

THE MUNICIPALITY OF CENTRAL MANITOULIN

ANIMAL CONTROL BY-LAW #2022-12

BEING A BY-LAW for the licensing and requiring the registration of dogs and for the control and keeping of dogs within The Municipality of Central Manitoulin.

WHEREAS Councils of municipalities have the authority under Section 11 of the Municipal Act, 2001, to pass by-laws respecting matters within various spheres of jurisdiction, including “animals”;

AND WHEREAS the Council of the Municipality of Central Manitoulin deems it advisable to enact this By-law for the purposes of prohibiting dogs “being at large,” for the purpose of requiring the removal of dog waste, and for the purposes of generally regulating the keeping of dogs in the Municipality;

AND WHEREAS Councils of municipalities may prohibit and regulate with respect to public nuisances, including matters that, in the opinion of Council, are or could become or cause public nuisances;

NOW THEREFORE the Council of the Municipality of Central Manitoulin enacts as follows:

1. **Short Title:** The short title of this by-law is “Animal Control By-law”.
2. **Enforcement of By-law:** The By-law shall be enforced by the “Animal Control Officer” or any By-law Enforcement Officer designated by the Municipality.
3. **Definitions:**
 - (1) “**Animal Control Officer**” shall mean the person appointed under the provisions of this By-law as an Animal Control Officer;
 - (2) “**Running at Large**” shall mean when a dog is found in any place other than the premises of the owner of the dog and not under the control of any person;
 - (3) “**Distress**” means the state of being in need of proper care, water, food or shelter or being injured, sick or in pain or suffering or being abused or subject to undue or unnecessary hardship, privation or neglect.
 - (4) “**Dog**” shall mean a male or female dog;
 - (5) “**Guide Dog**” shall mean a dog that is trained to aid the visually challenged and hearing impaired and is in active use of such purposes;
 - (6) “**Housing Pen**” means an enclosed yard, cage area, kennel or other outdoor enclosed area in which a dog is contained and which is not large enough to provide sufficient space for the dog to run at its top speed;
 - (7) “**Kept Outdoors**” in relation to a dog, means kept outdoors continuously for 60 or more minutes without being in the physical presence of its owner or custodian;
 - (8) “**Kennel**” shall mean a building, structure or fenced area (or part of) where dogs are kept, raised, boarded and used for commercial purposes including but not limited to the keeping of rescued animals and operating Doggie daycares;
 - (9) “**Kennel Licence**” means a certificate issued by the Clerk or designate of the Municipality upon fulfilling the requirements of the by-law and by payment of the appropriate fee;
 - (10) “**Leash**” means a chain, rope, or other restraining device of not more than two (2) meters;
 - (11) “**License**” shall mean a valid dog tag purchased through the Municipality;

- (12) **“License Issuer”** means the Clerk or designate of the Municipality;
- (13) **“Livestock”** means sheep, pigs, goats, cattle, horses, mules, ponies, donkeys or poultry;
- (14) **“Livestock guardian dog”** means a dog that (a) is identifiably of a breed this is generally recognized as suitable for the purposes of protection of livestock from predation, and (b) lives with a flock or herd of livestock;
- (15) **“Muzzle”** means a humane device designed to fit over the mouth of a dog to prevent a dog from biting. A “muzzled dog” means a dog wearing a muzzle in the manner anticipated by the manufacturer of the muzzle;
- (16) **“Owner”** of a dog includes a person who possesses or harbors a dog and owns and owner have corresponding meaning, and where the owner is a minor, the person responsible for the custody of the minor;
- (17) **“Noise”** shall mean barking, crying or howling;
- (18) **“Tether”** means a rope, chain, or similar restraining device that is attached at one end to a fixed object and, for greater certainty, does not include a leash or restraining device that is held by a person and shall not be less than 2.4 meters in length.
- (19) **“Vicious Dog”** means a dog which has been declared to be vicious pursuant to Part 5 Section 27 of the By-law;
- (20) **“Working Dog”** means a dog trained, kept and utilized for work purposes including, but not limited to livestock handling and /or guarding, pest and predator control, recreational dog sled use and police or rescue dogs;

PART 1 – LICENSING

- 4. No person in the Municipality shall own, harbour or possess a dog unless or until they have procured a licence to do so as herein provided and every owner of a dog shall be subject to the provisions of this By-law.
- 5. No person shall keep more than the following number of dogs per location anywhere in the Municipality of Central Manitoulin:
 - (a) In all areas of the Municipality having a lot area of less than 0.4 ha (1 acre) the maximum number of dogs permitted per household shall be two (2).
 - (b) In all areas of the Municipality having a lot area of equal to or more than 0.4 ha (1 acre) the maximum number of dog permitted per household shall be (3).
 - (c) In all areas of the Municipality having a multi dwelling unit the maximum number of dogs permitted per unit is two (2).
 - (d) Only one (1) Dangerous or Potentially Dangerous Dog is permitted per property at any one time.
- 6. A licence shall be procured and renewed pursuant to this By-law by applying to the Municipality for said licence or renewed licence as the case may be and by paying the Licence fee.
- 7. Any licence procured, issued or renewed pursuant to this By-Law shall be in the form of a dog tag.
- 8. The Municipality is designated to keep a record showing the following dog licence registration information:
 - (1) name and address of dog owner;
 - (2) serial number of tag;
 - (3) date of registration;

- (4) description of dog;
 - (5) amount of fee paid upon registration.
 - (6) every application shall be accompanied by the following:
 - (a) description of dog including colour, breed and name;
 - (b) certification or letter from a qualified veterinarian that the dog has been spayed or neutered if applicable;
 - (c) applicable fee;
- 9.** (1) The owner shall keep the dog tag securely fixed on the dog at all times until the tag is renewed or replaced, but the tag may be removed while the dog is within the premises of the owner. Failure to do so constitutes a breach of the by-law.
- (2) No owner of a dog shall use a tag on a dog other than that for which it was issued.
- (3) No person shall unlawfully remove a dog tag from a licensed dog.
- 10.** (1) In the event the tag issued for a dog is lost, the owner may obtain a second tag from the Municipality.
- (2) If there is a change in ownership of a dog during the licence year, the licence holder shall notify the Municipality immediately of the change of ownership and the new owner must pay a licence transfer fee for this service. Failure to do so constitutes a breach of this By-law.
- (3) Where a certificate is produced from the Canadian National Institute for the blind or a certificate from a recognized dog guide training school stating that a dog is being used as a guide for a blind person, no fee shall be charged for a licence or tag under this By-law.
- (4) Where a certificate is produced from Hearing Ear Dogs of Canada stating that a dog is being used for the assistance of a deaf person, no fee shall be charged for a licence or tag under this By-law.
- 11.** (1) Every licence issued pursuant to this By-law shall expire on the 31st day of December of the year in respect of which it was issued.
- (2) Every licence shall be renewed yearly on or before the 1st day of April and the fee to be paid to the Municipality.
- 12.** The licence fees to be paid to the Municipality at the time of the issuing of the licence shall be specified in Schedule "A" which schedule is hereby incorporated as part of this By-law.

PART 2 – KENNELS

- 13.** (1) Notwithstanding the provisions of section 11 and 12 above, no person in the Municipality shall own, harbor or possess a kennel until he or she has paid an annual licence fee of five hundred dollars (\$500.00) to the Municipality for the kennel and they are not liable to pay in respect of such dogs any licence fee under this By-law;
- (2) Owners and operators of kennels shall comply with the following regulations:
- 1) Every licence shall be renewed yearly between the 1st day of January and the 1st day of April of the next year, inclusive;
 - 2) The licence shall expire on the 31st day of December of the year of issue;
 - 3) A Kennel shall be permitted only in premises Zoned rural for the purpose of boarding, breeding and fostering of dogs and associated commercial activity;

- 4) In the case of a dog foster or rescue situation, temporary approval may be considered on a case by case basis as exemptions may apply.
- 5) No kennel shall be permitted on a property of less than 5 acres.
- 6) No part of a kennel shall be constructed or maintained closer than 30 meters from the nearest property line of any adjacent residence.
- 7) The kennel building shall have:
 - (1) electric lighting
 - (2) windows which may be opened for proper ventilation
 - (3) a heating system sufficient to adequately heat the building if required
 - (4) hot and cold running water
 - (5) a food preparation area
 - (6) an outside area for exercise enclosed by chain link fence. The wall of an adjacent building may be included as part of such fenced-in area
 - (7) a manure receptacle for the storage of dog waste. All kennel owners shall comply with the provisions of Part V of the Environmental Act, R.S.S.O. 1990 and all regulations thereto with respect to waste management systems, including but not limited to the collection and disposal of waste
- 8) The owner, operator or a person designated by the owner or operator shall attend the kennel at least once every 12 hours and operate such kennel in a professional standard consistent with current legislation.
- 9) Every person who holds a kennel licence or operates Boarding/Breeding facilities for dogs, shall comply with the following requirements:
 - (1) The licence shall be exposed at all times in a conspicuous place in the interior of the premises.
 - (2) The premises shall be maintained in a sanitary, well ventilated, clean condition, and free from offensive odors.
 - (3) The animals shall be kept in sanitary, well bedded, well ventilated, naturally lighted, clean quarters and a healthful temperature shall be maintained at all times.
 - (4) The animals shall be adequately fed and watered and kept in a clean, healthy condition, free from vermin and disease.
 - (5) The Animal Control Officer, Municipal Law Enforcement Officer and any person designated may inspect at any reasonable time any place where the dogs are kept, pursuant to this by-law.
 - (6) If the kennel is found not to conform, to the requirements set out herein, the Animal Control Officer or Authorized agent may direct that the animals be seized and impounded and may revoke the licence issued to the kennel.
 - (7) In addition, every breeding kennel shall:
 - (1) Maintain the whelping bitch in separate accommodations from the balance of the dogs in the kennel;
 - (2) Maintain a whelping box which shall be constructed with four sides and a floor made from impermeable materials;
 - (3) Provide adequate supplemental heat at all times;
 - (4) Provide sufficient designated space for the proper enrichment and socializing of puppies to be offered for sale.

(5) The Animal Control Officer or any other duly authorized person may revoke any licence where the owner or operator of the kennel does not comply with the provisions of this by-law or any applicable Municipal by-laws, provincial or federal statutes or regulations.

(6) Where a kennel licence has been revoked, the kennel owner may apply to the Municipality for a hearing as to whether or not the kennel licence should be revoked. An application for a hearing shall be filed with the Clerk within ten (10) business days of the date of delivery of the written notice that the kennel licence has been revoked.

(3) KENNEL INSPECTIONS

(1) Every person who holds a Kennel licence or the owner/operator of a Kennel shall at all reasonable hours, ensure the Kennel is open to inspection by an officer upon the production of proper identification, or any other person authorized to do so under any Provincial or Federal Legislation.

(2) Every person who holds a Kennel licence or the owner/operator of a Kennel shall post the license in a prominent place in the Kennel and shall, when so requested by the Animal Control Officer or any person authorized by the Municipality, produce such licence for inspection.

(3) If, after request to be granted access to a Kennel, an owner has not granted access to the Officer within 24 hours, the Kennel licence may be suspended or revoked by the Municipality in its sole discretion.

(4) Where the Animal Control or Municipal Law Enforcement Officer finds that the owner or operator of a Kennel does not comply with any regulation in this by-law, he or she may direct that the animals at the Kennel be seized and impounded.

(5) All kennels operating within the Municipality of Central Manitoulin shall maintain dogs in a clean, secure, and humane manner and every owner and operator of a kennel shall ensure that the kennel complies with the standards contained in this by-law.

PART 3 – RUNNING AT LARGE

14. (1) Every owner shall prohibit a dog from running at large or permit a dog to run at large. Failure to do so constitutes a breach of this By-law.

(2) For the purpose of this By-law, a dog shall be deemed to be running at large when found in any place other than the property of the owner of the dog and not under the control of any person.

(3) 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 of a maximum length of two (2) meters held by a person or is not on a leash which is securely affixed to some permanent structure from which the dog cannot escape.

(4) No person shall allow or permit a dog under their control or of which they are 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.

(5) No person shall allow or permit a dog under his control or of which he is the registered owner to be on a public beach whether on a leash or not.

(6) The owner of any dog that is found to have killed livestock or poultry will be held

responsible and shall reimburse the Municipality and or the owner of killed animals for any, and all costs incurred.

(7) A dog shall not be considered to be running at large if it is a Guide Dog, a Working Dog or a hunting dog accompanied by the harboured or other responsible adult and is actively engaged in work on their leased or owned properties or property of handler where work perimeter is expected, or a police dog while carrying out their duties.

15. Every person who is the owner of a dog at a time when the dog fouls a property anywhere within the Municipality, shall forthwith remove, or cause the removal of the excrement from such a property and sanitarily dispose of the excrement. Failure to do so constitutes a breach of this By-law.

16. (1) Subject to subsection five (5) of this section, a Peace Officer, Authorized Agent or Animal Control Officer may:

1) Seize and impound any dog found running at large, and

2) Restore possession of the dog to the owner thereof where:

a) The owner claims possession of the dog within three (3) days (exclusive of the day of its impounding and of statutory holidays) after the date of seizure;

b) The owner pays to the Peace Officer, Authorized Agent or Animal Control Officer a pound fee for a dog seized and a maintenance fee for each day subsequent to the day of seizure that the dog remains impounded, and;

c) The owner has procured a current licence for the dog pursuant to Part 1 - Licensing of this By-law.

(2) Where a dog is seized and impounded under subsection (1) of this section, 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 by the Animal Control Officer or Authorized Agent, which may be recoverable under the Provincial Offences Act.

(3) Where at the end of three (3) days mentioned in subsection (1) of this section, if the dog has not been restored to the owner, the Animal Control Officer may sell the dog for such price as he deems reasonable or surrender to an animal rescue organization in good standing.

(4) Where the owner of a dog, has not claimed the dog within three (3) days after its seizure under subsection (1) above, and where the dog has not been sold or surrendered, the Animal Control Officer may euthanize the dog in a humane manner or otherwise dispose of the dog as he sees fit in accordance with the provisions of the Province of Ontario *Animals for Research Act* as it relates to pounds and no damages or compensation shall be recovered by the dog owner on account of its destruction or other disposition.

(5) Where a dog seized under subsection (1) of this section is injured or should be destroyed without delay for humane reasons or for reasons of safety to persons or animals, the Peace Officer or Animal Control Officer may euthanize the dog in a humane manner as soon after seizure as they think fit without permitting any person to reclaim the dog or without offering it for sale, and no damages or compensation shall be recovered by the owner on account of its destruction.

(6) In the opinion of an Animal Control Officer, where a dog cannot be captured and where the safety of persons or animals are endangered, the Animal Control Officer may euthanize the dog and no damages or compensation shall be recovered by the owner of the dog for said destruction.

17. Fees for the services outlined in Part 3 are as specified in Schedule “A”, which schedule is hereby incorporated as part of this By-law.

PART 4 – KEEPING OF DOGS

18. Every person who owns a dog in the Municipality of Central Manitoulin shall provide such dog or cause it to be provided with such food, potable water, exercise, shelter and attention required to keep it in good health.

19. (1) If a dog is customarily kept out of doors, the person who owns such a dog shall, at all times, provide for its use, a structurally sound, weatherproof enclosure with off the ground flooring.

(2) Standards of care for dogs that are kept outdoors — general care

- (1) A dog kept outdoors must be provided with,
- (a) sufficient protection from the elements to prevent the dog from experiencing heat or cold-related distress; and
 - (b) access to sufficient shade as may be required by the weather conditions, including sufficient shade to protect the dog from direct sunlight.
- (2) Food and water containers used for a dog kept outdoors must be constructed to avoid injury to the dog and to avoid difficulty in accessing food or water.
- (3) A dog kept outdoors must be fed food that,
- (a) reflects the dog’s daily caloric and other nutritional requirements;
 - (b) is fit for consumption;
 - (c) is not spoiled; and
 - (d) does not contain dirt, feces, urine or toxic substances.
- (4) A dog kept outdoors must have continuous access to water that,
- (a) is replaced at least once every 24 hours;
 - (b) is not frozen; and
 - (c) does not contain dirt, feces, urine or toxic substances.
- (5) An owner or custodian of a dog kept outdoors must ensure that the health and welfare of the dog is checked daily.
- (6) A dog kept outdoors must be groomed as necessary to avoid matting of the dog’s coat and the accumulation of ice or mud on the dog’s coat or under the dog’s paws.
- (7) The nails of a dog kept outdoors must be checked regularly and groomed as necessary for the health of the dog.
- (8) A dog shall not be kept outdoors if it has an illness or injury that affects the dog’s ability to regulate its temperature or restricts its mobility, unless a veterinarian advises, in writing, that it may be kept outdoors.
- (9) If the owner or custodian of a dog kept outdoors has grounds to believe that the dog is suffering from a contagious disease, or is at high risk of developing a contagious disease, the dog must be kept completely isolated from other dogs and must not have contact with objects, including food and water containers, that are used by other dogs or animals.
- (10) Subsection (9) does not apply to the extent that a veterinarian advises, in writing, that compliance with these requirements is unnecessary.
- (11) Despite subsection (9), puppies do not need to be isolated from their mother or substitute mother if they are less than 12 weeks old.
- (12) Despite subsection (9), a dog does not have to be isolated from other dogs that either suffer from the same contagious disease or are at high risk of developing the same contagious disease, and the dog does not have to be prevented from having contact with objects used by those other dogs.

(3) Standards of care for dogs that are kept outdoors — shelter

- (1) Every dog that is kept outdoors must, at all times, have ready access to a shelter that,

- (a) is waterproof and provides protection from the elements;
 - (b) is structurally sound, stable and free of features that might cause injury to the dog;
 - (c) has an insulated roof;
 - (d) has a floor that is level, elevated from the ground, and dry;
 - (e) has a means of providing ventilation, which may include an open doorway;
 - (f) is of a size and design that permits all of the dogs that regularly use the shelter to turn around, lie down with their legs extended to their full extent and stand with their heads held at normal height when all of the dogs are occupying the shelter at the same time;
 - (g) has a doorway that is free from obstructions; and
 - (h) contains bedding that,
 - (i) is at least three inches thick, and
 - (ii) is changed as frequently as necessary to ensure that the bedding remains comfortable and substantially clean, dry and unsoiled.
- (4) Subsection (1) does not apply to a livestock guardian dog or to a dog that has ready access to a structurally sound building that, at the time, is being used to house livestock.

20. (1) No person shall, in the Municipality of Central Manitoulin keep a dog tethered on a chain, rope or similar restraining device of less than 2.4 meters in length.

(2) Standards of care for dogs tethered outdoors

- (1) A dog tethered outdoors for 23 hours in a 24-hour period, whether those 23 hours are consecutive or not, must be taken off the tether for at least 60 continuous minutes to allow for exercise and enrichment.
- (2) The 60 continuous untethered minutes required by subsection (1) must be provided before the dog can be tethered outdoors again.
- (3) Subsections (1) and (2) do not apply if,
 - (a) the dog has, within the previous 24-hour period, participated in a racing event, hunting event, field trial event or comparable event and requires rest as a result of participating in the event;
 - (b) extreme weather conditions identified by a weather warning or watch from Environment and Climate Change Canada, such as a heat warning, would make it unsafe for the dog to exercise or receive enrichment; or
 - (c) a veterinarian advises, in writing, that the dog should not be taken off the tether for health reasons.

(3) Standards of care for dogs that are kept outdoors — tethers

- (1) A tether that is used on a dog that is kept outdoors must,
 - (a) allow the dog to move about safely;
 - (b) be of a size, type and weight that will not cause the dog discomfort or injury;
 - (c) have a swivel that can turn 360° at both,
 - (i) the point where the tether is attached to the dog's collar or harness, and
 - (ii) the point at which the tether is attached to the fixed object;
 - (d) be of sufficient length to permit the dog to move at least three metres measured in a horizontal direction from the point at which the tether is attached to the fixed object; and
 - (e) be of sufficient condition, and be sufficiently well-attached to the dog and to the fixed object, to prevent the dog from escaping.
- (2) A collar or harness used with a tether on a dog kept outdoors must be of a size, type, design and fit that will not cause the dog discomfort or injury.
- (3) A choke collar, pinch collar, prong collar, slip collar, head halter collar or martingale collar must not be used with a tether on a dog kept outdoors.
- (4) A dog kept outdoors must not be tethered in a manner that creates an undue risk

of distress to the dog, including,

- (a) distress related to the age, health or reproductive status of the dog; or
- (b) distress caused by objects or hazards that a dog is able to reach while tethered.

(5) A dog kept outdoors must not be tethered if the dog is,

- (a) under six months of age;
- (b) whelping;
- (c) nursing; or
- (d) in heat.

(6) Standards of care for dogs that are kept outdoors — housing pens

(1) A dog that is kept outdoors must not be kept in a housing pen if doing so would create an undue risk of distress to the dog.

(2) A dog that is kept outdoors may only be kept in a housing pen if the housing pen is constructed so that it prevents the dog from escaping and provides reasonable protection from predatory animals or other animals that may harm the dog.

(3) The size of a housing pen for a dog that is kept outdoors must meet the following minimum requirements:

(i) If the dog is under 20 cm in height, the total area of the housing pen must be at least four square metres.

(ii) If the dog is equal to or greater than 20 cm in height but under 40 cm in height, the total area of the housing pen must be at least six square metres.

(iii) If the dog is equal to or greater than 40 cm in height but under 70 cm in height, the total area of the housing pen must be at least 10 square metres.

(iv) If the dog is equal to or greater than 70 cm in height, the total area of the housing pen must be at least 15 square metres.

(4) For the purposes of subsection (3), a dog's height shall be determined by measuring the height of the dog at its shoulder when it is standing at full height.

(5) If more than one dog is kept in a housing pen, the housing pen must provide at least the space required by subsection (3) for the tallest dog kept in the housing pen, plus a minimum of at least 1.5 additional square metres of space for every additional dog that is kept in the housing pen.

(6) Despite subsection (5), 1.5 additional square metres of space is not required for every additional dog that is less than 12 weeks old and that is kept with its mother or substitute mother.

(7) If more than one dog that is kept outdoors is kept in the same housing pen, the owner or custodian of the dogs must ensure that,

- (a) dogs exhibiting aggression to other dogs are not placed with incompatible dogs; and
- (b) a female dog that is in heat or coming into heat is not placed with a male dog.

(8) Despite subsection (7), a female dog that is in heat or coming into heat may be placed in a housing pen with a male dog solely for the time required for them to mate if the dogs are in the physical presence of the owner or custodian of one or more of the dogs and that person is monitoring the safety of the dogs.

21. Standards of care for dogs that are kept outdoors — available area if dog tethered or in housing pen. The area available to a dog kept outdoors that is placed on a tether or in a housing pen must,

- (1) be sufficient to ensure that the dog can move freely and engage in natural behaviours;
- (2) be sufficient to ensure that the dog is not required to stand, sit or lie down in excrement, urine, mud or water;

- (3) have distinct areas for both,
 - (a) feeding and drinking, and
 - (b) urinating and defecating; and
 - (4) be cleaned as frequently as necessary to prevent an accumulation of excrement, urine or other waste that would pose a risk to the dog's health, maintain a sanitary environment, minimize the presence of parasites and ensure the health of the dog, using cleaning products that do not pose a risk to the dog.
- 22.** No person shall allow a dog to unreasonably disturb the peace, quiet comfort or repose of any person or neighbor in any dwelling unit by way of barking, crying or howling. Failure to do so constitutes a breach of the by- law.
- 23.** No person shall:
- a) tease, torment, annoy, or abuse any animal; or,
 - b) untie, loosen or otherwise free an animal which is not in distress unless such person has the authorization of the owner.
- 24.** In addition to any other remedy, an officer may give to an animal's owner an Order where the officer has reason to believe that the owner has failed to comply with any part of this section.

PART 5 – VICIOUS DOGS

- 25.** (1) The Animal Control Officer shall investigate any dog bite incident. Where the Animal Control Officer is satisfied that the dog has, without provocation, bitten a person or a domesticated animal, he or she may declare a dog to be a vicious dog and issue an order that the dog is to be muzzled and leashed. Every owner of the dangerous or potentially dangerous dog shall comply with such order.
- (2) Where a dog has been required to be muzzled and leashed, pursuant to Section 23 (1) of this By-law, the dog owner shall be provided with a copy of a written notice of requirement to that effect.
- (3) Where a dog has been required to be muzzled and leashed, the dog owner may apply to the Municipality for a hearing as to whether or not the requirement should be revoked. An application for a hearing shall be filed with the Clerk within ten (10) business days of the date of delivery of the notice of requirement.
- 26.** (1) Every owner shall comply with an order to muzzle or leash a dog. Failure to do so constitutes a breach of this By-law.
- (2) For the purpose of this By-law, where "restrain" is used in connection with a dog required to be muzzled and leashed at its owner's property, "restrain" shall be deemed to mean muzzled and leashed and under the control of a person at least 16 years old, except when:
- a) Kept indoors in a manner respective of its environmental needs which prevents contact with persons who have not consented to contact, or;
 - b) Kept in a pen or other outdoor enclosure respective of its environmental needs which prevents the dog from, leaving the owner's household or property (except in accordance with the provisions of this By- law) or coming into contact with persons who are not at the owner's household or have not consented to have contact with the dog.
- (3) Every person who owns a dog required to be muzzled and leashed, upon relocation of their residence, shall immediately notify the Municipality of the change of address.
- 27.** Every owner shall, where a Dangerous or Potentially Dangerous Dog is found to

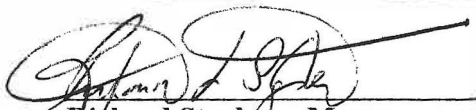
be at large, immediately and without delay notify the Animal Control Officer of the last known date, time and location that the said dog became at large.

PART 6 – OTHER PROVISIONS

- 28.** (1) No person shall, within the Municipality of Central Manitoulin, forcibly retrieve a dog from an Animal Control Officer, a live trap or a vehicle under an Officer's control.
- (2) No person shall forcibly retrieve a dog from the Pound keeper, an Animal Control Officer, break and enter into a patrol vehicle or retrieve a dog without payment in full of all fees and charges required to be paid under this by-law.
- 29.** The owner or keeper of a dog shall not permit or allow the dog to make or continue to make a sound which has the effect of disturbing the peace, quiet, comfort or repose of any individual. Failure to do so constitutes a breach of this By-law.
- 30.** Every owner of a dog that is four months of age or older shall ensure that the dog is duly immunized against rabies and that the immunization is maintained as current.
- 31.** No owner of a dog shall willfully cause the dog, or permit the dog through neglect or failure to control, to without provocation bite, attack or chase a person or another animal, or to damage public or private property.
- 32.** No person shall cause, permit or allow an animal to be confined in a vehicle or other confined space without appropriate ventilation or left in a vehicle or other confined space if the weather conditions are not suitable for containment of an animal.
- 33.** If any part, section, subsection, clause or paragraph of this By-law is, for any reasons, held invalid, such portion shall be deemed separate, distinct, and independent and such holding shall not affect the validity of the By-law as a whole or any part thereof, other than the provisions so declared to be invalid.
- 34.** Every person who contravenes any of the provisions of this By-law is guilty of an offence and upon conviction is liable to a fine pursuant to section 61 of the *Provincial Offences Act*, R.S.O. 1990, c.P.33.
- 35.** No person shall hinder, obstruct or interfere with an officer while performing their duties.
- 36.** All contraventions of this by-law will be considered a new incident each day an offence is committed and set fines will be accumulated thereof.
- 37.** All former relative By-laws are hereby rescinded.
- 38.** This By-law shall come into full force and effect after third and final reading thereof.

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED

THIS 15th DAY OF December 2022.


Richard Stephens, Mayor


Denise Deforge, CAO/Clerk
Deputy

I, Denise Deforge Deputy
Clerk of the Municipality of Central Manitoulin,
hereby certify that the foregoing is a true copy of By-law 2022-12 passed by the
Council of the Municipality of Central Manitoulin on the 15th day of December, 2022.

Deputy 
Clerk

BY-LAW #2022-12 – SCHEDULE “A”

1. Set Fees

Dog per Licence	\$20.00
Annual Renewal	\$20.00
Renewals of Dog Licence before April 1st	\$15.00
Seeing Eye Dog	No Charge
Hearing Eye Dog	No Charge
Replacement Tag	No Charge
Kennel Licence	\$500.00
Dog Redemption Impound	\$50.00
Per Diem Animal Care Fee	\$20.00
Animal Surrender Fee	\$50.00

MUNICIPALITY OF CENTRAL MANITOULIN

PART I Provincial Offences Act

By-law #2022-12: Animal Control

2. Set Fines

Item	Column 1 Short Form Wording	Column 2 Provision Creating or Defining Offence	Column 3 Set Fine
1	Failure to procure a licence	Section 4	\$100.00
2	Kept more than the allotted dogs per household	Section 5	\$125.00
3	Failure to affix the dog licence	Section 9 (1)	\$100.00
4	Misuse of dog licence	Section 9 (2)	\$100.00
5	Failure to notify change of ownership	Section 10 (2)	\$50.00
6	Failure to register a kennel	Section 13 (1)	\$500.00
7	Fail to comply with the standards for kennels	Section 13 (2)	\$300.00
8	Owner/Operator fail to attend kennel every 12 hours	Section 13 (8)	\$200.00
9	Fail to prohibit a dog from running at large	Section 14 (1)	\$50.00
10	Fail to clean up and dispose of dog excrement	Section 15	\$300.00
11	Fail to keep dog in good health	Section 18	\$100.00
12	Fail to provide outside closure	Section 19 (1)	\$300.00
13	Keep dog on improper chain or rope	Section 20	\$50.00
14	Failure to prohibit a dog from disturbing peace, quiet comfort or repose of any person	Section 22	\$50.00
15	Fail to leash dangerous or potentially dangerous dog	Section 25 (1)	\$300.00
16	Fail to muzzle or leash dog as ordered	Section 26 (1)	\$150.00

17	Failure to notify of change of address	Section 26 (3)	\$50.00
18	Fail to notify about a dangerous or potentially dangerous dog at large	Section 27	\$300.00
19	Forcible retrieval of dog from Officer, vehicle or pound	Section 28 (1)	\$100.00
20	Fail to have dog immunized against rabies	Section 30	\$100.00
21	Permitting a dog to bite, attack and/or chase a person	Section 31	\$250.00
22	Permitting a dog to bite, attack and/or chase an animal	Section 31	\$250.00
23	Cause, permit or allow an animal to be confined in a vehicle	Section 32	\$300.00
24	Hinder or Obstruct an officer	Section 35	\$300.00

NOTE: The penalty provision for the offences indicated above is section 34 of by-law no. 2022-12, a certified copy of which has been filed.

3. Impounded Animals

Animals captured will be kept for a period of 3 days as per section 16(2)(a) of By-law #2022-12 in the Animal Control pound located at 7 Lakeshore Rd. Contact will be made between the Animal Control Officer and the owner of each impounded dog if a dog tag is present the owner can be identified. All animals not claimed in the specified time period will be either re-homed or be destroyed utilizing humane practices as set out in the *Animals for Research Act*, R.S.O. 1990 Chapter A-22. All revenues from the redemption, care and surrender of captured shall be collected by the Animal Control Officer and remitted to the Municipality of Central Manitoulin as per Schedule "A" of By-law #2022-12.

4. Dog Tags

Dog tags will be supplied by the Municipality of Central Manitoulin. The Municipality will keep a record/log of every tag sold and this information will be provided to the Animal Control Officer on an "as needed" basis. The log will identify the dog and address and telephone number of the owner. All revenues from the sale of tags will remain with the Municipality's. Annual license renewal will not require the issuance of an annual dog tag. The annual renewal fee confirms the information in the Municipal log. If a new tag is required, it will be deemed to be a replacement tag and charged accordingly.

**THE MUNICIPALITY OF CENTRAL MANITOULIN BY-LAW #2022-12
SCHEDULE "B"**

MUZZLING AND LEASHING REQUIREMENT

Owner's Name: _____ Dog's Name: _____

Address: _____ Licence No.: _____

Breed: _____

Colour: _____ Sex: _____ Age: _____

An investigation of an incident involving your above described dog, and:

Victim: _____ at Address: _____

On Date: _____ has been conducted, and it has been determined that your dog has bitten a person/domestic animal.

Accordingly, this dog is therefore required to be muzzled and leashed pursuant to By-law No. 2022-12, as may be amended, and you, as the owner, are hereby notified that if you wish to keep this dog in the Municipality of Central Manitoulin, you must:

1. Keep the dog muzzled, leashed and under the control of a person at least 16 years old at all times when it is off your property.
2. At all times, when on your property or on the property of the person who has the care and control of the dog, the dog must be restrained. This is accomplished by keeping the dog inside a building or house, or in an enclosed pen or other enclosed area of sufficient dimension and strength to be humane, and to prevent the dog from either leaving the building or property or from coming into contact with persons who are not at that building or property and persons who have not consented to contact with the dog. If the dog is not in an enclosed area the dog is required to be muzzled, leashed and under the control of a responsible person at least 16 years old.
3. If you transfer ownership or possession of this dog, or relocate your place of residence within the Municipality of Central Manitoulin, you must immediately notify the Municipality.

Contravention of By-law No. 2022-12 may result in prosecution of you, as the owner of a dog required to be muzzled and leashed, and if convicted:

- set fine of \$100 "Failure to restrain a dog required muzzled and leashed" S.28 (1);
- set fine of \$50 "Failure to notify change of address" S.28 (3)

You may appeal this requirement by making application to the Municipal Clerk within ten (10) business days of the date of delivery of this Notice of Requirement.

ANIMAL CONTROL OFFICER: _____

DATE OF REQUIREMENT: _____

Notice was served upon: _____

At: _____ Date: _____

By: _____ Time: _____