

**THE CORPORATION OF THE TOWNSHIP OF WILMOT**

**BY-LAW NO. 2008 - 01**

**BEING A BY-LAW OF THE CORPORATION OF THE TOWNSHIP  
OF WILMOT  
TO REGULATE DOGS AND LICENSE DOG KENNELS  
AND TO REPEAL BY-LAW NO. 99-28.**

**WHEREAS** Section 11(3) of the *Municipal Act, 2001*, S.O. 2001, Chapter 25, as amended, provides for the authority for lower tier municipalities to pass by-laws to regulate animals;

**AND WHEREAS** Section 8(3) of the *Municipal Act, 2001*, S.O. 2001, Chapter 25, as amended, provides that a by-law under Section 11 respecting a matter may:

- (a) regulate or prohibit respecting the matter;
- (b) require persons to do things respecting the matter; and,
- (c) provide for a system of licences respecting the matter.

**AND WHEREAS** the *Animals for Research Act*, R.S.O. 1990, Chapter A.22, Section 20, as amended, provides for rules and regulations that must be followed for the keeping of dogs in a municipal pound;

**AND WHEREAS** Regulation 557 of the *Health Protection and Promotion Act*, R.S.O. 1990, Chapter H.7, as amended, provides for the isolation of animals suspected of being carriers of rabies, at municipal expense;

**AND WHEREAS** the *Ontario Society for the Prevention of Cruelty to Animals Act*, R.S.O., 1990, Chapter O.36, as amended, provides special powers to help animals in distress;

**AND WHEREAS** Section 103 (1), of the *Municipal Act, 2001*, S.O. 2001, Chapter 25, as amended, provides that municipalities may pass by-laws with respect to the being at large or trespassing of animals and the seizure, impounding and sale of such at large or trespassing animals within the municipality;

**AND WHEREAS** Section 11 of the *Dog Owners' Liability Act*, R.S.O. 1990, Chapter D.16, as amended, provides that where there is a conflict between provisions of the Act and a by-law passed by a municipality relating to pit bulls, the provision that is more restrictive in relation to the control or bans on pit bulls prevails;

**AND WHEREAS** Section 12 of the *Dog Owners' Liability Act*, R.S.O. 1990, Chapter D.16, as amended, names municipal law enforcement officers as Peace Officers under the Act;

**AND WHEREAS** it is considered desirable to pass a by-law relating to animal control within the Township of Wilmot.

**NOW THEREFORE THE MUNICIPAL COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF WILMOT ENACTS AS FOLLOWS:**

**1. DEFINITIONS:**

- 1.1 **Animal Control Officer** - shall mean a Municipal Law Enforcement Officer, a Provincial Offences Officer, or persons appointed by the Township to carry out the provisions of this By-law.

- 1.2 **At Large** - shall mean that an animal shall be deemed at large when found in any place other than the premises at which they are habitually kept, if not under the control of any person, and an animal shall not be deemed to be under the control of any person unless accompanied by an attendant who is exercising control over the animal at all times.
- 1.3 **Body Length** – shall mean the length of the dog measured from the point of the nose to the tip of the fully extended tail when the dog is fully stretched out.
- 1.4 **Corporation** - shall mean the Corporation of the Township of Wilmot.
- 1.5 **Council** – shall mean the Council of the Corporation of the Township of Wilmot.
- 1.6 **Crossbred** – shall mean a dog whose sire and dam are of two different breeds.
- 1.7 **Dog** - shall mean any member of the species canis familiaris, greater than 12 weeks of age, but does not include a guide dog, service or police work dog.
- 1.8 **Dog Canvasser** – shall mean a person employed by the Township to distribute and collect fees for dog licences and collect data for maintaining the dog database.
- 1.9 **Farm Dog** - shall mean that a dog is classified as a farm dog only when herding farm animals, i.e., cattle, sheep, etc.
- 1.10 **Fees and Charges By-Law** – refers to the current by-law of the Township to establish fees and charges pursuant to the *Municipal Act, 2001*, S. O. 2001, Chapter 25, as amended.
- 1.11 **Guide Dog or Service Dog** - shall mean a dog **required** as a guide for a blind person and having the qualifications prescribed by the regulations under the *Blind Persons' Rights Act* or a dog **required** by the person for reasons relating to his or her disability – as defined under *Ontario Regulation 429/07* under the *Accessibility for Ontarians with Disabilities Act, 2005*.
- 1.12 **Hunting Dog** - shall mean a dog used primarily for the purposes of hunting.
- 1.13 **Kennel** – shall mean a place where a minimum of three (3) and a maximum of fifty (50) dogs are housed, groomed, bred, boarded, trained, sold or kept and which is licenced by the Township under the provisions of the *Municipal Act, 2001*, S. O. 2001, Chapter 25, as amended. Where a kennel is a breeding kennel there must be a minimum of three (3) purebred dogs and a maximum of fifty (50) purebred dogs kept. Crossbred dogs may also be kept in a breeding kennel in a combination up to the maximum number of dogs permitted by virtue of this By-law, provided a minimum of three (3) purebred dogs is maintained in the kennel and further provided that the kennel facility complies with the provisions contained in this By-law. Kennels existing on the day of passing of the by-law will be restricted to the number of animals for which their existing facilities are designed provided they comply with the provisions contained herein.
- 1.14 **Officer** – shall mean an Animal Control Officer.
- 1.15 **Owner** - shall mean any person, group of persons, partnership or corporation who possesses or harbours dogs; “owns” or “owned”, shall

have a corresponding meaning, and shall include a person or persons who are temporarily the keeper of animals and where the owner is a minor, the person responsible for the custody of the minor.

- 1.16 **Persons** - shall mean any individual or firm, incorporated group, business entity, or club to whom the context can apply.
- 1.17 **Police Work Dog** - shall mean a dog trained to aid law enforcement Officers and which dog is actually being used for law enforcement purposes: for the protection of the public, including the investigation of crime and the apprehension of criminals.
- 1.18 **Pound** - shall mean such premises and facilities designated by the Township for the purposes of impounding and caring for animals taken up by the Township in violation of this by-law.
- 1.19 **Poundkeeper** - shall mean a person or agency designated for the Township to administer the pound.
- 1.20 **Purebred** - shall mean a dog registered or eligible for registration with an Association incorporated under the *Animal Pedigree Act (Canada)*.
- 1.21 **Restraint** - shall mean a dog is on a leash or otherwise restrained and under the control of a responsible person.
- 1.22 **Township** – shall mean the Corporation of the Township of Wilmot.
- 1.24 **Zoning By-law** – refers to the current comprehensive Zoning By-law 83-38, as amended, of the Township of Wilmot.

## **2. ANIMAL CONTROL OFFICERS**

- 2.1 Council may appoint an Animal Control Officer(s) whose duty it shall be to:
  - a) issue fines in the manner set forth in this by-law, attached as Schedule 'A';
  - b) maintain accurate records, of all licences issued pursuant to this by-law and such records must include the dog owner's name, address, the serial number of the dog tag licence and copies of documents produced showing proof of rabies vaccination and proof of breed;
  - c) provide to Council quarterly reports outlining the activities such as complaints and fines issued;
  - d) inspect licensed kennels once per year, as a minimum or more frequently as required;
  - e) seize and impound dogs found to be running at large; and,
  - f) carry out any other provisions of this by-law as required.

## **3. DOGS RUNNING AT LARGE:**

- 3.1 A dog is deemed to be running at large if it is found in any place other than the premises of the owner of the dog, not on a leash, and not under the control of a responsible person.
- 3.2 No owner of a dog shall permit the dog to run at large in the Township or fail to prohibit the dog from running at large.
- 3.3 A dog shall not be considered running at large if it is:
  - a) a guide dog;
  - b) a service dog;

- b) a police work dog;
- c) a hunting dog; or,
- d) a farm dog;

providing it is actively engaged in the performance of its trained duties.

- 3.4 Any dog running at large may be captured by a police officer or other duly appointed officer and may be delivered to an Animal Control Officer and/or impounded at the Township's pound in accordance with the provisions outlined in Section 4 of this by-law.
- 3.5 An Animal Control Officer may enter on any public property, or private property, for the purpose of capturing any dog running at large.
- 3.6 Any person may capture any dog running at large on his/her property and deliver the same to an Animal Control Officer or other duly appointed individual, who may impound the said dog.
- 3.7 Where an Officer of the Township impounds or otherwise detains a dog found running at large, contrary to the provisions of this by-law, and the owner of such dog is known, the Officer shall return the dog to the owner. Where the dog is returned to the owner, the Officer may request the owner of the dog to pay a Fee as established by the Fees and Charges By-law of the Township passed by Council in accordance with the respective by-law provisions. The Fee shall be paid to the Township within seven (7) days of the return of the dog to the owner.

#### **4. IMPOUNDMENT:**

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- 4.1 It shall be the duty of an Animal Control Officer to capture dogs found running at large and return them to the owner's habitual residence if known, or to impound same, when practical, where they can be confined subject to the right of the owner to redeem the dog in seventy-two (72) hours from the time of impoundment, exclusive of Sundays and holidays and the day of impoundment, by paying to the Corporation the poundage fees. In the event the dog is not redeemed within seventy-two (72) hours as aforesaid, the dog shall become the property of the Corporation who may sell it or otherwise dispose of it as deemed fit. And when not practical to impound, dogs running at large may be killed whether before or after impoundment. In either event aforesaid, no damages or compensation shall be recovered on account of its killing or its disposition.
- 4.2 The owner of every dog impounded, if known, whether or not the dog is claimed by the owner from the pound, shall be liable for the payment of the pound fee, the boarding fee, and any euthanasia and disposal fees applicable, and shall pay all fees on demand to the Treasurer.
- 4.3 When dogs are impounded and are not claimed by their owners within the time specified by this by-law, if deemed suitable as pets, they may be placed with new owners. The proceeds from any dog sold by the Poundkeeper shall belong to the pound.
- 4.4 Where an injured dog is impounded or detained for running at large and requires the immediate services of a qualified veterinarian or should be destroyed without delay for humane reasons, an Animal Control Officer, or other duly appointed officer, may deliver the injured dog to a qualified veterinarian for care or to euthanize the dog as he/she thinks fit and shall notify the owner, if known. Where such injured dog has been delivered to a qualified veterinarian for care, the owner of the dog shall be responsible for any and all costs or charges associated with the services provided by

the veterinarian. No damages or compensation shall be recoverable by the owner or any other person.

- 4.5 When in the judgement of the Corporation or its agents, an animal should be destroyed for humane reasons, such animal may not be redeemed.
- 4.6 Where a dog is alleged to have bitten any person or domestic animal, such dog may be impounded and held by the Pound until proceedings under the *Dog Owners' Liability Act*, R.S.O. 1990, Chapter D. 16, as amended, have been followed.

**5. MUZZLING and LEASHING OF DOGS:**

- 5.1 a) Every owner of a dog after it has, or is alleged to have, bitten a person or a domestic animal shall ensure that said dog is muzzled and leashed while said dog is on any property in the Township, and the premises of the owner of the dog as Ordered by an Animal Control Officer or another duly appointed officer. Such Order shall set out the conditions of muzzling and the owner of the dog shall comply with all conditions of the Order. The Order shall remain in effect until an action under the provisions of the *Dog Owner's Liability Act*, R.S.O. 1990, Chapter D. 16, as amended, has concluded; it is deemed by the Animal Control Officer or another duly appointed officer that the dog in question is otherwise innocent of such a bite or attack; or otherwise at the discretion of the Animal Control Officer, Council, Clerk or designate.
  - b) The owner of a dog or person in control of a dog for which an Order has been issued pursuant to subsection 5.1 a) shall at all times comply with the provisions of the Order in its entirety.
- 5.2 An owner of said dog shall, when on the premises and lands of the owner at all times:
- a) keep within the premises, said dog confined; or,
  - b) keep in an enclosed pen of sufficient construction and dimension to provide humane shelter for said dog and preventing it from escaping or entry therein of unsupervised children.

**6. RESTRICTED PIT BULLS:**

- 6.1 Every person who is the owner of a restricted pit bull, as defined within the *Dog Owners' Liability Act*, R.S.O. 1990, Chapter D.16 section 7 (1), shall cause said dog to be registered with an Animal Control Officer or designate, within two (2) days of owning the restricted pit bull. Registration of restricted pit bulls is in addition to the annual licensing of said dog.
- 6.2 Every owner of a restricted pit bull who fails to register said dog with an Animal Control Officer or designate will be required to pay a fine in accordance with the set fine Schedule of this by-law. The Fee shall be paid to the Township within seven (7) days.

**7. LICENSING OF DOGS (TAGS):**

- 7.1 Every person who is the owner of a dog shall:
  - a) within 10 days after the dog comes into his or her possession; or,
  - b) after the dog has reached the age of 12 weeks,

- whichever is the later, cause the dog to be licenced for a period which will expire on the 31st day of December in each year in which the same was issued.
- 7.2 Every person residing within the limits of the Township, being the owner of a dog shall, on or before the 31st day of March in each and every year cause such dog to be registered with an Animal Control Officer or Treasurer, or designate, and shall procure a licence therefor, which license shall expire on the 31st day of December in each year in which the same was issued.
  - 7.3 Every owner of a dog shall cause a dog tag to be securely affixed on the dog at all times (until the tag is renewed or replaced) bearing figures or marks indicating that the licence fee as hereinafter set out has been paid for the current year. Said tag shall be supplied by an Animal Control Officer, or designate, upon the payment of the licence fee.
  - 7.4 A record shall be kept by the Township showing the name and address of the owner and the serial number of the dog tag.
  - 7.5 Upon application for a licence, the Township may require the owner to produce a certificate signed by a practicing veterinarian that the dog has been inoculated with an anti-rabies vaccine within a period of twenty-four (24) or thirty-six (36) months, dependent on the type of vaccination received, immediately preceding the date of the application for the licence.
  - 7.6 The dog tag shall bear the serial number and the year in which it was issued and no person shall remove the tag from a licensed dog; however, said dog tag may be removed while the dog is being lawfully used for hunting.
  - 7.7 No dog licence shall be transferable within the corporate limits of the Township provided said licence was issued by the Township in the first instance.
  - 7.8 In the event a dog tag is lost, an owner shall apply for a replacement dog tag and shall pay the fee as set out more particularly in the Fees and Charges By-law.
  - 7.9 At such time the Township deems necessary, a dog canvasser(s) may be employed to issue and collect fees for dog licences and collect data for the continued maintenance of the dog database.
  - 7.10 That it is hereby imposed and shall be collected by an Animal Control Officer or Treasurer, or designate, from the owner of every dog or the owner of a kennel in the Township, an annual license fee.
  - 7.11 Notwithstanding the provisions of this by-law, the Treasurer of the Township, or designate, is authorized and directed to have dog and kennel licences for sale in his/her office and the Treasurer, or designate, shall have the same authority as an Animal Control Officer to collect licence fees, issue licences and supply tags. All licence fees collected by an Animal Control Officer, dog canvasser or designate shall be paid to the Treasurer within one (1) month of the receipt thereof together with an appropriate explanatory statement.
  - 7.12 An owner of a Guide Dog, Service Dog or Police Dog, upon providing proof that the dog has been trained and certified as such, shall be granted an exemption to the licence fee.

**8. LICENSING OF KENNELS:**

- 8.1 Council shall issue licences for all new and expanded kennels, which may be subject to certain conditions, as determined and imposed by Council. The aforesaid conditions imposed by Council shall remain in full force and effect until Council agrees to rescind said conditions.
- 8.2 New kennel licences shall only be issued by Council once Council is satisfied that the site plan required in Section 8.7 has been completed in accordance with the specific standards for kennels contained in this By-law.
- 8.3 Notwithstanding any other provision of this by-law, if a kennel existed before this by-law came into effect, and Council approved said kennel subject to certain conditions, which may have included specifying a set number of dogs allowed in said kennel, all of those conditions shall remain in full force and effect, unless Council rescinds those conditions.
- 8.4 Every owner of a kennel shall apply for and pay a licence fee in accordance with the provisions of the Fees and Charges By-Law.
- 8.5 Conditional kennel licences may be granted by the Clerk when a change of ownership occurs, within the corporate limits of the Township, subject to the following process:
- a) an application fee shall be established under the Fees and Charges by-law; and,
  - b) a written request shall be submitted to the Clerk along with the appropriate application fee
  - c) the conditional licence shall be subject to the closing transaction of the property
- 8.6 Each kennel must conform to the provisions of the Township's Zoning By-law and no kennel, shall be erected contrary to the provisions of such Zoning By-law.
- 8.7 An application for a kennel licence shall be submitted in the proper form, including a detailed site plan and the appropriate fee to the Township.
- 8.8 Applications for a new kennel in the Township will only be permitted where purebred/registered/recognized/crossbred breeds are being maintained.
- 8.9 No kennel shall be located within a minimum of one hundred fifty (150) metres (492 feet) of any adjacent habitable building, building used for the keeping of livestock (as defined in Zoning By-law) or any road allowance excluding buildings of the owner of the property on which the kennel is located. The kennel facility must be separate from all other facilities.

Separate from all other facilities shall mean:

- a) a separate entrance way;
  - b) a solid wall, of impermeable material, separating the kennel facility from habitable facilities or facilities used for the keeping of livestock; and,
  - c) separate ventilation and duct work.
- 8.10 Any applications for a new and expanded kennel shall be subject to circulation within one hundred fifty (150) metres of all property boundaries

upon which a kennel is located and a public meeting for a decision by Council as to whether or not a licence shall be granted.

- 8.11 The owner/operator of a kennel shall erect and install a fence, minimum height of four (4) feet, around every pen, run or exercise yard. Such fence is to be constructed to prevent visibility from the exterior and to provide acoustical barriers where necessary, as determined by the Township.
- 8.12 No person shall operate a kennel except in accordance with the terms and conditions of the kennel licence issued by the Township.
- 8.13 After having given notice in writing, the Township may, at any time, cancel a kennel licence when it is of Council's opinion that the continued operation of the kennel is not in the best interest of the Township. Such grounds for cancellation shall include unresolved problems of noise, sanitation, care of dogs, or uses other than permitted by the kennel licence.
- 8.14 The written notice described in Subsection 8.13 shall be delivered in person or mailed by prepaid registered mail to the registered owner of the kennel.
- 8.15 No person shall operate or continue to operate a kennel without a valid licence.
- 8.16 All kennel licences shall be valid for a one-year period commencing on the date of issuance (typically January 1<sup>st</sup>) and expiring on December 31 of the same year.
- 8.17 Every kennel owner/operator existing at the time of the passage of this By-law shall comply with the terms and provisions of this By-law within a period of twelve (12) months from the date of the passage of this By-law.
- 8.18 Kennels existing on the day of passing of this By-law may continue to house the existing number of dogs provided that the standards for kennels contained in this By-law are complied with within twelve (12) months of the passing of this By-law.
- 8.19 Any new kennels which are established after the passage of this by-law:
  - a) may only license, keep or raise purebred/registered or recognized breeds of dogs; and,
  - b) may contain only a maximum number of fifty (50) dogs, subject to compliance with the requirements contained in this by-law.
- 8.20 Crossbred dogs may also be kept in a new kennel up to a maximum of fifty (50) dogs permitted by this by-law provided that a minimum of three (3) purebred dogs are maintained in the kennel as part of the maximum fifty (50).
- 8.21 Unsold puppies will be counted towards the total number of dogs kept at a kennel upon reaching four (4) months of age.
- 8.22 No licence will be issued to any kennel operator that does not comply with the by-law.

## **9. KENNEL CONDITIONS:**

- 9.1 Every person who owns and operates a kennel shall construct the kennel facilities in accordance with the following regulations:



- a) No animal shall be kept in unsanitary conditions including an accumulation of feces, odour, insect or rodent infestation.
- b) The kennel building shall have floors and walls made of sealed concrete or other impermeable material (including rigid plastic); wire floors will not be permitted.
- c) The floor of the kennel building shall be self-draining with a maximum five (5) minute drain time.
- d) The yards and runways associated with kennel operation shall be completely enclosed with a fence as required in Subsection 8.11 of this By-law.
- e) Every kennel shall be properly equipped with accessible fresh water and adequate feed both in clean, properly sized containers to maintain animals in a healthy condition.
- f) Every kennel shall be provided with adequate natural or artificial light, proper ventilation and sufficient heat to maintain healthy conditions.
- g) Every kennel shall be provided with adequately shaded, open air runs, properly fenced to maintain control of the dogs and with adequate space to accommodate the breed of dog being housed.
- h) Every kennel shall be constructed to provide the following individual pen minimum space per dog:
  - i) less than 12 kgs - 0.75 sq.m. per dog
  - ii) 12 - 30 kgs - 1.20 sq.m. per dog
  - iii) 31 - 50 kgs - 2.23 sq.m. per dog
  - iv) more than 50 kgs - sufficient space for the animal to stretch or stand to its full body height and full body length (minimum 2.0 sq.m. per dog)

**10. BREEDING KENNEL CONDITIONS:**

- 10.1 Every kennel owner/operator shall maintain the whelping bitch in separate accommodation from the balance of the dogs in the kennel and shall provide 2 ½ times the size of the whelping bitch.
- 10.2 The whelping box shall be constructed with four sides and floor made from impermeable materials. Within the box, breed specific measures should be taken to prevent accidental suffocation of the puppies by the bitch.
- 10.3 Adequate supplemental heat shall be provided.
- 10.4 All breeding kennels shall provide sufficient designated space for the proper enrichment and socialization of puppies to be offered for sale.
- 10.5 Every kennel owner/operator shall provide a separate outdoor run for the whelping bitch to prevent transfer of diseases from other adult dogs to the puppies.

**11. RECORDS:**

- 11.1 Every person who operates a kennel shall maintain records of the following minimum information:

- a) The names and addresses of the owners of all dogs cared for at the kennels;
- b) The dates of arrivals and departures of the individual dogs from the kennels;
- c) Breeding and identification records of all whelping bitches and stud dogs and the resulting litters;
- d) The names and addresses of the purchasers of the individual puppies; and,
- e) Veterinarian records on individual dogs maintained in the kennel.

**12. KENNEL INSPECTIONS/POSTING OF LICENCE:**

- 12.1 Every person who holds a kennel licence or the owner/operator of the kennel shall, at all reasonable hours, be open to inspection by an Animal Control Officer, an agent or inspector from the Ontario Society for the Prevention of Cruelty to Animals or other such person trained in the area of disease control and sanitation as may be appointed by the Council. Routine inspections will be conducted annually, with sufficient notice being given to the kennel owner/operator.
- 12.2 Every person who holds a kennel licence or the owner/operator of the kennel shall keep the licence posted in a conspicuous place on the premises and shall, when so requested by any person authorized by the Township, produce such licence for inspection.

**13. DOG WASTE:**

- 13.1 Every person who owns, harbours, possesses or is in control of any dog within the Township shall remove forthwith and dispose of, in a sanitary manner, any excrement left by said dog on any property other than the premises of the owner of the dog.
- 13.2 Vision impaired persons with a Guide Dog or special needs person with a Service Dog are exempt from the provisions of Subsection 13.1 when not on the premises of the owner of the dog.

**14. EXEMPTION PROCESS BEYOND FIFTY (50) DOG RESTRICTION:**

- 14.1 An exemption granted to expand the number of dogs permitted in a kennel operation beyond the fifty (50) maximum capacity shall be subject to the following process:
  - a) an application fee shall be established under the Fees and Charges By-law;
  - b) the application fee to expand shall be in addition to the initial fee for approval of a kennel operation;
  - c) the applicant shall provide a written request and submit the appropriate application fee to the Clerk;
  - d) notice of the application shall be circulated by personal service or prepaid first class mail to every owner of land within 150 metres of all property boundaries upon which a kennel is located;
  - e) notice of the application including an explanation of the proposed expansion of dogs, the date, time and location of the public meeting to consider the application shall be given by publication in a newspaper that is of sufficient circulation in the area to which the application applies; and,
  - f) the application shall be subject to an inspection prior to Council approval.

**15. MISCELLANEOUS MATTERS:**

15.1 Subject to the provisions of this by-law, no owner or occupier of a premises shall keep more than three (3) dogs on said premises. For the purpose of this paragraph, puppies that have not been weaned shall not be counted in determining the number of dogs on the premises. The provisions of this section do not apply to:

- a) an animal hospital owned and operated by a veterinarian licensed by the Ontario Veterinary Association;
- b) a pet store;
- c) an Ontario Humane Society Shelter or the Pound which complies with this by-law; or,
- d) a licenced kennel.

**16. LIABLE FOR DAMAGES:**

16.1 The Township, its agents and servants shall not be liable for damages or compensation for any dog killed under the provisions of this by-law and no such damages or compensation shall be paid to any person.

**17. PENALTY PROVISIONS:**

17.1 Every person who contravenes any of the provisions of this by-law:

- a) is guilty of an offence; and,
- b) upon conviction thereof is liable to a fine or penalty pursuant to the *Provincial Offences Act*, R.S.O. 1990, Chapter P.33, as amended.

**18. SHORT TITLE:**

18.1 This by-law may be cited as the Dog Control By-law.

**19. PASSING:**

19.1 This by-law will come into effect and By-law No. 99-28 will be rescinded upon final approval of the Set Fine Schedule by the Ministry of the Attorney General.

READ a First and Second time this 31<sup>st</sup> day of March, 2008.

READ a Third time and finally passed in Open Council this 31<sup>st</sup> day of March, 2008.

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Mayor

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Clerk

**THE CORPORATION OF THE TOWNSHIP OF WILMOT**  
**BY-LAW NO. 2008-01**  
**PART I PROVINCIAL OFFENCES ACT**  
**TITLE: DOG CONTROL BY-LAW**

	COLUMN 1	COLUMN 2	COLUMN 3
	SHORT FORM WORDING	PROVISION CREATING OR DEFINING OFFENCE	SET FINE
1	Allowing dog to run at large	3.2	\$85.00
2	Failing to comply with muzzle order	5.1 b	\$85.00
3	Failing to register restricted pit bull	6.1	\$350.00
4	Failing to procure a dog licence	7.1	\$85.00
5	Failing to register dog within ten (10) days of ownership of dog	7.1 a	\$85.00
6	Failing to attach dog tag at all times	7.3	\$85.00
7	Operating kennel - fail to pay licence fee	8.4	\$300.00
8	Failing to provide the standards for kennels in accordance with By-law 2008-01 within twelve (12) months of passing of that By-law	8.17	\$495.00
9	Failing to keep an animal in a sanitary condition	9.1 a	\$150.00
10	Failing to provide floors and walls made of sealed concrete or other impermeable material	9.1 b	\$150.00
11	Failing to provide self-draining floor	9.1 c	\$150.00
12	Failing to keep yards and runways completely enclosed in kennel	9.1 d	\$150.00
13	Failing to equip kennel with accessible fresh water and adequate feed	9.1 e	\$495.00
14	Failing to provide kennel with adequate natural or artificial light	9.1 f	\$150.00
15	Failing to provide kennel with proper ventilation	9.1 f	\$150.00
16	Failing to provide kennel with sufficient heat	9.1 f	\$495.00
17	Failing to provide adequate shaded open air runs	9.1 g	\$495.00
18	Failing to provide adequate space to accommodate the breed of dog being housed	9.1 g	\$150.00
19	Failing to provide a kennel having individual pen minimum space per dog	9.1 h	\$150.00

20	Failing to maintain the whelping bitch in a kennel in separate accommodation	10.1	\$495.00
21	Failing to provide a 2-1/2 times the size of the whelping bitch space	10.1	\$495.00
22	Failing to construct a whelping box with four sides and a floor made of impermeable materials	10.2	\$495.00
23	Failing to provide adequate supplemental heat for the whelping bitch space	10.3	\$495.00
24	Failing to provide sufficient designated space for puppies	10.4	\$495.00
25	Failing to maintain records	11.1	\$300.00
26	Failing to permit an inspection	12.1	\$150.00
27	Failing to remove dog waste	13.1	\$85.00
28	Keeping more than three (3) dogs on premises	15.1	\$170.00

\*Note: the general penalty provision for the offences listed above is section 17.1 of bylaw 2008-01, a certified copy of which has been filed.