

TOWNSHIP OF NIPIGON

By-Law No. 1581

A By-law to amend By-law No. 1346, a By-law to provide for the licensing, registration and regulation of dogs and cats in the Township of Nipigon

WHEREAS it is desirable and expedient to amend By-law No. 1346 of the Township of Nipigon.

NOW THEREFORE the Council of The Corporation of the Township of Nipigon enacts as follows:

1. That Section 1 of By-law No. 1346 of the Township of Nipigon is hereby repealed and re-enacted so that thereafter the same shall read as follows:

SECTION 1 - DEFINITIONS

- a. "Animal Control Officer" shall mean the animal control officer employed by the Corporation of the Township of Nipigon;
- b. "Boarding Kennel" means any building, pen or other structure, other than a dwelling, used for the temporary keeping of dogs and cats for gain;
- c. "Blind Person" means a blind person pursuant to the provisions of Section 4 of the Blind Persons' Rights Act, R.S.O. 1990, c. B. 7;
- d. "By-law Enforcement Officer" shall mean Provincial Offences Officer, as designated by the Provincial Offences Act. Sec. 1(2) R.S.O. Chap. 4 1979, or any other person appointed by Council to enforce the provisions of this by-law;
- e. "Cat" means a male, neutered male, female or spayed female cat;
- f. "Council" shall mean the Council of the Corporation of the Township of Nipigon;
- g. "Dog" means a male, neutered male, female or spayed female dog;
- h. "Guide Dog" means a dog which serves as a guide or leader for a blind person, hearing impaired person or other physically or mentally disabled person and which has been specially trained for that purpose;
- i. "Kennel" means a building, premises or place in which dogs that are registered or eligible for registration with an association incorporated under the Animal Pedigree Act (Canada) are bred, maintained or cared for;
- k. "Microchip" means a tiny device implanted just under the skin between the animal's shoulder blades by a simple injection, the device contains a 10 digit ID code that can only be read by an electronic scanner.
- l. "Owner" means a person who possesses, harbours or has control of a dog/cat and, where the owner is a minor, the person responsible for the custody of the minor is deemed to be the owner;
- m. "Police Officer" shall mean any Police Officer, Police Cadet or Special Constable under the employ of the Corporation of the Township of Nipigon;
- n. "Public Property" means any land owned by the Corporation of the Township of Nipigon including public highways, public lanes, public sidewalks, public parks and pedestrian ways;
- o. "Running at large" for the purpose of this by-law shall mean when found in any place other than the premises of the owner and not under the control of any person;

- p. "Township" shall mean the Corporation of the Township of Nipigon;
 - q. "Veterinary Hospital" means a "Veterinary Hospital" as defined and licensed by the Ontario Veterinary Association.
2. That Section 2 of By-law No. 1346 of the Township of Nipigon is hereby repealed and re-enacted so that thereafter the same shall read as follows:

SECTION 2 - A. LICENCING OF DOGS

1. Every person being the owner of a dog which exceeds the age of six (6) months shall:
 1. (a) Forthwith upon a dog having passed the age of six (6) months or, within fourteen (14) days of becoming the owner of a dog, the age of which exceeds six (6) months and on payment of the licence fee, the owner shall be furnished with a dog tag. Every owner of a dog shall annually, not later than January 31st in each year shall cause the dog to be registered with the Township of Nipigon and licensed by it as provided herein.
 1. (b) Failure to comply with the provisions of Section 1.(a) above, the owner of a dog shall be subject to a late payment fee in addition to the licence fee required in Section 1.(a).
2. That the licence fee for each dog required to be licenced hereunder, and the late payment fee, if applicable, shall be as set forth in Schedule "A", attached hereto and that the said fees shall be remitted to the Corporation of the Township of Nipigon.
3. A tag which has been lost may be replaced upon payment of a fee of three dollars (\$3.00) upon application therefore and upon proof that the licence fee for the current year has been paid.
4. A record shall be kept by the clerk or other agent designated for that purpose showing the name and address of the owner and the serial number of the dog tag and/or the microchip identification number and any other information necessary for proper identification of the dog.
5. Each dog owner shall provide proof of spayed neutered or microchip implant (veterinary certificate) at the time of licensing.
6. Instead of furnishing the owner with a dog tag under subsection (1), the Council may require an owner to identify the dog by a tattoo or other recognizable identification system, and the owner shall pay the same fee as required for tagging.
7. Each dog tag issued to the owner of a dog shall bear the name of the "Township of Nipigon", the current year and a serial number.
8. Every person being the owner of a dog for which a tag was issued under Section 2.A.(1) of this by-law shall keep the tag securely fixed on said dog at all times, until such time as the tag is renewed or replaced.
9. Every person being the owner of a dog for which a tag was issued under the said provisions of this by-law shall immediately upon losing said tag, make application to the Clerk for a replacement tag as outlined in Section 2.A.(4).

SECTION 2 - B. LICENCING OF CATS

1. Every person being the owner of a cat which exceeds the age of six (6) months shall:
 1. (a) Forthwith upon a cat having passed the age of six (6) months or, within fourteen (14) days of becoming the owner of a cat, the age of which exceeds six (6) months and on payment of the licence fee, the owner shall be furnished with a cat tag. Every owner of a cat shall annually, not later than

January 31st in each year shall cause the cat to be registered with the Township of Nipigon and licensed by it as provided herein.

1. (b) Failure to comply with the provisions of Section 1.(a) above, the owner of a cat shall be subject to a late payment fee in addition to the licence fee required in Section 1.(a).
2. That the licence fee for each cat required to be licenced hereunder, and the late payment fee, if applicable, shall be as set forth in Schedule "A", attached hereto and that the said fees shall be remitted to the Corporation of the Township of Nipigon.
3. A tag which has been lost may be replaced upon payment of a fee of three dollars (\$3.00) upon application therefore and upon proof that the licence fee for the current year has been paid.
4. A record shall be kept by the clerk or other agent designated for that purpose showing the name and address of the owner and the serial number of the cat tag and/or the microchip identification number and any other information necessary for proper identification of the cat.
5. Each cat owner shall provide proof of spayed neutered or microchip implant (veterinary certificate) at the time of licensing.
6. Instead of furnishing the owner with a cat tag under subsection (1), the Council may require an owner to identify the cat by a tattoo or other recognizable identification system, and the owner shall pay the same fee as required for tagging.
7. Each cat tag issued to the owner of a cat shall bear the name of the "Township of Nipigon", the current year and a serial number.
8. Every person being the owner of a cat for which a tag was issued under Section 2.B.(1) of this by-law shall keep the tag securely fixed on said cat at all times, until such time as the tag is renewed or replaced.
9. Every person being the owner of a cat for which a tag was issued under the said provisions of this by-law shall immediately upon losing said tag, make application to the Clerk for a replacement tag as outlined in Section 2.B.(4).

SECTION 2 - C. GENERAL PROVISIONS

1. Subject to Section 5, no person shall keep in or upon any land or premises including a dwelling within the Corporation of the Township of Nipigon, more than a total of three (3) dogs and/or cats, provided that any young born in or upon such lands, premises or dwelling may be kept there for a period not exceeding twelve (12) weeks after birth.

SECTION 3 - RUNNING AT LARGE

1. A dog/cat shall be deemed running at large if found in any place other than the premises of the owner of the dog/cat and not under the control of any person.
2. No person, being the owner of a dog/cat shall permit or cause to permit a dog/cat to run at large within the Township of Nipigon
3. a) Any dog/cat found running at large and not wearing a tag or that cannot be properly identified may be forthwith impounded or siezed by the Animal Control Officer.

- b) Any dog/cat found running at large and wearing a tag or being identified shall be delivered forthwith to its owner, as indicated in the register maintained by the Clerk in accordance with section 2(4) of this by-law, by the Animal Control Officer and at the same time, the Provincial Offences Officer shall serve an Offence Notice or Summons as provided under Part 1 of the Provincial Offences Act.
4. Any Police Officer or Animal Control Officer may put down any dog or cat found running at large that cannot be impounded or where it is deemed necessary to do so in the interest of public safety. No damages or compensation shall be recoverable on account of the putting down of a dog or cat in accordance with this provision.
5. The Animal Control Officer shall be compensated for detaining or apprehending a dog/cat, and putting down of a dog/cat if necessary, as set forth in Schedule "B", attached hereto and forming part of this by-law.
5. That Section 4 of By-law No. 1346 of the Township of Nipigon is hereby repealed and re-enacted so that thereafter the same shall read as follows:

SECTION 4 - FOWLING PROPERTY

1. Every person being the owner of or having control of a dog which defecates in or upon any public property or any other property, other than the property of the owner or person having control of a dog, shall immediately cause such excrement to be removed and disposed of in a lawful manner.
2. Every person being the owner of or having control of a cat which defecates in or upon any public property or any other property, other than the property of the owner or person having control of a cat, shall immediately cause such excrement to be removed and disposed of in a lawful manner.
3. No person who owns, harbours or has control or supervision over any dog or cat shall bring or permit such a dog or cat to enter upon any public property, unless such dog or cat is connected to the person by leash or similar apparatus no longer than a maximum of 3.66 metres in length.
4. Subsections 1, 2 and 3 of this Section shall not apply to a blind person who is with a guide dog.
6. That Section 5 of By-law No. 1346 of the Township of Nipigon is hereby repealed and re-enacted so that thereafter the same shall read as follows:

SECTION 5 - REGULATING KENNELS

1. The owner of a boarding kennel or kennel of dogs or cats that are registered or eligible for registration shall annually on or before the 31st day of January, make application to the Township of Nipigon for a kennel licence or boarding kennel licence and "upon approval" pay such licence fees as indicated in Schedule "C", attached hereto and forming part of this by-law.
2. Every person making application under subsection 1. Shall have all buildings, structures and pens used in the operation of said kennel, inspected and approved by the By-law Enforcement Officer/Property Standards Officer.
3. The kennel or boarding kennel shall conform to the Ontario Building Code and shall be maintained in such a manner as to be safe.
4. No person shall operate a kennel or boarding kennel within the Township of Nipigon without the benefit of an approved licence issued under the provisions of this by-law.
5. Every person obtaining a licence for a kennel under this Section shall be entitled to be supplied with two dog tags at no additional charge.

7. That Schedule “A” of By-law No. 1346 of the Township of Nipigon is hereby repealed and re-enacted so that thereafter the same shall read as follows:

SCHEDULE “A”

Licence Fees for Section 2

Unaltered dog (not spayed or neutered)	\$55.00
Altered dog (spayed or neutered)	\$15.00
Unaltered dog (not spayed or neutered) with microchip identification	\$25.00
Altered dog(spayed or neutered) with microchip	Free Lifetime Licence
Unaltered cat (not spayed or neutered)	\$55.00
Altered cat (spayed or neutered)	\$15.00
Unaltered cat (not spayed or neutered) with microchip identification	\$25.00
Altered cat (spayed or neutered) with microchip	Free Lifetime Licence

8. That Schedule “B” of By-law No. 1346 of the Township of Nipigon is hereby repealed and re-enacted so that thereafter the same shall read as follows:

SCHEDULE “B”

Compensation for Animal Control Officer

For each dog detained	\$50.00
For each dog destroyed	\$20.00
For each cat detained	\$50.00
For each cat destroyed	\$20.00

9. That Schedule “D” of By-law No. 1346 of the Township of Nipigon is hereby enacted so that thereafter the same shall read as follows:

SCHEDULE “D”

Set Fine Schedule

Township of Nipigon
Part 1 Provincial Offences Act

By-law 1346, licencing & regulating dogs and cats By-law

ITEM	COLUMN 1 Short Form Wording	COLUMN 2 Offence creating provision or Defining Offence	COLUMN 3 Set Fine (includes costs)
1.	Fail to licence dog	Section 2-A(1)	55.00
2.	Fail to licence cat	Section 2-B(1)	55.00
3.	Fail to fix tag on dog	Section 2-A(8)	30.00
4.	Fail to fix tag on cat	Section 2-B(8)	30.00
5.	Fail to replace lost dog tag	Section 2-A(3)	30.00
6.	Fail to replace lost cat tag	Section 2-B(3)	30.00
7.	Fail to licence kennel	Section 5(1)	55.00
8.	Operate unlicensed kennel	Section 5(4)	105.00
9.	(Permit) (cause to permit) dog to run at large	Section 3(2)	55.00
10.	(Permit) (cause to permit) cat to run at large	Section 3(2)	55.00

11.	Fail to remove dog excrement	Section 4(1)	105.00
12.	Fail to remove cat excrement	Section 4(2)	105.00
13.	Fail to have dog on proper leash	Section 4(3)	55.00

10. That this by-law shall come into force and take effect on the 1st day of January, 2005.

ENACTED AND PASSED on the 7th day of December, 2004.

Edward Belanger REEVE

Raymond S. CLERK