

**CORPORATION OF THE MUNICIPALITY OF EAST FERRIS
BY-LAW NO. 2014-19**

**BEING A BY-LAW TO REGULATE ANIMALS IN THE
MUNICIPALITY OF EAST FERRIS.**

WHEREAS sections 10(2)9, 103 and 105 of the *Municipal Act*, S.O. 2001 Chap. 25, as amended, provides that by-laws may be passed for prohibiting or regulating the keeping of animals or any class thereof and for restricting the number of animals that may be kept in or about any dwelling unit.

AND WHEREAS the Corporation of the Municipality of East Ferris is desirous of passing a by-law to adopt regulations for the storage and keeping of animals in the Municipality;

NOW THEREFORE, Council of the Municipality of East Ferris enacts as follows:

1. Definitions:

In this by-law

“Animal” shall mean an animal set out in the Schedules of this By-law.

“Animal Control Officer” shall mean the Animal Control Officer as designated by the Council of the Municipality of East Ferris or their designate.

“Being at Large” shall mean to be found in any place other than the property of the owner of the animal and causing damage to property other than the property of the owner of the animal, and "be at large" has a corresponding meaning.

“Cat” shall mean any domesticated feline, male or female, of any age.

“Cattery” shall mean a property where six (6) or more cats are kept at any one time.

“Clerk” means the Clerk of the Municipality of East Ferris.

“Council” means the Council of the Municipality of East Ferris.

“Dog” shall mean any domesticated canine, male or female of any age.

“Dwelling” means the definition of a dwelling of the implementing Zoning By-law.

“Domesticated Swine” shall mean any of various omnivorous, even-toed ungulates of the family Suidae, including pigs, hogs, teacup, potbelly and boars, having a stout body with thick skin, a short neck, and a movable snout.

“Exotic Animal” shall mean any animal or animals of any class and classes listed as follows:

- i) All venomous arachnids (such as spiders, scorpions and tarantulas);
- ii) All canids (such as wolves and coyotes), except domestic dogs;
- iii) All crocodylians (such as alligators and crocodiles);
- iv) All felids (such as lions, tigers, and cougars), except domestic cats;
- v) All venomous reptiles;
- vi) All snakes of the families *Pythonidae* and *Boidae* (such as pythons and boa constrictors); and,
- vii) All ursids (such as bears).

Animals of a particular class are given in parentheses and are examples used for clarification purposes.

“Fowl” shall mean chicken, turkey, geese, pigeon, but does not include a rooster.

“Humane Society” shall mean the North Bay Humane Society or any such agent the Municipality may appoint for animal rights.

“Kennel” shall mean a property where six (6) or more dogs are kept at any one time.

“Rehabilitation Centre” shall mean a facility established for the care and treatment of injured, sick or orphaned animals with the objective of restoring the animals to their former capacity or function and then returning and releasing them to their natural habitat.

“Under Custody” shall mean that the animal is in the possession of the Municipality of East Ferris or their authorized delegate.

2. General Provisions

1. Those animals in the Municipality which are prohibited or regulated in this Bylaw are set out in the Schedules attached to this By-law.
2. Exotic pets are prohibited within the Municipality of East Ferris.
3. Fish that live in aquariums or ponds are exempt from this By-law.
4. In the event of any conflict between the provisions of this By-law and any other general or special by-law, the provisions of this By-law shall prevail.
5. Every person who contravenes any provision of this By-law is guilty of an offence and upon conviction, is liable to a fine in accordance with the Provincial Offenses Act of Ontario as shown in Schedule "F" to this By-law.
6. If a court of competent jurisdiction should declare any section of this By-law or part thereof, or any provision in the Schedules or Forms to be invalid, such section, part or provision in the Schedules shall not be construed as having influenced Council to pass the remainder of the By-law or the provision in the Schedules, and it is hereby declared that the impugned section or provision in the Schedules shall be severable and distinct from the remainder of this By-law or Schedules and the remainder of the By-law or Schedules shall be valid and shall remain in force.
7. By-law No. 1510 and By-law No. 1987 are hereby repealed.
8. The short title of this By-law is the *Animal Control By-law*.

READ A FIRST AND SECOND TIME THIS 22nd DAY OF APRIL 2014.

READ A THIRD TIME AND FINALLY PASSED THIS 22nd DAY OF APRIL 2014.

MAYOR, WILLIAM VREBOSCH

CLERK, JOHN B. FIOR

SCHEDULE "A"
DOGS

General:

1. No owner shall keep more than 5 dogs on his or her property at any such time.
2. The keeping of dog(s) is for personal use only and not for the sale of the animal.
3. Subsection (1) and (2) does not apply to any owner who is registered as a breeder with The Canadian Kennel Association and whose dog(s) are registered with The Canadian Kennel Association.
4. In order for the Municipality to permit a land owner to keep a kennel, the property must have the appropriate zoning and meet the minimum lot requirements of the implementing Zoning By-law.
5. No owner shall allow their dog to make excessive noise.
6. No owner shall abuse their dog by providing the animal with insufficient food, water, shelter, light and ventilation in order to maintain the dog in good health.
7. No owner shall own, keep or harbor any dog within the limits of the Municipality unless such dog is licensed according to the provisions set out in Section 9 of this Schedule, which is attached and forms part of this By-law.
8. No owner shall suffer, allow or permit any dog of which it is the owner or custodian to run at large within the limits of the Municipality.
 - a) For the purpose of this by-law, a dog shall be deemed to run at large when found at any place other than the property of the owner of the dog and either not under the control of any person or not otherwise confined.
 - b) For the purpose of this By-law a dog shall be deemed not to be under the control of any person when the dog is not on a leash or a maximum length of two (2) metres held by a person, or when a dog is not on a leash with a maximum length of two (2) metres which is securely affixed to some permanent structure from which the dog cannot escape.
 - c) No person shall suffer, allow or permit a dog under his or her control or of which he or she is the registered owner to trespass on private property whether on a leash or not unless permission for said trespass is first obtained from the property owner.
 - d) No owner of a dog shall allow or permit the dog to defecate on or in the following places:
 - i) Private property, other than the property of the owner; or
 - ii) In any public place including Municipal road allowances, parks and property owned by the Municipality.
 - e) The owner shall immediately and without delay, remove the excrement and provide for its sanitary disposition.
9. Every owner of every dog in the Municipality shall annually and immediately following the 1st day of January and no later than the 1st day of March in every year, cause the same to be licensed for the current year by the Municipality and pay the fee for the same fixed by this By-law.
10. Every license issued under the provisions of this By-law shall expire on the 31st day of December in each year of issuance.
11. Every owner of every dog shall cause the said dog when on or off the premises of the owner(s) thereof but within the Municipality, to wear a collar or harness at all times, to which shall be attached the tag issued on the licensing of the said dog by the Municipality of the then current year.
12. Applications for a license shall be made to the office of the Clerk of the Municipality or their designate. The application shall state the name and address of the owner, the name, breed, sex, colour, age of the dog, if it has been altered and a receipt of the vaccination shots. The license fee shall be paid at the time of making the application and a receipt given to the applicant.

A numbered tag shall be issued to the owner, stamped with the year of its issuance on payment of the fee herein provided.

13. The yearly license fee for every dog licensed under the provisions of this By-law shall be as follows:
 - i) For a dog, if only one is kept..... \$20.00
 - ii) For each additional dog.....\$10.00
 - iii) Dogs under the age of twelve (12) weeks are exempt from the licensing requirement.
 - a) Where an owner acquires a dog after the 1st day of March in any year, the owner shall forthwith comply with all the requirements and regulations of this By-law.
 - b) In the event that the tag shall become lost, the owner of the dog for which a tag was issued shall obtain a replacement tag upon the payment of a fee of \$2.00.
 - c) If there is a change of ownership of a dog or kennel during the license year, the new owner shall have the current license transferred to his name and pay the transfer fee of \$2.00
14. No person shall use for any dog a license receipt, or a license tag issued for another dog.
15. Veterinary hospitals, clinics and other premises operated by licensed veterinarians for the care and treatment of animals are exempt from the provisions of this By-law.
16. All dogs apprehended while running at large shall be taken up by a Provincial Offences Officer or an Animal Control Officer of the Municipality and impounded in an animal shelter and be there confined according to the provisions as set out in Schedule "F", which is attached and forms part of this By-law.
17. No owner of an animal shall interfere with, hinder or molest any agent of the Municipality in the performance of any duty of such agent.
18. No owner of an animal shall seek to release any animal in the custody of any agent of the Municipality in the performance of any duty of such agent.
19. Every owner of an animal who contravenes any of the provisions of this by-law is guilty of an offence and subject to a fine recoverable under the Provincial Offences Act.
20. The maximum period of time within which the owner of a dog that has been impounded has the right to redeem it, shall be three (3) days, excluding the day on which the dog was impounded and holidays shall not be included in calculating any redemption period.
21. After the expiration of the redemption period, all dogs impounded shall become the property of the Municipality who may destroy them or dispose of them to new owners.
22. The owner of an impounded dog shall be entitled to regain the possession of such dog when:
 - a) There has been compliance with the license provisions of the By-law;
 - b) Upon payment of any impoundment fee imposed by the operator of the animal shelter; and,
 - c) Upon payment of any penalty imposed under the By-law and duly constituted court.
23. Where a dog is seized and impounded under this By-law, the owner, if known and whether the dog is claimed from the pound or not, shall be liable for the pound and maintenance fees prescribed and shall pay all fees on demand. Non

Payment of Fines/Fees shall be added to the tax bill and collected in a like manner of taxes.

24. Any dog that has been impounded and has not been licensed for the current year shall have a license obtained for the then current year by any prospective owner before it shall be released by the Municipality.

SCHEDULE "B"
CATS

General:

1. No owner shall keep more than 5 cats on his or her property at any such time.
2. The keeping of cats is for personal use only and not for the sale of the animal.
3. Subsection (1) does not apply to any owner who is registered as a breeder with The Canadian Cat Association and whose cats are registered with The Canadian Cat Association.
4. In order for the Municipality to permit a land owner to keep a cattery, the property must have the appropriate zoning and meet the minimum lot requirements of the implementing Zoning By-law.
5. No owner shall abuse their cat by providing the animal with insufficient food, water, shelter, light and ventilation in order to maintain the cat in good health.
6. Where a cat is impounded, the owner shall pay the following expenses incurred:
 - a) the expenses of taking the cat into custody;
 - b) the expenses for the care of the cat;
 - c) veterinarian fees; and
 - d) cage rental fees.
7. Every owner shall claim the cat within three (3) days of the day on which the cat was impounded, excluding the day of impounding, Sundays and statutory holidays. Non Payment of Fines/Fees shall be added to the tax bill and collected in a like manner of taxes.
8. After the expiration of the redemption period, all cats impounded shall become the property of the Municipality who may destroy them or dispose of them to new owners.

SCHEDULE "C"
FOWL

General:

1. No owner shall keep more than 10 fowl on his or her property at any time.
2. The keeping of fowl is for personal use only and not for the sale of eggs, manure, meat or other products derived from the fowl.
3. Subsections 1 and 2 above do not apply to poultry farm properties. In order for the Municipality to permit a land owner to keep a poultry farm, the property must have the appropriate zoning and meet the minimum lot requirements of the implementing Zoning By-law.
4. No roosters shall be permitted.
5. No owner shall allow or permit his or her fowl to run at large.
6. All fowl enclosures must fully enclose the fowl and prevent them from escaping.
7. The fowl enclosure shall be designed and constructed to ensure proper ventilation and sufficient space for the fowl and maintained in accordance with good animal husbandry practices and shall keep all vermin out. The fowl enclosure shall be in good repair providing the fowl with food, water, shelter, light and ventilation in order to maintain the fowl in good health.
8. All dead fowl must be disposed of immediately upon discovery. No owner shall dispose of a dead bird except by delivering it to the Animal Control Officer or their designate, farm, abattoir, veterinarian, mobile slaughter unit, or other facility that has the ability to dispose of fowl lawfully.
9. There must be hygienic storage of and prompt removal of fowl feces.
10. The fowl's food supply must be protected against vermin.

Municipal Lot Requirements:

11. All lots housing fowl must have:
 - a) A detached dwellings on them;
 - b) A minimum frontage of 45 metres (150 feet); and,
 - c) A minimum area of .41 hectares (1 acre)
12. All fowl coops shall be located only in the rear yard of the property and shall be recognized as an accessory use building and the provisions of the Zoning By-law affecting accessory use buildings shall apply.

SCHEDULE "D"
RABBITS

General:

1. No owner shall keep more than 10 rabbits on his or her property at any such time.
2. The keeping of rabbits is for personal use only and not for the sale of rabbits, meat or other products derived from rabbits.
3. Subsections 1 and 2 above do not apply to farm properties. In order for the Municipality to permit a land owner to keep a rabbit farm, the property must have the appropriate zoning and meet the minimum lot requirements of the implementing Zoning By-law.
4. No owner shall allow or permit his or her rabbit(s) to run at large.
5. All rabbit enclosures must be located only in the rear yard and the structure must fully enclose the rabbits and prevent them from escaping.
6. The rabbit enclosure must be designed and constructed to ensure proper ventilation and sufficient space for the rabbits and maintained in accordance with good animal husbandry practices and shall keep all vermin out. The rabbit enclosure shall be in good repair providing the rabbits with food, water, shelter, light and ventilation in order to maintain the rabbit in good health.
7. The rabbit's food supply must be secured against vermin.
8. There must be hygienic storage of and prompt removal of rabbit feces.
9. All dead rabbits must be disposed of immediately upon discovery.
10. No owner shall dispose of a rabbit except by delivering it to the Animal Control Officer or their designate, farm, abattoir, veterinarian, mobile slaughter unit, or other facility that has the ability to dispose of rabbits lawfully.

Municipal Lot Requirements:

11. All lots housing rabbits must have:
 - a) detached dwellings on them;
 - b) a minimum frontage of 45 metres (147.64 feet); and,
 - c) a minimum area of .41 hectares (1 acre)
12. The rabbit enclosure shall be recognized as an accessory use building and the provisions of the Zoning By-law affecting accessory use buildings shall apply.

SCHEDULE "E"
DOMESTICATED SWINE

General:

1. No owner shall keep more than 1 domesticated swine on his or her property at any such time.
2. The keeping of domesticated swine is for personal use only and not for the sale of manure, meat or other products derived from the swine.
3. Subsections 1 and 2 above do not apply to swine farm properties. In order for the Municipality to permit a land owner to keep a swine farm, the property must have the appropriate zoning and meet the minimum lot requirements of the implementing Zoning By-law.
4. No owner shall allow or permit his or her domesticated swine to run at large.
5. All domesticated swine enclosures must fully enclose the swine and prevent them from escaping.
6. The swine enclosure shall be designed and constructed to ensure proper ventilation and sufficient space for the domesticated swine and maintained in accordance with good animal husbandry practices and shall keep all vermin out. The domesticated swine enclosure shall be in good repair providing the domesticated swine with food, water, shelter, light and ventilation in order to maintain the domesticated swine in good health.
7. All dead domesticated swine must be disposed of immediately upon discovery. No owner shall dispose of a dead pig except by delivering it to the Animal Control Officer or their designate, farm, abattoir, veterinarian, mobile slaughter unit, or other facility that has the ability to dispose of the domesticated swine lawfully.
8. There must be hygienic storage of and prompt removal of swine feces.
9. The domesticated swine's food supply must be protected against vermin.

Municipal Lot Requirements:

10. All lots housing domesticated fowl must have:
 - a) A detached dwellings on them;
 - b) A minimum frontage of 45 metres (150 feet); and,
 - c) A minimum area of .41 hectares (1 acre)
11. All domesticated swine enclosure shall be located only in the rear yard of the property and shall be recognized as an accessory use building and the provisions of the Zoning By-law affecting accessory use buildings shall apply.

SCHEDULE "F"
FINES

Item	Type of Prohibition	Section(s) of By-law	Set Fine (Includes Costs)
1	Own or harbour an animal which is unlicensed	Schedule A-9	\$50.00
2	Permit an animal to run at large	Schedules A-8, 16, B-5, C-5, D-4 and E-4	\$100.00
3	Seek to release an animal under custody	Schedule A-18	\$50.00
4	Permit an animal to make excessive noise	Schedule A-5	\$50.00
5	Mistreatment or abuse of animals/pets	Schedules A-6, B-8, C-7 to 11, D-6 to 10, E-6	\$250.00
6	Keeping in excess of the number of animals permitted	Schedules A-1, B-1, C-1, D-1, E-1	\$50.00/per animal
7	Keeping of an exotic animal	General Provisions-3	\$500.00

SCHEDULE "G"
DOG LICENCE APPLICATION FORM

<p>DOG LICENCE The Municipality of East Ferris</p> <p>Name of Dog _____</p> <p>Male <input type="checkbox"/> Female <input type="checkbox"/></p> <p>Breed _____</p> <p>Age _____</p> <p>Colour/Markings _____</p> <p>Altered (Spayed/Neutered): _____ Yes _____ No</p> <p>Rabies Shots: _____ Yes _____ No</p>	<p style="text-align: right;">Licence & Tag # for the Year 20 _____ .</p> <p>This licence is issued to the owner herein described, subject to the provisions of the <i>Municipal Act</i> and to the By-Laws of the Municipality of East Ferris and will continue in force until December 31, 20____.</p> <p>Name of Owner of Dog _____</p> <p>Civic Address _____ Phone _____</p> <p>Licence fee of \$ _____ received this _____ day of _____, 20____.</p> <p style="text-align: right;">_____ Signature of Licensing Officer</p> <p>The information on this license is collected under the authority of the Municipal Act S.O. 2001 Chap. 25 and will be used for the dog licensing and animal control records of the Municipality. For further information, please contact the Municipal Clerk or the freedom of information and Privacy Coordinator.</p>
---	---