

# THE CORPORATION OF THE VILLAGE OF MERRICKVILLE-WOLFORD

## BY-LAW 09-2025

Being a By-law for the Licencing, Regulating and the Keeping of Dogs Within the Village of Merrickville-Wolford

**WHEREAS** section 210, subsections 11(3) of the *Municipal Act, 2001, S.O. 2001, c.25*, as amended authorizes the enactment of By-Laws prohibiting or regulating the keeping of animals or any class thereof within the Municipality or defined areas thereof;

**AND WHEREAS** section 128 of the *Municipal Act, 2001*, as amended permits municipalities to prohibit public nuisances;

**AND WHEREAS** c.D.16 of the *Dog Owner's Liability Act R.S.O. 1990* as amended outlines liability of owners of a dog for damages resulting from a bite or an attack by the dog;

**NOW THEREFORE BE IT RESOLVED** that the Council of the Corporation of the Village of Merrickville-Wolford enacts as follows that:

### **SECTION 1: DEFINITIONS**

For the purposes of this By-Law, the following definitions shall apply:

- 1.1. **Attack** shall mean force applied by a Dog to a person or other animal consisting of more than one bite, or more than one puncture, or more than one laceration, resulting in bleeding, sprains, serious bruising, or multiple injuries.
- 1.2. **Bite** shall mean a wound to the skin caused by the teeth of a Dog that causes the skin to puncture, break, bruise, or bleed.
- 1.3. **Building** shall mean any structure consisting of walls, floor and a roof or any part or combination thereof, which is used for shelter, accommodation or enclosure of persons, animals, equipment, goods or materials, or a structural system serving a function thereof. Structure and building shall have a corresponding meaning.
- 1.4. **Care and Control** shall mean at all times, the ability to manage, direct, and restrict the movement of a dog.
- 1.5. **Dog** shall mean a male or female dog.
- 1.6. **Dog Tag** shall mean a tag purchased or obtained from the Municipality bearing an identification number and the name of the Municipality.
- 1.7. **Farm Work Dog** shall mean a dog that is trained and engaged in herding or acting as guardians of livestock on a farm.
- 1.8. **Fence** shall mean any barrier or barricade that encompasses either in whole or in part any lot or tract of land and includes any gate or entrance attached to and forming part of a fence, but does not include a wall.
- 1.9. **Gate and Entrance** shall mean any part of a fence or wall through which access may be gained to a fenced in area.

- 1.10. **Humane Society** shall mean the Ontario Society for the Prevention of Cruelty to Animals (S.P.C.A).
- 1.11. **Hunting Dog** shall mean a dog that is under the direct supervision of a person who is a bona fide hunter actively engaged in hunting in accordance with the Fish and Wildlife Conservation Act, 1997, S.O. 1997, c. 41, as amended, and other applicable laws during a permitted season to whom has been issued such necessary licences and permits as may be required by the laws of Canada, the Province of Ontario and the Municipality. Provided that such person has obtained the prior consent of the owner of the parcel of land on which the hunting dogs are at large, which consent is obtained not more than one year prior to the date of the occasion on which the dogs are at large.
- 1.12. **Injured in respect to livestock or poultry** shall mean injured by wounding, worrying or pursuing and “injuring” has a corresponding meaning.
- 1.13. **Kennel** shall mean premises where five (5) or more dogs, to a maximum of fifteen (15) are lodged, bred, kept or boarded. A kennel facility will be classified as one of the following:
- a) a “purebred kennel” restricted to purebred dogs, where the owners are current members of the Canadian Kennel Club and where the primary purpose of the facility is to house registered dogs for breeding purposes. Boarding is limited to dogs bred at the facility.
  - b) a “hobby kennel: where dogs are housed for the primary purpose of pleasure (pets) or hunting, and where there is no boarding and little revenue derived from the sale of the pups from these dogs.
  - c) a “commercial kennel: used primarily for boarding dogs, where the majority of kennel space is devoted to the boarding of dogs owned by other family members. This definition applies even if purebred dogs being housed and bred in the same facility.
- 1.14. **Law Enforcement Work Dog** shall mean a dog trained and engaged in Law Enforcement Work.
- 1.15. **Leash** shall mean a restraining device of sufficient strength and material for leading a dog.
- 1.16. **Municipality** shall mean the Corporation of the Village of Merrickville-Wolford.
- 1.17. **Muzzled** shall mean a humane fastening or covering device placed over the mouth of a Dog that does not interfere with the breathing, panting, ability to drink, or vision of the Dog, and of sufficient strength to prevent the Dog from biting.
- 1.18. **Officer** shall mean the By-law Enforcement Officer or Canine Control Officer for the Municipality as appointed by Council, Police Officer, any other person or company directed by the Chief Administrative Officer (CAO) to enforce parts of this By-law. Agents and inspectors designated as such under the Ontario Society for the Prevention of Cruelty to Animals Act, R.S.O. 1990, c.o. 36 and all other Enforcement Officers as may be appointed by the Province of Ontario.
- 1.19. **Owner** shall mean and includes a person who possesses, harbours, keeps, or is in the care and control of the dog and where the Owner is a minor, the person responsible for the custody of the minor, “Owns” and “Owned” have corresponding meanings.

- 1.20. **Sanitize** shall mean to clean for the purpose of controlling disease producing organisms and “sanitized” has corresponding meaning.
- 1.21. **Restrained** shall mean being kept inside a building or house or in an enclosed pen of sufficient dimensions and strength to be humane and to prevent a Dog from escaping and encountering persons, livestock, animals other than the Owner of the Dog.
- 1.22. **Running at Large** shall mean a dog found in any place other than the premises of the owner of the dog and not under the control of any person. Dogs, when used for hunting, showing or training, shall be considered under control when under the supervision of the keeper.
- 1.23. **Service Dog** shall mean a dog that has been trained by a qualified facility, agency, or person to provide special services to a person with a disability and is actively in use for such purposes (ie. guide dog, therapy dog, etc.).
- 1.24. **Vermin** shall mean an animal, the presence of which may be harmful to the health, comfort or welfare of an animal in a Kennel.
- 1.25. **Vicious Dog** shall mean:
  - a) A dog that without provocation has bitten a person or domestic animal; or
  - b) Any dog with a known propensity, tendency or disposition to attack without provocation other domestic animals or persons.

## **SECTION 2: LICENSING**

- 2.1. Every Owner of a Dog shall annually on or before the 30<sup>th</sup> day of April of each year cause the Dog to be registered, numbered, described and licensed at the Municipal Office.
- 2.2. The fee payable for each license shall be set out in Schedule “C” in the Municipality’s Fees and Charges By-law 44-2022. The license fee shall not apply to Service Dogs or Law Enforcement Work Dogs.
- 2.3. Dog licenses shall be available on 1<sup>st</sup> business day of January of each year for that year and shall expire on the 31<sup>st</sup> day of December of the same year.
  - a) Every Owner of a Dog shall, after the Dog comes into their possession or care, cause the Dog to be registered with and licensed by the Municipality within three (3) calendar months, except where the Dog is being permanently housed in a licensed kennel.
  - b) On payment of the license fee for a Dog, the Owner shall be furnished with a Dog Tag and shall keep the tag securely fixed on the Dog at all times until the tag is renewed or replaced, but the tag may be removed while the Dog is being lawfully used for hunting in the bush or for training purposes.
- 2.4. No person or persons in a single household may keep, board or breed more than:
  - a) Three (3) dogs in the Merrickville Ward
  - b) Four (4) dogs in the Wolford Ward

- 2.5 Notwithstanding section 2.4, and subject to section 6, a person may keep five (5) or more dogs in the Woford Ward if they are the lawful holder of a Kennel licence issued in accordance with section 6 of this By-Law.
- 2.4. The owner of a Kennel shall pay an annual license fee covering all Dogs in the kennel, as shown in Schedule "C" of the Municipality's Fees and Charges By-law 44-2022.
- 2.6. A Kennel licence issued under the provisions of this By-Law shall not be transferrable from one owner to another.

### **SECTION 3: PUBLIC NUISANCES**

- 3.1. If a Dog defecates on any property other than the property of its Owner, the Owner must remove such feces immediately.
- 3.2. No Owner shall allow dog feces to accumulate on any property in such an amount as to cause offensive odours or environmental issues.
- 3.3 The Owner of a Dog must ensure that the Dog does not upset any waste receptacles or scatter the contents thereof on any property.
- 3.4. The Owner of a Dog must ensure that the Dog does not chase persons, bicycles, vehicles, livestock, or other animals.
- 3.5 The Owner of a Dog must ensure that the Dog does not cause damage to any property other than the property of its Owner.
- 3.6 No Owner shall allow persistent barking, calling or whining of any Dog or allow persistent nuisance barking.

### **SECTION 4: RUNNING AT LARGE**

- 4.1. Hunting Dogs, Law Enforcement Work Dogs, Service Dogs and Farm Work Dogs are exempt from this section while fulfilling their duties but must be under Care and Control of the Owner at all times.
- 4.2 No Owner shall allow a Dog to Run at Large anywhere in the Village of Merrickville-Wolford.
- 4.3 Dogs are not considered to be Running at Large while in the Care and Control of the Owner. If the Owner cannot have Care and Control, a Dog shall be kept on a Leash at all times when not on their own property.
- 4.4. Every Owner who fails to maintain Care and Control of a Dog while off the property of the Owner may be ordered by the Officer to Leash the Dog.

### **SECTION 5: IMPOUNDMENT AND RECOVERY OF DOGS**

- 5.1. Any Dog found at large or trespassing contrary to this By-Law may be seized by an Officer.
- 5.2. Any Owner of a Dog that has been seized or impounded shall pay an amount as set out in Schedule "C" of the Municipality's Fees and Charges By-law 44-2022 prior to the release of the Dog.
- 5.3. Any Owner of a Dog that has been seized or impounded that has not obtained a dog licence for the current year shall do so before the Dog is released.

- 5.4. Any Dog impounded shall be taken to the animal shelter, being either the Humane Society or other approved pound facility and shall remain in such custody until such time as all conditions for its release are met including those of paragraph 2 and 3 of this section.
- 5.5. The Officer or anyone working under their authority may kill a dog that they find running at large if:
  - a) he reasonably believes the dog is likely to cause imminent harm to any person, livestock or animal, or
  - b) the dog is injured or ill and should be destroyed without delay for public safety and humane reasons.

## **SECTION 6: KENNELS**

- 6.1. No person shall operate a Kennel unless they have obtained a licence for such Kennel under the provisions of this By-Law.
  - a) No Kennels shall be permitted in the Merrickville Ward
  - b) No Kennels shall be permitted in any of the residential zones in the Wolford Ward.
- 6.2. No person shall establish or operate a Kennel except in compliance with the Municipality's Comprehensive Zoning By-Law and any other applicable By-Laws.
- 6.3. Application for a licence for a Kennel shall be made to the Municipal Office on or before the 30<sup>th</sup> day of April.
- 6.4. Each licence for a Kennel, unless specifically expressed to be for a shorter period, and unless suspended or revoked, shall remain in force for a twelve (12) month period from January 1<sup>st</sup> in the year in which it was issued and the year of issue shall be forth in the space of such licence.
- 6.5. Requirements for Kennels include the following:
  - a) No Kennel shall be allowed to house more than fifteen (15) dogs, excluding dogs under the age of six (6) months.
  - b) Each Kennel must be located on a lot having an area of a minimum of two (2) hectares (5 acres).
  - c) Each Kennel must be situated a minimum of 100m (330ft) including a fence from any neighbouring residence other than that of the kennel owner(s).
  - d) Each Kennel must be situated a minimum of 120m (400ft) away from any adjacent residence.
  - e) Not more than one Kennel shall be permitted per lot of record.
- 6.5. All fencing and runs for Kennels shall be built in accordance with Schedule "A" attached to and forming part of this By-law.
- 6.6. All Kennels operated shall maintain Dogs in a clean, secure and humane manner and shall comply with the standard as set out in Schedule "B" attached to and forming part of this By-Law.

- 6.7. Any person when applying for a licence under the provisions of paragraph 5 of this section, shall satisfy the Chief Building Official and the Officer that the Kennel or proposed Kennel complies with the provisions of this By-Law and other applicable By-Laws, and such person shall provide the Chief Building Official and the Officer with all the information that they may reasonably require and permit them to examine the premises where the Kennel is located or is to be located in order for them to be satisfied that the Kennel complies with the provisions of this By-Law.
- 6.8. Any Kennel licence may be suspended, pending compliance, or revoked from non-compliance by the Officer if, in their opinion, the Kennel does not comply with the provisions of this By-Law.
- 6.9. Whenever, in this By-Law, the Officer exercises any authority under this By-Law related to the suspension or revocation of Kennel licences or the inspection of Kennel premises, if the Officer in their discretion considers that professional advice is necessary or desirable, they may retain the services of a qualified veterinarian entitled to practice their profession in Ontario to advise them and make a report to them and the Kennel owner. The Officer shall be guided by such professional advice and report. The fee of such veterinarian shall be paid by the Kennel licensee within thirty (30) days after the account is rendered, and if not so paid, shall bear interest at the same rate that is applied to overdue taxes from the date of rendering, and shall be added to the tax demand for the land occupied by the licensee and collected in a like manner as Municipal Taxes.

## **SECTION 7: VICIOUS DOGS**

- 7.1. Where an Officer has reasonable grounds to believe that a Dog is Vicious, the Officer shall serve Notice upon the Owner of the Dog identifying said reasonable grounds and declaring the Dog Vicious. Upon receipt of such Notice, the Dog shall be deemed Vicious and the Owner of the Dog shall be required to comply with all of the requirements of section 7.
- 7.2. The owner of a dog who receives a Notice under this section may request, in writing, a reconsideration of the declaration by the Chief Administrative Officer. The Chief Administrative Officer shall permit the Officer and the Owners to provide evidence and submission and shall serve a written decision on the owner upholding or withdrawing the declaration. The decision of the Chief Administrative Officer under this section is final.
- 7.3. The Owner of a Vicious Dog shall at all times, when it is not in the Owner's dwelling but otherwise within the boundaries of the Owner's lands, be secured in one of the following manners so as to prevent the Dog from causing injury to any person or animal entering onto the Owner's land:
  - a) The Vicious Dog shall be located wholly within a fenced area and any gate in such fenced area shall be locked at all times when a Vicious Dog is in the fenced area;
  - b) When the Vicious Dog is kept in an enclosure run or pen, such run or pen shall be built to conform to Section 6 and Schedule "A" of this By-Law except that said run shall be enclosed on all four (4) sides and its top shall be of material of the same or greater strength than that of the sides; or

- c) The Dog shall be Muzzled so as to prevent it from biting a person or animal and securely leashed or chained. The leash shall not exceed two (2) meters in length.
- 7.4. The Owner of a Vicious Dog shall, at all times when the Dog is outside the boundaries of its Owner's land, keep the Dog Muzzled so as to prevent it from biting.
- 7.5. Subject to section 7.5, no person shall operate a Kennel containing a Vicious Dog.
- 7.6. A Vicious Dog may be temporarily kept in a Kennel that has been licensed under this By-Law when the Kennel is providing any of the services listed herein:
  - a) boarding
  - b) grooming
  - c) training; and
  - d) medical attention
- 7.7. No Owner shall permit their Dog to attack any person, domestic animal or domestic bird or to fight another Dog.
- 7.8. Every Owner of a Vicious Dog shall at the time the Dog is licensed inform the licensing officer that the Dog is Vicious.
- 7.9. Immediately upon transfer of a Vicious Dog from one Owner to another, the Owners shall notify the Officer and the Chief Administrative Officer of the Municipality.
- 7.10. Every Owner of a Vicious Dog shall post a sign in a conspicuous place on their property stating that there is a Vicious Dog on their premises.
- 7.11. The Owner of a Vicious Dog shall advise the Municipality, the Officer, and the Health Unit immediately if the Vicious Dog has bitten or attacked any person.

## **SECTION 8: ADMINISTRATION AND ENFORCEMENT**

- 8.1. This By-Law shall be administered by the Municipal By-law Enforcement Officer or delegated Officer of the Municipality.
- 8.2. Every person shall comply with any Order or Notice issued under the authority of this By-law.
- 8.3. 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 Municipality in the lawful exercise of a power or duty under this By-law.

## **SECTION 9: VIOLATIONS AND PENALTIES**

- 9.1. Every person who contravenes any provisions of this By-Law is guilty of an offence and upon conviction are liable to a fine of not more than \$5,000.00 pursuant to the Provincial Offences Act, R.S.O. 1990, Chapter P-331.
- 9.2. Upon registering a conviction for a contravention of any provisions of this By-Law, the Ontario Court, Provincial Division, may in addition to any penalty imposed by this By-Law make an order prohibiting the continuation of repetition of the offence by the person convicted.

- 9.3. Notwithstanding sections 9.1 and 9.2 of this By-Law, every person who contravenes any provisions of this By-Law shall, upon issuance of an Administrative Penalty Notice in accordance with Administrative Penalty By-Law 10-2025, be liable to pay to the Corporation of the Village of Merrickville-Wolford an Administrative Penalty in accordance with Schedule C of Administrative Penalty Process By-Law 10-2025.
- 9.4. If a person is required to pay an Administrative Penalty under section 9.3 in respect of a contravention of this By-Law, the Person shall not be charged with an offence in respect of the same contravention.

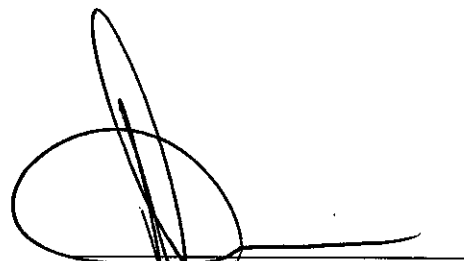
#### **SECTION 10: VALIDITY**

- 10.1. If any section, clause or provision of this By-Law, including anything contained in any schedule attached hereto, is for any reason declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of the By-Law as a whole or any part thereof, other than the section, clause or provisions so declared to be invalid and it is hereby declared to be the intention that all the remaining sections, clauses or provisions of this By-Law shall remain in full force and effect until repealed, notwithstanding that one or more provisions thereof shall have to be declared invalid.
- 10.2. Schedule A and B shall constitute part of this By-law.
- 10.3. By-Law 22-00 and any other amending By-laws previously passed that are inconsistent with the provisions of this By-law are hereby repealed in their entirety.

This by-law shall come into force and take effect immediately upon the final passing thereof.

Read a first and second time this 27<sup>th</sup> day of January, 2025.

Read a third and final time and passed this 27<sup>th</sup> day of January, 2025.



Michael Cameron, Mayor



Julia McCaugherty-Jansman, Clerk

## **Schedule "A" to By-law 09-2025 Kennel Requirements**

### **REQUIRED KENNEL FENCE**

- A.1 A fence or its equivalent which is to form a kennel enclosure or part thereof shall be of:
- a) Chain link construction; or
  - b) Vertical board construction
- A.2 A fence of chain link construction, six (6) feet (1.8 m) high, shall:
- a) Have a mesh not greater than 2" consisting of 12 ga. Galvanized steel wire, or a 14 ga. Steel wire covered with vinyl or other approved plastic which would yield a total thickness equivalent to 12 ga. Steel wire;
  - b) Be supported by a minimum of one-half (1/2") galvanized steel posts, spaced not more than ten (10) feet (3.048m) apart. Such posts must extend at least three (3) feet (14.4mm) below grade or to bed rock and be encased in concrete at least two (2) inches (50.8mm) thick all around;
  - c) Where a kennel run fence is constructed of chain link panels, the panels must rest on suitable flooring of either a concrete slab, patio stones, or equivalent; and
  - d) Have top and bottom rails firmly fastened to the upright posts, made of a minimum of 30 mm (1 ¼ in) galvanized steel pipe. Galvanized steel's tension wire, 9 ga. May be substituted for the bottom rail.
- A.3 A fence of wood construction six (6) feet (1.8m) high shall:
- a) Have vertical boarding one inch (25.4mm) thick nominal, attached to a top and bottom rail in such a manner as to not facilitate climbing from the outside. Such vertical boards must not be less than 1" x 4" (25.4mm x 101.6mm) nominal and must be spaced not more than 4" (101.6mm) apart;
  - b) Be supported by cedar posts at least 4" x 4" (101.6mm x 101.6mm) nominal, spaced not more than eight (8) feet (2.4m) apart. Such posts shall extend at least three (3) feet (914.4mm) into the ground or to bedrock and be securely embedded therein;
  - c) Have that portion of the post below the ground level treated with an approved wood preservative; and
  - d) Have top and bottom rails at least 2" x 4" (50.8mm x 101.6mm) nominal dimensions.
- A.4 A fence (or its equivalent) of any other construction which might yield an equivalent or greater degree of safety to that specified in subsection (1), (2) and (3) of this section may be approved by the authority having jurisdiction upon the receipt of completed plans and specifications for same.

### **GATES AND ENTRANCES TO KENNEL AREA**

- A.5 Gates which form a part of the kennel enclosure shall be:
- a) Of such height and of such construction as will provide a degree of safety and rigidity equivalent to or greater than that of a required fence;
  - b) Supported on substantial hinges; and

- c) Self-closing, self-latching with the latching device accessible from either side of the gate.

## **MAINTENANCE**

- A.6 All fences, walls, gates and entrances forming part of a kennel enclosure shall be constructed or erected and shall be maintained at all times to the standards and specifications set out in this By-law.

## **Schedule “B” to By-law 09-2025 Kennel Operation Standards**

All Kennels operated in the Municipality shall maintain Dogs in a clean, secure and humane manner and shall comply with the following standards:

- B.1 Dog cages and/or dog houses shall be so constructed as to be easily cleaned.
- B.2 Floors shall be:
  - a) Soundly constructed of hard, durable material;
  - b) Constructed of a material that may be readily sanitized; and
  - c) Maintained in a good state of repair free from cracks, holes and other damage
- B.3 Where there are floor drains:
  - a) A floor drain and any trench installed in connection therewith that is used for waste disposal shall be flushed at such intervals as may be necessary to prevent any accumulation of waste that might impair the health or welfare of any dog in the room;
  - b) The floor shall be so constructed and maintained that surface liquids thereon will drain into the drain; and
  - c) The operator of the Kennel shall cause the drains to be examined as often as is necessary to ensure that they are functioning properly, have an adequate water seal and are not harbouring Vermin.
- B.4 Walls shall be:
  - a) Soundly constructed of hard, durable material;
  - b) Impervious to water to a height adequate for sanitary maintenance;
  - c) Constructed of a material that may be readily sanitized; and
  - d) Maintained in a good state of repair free from cracks, holes and other damage.
- B.5 Where there is a door:
  - a) Every frame or molding around the door opening shall be so constructed and maintained that it has no space or spaces capable of harbouring Vermin; and
  - b) The door shall be maintained in a good state of repair free from cracks, holes and other damage.
- B.6 Where there is a window:
  - a) Every frame or molding around the window opening shall be so constructed and maintained that it has no space or spaces capable of harbouring Vermin;
  - b) Means shall be provided to prevent the effects of direct sunlight through the window;
  - c) The window shall be so constructed and maintained as to prevent the entrance of Vermin through the window; and
  - d) The window shall be maintained in a good state of repair free from cracks, holes and other damage.
- B.7 Roofs and ceilings shall be:
  - a) Soundly constructed; and
  - b) Maintained in a good state of repair free from cracks, holes and other damage.

- B.8 Where any pipe, drain, conduit or other service facility is installed through any floor, wall or ceiling, the place where the pipe, drain, conduit or other service facility enters or leaves the room shall be so sealed as to prevent the entrance of vermin into the room.
- B.9 Alleyways and service aisles between cages or pens shall be of sufficient width to permit the safe and efficient movement of persons and equipment and shall not be used for storage or accumulation of materials or equipment of any kind.
- B.10 Every room in a Kennel shall be maintained in a clean condition.
- B.11 The operator of every Kennel shall take all reasonable steps to prevent the spread of and to destroy Vermin and invertebrates that may be harmful to the health, comfort or welfare of any Dog in the Kennel.
- B.12 Every room that is used for the housing of Dogs within a Kennel shall be equipped with a lighting system that is so designed, constructed and maintained that:
- a) It distributes light as evenly and with as little glare as possible; and
  - b) It provides adequate light for the proper observation of every animal in the room.
- B.13 Every room that is used for the housing of Dogs within a Kennel shall be adequately lit for a continuous period of at least eight (8) hours in a twenty-four (24) hour period.
- B.14 Every room that is used for the housing of Dogs within a Kennel shall at all times be adequately ventilated for the health, welfare and comfort of every Dog therein.
- B.15 Every room that is used for the housing of Dogs within a Kennel shall at all times be maintained at a temperature suitable for the health, welfare and comfort of every dog therein.
- B.16 The operator of every Kennel shall ensure that there is, on every day, on the premises on which the Kennel is located, an adequate number of persons competent in the care of Dogs to properly care for every Dog in the Kennel.
- B.17 Every cage or pen used in a Kennel for the housing of Dogs shall be so constructed and maintained that:
- a) Every animal in the cage or pen may comfortably:
    - i. Extend its legs to their full extent,
    - ii. Stand,
    - iii. Sit,
    - iv. Turn around, and
    - v. Lie down in a fully extended position;
  - b) It is not likely to harm any animal therein;
  - c) Any animal therein cannot readily escape therefrom;
  - d) It minimizes as nearly as practicable the transfer of pathogenic agents; and
  - e) It may be readily sanitized.
- B.18 Where a group of Dogs in a Kennel is housed in a communal cage, pen or dog run, no individual Dog shall be placed in the cage, pen or dog run with the group of Dogs where the placing of the individual Dog would result in harm to any of the Dogs and, where the behaviour of the Dogs in the cage, pen or dog run is such that harm is likely to result, any Dog whose removal will prevent the harm from occurring shall forthwith be removed.

B.19 This section applies to all pens or cages in every Kennel:

- a) Bedding material in every cage or pen shall be changed as often as is necessary to keep it dry, clean and free of noxious fumes;
- b) Every Dog that is housed in a cage or pen shall be removed from its cage or pen and changed to a freshly sanitized cage or pen as often as is necessary for its health and comfort;
- c) No Dog shall be placed in a cage or pen that is vacant and of which it has not been the last occupant unless the cage or pen and equipment used in connection therewith have first been sanitized; where a cage is cleaned and sanitized, the cage rack or portion thereof used in connection with the cage shall be cleaned or sanitized at the same time;
- d) Every animal shall be protected against liquid spray while a cage or pen is being cleaned;
- e) Every device used to supply drinking water to a Dog shall be maintained in a sanitary condition and shall be so constructed and maintained as to ensure:
  - i. That the Dog is receiving water; and
  - ii. The device is functioning properly.
- f) Every container for food or water shall be maintained in a sanitary condition.

B.20 a) Every Dog in a Kennel shall be supplied with food of a type and in amounts nutritionally adequate for the dog and that is palatable and free from contamination.

b) Food and water for a Dog in a Kennel shall be provided in containers or devices that may be readily sanitized and food shall not be placed directly on the floor of the cage or pen in which the dog is located.

c) Every Dog in a Kennel shall be supplied with adequate amounts of potable water.

d) Where a Dog is fed with perishable food, the remnants of the food shall be removed from the cage or pen every day.

B.21 In any Kennel, the operator thereof shall take or cause to be taken all steps practicable to treat and prevent the spread of any disease found in any animal and to prevent distress to any animal.

B.22 Every pen used for the housing of Dogs in any Kennel shall be constructed and maintained as to provide a clean, dry and safe surface adequate to permit the Dogs to lie down in comfort at all times.

B.23 An outdoor dog run in a Kennel may be used to provide Dogs in the Kennel with exercise subject to the following conditions:

- a) No Dog shall be removed from indoor housing and placed in the outdoor dog run or removed from the outdoor dog run and placed in indoor housing where to do so would result in a change in environment likely to cause harm to the dog.
- b) The surface on which the dog run is established shall be so maintained as to rapidly drain all excess surface water.
- c) The dog run shall be so fenced as to prevent any Dog from escaping.
- d) The dog run shall be kept in a clean condition free from any materials or equipment likely to cause harm to a Dog.
- e) Every Dog in the dog run shall have access to individual shelters that are:
  - i. Readily accessible to the Dog;
  - ii. Large enough to comfortably accommodate the Dog;
  - iii. So constructed and maintained as to provide protection from the effect of direct sunlight, precipitation and wind; and
  - iv. That is dry and well drained.

- B.24 All surfaces of yards and runways shall be covered in concrete or other nonporous materials.
- B.25 All doorways and windows and outside openings shall be screened during the period of May 1<sup>st</sup> to October 31<sup>st</sup> of each year and provide effective barrier against the escape of any Dog.
- B.26 All Kennels must always be maintained in a clean, sanitary condition.
- B.27 Excretion, dead animals and other waste resulting from the operation of a Kennel shall be removed and disposed of daily from the premises in a sanitary manner.
- B.28 In any kennel, the carcass of an animal shall be:
- a) Forthwith removed from the cage or pen; and
  - b) Except for the whole or part of the carcass that is retained in a sanitary manner for research, forthwith disposed of.

## Fees and Penalties

### Administrative Monetary Penalties

<b>TABLE 4: DESIGNATED BY-LAW 09-2025 LICENSING, REGULATING AND KEEPING OF DOGS BY-LAW</b>			
<b>ITEM</b>	<b>COLUMN 1 BY-LAW REFERENCE</b>	<b>COLUMN 2 SHORT FORM WORDING</b>	<b>COLUMN 3 SET FINE TIER ONE</b>
1	s. 3.1	Failure to pick up waste deposited by a dog on property other than the property of its Owner.	\$150.00
2	s. 4.2	Dog running at large	\$150.00
3	s. 4.4	Failure to keep dog on a leash off owners' property	\$150.00
4	s. 6.1	Operation of a kennel without a licence	\$150.00
5	s. 6.5 a), b), c), d)	Failure to situate a kennel in compliance with the set standards as set out in the By-law	\$150.00
6	s. 6.6	Failure to maintain a kennel in compliance with the standards as set out in the By-law	\$150.00
7	s. 7	Failure to comply with the requirements for a vicious dog	\$150.00
8	s. 7.3	Failure to secure a vicious dog on the owner's lands	\$150.00