

The Corporation of the Township of Whitewater Region

By-law Number 23-05-1598

A by-law to regulate the keeping and control of animals

Whereas, the Municipal Act, S.O. 2001, Chapter 25, as amended, Section 11(3) provides that a lower-tier municipality and an upper-tier municipality may pass by-laws respecting animals; and

Whereas, Section 103(1) states that if a municipality passes a by-law regulating or prohibiting with respect to the being at large or trespassing of animals, it may provide for,

- (a) the seizure and impounding of animals being at large or trespassing contrary to the by-law; and
- (b) the sale of impounded animals,
 - (i) if they are not claimed within a reasonable time,
 - (ii) if the expenses of the municipality respecting the impounding of the animals are not paid, or
 - (iii) at such time and in such manner as is provided in the by-law.

Whereas, Section 425 (1) allows a municipality to pass by-laws providing that a person who contravenes a by-law of the municipality passed under the Act is guilty of an offence; and

Whereas, Section 20 of the Animals for Research Act, R.S.O. 1990, Chapter A. 22, as amended, provides for the impounding and sale or destruction of a Dog pursuant to the provisions thereof; and

Whereas, the Dog Owners Liability Act, R.S.O. 1990 Chapter D. 16, as amended, provides for the protection of persons and property; and

Whereas the Ontario Police Services Act, R.S.O. 1990 Chapter P. 15, as amended, provides that Council may appoint By-Law Enforcement Officers to enforce all municipal by-laws.

Now Therefore the Council of the Corporation of the Township of Whitewater Region enacts as follows:

1. Short Title

This by-law shall be known and may be cited as the “Animal Control By-law.”

2. Definitions

As used in this by-law, the following terms shall have the meaning hereinafter ascribed to them:

- a. **Animal Control Officer or By-Law Enforcement Officer** means a person appointed by the Corporation of the Township of Whitewater Region for the purposes of enforcing the provisions of this by-law and related provincial offences by authority of the Ontario Police Services Act, 1990, Chapter P. 15, Section 15, as amended.
- b. **Animal Shelter** means any premises designated by the Township of Whitewater Region for the purpose of impounding and caring for animals taken by the agents of the Corporation, including the Bonnechere Valley Pound.

- c. **Animal Welfare Service** means the chief animal welfare inspector and provincial animal welfare inspectors, including inspectors with specialized expertise in livestock, zoos, aquariums, and equines, provide enforcement across Ontario. They carry out inspections, respond to concerns, conduct investigations, as well as provide outreach and education on animal care best practices.
- d. **Backyard Chicken** means a pullet or hen kept for the purpose of providing food for the personal consumption of occupants of a dwelling on the same lot kept in the rear yard of a property which does not specifically permit a farm use pursuant to the Zoning By-law. A hen is a domesticated female chicken that is at least four months old. Roosters are not permitted.
- e. **Cat** means any feline over the age of three months of any domesticated cat or crossbreed domesticated cat.
- f. **Chief Administrative Officer** shall mean the CAO of the Corporation of the Township of Whitewater Region or that person appointed to act in their capacity.
- g. **Coop** shall mean an approved fully enclosed weatherproof Coop conforming to the guidelines set out in this by-law where chickens are kept and which the interior includes nest boxes for egg laying, perches for the chickens to sleep on and food and water containers.
- h. **Corporation** shall mean the Corporation of the Township of Whitewater Region.
- i. **Dangerous Dog** shall mean any individual Dog that:
 - (i) has killed a domestic animal without provocation while off the Owner's property;
 - (ii) has bitten or injured a person or domestic animal without provocation on public or private property;
 - (iii) any Dog with a known propensity, tendency or disposition to attack without provocation other domestic animals, livestock or persons;
 - (iv) any animal that displays vicious tendencies such as growling, baring of teeth, charging or lunging, attacking or biting a person or other domestic animal or livestock;
 - (v) is attack trained;
 - (vi) is trained and kept for the purpose of security or protection, whether residential, commercial, or industrial, or persons or property; and/or
 - (vii) has shown the disposition or tendency to be threatening or aggressive.
- j. **Dog** means any domesticated canine, male or female, whether neutered or spayed, over the age of sixteen weeks;
- i. **Farm** means a farm residence, farm building, and accessory use and structure, and land used for the tillage of soil, the growing of vegetables, fruits, grains and other staple crops, includes land used for livestock raising, raising of other animals for food, fur or fiber, dairying, woodlots, horticultural crops, fish farming and beekeeping, and shall include an intensive farm and a limited farm.
- j. **Farm Animal** means any Animal normally raised or kept on a Farm including but not limited to cows, pigs, chickens, horses, rabbits, goats, sheep or ducks.
- k. **Fenced Yard** means a yard which is completely enclosed by a fence constructed that the walls of a continuously occupied building are

considered as portions of the required fence, provided that all doors in such walls are equipped with locks and that all doors providing access to the fenced yard are locked when a Dangerous Dog or Dog are inside the fenced yard.

- l. **Foster Dog Owner** means an individual who has been approved by a Rescue Organization to foster on a temporary basis until a permanent owner can be found.
- m. **Gate** means a swinging or sliding barrier used to fill or close an access and includes a door.
- n. **Hens** shall mean female chickens.
- o. **Inspector** shall mean any person delegated by the Corporation with enforcing or maintaining the provisions of this by-law.
- p. **Kennel** means any premises where five (5) to a maximum of twenty-five (25) Dogs are lodged, groomed, bred, treated, kept, boarded, trained or raised for profit or not for profit. This includes kennels for purebred Dogs which are registered with the Canadian Kennel Club and Rescues. It does not include an accredited veterinary facility under the supervision of a veterinarian licensed pursuant to the Veterinarians Act, R.S.O.1990, Chapter V.3, as amended.
- q. **Leash** means any form of material lead or restraint which does not exceed two (2) metres in length and has the capability to control an animal from annoying, approaching, bothering, or irritating persons or other animals.
- r. **Licence** means a licence issued under this by-law. All licenses issued under this bylaw expire on December 31st of each year and must be renewed by March 31st. of the following year.
- s. **Muzzled** means to have securely affixed around the snout or the mouth and nose of a Dog a device commonly known as a muzzle manufactured by a recognized manufacturer of muzzles for Dogs such that the Dog when muzzled will be prevented from biting a person or animal.
- t. **Nuisance Animal** shall mean any animal that unreasonably annoys humans, endangers the life or health of domestic animals or persons, or substantially interferes with the rights of persons, other than its Owner, to enjoyment of life or property. The term shall include, but is not limited to, any animal that:
 - (i) is repeatedly at large;
 - (ii) damages the property of anyone other than its Owner;
 - (iii) molests or intimidates pedestrians or passerby;
 - (iv) chases vehicles;
 - (v) is offensive or dangerous to the public health, safety, or welfare;
 - (vi) attacks other domestic animals or livestock;
 - (vii) excessively makes disturbing noises, including, but not limited to, continued or repeated howling, barking, whining, or other utterances causing unreasonable annoyance, disturbance, or discomfort to neighbors, or others in close proximity to the premises where the animal is kept or harboured; or
 - (viii) causes unsanitary conditions in enclosures or surroundings where the animal is kept or harboured due to the neglect of the animal's Owner.
- u. **Owner** includes any person who owns, possesses, harbours or has the care and control of a Dog, Cat or Chicken and "owns" and "owned" have

a corresponding meaning. Where the Owner is a minor, the person responsible for the custody of the minor.

- v. **Person** includes any physical or corporate entity, partnership or any association and the heirs, executors, administrators, successors and assigns or other legal representative thereof to whom the context may apply.
- w. **Rescue** means any firm, person, or corporation that accepts pet animals for the purpose of finding permanent adoptive homes for these animals and does not maintain a central facility for keeping animals in their temporary possession.
- x. **Runs at Large** means off the premises of the Owner and not under the control of any person.
- y. **Township** shall mean all lands contained within the geographical limits of the Township of Whitewater Region.

3. Licensing and Identification System

Every person shall comply with the following provisions:

- 3.1** Every Owner of a Dog shall annually, not later than March 31st in each year or within 30 days of becoming an Owner of a Dog, cause the Dog to be licensed with the municipality.
- 3.2** No person shall keep more than a maximum of four (4) dogs per household and shall ensure that each dog is licensed.
- 3.3** All licenses and tags issued pursuant to this by-law shall be serially numbered and a record of their issue be kept by the Corporation. Such record shall set out the name and address of the Owner, the name of the Dog and may include information as to the date of the Dog's last anti-rabies inoculation.
- 3.4** At the time of registration, the Owner/applicant shall be required to pay to the Corporation the required licence fee pursuant to current Fees and Charges By-law.
- 3.5** On payment of the licence fee for a Dog, the Owner shall be furnished with a Dog tag by the Corporation. The owner shall ensure the dog tag is securely affixed on the dog.
- 3.6** The fee charged for the replacement tags shall be that set out in the current Fees and Charges By-law.
- 3.7** The Owner of a Dog shall keep the Dog tag securely affixed on the Dog for which it was issued until renewed or replaced and no person shall use the tag on another dog.
- 3.8** No Owner shall assign or transfer the licence which has been issued for a Dog to any other Owner or Dog.
- 3.9** Guide Dogs within the meaning of *the Blind Persons' Rights Act*, and hearing ear Dogs, where a certificate is produced from a recognized training establishment stating the Dog is being used as a hearing assistance Dog, are exempt from the payment of all licence fees applicable pursuant to this by-law. Said Dog shall be licensed and wear the current year's licence tag issued by the Corporation.

4. Kennels

- 4.1** No person shall operate or own a Kennel within the boundary of the Township of Whitewater Region:
 - (i) on property that does not meet zoning provisions or fire regulations

- (ii) without a licence
 - (iii) with an expired licence
 - (iv) there are no convictions or outstanding Orders against the applicant issued under the Ontario Society for the Prevention of Cruelty to Animals Act;
- 4.2** Every person who wishes to operate a Kennel must make an application, on the approved form, to obtain a new kennel licence.
- 4.3** Every person who operates or owns a Kennel shall annually submit an application for kennel licence renewal not later than March 31st, in each year, to obtain a kennel licence from the Corporation to operate a Kennel and shall pay the none refundable license fee set out in the Fees and Charges By-law.
- 4.4** Every person who applies for a Kennel Licence shall submit to the Township, in the form prescribed by the Township, the following:
- a) a detailed site plan drawing, drawn to scale, indicating the following:
 - i. the property on which the Kennel is to be located;
 - ii. the location of all buildings, structures, and dog runs on the subject property;
 - iii. the location of all buildings, structures, and dog runs, or parts thereof, to be used as part of the Kennel on the subject property;
 - iv. the distance which separates the Kennel from: (A) all property lines; and,
 - a. any buildings or structures on adjacent properties, especially any residential buildings;
 - v. a floor plan, drawn to scale (min. 3/16" = 1'-0"), of any building, structure, or dog run being used as part of the Kennel, identifying pens, dog runs, walkways, exits, fire extinguishers, smoke and carbon monoxide alarms and shall be fully dimensional and labelled;
 - vi. A separate area to be used for isolation of animals suspected and/or diagnosed of having infectious disease.
 - b) a list of all Dogs to be kept at the subject property, including:
 - (i) the breed of each Dog, including whether the Dogs are Purebred Dogs or not; and,
 - (ii) verification of the current vaccination status of each dog, except where there is evidence that a dog is under four (4) months of age;
 - c) A declaration from the person applying for a Kennel Licence affirming that there is no legal restriction preventing them from owning or caring for dogs;
 - d) the applicable fees and charges, as outlined in the Fees and Charges By-law.
- 4.5** The Animal Control Officer or By-Law Enforcement Officer and any person appointed by the Township may enter and inspect any place where the dogs are kept, any reasonable time pursuant to this by-law. Every person shall permit such an inspection.

4.6 Every person who applies for a kennel licence shall comply with the following requirements. No kennel licence shall be issued unless the premises comply with all provisions of this bylaw.

- a) Present Zoning bylaw must permit such use.
- b) No kennel shall be constructed or used except in accordance with the following regulations:
 - i. The construction of any kennel shall conform to the requirements of the Ontario Building Code Act;
 - ii. Where a kennel forms part of, or is physically attached to a building used for human habitation or to which the public has access, such kennel shall have a concrete or other impermeable floor drain opening constructed as a plumbing fixture, provided, however, that the dog(s) or other animal(s) may be kept in adequately sized cages and having metal or other impermeable bottom;
 - iii. Walls shall be durable and impervious, to facilitate cleaning;
 - iv. Floors of the individual enclosure shall be of dense concrete or similar material, shall be adequately sloped to drains and in good repair and good traction to prevent slipping;
 - v. Walls of the individual enclosure shall be non-porous, watertight and easily cleaned;
 - vi. Maintain a temperature in the kennel that optimizes dog comfort;
 - vii. Adequate ventilation to control humidity;
 - viii. Minimal lighting at least eight hours a day;
 - ix. Where dog(s) or other animal(s) are permitted to use an outside run as part of a kennel, the run shall be completely enclosed with not less than 12 gauge chain link fencing, or material of equal strength;
 - x. Notwithstanding section 4.5 VI above, where an outside run as described above, is located less than 60.0 m (196.85 ft.) from any property line, the outside run shall be screened by a solid board fence of not less than 1.2 m (3.94 ft.) in height.
- a) Provide adequate food, shelter, exercise, potable water, veterinary care as set in the Code of Practice for Canadian Kennel Operations, and Standard of Care for Dogs kept Outdoors in Ontario. (Schedule B).
- b) No Kennel license issued to an applicant is transferable.
- c) Outside areas -shall conform to Code of Practice for Canadian Kennel Operations, and Standard of Care for Dogs kept Outdoors in Ontario. (Schedule B)
- d) The Building Inspector/Officer reserves the right to inspect any premises prior to licensing.
- e) Where an officer finds that the owner or operator of a kennel does not comply with any regulation in this section, they may direct that the animals be seized and impounded and in the case

of animal welfare the matter will be turned over to the Animal Welfare Services.

- 4.7 Any owner whose animals have been seized and impounded and licence has been revoked for non-compliance is entitled to a hearing before Council.
- 4.8 An owner of a kennel requesting a hearing must submit, in writing, a Request for a Hearing the Clerk of the municipality within seven days of the licence being revoke.
- 4.9 Any animals be seized and impounded under sub-section 4.4 shall be removed from the kennel and taken to a place for safe keeping. The costs associated for animals seized under section 4.4 shall be at the owners expense.
- 4.10 The municipality may recover the costs incurred under section 4.8 from the person directed or required to do it by action or by adding the costs to the tax roll and collecting them in the same manner as property taxes.

5. Restraint

- 5.1 The running at large of Dogs is prohibited and no Owner of a Dog shall allow the Dog to run at large.
- 5.2 Every owner shall maintain control over their dog when it is not on the owner's property or the property of someone who has consented to it being on their lands. A Dog shall be deemed to be running at large when it is found not under control of the Owner or is not on a Leash securely attached to the Owner.
- 5.3 No Owner of a Dog shall permit or allow it to trespass on any private property.
- 5.4 No person shall permit a Dog to become a Nuisance Animal by barking excessively at any time to disturb the peace or quiet of any residence or any persons in the vicinity.
- 5.5 No person, having the custody, care, or control of any Dog, shall allow said animal to defecate on public, commonly shared or private property, and shall remove and dispose of such excrement forthwith.
- 5.6 No person who owns, keeps, harbours or possesses any animal shall allow a buildup of animal fecal matter on the property where the animal is kept and where it becomes offensive to other members of the community.
- 5.7 Dogs are permitted off-leash for swimming, under the control of their owner, at municipal boat launches and designated off-lease areas at municipal beaches. No person shall allow their dog to be off leash outside the designated swimming areas.
- 5.8 The Clerk may impose such additional conditions with respect to the issuance of a kennel license as he or she deems necessary to ensure the health, safety and well-being of the public and animals.

6. Impoundment

- 6.1 Any Dog found to be running at large shall be seized and impounded by the Animal Control Office /By-law Enforcement Officer or any person acting under their authority.

- 6.2** The Animal Control Officer/By-law Enforcement Officer or any person acting under their authority may kill any Dog they find running at large if:
- i) they reasonably believe the Dog is likely to cause imminent harm to any person or animal; or
 - ii) the Dog is injured or should be destroyed without delay for humane reasons, and no damages or compensation shall be recovered on account of such disposition by the Owner.
- 6.3** Upon discovery, a Dog found running at large shall be taken to the Animal Shelter contracted by the Corporation.
- 6.4** During the redemption period the operator of the Animal Shelter shall, when the Dog which is impounded has a tag, name plate or other means of identification, take all reasonable steps to find the Owner and shall forthwith notify the Owner, if found, that the Dog can be redeemed.
- 6.5** Possession of a Dog impounded under the authority of this by-law may be restored to the Owner, if the Owner claims possession of the Dog prior to it being sold or disposed of in accordance with the rules and regulations of the Pound Keepers Act, upon obtaining a release from the Animal Control Officer/By-law Enforcement Officer, or such other person as they may designate as well as payment to the Animal Shelter.
- 6.6** Where an animal is captured or taken into custody, and the services of a veterinarian are secured by the appointed agents, the Owner shall pay all fees and charges of the veterinarian in addition to all other fees and charges payable to the Animal Shelter under this By-Law, whether the animal is alive, dies or is euthanized.

7. Dangerous Animal Restrictions

- 7.1** No Owner shall permit their Dog to attack any person, livestock, domestic animal or domestic bird or to fight with another Dog and shall maintain effective control by means of a Muzzle and/or Leash as defined in this by-law.
- 7.2** The Owner of a Dog shall be notified in writing by the Animal Control Officer/By-law Enforcement Officer when a Dog has been deemed to be a Dangerous Dog.
- 7.3** The Owner of a Dangerous Dog shall maintain effective control and ensure the following:
- (i) the Dangerous Dog does not attack or bite any person or other animal whether on the Owner's property or not;
 - (ii) when the Dangerous Dog is on the property of the Owner, it is confined in an enclosed area, in a Fenced Yard, as per Schedule "B" on a chain or other suitable restraint device capable of restraining the animal;
 - (iii) when the Dangerous Dog is off the property of the Owner, it is securely leashed and muzzled in a manner that prevents it from biting or attacking a person or other animal and is under the control of a person over the age of eighteen (18) years;
- 7.4** The Owner of a Dangerous Dog after having been notified in writing to comply with the provisions of this by-law, may request and is entitled to, a hearing before a Committee appointed by Council with delegated authority to confirm/amend/rescind the conditions imposed.

- 7.5** If the Owner of a Dangerous Dog fails to comply with the Corporation's direction to remove the Dangerous Dog from the Township, the Owner may be subject to a proceeding under section 4 of the Dog Owners Liability Act R.S.O. 1990 Chapter D.16, as amended.
- 7.6** The Owner of an animal included in Schedule "A" to this by-law shall not keep or harbor the prohibited animal within the limits of the Township. Any Owner, keeper or harbourer of such an animal shall be subject to the penalty provided for in this by-law.
- 7.7** No person shall keep any Dangerous Dog or animal included in Schedule "A" to this by-law within the limits of the Township. Any Owner, keeper or harbourer of such animal found to be dangerous as defined in this by-law shall be subject to the penalty provided for in this by-law.
- 7.8** This section shall not apply to a police-working Dog while on duty.

8. Report of Bite Cases

It shall be expected that every physician or other practitioner shall report the names and addresses of persons treated for bites inflicted by animals, together with such other information as will be helpful in rabies control to the Renfrew County and District Health Unit.

9. Investigation

For the purpose of discharging the duties imposed by this By-Law and to enforce its provisions, any agent of the Animal Control Officer/By-law Enforcement Officer or any Police Officer may enter onto any private property and into the structures thereon and with the consent of the Owner or Occupant upon any premises upon which a Dog or animal is kept or harboured and to demand the exhibition by the Owner of such Dog or the licence/identification of such Dog.

10. Exemptions

- 10.1** Hospitals, clinics, and other premises in operation with licensed veterinarians for the care and treatment of animals are exempt from the provisions of this by-law, except where such duties are expressly stated.
- 10.2** The licensing and pet identification system of this by-law shall not apply to animals belonging to a non-resident of the Township and kept within the Township for not longer than thirty (30) days provided such animals shall, at all times while in the Township, be kept within a building or vehicles, or under restraint by the Owner by means of a Leash not measuring more than two (2) metres in length. The animal must be duly immunized for rabies within the last 12 months.
- 10.3** Any person who owns, keeps, harbours or possesses any non-resident Dog within the limits of the Township shall ensure valid pet identification, licensing and immunization papers are always kept with the animal while in the Township.
- 10.4** Should the requirements of Sections 10.2 and 10.3 be ignored, the Owner, keeper, harbourer or possessor shall be subject to the penalty provided for in this by-law.

11. Special Events Involving Prohibited Animals

- 11.1** Where a special event such as an exhibition, circus, traveling show, petting zoo or any other like event that has prohibited animals, as

defined in Schedule "A" of this by-law, requests entry into the Township for the purposes of display of such animals, the operator or Owner in charge of the special event must apply in writing 45 days prior to the intended date to the Chief Administrative Officer for permission to enter the Township with prohibited animals for the said purpose. No person shall hold or conduct a special event without first obtaining permission from the Township.

- 11.2** The operator or Owner in charge of the special event shall obtain and provide proof of a Comprehensive Policy of Public Liability and Property Damage insurance acceptable to the Corporation providing at least Two Million Dollars (\$2,000,000) coverage.
- 11.3** The Chief Administrative Officer may approve the application and issue a permit from the Corporation for the authorized purpose.
- 11.4** The operator or Owner in charge of the special event must obtain such permit prior to the commencement of the permitted activity.
- 11.5** The operator or Owner in charge of the Special Event shall always display the permit in plain sight and in a conspicuous location during the times and dates of the special event.

12. Cats

- 12.1** No Owner shall allow or permit their Cat to run at large.
- 12.2** No Owner shall allow or permit their Cat to damage property or the property of any other person.
- 12.3** No person shall keep or harbour any Cat or kitten in a manner that adversely impacts the health or well-being of the Cat or kitten.
- 12.4** For the purposes of Section 12.3, the following are deemed to be circumstances which could adversely impact the health or well-being of a Cat or kitten: unsanitary conditions, neglect, overcrowding, inadequate feeding, and inadequate medical attention.
- 12.5** The Animal Control Officer/By-law Enforcement Officer shall report any apparent illness, communicable disease, injury, or unhealthy condition of any Cat to a veterinarian and act upon their recommendation.

13. Backyard Chickens

- 13.1** **No person shall keep more than** four (4) Backyard Chickens at a residential, rural or agriculture zoned property or a property used primarily for residential purposes which does not specifically permit a farm use pursuant to the Zoning By-law provided the conditions and requirements contained in this by-law are met.
- 13.2** No person shall keep up to four (4) Backyard Chickens at a residential, rural or agriculture zoned property or a property used primarily for residential purposes which does not specifically permit a farm use pursuant to the Zoning By-law without first obtaining a licence from the Corporation, shall pay the licence fee set out in the Fees and Charges By-law, and have completed an inspection at any time during daylight hours by the Animal Control Officer/By-law Enforcement Officer.
- 13.3** A tenant must obtain permission from the property Owner to keep Backyard Chickens on the owner's property.
- 13.4** Every Owner of Backyard Chickens and every Owner of property on which Backyard Chickens are kept shall comply with the following general conditions:
 - a) The Owner of the hens resides at the property.

- b) The property on which the hens are kept contains a single detached, semi-detached, or townhouse dwelling.
- c) All Owner(s) and all adult occupant(s) of the property have consented in writing to the satisfaction of the Corporation to the keeping of hens at the property.
- d) The hens are kept in a fully enclosed Coop or run in a manner that contains the hens on the property and prevents their escape from such Coop or run.
- e) The Coop and any run are within the rear yard.
- f) The Coop and run are constructed in such a fashion as to deter predators from entering that section of the property where the chickens are kept and maintained in good repair, in a safe and structurally sound condition free from hazards.
- g) Unsightly markings, stains, or other defacements on the exterior surfaces of fences shall be removed and the surface shall be refinished when necessary.
- h) No Coop or run shall be placed in the front or side yards.
- i) The Coop and any run are set back at least 2.5 metres from the rear and side lot lines.
- j) Coops and runs shall be a minimum distance of 3 metres from all windows and doors of any dwellings that are located on an abutting property.

13.5 Every Owner of Backyard Chickens and every property Owner on which Backyard Chickens shall comply with the following Property and Coop maintenance:

- a) Coops and runs are maintained in a clean condition.
- b) Coops and runs are maintained to ensure that smells do not cause a nuisance to residents of any neighbouring property or any residents of the Township.
- c) Coop floors are lined with shavings, straw, or other appropriate materials to absorb manure and facilitate cleaning.
- d) Coops are deep cleaned at least two times yearly including disinfecting of troughs, perches, and nests.
- e) Feeders and water containers are provided and are cleaned and disinfected regularly.
- f) All stored feed is always kept in rodent-proof containers and secured to prevent rodents and other animals from accessing it.
- g) Feeding hens is done in a manner that minimizes the attraction of rodents or other animals.
- h) Manure and droppings are cleaned out daily and stored in a secured container or composter until disposed of in accordance with all applicable laws and regulations.
- i) Hens have access to an enclosed outdoor run area.
- j) Deceased hens are disposed of at a livestock disposal facility, through the services of a veterinarian, chicken exchange program, or through a facility as approved by the Ministry of Agriculture, Food and Rural Affairs, and are disposed of in accordance with all laws.

- k) There is no sale of eggs, manure or other products associated with the keeping of hens.
- l) Chickens must be secured and confined inside their Coops or shelters from 9:00 p.m. to 6:00 a.m.
- m) No slaughtering or butchering of hens is done on the property.
- n) Hens are kept in accordance with all other laws including the Corporation's by-laws respecting noise, yard maintenance, property standards, and animals as well as provincial legislation respecting the keeping of animals.

14. Offences

- 14.1** Every person who contravenes any provision of this by-law is guilty of an offence and upon conviction, is liable to a fine as provided for in the Provincial Offences Act, R.S.O. 1990, c. P. 33, as amended.
- 14.2** Each day a contravention continues may be deemed to be a separate offence.
- 14.3** No person shall hinder or otherwise obstruct, nor attempt to hinder or obstruct, either directly or indirectly, an officer, employee and/or agent of the Corporation in the lawful exercise of a power or duty under this by-law.
- 14.4** Every person shall comply with any Order or Notice issued under the authority of this bylaw.

15. Severability

It is hereby declared that each and every of the foregoing provisions of this By-law is severable and that, if any provision of this By-law should for any reason be declared invalid by any Court, it is the intention and desire of this Council that each and every of the then remaining provisions hereof shall remain in full force and effect.

16. 16.0 Repeal

That By-law 20-07-1308 being a by-law to regulate the keeping and control of animals be hereby repealed.

17. 17.0 Effective Date

This by-law shall come into force and effect on the day of passing.

Read a first, second and third time and finally passed this 3rd day of May, 2023.

Neil Nicholson, Mayor

Carmen Miller, Clerk

The Corporation of the Township of Whitewater Region
By-law 23-05-1598: Animal Control
Schedule “A” –Animal Restrictions

1. The following Dogs are prohibited subject to the Dog Owners Liability Act:

Any pure breed or mixed Pit Bull, including American Pit Bull Terrier, Pit Bull Terrier, Staffordshire Bull Terrier, American Staffordshire Terrier, or any Dog of mixed breeding which includes any of the aforementioned breeds.

2. It is prohibited to keep or raise any wild animal, exotic animal, amphibian, reptile, arachnid, fish or insect including any tamed or domesticated wild animal or part wild animal on any lot or in any building or structure on such lot within the limits of the Township that is included in this schedule. Therefore, it is prohibited to keep or raise:
 - Non-human primates (i.e. Monkeys, Chimpanzee)
 - Wild Canids (i.e. Foxes, Wolves, Coyotes)
 - Wild felids (i.e. Leopard, Cougar, Lynx)
 - Mustelids (i.e. Mink, Skunks, Otters, Weasels, but excluding Ferrets)
 - Reptiles (i.e. Snakes, Alligators)
 - Ungulates (i.e. Horses, Cattle, Swine, Sheep, Goats (any hoofed animal)
 - Raptores (i.e. Falcons, Hawks, Owls)
 - Galliformes (i.e. Quail, Pheasants, Turkeys, Guinea Fowl, but excluding chickens)
 - Anseriformes (i.e. Geese, Swans, but excluding Ducks)
 - Columbiformes (i.e. Pigeons)
 - Arachnids (i.e. Scorpions, Spiders)
 - Dangerous Fish (i.e. Piranha, Electric Eels)
 - Bees (excluding those kept by a beekeeper as part of a Farm).

The Corporation of the Township of Whitewater Region
Bylaw 23-05-1598: Animal Control
Schedule “B” – Fences

- I. Fences shall have a height not less than 2m (6.56ft) from the ground.
- II. Fences shall be of a design that will reasonably deter children from climbing it to gain access to the Fenced Yard and that will prevent a Dangerous Dog from digging its way out of or otherwise escaping from the enclosed yard.
- III. If a fence contains an opening for access, the opening shall be closed with a Gate which shall provide protection equivalent to the fence and shall be equipped with self-closing, self-latching devices, and locks located at the top of and inside the Gates.
- IV. A fence shall:
 - a. If of chain link construction:
 - i. Be not greater than 50 mm (2 inches) diamond mesh.
 - ii. Be construction of galvanized steel wire not less than 3.6 mm diameter (No. 11 gauge) steel wire covered with a vinyl coating forming a total thickness equivalent to 3.6 mm diameter (No. 9 gauge).
 - iii. Be supported by at least 38 mm (1.5 inches) diameter galvanized steel posts installed in accordance with good fencing techniques. Such posts shall be spaced not more than 3 m (10 feet) apart. Top horizontal rails shall be at least 32 mm (1.25 inches) diameter galvanized steel. Bottom horizontal rails shall be a 12 mm (.5 inch) diameter galvanized tension rail or a 32 mm (1.25 inches) diameter galvanized rail.
 - b. If of wood construction:
 - i. Be of alternating vertical boards attached to supporting horizontal members. Such vertical boards shall have a minimum dimension of 19 x 88 mm (1 x 4 inches nominal) and spaced at a maximum of 100 mm (4 inches).
 - ii. Supporting horizontal members shall have a minimum dimension of 38 x 38 mm (2 x 4 inches nominal) and shall be spaced a minimum of 1.4 m (4 feet 6 inches) apart.
 - iii. Horizontal members shall be supported by posts spaced not more than 2.4 m (8 feet) on center. Such posts shall be 88 mm (4 inches nominal) square or in diameter and securely placed to a minimum of 0.6 m (2 feet) below grade.
 - iv. That portion below grade shall be treated with a wood preservative or the post shall be of pressure treated wood.
 - c. If the fence design is other than specified in (i) or (ii) either in material or otherwise, such fence shall require approval by the Animal Control Officer/By-law Enforcement Officer.

**The Corporation of the Township of Whitewater Region
Bylaw 23-05-1598: Animal Control**

Schedule “B”

Standards of Care for Dogs

**Kept Outdoors in Ontario-Legal Requirements and
Best Practice Guidelines**

The Corporation of the Township of Whitewater Region
Part I Provincial Offences Act
Bylaw 23-05-1598: Animal Control

Schedule “C” – Penalty Provisions

Item	Short Form Wording	Provision creating or defining offence	Set Fine
1.	Fail to licence dog	3.1	\$100
2.	Keep more than 4 licensed dogs	3.2	\$100
3.	Dog tag not attached to Dog	3.5	\$75
4.	Use Licensee Receipt/Tag for Another Dog	3.7	\$75
5.	Owner-Operate Kennel – Without Licence	4.1 (ii)	\$1000
6.	Owner-Operate Kennel–expired licence	4.1(iii)	\$500
7.	Fail to Comply with Requirements	4.4	\$1000
8.	Owner-Permit Dog to Run at Large	5.1	\$100
9.	Dog - Not Under Control	5.2	\$100
10.	Allow dog to trespass on private property	5.3	\$150
11.	Permit Excessive Barking	5.4	\$150
12.	Fail to Remove Excrement	5.5	\$150
13.	Owner permit buildup of fecal matter on property	5.6	\$150
14.	Dog off leash outside designated swim areas	5.7	\$50
15.	Owner fail to maintain effective control	7.1	\$150
16.	Permit Dog to attack a person, livestock, domestic animal or domestic bird	7.1	\$500
17.	Fail to maintain effective control of Dangerous Dog	7.3	\$750
18.	Owner-keep/harbour prohibited animal	7.6	\$750
19.	Owner keep/harbour Dangerous Animal	7.7	\$750
20.	Non-resident – animal not leashed	10.2	\$100
21.	Non-resident – no valid licence/ immunization papers	10.3	\$100
22.	Special Events no permission	11.1	\$750
23.	Special Event no Insurance	11.2	\$250
24.	Special Event not displaying permit	11.5	\$50
25.	Owner - Cat run at large	12.1	\$100
26.	Owner – Cat damage property	12.2	\$100
27.	Conditions impact health or wellbeing of cat	12.3	\$250
28.	Keep more than 4 backyard chickens	13.1	\$100
29.	Keep backyard chickens - no license	13.2	\$100
30.	Owner fail to meet general conditions (backyard chickens)	13.4	\$100

31.	Owner fail to meet conditions with respect to property and coop maintenance (backyard chickens)	13.5	\$100
32.	Obstruction/Hinder Officer	14.3	\$250
33.	Non-Compliance with an Order or Notice	14.4	\$1000

Note: The penalty provision for the offences as indicated above is Section 14.1 of By-Law # 23-05-1598, a certified copy of which has been filed.