

As AMENDED BY
2004-31, 2005-13,
2005-24, 2009-09,
2010-12, 2010-24,
2010-37, 2012-06,
2016-28, 2019-31,
2021-4, 2022-38,
2025-42

OFFICE CONSOLIDATION

This is a consolidation of the Town's Dog Bylaw No. -, as amended by Bylaw Nos. 2004-31, 2005-13, 2005-24, 2009-09, 2010-12, 2010-24, 2010-37, 2012-06, 2016-28, 2019-31, 2021-4, and 2022-38, prepared for reference and information purposes only. The following consolidation is made available for information only. It is not an official version of the bylaw. The Town of Mono does not warrant the accuracy of this version. Official versions of all bylaws can be obtained from the Town office by calling 519-941-3599. If there are any discrepancies between this consolidation and Bylaws Numbered 2004-31, 2005-13, 2005-24, 2009-09, 2010-12, 2010-24, 2010-37, 2012-06, 2016-28, 2019-31, 2021-4, and 2022-38, the Bylaws shall prevail.

THE CORPORATION OF THE TOWN OF MONO BY-LAW NUMBER NO. 2002-62 DOG BY-LAW

BEING A BY-LAW TO PROVIDE FOR THE KEEPING, CONTROL AND LICENSING OF DOGS

Explanatory note: The Province of Ontario has dealt with dogs in various statutes and regulations. Some provisions are merely enabling municipalities to pass by-laws in certain respects. Other provisions are very specific, and municipalities have no jurisdiction to vary them. This by-law repeats some of the specific provisions, so that the residents of the municipality have a handy reference in one place to most dog-related laws. Where the by-law simply repeats a statutory provision, there is a reference to the statute at the end of the Section in the by-law.

WHEREAS the Municipal Act, R.S.O. 1990. c. M.45, in Section 210 allows Councils of local municipalities to pass by-laws regulating the keeping of animals, to provide for animal identification systems, requiring leashing of dogs, and for prohibiting and regulating the running at large of dogs in a municipality; and in s. 102 to pass by-laws in general for the health, safety, morality and welfare of its inhabitants; and in S. 210 #140 to prohibit and regulate public nuisances, and

WHEREAS additional related powers are granted in the Dog Owners' Liability Act, R.S.O. 1990. c. D.16, the Livestock, Poultry and Honey Bee Protection Act, R.S.O. 1990, c. L.24, and the Pounds Act, R.S.O. 1990. c. P.17;

WHEREAS the Municipality recognizes its responsibility to protect the general public while at the same time encouraging responsible dog ownership and the humane care and welfare of dogs in the Municipality;

NOW THEREFORE the Council of the Town of Mono enacts as follows:

1. Definitions

Adoption Agency means the Orangeville and District Branch of the Ontario Society for the Prevention of Cruelty to Animals.

Appeal Committee means the elected Council of the Town of Mono.

Bite means piercing or puncturing clothing or skin with teeth.

Boarding Facility means a Licensed Kennel.

Canine Control Officer means the Orangeville and District Branch of the Ontario Society for the Prevention of Cruelty to Animals or such other person so designated by the Municipality.

Dog means any dog male or female apparently over the age of four months.

Doghouse means a freestanding enclosure offering protection from the elements for a dog or dogs when sleeping or resting.

Dog run means an enclosure allowing freedom of movement and exercise for a dog or dogs.

Dog Kennel Shelter means an enclosed area in a kennel structure or building offering protection from the elements for a dog or dogs when sleeping or resting.

Dog Exercising Yard means a large enclosed area used intermittently for the free running exercise of dogs but not utilised for the continuous shelter and containment of dogs.

Guard Dog means a dog left unattended for any portion of a day or night on business, commercial or industrial property.

Guide Dog means a dog trained as a guide for a disabled person and having the qualifications prescribed by the regulations to the Blind Persons' Rights Act, R.S.O. 1990, c. B.7, or having certification by Hearing Ear Dogs of Canada or Special Skills Dogs of Canada.

Humane Society means the Ontario Society for the Prevention of Cruelty to Animals or any local branch of the Ontario Humane Society.

Keep includes harbour, own or possess.

Kennel means the entire area and structures of a licensed kennel, licensed purebred kennel or licensed pound, which are designed for the shelter, and containment of dogs.

Leash means a physical restraint system giving the handler effective direct control of the dog.

Licence Fee Collector means the Treasurer and any other person so appointed under the provisions of this By-Law.

Licensed Kennel means a kennel licensed under this by-law.

Licensed Purebred Kennel means a kennel licensed under this by-law.

Licensed Pound means a kennel licensed under this by-law.

Lot means a parcel of land which is capable of being legally conveyed in accordance with the provisions of Section 50(3) of The Planning Act, R.S.O. 1990.

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 database accessible to the Canine Control Officer.

Municipality means The Corporation of the Town of Mono.

Muzzle means a humane fastening or covering device of adequate strength over the mouth to prevent a Dog from biting.

Owner includes any person who possesses or harbours a dog or causes a dog to remain on or about his or her premises (whether the premises are owned or rented), and where the owner is a minor, the person responsible for the custody of the minor. In the case of several Owners, their obligations shall be joint and several. "**Own**" shall have a meaning patterned on Owner.

Pound Keeper means the person or persons so appointed by the Municipality.

Resident means a full time, part time or seasonal occupier of a lot within the Municipality.

Vicious Dog means a Dog which has bitten a person or Domestic Animal or which has been declared by the Bylaw Officer or Canine Control Officer to be a Vicious Dog or which has been found by a court to be a vicious or dangerous Dog.

2. Licensing of dogs

- (a) No person shall own an unlicensed dog.
- (b) Every owner of a dog shall obtain a licence in respect of the dog within 15 days of its acquisition. In the event of an underage dog the date of its acquisition is deemed to be the 120th day after its birth.
- (c) Every owner of a dog shall obtain an annual licence in respect of the dog on or before the first day of April in each calendar year. The acquisition licence provided for in the previous paragraph shall be deemed to be the annual licence as well for the current calendar year.
- (d) The licence application shall be in the form attached as Schedule "A".
- (e) The licence fee shall be as established by Schedule "A". No licence fee shall be payable in respect of a Guide Dog.
- (f) The owner shall submit a completed and correct licence application and the appropriate fee to the Licence Fee Collector, and upon satisfactory compliance with this by-law and other applicable municipal by-laws the licence shall be issued by the Licence Fee Collector.

- (g) The Licence Fee Collector may require independent proof of any particulars, such as a veterinary surgeon's certificate as to the dog having been spayed or neutered, proof of rabies vaccination, in respect of dogs over four months of age.
- (h) A dog shall be deemed to be licensed while owned by, or harboured at, a Licensed Pound.
- (i) A dog shall be deemed to be licensed while owned by, or harboured at, a Licensed Purebred Kennel or a Licensed Kennel, and the owning or harbouring is within the terms of a valid licence issued to the Licensed Purebred Kennel or Licensed Kennel.
- (j) A licence issued upon a false licence application is null and void.

3. Tags

- (a) A metal tag shall be supplied by the Licence Fee Collector for each dog with respect to which a licence is issued.
- (b) The owner shall keep the metal tag securely fixed on the dog at all times during the year and until a metal tag for the following year is procured, except when the dog is being lawfully used for hunting during hunting season or when the dog is securely contained in a kennel structure or dog pen designed for the purpose of containing the dog.
- (c) The metal tag shall bear a serial number and the year for which it was issued and the Treasurer or Licence Fee Collector shall keep a record for the purpose of showing the name and address of the owner and the serial number of the tag.
- (d) The owner shall not fix on the dog or allow to remain fixed on a dog a metal tag unless it was issued for use upon the dog.
- (e) The cost of a replacement tag shall be as established by Schedule "A".

4. Control of Dogs

- (a) Running at large
 - (i) No owner shall permit any dog to run at large in the Town.
 - (ii) For the purpose of this Section, a dog shall be deemed to be running at large when found in any place other than the property of the owner and not under the control of any person.
 - (iii) When a dog is not on the property of the owner, the dog must be under the control of a person, by being physically constrained by a leash.

The following exception to Section 4(a)(iii) is permitted:

- (iv) A dog may be on private property under the control of a person and not physically constrained by a leash, with the permission of the property's owner.
 - (v) At all times, the owner of a dog is liable and responsible for the dog's behaviour and must exercise care and discretion so as not to cause endangerment when interacting with other individuals and/or their animals.
- (b) Nuisance
- (i) No Owner shall allow his/her dog to become a nuisance by excessive barking or howling. Any person aggrieved by such a nuisance may, after attempting to resolve the issue with the dog owner, appear before a Justice of the Peace and swear out information charging such Owner with a breach of this Section.
 - (ii) The owner of every dog shall immediately remove and dispose of in a sanitary manner the excrement left by his/her dog(s) on public property and on private property, other than the owner's property.
 - (iii) The owner of every dog shall make reasonable, regular and frequent efforts to keep the following areas of the owner's property free of excrement: within a 10 metre perimeter of the dwelling house and well, within a 7 metre perimeter of the driveway and walkway from the property entrance to the principal building.
 - (iv) No owner shall allow his/her dog(s) to scavenge amongst garbage / recycling or destroy garbage / recycling containers.
- (c) Trespass
- No owner shall allow his/her dog(s) to trespass on private property whether the dog is on or off leash.
- (d) Impounding, sale and destruction
- (i) Any person may confine a dog running at large. Such person shall forthwith contact the Canine Control Officer who shall then apprehend the dog and deliver it to a Licensed Pound.
 - (ii) Except as otherwise provided in this by-law, every dog seized under the provisions of this by-law and delivered to a Licensed Pound shall be confined in the Licensed Pound for the Specified Period. The Specified Period shall be five days, not including Saturdays, Sundays or statutory holidays in the municipality where the pound is located.

- (iii) If the owner of the dog is not known, the Canine Control Officer or Pound Keeper shall make the following prompt efforts to identify the owner of the dog: (a) conduct a search of dog registrations, (b) scan the dog for a microchip and telephone the Canadian Kennel Club and other microchip agencies in the event a microchip is located; (c) conduct a telephone search of the immediate area and nearby humane societies.
- (iv) Promptly after the owner of the dog becomes known, the Pound Keeper shall telephone the owner of the dog at the number/s provided for in the dog licence application, or at the numbers obtained through a search (Section 4(d)(iii)) and at such additional numbers as may have been provided by the owner to the Pound Keeper, notifying the owner of the date and time of the seizure of the dog. The Pound Keeper shall also notify the owner if the dog is injured, sick, or diseased that it may be destroyed upon the recommendation of a veterinarian.
- (v) An injured, sick or diseased dog may be destroyed for humane reasons, on the recommendation of a veterinarian or trained staff.
- (vi) Except where otherwise provided, the owner of any dog impounded under the provisions of this By-Law may redeem the same within the Specified Period after its delivery to the Licensed Pound, by paying into the hands of the said Pound Keeper, for the use of the Municipality unless otherwise provided, the Pound fees and all other expenses incurred including veterinarian charges. If the owner refuses to pay the said fees, the sum shall be entered upon the collector's roll and the collector shall proceed to collect it in the same manner as other Municipal taxes.
- (vii) If the impounded dog is not redeemed by the owner, the Pound Keeper shall offer the impounded dog to an Adoption Agency, at no cost to the Adoption Agency. In the event that the impounded dog is not so adopted, the Pound Keeper may adopt out such impounded dog. The Pound Keeper shall only adopt to an individual, other than the previous owner, who is adopting the dog apparently in good faith as a personal pet. In every case the adopter (if resident in the Town) shall comply with the licensing provisions of this by-law immediately upon the adoption. If the impounded dog is not so adopted, the dog shall be destroyed. The owner shall be responsible for payment of all Pound fees and charges incurred in the collection and impounding of the dog including veterinarian charges. If the owner refuses to pay the said fees, the sum shall be entered upon the collector's roll and the collector shall proceed to collect it in the same manner as other Municipal taxes.
- (viii) No dog shall be returned to the owner unless it has been licensed in accordance with the provisions of this by-law, and any owner of a dog without a licence or a dog tag shall obtain a licence and a dog tag for the current year before delivery is made.
- (ix) The Pound fees shall be as established by Schedule "B".

- (x) The financial liability of the Municipality to the Pound Keeper shall terminate with the expiry of the Specified Period.
- (xi) The method of destruction employed for impounded dogs shall be lethal injection administered by a veterinarian or trained staff.

5. Guard Dogs

(a) Keeping of Guard Dogs

- (i) The owner of a Guard Dog shall at all times confine the dog by
 - (1) keeping the dog in a secure building; or
 - (2) keeping the dog within a secure fenced area.

Secure in this paragraph means effective at preventing the dog's getting out and effective at preventing unsupervised access by children.

- (ii) The owner of a Guard Dog shall keep the dog muzzled when the dog is or can get to within one metre of persons who are lawfully in that location.
- (iii) The owner of a Guard Dog shall obtain and maintain in force a public liability insurance issued by an insurer licensed by the Province of Ontario, providing third party liability coverage in the amount of not less than \$1,000,000.00 for any damage or injury caused by the dog, and the owner shall provide the Licence Fee Collector with a certificate of the policy and subsequent renewals. The policy shall contain a provision requiring the insurer to immediately notify the Licence Fee Collector should the policy expire, be cancelled or be terminated for any reason.
- (iv) The owner of a Guard Dog shall post Guard Dog on Premises signs on his/her property.

6. Number of allowed dogs

- (a) The number of dogs owned by a Licensed Purebred Kennel shall not exceed the numbers provided for in the licence.
- (b) The number of dogs harboured at a Licensed Kennel shall not exceed the numbers provided for in the licence.
- (c) The number of dogs harboured, owned or possessed on any property other than a licensed kennel shall not exceed three.

7. Care and Welfare of Dogs

- (a) Every owner of a dog and every operator of a facility licensed under this by-law shall provide safe and sanitary conditions for the dogs in the care of the owner or operator.

- (i) The safe and sanitary conditions shall include appropriate shelter and protection from the elements as well as protection for the dogs from each other and from other animals. All materials used shall be durable and suitable.
 - (ii) In the case of licensed premises, in enclosed dog runs and dog kennel shelters, the safe and sanitary conditions shall include the conducting away of water and urine and the daily removal of excrement into a suitable receptacle, which shall be emptied and cleaned on a weekly basis. Nutrient management practices shall be adhered to, as set out in provincial and/or Town of Mono requirements.
 - (iii) A dog kennel shelter shall be a minimum of 1.5 metres by 1.5 metres in size and 1.2 metres in height.
 - (iv) A dog run shall be a minimum of 1.5 metres by 4.5 metres in size and 1.2 metres in height, suitable to safely contain the size of dog enclosed.
 - (v) A doghouse should be large enough for the dog to stand up, sit down, turn around and stretch out comfortably to the fullest extent of its limbs. It should be insulated, have an interior windbreak, exterior door flap and be elevated 15 cm off the ground, facing away from the prevailing winds but not so large that the dog is not able to maintain the heat inside.
 - (vi) A leash which is used to tie a dog to a doghouse shall be 3 metres in length or longer.
- (b) Every owner and every operator of a facility licensed under this by-law shall provide suitable nourishment and medical care for the dogs in the care of the owner or operator.

8. Licensed Premises

- (a) An application or renewal for licensed premises shall be submitted in respect of each premise to be licensed every year on or before April 1st of the year in question.
- (b) The licence application shall be in the form attached as Schedule "C"
- (c) The licence fees shall be as established by Schedule "C".

9. Licensed Kennels

- (a) A Licensed Kennel is an establishment licensed under this by-law that is used for any or all of the following purposes: boarding dogs, sheltering dogs, training dogs and breeding dogs.
- (b) A Licensed Kennel shall be located on a lot containing at least 19.5 hectares, and the use must be permitted under the current zoning by-laws or the Niagara

Escarpment Plan and Development Control. Only one Licensed Kennel may be located on any one lot.

- (c) No kennel shall be permitted on a lot within 3.5 km of another lot having a licensed kennel in the Town of Mono.
- (d) The maximum number of dogs permitted in any one Licensed Kennel shall not exceed 20 dogs unless a variance is granted by Council and listed in Schedule "D" to this bylaw.
- (e) Not more than 3 kennels shall be permitted within an 8 km radius within the Town of Mono.

“Class 1 Kennel” - allows the owner to keep 4-6 dogs.

“Class 2 Kennel” - allows the owner to keep 7-10 dogs.

“Class 3 Kennel” - allows the owner to keep 11-20 dogs.

- (f) Every person who keeps more than 3 dogs within the municipality shall keep such dogs within a kennel at all times provided that any dog may be removed from such kennel if it is under the control of a person and such person does not have control of more than 3 dogs.
- (g) Every person who keeps more than 3 dogs within the municipality shall provide drainage of surface waters from all areas of the kennel and runs to ensure that such waters are drained a sufficient distance from any buildings used for human accommodation or wells from which drinking water is obtained to prevent a nuisance to persons using such buildings, danger to their health or contamination to drinking water.
- (h) Every part of a Licensed Kennel containing dogs shall be fully fenced. The fence shall be a minimum of 1.2 metres in height, and of construction and robustness to securely contain all the dogs.
- (i) Dog runs, pens, dog enclosures and all structures used in connection with the operation (excluding exercising yards) shall be
 - at least 40 metres from any boundary line and 75 metres from any dwelling on another lot, for a Class 1 Kennel
 - at least 60 metres from any boundary line and 150 metres from any dwelling on another lot, for a Class 2 Kennel
 - at least 90 metres from any boundary line and 300 metres from any dwelling on another lot, for a Class 3 Kennel
 - at least 16 metres from any drilled well and 33 metres from any dug well, and
 - behind the front set-back line of the dwelling on the property.
 - ~~and at least 38 metres from all public roads~~

- (j) Exercising yards used in connection with the operation shall be
- at least 40 metres from any boundary line and 75 metres from any dwelling on another lot, for a Class 1 Kennel
 - at least 60 metres from any boundary line and 150 metres from any dwelling on another lot, for a Class 2 Kennel
 - at least 90 metres from any boundary line and 300 metres from any dwelling on another lot, for a Class 3 Kennel, and
 - at least 16 metres from any drilled well and 33 metres from any dug well.
 - ~~and at least 33 metres from all property boundaries~~
- (k) Owners and operators of Licensed Kennels shall keep a record of the number of dogs on the premises on each day. The record shall adequately identify the dogs and the owners of the dogs. The records shall be made available to the Licence Fee Collector and Canine Control Officer.
- (l) Owners and operators of Licensed Kennels shall have the kennels inspected every 12 month period by the Canine Control Officer prior to reissue of a licence. In all cases, the Canine Control Officer shall take due care for the health and safety of the dogs and for the prevention of spreading of disease.
- (m) Every owner and operator of a Licensed Kennel shall comply with the requirements of this Section and the licence.
- (n) The licence may be revoked for a breach of this By-law by the Council. Proof of the breach is conviction under this bylaw or the Ontario Society for the Prevention of Cruelty to Animals Act and/or the Criminal Code, Sections 444 to 447. The Clerk shall give written notice of the revocation of the licence by delivering the same to the licensee or mailing or faxing to the address provided in the licence.
- (o) The licensee may appeal in writing the revocation of the licence to the Council. The notice of appeal shall be served on the Clerk.

10. Consideration of New Kennel Licence Application

Prior to considering an application for:

a new Kennel Licence;

a revision to an existing Kennel Licence;

a variance from this bylaw for a licenced Kennel:

- (a) Planning and Environmental Advisory Committee shall hold a public meeting having provided notice to the applicant and to owners of lands within 1,000 metres of the subject property, and shall provide to Council its recommendation on the merits of the application.

- (b) Notice in writing of the public meeting of the Planning and Environmental Advisory Committee shall be mailed not less than 2 weeks nor more than 4 weeks prior to date of the public meeting.
- (c) Upon consideration of the application and the recommendations of the Planning and Environmental Advisory Committee, Council may approve an application which conforms to the provisions of this bylaw or may refuse the application.
- (d) Council may approve an application which does not conform to one or more provisions of this bylaw, having first enacted site specific variance provisions by amending bylaw.
- (e) If the application does not conform with the Zoning Bylaw or if it requires a Development Permit from the Niagara Escarpment Commission, Council shall either refuse the application or require a Re-Zoning or a Development Permit prior to approving the application.
- (f) Council's decision shall be final.

11. Application for Kennel Licence

Every Owner applying for a Licence for a Kennel shall submit the following documentation to the Clerk:

- (a) clearance from the OSPCA to ensure the applicant has never been convicted for animal cruelty in the past;
- (b) in the case of a Kennel for pure-bred dogs, proof of active membership in good standing in the Canadian Kennel Club or any other Association incorporated under the Animal Pedigree Act (Canada);
- (c) in all cases, a site plan drawn to scale showing the location of all buildings or structures on the subject property, including the location of all buildings or structures to be used for Kennel purposes. The site plan must also specify the distance which separates the Kennel buildings, structures, dog runs and facilities from all property lines and all buildings, including any residential buildings situated on the adjacent properties; additional studies may be required by Council;
- (d) all drainage details from the kennel, including location of any environmental features (ponds, rivers, streams) on the property and abutting properties;
- (e) in all cases, a list of all dogs to be kept at the subject property, including both purebreds and non-purebreds, and verification of current rabies vaccination for each dog;
- (f) as applicable, the Kennel Licence Fee as set out in Schedule "C" attached hereto and forming part of this By-law;

- (g) sworn Declaration by the Owner that he has never been convicted under the Criminal Code of Canada pertaining to animal cruelty;
- (h) proof of insurance by way of a Certificate of Insurance showing a minimum limit of \$1,000,000 (One Million Dollars) in General Liability;
- (i) clearance from the Wellington Dufferin Guelph District Health Unit or such other agency or department responsible for public health, septic system approvals and/or sewage system approvals, as applicable. Such clearance is required for the initial licence issued to a Kennel and is not required for any annual renewal.
- (j) Development Permit from the N.E.C., if applicable;
- (k) permit from the Conservation Authority having jurisdiction, if applicable;
- (l) any other permit required by any Provincial, Federal or Municipal authority.

12. Renewal of Kennel Licence

Prior to the issuance of any Renewal Kennel Licence, the Licensing Fee Collector shall obtain municipal clearance from the Canine Control Officer. A kennel licence renewal requires:

- (a) that there have been no convictions of by-law infractions during the previous licensing year;
- (b) that a site inspection has been conducted to verify overall compliance with bylaw, the information on the site plan and the number of dogs at the subject kennel.
- (c) that the kennel owner has corrected any compliance issues to the satisfaction of Council.

13. Changes to an Existing Kennel Licence

- (a) After the issuance of a Licence, the Owner shall apply in writing to the Clerk for approval of any changes which would alter the Site Plan filed with the Licence application. Said application for changes shall include a revised site plan and any additional studies as required by Council.
- (b) Upon receipt of a revised site plan, the Clerk shall obtain the municipal clearances as set out in this By-law and may consult with the Humane Society if deemed appropriate.
- (c) Upon receipt of a revised site plan, the Clerk may consult with the District Health Unit or such other agency or department responsible for public health, septic system approvals and/or sewage system approvals that provided clearance for the initial application, if deemed appropriate.

- (d) All documentation shall be submitted to the Clerk for a Council public meeting as set out in Section 12.

14. Minimum Standards

- (a) All Kennels and Boarding Facilities shall comply with the following minimum standards:
 - (i) Every Kennel or Boarding Facility shall be of sufficient space to allow the dogs or domestic animals kept therein to stand erect and be comfortable, and shall have no less than 2.3 square metres (25 sq. ft.) of floor area per dog or domestic animal which may be increased in accordance with the size of the dog or decreased in accordance with the size of any other domestic animal using reasonable judgement and approved by the Humane Society or Veterinarian.
 - (ii) Each dog run shall have a minimum floor area of 3.0 square metres (32 sq. ft.). In the case of runs for domestic animals, the minimum floor area may be decreased in accordance with the size of the intended domestic animal using reasonable judgement and approved by the Humane Society or Veterinarian.
- (b) Every Kennel or Boarding Facility shall provide an adequate constant supply of potable water for each animal's consumption.
- (c) Every Kennel or Boarding Facility shall be kept in a sanitary, well-ventilated condition and free from offensive odours, disease and vermin. Animal feces shall be removed daily.
- (d) The Owner of a Kennel or Boarding Facility shall maintain compliance with the Town Waste Control By-law and/or the Health Protection and Promotion Act at all times.

15. VICIOUS DOGS

- (a) (i) The Canine Control Officer shall be empowered to declare that a Dog is vicious upon:
 - (1) receipt of a signed declaration in the form attached hereto as Schedule "F", by a person who saw the Dog Bite a person or a Domestic Animal or by a person who was bitten by the Dog; or
 - (2) upon receipt of a signed declaration attested to by the Clerk or his designate of a municipality where the Dog has been declared vicious.
- (ii) The Bylaw Enforcement Officer, Police Officer, or Canine Control Officer may within two days of receipt of a declaration, excluding Saturdays,

Sundays and statutory holidays, deliver or send by registered mail a Notice to Muzzle, in the form attached hereto as Schedule “G” to the Owner of the vicious dog requiring that the Dog be muzzled and restrained pursuant to the provisions of this Bylaw.

- (b) (i) Where the Dog has been declared vicious by the Bylaw Enforcement Officer, Police Officer or Canine Control Officer, pursuant to the provisions of this Bylaw, the Owner of the Dog may apply for a hearing in respect of such Notice to Muzzle.
 - (ii) An Application stating the reason or reasons for appealing the Notice to Muzzle and requesting a hearing under Subsection 15(b)(i) shall be made in writing and delivered by personal service or registered mail to the Town Clerk of the Town within fifteen (15) days after the Notice to Muzzle has been mailed to the Owner.
 - (iii) Upon receipt of the Application for a hearing from an Owner served with a Notice to Muzzle, the Clerk shall convene a meeting of the Appeal Committee and shall give the Owner of the Dog and the person who signed the Declaration pursuant to Section 15(a) seven (7) days written notice by personal service or registered mail of the time, date and location of the hearing.
 - (iv) The Town, the Owner of the Dog and the person that signed the Declaration pursuant to Section 15(a) shall, if they so desire, be parties to the hearing. The Appeal Committee may permit, in its sole discretion, any other person to be a party to the hearing.
 - (v) Any party and any other interested person may appear at the hearing and present oral or written evidence relating to the alleged Dog Bite.
 - (vi) When any party, including the Owner of the Dog, does not attend at the proper time and place, the Appeal Committee may proceed with the hearing in the absence of any party and the party that did not attend shall not be entitled to any further notice of the proceedings.
- (c) (i) The Appeal Committee shall deliberate the merits of the evidence presented and shall render its decision orally at the meeting or shall reserve its decision to be issued later in writing, which shall not be later than five (5) days following the date of the hearing.
 - (ii) The decision of the Appeal Committee is final and binding.
 - (iii) The Appeal Committee may confirm the Notice to Muzzle, exempt the Dog from any requirement to be muzzled, require restraining or leashing requirements that are more or less stringent than those set out in this Bylaw, or make any other order that the Appeal Committee deems just, or may dispose of the appeal on Consent of all parties.

- (iv) Notwithstanding Section 15(c)(iii) the Appeal Committee may not order that the Dog be destroyed and it may not order that the Owner sell or otherwise dispose of the Dog.
 - (v) The Notice of hearing or any matter which arises relating to the proceedings of the Appeal Committee and not set out in the provisions of this Bylaw shall be governed by the Statutory Powers and Procedures Act.
 - (vi) Notwithstanding that an Owner has applied for a hearing to appeal the Notice to Muzzle, the Notice to Muzzle takes effect when it is served upon the Owner and remains in effect until the Appeal Committee renders or issues it's decisions, whichever occurs first.
 - (vii) If the Appeal Committee renders an oral decision, a written copy of the decision of the Appeal Committee shall be prepared, as soon as is practicable after the conclusion of the hearing, and shall be delivered or mailed by ordinary mail to the last known address of the Owner, the Police, the Public Health Department, the Animal Shelter, Bylaw Enforcement, Council, and the Clerk or his Designate.
- (d) The Owner of a Dog, upon being served with a Notice to Muzzle, shall ensure that:
- (i) While the Dog is on the property of the Owner, the Owner shall keep the Dog restrained at all times.
 - (ii) When the Dog is not on the property of the Owner, the Owner shall ensure that:
 - (1) the Dog is securely on a collar-type leash with a maximum length of 1 metre and of sufficient strength to restrain the Dog and keep it from chasing a person or Domestic Animal;
 - (2) the Owner has fastened a Muzzle humanely over the mouth of the Dog of adequate strength and design and suitability to the breed of the Dog that fits over the mouth of the Dog and cannot be removed by the Dog, to prevent the Dog from biting or attacking a person or Domestic Animal;
 - (3) the Dog is under the control of a person sixteen (16) years of age or older.
 - (iii) Within thirty (30) days after the date of the issuance of the Notice to Muzzle, or the date of the release of the written decisions of the Appeal Committee's decisions, if any, whichever date is later, the Dog is identified with a Microchip implantation, at the Owner's expense, and the said Microchip number is registered with the Town.

- (iv) The Bylaw Enforcement Officer, Police, and Canine Control Officer is notified within forty-eight (48) hours of any changes to the residency of the Dog.
 - (v) The Bylaw Enforcement Officer, Police, and Canine Control Officer is notified within forty-eight (48) hours after the Ownership of the Dog is transferred.
 - (vi) The Bylaw Enforcement Officer, Police, and Canine Control Officer is notified within ten (10) days after the Dog has died.
- (e) This Bylaw shall not apply to a Police Working Dog.

16. Administration

- (a) Council shall by resolution provide for the appointment of one or more persons to act as Pound Keeper, Canine Control Officer and Licence Fee Collector and shall provide for the terms of such appointment.
- (b) A person when so required by the Licence Fee Collector shall within five calendar days deliver to the Licence Fee Collector a signed statement in writing of the number of dogs owned, possessed or harboured by the person in the municipality.
- (c) Canine Control Officers shall carry out the duties assigned to them by this by-law and by resolution of Council.
- (d) Pound Keepers shall carry out the duties assigned to them by this by-law and by resolution of Council. Pound Keepers shall provide suitable quarters in which to keep in a humane manner all the dogs that may be brought to them by the Canine Control Officers of the Municipality for disposal under the provisions thereof. Pound Keepers shall keep an accurate account of all dogs placed in the pound, including the date of receipt, times of feeding and watering, manner of final disposal, the methods of destruction of the same, amounts received by way of redemption fees and sales, the names and addresses of purchasers of dogs, and any other particulars as directed by the Treasurer or Council.
- (e) No damage or compensation shall be recovered or recoverable on account of the seizure, disposition or destruction of any dog pursuant to this By-Law or any Act of the Legislation. In the event of any technical breach by the person so acting, the technical breach shall be excused if the person was acting in good faith.
- (f) No kennel shall be occupied until an occupancy permit has been issued by the Chief Building Official and upon compliance with the provisions of this by-law a certificate of compliance has been issued by the municipality.
- (g) The Building Inspector of the municipality or his assistant or the By-law Enforcement Officer or the Dog Tax Collector of the municipality shall have the right to visit, enter and inspect from time to time at all reasonable times any land or

structures within the municipality for the purpose of enforcing the provision of this by-law.

- (h) Should any section or sections of this by-law or any part or parts thereof be found by law to be illegal or beyond the power of Council to enact, such section or sections or part or parts thereof shall be deemed to be severable so that all other sections or parts thereof of this by-law are separate and therefore enacted as such.

17. Variances

- (a) Schedule “D” hereto, which forms part of this by-law, contains special provisions for variance from the policies of this by-law for specific properties.

18. Recovery of Expenses

- (a) In all cases the Municipality shall have the right to recover from the owner of the dog the costs incurred by the Municipality in applying this by-law to the owner's dog.
- (b) In all cases the Municipality shall have the right to recover from the owner of the dog the costs incurred by the Municipality in the first instance in connection with the owner's dog, such as in the cases of suspected rabies, etc.
- (c) In all cases the costs of the Municipality shall include the actual payments made by the Municipality, together with its reasonable administrative charges.
- (d) The provisions of this by-law shall be enforceable pursuant to the Municipal Act, R.S.O. 1990. c.M.45, s. 326.

19. Offences

- (a) Every person who contravenes any part of this by-law is guilty of an offence and is subject to the provisions of the Provincial Offences Act and/or the Dog Owners' Liability Act.
- (b) Each day of contravention shall be a separate offence.
- (c) Schedule “E” attached hereto adopts Short Form Wording and Set Fines for the purpose of the enforcement of this Bylaw.

20. Interpretation

- (a) This by-law shall be read with all changes in gender and number, as may be appropriate
- (b) Any part of this by-law found to be illegal shall be severed from the balance of the by-law

21. By-laws repealed

By-Law Nos. 95-22, 91-37 and 92-13 are hereby repealed.

Original signed by:

John Creelman, Mayor
Keith McNenly, Clerk

SCHEDULE "A"
TO BYLAW 2002-62 DOG BYLAW

Dog Licence Application

Dog 1	Dog 2	Dog 3
Owner's Name:	Owner's Name:	Owner's Name:
Address:	Address:	Address:
Dog's Name:	Dog's Name:	Dog's Name:
Breed:	Breed:	Breed:
Male: <input type="checkbox"/> Female: <input type="checkbox"/>	Male: <input type="checkbox"/> Female: <input type="checkbox"/>	Male: <input type="checkbox"/> Female: <input type="checkbox"/>
Neutered: Yes <input type="checkbox"/> No <input type="checkbox"/>	Neutered: Yes <input type="checkbox"/> No <input type="checkbox"/>	Neutered: Yes <input type="checkbox"/> No <input type="checkbox"/>
Colour:	Colour:	Colour:
Markings:	Markings:	Markings:
Date of Birth (yyyy-mm-dd):	Date of Birth (yyyy-mm-dd):	Date of Birth (yyyy-mm-dd):
Veterinarian:	Veterinarian:	Veterinarian:
Temperament:	Temperament:	Temperament:

Dog Licence Fees

Spayed/Neutered	\$20.00 per dog
Not Spayed/Neutered	\$30.00 per dog
Replacement Tag	\$15.00

- Spayed or neutered dogs require written certification of operation.
- For Guard Dogs, provide particulars of liability insurance including company, policy#, agent, amount of insurance carried.

I, the undersigned, certify that the information provided on this form is true, correct and complete in listing all the dogs on the above property, and that all dogs over 4 months have had all their shots and vaccinations.

_____ Date

_____ Signature

SCHEDULE "B"
TO BYLAW 2002-62 DOG BYLAW

Canine Control & Pound Fees

Service	Fee	Notes
Canine Control Officer	\$35 per hour plus mileage	Dog(s) seized under the provisions of this by-law and delivered to the Pound Keeper
	\$87.50 per hour plus mileage on statutory holidays	
Impound	\$40 per day, or part thereof, per dog; and \$50 per dog administration charge	Veterinary fees additional
Mileage	\$0.60 per km	
Veterinary Charges	As billed	
Kennel Inspection	\$100 per inspection plus mileage	Payable by kennel owner/operator

SCHEDULE (C) TO BYLAW # 2002-62

**The Corporation of the Town of Mono
Application for Kennel Licence**

This is an application for a :

- Licensed Kennel
- Licensed Purebred Kennel
- Licensed Pound

Name of applicant/s (registered owner/s): _____

Business name: _____

Mailing address of applicant/s: _____

Civic address or emergency number: _____

Telephone numbers: _____ (Home) _____ (Business) _____ (Cell)
_____ (Fax)

Names, addresses & telephone numbers of corporate officers:

Name of manager: _____

Mailing address of manager: _____

Civic address or emergency number _____

Telephone numbers of manager: _____

Legal description of property: _____

Sketch attached shows the true shape and dimension of the property; the location, height and dimensions of the kennel/pound structures and the location and dimensions of all runs used in connection with the kennel/pound.

Maximum number of dogs for which application is made and to which licence is restricted: _____

Annual Kennel Licence Fee	Class 1	\$150.00
	Class 2	\$175.00
	Class 3	\$200.00

The undersigned registered owners hereby certify that the above statements are true and complete and that the application and the facilities comply with all the requirements of the By-law.

Date: _____ Signatures of applicants: _____

A licence is granted for Licensed Kennel in terms of the above application and limited to the number of dogs specified above for the calendar year _____.

Date: _____ Signature of Licence Fee Collector: _____

SCHEDULE “D” TO BY-LAW NUMBER 2002-62

The Corporation of the Town of Mono

The following variances from By-Law Number 2002-62 are permitted:

1.
 - (a) Notwithstanding Section 9(d) and (e) of this Bylaw to the contrary, the kennel owned by Wallace Barr and Karin Klouman and operated as “Kyon Kennels”, located at Part of the West Half of Lot 29 Concession 2 EHS, containing 59.56 acres, shall be permitted to keep a maximum of 75 dogs in a Class 3 Kennel;
 - (b) The kennel described above must comply with Schedule “C” Operational Plan for Kyon Kennel Expansion, which forms part of a Site Plan Agreement dated September 15, 2006 between the Town of Mono and Wallace Barr and Karin Klouman;
 - (c) The kennel described above must comply in all other respects with Bylaw Number 2002-62 and amendments thereto.

2.
 - (a) Notwithstanding Section 6(c) of this Bylaw to the contrary, Sheila Sampson and Robert Sampson, owners of Part of the West half of Lot 14, Concession 8 EHS, in the Town of Mono, County of Dufferin, being municipally known as 954215 7th Line, shall be permitted the keeping of up to seven (7) dogs in an existing accessory building.
 - (b) The owners shall operate the premises in accordance with Section 9 of this Bylaw.
 - (c) The permission to allow 7 dogs on the subject property is not transferable to future landowners.

- (3)
 - (a) Notwithstanding Section 9(b) of this Bylaw to the contrary, JASON PHILLIPS and DELIA TEIXEIRA, owners of Part of the East Half of Lot 18, Concession 8 EHS, in the Town of Mono, County of Dufferin, being municipally known as 994448 Mono-Adjala Townline (subject property), shall be permitted to apply for a Class 2 Kennel Licence, which allows the owners to keep 7 – 10 dogs on the subject property, with a reduced acreage of 10.92 hectares (26.99 acres) from the required minimum of 19.5 hectares (48 acres).
 - (b) All other provisions of this Bylaw shall apply.

SCHEDULE “E”

PART I PROVINCIAL OFFENCES ACT

**Approved on July 26, 2013 by Kathryn Hawke, Regional Senior Justice,
Central West Region**

Item	Short Form Wording	Provision Creating or Defining Offence	Set Fine
1	Owning an unlicensed dog	2(a)	\$150.00
2	Failure to keep a metal tag securely fixed to a dog	3(b)	\$150.00
2.1	Permitting a dog to run at large in the Town	4(a)(i)	\$150.00
3	Allowing a dog to become a nuisance	4(b)(i)	\$150.00
4	Failure to remove and/or dispose of excrement	4(b)(ii)	\$150.00
5	Failure to make efforts to keep specified areas free of excrement	4(b)(iii)	\$150.00
6	Allowing a dog to scavenge garbage / recycling and/or destroy garbage / recycling containers	4(b)(iv)	\$150.00
7	Allowing a dog to trespass on private property	4(c)	\$150.00
8	Failure to keep guard dog(s) in secure building or fenced area	5(a)(i)	\$150.00
9	Failure to keep guard dog(s) muzzled	5(a)(ii)	\$150.00
10	Failure to insure for damage or injury caused by guard dog	5(a)(iii)	\$150.00
11	Failure to provide Licence Fee Collector with certificate of insurance	5(a)(iii)	\$150.00
12	Owning dogs at a licensed purebred kennel in excess of number provided for in licence	6(a)	\$150.00
13	Harbouring dogs at a licensed kennel in excess of number provided for in licence	6(b)	\$150.00
14	Harbouring, owning or possessing more than 3 dogs on a property other than a licensed kennel	6(c)	\$150.00
15	Failure to provide safe and sanitary conditions for dog	7(a)	\$150.00
16	Failure to provide suitable nourishment and medical care for dog(s) at a licensed facility	7(b)	\$150.00
17	Failure to submit application to licence a kennel	8(a)	\$150.00
18	Keeping more than 3 dogs other than in a kennel	9(f)	\$150.00
19	Failure to provide drainage from kennel and/or runs	9(g)	\$150.00
20	Failure to keep and/or make available kennel records	9(k)	\$150.00
21	Failure to have kennel inspected every 12 month period	9(l)	\$150.00
22	Failure to comply with kennel licence requirements	9(m)	\$150.00
24	Failure to keep dog restrained	15.4(a)	\$250.00
25	Failure to keep dog on leash	15.4(b)(i)	\$250.00
26	Failure to muzzle dog	15.4(b)(ii)	\$250.00
27	Failure to keep dog under control of person 16 years of age or older	15.4(b)(iii)	\$250.00
28	Failure to identify dog with microchip implantation	15.4(c)	\$250.00
29	Failure to register microchip number with Town	15.4(c)	\$250.00
30	Failure to notify Bylaw Enforcement Officer, Police and/or Canine Control Officer of change of residence of dog	15.4(d)	\$250.00
31	Failure to notify Bylaw Enforcement Officer, Police and/or Canine Control Officer of transfer of ownership of dog	15.4(e)	\$250.00
32	Failure to notify Bylaw Enforcement Officer, Police and/or Canine Control Officer of death of dog	15.4(f)	\$250.00
33	Failure to deliver statement to Licence Fee Collector	16(b)	\$150.00
34	Occupying a kennel without an occupancy permit	16(f)	\$150.00

NOTE: the general penalty provision for the offences indicated above is Section 18 of By-law 2002-62, as amended, a certified copy of which has been filed.

SCHEDULE "F"

DECLARATION REGARDING A VICIOUS DOG

OWNER OF DOG:

NAME: _____

ADDRESS: _____

DESCRIPTION OF DOG:

NAME OF DOG: _____ DOG TAG # _____

Breed: _____ Gender _____

Colour: _____ Other: _____

Rabies Tag Number: _____ Other Identification: _____

LOCATION OF INCIDENT:

Address: _____

Location on
Property: _____

Location on
Street: _____

Description of
Incident: _____

Date of Incident: _____ Time of Incident: _____

Signature of Witness who actually saw the alleged
Vicious Dog Bite a person or Domestic Animal

Date

Signature of Bylaw Enforcement
Officer, Police Officer or Canine
Control Officer

Name of witness: _____

Please Print

Address of witness: _____

Telephone number of witness: _____

Personal information contained in this form is collected under the authority of the Municipal Act R.S.O. 1990, c.M. 45 as amended, and will only be used for the purposes for which it was collected. Questions about this collection of information should be directed to the Clerk for the Town of Mono, 347209 Mono Centre Road, Mono, Ontario L9W 6S3, Phone (519)941-3599 or Fax (519)941-9490.

SCHEDULE "G"

NOTICE TO MUZZLE

TO: _____ Date: _____
Owner of Dog

Address:

Description of Dog:

Name: _____ Breed: _____
Gender: _____ Colour: _____
Dog Tag No.: _____ Year of Dog Tag: _____
Rabies Tag No., including year and Veterinary's Office: _____

Tattoo No.: _____ Microchip No.: _____

The Corporation of the Town of Mono is in receipt of a Declaration duly executed by a Bylaw Enforcement Officer, Police Officer, or Canine Control Officer pursuant to Section 15(a)(i) of Bylaw No. 2005-13, that the Dog described above did on the _____ day of _____, 20____, Bite a person or a Domestic Animal. In accordance with Section 15(d) of Bylaw No. 2005-13, you are hereby ordered to restrain your Dog as follows:

METHOD OF RESTRAINING DOG

While the Dog is on the property of the Owner, the Owner shall restrain the Dog by keeping it inside a building or house or in an enclosed pen of sufficient dimension and strength to prevent the Dog from coming into contact with persons other than the Owner of the Dog or any other Domestic Animal or within a securely fenced yard where the fence is a minimum height of 1.83 metres. The enclosed pen or the fenced yard shall be equipped with a locking device and self-latching device that is at least 1.5 metres about the ground.

While the Dog is not on the property of the Owner, the Owner shall ensure that:

- 1) It is securely on a collar-type leash with a maximum length of 1 metre and of sufficient strength to restrain the Dog and keep from chasing a person or Domestic Animal;
- 2) By fastening a Muzzle humanely over the mouth of a Dog of adequate strength and design and suitable to the breed of the Dog that fits over the mouth of a Dog and cannot be removed by the Dog, to prevent a Dog from biting or attacking a person or Domestic Animal;
- 3) It is under the control of a person sixteen (16) years of age or older;
- 4) Within thirty (30) days after the date of the issuance of the Notice to Muzzle, or the date of the release of the written decision of the Appeal Committee's decision, if any, whichever date is later, the Dog is identified with a Microchip implantation, at the Owner's expense, and the said Microchip number is registered with the Canine Control Officer;
- 5) The Bylaw Enforcement Officer, Police and Canine Control Officer is notified within forty-eight (48) hours of any changes to the residency of the Dog;
- 6) The Bylaw Enforcement Officer, Police and Canine Control Officer is notified within forty-eight (48) hours after the ownership of the Dog is transferred.

Right of Appeal

In accordance with Subsection 15(b) of Bylaw No. 2005-13, you may appeal this Notice to Muzzle to the Appeal Committee of the Council of the Town of Mono. This notice was mailed to you on the _____ day of _____, 20___. Subsection 15(b)(ii) of Bylaw No. 2005-13 states as follows:

An Application stating the reason or reasons for appealing the Notice to Muzzle and requesting a hearing under Subsection 15(b)(i) shall be made in writing and delivered by personal service or registered mail to the Clerk of the Town within fifteen (15) days after the Notice to Muzzle has been mailed to the Owner.

Your Application must be addressed to the Clerk of the Town of Mono, 347209 Mono Centre Road, MONO, Ontario L9W 6S3.

Personal Information contained in this form is collected under the authority of the Municipal Act, R.S.O. 1990, c. M.45, as amended, and will only be used for the purposes for which it was collected. Questions about this collection of information should be directed to the Clerk of the Town of Mono, 347209 Mono Centre Road, Mono, Ontario, L9W 6S3, Phone (519) 941-3599 or Fax (519) 941-9490.

This Notice is served upon the Owner in accordance with Subsection 15(a)(ii) of Bylaw No. 2005-13 on this _____ day of _____, 20_____.

Bylaw Enforcement Officer, Police Officer, or Canine Control Officer