

**THE CORPORATION OF THE TOWNSHIP OF FRONT OF YONGE BY-LAW # 12-17**

**BEING A BY-LAW FOR THE LICENSING, REGULATING AND KEEPING OF DOGS**

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**WHEREAS** Section 11 (3) of the *Municipal Act S.O. 2001, c. 25*, authorized a municipality to pass by-laws regarding animals;

**AND WHEREAS** under Section 127 of the *Municipal Act S.O. 2001, c.25*, a municipality may prohibit the depositing of refuse or debris on land without the consent of the owner or occupant of the land;

**AND WHEREAS** under Section 128 of the *Municipal Act S.O. 2001, c.25*, a local municipality may prohibit and regulate with respect to public nuisances;

**NOW THEREFORE** the Council of the Corporation of the Township of Front of Yonge enacts as follows:

**SECTION ONE  
TITLE, SCOPE  
AND DEFINITIONS**

1.1 Short Title

This By-law may be cited as the “Dog Control By-law”

1.2 Scope

The provisions of this By-law shall apply to all lands within the boundaries of the Corporation of the Township of Front of Yonge.

This By-law shall not be effective to reduce or mitigate any restrictions lawfully imposed by a governmental authority having jurisdiction to make such restriction.

1.3 Definitions

**BUILDING** means any structure consisting of walls and a roof or any part or combination thereof, which is used for shelter, accommodation or enclosure of persons, animals, equipment goods or materials, or a structural system serving a function thereof.

**STRUCTURE AND BUILDING SHALL HAVE A CORRESPONDING MEANING.**

**CORPORATION** shall mean the Corporation of the Township of Front of Yonge.

**DISABLED PERSON** shall mean a person who is blind, deaf, or has any physical reliance on a wheelchair, crutches, braces, canes or other remedial appliance or devices.

**FENCE** means any barrier or barricade that encompasses either in whole or in part of any lot or tract of land and includes any gate or entrance attached to and forming part of a fence, but does not include a wall.

**GATE and ENTRANCE** means any part of a fence or a wall through which access may be gained to a fenced in area.

**HOBBY KENNEL** means any non-commercial premise for the housing of purebred dogs, not to exceed fifteen dogs, where the owners are current members of the Canadian Kennel Club or a similar recognized body, and where the dogs are kept for the primary purpose of pleasure (pets), and for such purposes as breeding, hunting, or dog sledding.

**KENNEL (COMMERCIAL)** shall mean a building or structure where animals other than livestock are bred, boarded or trained for financial compensation.

**LEASH** shall mean a restraining device of sufficient strength and material for holding a dog.

**MUNICIPAL BY-LAW ENFORCEMENT OFFICER** shall mean a Municipal By-law Enforcement Officer or Dog Control Officer of the Township of Front of Yonge.

**MUZZLE** means a humane fastening or covering device of adequate strength over the mouth to prevent a dog from biting.

**OWNER** of a dog includes a person who possesses or harbours a dog and where the owner is a minor, the person responsible for the custody of the minor.

**RESTRAINED** means being kept inside a building or house or in an enclosed pen of sufficient dimensions and strength to be humane and to prevent a dog from coming in contact with persons other than the owner of the dog.

**RUNNING AT LARGE** means found in any place other than the premises of the owner of the dog and not under control of any person.

**RURAL AREA** shall for the purposes of this By-law mean any area of the municipality zoned Rural in the Township of Front of Yonge Zoning By-law No. 20-08.

**WASTE** shall mean waste matter excreted from the animals' body.

**VICIOUS DOG** shall mean,

- 1) any dog with a known propensity, tendency or disposition to attack without provocation any other domestic animals or persons; or
- 2) any dog which has bitten another domestic animal or person without provocation on public or private property; or
- 3) any dog which has been previously determined by the Municipality, or any other jurisdiction, to be "vicious" as herein described.

## **SECTION TWO LICENSING**

1. Every owner of a dog, over the age of six months, shall annually on or before the 31<sup>st</sup> day of March of each year cause the dog to be registered, numbered, described and licensed at the Township Office.
2.
  - a) The Fee payable for each license shall be as set out in Schedule "A" of this By-law.
  - b) Fees shall increase as per Schedule "A" for a license that is applied for after the 31<sup>st</sup> day of March of each year. This shall not be deemed to apply to dogs which fall under the provisions of paragraph 4 (c) of this section.
3. Dog Licenses shall be available from January 2, of each year for that year and shall expire on December 31<sup>st</sup> of the same year.
4.
  - a) Every dog residing in the Township of Front of Yonge shall be licensed and registered by its owner within six (6) months after its date of birth. There shall be a maximum of three (3) dogs per household, or as otherwise stated in this by-law.
  - b) Every dog brought into the Township of Front of Yonge shall be licensed and registered by its owner within fourteen (14) days of being brought into the Township.
  - c) Where the owner of a dog to which this section applies is not required to register

and license that dog until after the 31<sup>st</sup> day of March in any year, the fee payable shall be as indicated in Schedule "A" of this By-law.

5. a) On payment of the individual license fee for a dog, the owner shall be furnished with a dog tag and shall keep the 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 being lawfully used for hunting in the bush.  
b) It is an offence to use a tag upon a dog other than for which it was issued.
6. Notwithstanding the provisions of articles 1 to 5 of Section Two, the owner of a kennel and hobby kennel shall pay a license fee as indicated in Schedule "A" of this By-Law and is not liable to license, number, and describe each dog that he or she owns in his kennel.
7. The license fee set out in Schedule "A" of this By-law, shall not apply to a dog professionally trained to aid or assist a disabled person or dog professionally trained to assist a law enforcement agency.

### **SECTION THREE WASTE**

1. Every person or owner of a dog who allows waste to be deposited on private property or property of the Corporation, without authorization from the owner, is guilty of an offence.
2. Notwithstanding section 1 hereof, if a person who has deposited or allowed waste to be deposited on private property or property of the Corporation shall immediately and without leaving the scene, cause such waste to be entirely picked up and thence removed to his/her own property, such person shall be deemed not to have committed an offence under this section.
3. This shall not apply to a seeing eye dog while on a leash and actually in use in providing assistance to a person with impaired vision or to a disabled person as defined herein.

### **SECTION FOUR RUNNING AT LARGE**

1. No person shall allow a dog to run at large in the Township of Front of Yonge. Any dog found running at large in the Municipality may be seized and/or impounded. The owner of the dog which is found to be running at large in contravention of this By-law may be issued an Offence Notice or Summons by the Municipal By-law Enforcement Office or Dog Control Officer.
2. No person shall keep a dog, when off the property of the owner, or the person harbouring the dog, other than on a leash which is securely attached to that person, or under their direct care and control.
3. Any person who fails to claim a dog within five (5) working days, exclusive of weekends and statutory holidays, shall forfeit all rights to ownership of that dog. The unclaimed dog shall be disposed of according to the redemption period set forth in the Animals for Research Act, RSO 1990 Chapter A.22, Section 20 or as may be amended.
4. Any dog seized by the Municipality may be returned to the owner or impounded.
5. Any owner of a dog that has been seized or impounded shall pay an amount as set out in Schedule "A" & "B" prior to the release of the dog.

6. Any owner of a dog that has been seized or impounded but that has not been issued a dog license for the current year shall purchase one before the dog is released.
7. Any dog impounded may be taken to any kennel as designated by the Corporation and shall remain in their custody until such time as all conditions for its release are met including those of paragraph 5 and 6 of this section.
8. The Municipal By-law Enforcement Officer or designate may kill any dog that he/she finds running at large if:
  - a) he/she reasonably believes the dog is likely to cause imminent harm to any person or animal; or
  - b) the dog is injured or ill and should be destroyed without delay for public safety and humane reasons.
9. The Municipal By-law Enforcement Officer shall be exempt from the Corporation's Noise Control By-law when in the act of enforcing this By-law.

## **SECTION FIVE KENNEL**

1.
  - a) No person shall operate a kennel in the Township unless he/she has obtained a license for such kennel under the provisions of this By-law.
  - b) For the purpose of this section, dogs less than one (1) year old are considered pups.
2. No person or persons shall lodge, keep, board or breed more than three (3) dogs at any time on any premises in the Township of Front of Yonge, unless a kennel license has been purchased by them with respect to such dogs.
3. No person shall establish or operate a kennel, except in compliance with the municipality's comprehensive Zoning By-law and any other applicable By-law.
4. Minimum separation distance for a hobby or commercial kennel from a residential use on another lot, a vacant lot in a Residential zone or any lands designated Settlement Area in the Official Plan must be 150 metres.
5. Application for a license for a kennel shall be made, on the application form marked as schedule "C", to the Clerk on or before the 31<sup>st</sup> day of March.
6. The Municipal Clerk's Office shall not issue the license for the kennel until the license fee provided in the By-law has been paid and it is satisfied that the applicant has complied with the provisions of this By-law.
7. Each license for a kennel, unless specifically expressed to be for a shorter period and unless suspended or revoked, shall remain in force for a twelve month period from March 31<sup>st</sup> in the year in which it was issued and the year of issue shall be set forth on the space of such license.
8. All kennels operated in the Township shall maintain dogs in a clean, secure, and humane manner.

9. Any person when applying for a license under the provisions of paragraph 4 of this section, shall satisfy the Municipal By-law Enforcement Officer that the kennel or proposed kennel complies with the provisions of this By-law and such person shall furnish the Municipal By-law Enforcement Officer with all the information he/she may reasonably require and permit him/her to examine the premises where the kennel is located or is to be located in order for him/her to be satisfied that the kennel complies with the provisions of this By-law.
10. If the Municipal By-law Enforcement Officer is not satisfied he/she will refer the matter to Council who, if they agree, may hire a qualified person to advise on the adequacy of the kennel in question.
11.
  - a) Where, in the opinion of the Municipal By-law Enforcement Officer any kennel does not comply with the provisions of this By-law or creates or is likely to create a public health nuisance or unsanitary condition(s), he/she shall require the owner of the kennel to abate the nuisance or rectify the condition(s) within a reasonable period of time after notice in writing to the owner.
  - b) If the owner fails to abate the nuisance or rectify the condition(s) specified by the Municipal By-law Enforcement Officer, he/she shall be deemed to be contravening the provisions of this By-law.
12. Any kennel license may be suspended or revoked by Council on the recommendation of the Municipal By-law Enforcement Officer if, in his/her opinion, the kennel does not comply with the provision of this By-law.
13. Whenever, in this By-law, any duty is imposed upon the Municipal By-law Enforcement Officer related to the suspension or revocation of kennel licenses or the inspection of kennel premises and if said Officer considers that professional advice is necessary or desirable, he/she may retain the services of a qualified veterinarian entitled to practice this profession in Ontario to advise him/her and to make a report to him/her, the kennel owner and to Council. The Municipal By-law Enforcement Officer shall be guided by such professional advice and report. The fee for such services shall be paid by the kennel licensee to the Township within 30 days of after the account is rendered and if not so paid shall bear interest at the same rate that applies to overdue taxes. Said interest shall be charged beginning 30 days from the date of rendering and shall be added to the tax demand for the land occupied by the licensees and collected in like manner as overdue municipal taxes. If the veterinarians report supports the kennel operator's position the Township will not seek to collect the consultation fees from them.

**SECTION SIX  
GENERAL PROVISIONS**

1. No Person who owns or harbours a dog within the Township of Front of Yonge shall permit such a dog to become a public nuisance.
2. A dog shall be considered a public nuisance if:
  - i) It persistently barks, howls or there are repeated instances; or
  - ii) It causes damage to public or private property, including injury to livestock and poultry; or
  - iii) It interferes with or dumps or scatters garbage or trash; or
  - iv) It persistently chases people using public or private property adjacent to the property where the dog or dogs are kept or harboured.

3. Notwithstanding Section 5 - 2 of this By-law, owners of hunting dogs, who are in possession of a valid Outdoor Card for Hunting, and a valid hunting license, will be permitted up to a maximum of five (5) dogs.
4.
  - a) Where, in the opinion of the Municipal By-law Enforcement Officer any dog owner who does not comply with the provisions of this By-law or creates or is likely to create a public health nuisance or unsanitary condition(s), he/she shall require the owner to abate the nuisance or rectify the condition(s) within a reasonable period of time after notice in writing to the owner.
  - b) If the owner fails to abate the nuisance or rectify the condition(s) specified by the Municipal By-law Enforcement Officer, he/she shall be deemed to be contravening the provisions of this By-law.
5. Any license may be suspended or revoked by Council on the recommendation of the Municipal By-law Enforcement Officer if, in his/her opinion, the owner does not comply with the provision of this By-law.
6. Whenever, in this By-law, any duty is imposed upon the Municipal By-law Enforcement Officer related to the suspension or revocation of dog licenses or the inspection of premises and if said officer considers that professional advice is necessary or desirable, he/she may retain the services of a qualified veterinarian entitled to practice this profession in Ontario to advise him/her and to make a report to him/her, the owner and to Council. The Municipal By-law Enforcement Officer shall be guided by such professional advice and report. The fee for such services shall be paid by the licensee to the Township within 30 days of after the account is rendered and if not so paid shall bear interest at the same rate that applies to overdue taxes. Said interest shall be charged beginning 30 days from the date of rendering and shall be added to the tax demand for the land occupied by the licensees and collected in like manner as overdue municipal taxes. If the veterinarians report supports the owner's position the Township will not seek to collect the consultation fees from them.

**SECTION SEVEN  
VICIOUS DOG**

1. The owner of a vicious dog shall at all times when the dog is outside the boundaries of its owners house or fenced area, keep the dog muzzled so as to prevent it from biting.
2. Where a dog has bitten a person or a domestic animal, the owner shall cause the dog to remain quarantined and leashed until such time as the incident has been reviewed by the Municipal By-law Enforcement officer and the Health Unit.

**SECTION EIGHT  
ADMINISTRATION**

1. This By-law shall be administered by the Municipal By-law Enforcement Officer and the Dog Control Officer.

**SECTION NINE  
VIOLATIONS AND PENALTIES**

1. Every person who contravenes any provision of this By-law is guilty of an offence and upon conviction is liable to a fine of not more than \$5,000.00, as set out in the Provincial Offences Act, RSO 1990, Chapter P. 331.
2. Upon registering a conviction for a contravention of any provision of this By-law, the Ontario Court, Provincial Division, may in addition to any penalty imposed by this By-law make an order prohibiting the continuation or repetition of the offence by the person convicted and the Ontario Court (Provincial Division) may in addition to any other penalty imposed by this by-law, order that the costs to the Township for impoundment and storage charges from the impoundment kennel shall be paid directly to the Township of Front of Yonge.
3. Penalties and fines for the violation of this By-law will be set out in Schedule "B", attached hereto and forming part of this By-law.





**SCHEDULE "A"**  
**BY-LAW # 12-17**

**ANNUAL FEES**

Fee prior to March 31 <sup>st</sup> of each year .....	\$ 20.00
Fee March 31 <sup>st</sup> and after of each year .....	\$ 25.00
Section Two (4c) .....	\$ 15.00
Neutered or Spayed .....	\$ 12.50
Fee March 31 <sup>st</sup> and after of each year .....	\$ 25.00
Replacement Tag .....	\$ 5.00
Guide or lead dog .....	\$ N/C
Hobby Kennel License .....	\$ 100.00
Commercial Kennel .....	\$ 150.00

The license fees listed in this Schedule are not to be interpreted as part of the release fees as listed herein, in part section 4, paragraph 6.

**Release Fee**

First Time .....	Documented Warning
Second Time .....	\$ 40.00
Third Time .....	\$ 80.00
Subsequent Times .....	\$ 200.00

**SCHEDULE "B"**  
**BY-LAW # 12-17**

**FINES**

Violation of	Set Fine
Section Two (1) Unlicensed Dog .....	\$ 75.00
Section Two (5b) Dog Tag being used on a dog other than the one registered to that tag .....	\$ 50.00
Section Three (1) Leaving dog waste on private or public property .....	\$ 75.00
Section Four (1) Dog running at large .....	\$ 100.00
Section Four (2) Dog not on a leash or under direct care & control .....	\$ 75.00
Section Six (1a) Dog being a public nuisance .....	\$ 150.00

**SCHEDULE "C"**  
**BY-LAW #**  
**KENNEL LICENSE APPLICATION FORM**

NAME OF APPLICANT: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

PHONE: \_\_\_\_\_

NAME OF OWNER OF PROPERTY: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

PHONE: \_\_\_\_\_

REGISTERED AFFILIATION: \_\_\_\_\_

NUMBER: \_\_\_\_\_

BREED OF DOGS: \_\_\_\_\_

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DOG IDENTIFICATION:      Tattoo:              Microchip:

Combination:

Other: (specify)

**REQUIREMENTS**

Have the Zoning requirements been met: \_\_\_\_\_

Approved by: \_\_\_\_\_ Date: \_\_\_\_\_

**DECLARATION**

I, \_\_\_\_\_, do solemnly declare that the information given is true and complete in all respects.

Dated at \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Signature of Applicant

**ADMINISTRATION**

Licence fee paid: \_\_\_\_\_ Licence No.: \_\_\_\_\_

Received by: \_\_\_\_\_ Date: \_\_\_\_\_

Licence Issued: \_\_\_\_\_