning signs that are clearly visible on the property of the presence of a dog;
h) if not already licensed, licence and register the dog with the Municipality within seven (7) days of receipt of the Order;
i) not contravene any other conditions imposed in the Order to Restrain.

6.5 The Municipality shall maintain a record of all Orders to Restrain and shall notify the local police authority of the issuance of the Order to Restrain and shall supply a copy of such Order to the local police authority.

6.6 Any owner of a dog to whom an Order to Restrain has been issued and fails to comply with the requirements of the Order to Restrain shall, at the discretion of the Animal Control Officer or By-law Enforcement Officer, pay a fine or administrative penalty or surrender the dog to the Animal Control Officer or By-law Enforcement Officer.

7.0 ORDER TO RESTRAIN - APPEAL

7.1 The owner of a dog to which an Order to restrain has been issued, upon payment of a Hearing Fee, may request and is entitled to a hearing by the Hearings Officer.

7.2 A request by the Owner for a hearing under this Section shall be made in writing and delivered to the Clerk within fifteen (15) days of the owner receiving the Order to Restrain.

7.3 An application made by the Owner for a hearing under this Section does not act as a stay of the Order to Restrain which shall take effect on the day it is served or deemed served and shall continue to be effective until the Hearings Officer renders a decision indicating otherwise.

7.4 The Owner shall be given no fewer than seven (7) days' notice of the date, time and place of the hearing of the appeal.

7.5 The notice of hearing referred to in this Section may be given by delivering it personally or sending it by prepaid registered mail to the Owner at the Owner's last known address on file with the Municipality. When service is made by registered mail, the service shall be deemed to be made on the fifth (5th) day after mailing.

7.6 The Hearings Officer shall not decide the appeal unless the Hearings Officer has given the Person and the Officer an opportunity to be heard at the time and place scheduled for the hearing of the appeal.

7.7 The Hearings Officer may make any decision that an Officer could have made pursuant to this By-law.

7.8 The decision of the Hearings Officer is final and not subject to review including review by any Court.

7.9 If an Owner fails to appear at such hearing, the Order to Restrain shall be deemed to be in full force and effect as if no appeal had been filed.

7.10 A Person's right to appeal expires if it has not been exercised in the manner prescribed in Section 7.2 at which time, the Order to Restrain is final and is not subject to review including review by any Court.

7.11 An Order to Restrain that is not appealed pursuant to Section 7.0 is final and is not subject to review including review by any Court.

8.0 ANIMALS AT LARGE

8.1 No person shall permit any animal, or any animal under their care or control to run at large, except in designated Off-Leash areas approved by the Municipality.

8.2 For the purpose of this By-law, an animal shall be deemed to be at large if it is found in any place other than the premises of the owner of the animal and not under control.

8.3 Every person shall keep control of a dog when not on a property owned or occupied by its Owner or with the express permission of the Owner or occupant of that property or with its guardian at a off-leash park by:

a) keeping a dog on a fixed-length leash not exceeding 1.8 metres (6 feet); and
b) ensuring the dog is under the control of a capable person at all times.

8.4 A dog shall not be considered to be running at large if it is a working dog, guide dog or a police work dog, or in cases where prior consent to permit the dog to be at large has been given by the person owning the land upon which the dog is found.

8.5 A barn cat shall not be considered running at large where:

a) the cat is kept on lands zoned agricultural or rural;
b) the lands form part of an active farm operation; and
c) the cat remains within the boundaries of that farm property.

Nothing in this By-law permits the feeding of barn cats in a manner that creates a nuisance or attracts wildlife.

8.6 A By-law Enforcement Officer or an Animal Control Officer may seize and impound any animal found running at large and deliver same to the Pound facility contracted by the Municipality.

8.7 Where an Officer finds an Animal to be Running at Large, the Officer may cause the Animal to be seized and impounded and, for that purpose, without limitation to and in compliance with an Officer's power of entry at law, may use reasonable means including force to enter a vehicle, onto land and into a building or structure to seize and impound the Animal.

8.8 A By-law Enforcement Officer or an Animal Control Officer may seize and impound a cat where the Officer has reasonable grounds to believe the cat is:

a) suffering distress;
b) part of an unregistered feral cat colony;
c) causing a persistent nuisance; or
d) is found running at large contrary to Section 4.8.

8.9 Any person may restrain, at their own risk, any animal found at large on their property, or at large on public property, and surrender the animal to the custody of a By-law Enforcement Officer or an Animal Control Officer.

8.10 Where an animal seized under this By-law is injured or should be destroyed without delay for humane reasons or for reasons of safety to persons or animals, the Pound may euthanize the animal in a humane manner at the Officer's discretion, and no damages or compensation shall be recovered by the Owner of the animal for such action.

8.11 Where an animal is captured or taken into the custody of a By-law Enforcement Officer or Animal Control Officer, including by order of a court, or under the direction of the local police services, the Owner shall pay to the Pound all applicable fees and charges, including the cost of the services of a veterinarian, whether the animal is alive, dies or is euthanized.

8.12 Where an injured animal is impounded or otherwise detained and requires the immediate attention of a Veterinarian, the Animal Control Officer or By-law Enforcement Officer may deliver the injured animal to a Veterinarian for treatment or euthanization and the owner, if known, shall be responsible for all costs incurred. No damages or compensation shall be recoverable by the owner or any other person.

9.0 FERAL CAT COLONY REGULATION

9.1 No person shall establish, maintain, or act as a caregiver for a feral cat colony unless the colony is registered with the Municipality.

9.2 A registered colony caregiver shall:

a) ensure cats are spayed or neutered wherever reasonably possible;
b) provide food and water in a sanitary manner;
c) remove sick or injured cats for veterinary care;
d) maintain the colony site in a clean and orderly condition; and
e) take reasonable steps to prevent the growth of the colony.

9.3 No feral cat colony shall be permitted:

a) on municipal property without written approval; or
b) within environmentally sensitive areas as designated by the

Municipality.

9.4 Feeding of feral cats shall only be permitted as part of a registered feral cat colony.

9.5 Where a By-law Enforcement Officer or an Animal Control Officer determines that a feral cat colony is being maintained in a manner that creates a nuisance, the Officer may order the caregiver to take corrective measures, including but not limited to relocation of feeding stations, reduction of food, or cessation of feeding until compliance is achieved, and/or any such measure that causes the relocation, phased reduction, or removal of the colony.

9.6 The Municipality may refuse, suspend, or revoke the registration of a feral cat colony where the caregiver fails to comply with this By-law or where the colony poses a risk to public health, safety, or the environment.

9.7 Where a registered colony generates substantiated complaints from more than one household, the Municipality may require relocation or phased reduction.

9.8 This section does not apply to the emergency feeding of an injured or distressed cat pending transfer to a veterinarian, rescue organization, By-law Enforcement Officer, or Animal Control Officer.

10.0 REDEMPTION OF ANIMAL

10.1 The owner of an animal impounded for running at large shall be entitled to redeem the animal within four (4) days from the time of impoundment, exclusive of the day of impoundment, statutory holidays and days during which the Pound is otherwise closed upon paying the Pound the prescribed fees and penalties and any other expenses including medical costs.

10.2 Where an animal's Owner has been notified of the impoundment and fails to contact or attend the Pound within four (4) days, the Owner of said animal shall be assessed and invoiced a four (4) day impoundment fee, veterinarian or medical fees, a surrender fee or any other relevant fees or charges.

10.3 Where an animal that is impounded is not claimed by the owner thereof within the redemption period specified under this By-law, the animal shall become the property of the Pound.

10.4 The Owner of a dog impounded shall produce a valid dog licence for the dog. If no valid dog licence can be produced, the Owner shall purchase a dog licence before possession is returned to the Owner.

10.5 No person shall forcibly retrieve an animal from the Pound or an Officer.

10.6 No person shall remove or retrieve an animal from the Pound without payment in full of all applicable fees and charges.

11.0 SURRENDERING OF ANIMALS

11.1 An owner of an animal may give up ownership of the animal by surrendering the animal at the Pound.

11.2 Where an owner has surrendered an animal to the Pound, the owner is deemed to have relinquished all rights of ownership and possession of the animal. The Owner shall pay the appropriate fees as established by the Pound. An animal that has been surrendered to the Pound shall become the property of the Pound and may be kept or disposed of as the Shelter

Manager or designate Officer deems appropriate and shall not be redeemed.

12.0 UNSANITARY CONDITIONS, TAUNTING PHOHIBITED

12.1 No person shall keep or harbour an animal in an unsanitary condition within the Municipality. Conditions shall be considered unsanitary where the keeping of an animal results in an accumulation of fecal matter which creates an odour or insect infestation or rodent attractants or disturb the enjoyment, comfort or convenience of any person.

12.2 No person shall harass, agitate, taunt, release, or attempt to release any animal which is at the time secured on the property of its owner, or the property of some other person authorized by the owner to be in possession of the animal.

13.0 KENNEL PERMITS

13.1 Kennel inspections will take place prior to issuing of a Kennel Licence. Kennel Licences must be renewed annually with the Municipality effective January 1 of each calendar year. No person shall operate a kennel without a licence.

13.2 No person or group of persons shall own, keep, harbour or possess more than 3 dogs at one time on property owned, rented, leased or controlled by them unless the appropriate class of kennel permit has been lawfully issued for the property.

13.3 Provided all provisions of this By-law have been met, a person who owns or boards more than three (3) dogs but no more than five (5) dogs may obtain a Class 1 Kennel Permit from the Municipality.

13.4 Class 1 Kennels shall meet the following criteria:

a) More than three (3) dogs but no more than five (5) dogs residing on the same property at the same time, including for commercial or home industry purposes;
b) No portion of the kennel, including the run area, will be closer than 50 metres (164 feet) of a neighbouring residence, dwelling unit, or residential zone;
c) The kennel, including run area, must not be located closer to the street line than the principal or main building on the lot, and shall further be erected in conformity with the yard and setback requirements of the respective zone; and
d) If a property owner wishes to have 5 dogs and fails to meet the criteria outlined for a Class 1 Kennel Licence, the property owner can obtain written permission from their direct neighbors to have a Class 1 Kennel Licence for their 5 dogs. Written permission must be renewed annually.

13.5 Provided all provisions of this by-law have been met, a person who owns or boards more than five (5) dogs may obtain a Class 2 Kennel Permit from the Municipality.

13.6 Class 2 Kennels shall meet the following criteria:

a) More than five (5) dogs residing on the same property at the same time, including for commercial or home industry purposes;
b) No portion of the kennel, including the run area, will be closer than 300 metres (984 feet) of a neighbouring residence, dwelling unit, or residential zone; and

c) The kennel, including run area, must not be located closer to the street line than the principal or main building on the lot, and shall further be erected in conformity with the yard and setback requirements of the respective zone.

13.7 The holder of a Kennel Permit will receive a dog tag free of charge for each dog kept at the kennel and the tag shall be attached to that dog.

13.8 The 'Kennel' comprises all areas of the property (including buildings and run areas) to which the dogs have access.

13.9 Prior to issuing a licence, the By-law Enforcement Officer will review all new Kennel Applications submitted. The By-law Enforcement Officer shall ensure that the proposed kennel is compatible with the existing land uses of the subject and neighbouring properties. As such, additional conditions may be required to be satisfied prior to a kennel licence being issued.

13.10 Kennels existing before January 2020 are grandfathered.

13.11 Where an owner or operator of a dog kennel fails to comply with any sections of this By-law, the dog kennel licence may be suspended or revoked.

13.12 Every person who owns or operates a dog kennel shall permit a By-Law Enforcement Officer to enter and inspect the dog kennel at all reasonable times, upon production of proper identification, for the purpose of determining compliance with this By-law.

13.13 Where a By-law Enforcement Officer finds that the owner or operator of a dog kennel is not in compliance with any regulation of this By-law, they may direct that the dogs found there be seized and impounded by the Pound Keeper and kept at the Pound until compliance has been achieved. The cost of impoundment of the dogs shall be borne by the owner or operator of the dog kennel, and the Pound Keeper shall retain possession of the dogs until full payment is received.

14.0 ADMINISTRATION, ENFORCEMENT AND PENALTIES

14.1 The By-law Enforcement Officer and Animal Control Officer are responsible for the administration of this By-law.

14.2 The Municipality may administer and enforce the provisions of this By-law at its discretion and subject to available resources, operational priorities, and budgetary considerations.

14.3 No Person shall fail to comply with any provision or standard of this By-law.

14.4 No Person shall fail to comply with an Order issued pursuant to this By-law.

14.5 No person shall provide false information or give a false statement to an officer, employee and/or agent of the Municipality in the lawful exercise of a power or duty under this By-law.

14.6 No person shall hinder or otherwise obstruct, nor attempt to hinder or obstruct, either directly or indirectly, an Officer, employee/or agent of the Municipality in the lawful exercise of a power or duty under this By-law.

14.7 Any person who violates any provision of this By-law is, upon conviction, guilty of an offence and shall be liable to such penalties prescribed by the Provincial Offences Act, R.S.O., 1990, c.p.33, as amended, or the Dog Owners' Liability Act, R.S.O. 1990, c. D.16, as amended.

14.8 A Penalty Notice or a Notice of Non-Compliance may be issued if a person fails to comply with this By-law.

14.9 Each person who contravenes any provision of this By-law shall, upon issuance of a Penalty Notice in accordance with the Administrative Monetary Penalty System By-law, be liable to pay the Municipality an Administrative Monetary Penalty.

14.10 Each day that such offence is committed, or permitted to continue, shall constitute a separate offence and may be punishable as such.

15.0 VALIDITY

15.1 In the event that any section of this By-law, including any section or part of any of the schedules hereto, is declared by a Court of competent jurisdiction to be invalid, the remaining parts shall remain valid and binding and shall be read as if the offending section had been struck out.

15.2 Where a provision of this By-law conflicts with the provision of another By-law, Act, or Regulation in force within the Municipality of Brighton, the provisions that establish the higher standards to protect the health and safety of persons shall prevail.

15.3 That By-law No. 052-2020 and 046-2023 are hereby repealed.

Read a first, second and third time, and finally passed this **09** day of **March 2026**.

Original Signed By
Brian Ostrander, Mayor

Original Signed By
Candice Doiron, Clerk

Schedule A

Municipality of Brighton

ORDER TO RESTRAIN

To (Name of Owner): _____

Address: _____

Telephone: _____

I, _____, an Officer appointed by the Municipality of Brighton, have reasonable grounds to believe that the dog described as:

Name: _____ Age: ____ Colour: _____
Breed: _____ Microchip: _____

and residing at _____ has bitten or attacked a person or another domestic animal; placed a person or domestic animal at risk of physical harm; or behaved in a manner that poses a menace to the safety of persons or domestic animals, as per the provisions of Animal Control By-law No. _____.

You are hereby ordered as indicated below:

☐ To keep the dog, when on the Owner's premises, confined within the dwelling and under the effective control of an adult, or in a secured yard that prevents the dog from escaping over or under the fence or by any other means, or enclosed in a pen constructed with a secure top, sides and bottom, so as to prevent escape of the dog and prevent entry therein by the public.

☐ To keep the dog under effective control of an adult and on a leash of not more than 1.8 metres (6 feet) in length when it is not confined as noted above. Flexi leads are not permitted.

☐ To securely attach a muzzle to the dog at all times when it is not confined as noted above.

☐ Provide proof that the dog has been permanently identified (microchipped) within 30 days of receipt of the Order to Restrain.

☐ Notify the Municipality within two working days of moving the dog (new address and phone number), selling the dog or giving the dog away.

☐ To advise the Municipality within two days of the death of the dog.

☐ To advise the Municipality immediately if the dog is running at large or has bitten or attacked a person or a domestic animal.

☐ To display a sign of warning of the presence of the dog at the front of the house where it can not be easily removed but is visible to any person who may enter onto the property. The Officer must approve such sign.

☐ Licence and register the dog with the Municipality within seven (7) days of receipt of this Order.

This **ORDER TO RESTRAIN** takes effect immediately.

If you wish to **APPEAL** this Order to Restrain you must apply to the Clerk of the Municipality of Brighton within fifteen (15) days from the date this Order to Restrain is received by you, setting out your request for a hearing which shall include the reasons for appealing this Order to Restrain, and the payment of the hearing fee in the amount of **$100.00**, failing which this Order to Restrain is final and binding.

Please be advised that notwithstanding that you may apply for a hearing regarding this Order to Restrain, this Order to Restrain takes effect immediately upon its receipt by you and remains in effect for so long as the dog shall live unless the Hearing Officer makes a decision on an appeal to rescind this Order to Restrain, in which case this Order to Restrain remains in effect until the date a decision is issued by the Hearing Officer.

A full copy of Animal Control By-law No. _____, being a By-law of the Municipality of Brighton for the licensing, regulation and control of animals, is available from the Clerk of the Municipality of Brighton during normal business hours.

It is **RECOMMENDED** that you obtain a copy of the By-law in order to be more fully aware of your rights and obligations in this matter and the basis for the issuing of this Order to Restrain.

DATED at _____ this _____ day of _____, 20_____.

_____

(Signature) of Issuing Officer

_____

(Print) Name of Issuing Officer