

THE CORPORATION OF THE TOWNSHIP OF TAY

BY-LAW NO. 2025-10

**Being a By-law to Provide for the Licensing,
Regulating and for the Control of Dogs within the
Township of Tay**

WHEREAS Section 8(1) of the Municipal Act, 2001, S.O. 2001, c.25, herein referred to as "the Act", provide that the powers of a municipality under this or any other Act shall be interpreted broadly so as to confer broad authority on the municipality to enable the municipality to govern its affairs as it considers appropriate and to enhance the municipality's ability to respond to municipal issues.

AND WHEREAS Section 8(3) of the Act provides that a by-law under sections 10 and 11 respecting a matter may,

- (a) Regulate or prohibit respecting a matter;
- (b) Require persons to do things respecting a matter;
- (c) Provide for a system of licences respecting a matter.

AND WHEREAS under Section 11 of the Act provides that a municipality may provide any service or thing that the municipality considers necessary or desirable for the public, such as but not limited to:

- (a) Health, safety and well-being of persons.
- (b) Protection of persons and property, including consumer protection.
- (c) Animals.

AND WHEREAS Section 103(1) 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, it may provide for:

- (a) The seizure and impounding of animals being at large or trespassing contrary to the by-law; and
- (b) The sale of impounded animals,
 - (i) If they are not claimed within a reasonable time,
 - (ii) If the expenses of the municipality respecting the impounding of the animals are not paid, or
 - (iii) At such time and in such manner as is provided in the by-law.

AND WHEREAS Section 391(1) of the Act provides that a municipality may pass by-laws for imposing fees or charges on persons for services or activities provided or done by or on behalf of it;

AND WHEREAS the Council of the Corporation of the Township of Tay has deemed it necessary to pass a by-law regulating or prohibiting the keeping of dogs and the establishment of kennels and to provide for the leashing, muzzling, and licensing of dogs and the licensing of kennels.

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF TAY ENACTS AND BE IT ENACTED AS FOLLOWS;

1. DEFINITIONS

"Applicant" shall mean a person or corporation having made an Application pursuant to this By-law;

"Bite" shall mean a piercing or puncture wound to the skin as a result of contact with a dog's tooth or teeth;

"Canine/Dog" shall mean a male or female dog over the age of twelve (12) weeks;

"Capable Person" shall mean a person of sufficient size and status to be able to control and restrain a dog to such an extent that the physical well being of any person or animal is not threatened;

"Clerk" shall mean the Clerk appointed by the Council of the Corporation of the Township of Tay pursuant to the Act;

"Council" shall mean the council of the Corporation of the Township of Tay;

"Dangerous Act" shall mean an act where a dog has bitten or attacked, or a combination of both, against a person or domestic animal;

"Dangerous Dog" shall mean any dog that:

- (a) Has killed a person or domestic animal, regardless of circumstances;
- (b) Has bitten or injured a person or domestic animal;
- (c) Has attacked or injured a person or domestic animal;
- (d) Has shown the disposition or tendency to be threatening or aggressive;
- (e) Is kept for the purposes of security or protection, whether residential, commercial or industrial, of a person's property;
- (f) Has been declared Dangerous in another Municipality.

"Dog Tag/License" shall mean a tag or license bearing the serial number and the current year which it was issued by the Clerk, their designate, or an Officer of the Corporation of the Township of Tay;

"Dwelling Unit" shall mean one or more habitable rooms designed or intended for use by any person(s) in which sanitary conveniences are provided and in which separate kitchen and sanitary facilities are provided for the exclusive use of such person(s), which shall include any real property associated with such dwelling unit;

"Harbour" shall mean to shelter, house, or possess a dog for a period of less than thirty (30) days, provided that the dog is owned by someone other than a person normally a resident in the dwelling unit in which the dog is harboured and proof of a different permanent address for the dog can be provided;

"Kennel" shall mean any establishment where more than two (2) dogs are kept for the purpose of show, training, keeping, breeding and raising for profit or gain, but shall not apply to the keeping of animals in a veterinary establishment for the purpose of observation and/or recovery necessary to veterinary treatment;

"Leash" shall mean a chain, rope, or other similar device of not more than 1.9 metres (6 feet) in length which is designed to be held by a person and is used or designed to be used to restrain a dog;

"Municipal Law Enforcement Officer" shall mean a person appointed by the Council for the purposes of carrying out the enforcement of Municipal By-laws;

"Municipality/Township" shall mean the Corporation of the Township of Tay;

"Muzzle" shall mean a covering for the snout of a dog that when fastened over the dog's snout and mouth, prevents biting or eating;

"Owner" shall mean any person who harbours, keeps or possesses a dog and where the owner is a minor, the person responsible for the custody of the minor;

"Person" shall mean any individual, their representative and their heirs, executors and assigns and shall also include a corporation with or without share capital, any association, firm, partnership, or private club;

"Police Work Dog" shall mean any dog trained to aid law enforcement officers and used by such officers in the execution of their duties;

"Pound" shall mean such premises and facilities designated as a Township Animal Shelter and Pound for the use of the detention, maintenance or disposal of dogs that have been impounded pursuant to this By-law or the Dog Owner's Liability Act;

"Poundkeeper" shall mean the person appointed by the Council of the Corporation of the Township of Tay to maintain a Pound and any servants or agents of such person or organization;

"Running At Large" shall mean the running at large of a dog when it is found on a highway, public space, or any other property, other than the property where it is usually kept, and not under the control of any person;

"Personal Assistance Dog" shall mean any dog used by a person with a disability for reasons relating to the disability and the owner has a valid identification card signed by the Attorney service.

"Working Farm Dog" shall mean a dog that is specifically trained to work and live with domestic farm animals without causing them harm while aggressively repelling predators and is used exclusively for that purpose and belongs to one of the breeds defined as a Working Dog by the Canadian Kennel Club

2. LIMIT OF TWO (2) DOGS IN A DWELLING UNIT

- 2.1 No person shall, whether temporarily or permanently harbour, keep, possess, or license more than two (2) dogs in a dwelling unit, unless the person or dwelling unit holds a valid Kennel License issued pursuant to Section 4 of this By-law.

3. LICENSING OF DOGS

- 3.1 Every owner of a dog which is twelve (12) weeks and older, shall:
- (a) Ensure that each dog owned is registered and licensed appropriately with the Township for each calendar year. Every license will expire on the 31st day of December of the year it was issued;
 - (b) Register and license the dog with the Township before the 1st day of March of that year, unless an Officer has directed a dog owner to purchase tags before the date of March 1st of that year;
 - (c) Upon establishing temporary or permanent residency, or upon becoming an owner of a new dog shall within thirty (30) days ensure that each dog owned is registered and licensed with the Township;

- (d) Upon application for a license, provide verification of current rabies vaccination, or written verification by a veterinarian of satisfactory rabies protection for each dog;
- (e) Securely fasten on the collar of the dog the tag issued by the Township; and
- (f) Pay the annual licensing fee, as set out in the Township's User Fees and Service Charges By-law, and in the event that a dog tag is lost, obtain a replacement tag for the applicable fee set out in the Fees and Charges By-law.

3.2 No person shall:

- (a) Harbour, keep, or possess a dog in a dwelling unit, unless a valid dog tag has been issued, and the license fee required by this By-law has been paid in accordance with the Township's Fees and Charges By-law;
- (b) Harbour, keep, or possess a dog within the Township of Tay, unless such dog has affixed to it at all times a current dog tag issued under this By-law;
- (c) Fail to provide verification of current rabies vaccination, or written verification by a veterinarian of satisfactory rabies protection for each dog, upon request of an Officer;
- (d) Affix a dog tag to any dog other than the dog for which the tag has been issued; and
- (e) Knowingly provide false information when applying for a license under this By-law.

4. **KENNELS**

Licensing

- 4.1 Prior to the issuance of a kennel license, an Officer shall conduct an inspection and be satisfied that the premises are suitable for the purpose of a kennel and in compliance with the requirements set out herein.
- 4.2 Every person who applies for a kennel license shall:
 - (a) Apply for a license from the Township before the 1st day of March of that year;
 - (b) Submit a Site Plan drawing showing the location and separating distances of all buildings on the property including the proposed location of the kennel, fencing, dog runs, and any facilities which are to be used for kennel/boarding purposes;
 - (c) Pay the annual licensing fee, as set out in the Township's User Fees and Service Charges By-law;
 - (d) Provide Canadian Kennel Club number if registered with the Canadian Kennel Club Incorporated;
 - (e) Ensure the kennel building and its location conform to the applicable zoning By-laws and the Ontario Building Code; and

(f) Be located in a separate building.

4.3 No person shall operate a kennel without first applying for and obtaining a kennel license and the fee required by this By-law has been paid in accordance with the Township's User Fees and Service Charges By-law.

General requirements

4.4 Every person who owns or operates a kennel shall:

- (a) Obtain a license from the Township for each calendar year before the date of March 1st of that year. Every license will expire on the 31st day of December of the year it was issued;
- (b) Display the kennel license in a conspicuous place on the premises for which the license is obtained;
- (c) Keep the dogs in a sanitary, well-bedded, well ventilated, free from offensive odours, naturally lighted, clean quarters at an appropriate temperature at all times;
- (d) Adequately feed and give water to the dogs periodically each day and keep them in a clean and healthy condition free from vermin and disease;
- (e) Ensure the outdoor areas are regularly cleaned and sanitized and excrement removed and properly disposed of daily;
- (f) Where a clipping and grooming service is performed, carry out all clipping and grooming services in the kennel building only;
- (g) Have regard to the guidelines set out in "A Code of Practice for Canadian Kennel Operations" (May 2007);

Outdoor housing requirements

4.5 If dogs are being housed in outdoor housing, the following additional regulations shall apply:

- (a) The breed of dog must be properly acclimatized to seasonal and regional temperatures; and
- (b) An enclosed area with dry bedding which provides shelter and protection from cold and heat must be provided, including protection from direct sunlight, rain, sleet, and snow.

Kennel facility requirements

4.6 Every person who owns or operates a kennel shall ensure the kennel facility has:

- (a) A floor of concrete or other impermeable material and shall have a drain opening constructed as a plumbing fixture and such floor shall be thoroughly cleaned daily, or more often if necessary;
- (b) Electrical lighting;
- (c) Windows which may be opened for proper ventilation;

- (d) A heating system sufficient to adequately heat the building;
 - (e) Hot and cold running water; and
 - (f) A food preparation area.
- 4.6 Where dogs are permitted to use an outside area, all related structures and enclosures used in connection with the operation that are located adjacent to a zone that permits a dwelling unit or is located adjacent to a public road, shall be screened by a solid fence or structure that cannot be seen through and having a required minimum height of at least five (5) feet. The fenced in area shall not be permitted in the front yard.
- 4.7 Notwithstanding any other provisions of this By-law, the Township may attach a condition to a kennel license limiting the number of dogs which shall be kept in the kennel. The Township has the right to impose specific conditions on any license issued pursuant to this By-law.
- 4.8 A license issued pursuant to this By-law is non-transferrable. In the event that the Kennel business is sold, the new owners shall be eligible for a license under the same conditions which the current license was obtained.
- 4.10 An Officer may at any reasonable time, enter onto the premises to conduct an inspection of the kennel and any place where dogs are kept ensuring compliance with the applicable by-laws of the Municipality.
- 4.11 If the owner or operator fails to comply with a by-law of the Municipality, the Officer may direct the dogs to be seized, and the kennel license be suspended or revoked.

5. NOISE

- 5.1 No owner of a dog shall permit a dog or dogs to persistently howl, bark, or create other similar persistent noise, which in the opinion of an Officer disturbs, or is likely to disturb the inhabitants of the Township of Tay.
- 5.2 If, upon being warned of a complaint by the Officer, the owner of the dog, which is the subject of the complaint fails to restrain the dog from causing noise, the owner of the dog shall be deemed to have committed an offence under this By-law.
- 5.3 Every person who owns or operates a kennel shall undertake measures to ensure that residences on adjacent properties are not subjected to persistent howling, barking, or other similar persistent noise made by the dogs kept at such kennel.
- 5.4 Where the Municipality receives a complaint about noise emissions from a licensed kennel, an officer shall investigate such complaints and may at their sole discretion initiate a prosecution with respect to an alleged contravention of subsection 5.3.
- 5.5 Where a kennel is found to be in non-compliance of three (3) or more violations of subsection 5.3 in one license term, the Officer or Council may order the owner or operator to submit, at its expense a noise evaluation study prepared by a qualified acoustical consultant and may suspend the license to operate a kennel until such time as the noise evaluation study has been reviewed and approved by the Municipality and satisfactory arrangements for the implementation of any noise abatement measures have been made, including the entering into of any agreements and the

posting of any securities required to ensure the completion of any required noise abatement measures.

- 5.6 Section 5.5 may also apply to an application for a building permit to increase the housing capacity of a licensed kennel.

6. DOGS RUNNING AT LARGE

- 6.1 Every owner of a dog shall keep the dog leashed and under the control of a person when the dog is on land in the Township, unless consent is given by the person owning the land on which the dog is found.
- 6.2 No owner of a dog shall permit their dog to run at large within the Township of Tay.
- 6.3 A dog running at large may be seized by any person, who shall forthwith deliver the dog to an Officer.
- 6.4 The Officer may destroy any dog running at large if it:
- (a) Represents a threat to the safety of any person or animal; or
 - (b) Is severely injured.

7. REMOVAL OF DOG EXCREMENT

- 7.1 Every person who owns, controls, or harbours a dog shall remove forthwith any excrement left by such dog on public or private property and shall dispose of such excrement in a sanitary manner.

8. SEIZURE AND IMPOUNDING

- 8.1 Subject to Section 6 of this By-law, an Officer may seize and impound any dog found running at large.
- 8.2 Subject to Section 6 of this By-law, an Officer may restore possession of the dog to the owner therefore, where:
- (a) The owner claims possession of the dog within five (5) business days, (exclusive of statutory holidays and weekends);
 - (b) The owner provides proof that such dog is licensed with the Township for the current year, or if unlicensed, provides proof of current rabies vaccination, and pays for a license for the current year;
 - (c) Notwithstanding Section 8.2 (b), if such dog does not have a current rabies vaccination, the owner shall identify the missing inoculation in the Canine Release Form and acknowledge that if a rabies vaccination and dog tag is not obtained within 30 days of release, the owner is guilty of a separate offence under this By-law;
 - (d) A Canine Release Form is completed by a Municipal Law Enforcement Officer, identifying that the Township has no further reason to hold the dog and consents to its release;
 - (e) The owner pays to the Poundkeeper a seizure and pound fee for each day the dog has been impounded, commencing the day the dog was seized to the day the dog is removed as per the Township's User Fees and Service Charges By-law; and

- (f) The owner pays to the Poundkeeper the cost of all damages, expenses, veterinary care, vaccinations or immunizations associated with the impoundment of the dog.
- 8.3 The Officer shall make all reasonable efforts to identify and contact the owner of every stray dog received, whether the dog is living or deceased.
- 8.4 Any dog impounded and not wearing a tag for the current year, may at the discretion of the Poundkeeper, be given an inoculation to provide temporary immunization against distemper or any other contagious or infectious diseases.
- 8.5 Where the owner of a dog has not claimed the dog within five (5) business days after it's seizure under Subsection 6.2, the Poundkeeper may sell the dog for such price as they deem reasonable.
- 8.6 Where the owner of a dog has not claimed the dog within five (5) business days after it's seizure under Subsection 6.2, and the dog has not been sold, the Poundkeeper may dispose of the dog in a humane manner or as they see fit and no damages or compensations shall be recovered on account of its disposal or other disposition.
- 8.7 Where a dog seized under Section 5.2 of this By-law is injured or should be destroyed without delay:
- (a) For humane reasons, the Officer or Poundkeeper may authorize the destruction of the dog in a humane manner as soon as after seizure as a veterinarian gives approval, where possible, without permitting any person to reclaim the dog or without offering it for sale. No damages or compensation shall be recovered on account of destruction; or
 - (b) For safety reasons to persons or animals, the Officer or Poundkeeper may authorize the destruction of the dog in a humane manner as soon after seizure as they see fit without permitting any person to reclaim the dog or without offering it for sale. No damages or compensation shall be received on account of the destruction.

9. MUZZLE ORDER

- 9.1 An Officer may serve a Muzzle Order to an owner of a dog:
- (a) Provided that it is a first offence on record with the Municipality;
 - (b) Notwithstanding Section 9.1 (a), if it is in the opinion of the Officer, that the first offence on record with the Municipality is severe, that Officer may, declare the dog as a Dangerous Dog, requiring the subject dog owner to comply with the requirements of a Dangerous Dog under Section 10.2 of this By-law;
 - (c) After observing or receiving evidence of a dog's temperament, disposition, or history of aggressiveness which may result in the dog biting a person or domestic animal; or
 - (d) Upon receipt by the Township, a signed declaration attested to by the Clerk of another Municipality where the dog has bitten another person or domestic animal, or, has a temperament, disposition, or

history of aggressiveness which may result in the dog biting a person or domestic animal.

- 9.2 A Muzzle Order shall be served personally or by registered mail to the last known address. Such Order that has been served by registered mail and shall be deemed to have been received by the person to whom it was served to on the fifth (5th) day after it is mailed.

Requirements

- 9.3 Where an owner is served with a Muzzle Order, the owner shall immediately, at the owner's expense ensure that:

- (a) Whenever on the property of the owner, cause such dog subject to the Muzzle Order to be tethered to the side or rear yard by a leash or confined to the side or rear yard by a six (6) foot fully enclosed pen or similar structure of sufficient design and strength to contain the dog in a way that prevents the dog from going beyond the limits of the owners property;
- (b) Whenever off the property of the owner, cause such dog subject to the Muzzle Order to be restrained by means of a securely attached muzzle and a leash with a maximum length of one (1) metre made of sufficient strength. The dog shall be under the control of a capable person sixteen (16) years and older;
- (c) The Township is provided with a copy of current rabies vaccination records;
- (d) The Township has an up-to-date photo of the dog that is the subject of a Muzzle Order; and
- (e) All terms and requirements made in the Muzzle Order are complied with.

- 9.4 The Muzzle Order shall be in effect for two (2) years unless an Application for Appeal or Review has been made and the decision to rescind the Order has been provided.

- 9.5 Any person who fails to comply with any requirements of a Muzzle Order or any other Order of the Township under this by-law is guilty of an offence.

10. DANGEROUS DOG ORDER

- 10.1 Every owner of a dog shall exercise reasonable precautions to prevent the dog from engaging in a dangerous act.

- 10.2 Without limiting anything in this By-law, an owner of a dog that engages in a dangerous act is liable to prosecution under the *Dog Owner's Liability Act, R.S.O. 1990, c. D. 16, as amended*.

- 10.3 An Officer may declare a dog a Dangerous Dog:

- (a) If the Officer has reasonable grounds to believe that a dog has engaged in a dangerous act against a person or domestic animal; or
- (b) Where the dangerous act occurred while the dog was subject of a Muzzle Order or a court order under the *Dog Owners Liability Act*.

Requirements

10.4 When an owner is served with a Dangerous Dog Order, the owner of the Dangerous Dog shall:

- (a) immediately, at the owner's expense, ensure that:
 - (i) Whenever on the property of the owner, cause such dog subject to the Dangerous Dog Order to be confined indoors or confined to the side or rear yard by a six (6) foot fully enclosed pen or similar structure of sufficient design and strength to contain the dog in a way that prevents the dog from going beyond the limits of the owners property;
 - (ii) Whenever off the property of the owner, cause such dog subject to the Dangerous Dog Order to be restrained by means of a securely attached muzzle and a leash with a maximum length of one (1) metre made of sufficient strength. The dog shall be under the control of a capable person eighteen (18) years and older;
 - (iii) The Township is provided with a copy of current rabies vaccination records; and
 - (iv) The Township has an up-to-date photo of the dog that is the subject of a Dangerous Dog Order.
- (b) within thirty (30) days, at the owner's expense, ensure that:
 - (i) The subject dog is licensed as a Dangerous Dog with the Township and the fee required by this By-law has been paid in accordance with the Township's User Fees and Service Charges By-law, and that the Dangerous Dog wears the tag provided by the Township at all times;
 - (ii) A sign is displayed at each entrance to the property and building in which the dog is kept warning in writing, as well as with a symbol that there is a Dangerous Dog on the property. This sign shall be visible and legible from the nearest road or thoroughfare;
 - (iii) The Dangerous Dog is spayed or neutered; and
 - (iv) The Dangerous Dog is microchipped.
- (c) within ninety (90) days, at the owner's expense, ensure that the subject dog completes a socialization or obedience training program.
- (d) Every owner of a Dangerous Dog shall notify an Officer, in writing, within forty-eight (48) hours:
 - (i) Of any changes to the residence of the Dangerous Dog;
 - (ii) Of the transfer of ownership of the Dangerous Dog; and
 - (iii) If the Dangerous Dog has been euthanized or has passed away.

10.5 If the owner of a dog that has been designated by an Officer as a Dangerous Dog and is unwilling or unable to comply with the requirements of this By-law, the Dangerous Dog shall be humanely

euthanized by an animal shelter, an animal control agency, or licensed veterinarian. The owner shall have the Dangerous Dog euthanized within seven (7) days of receipt of an order to that effect from the Officer. Any dog that has been designated as a Dangerous Dog under this By-law shall not be offered for adoption.

- 10.6 The owner of such dog shall comply with all terms and requirements made in the Dangerous Dog Order.
- 10.7 An Officer shall have the authority to make whatever inquiry is deemed necessary to ensure compliance with the provisions outlined in this section.
- 10.8 Any person who fails to comply with any requirements of a Dangerous Dog Order or any other Order of the Township under this by-law is guilty of an offence.

11. APPEAL OF MUZZLE ORDER OR DANGEROUS DOG ORDER

- 11.1 The owner of a dog who has been served a Muzzle Order or Dangerous Dog Order may apply for an Application for Appeal to the Township Clerk. The owner applying for an appeal shall comply with the following requirements:
- (a) The Application for Appeal shall be submitted within fifteen (15) days following service of the Order, and the review fee shall be paid in accordance with the Townships User Fees and Service Charges By-law;
 - (b) Prior to the appeal delegation to Council, the owner of the dog shall pay any and all outstanding fines imposed for the contravention of any provisions of this By-law;
 - (c) The owner of the subject dog shall comply with all terms and requirements of the Muzzle Order or Dangerous Dog Order until Council has rendered a decision.
- 11.2 Following the appeal delegation, a written copy of the decision made by Council shall be prepared, as soon as is practical after the conclusion of the review and shall be delivered personally or sent by registered mail to the owner at the address shown on their application.
- 11.3 Subject to the provisions of this By-law, if a request for appeal is not submitted to the Township Clerk in accordance with the provisions set out in this By-law the order is deemed to be in effect.

12. REVIEW OF MUZZLE ORDER OR DANGEROUS DOG ORDER

- 12.1 The owner of a dog who wishes to apply for an Application for Review may only be eligible for a review if the following requirements have been met:
- (a) All terms and requirements made in the Muzzle Order or Dangerous Dog Order have been complied with;
 - (b) There have been no further contraventions of this By-law;
 - (c) Any and all outstanding fines imposed for the contravention of any provisions of this By-law have been paid;

- (d) The subject dog has not engaged in any dangerous behaviour or subsequent acts within the last (12) months; and
 - (e) The subject dog has received socialization or obedience training.
- 12.2 The owner of a dog who has been served a Muzzle Order or Dangerous Dog Order may apply for an Application for Review to the Township Clerk. The owner applying for a review shall comply with the following requirements:
- (a) The Application for Review shall be submitted any time after one (1) year following service of the Order, and the review fee shall be paid in accordance with the Townships User Fees and Service Charges By-law;
 - (b) Provide proof of socialization or obedience training;
 - (c) The owner of the subject dog shall comply with all terms and requirements of the Muzzle Order or Dangerous Dog Order until Council has rendered a decision.
- 12.3 Following the delegation, a written copy of the decision made by Council shall be prepared, as soon as is practical after the conclusion of the review and shall be delivered personally or sent by registered mail to the owner at the address shown on their application.

13. EXEMPTIONS

Limit of two (2) dogs in a dwelling unit

- 13.1 The following types of dogs are required to be registered and licensed with the Township but are exempt from the two (2) dog limit as well as any associated licensing fees, if documentation can be provided to confirm the dog is a:
- (a) Personal Assistance Dog; or
 - (b) Police Work Dog.
- 13.2 Owners of agricultural or rural property as defined in the Township of Tay Zoning By-law consisting of five acres or more with livestock, fowl or swine shall be allowed up to four working farm dogs and such dogs shall be licenced in accordance with this by-law.
- 13.3 The Manager of Municipal Law Enforcement Services may authorize an exemption pursuant to Section 2.1 subject to such terms and conditions as are necessary to give effect to this by-law. If the Manager of Municipal Law Enforcement Services refuses the exemption, the applicant may appeal the decision to Council within seven (7) days of receiving the decision. The Clerk shall notify the applicant in writing of Councils decision and that decision will be final and no further right of appeal shall be granted.
- 13.4 Such exemption pursuant to Section 13 of this By-law shall automatically expire when:
- (a) Any person who has received an exemption fails to annually license any dogs in their possession;

- (b) Any person who has received an exemption contravenes any section of this By-law and receives a set fine; or
- (c) Circumstances results in the number of dogs in their possession being reduced to two (2).

Licensing of dogs

- 13.5 A kennel operator with an active and valid kennel license is not required to apply for a license pursuant to Section 3 of this By-law in respect to dogs harboured at the kennel.
- 13.6 Licensed Veterinarians, Animal Shelters or Pounds and Pet Stores shall not be required to obtain a kennel license under this By-law.

Noise

- 13.7 Police Work Dogs and Livestock Guardian Dogs are exempt from Section 5 of this By-law if actively engaged in the performance of its duties.

Dogs Running at large

- 13.8 Personal Assistance Dogs, Police Work Dogs, and Working Farm Dogs are exempt from Section 6 of this By-law if actively engaging in the performance of its duties.

Removal of Dog Excrement

- 13.9 Proof that the owner is either a visually impaired person or a physically disabled person shall exempt the individual from being prosecuted under Section 7 of this By-law.

14. OBSTRUCTION

- 14.1 No person shall hinder or obstruct, or attempt to hinder or obstruct, any Officer exercising a power of performing a duty under this By-law.
- 14.2 Any person who is alleged to have contravened any provision of this By-law shall identify themselves to the Officer upon request. Failure to do so shall be deemed to have obstructed or hindered the Officer in the execution of their duties.

15. ENFORCEMENT AND POWERS OF ENTRY

- 15.1 An Officer as defined in this By-law is hereby vested with the authority to enforce this By-law.
- 15.2 An Officer may enter on a lot at any reasonable time for the purpose of carrying out an inspection to determine whether or not the following are being complied with:
 - (a) The provisions of this By-law; or
 - (b) A direction, Notice, or Order issued under this By-law.
- 15.3 Where an inspection is conducted by the Township, an Officer may:
 - (a) Require the production for inspection of documents or things relevant to the inspection;

- (b) Inspect and remove documents or things relevant to the inspection for the purpose of making copies or extracts; or
- (c) Require information from any person concerning a matter related to the inspection including their name, address, phone number and identification.

15.4 Every Owner or Person occupying the property shall permit an Officer to inspect any land for the purposes as set out in this By-law. An Officer may be accompanied by a person under the Officer's direction.

15.5 Power of entry may be exercised by an Officer as defined in this By-law.

16. OFFENCES

16.1 Every person who contravenes any provision of this By-law shall be guilty of an offence and upon conviction is liable to a fine pursuant to the *Provincial Offences Act, R.S.O. 1990, c. P. 33, as amended*.

16.2 No person shall contravene any Order, permit, license, or direction issued by the Township pursuant to this By-law or the *Municipal Act*.

16.3 Pursuant to Section 429(2) of the *Municipal Act*, all contraventions of this By-law or Orders issued under this By-law are designated as multiple offences and continuing offences. A multiple offence is an offence in respect of two (2) or more acts or omissions each of which separately constitute an offence and is a contravention of the same provisions of this By-law.

17. PENALTIES

17.1 Every person who contravenes any of the provisions of this by-law and every director or officer of a corporation, who knowingly concurs in the contravention by the corporation, is guilty of an offence under the provisions of the *Municipal Act, 2001, S.O. 2001, c. 25, as amended*.

17.2 Every person who contravenes the provisions of this by-law and every director or officer of a corporation, who knowingly concurs in the contraventions by the corporation, is guilty of an offence and liable on conviction to a penalty where the minimum fine shall not exceed \$500 and a maximum fine shall not exceed \$100,000 exclusive of costs under the provisions of the *Municipal Act 2001, S.O. 2001, c. 25, as amended*.

17.3 For the purpose of continuous offences, every person who contravenes any provision of this by-law and every director or Officer of a corporation who knowingly concurs in the contravention of a by-law of the corporation is guilty of an offence and liable on conviction to a penalty not exceeding \$10,000, exclusive of costs under the provisions of the *Municipal Act, 2001, S.O. 2001, c. 25, as amended*.

17.4 Despite section 14.3 and the provisions of the *Municipal Act, 2001, S.O. 2001, c. 25 as amended*, the total of all daily fines for the offence is not limited to \$100,000.

17.5 For the purpose of multiple offences, every person who contravenes any provision of this by-law and every director or officer of a corporation who knowingly concurs in the contravention of a by-law of the corporation is guilty of an offence and liable on conviction to a penalty not exceeding

\$10,000, exclusive of costs under the provisions of the Municipal Act, 2001, S.O. 2001, c. 25, as amended.

- 17.6 Despite section 14.5 and the provisions of the Municipal Act, 2001, S.O. 2001, c. 25, as amended, the total of all daily fines for the offence is not limited to \$100,000.
- 17.7 Every person who fails to comply with an Order made under this By-law is guilty of an offence.
- 17.8 It shall be an offence for a person to hinder or obstruct, or attempt to hinder or obstruct, an Officer who is exercising a power or performing a duty under the Municipal Act, 2001, as amended, or under a by-law passed under the Municipal Act, 2001, as amended.
- 17.9 Any person who has been alleged to have contravened any of the provisions of a by-law passed under the Municipal Act, 2001, as amended shall identify themselves to the Officer upon request. Failure to do so shall be deemed to have obstructed or hindered the Officer in the execution of the Officer's duties.
- 17.10 Every person who contravenes any section of this by-law under a Part 1 ticket, upon conviction shall be liable to a fine as provided for in the Provincial Offences Act, R.S.O 1990, Chapter P.33, as amended.
- 17.11 Upon conviction any penalty imposed under this By-law may be collected under the authority of the Provincial Offences Act, R.S.O. 1990, Chapter P.33, as amended.

18. TOWNSHIP NOT LIABLE

- 18.1 The Township assumes no liability for property damage, damage to the animal or personal injury resulting from remedial action, remedial work and enforcement undertaken with respect to any person, animal or property that is subject of this by-law.

19. VALIDITY AND SEVERABILITY

- 19.1 Should any section, subsection, clause, paragraph, or provision of this bylaw be declared by a Court of competent jurisdiction to be invalid or unenforceable, the same shall not affect the validity of the enforceability of any other provision of this by-law, or of the by-law as a whole.

20. SEPARATE OFFENCE

- 20.1 For the purpose of this by-law, each day of a continued offence shall be deemed to be a separate offence.

21. SHORT TITLE

- 21.1 The short title of this by-law is the Canine Control By-law.

22. REPEAL


- 22.1 By-law No. 2017-43, as amended, is hereby repealed.

23. ENACTMENT

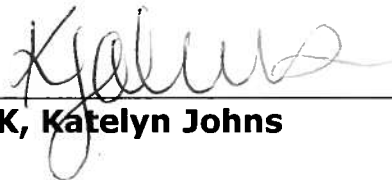
23.1 That this by-law shall come into force and take effect upon approval of the set fines appended hereto, from the Ontario Court of Justice (Provincial Division).

THAT BY-LAW NO. 2025-10 BE ENACTED AS A BY-LAW OF THE TOWNSHIP OF TAY THIS 26th DAY OF MARCH, 2025.

THE CORPORATION OF THE TOWNSHIP OF TAY



MAYOR, Ted Walker



CLERK, Katelyn Johns

SCHEDULE 'A' TO BY-LAW 2025-10

PART 1 Provincial Offences Act - Set Fine Schedule

THE CORPORATION OF THE TOWNSHIP OF TAY

By-law No. 2025-10, Canine Control and Dog Licensing By-law

Item	Column 1 Short Word Form Wording	Column 2 Provision Creating or Defining Offence	Column 3 Set Fine
1	Harbour more than two dogs in a dwelling unit	2.1	\$150.00
2	Fail to license dog for current year	3.1(a)	\$150.00
3	Fail to securely fasten a dog tag to a dog at all times	3.2(b)	\$150.00
4	Fail to provide verification of current rabies vaccination	3.2(c)	\$300.00
5	Use a tag for a dog not being the licensed dog	3.2(d)	\$150.00
6	Falsify any information when applying for a license	3.2(e)	\$300.00
7	Fail to obtain a kennel license	4.3	\$300.00
8	Fail to comply with the general requirements of a kennel	4.4	\$150.00
9	Fail to comply with the outdoor housing requirements of a kennel	4.5	\$150.00
10	Fail to comply with the kennel facility requirements	4.6	\$150.00
11	Permit noise from a dog likely to disturb	5.1	\$150.00
12	Permit dog to run at large	6.2	\$300.00
13	Fail to remove dog excrement from property	7.1	\$150.00
14	Fail to comply with muzzle order requirements	9.5	\$300.00
15	Fail to comply with dangerous dog order requirements	10.8	\$300.00
16	Hinder or obstruct an Officer	14.1	\$300.00

Note: The penalty provision(s) for the offences indicated above is Section 17 of By-Law #2025-10. A certified Copy of which has been filed.