

The Corporation of the Town of Minto

By-Law 2016-31

to Regulate and License the Keeping of Dogs and Dog Kennels in the Town of Minto

WHEREAS Section 2 of the Municipal Act, 2001, S.O. 2001, c.25 as amended (hereinafter called “the Act”) provides that municipalities are created by the Province of Ontario to be responsible and accountable governments with respect to matters within their jurisdiction and that each municipality is given powers and duties under the Act and many other Acts for purposes which include, among other things, fostering the current and future social and environmental well-being of the municipality;

AND WHEREAS under Section 8 of the Act provides that the Act shall be interpreted broadly so as to confer broad authority on municipalities to enable them to govern their affairs as they consider appropriate and to enhance their ability to respond to municipal issues, and Section 9 of the Act states that a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under the Act or under any other Act;

AND WHEREAS under subsection 11(3) of the Act the Corporation of the Town of Minto may pass by-laws within the “Animals” sphere of jurisdiction and subsection 8(3) of the Act provides that a by-law under Section 11 respecting a matter may regulate or prohibit respecting the matter;

AND WHEREAS Section 11 of the Act provides that without limiting the generality of Section 9 a by-law under the Act may be general or specific in its application and may differentiate in any way and on any basis a municipality considers appropriate;

AND WHEREAS Section 103 of the Act provides that if a municipality passes a by-law regulating or prohibiting with respect to the being at large or trespassing of animals (which term includes dogs), it may provide for the seizure and impounding of dogs being at large contrary to the By-law and the sale of impounded dogs;

AND WHEREAS subsection 129(a) of the Act provides that a municipality may regulate with respect to noise.

A. Definitions

1. “Blind Person” means a person to whom an identification card has been issued by the Attorney-General or an officer of his or her Ministry pursuant to the provisions of Section 4 of the Blind Persons’ Rights Act, R.S.O. 1990 c. B.7.
2. “Body Length” means the length of the dog measured from the point of the nose to the tip of the fully extended tail when the dog is full stretched out.
3. “Boarding Kennel” means a kennel where more than three (3) and twenty-five (25) or less dogs are groomed or housed and which is licensed by the Town of Minto under the provisions of this by-law.
4. “Breeding Kennel” means a kennel where more than three (3) and twenty-five (25) or less dogs are housed, groomed, bred, boarded, trained, sold or kept for hunting and where dogs are owned by the property owner, and which kennel is licensed by the Town of Minto under the provisions of this by-law.
5. “Clerk” means the CAO/Clerk of the Corporation of the Town of Minto.
6. “Council” means the Council of the Corporation of the Town of Minto.

7. "Dangerous Dog"

- a) Means a dog that, in the absence of any mitigating factor, has attacked, bitten or caused injury to a person or has demonstrated a propensity, tendency or disposition to do so;
- b) Means a dog that, in the absence of any mitigating factor has significantly injured a domestic animal; or,
- c) Means a dog previously designated as a potentially dangerous dog that is kept or permitted to be kept by its owner in violation of the requirements for such dog.

8. "Dog" means a male or female dog over the age of twelve (12) weeks.

9. "Dog Control Officer" means the person or agency so appointed by the Council and any employees or agents of such person, or an agency or Provincial Offences Officer having jurisdiction within the Municipality to carry out, enforce and implement the provisions of this By-law.

10. "Dwelling Unit" means one room or a group of rooms in a building used or designed or intended to be used by a person or persons as a single, independent and separate housekeeping establishment.

11. "Guide Dog or Special Assistance Dog" means a dog, which serves as a guide or leader for a physically, vision or hearing impaired person, or performs search and/or rescue functions and which has been especially trained for that purpose.

12. "Inspector" means a person appointed by the municipality to be responsible for enforcing the Municipality's By-laws and may include but not be limited to the Dog Control Officer, a By-law Enforcement Officer or a Provincial Offences Officer.

13. "Kennel" means an establishment where more than three (3) and twenty-five (25) or less dogs are housed, groomed, bred, boarded, trained or sold on a lot or parcel which is 4.04 hectares (10 acres) or greater in size.

14. "Mitigating Factor" means a circumstance which excuses aggressive behaviour of a dog and without limiting the generality of the foregoing, may include circumstances where:

- a) The dog was at the time of the aggressive behaviour acting in defense to an attack from a person or domestic animal;
- b) The dog was at the time of the aggressive behaviour, acting in defense of its young or reacting to a person or domestic animal trespassing on the property of its owner; or
- c) The dog was, at the time of the aggressive behaviour, being teased, provoked or tormented.

15. "Municipality" means the Corporation of the Town of Minto.

16. "Muzzle" means a humane fastening or covering device of adequate strength placed over a dog's mouth to prevent it from biting.

17. "Noise" means the sound made by any dog which unreasonably disturbs the peace, quiet, comfort or repose of any person within the Town of Minto for a period that exceeds 30 minutes.

18. "Owner" means any person, partnership, association or corporation who possesses or harbours a dog. "Own", "owns" or "owned" have a corresponding meaning.

19. "Potentially Dangerous Dog" means a dog that in the absence of any mitigating factor, chases or approaches any person or domestic animal anywhere other than on the property of its owner, in a menacing fashion or apparent attitude of attack, including but not limited to behaviour such as growling or snarling.

20. "Pound" means the place so designated by the Council of the Town of Minto.
21. "Pound Fee" includes any fees or daily charge incurred by the Town of Minto with respect to the enforcement of the provisions of this by-law.
22. "Running at Large" means an animal that is not on the property of the owner and not on a leash and under the control of a person responsible.
23. "Town" means the municipality of The Corporation of the Town of Minto.
24. "Treasurer" means the Treasurer of the Corporation of the Town of Minto.
25. "Waste Management System" means an approved method of collecting, storing and disposal of waste as set out in the Environmental Protection Act, R.S.O. 1990, as amended from time to time and the regulations contained therein.
26. "Zoned" means a land use designation in a Zoning By-law passed under the provisions of The Planning Act.
27. "Zoning By-law" refers to the Town of Minto Comprehensive Zoning By-law 01-86, as amended.

B. Dog Control Officer

1. Council, in each year, shall by Resolution, appoint a Dog Control Officer whose duty it shall be to;
- a) To carry out, enforce and implement the provisions of this By-law.

C. Licensing and Registration Fees

1. a) Every owner of a dog, before the last day of March in each year or within 21 days of becoming the owner of a dog, shall license and register each dog with the Town of Minto.
- b) The owner of a dog or dogs shall pay a fee for any dog license(s) in accordance with the requirements contained in Schedule "A" attached to and forming part of this By-law.
2. Every license issued pursuant to this section shall expire on the 31st day of March the year after it was issued.
3. a) Upon payment of the appropriate license fee for a dog, the Town shall supply the owner with a dog tag and the owner shall keep the tag securely affixed on the dog at all times that the dog is off the property of the owner of that dog until the tag is renewed or replaced.
- b) No person shall remove the tag from a licensed dog, except while the dog is being lawfully used for hunting.
4. Every dog tag shall bear the dog tag number and the year in which it was issued.
5. A record shall be kept by the Clerk of the Town of Minto showing the name and address of the owner and the number of the tag and any other information as may be considered necessary.
6. Upon application for a license, the Town may require the owner to produce a certificate signed by a practicing veterinarian that the dog has been inoculated with an anti-rabies vaccine within a period of twelve (12) months of the date of the application for the license.
7. If required, the applicant for a license for a spayed female or neutered male dog shall produce confirmation from a veterinarian surgeon that such dog has been spayed or neutered.

8. In the event a dog tag is lost, an owner shall apply for a replacement dog tag and shall pay the fee as set out more particularly in Schedule "A" attached hereto.

9. No license or dog tag shall be transferable and the dog tag shall expire and become void upon the sale, death or other disposal of the dog.

10. Notwithstanding subsection C.1.b) herein, an owner of a Guide Dog and/or Special Assistance Dog, upon providing proof that the dog has been trained and certified as such, shall be granted an exemption to the license fee payment requirements contained in Schedule "A" attached to this By-law.

D. Provision of Needs

1. Every person who keeps a dog within the municipality shall provide the animal or cause it to be provided with:

- a) Clean, fresh drinking water readily available and suitable food of sufficient quantity and quality to allow for normal, healthy growth and the maintenance of normal, healthy body weight;
- b) Food and water receptacles kept clean and disinfected and located so as to avoid contamination by excreta;
- c) The opportunity for periodic exercise sufficient to maintain good health, including the opportunity to be unfettered from a fixed area and exercised regularly under appropriate control; and,
- d) Necessary veterinary medical care when the animal exhibits signs of pain, illness or suffering.

2. Every person who keeps a dog which normally resides outside, or which is kept outside unsupervised for extended periods of time, shall ensure the animal is provided with an enclosure that meets the following criteria;

- a) A total area that is at least twice the length of the animal in all directions;
- b) Contains a house or shelter that will provide protection from heat, cold and wet that is appropriate to the dog's weight and type of coat. Such shelter must provide sufficient space to allow the dog the ability to turn around freely and in a normal position;
- c) In an area providing sufficient shade to protect the dog from the direct rays of the sun at all times; and,
- d) Pens and run areas must be regularly cleaned and sanitized and excreta removed and properly disposed.

3. No person may cause a dog to be hitched, tied or fastened to a fixed object where a choke collar or choke chain forms part of the securing apparatus, or where a rope or cord is tied directly around the dog's neck.

4. No person may cause an animal to be hitched, tied or fastened to a fixed object as the primary means of confinement for an extended period of time.

5. No person may cause an animal to be confined in an enclosed space, including a car, without adequate ventilation.

6. No person may transport an animal in a vehicle outside the passenger compartment unless it is adequately confined or unless it is secured in a body harness or other fastening which is adequate to prevent it from falling off the vehicle or otherwise injuring itself.

E. Dogs Running at Large

1. No owner of a dog shall allow or permit such dog to run at large within the limits of the Town of Minto.

2. A dog shall be deemed to be running at large if it is found in any place other than the property of the owner of the dog, and it is not both on a leash and under the control of a competent and responsible person; provided that for a Guide Dog or Special Assistance Dog it is necessary only that it be under the control of a responsible person.

3. Any dog found running at large contrary to this by-law may be seized and impounded and may, after three (3) days have elapsed, excluding the day it was impounded and statutory holidays, be sold, transferred or be euthanized.
4. Any dog seized and impounded and not sold, transferred or euthanized, may be claimed by the owner upon production of a current Town of Minto dog tag and upon payment of a fee to the Town of Minto as set out in Schedule "A".
5. The owner of any dog seized and impounded shall pay the Pound Fee to the Town of Minto as set out in Schedule "A".
6. Subsection E. 3. shall be implemented and acted upon in accordance with the requirements and provisions of Section 20 of the Animals for Research Act, R.S.O. 1990, c. A.22.

F. Kennels

1. Notwithstanding Subsection C. 1., every owner/operator of a new Kennel shall apply for and obtain a Kennel license prior to the commencement of the Kennel operation. Every owner/operator of an existing Kennel shall, before the end of business on the last day of March in each year, apply for and obtain a new Kennel license in accordance with Schedule "B" attached hereto and shall pay the Kennel license fees in accordance with the requirements contained in Schedule "A" attached hereto.
2. The fee for a Kennel license shall cover all dogs owned and maintained by the kennel owner/operator.
3. Each Kennel shall comply with all applicable requirements of the Town of Minto Zoning By-law 01-86, as amended, and comply with all provisions of this By-law. Notwithstanding the foregoing, any Kennel which was issued a valid 2004 Kennel license by the Town of Minto but does not comply with the following provisions of this By-law for Kennels, shall be deemed to comply with them but only the limit of non-compliance therewith as of the date of the passing of this By-law: that is the maximum limit of twenty-five (25) dogs; the minimum Kennel separation distance provided for in paragraph 6 below; and minimum property size. Attached to this By-law as Schedule "C" are the Kennels licensed in 2004 and inspected by a Dog Control Officer.
4. An application for a Kennel License or renewal shall be submitted on the prescribed form being Schedule "B" to this By-law or as otherwise provided by the Town, including a detailed site plan and with the appropriate fee and any other information deemed required to the Clerk.
5. All new licenses and renewal licenses for a Boarding Kennel or a Breeding Kennel in the Town of Minto will only be approved after a Dog Control Officer has inspected and approved the premises ensuring the compliance with this By-law. Inspection fees charged by the Dog Control Officer are to be paid by the applicant at the time of the application in accordance with the fees as set out in this By-law on Schedule "A".
6. No Kennel, or facility or structure used in connection therewith, may be located within a zone other than an 'A' – Agricultural Zone and a distance of 150 metres (492 feet) of any adjacent property owners habitable building or buildings for the keeping of livestock.
7. The owner/operator of a Kennel shall provide acoustical barriers where necessary, as determined by the Inspector. Acoustical barriers are to be set out on the detailed site plan drawing and submitted with the application for Kennel License and may include, but it's not limited to solid fence and/or natural buffer of trees and/or mound of earth.

8. a) After having given thirty (30) days' notice in writing, the Town may, at any time, cancel a kennel license when it is of the Town's opinion that the continued operation of the kennel is not in the best interest of the Town. Such grounds for cancellation may include unresolved problems of noise, sanitation, care of dogs or uses other than permitted by the kennel license, as determined by the Town.

b) The aforesaid written notice shall state that the owner of the kennel shall have the opportunity to make submissions to Council, either written or in person, as to why the kennel license should not be rescinded. Said submissions to Council must be made and delivered prior to the expiration of the 30 days notice of cancellation.

c) The written notice described in Subsection a) above shall be delivered in person or by registered mail to the registered owner of the kennel.

d) Submissions to Council described in Subsection b) above shall be delivered in person or by registered mail to the Clerk of the Town of Minto.

9. The Clerk or Inspector of the Town of Minto reserves the right to refuse to issue a kennel license to any person or persons.

10. No person shall operate or continue to operate a Kennel without a valid Kennel license.

11. All Kennel Licenses shall be valid for a one year period commencing March 31st in the year of issuance, regardless of the date of issuance, and expiring on March 31st of the immediate following year.

12. Kennel Licenses shall be issued by the Clerk of the Town of Minto or By-law Enforcement Officer once he/she is satisfied that the information required in Subsection F. 4. has been submitted, is in compliance with the Town of Minto Zoning By-law 01-86, as amended, is within the specific standards for Kennels as contained in this By-law and has been inspected by a Dog Control Officer.

13. Kennels shall be owned, managed and/or operated by the property owner on which the kennel is located and the kennel owner/operator/manager shall reside on the subject property.

14. Property owners must have an area of land containing 4.04 hectares (10 acres) or more upon which to operate a Kennel.

G. Kennel Conditions

1. Every person who owns or operates a Kennel shall have regard to the guidelines set out in the most current version of "A Code of Practice for Canadian Kennel Operations" of the Canadian Veterinary Medical Association".

2. No person who owns or operates a Kennel shall keep dogs in an unsanitary condition. Conditions shall be considered unsanitary where the keeping of the dogs results in any of an accumulation of faecal matter, an odour, insect infestations, or rodent attractants which endanger the health of the animal, any person or property.

3. Every person who owns or operates a kennel shall provide the animals under care, or cause them to be provided with:

a) Clean, fresh drinking water available and suitable food of sufficient quantity and quality to allow normal, healthy growth and the maintenance of normal, healthy body weight;

b) Food and water receptacles kept clean and disinfected and located so as to avoid contamination by excreta;

c) The opportunity for periodic exercise sufficient to maintain good health including the opportunity to be unfettered from a fixed area and exercised regularly under appropriate control;

d) Necessary veterinary medical care when any animal exhibits signs of pain, illness or suffering;

e) Every animal enclosure shall provide the animal with protection from heat, cold and wet and be of sufficient size to allow the animal the ability to turn around freely and lie in a normal position; and,

f) Every run or pen area must be regularly cleaned and sanitized and excreta removed and properly disposed of daily.

4. The kennel shall have a manure receptacle for the storage of dog waste. All kennel owners shall comply with the provisions of the Environmental Protection Act, R.S.O. 1990 and all Regulations thereto with respect to waste management systems, including but not limited to the collection and disposal of waste.

H. Breeding Kennel Conditions (In addition to G. above.)

1. Every Breeding Kennel shall maintain the whelping bitch in separate accommodation from the balance of the dogs in the kennel.
2. The whelping box shall be constructed with four sides and a floor made from impermeable materials.
3. Adequate supplemental heat shall be provided at all times.
4. All breeding kennels shall provide sufficient designated space for the proper enrichment and socializing of puppies to be offered for sale.

I. Records

1. Every person who operates a Kennel shall maintain records of the following minimum information:
 - a) The names and addresses of the owners of all dogs cared for at the kennel;
 - b) The dates of arrivals and departures of individual dogs from the kennels;
 - c) Breeding and identification records of all whelping bitches and stud dogs and the resulting litters;
 - d) The names and addresses of the purchasers of individual puppies; and,
 - e) Veterinarian records on individual dogs maintained in breeding kennels must be kept on site. Vaccination records must be provided to the kennel owner of individual dogs maintained in boarding kennels.

J. Kennel Inspections/Posting of License

1. Every person who holds a kennel license or the owner/operator of the kennel shall, at all reasonable hours, be open to inspection by the Dog Control Officer and/or the By-law Enforcement Officer as appointed by Council. The Ontario Society for the Prevention of Cruelty to Animals, such other persons trained in the area of disease control and sanitation or a Veterinarian may inspect with and at the request of the Dog Control Officer or By-law Enforcement Officer.
2. Every person who holds a license or the owner/operator of the kennel shall keep the license posted up in some conspicuous place on the premises and shall, when so requested by any person authorized by the Town, produce such license for inspection.

K. Dog Waste

1. The owner of a dog or the responsible person in control of the dog, except a Guide Dog, shall remove forthwith and dispose of in a sanitary manner any excrement left by the dog under his or her control anywhere in the Town other than the premises of the owner of the dog.

L. Leashing, Muzzling and Containment Requirements

1. a) The owner or person in control of a dog shall exercise reasonable precautions to prevent it from biting or attacking a person or domestic animal or behaving in a manner that poses a menace to the safety of persons or domestic animals.
b) Every owner of a dog after it has bitten a person or a domestic animal shall ensure that the dog is muzzled and restrained while said dog is on any property within the Town of Minto including on the premises of the owner of the dog, unless the dog is inside the dog owners dwelling unit.

c) In accordance with subsection 105(1) of the Act, the Council of the Corporation of the Town of Minto shall, upon request of the owner of the dog, hold a hearing to determine whether or not to exempt the owner in whole or in part from the provisions of Clause L. 1. b).

2. a) An owner of a dog, when such dog is on the property of the owner or on the property of some other person with such person's consent, shall keep the dog from leaving such property on its own by means of:

- i) Enclosure,
- ii) Containment within a fenced area, within an area enclosed by a properly operating electrical, radio or invisible fencing mechanism; or,
- iii) Physical restraint of the dog by chain or other similar means.

b) Despite Clause L. 2. a), an owner of a dog, when such dog is on the property of the owner or on the property of some other person with such person's consent and where such lands are zoned agricultural, shall keep the dog from leaving such property on its own by those or any other reasonable means.

3. Where the Dog Control Officer designates a dog as a Potentially Dangerous Dog, the Dog Control Officer shall serve notice upon the owner of such dog requiring the owner, upon receipt of such notice to comply with the following requirements, as determined by the Dog Control Officer:

- a) To keep such dog, when it is on the lands and premises of the owner, confined:
 - i) Within the owner's dwelling; or,
 - ii) In an enclosed pen of sufficient dimension and construction to provide humane shelter for the dog while preventing the entry therein of unsupervised children.
- b) To securely attach a muzzle to such dog at all times when it is not on the property of the owner or on the property of another person with such person's consent, subject to the said provisions of subsection 105(1) of the Act;
- c) To obtain and maintain in force a policy of public liability insurance issued by an insurer licensed by the Province of Ontario providing third party liability coverage in an amount of not less than \$1,000,000.00 for any damage or injury caused by such potentially dangerous dog and provide to the Dog Control Officer a certificate of such policy and each subsequent renewal thereof. Such policy shall contain a provision requiring the insurer to immediately notify the Dog Control Officer should the policy expire, be cancelled or be terminated for any reason; and,
- d) To permit the Dog Control Officer to insert a microchip implantation in such dog, at the dog owner's expense for the purpose of identifying such dog as a Potentially Dangerous Dog.

4. Where the Dog Control Officer designates a dog as a Dangerous Dog, the Dog Control Officer shall serve notice upon the owner of such dog requiring the owner, upon receipt of such notice to comply with the following requirements, as determined by the Dog Control Officer:

- a) To keep such dog confined within the owner's dwelling, or in an enclosed pen of sufficient dimension and construction to provide humane shelter for the dog while preventing the entry therein of unsupervised children;
- b) To securely attach a muzzle to such dog at all times when it is not confined in accordance with Clause L. 4. a);
- c) To obtain and maintain in force a policy of public liability insurance issued by an insurer licensed by the Province of Ontario providing third party liability coverage in an amount of not less than \$1,000,000.00 for any damage or injury caused by such Dangerous Dog and provide to the Dog Control Officer a certificate of such policy and each subsequent renewal thereof. Such policy shall contain a provision requiring the insurer to immediately notify the Dog Control Officer should the policy expire, be cancelled or be terminated for any reason; and,
- d) To permit the Dog Control Officer to insert a microchip implantation in such dog for the purpose of identifying such dog as a Dangerous Dog.

5. Such owner of a dog that has bitten a person or domestic animal shall display a sign at each entrance to the property and building in which the dog is kept warning in writing, that there is a Dangerous Dog on the property. This sign shall be visible and legible from the nearest road or thoroughfare.

6. The notice referred to in Subsections L. 3. and L. 4. hereof shall include:

- a) A statement that the Dog Control Officer has reason to believe that the dog is a Potentially Dangerous or Dangerous Dog, as the case may be;
- b) The requirements that the owner must comply with in accordance with this section and when such requirements take effect; and,

c) A statement that the owner may request, within three working days of receipt of the Dog Control Officer's notice and is entitled to a hearing by the Council of the Corporation which may affirm, amend or rescind the Dog Control Officer's designation of the dog as Potentially Dangerous or Dangerous, as the case maybe. Council may substitute its own designation and/or its own requirements/conditions on the owner of a Potentially Dangerous or Dangerous Dog pursuant to Subsections L. 3. or L. 4. and L. 5.

7. Where the owner of a dog receives a notice from the Dog Control Officer designating such dog as a Potentially Dangerous or Dangerous Dog and so requests in writing to the Clerk of the Town within three working days of receipt of such notice, Council shall hold a hearing pursuant to the provisions of the Statutory Powers Procedures Act within 15 working days of the Clerk's receipt of the request for a hearing and may:

- a) Affirm, amend or rescind the Dog Control Officer's designation of the dog as a Potentially Dangerous Dog or as a Dangerous Dog, as the case may be;
- b) Substitute its own designation of the dog as a Potentially Dangerous or Dangerous Dog, as the case may be; and/or,
- c) Substitute its own requirements/conditions of the owner of a Potentially Dangerous Dog pursuant to Subsections L. 3., or L. 4. and L. 5.

8. The Dog Control Officer may either on his/her own initiative or as a result of a complaint received by the Dog Control Officer from a resident of the Town of Minto, conduct an inquiry into whether a dog should be designated a Potentially Dangerous or Dangerous Dog, as the case may be.

9. The requirements of Subsections L. 3., L. 4. and L. 5. which may be imposed on a dog owner by the Dog Control Officer pursuant to such Subsection shall not be required, until either the time for appeal under Subsection L. 3., L. 4. and L. 5. has elapsed without the dog owner requesting an appeal pursuant to those Subsections or Council has ordered such requirements, whichever occurs earlier.

10. An owner of a dog which has been designated a Potentially Dangerous or Dangerous Dog pursuant to this By-law, shall advise the Dog Control Officer immediately if he/she transfers ownership of such dog to another person or changes the address at which such dog is kept and furnish the Dog Control Officer with particulars of same.

11. Any notices served by the Dog Control Officer or requests for hearings made by an owner pursuant to this By-law shall be provided by hand delivery or registered mail and in the event of service by registered mail, shall be deemed served on the fifth working day after the date of mailing.

12. Notwithstanding Section E., where a Potentially Dangerous or Dangerous Dog has been impounded for any reason, the Dog Control Officer shall not restore the said dog to its owner or to any other person unless the Dog Control Officer is satisfied that the person to whom the dog is to be restored is aware of and is in compliance with the provisions of Subsection L. 3., L. 4. and L. 5., as the case may be. All fees required by Schedule "A" are to be paid to the Town prior to restoration of an impounded dog to its owner of a Potentially Dangerous or Dangerous Dog for any length of time it maybe held in the pound pursuant to this Section.

13. Where the owner of a Potentially Dangerous or Dangerous Dog which has been impounded is unable to demonstrate compliance with the provisions of Subsection L. 3., L. 4. or L. 5., as the case may be, to the reasonable satisfaction of the Dog Control Officer or refuses to do so, the Dog Control Officer, after a reasonable period of time, may sell or otherwise dispose of the dog in accordance with this By-law.

14. Whenever this By-law requires a dog to be leashed, the leash shall not exceed 1.98 metres (6'-6") in length.

15. No owner shall permit the dog, whether leashed or unleashed, to trespass on private property.

16. Whenever a dog is restrained by a leash on the owner's property, the leash shall be of sufficient length to permit free movement of the dog.

M. Additional Matters Including Number of Dogs Limitation

1. The Town, its agents, Dog Control Officer, By-law Enforcement Officer and the Poundkeeper shall not be liable for damages or compensation for any dogs injured or killed under the provisions of this By-law and no such damages or compensation shall be paid to any person.

2. Subject to the provisions of this By-law applicable to Kennels which allow a maximum of twenty-five (25) dogs, no owner or occupier of a premises in the Town of Minto shall possess or harbour more than three (3) dogs on any one property save and except that this By-law shall not apply to:

- a) An animal hospital or veterinarian clinic;
- b) A pet store;
- c) An Ontario Humane Society shelter or the Pound designated by this By-law; or,
- d) Dogs under the age of twelve (12) weeks in age.

3. No owner of a dog shall permit the dog to make any noise likely to disturb the inhabitants of the Town of Minto for a period that exceeds 30 minutes.

N. Fees

1. Every owner of a dog or of a Kennel shall pay the fees set out in the Schedule "A" to this By-law in accordance with the requirements of this By-law.

O. Penalty Provisions

1. No person shall hinder or obstruct an inspector, Dog Control Officer or By-law Enforcement Officer in the enforcement of this by-law.

2. Any person who contravenes any provision of the By-law is guilty of an offence and upon conviction shall be liable to a penalty and costs as provided for in the Provincial Offences Act, R.S.O., 1990 c. P.33, as amended.

P. Severability

1. Each and every one of the foregoing provisions of the By-law is severable and if any provisions 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 one of the then remaining provisions shall remain in full force and effect.

Q. Repeal of By-laws

1. This By-law hereby repeals By-law 05-12.

Read a first, second, third time and finally passed in open Council this 3rd day of May 2016.

Mayor – George Bridge

C.A.O. Clerk – Bill White

Town of Minto

Dog Licensing By-law 2016-31

Schedule “A”

For a license issued with respect to a dog, the license fee shall be as follows;	Before April 1	After March 31
1 a. Per dog for the first, second and third dog	\$20.00	\$35.00
1 b. Per dog for dogs picked up without a current tag	\$50.00	\$50.00
1 c. Fee for a dog impounded for a dog impounded (payable to the Town	\$80.00 + \$15.00/Day	\$80.00 + \$15.00/Day

Note: The lower fee as set in row 1.a shall apply if such fees are paid within fifteen (15) days of the dog becoming twelve (12) weeks old or upon moving into the municipality.

	Before April 1	After March 31
Fee for replacement of lost dog tag	\$5.00	\$5.00
Fee for Kennel license	\$150.00	\$200.00
Inspection fee by Provincial Offences Officer	\$75.00	\$75.00

Is this application a license renewal? ☐ New application ☒

Town of Minto
Dog Licensing By-law 2016-31

Schedule "B"

Application for New Kennel License or Kennel License Renewal
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Further information regarding the processing of your application can be obtained by contacting the Town of Minto office at (519) 338-2511.

Affidavit or Affirmation

I, _____ of the Town of Minto, in the County of Wellington do solemnly declare or do affirm that all the statements contained in this application are true and I make this declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath and by virtue of the Canada Evidence Act.

Signature of
applicant

Office use:
Date received: _____
Receipt No. _____
Property file no. _____

Is there a site plan attached? o yes o no

Has the Provincial Offences Officer inspected the property o yes o no

Town of Minto approval:

I hereby certify that the application for a kennel license is hereby

(approved)

(denied)

The Corporation of the Town of Minto

Clerk's Department/By-Law Officer

For office use:
Kennel# _

Date Issued _ Entered on list _

**Town of Minto
Dog Licensing By-law
Schedule "C"**

Properties referred to in Section F. 3.

Location	Legal Description	Roll Number
9353 Pike Lake Rd.	Con. 10 Pt. Lot 10	23-41-000-003-05400-0000
5652 14 th Line	Con. C Pt. Lot 70	23-41-000-002-18900-0000
5658 Hwy 9	Con. C Pt. Lot 74	23-41-000-002-21100-0000
9449 Road 1 N	Con. 12 Pt. Lot 5	23-41-000-003-09501-0000
5380 Hwy 9	Con. C Pt. Lot 63	23-41-000-002-09850-0000
5571 7 th Line	Con. 6 Pt. Lot 33	23-41-000-001-12800-0000
66315 Hwy 89	Con. 14 Pt. Lot 17	23-41-000-003-12200-0000
6734 6 th Line	Con. 7 Pt. Lots 2&3	23-41-000-004-17400-0000
5609 14 th Line	Con. C Pt. Lot 71 RP60R2518 Pts 1&2	23-41-000-002-21360-0000
5790 Well. Rd.4	Con. 1 PT. Lot 27	23-41-000-001-02200-0000
6693 Well. Rd. 109	Con. D Pt. Lot112	23-41-000-004-03000-0000
5933 3 rd Line	Con. 2 W Pt. Lot 24	23-41-000-001-05600-0000
8927 School Rd 7	Con. 4 Pt. Lot 35	23-41-000-001-08950-0000
5477 Well. Rd. 2	Con. 17 Pt. Lot 36	23-41-000-002-14900-0000
9820 Ski Rd.	Con. 17 Pt. Lot 21 RP60R2681 Pt. 1	23-41-000-002-12850-0000
5691 14 th Line	Con. 14 Lot 30	23-41-000-002-20000-0000

Town of Minto
Set Fine Application
Part 1 Provincial Offences Act

By-law 2016-31, a by-law to Regulate and License the Keeping of Dogs and Dog Kennels in the Town of Minto.

Item	Column 1, Short form wording	Column 2, Offence creating provision	Column 3, Set fine (including costs)
1	Fail to license dog	Section C.1.a)	\$100.00
2	Fail to keep dog tag affixed on dog	Section C.3.a)	\$100.00
3	Use of dog tag issued for one dog on a different dog	Section C.9	\$100.00
4	Fail to provide clean, fresh drinking water and suitable food	Section D.1.a)	\$200.000
5	Fail to provide clean food and water receptacles	Section D.1.b)	\$200.00
6	Fail to provide the opportunity for periodic exercise	Section D.1 c)	\$200.00
7	Fail to provide necessary veterinary medical care	Section D.1.d)	\$300.00
8	Fail to provide an outside enclosure with adequate area	Section D.2.a)	\$200.00
9	Fail to provide a house or shelter	Section D.2.b)	\$200.00
10	Fail to provide an area with sufficient shade	Section D.2.c)	\$200.00
11	Fail to clean and sanitize pens and run areas.	Section D.2.d)	\$200.00
12	Hitch, tie or fasten a dog to a fixed object with a choke collar/chain.	Section D.3.	\$200.00
13	Cause an animal to be hitched, tied or fastened for extended time period.	Section D.4.	\$200.00
14	Cause an animal to be confined in an enclosed space without proper ventilation.	Section D.5.	\$200.00
15	Transport an animal in a vehicle outside the passenger compartment.	Section D.6.	\$100.00
16	Allow or permit dog to run at large	Section E.1.	\$200.00
17	Fail to pay Pound Fee	Section E.5.	\$200.00
18	Fail to obtain a Kennel License.	Section F.1.	\$500.00
19	Operate or continue to operate a kennel without a valid Kennel License.	Section F.10.	\$500.00
20	Fail to provide adequate drinking water.	Section G.3.a)	\$200.00
21	Fail to provide clean food and water receptacles.	Section G.3.b)	\$200.00
22	Fail to provide the opportunity for periodic exercise.	Section G.3.c)	\$200.00
23	Fail to provide necessary veterinary medical care.	Section G.3.d)	\$200.00
24	Fail to provide an enclosure with protection from heat, cold and wet.	Section G.3.e)	\$200.00
25	Fail to provide a run or pen regularly cleaned and sanitized and excreta removed and properly disposed	Section G.3.f)	\$200.00

	of daily.		
26	Fail to maintain the whelping bitch in separate accommodation.	Section H.1.	\$200.000
27	Fail to provide a whelping box of proper construction.	Section H.2.	\$200.00
28	Fail to provide adequate supplemental heat at all times.	Section H.3.	\$200.00
29	Fail to provide sufficient designated space.	Section H.4.	\$200.00
30	Fail to maintain proper records.	Section I.1.	\$200.00
31	Fail to remove and dispose of in a sanitary manner any excrement.	Section K.1.	\$200.00
32	Fail to exercise precautions to prevent biting or attacking a person or domestic animal.	Section L.1.a)	\$500.00
33	More than 3 dogs per dwelling	Section M.2.	\$100.00
33	Permit dog to make noise likely to disturb.	Section M.3.	\$200.00
34	Obstruction.	Section O.1.	\$500.00

Note: The penalty provision of the offences indicated above is section O.1. of by-law No. 2016-31, a certified copy of which has been filed.