

TOWNSHIP OF PRINCE

BY-LAW NO. 70-5

LICENSING - a by-law for licensing dogs, for requiring the registration of dogs and for prohibiting the running at large of dogs.

THE COUNCIL of the Township of Prince, pursuant to section 1, 4, 5, and 6 of The Dog Tax and Live Stock and Poultry Protection Act, R.S.O. 1960, chapter 111, and to paragraph 1 of subsection 1 of section 379 of the Municipal Act, R.S.O. 1960, chapter 249, and amendments thereto, ENACTS as follows:

1. DEFINITIONS

In this by-law:

- (1) "Owner" of a dog includes a person who possesses or harbours a dog and "owns" and "owned" have a corresponding meaning.

2. POUNDKEEPER

For the purpose of this by-law, the Sault Ste. Marie and District Society for Prevention of Cruelty to Animals shall be deemed to be the Poundkeeper of the Township of Prince and the Animal Shelter operated by the Society shall be deemed to be the Township Pound.

3. LICENCE REQUIREMENT

On or before the first day of March in each year, every person who owns a dog shall -

- (1) register every dog owned by him with the By-Law Enforcement Officer, and
- (2) obtain a licence and tag for every dog owned by him from the By-Law Enforcement Officer.

4. LICENCE FEE AND REGULATIONS

The By-Law Enforcement Officer shall not issue a licence and tag to any person for any dog unless -

- (1) the written certificate of a Doctor of Veterinary Medicine to the effect that such dog has been innoculated against rabies within 24 months of the 1st day of January of the year in which the application is made, and

- (2) the following fees are paid:

- for each male dog.....\$ 3.00
- for each spayed female dog.....\$ 3.00
- for each female dog.....\$ 6.00
- for a kennel of pure-bred dogs registered in the register of the Canadian Kennel Club Incorporated.....\$10.00

- (3) If a Kennel licence is issued for a kennel of pure-bred dogs registered in the register of The Canadian Kennel Club Incorporated, no further licence fee is required to be paid in respect of such pure-bred dogs while they are a part of the kennel.
- (4) If an application is made for a licence for a dog which, at the time of the application, is less than 8 months old, subsection 1 of Section 4, shall not prevent the issue of a licence for such dog if the owner thereof files with the By-Law Officer, in a form satisfactory to him, a certificate signed by a Doctor of Veterinary Medicine that an appointment has been made with him to innoculate the said dog for rabies at some time prior to the day on which such dog will be 8 months old.
- (5) No female dog shall be licenced as a spayed kennel dog unless a certificate in writing by a Doctor of Veterinary Medicine is produced to the By-law Officer certifying that the female dog has been spayed.
- (6) With respect to a dog that is less than 8 months old, subsection 5 is satisfactorily complied with if the owner of such dog files with the By-law Officer a certificate signed by a Doctor of Veterinary Medicine that an appointment has been made with him to spay the said dog at some time prior to the day on which such dog will be 8 months old.
- (7) If a person becomes an owner of a dog after the first day of July in any year, such person may obtain a licence for such dog for the remainder of the calendar year upon payment of one-half of the yearly licence fee required by this by-law.

5. PROHIBITIONS

- (1) Every owner of a dog shall procure a tag for such dog and shall keep the tag fixed on the dog for which it was procured at all times during the year and until he procures a tag for such dog for the following year;

- (2) No owner of a dog shall use a tag upon a dog other than that for which the tag was issued.
- (3) Every owner of a dog shall cause such dog to be innoculated for rabies Before such dog is 8 months old.
- (4) Every owner of a dog, for which a licence has been issued pursuant to subsection 6 of Section 4 shall cause such dog to be spayed before such dog becomes 8 months old or, in default, shall pay to the Tax Collector the additional licence fee provided by Section 4 for a female dog.
- (5) No person shall procure a licence for a female dog as a male dog.
- (6) No person shall remove a licence tag from a licenced dog.

6. MUNICIPAL RECORDS

- (1) The Assessment Commissioner shall enter on the Assessment Roll opposite the name of each person assessed, the number of male dogs and spayed female dogs respectively for which such assessed person is liable to be taxed.
- (2) A tag shall bear a serial number and the year to which it applies. A licence shall state the name of the owner, the amount paid, the name of the person who paid the fee, the year for which the receipt is issued and a description of the dog for which the licence is issued, which particulars shall be entered by the Tax Collector in the records kept by him for such purpose.

7. RUNNING AT LARGE PROHIBITED

- (1) No person shall permit a dog owned by him to run at large in the Township of Prince.
- (2) For the purpose of this section, a dog shall be deemed to be running at large when found on a highway or other public place and not under the control of any person.
- (3) The running at large of any dog in the Twp. of Prince is prohibited.

8. IMPOUNDING AND DESTRUCTION

- (1) a dog which is found running at large contrary to the provisions of this by-law may be seized and impounded in the City Pound.

- (2) A dog so impounded shall be held for a period of seven days, and if not claimed and released to the owner thereof within such period, such dog may then be destroyed or sold by the Pound Keeper as he or it may deem fit.
- (3) A dog so impounded shall not be released until the owner thereof, has paid to the Pound Keeper, the sum of \$4.00) for the first twenty four hours or part thereof, and the sum of one dollar (\$1.00) for each twenty-four hours or part thereof after the first twenty-four hours during which the dog has been impounded.
- (4) Where a dog is sold under this by-law, the proceeds of the sale should be paid to the Pound Keeper.

9.

INJURED DOGS

Where in the opinion of the constable peace officer, pound keeper, or municipal by-law enforcement officer, a dog under this by-law is injured or should be destroyed, without delay, for humane reasons of safety to persons, such person may kill the dog as soon after the seizure as he thinks fit without permitting any person to reclaim the dog, or without offering it by public auction or otherwise for sale, and no damages or compensation shall be recovered on account of its killing.

10.

ATTACKING DOGS

- (1) Where a constable or other peace officer or municipal by-law enforcement officer finds a dog running at large contrary to the provisions of this by-law, and he believes that before he can seize the dog, it may attack a human being, he may kill the dog.
- (2) Where a person finds a dog running at large, contrary to the provisions of this by-law and the dog is in the act of attacking or threatening to attack a human being, he may kill the dog.
- (3) No damage or compensation shall be recovered for the killing or a dog under this section.

11.

CONFINEMENT OF FEMALE DOGS IN HEAT

The owner of a female dog in heat shall confine such dog in a building or enclosed pen or kennel until such heat has ended.

12.

VICIOUS DOGS ACT

Where a dog is alleged to have bitten any person, such dog may be impounded on the order of the Reeve, and held by the Pound Keeper until the proceedings provided in the Vicious Dogs Act, R.S.O. 1960, Chapter 418, have been followed provided that no dog shall be so impounded for a period in excess of twenty-one days unless otherwise ordered by a Magistrate.

13.

PENALTY


Any person who contravenes any of the provisions of this by-law is liable upon summary conviction therefore to a penalty of not less than ten dollars and not more than fifty dollars, exclusive of costs.

14.

EFFECTIVE DATE

This by-law comes into force on the 10th day of June, 1970.

PASSED IN OPEN COUNCIL this, 2nd day of June, 1970


REEVE


CLERK

Certified a true copy.

L. Konkin, Clerk.