

BY-LAW 2020/67

BEING A BY-LAW TO REGULATE THE CARE AND CONTROL OF DOGS, CATS AND DOMESTIC ANIMALS IN THE MUNICIPALITY OF WEST NIPISSING

WHEREAS sections 8, 9 and 10 of the *Municipal Act, 2001*, S.O. 2001, c.25 authorize a municipality to pass by-laws necessary or desirable for municipal purposes, and in particular, paragraphs 5, 8 and 9 of subsection 10(2) authorize by-laws respecting: the economic, social and environmental well-being of the municipality; the protection of persons and property and Animals;

AND WHEREAS subsection 8(3) of the *Municipal Act, 2001*, S.O. 2001, c.25 provides that a by-law under section 10 of that Act respecting a matter may regulate or prohibit and, as part of the power to regulate or prohibit respecting the matter, may require a Person to do things respecting the matter or may provide for a system of Licenses respecting the matter;

AND WHEREAS Section 103(1) of the *Municipal Act, 2001*, S.O. 2001, c.25 provides that if a by-law is passed regulating or prohibiting with respect to the being At Large of Animals, the by-law may provide for the seizure and impounding of Animals being At Large and the sale of impounded Animals;

AND WHEREAS section 425 of the *Municipal Act, 2001*, S.O. 2001, c.25 authorizes a municipality to pass by-laws providing that a Person who contravenes a by-law of the Municipality passed under that Act is guilty of an offence;

AND WHEREAS the *Municipal Act, 2001*, S.O. 2001, c.25 further authorizes a municipality, amongst other things, to delegate its authority, to impose fees or charges, to provide for inspections, and to make orders to discontinue activity or to do work;

AND WHEREAS the Council of the Municipality of West Nipissing deems it advisable to enact a by-law providing for the control and care of Animals in the Municipality for the health and safety of the public;

NOW THEREFORE the Corporation of the Municipality of West Nipissing hereby enacts as follows:

SHORT TITLE

This by-Law shall be known as the West Nipissing Animal Care and Control By-law.

1. DEFINITIONS

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

- a) **“Animal Control Officer”** means a person employed by or an agency contracted by the Corporation for the purpose of carrying out animal control duties in the Municipality of West Nipissing.
- b) **“Animal Shelter”** means any premises designated by the Corporation for the purpose of impounding and caring for animals taken in by any Animal Control Officer;
- c) **“At large”** means animal which is found in any place other than the premises of its owner and not under the control of any person by way of a leash of a maximum length of two (2) meters held by a person, or when an animal is not on a leash which is securely affixed to a permanent structure from which the animal cannot escape;
- d) **“By-Law Enforcement Officer”** means any by-law enforcement officer employed by or appointed on behalf of the Corporation to carry out by-law enforcement duties.
- e) **“Cat”** means a feline over the age of six weeks of any breed of domesticated Cat or crossbreed domesticated Cat;
- f) **“Corporation”** means the Corporation of the Municipality of West Nipissing.
- g) **“Dangerous Dog”** means a Dog considered to be dangerous under this by-law if it has attacked or bitten a person or other domestic animal.
- h) **“Dog”** means any member of the species canine family.
- i) **“Domestic animal”** includes a Cat, Dog or similar animal kept as a pet which is generally understood to be domesticated and is typically kept at a Dwelling Unit.
- j) **“Dwelling Unit”** means one or more rooms connected together as a self-contained, separate unit in the same building comprising all or part of the building and constituting an independent

- housekeeping unit for residential occupancy;
- k) **“Farm Dog” or “Farm Cat”** means a Dog that is trained and kept for the purpose of controlling or protecting livestock and poultry or a Cat that is kept for the purpose of rodent control within a privately owned barn or farm building
 - l) **“Kennel”** means any person, group of persons, partnership or corporation engaged in the commercial business or breeding, buying, selling or boarding Dogs.
 - m) **“License”** means the receipt issued by the municipality or its authorized agents, upon payment of the appropriate license fee.
 - n) **“Municipality”** means the Corporation of the Municipality of West Nipissing.
 - o) **“Officer”** means a By-law Enforcement Officer or an Animal Control Officer, employed by or appointed by the Municipality.
 - p) **“Owner”** means any person, group of persons, partnership, or corporation owning, keeping or harbouring a Dog, Cat, or other domestic animals. “Owns” or “Owned” shall have a corresponding meaning. Where the owner is a minor, the person responsible for the custody of the minor.
 - q) **“Police Work Dog”** means a Dog trained to aid law enforcement officers and being used for police work purposes for the protection of the public including the investigation or crime and the apprehension of law violators.
 - r) **“Public property”** means any property owned by or under the control of the municipality including, but not limited to, arenas, community centers, parks, beaches, roads, sidewalks, etc...
 - s) **“Purebred”** means a Dog which is registered or eligible for registration in the register of the Canadian Kennel Club Incorporated or of a class designated as purebred in the regulations.
 - t) **“Restraint”** means a Dog is under restraint within the meaning of this by-law if it is on his owner’s property; out on a leash; or at “heel” beside person and obedient to that person’s commands.
 - u) **“Service Animal”** means an animal that has been trained or is being trained to provide service for a person who, because of a disability as defined in the Accessibility for Ontarians with Disabilities Act, 2005, S.O. 2005, c. 11, as amended, requires that service animal.
 - v) **“Spayed female”** means a female Domestic Animal which has been operated upon by a licensed veterinarian to prevent conception.
 - w) **“Veterinary Hospital”** means any establishment maintained and operated by a licensed veterinarian for the diagnosis and treatment or diseases and injuries of animals.

2. ENFORCEMENT

- 2.1. The provisions of this by-law shall be enforced by a By-law Enforcement Officer or Animal Control Officer appointed or employed by the Municipality or an Officer employed by any agency contracted to carry out animal control duties within the municipality

3. LICENSING

- 3.1. Every person in the Municipality who is the Owner of a Dog or Cat, shall immediately following the date that a Dog or Cat comes into his or her possession, or where applicable, register the Dog or Cat with the Corporation or its authorized agents and thereafter annually on or before the first day of January in each and every year, pay to the Corporation or its authorized agents, a license fee calculated in accordance with Schedule “A” attached to this by-law.
- 3.2. On payment of the license fee in accordance this section, the Corporation or its authorized agents, shall issue to each Dog or Cat so registered, a serial numbered license tag and shall cause the name of the Owner, his or her address, the name, breed, sex, color and age of the Dog and the number of his or her license to be entered into the records of the Corporation.
- 3.3. Every Owner shall affix to his or her Dog or Cat a license tag, consisting of a metallic plate having raised, cast or stamped thereon figures indicating the year of issuance, together with a number registered in the office of the Corporation; issued in accordance with subsection 3.2 of this section and shall keep such tag affixed to the Dog at all times until a tag for the next year is purchased and so affixed.
- 3.4. Every license under this section shall expire on the 31st day of December following the date of issue
- 3.5. The replacement fee for a lost license tag is set out in Schedule “A” to this by-law.
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- 3.6. If there is a change of ownership of a Dog or Cat during the license year the owner may have the current license transferred to his name upon payment of a transfer fee as stated in Schedule “A”.
- 3.7. The licensing requirements of this by-law shall not apply to any Dog or Cat belonging to a non-resident of the Municipality and kept within the municipality for no longer than thirty (30) days provided such Dog or Cat shall, at all times while in the municipality, be kept within a building or be under restraint by the owner.
- 3.8. Every license fee and license tag issued by another municipality for the license year, shall be recognized as a license fee and license tag as issued by the Municipality of West Nipissing providing;
- a) The owner notifies the Animal Control Officer of the date of issue of said license and license tag number and
 - b) The owner was a bona fide resident of said other municipality at the date of issue
 - c) The owner is now a bona fide resident of the Municipality of West Nipissing

4. KENNELS

- 4.1. Every person who owns, operates or conducts a kennel of purebred Dogs which are registered with the Canadian Kennel Club Incorporated pursuant to the Statutes of Ontario enacted in that behalf, shall pay to the Municipality of West Nipissing immediately following the 1st day of January in any year, a tax or license fee in accordance with Schedule “A”.
- 4.2. Every person who owns, operates or conducts a boarding kennel shall pay to the Municipality immediately following the 1st day of January in any year, a license fee in accordance with Schedule “A”.
- 4.3. If there is a change of ownership of a kennel during the license year the owner may have the current license transferred to his name upon payment of a transfer fee as stated in Schedule “A”.
- 4.4. Any new applicant for a kennel license not previously licensed must first obtain confirmation that the property location of such kennel complies with the requirements of the Municipality’s zoning by-law. Notice of the application shall be given to all assessed owners of land lying within a 300 meter radius of the applicant’s proposed kennel location. Property owners within this defined area shall be given the opportunity to approve or object to the granting of a kennel license. The granting of a license will be determined by Council.
- 4.5. Any new applicant for a kennel not previously licensed shall complete the application form, attached hereto as Schedule “D” and forming part of this By-law.
- 4.6. Upon receipt of an application for a new kennel, the proposed kennel shall be inspected by the Animal Control Officer for the Municipality of West Nipissing and the results of the Officer’s inspection shall be indicated on Schedule “E” attached hereto and forming part of this By-law

5. RESTRICTIONS

- 5.1. The number of permitted Dogs and Cats within each Zone of the Municipality, as defined in Section 2.1 of the Zoning By-Law 2014/45, shall be as follows:

ZONES	NUMBER OF PERMITTED DOGS	NUMBER OF PERMITTED CATS
RESIDENTIAL ZONES		
Residential One (R1)	3	3
Residential Two (R2)	2	2
Residential Three (R3)	1	1
Residential Four (R4)	1	1
Shoreline Residential (SR)	3	3
Rural Residential (RR)	5	5
Mobile Home Residential (MHR)	3	3
AGRICULTURAL and RURAL ZONES		
Agriculture One (A1)	5	5
Rural (RU)	5	5

- 5.2. This section does not apply to:
- i) a licensed kennel

- ii) a veterinary hospital
- iii) a pet shop
- iv) a pound
- v) a newborn litter of Dogs or Cats kept for a period of six to eight weeks from the date of birth
- vi) farm Dogs or farm Cats
- vii) a rescue shelter

6. RUNNING AT LARGE

- 6.1. An owner shall keep his or her Dog, Cat or other domestic animal under restraint at all times and shall not permit such Dog, Cat or domestic animal to be off the owner's property unless under restraint.
- 6.2. No person shall allow or permit any animal of which he is the owner, to run at large within the limits of the Municipality
- 6.3. An animal shall not be considered running at large if it is:
 - i) a Service Animal;
 - ii) a Police work Dog
 - iii) a farm Dog or farm Cat
- 6.4. Any domestic animal running at large may be captured by a duly appointed By-Law Enforcement Officer and delivered to the Animal Control Officer.
- 6.5. Any person may capture any domestic animal running at large and trespassing on his or her property and deliver same to the Animal Control Officer
- 6.6. An Animal Control Officer may enter on any public property, or private property with the consent of the owner or tenant, for the purpose of capturing any animal running at large.
- 6.7. While in a park, no person or owner in control of any Dog, Cat or domestic animal shall;
 - (a) allow it to run at large;
 - (b) permit any Dog, Cat or Domestic Animal to enter any municipal beach/waterfront area, swimming area, pond, garden, landscaped area or any other area posted to prohibit access, excluding a Service Animal.
 - (c) ensure that the animal is on a leash or chain not exceeding two (2) m in length;
 - (d) pick up and remove forthwith any excrement left by the Dog, Cat or Domestic Animal and dispose of it in a receptacle for litter or in some other suitable container, excluding excrement from guide Dogs

7. DANGEROUS AND NUISANCE DOGS

7.1. DANGEROUS DOGS

- 7.1.1. Where the Municipality becomes aware either on its own initiative or as a result of a complaint received by it that a Dog has bitten or attacked a person or Domestic Animal without provocation, or chased or approached a person or Domestic Animal in a menacing fashion, the By-Law Enforcement or Animal Control Officer may serve a Dangerous Dog Notice to the Dog Owner requiring the Owner to comply with any or all of the requirements set out in this section. Such notice shall take effect immediately upon service and the Dog shall be deemed to be a Dangerous Dog
- 7.1.2. Every Owner of a Dangerous Dog shall, at all times while the Dangerous Dog is not in the Owner's dwelling unit, but is otherwise within the boundaries of the Owner's premises, ensure that:
 - (a) the Dog wears a muzzle;
 - (b) the Dog is securely tethered;
 - (c) the Dog is contained within an area securely enclosed by a locked fence of an appropriate height, or an area enclosed by other means such that the Dog cannot come into contact with members of the public; and
 - (d) a sign, no smaller than 5" x 7", is displayed at all entrances to the property upon which the Dog is kept, bearing words and a symbol that warns that there is a Dangerous Dog on the property
- 7.1.3. Every Owner of a Dangerous Dog shall, at all times while the Dog is not within the boundaries

of the Owner's premises, keep the Dog:

- (a) on a leash that does not exceed two (2) meters in length; and
- (b) muzzled.

- 7.1.4. Every Owner of a Dangerous Dog shall notify the Municipality immediately of the following:
 - (a) any change in Ownership or residence of the dangerous Dog and provide the name, current address and telephone number of the new Owner;
 - (b) if the Dog runs At Large, attacks or bites any person or animal; and
 - (c) if the Dog dies.
- 7.1.5. The Owner of a Dangerous Dog shall ensure that:
 - (a) the Dog is spayed or neutered at the Owners expense; and
 - (b) that the Dog is implanted with a microchip at the Owner's expense.
- 7.1.6. The Animal Control Officer may impound any Dangerous Dog of an Owner not in compliance with this Section, at the Owner's expense, and perform any procedure necessary in the circumstances, including euthanization.

7.2. DANGEROUS DOG NOTICE AND APPEAL HEARING

- 7.2.1. The Dangerous Dog Notice referred to in this By-law shall be served by hand delivery or registered mail to an Owner of the Dog. If served by registered mail, it shall be deemed received on the fifth working day after the date of mailing. Such notices shall include:
 - (a) a statement that the Officer has reason to believe that the Dog is a potentially dangerous Dog or is a dangerous Dog;
 - (b) the requirements that the Owner must comply with in accordance with Section 7.1.4 and when such requirements take effect; and
 - (c) a statement that the Owner may request, within three (3) working days of receipt of the Animal Control Officer's Notice, and is entitled to, a hearing by a Committee designated by Council and specify the procedure for same.
- 7.2.2. An Owner's request for a hearing shall be made in writing to and served on the Municipal Clerk within three (3) working days of receiving the Notice and include a copy of the Notice. Council of the Municipality shall hold a hearing pursuant to the provisions of the *Statutory Powers Procedure Act*, R.S.O. 1990, c. S.22 within fifteen (15) working days of the Clerk's receipt of the request for a hearing and provide the Owner with notice of same.
- 7.2.3. Where a Dog Owner who has been given notice of a hearing does not attend at the prescribed time and place, the Committee of Council may proceed in the absence of the Dog Owner and the Owner will not be entitled to any further notice in the proceedings.
- 7.2.4. At the conclusion of the hearing, Council may give its decision orally or reserve its decision, but in any case it shall provide its decision in writing within fourteen (14) days of the hearing to the Dog Owner and the Animal Control Officer.
- 7.2.5. Council may affirm or rescind the Animal Control Officer's designation of the Dog as potentially dangerous or dangerous, may substitute its own designation, or may substitute its own requirements of the Owner. The decision of the Council issued under this By-law is final.
- 7.2.6. The requirements of this paragraph which may be imposed on a Dog owner by the Animal Control Officer shall not be required until either the time for appeal has elapsed without the Dog owner requesting a hearing or Council has ordered such requirement, whichever occurs earlier

7.3. NUISANCE DOGS

- 7.3.1. No Owner of a Dog shall cause or permit his or her Dog to be a public nuisance by:
 - (a) Persistently barking or howling;
 - (b) Scattering garbage or interfering with waste collection services; or
 - (c) Chasing persons, vehicles, domestic animals, livestock, poultry or other animals kept on an agricultural property.
- 7.3.2. For the purpose of this section, persistent barking or howling is defined as repeatedly barking or howling for twenty (20) minutes or longer.
- 7.3.3. Where any Officer has received and investigated three (3) complaints about the persistent barking of a Dog, which complaints have resulted in a conviction of the Owner of the Dog under

the Municipality’s Noise By-law or any successors thereto, the Animal Control Officer shall be entitled to retrieve the Dog from the Owner and keep the Dog in the Animal Shelter for a period of ten (10) days or until the Animal Control Officer is satisfied that the Owner of the Dog has taken proper and effective steps to control the barking of the Dog, whichever is the lesser

8. IMPOUNDMENT

- 8.1. Unlicensed Dog, Cat or Domestic Animal found to be running at large contrary to the provisions of this by-law shall be taken up by the Animal Control Officer of the Municipality and impounded in the animal shelter, and there confined in a humane manner for a period of not less than three (3) days, and may thereafter be disposed of in a humane manner if not claimed by their owners. Domestic animals not claimed by their owners at the expiration of three (3) days, shall be placed or humanely disposed of except as hereinafter provided in the cases of certain animals.
- 8.2. Before a Dog, Cat or Domestic Animal may be placed with a new owner in the Municipality, the owner will secure the necessary licenses and comply with the registration requirements of this by-law.
- 8.3. Immediately upon the impoundment of a Dog, Cat or Domestic Animal, the Animal Control Officer shall make every reasonable effort to notify the owners of such impounded animal; and inform such owners of the conditions whereby they can regain custody of such animal.
- 8.4. When Dog, Cat or Domestic Animal are impounded and are not claimed by their owners within the 3 days specified by this by-law, they shall become the property of the Municipality who may dispose of them to new owners who will agree to the conditions of this by-law.

9. REDEMPTION OF IMPOUNDED DOGS, CATS OR DOMESTIC ANIMAL

- 9.1. The owner shall be entitled to regain possession of any impounded animal except as hereinafter provided in the cases of certain animal, upon compliance with the license provisions of Section 3.0 of this by-law and the payment of impoundment fees and other charges set forth herein by the Municipality, all applicable fines and costs in accordance to Schedule “B”.
- 9.2. Any animal impounded under the provisions of this by-law and not reclaimed by its owner within 3 days, may be humanely destroyed by the Animal Control Officer, or placed in the custody of some person deemed to be a responsible and suitable owner, who will agree to comply with the provisions of this by-law.

10. CONFINEMENT OF FEMALE ANIMALS IN HEAT

- 10.1. The owner shall cause every female Dog or Cat in heat to be kept confined in a building or secure enclosure in such manner that such female Dog or Cat cannot come in contact with another Dog or Cat, except for breeding purposes.

11. RABIES

- 11.1. When deemed expedient, the Council of the Corporation of the Municipality of West Nipissing may declare a Municipality wide quarantine and a period of up to six months may be imposed and all other restrictions, rules and regulations pertaining to rabies may be imposed and will apply under the authority of the revised Statutes of Ontario.
- 11.2. When a Dog is known to have bitten a person, the Medical Officer of Health may order the Animal Control Officer of the Corporation to confine the Dog under supervised quarantine for a period not to exceed fourteen (14) days.

12. EXEMPTIONS

- 12.1. Hospitals, clinics and other premises operated by licensed veterinarians for the care and treatment of animals are exempt from the provisions of this bylaw; except where such duties are expressly stated.

13. INVESTIGATION

- 13.1. For the purpose of discharging the duties imposed by this by-law and to enforce its provisions, any Officer appointed by the Municipality of West Nipissing for that purpose, is empowered to enter upon any premises upon which a Dog or Cat is kept or harbored and to demand the exhibition by the owner of such Dog or Cat or the license of such Dog or Cat. It is further provided that any Animal Control Officer may enter the premises where any animal is kept in a reportedly cruel or inhumane manner and demand to examine such animal and to take possession of such animal when, in his opinion, it requires humane treatment.

14. INTERFERENCE

- 14.1. No person shall interfere with, hinder or molest any Officer of the Municipality in the performance of any duty of such agent, or seek to release any animal in the custody of the Municipality aforesaid agents, except as herein provided.

15. PENALTY

- 15.1. Every person who contravenes any provision of this by-law is guilty of an offence and on conviction, is liable to a fine as provided for in the Provincial offences Act.

16. STOOP AND SCOOP

- 16.1. Every Dog Cat owner shall forthwith remove and dispose of excrement left by their Dog or Cat on any private or public property in the Municipality of West Nipissing.

17. REPEALS

- 17.1. By-law 2000/20 and By-Law 1999/28, as amended, relating to the keeping, licensing and regulating of Dogs and Cats, in the Municipality of West Nipissing are hereby repealed.

18. GENERAL

- 18.1. Any Dog or Cat owner may apply to have the licensing fee reduced upon the production of a veterinary certificate showing such Dog or Cat is electronically chipped for identification purposes. The owner will be required to pay the fee in accordance with Schedule "A".
- 18.2. That the following enumerated schedules shall form part of this by-law:
- Schedule "A" Licensing Fees
 - Schedule "B" Impoundment Fees
 - Schedule "C" Set Fines (Offence Table)
 - Schedule "D" Application for Kennel License
 - Schedule "E" Check-List for Inspection of Kennel

ENACTED AND PASSED THIS 17th DAY OF NOVEMBER 2020 AS WITNESSED BY THE SEAL OF THE CORPORATION AND THE HANDS OF ITS PROPER OFFICERS.

« Joanne Savage »
JOANNE SAVAGE
MAYOR

« Melanie Ducharme »
MELANIE DUCHARME
CLERK

NOVEMBER 2020

Municipality of West Nipissing
ANIMAL CONTROL BY-LAW
SCHEDULE “A” TO BY-LAW 2020/67

LICENSING FEES

For each Dog or Cat	\$ 20.00
Surcharge if the Dog or Cat tag is purchased on or after March 1 st of any year	\$ 10.00
For each Dog or Cat that has been micro-chipped <i>(Must show certificate)</i>	\$ 10.00
For each Dog or Cat that has been spayed or neutered <i>(Must show certificate)</i>	\$ 10.00
Replacement of lost tag (Cat or Dog)	\$ 4.00
Private Kennel fee	\$ 50.00
Pure bred Kennel License fee	\$ 50.00
Boarding Kennel	\$ 50.00
Transfer of Kennel License	\$ 10.00

NOVEMBER 2020

Municipality of West Nipissing
ANIMAL CONTROL BY-LAW
SCHEDULE “B” TO BY-LAW 2020/67

IMPOUNDMENT FEES

1. Any Dog, Cat or Domestic Animal impounded may be reclaimed by the owner
upon payment to the Corporation the sum of\$ 75.00

NOVEMBER 2020

Municipality of West Nipissing			
ANIMAL CONTROL BY-LAW			
SET FINES - SCHEDULE "C" TO BY-LAW 2020/67			
PART I – PROVINCIAL OFFENCES ACT			
ITEM	COLUMN 1 SHORT FORM WORDING	COLUMN 2 PROVISION CREATING OR DEFINING OFFENCE	COLUMN 3 SET FINES
1	Fail to register Dog or Cat	Sec. 3.1	\$ 105.00
2	Fail to affix Dog or Cat tag	Sec. 3.3	\$ 105.00
3	Operate kennel without licence (purebred)	Sec. 4.1	\$ 105.00
4	Operate kennel without licence (boarding kennel)	Sec. 4.2	\$ 105.00
5	New applicant fails to seek approval for location of kennel	Sec. 4.4	\$ 105.00
6	Keep more than permitted number of Dogs	Sec. 5.1	\$ 105.00
7	Keep more than permitted number of Cats	Sec. 5.1	\$105.00
8	Fail to restrain Dog, Cat or Domestic Animal	Sec. 6.1	\$ 105.00
9	Permit Dog, Cat or Domestic Animal to run at large on public property	Sec. 6.2	\$ 105.00
10	Allow Dog, Cat or Domestic Animal to run at large in park	Sec. 6.7 (a)	\$ 105.00
11	Allow Dog, Cat or Domestic Animal to enter beach/waterfront area, swimming area, etc.; where prohibited by posted signage	Sec. 6.7 (b)	\$ 105.00
12	Fail to keep Dog, Cat or Domestic Animal on leash or chain while in park	Sec. 6.7 (c)	\$ 105.00
13	Fail to pick up and dispose of excrement left by Dog, Cat or Domestic Animal while in park	Sec. 6.7(d)	\$ 150.00
14	Fail to muzzle Dangerous Dog	Sec. 7.1.2(a)	\$ 205.00
15	Fail to securely tether Dangerous Dog	Sec. 7.1.2(b)	\$ 205.00
16	Fail to keep Dangerous Dog contained on property	Sec. 7.1.2(c)	\$ 205.00
17	Fail to display Dangerous Dog on Property sign	Sec. 7.1.2(d)	\$ 205.00
18	Fail to keep Dangerous Dog on 2 meter leash and muzzled when off owner property	Sec. 7.1.3	\$ 205.00
19	Fail to notify of change of ownership of Dangerous Dog	Sec. 7.1.4(a)	\$ 205.00
20	Fail to notify if Dangerous Dog runs at large, attacks or bites person or animal	Sec. 7.1.4(b)	\$ 205.00
21	Fail to spay or neuter Dangerous Dog	Sec. 7.1.5(a)	\$ 205.00
22	Fail to microchip Dangerous Dog	Sec. 7.1.5(b)	\$ 205.00
23	Permit Dog to persistently bark/howl	Sec. 7.3.1(a)	\$ 105.00
24	Permit Dog to scatter garbage or interfere with waste collection	Sec. 7.3.1(b)	\$ 105.00
25	Permit Dog to chase persons, vehicles or any other animal	Sec. 7.3.1(c)	\$ 105.00
26	Fail to keep female animals in heat confined	Sec. 10.1	\$ 205.00
27	Interfere with, hinder or molest agent of Municipality in the performance of duties	Sec. 14.1	\$ 105.00
28	Fail to remove and dispose of excrement left by Dog, Cat or Domestic Animal	Sec. 16.1	\$ 150.00

NOTE: Penalty provision for the offences indicated above is Section 15.0 of By-Law No. 2020/67 as amended, a certified copy of which has been filed



NOVEMBER 2020

Municipality of West Nipissing			
ANIMAL CONTROL BY-LAW			
SET FINES - SCHEDULE “C” TO BY-LAW 2020/67			
PART I – PROVINCIAL OFFENCES ACT			
ITEM	COLUMN 1 SHORT FORM WORDING	COLUMN 2 PROVISION CREATING OR DEFINING OFFENCE	COLUMN 3 SET FINES
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3	Operate kennel without licence (purebred)	Sec. 4.1	\$ 105.00
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5	New applicant fails to seek approval for location of kennel	Sec. 4.4	\$ 105.00
6	Keep more than permitted number of Dogs	Sec. 5.1	\$ 105.00
7	Keep more than permitted number of Cats	Sec. 5.1	\$105.00
8	Fail to restrain Dog, Cat or Domestic Animal	Sec. 6.1	\$ 105.00
9	Permit Dog, Cat or Domestic Animal to run at large on public property	Sec. 6.2	\$ 105.00
10	Allow Dog, Cat or Domestic Animal to run at large in park	Sec. 6.7 (a)	\$ 105.00
11	Allow Dog, Cat or Domestic Animal to enter beach/waterfront area, swimming area, etc.; where prohibited by posted signage	Sec. 6.7 (b)	\$ 105.00
12	Fail to keep Dog, Cat or Domestic Animal on leash or chain while in park	Sec. 6.7 (c)	\$ 105.00
13	Fail to pick up and dispose of excrement left by Dog, Cat or Domestic Animal while in park	Sec. 6.7(d)	\$ 150.00
14	Fail to muzzle Dangerous Dog	Sec. 7.1.2(a)	\$ 205.00
15	Fail to securely tether Dangerous Dog	Sec. 7.1.2(b)	\$ 205.00
16	Fail to keep Dangerous Dog contained on property	Sec. 7.1.2(c)	\$ 205.00
17	Fail to display Dangerous Dog on Property sign	Sec. 7.1.2(d)	\$ 205.00
18	Fail to keep Dangerous Dog on 2 meter leash and muzzled when off owner property	Sec. 7.1.3	\$ 205.00
19	Fail to notify of change of ownership of Dangerous Dog	Sec. 7.1.4(a)	\$ 205.00
20	Fail to notify if Dangerous Dog runs at large, attacks or bites person or animal	Sec. 7.1.4(b)	\$ 205.00
21	Fail to spay or neuter Dangerous Dog	Sec. 7.1.5(a)	\$ 205.00
22	Fail to microchip Dangerous Dog	Sec. 7.1.5(b)	\$ 205.00
23	Permit Dog to persistently bark/howl	Sec. 7.3.1(a)	\$ 105.00
24	Permit Dog to scatter garbage or interfere with waste collection	Sec. 7.3.1(b)	\$ 105.00
25	Permit Dog to chase persons, vehicles or any other animal	Sec. 7.3.1(c)	\$ 105.00
26	Fail to keep female animals in heat confined	Sec. 10.1	\$ 205.00
27	Interfere with, hinder or molest agent of Municipality in the performance of duties	Sec. 14.1	\$ 105.00
28	Fail to remove and dispose of excrement left by Dog, Cat or Domestic Animal	Sec. 16.1	\$ 150.00

NOTE: Penalty provision for the offences indicated above is Section 15.0 of By-Law No. 2020/67 as amended, a certified copy of which has been filed.

NOVEMBER 2020

Municipality of West Nipissing
ANIMAL CONTROL BY-LAW

SCHEDULE “D” TO BY-LAW 2020/67

APPLICATION FOR KENNEL LICENCE /
DEMANDE DE LICENCE DE CHENIL

Name of applicant : <i>Nom du demandeur :</i>		
Address: <i>Adresse:</i>		
Telephone #: / No. de téléphone:		
E-Mail: / Courriel:		
Name of Kennel (if applicable): <i>Nom du Chenil (s’il y a lieu) :</i>		
Address of Kennel if different from above: <i>Adresse du Chenil s’il varie de l’adresse mentionné ci-haut :</i>		
Distance of kennel from residence: <i>Distance du chenil de la résidence:</i>		
ZONING OF PROPERTY: / Zonage de la propriété: (Must be verified with the West Nipissing Planning Department) ☐ Compliant Conforme ☐ Non-compliant Non-conforme		
TYPE OF KENNEL :		
☐ Private Kennel: <i>Chenil privé:</i>	☐ Pure Bred Kennel <i>Chenil pour races pures</i>	☐ Boarding Kennel: <i>Chenil de location:</i>

By signing this application I hereby give permission to the Municipality of West Nipissing By-Law Enforcement Officer or other duly authorized person to enter at any time, this kennel and the lands upon which the kennel is situated for the purpose of inspection.

Date:

Applicant Signature / Signature du demandeur:

NOVEMBER 2020

Municipality of West Nipissing
ANIMAL CONTROL BY-LAW

SCHEDULE “E” TO BY-LAW 2020/67

CHECK-LIST FOR INSPECTION OF KENNEL /
LISTE DE CONTRÔLE POUR L’INSPECTION DU CHENIL

	ITEM CONDITION	ACCEPTABLE		RECOMMENDATION (see below if required)
		YES	NO	
1	Overall condition of kennel			
2	Ventilation & light			
3	Temperature levels			
4	Cleanliness of premises			
5	Condition of cages, pens, etc.			
6	Food and water : - Schedule of feedings - Type of food served			
7	Indoor, outdoor or group housing			
8	Outdoor exercise area			
9	Whelping facilities			

RECOMMENDATIONS :

Date inspected :		Animal Control Officer carrying out inspection:
Date of second inspection (if required) :		Animal Control Officer carrying out inspection :

APPROVAL

Kennel Licence approved on _____, 20__.	Authorizing personnel: <i>(print & signature)</i>
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