

THE CORPORATION OF THE TOWNSHIP OF CHATSWORTH

BY-LAW 2005-28

DOG CONTROL BY-LAW

Whereas section 210 of the Municipal Act R.S.O. 1990 , Chapter M45 as amended provides that Councils of Municipalities may pass by-laws for the registration and licensing of dogs and prohibiting or regulating the running at large of dogs and for requiring the owner of a dog to keep the dog leashed and under control on land in the Municipality other than that of the owner ;

NOW THEREFORE the Municipal Council of the Township of Chatsworth enacts as follows;

PART I

DEFINITIONS

1. For the purpose of this by-law,
 - (a) "dog" means a male, female, spayed female or neutered male dog.
 - (b) license shall be deemed to be the receipt issued by the Township of Chatsworth or an authorized agent of the Township upon registration of a dog or kennel and payment of the appropriate license fee.
 - (c) "owner" of a dog includes a person who possesses or harbors a dog and owns and "owned" have corresponding meanings.
 - (d) "purebred" means
 - (i) registered or eligible for registration in the register of the Canadian Kennel Club Incorporated, or
 - (ii) of a class designated as pure- bred in regulations made pursuant to the Municipal Act.
 - (e) "Animal Control Officer" or "Pound keeper" means a person appointed from time to time by the Council of the Corporation of the Township of Chatsworth to enforce the provisions of this By-Law and includes any person, company or association who enters into a contract with the Township of Chatsworth to control dogs and to maintain a dog pound and any servant or agent of such person, company or association.

PART II

ENFORCEMENT

2. The provisions of this by-law shall be enforced by a police officer, an animal control officer, a pound keeper or other person or persons authorized by the Council of the Township of Chatsworth, to enforce the provisions of this by-law.
3. Any person who violates a provision of this by-law is guilty of an offense and on conviction is liable to the penalty provided by the Provincial Offenses Act, R.S.O. Chapter P33 as amended.
4. The owner of a dog in the Township of Chatsworth shall within ten days after the dog comes into their possession cause the dog to be registered and licensed at the office of the Treasurer of the Township of Chatsworth for the balance of the calendar year. Following the initial registration and licensing, the dog owner shall re-register and re-license each dog in their possession for the current calendar year.
5. All license fees shall be due and payable on the 15th day of January of each calendar year and the annual fees are shown in the Township of Chatsworth by-law that provides for the imposition and collection of fees and charges for certain Municipal Services and Activities.

6. No person shall register a dog which is not pure-bred as part of a kennel of pure bred dogs.
7. Any person who gives false information on a dog, dogs or a kennel of dogs commits an offence and any registration or license issued as a result of such false information is forthwith null and void.
8.
 - (a) On payment of the appropriate license fee(s) referred to in section 5, the owner be provided with a dog tag bearing a serial number and the year for which the tag was issued, for each dog registered and licensed.
 - (b) the owner shall keep the current tag securely fixed on the dog at all times.
 - (c) a record shall be kept by the Treasurer of the Municipality or other designated person showing the name and address of the owner and the serial number of the tag.
 - (d) no person shall use a tag on a dog other than the dog for which the tag was issued.
 - (e) a registration, license or tag is not transferable and shall expire on the sale, death or other disposal of the dog, and
 - (f) no person shall remove a tag from a licensed dog.
 - (g) every person making application for a license for a spayed female or a neutered male shall produce a certificate of a veterinary surgeon that such dog has been neutered or spayed.
9. The provisions of this part do not apply to a pup under the age of 12 weeks.

PART IV

CONTROL OF DOGS

10. No person shall have a dog on public property in the Hamlets of Desboro, Williamsford, Holland Centre, Berkeley, Walters Falls, Massie or the former Village of Chatsworth or on any roadway or other public property within the Township of Chatsworth unless the dog is on a leash.
11.
 - (a) No person shall allow a dog to run at large in the Township of Chatsworth and a dog shall be deemed to be running at large when found in any place other than the residence of the owner and not under control of a person.
 - (b) All female dogs shall be confined within an enclosed building when the dog is in heat.
12. A dog which is found to be running at large contrary to the provisions of section 11, may be seized and impounded. A dog which is impounded shall be held for a period of not less than three(3) days exclusive of Saturday, Sunday or Public Holiday and if not claimed may be sold, destroyed or otherwise disposed of at the discretion of the Pound keeper.
13.
 - (a) No householder shall keep or permit any other person to keep in or upon any lands, buildings or premises at any time, more than three(3) dogs unless such person has obtained a kennel license.
 - (b) no householder shall keep or permit any other person to keep in or upon any lands, buildings or premises at any time, more than two (2) dogs in the Hamlets of Desboro, Williamsford, Holland Centre, Berkeley, Walters Falls, Massie, Keady, the former Village of Chatsworth and surrounding built up residential area, the residential areas surrounding Williams Lake, McCullough Lake, Connell Lake, Robson Lake, Minkes Lake, Paisley Park, Scone, Chatsworth Road 24 between Highway 6 and Concession 2, EGR .
14. No person may locate a kennel closer than 1000 feet from a neighboring residential structure.
Existing kennels at December 31, 1999 are grandfathered and when the property changes ownership , the kennel license becomes null and void.

15. The Owner of a dog shall immediately remove and dispose in a waste container or by any other sanitary means, any excrement deposited by such dog on any place off the owners property, in the areas designated on the zoning bylaw mapping of the Municipality, in the hamlets of Desboro, Williamsford, Holland Centre, Berkeley, Walters Falls, Massie, Keady, the former Village of Chatsworth and surrounding built up area, the residential area surrounding McCullough Lake, Connell Lake, Robson Lake, Minkes Lake, Paisley Park, Scone, Chatsworth Road 24 between highway 6 and concession 2, EGR.
16. When a dog is found running at large in the Township of Chatsworth and the dog cannot be seized or a danger exists to attempt seizure and the dogs presence in the location in which it is found causes a danger or nuisance, a person authorized to enforce the provisions of this by-law may kill the dog or instruct another person to kill the dog as safely and humanely as possible in all of the circumstances.
17. Where the identity of the owner of an impounded dog or a dog destroyed under the provisions of section 16 is known, the owner shall be notified and notice is sufficiently given personally, either orally or in writing, or if sent by prepaid first class mail to the last known address of the owner. If the dog or body is not claimed within three(3) days exclusive of Saturday, Sunday or Public Holidays, the dog may be sold, destroyed or otherwise disposed of and the owner is liable for all costs incurred.
18. Seeing eye dogs are exempt from the provisions of this by-law.
19. That By-Laws 2000-16 and 2001-20 are hereby rescinded upon the final approval of the set fines by the Chief Justice.
20. That this By-Law shall come into force and take effect upon the final approval of the set fines by the Chief Justice.

READ A FIRST TIME AND SECOND TIME THIS 20 DAY OF APRIL, 2005.

Mayor Howard Hey Clerk Al Rosenberg

READ A THIRD TIME AND FINALLY PASSED THIS 20 DAY OF APRIL, 2005.

Howard Hey MAYOR Al Rosenberg CLERK

SUBMITTED FOR
THE ESTABLISHMENT OF SET FINES
UNDER PART 1 OF THE
PROVINCIAL OFFENCES ACT

Submitted by
The Corporation of the Township of Chatsworth
BY-LAW NUMBER 2005-28
Dog Control By-Law

CONTENTS

1. Short form wordings
2. Short form wordings including suggested set fines
3. Certified copy of By-Law 2005-28 "Dog Control By-Law"

Corporation of the Township of Chatsworth By-Law 2005-28 as amended, Dog Control By-Law

Item	Column 1 Description of Offense	Column 2 Provision Creating Offense	Column 3 Set fines including costs
1.	Dog owner fail to license Current Year	Section 4	\$125.00
2.	Register non pure-bred dog as part of kennel	Section 6	\$125.00
3.	Give false information on dog	Section 7	\$125.00
4.	Owner fails to fix tag on dog	Subsection 8(b)	\$125.00
5.	Use tag on dog other than a dog for which the tag was issued	Subsection 8(d)	\$125.00
6.	Remove tag from licensed dog	Subsection 8(f)	\$125.00
7.	Fail to leash dog on private property	Section 10	\$125.00
8.	Allow dog to run at large	Section 11	\$125.00
9.	Have more than 3 dogs without kennel license	Section 13(a)	\$125.00
10.	Have more than 2 dogs in a hamlet or built up residential areas	Section 13(b)	\$125.00
11.	Operate a kennel closer than 1000 feet from residential structure	Section 14	\$125.00
12.	Dog owner fails to remove and dispose of dog excrement	Section 15	\$125.00

The general penalty provision for the offences indicated above is section 3 of By-law 2005-28, a certified copy of which has been filed.