

THE CORPORATION OF THE TOWNSHIP OF PUSLINCH

BY-LAW NUMBER 33/05

Being a by-law to amend By-Law 8/99, being a by-law to control, licence, register and regulate dogs within the Township of Puslinch.

WHEREAS the Council of the Corporation of the Township of Puslinch deems it appropriate and in the public interest to amend By-Law #8/99 pursuant to the provisions of the Municipal Act, 2001, S.O. 2001, c.25, as amended.

NOW THEREFORE, the Council of the Corporation of the Township of Puslinch enacts as follows:

- 1. That PART 1 DEFINITIONS is hereby amended by added the following new definition. This definition shall be added alphabetically and PART 1 renumbered accordingly.
  - 1. "Commercial Kennel" means a place for the housing, or breeding, and/or boarding of more than five (5) dogs.
- 2. That PART V KENNELS is hereby amended by adding the following new subsection after subsection 1. Subsections 2 and 3 shall be renumbered accordingly.
  - 2. No person and/or persons shall locate a commercial kennel on lands not zoned A-2 (kennel) of By-Law #19/85 being the zoning by-law of the Township of Puslinch.
- 3. That APPENDIX "A" SCHEDULE OF FEES AND PENALTIES is hereby amended by replacing Appendix A with the following new schedule.

SCHEDULE OF FEES AND PENALTIES		
APPLICABLE PART & SECTION	NATURE OF OFFENCE	AMOUNT OF FEE OR PENALTY
Part II, Section 1	Licence Fees	\$20.00 1 <sup>st</sup> Dog \$20.00 2 <sup>nd</sup> Dog \$20.00 3 <sup>rd</sup> Dog
Part II, Section 5	Kennel Licence (up to 5 dogs)	\$100.00
	Commercial Kennel Licence (over 5 dogs)	\$200.00
Part II, Section 2 (c)	Failure to keep a valid dog tag on the dog and/or using a tag, other than for which it was intended and/or transferring licence and registration of dog from original owner to another owner.	\$75.00 if ticket is paid voluntarily
Part II, Section 2(e) and Section 4	Persons other than owner removing the tag from the dog.	\$75.00 if ticket is paid voluntarily
Part II, Section 3 and 4	Failure to licence and register a dog.	\$75.00 if ticket is paid voluntarily
Part III, Section 5	Dog running at large.	\$75.00 for the first time in any 60 day period if ticket is paid voluntarily. \$85.00 for the second or subsequent times in any 60 day period if ticket is paid voluntarily.

This By-Law shall come into force and effect the date of its passing.

Read a First, Second and Third time and Finally Passed this 18<sup>th</sup> day of May, 2005.

Signed:   
Brad Whitcombe, Mayor

(SEAL)

  
Brenda Law, CAO/Clerk-Treasurer

THE CORPORATION OF THE TOWNSHIP OF PUSLINCH

BY-LAW NUMBER 8/99

Being a by-law to control, license, register and regulate dogs within the Township of Puslinch passed under the provisions of the Municipal Act, and to repeal By-law No. 23/78 and amending By-laws #'s 11/79, 12/81, 14/91, 22/96, 29/96, and 4/99 and By-law No. 21/82 and amending By-law #25/82.

**WHEREAS** Municipal Councils may pass by-laws under authority of the Municipal Act, R.S.O. 1990, Chapter M.45, Section 210 and amendments thereto, to control, license, register and regulate dogs.

**AND WHEREAS** it is deemed expedient to pass a by-law to control, license, register and regulate dogs in the Township of Puslinch.

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

**PART 1**  
**DEFINITIONS**

1. "Dog" means a male or female dog.
2. "Dog Control Officer" shall mean the person or association appointed by the Corporation of the Township of Puslinch to enforce this by-law and any servant or agent or such person or association employed for the purpose of enforcing the said by-law.
3. "Kennel" means, a place for the housing, or breeding, and/or boarding of dogs.
4. "Owner" includes any person who possesses or harbours a dog, and "owns" or "owned" shall have a corresponding meaning.
5. "Purebred" means,
  - (i) registered or eligible for registration in the Register of The Canadian Kennel Club, Incorporated, or
  - (ii) of a class designated as purebred in the Regulations.
6. "Ticket" shall mean a serially numbered notice signed by the Dog Control Officer stating:
  - 1) Nature of alleged offence;
  - 2) Date and time of alleged offence;
  - 3) Dog tag number;
  - 4) Name and address of Owner;
  - 5) Penalty for alleged offence if paid within prescribed time;
  - 6) Time during which penalty may be paid out of Court.

**PART II**  
**LICENSING AND REGISTRATION**

1. No person in the Township of Puslinch shall own, possess or harbour a dog unless or until he shall procure a license and have the dog registered at the Municipal Office in each year prior to the first day of March. Every owner shall pay the license fee prescribed in "Appendix A" attached hereto. Any license purchased after December 1st shall be valid for the remainder of that year and the whole of the following year.
2.
  - (a) On payment of the license fee referred to in section 1 of this Part, the owner shall be furnished with a dog tag for each dog so licensed and registered.
  - (b) The tag shall bear a serial number and the year for which it is issued and a record shall be kept by the municipality showing the name and address of the owner, the serial number of the tag, the date of purchase of the tag, and the breed and sex of the dog for which it is issued.
  - (c) The owner shall keep the tag securely fixed on the dog at all times during the year or until such time as he procures a tag for the following year, except that the collar and tag may be removed while the dog is being lawfully used for hunting in the bush.
  - (d) No license or registration shall be transferable and the license, registration and tag shall expire and become void upon the sale, death or otherwise disposal of the dog.
  - (e) No person, other than the owner of the dog, shall remove the tag from such dog.
3. Any person who contravenes the provisions of section 1 or 2(c) or section 2(d) or section 2(e) of this Part is subject to the penalty set forth in "Appendix A".
4. The owner of a dog shall be issued with a violation ticket when it is found that the said dog has not been registered and licensed in accordance with section 1 of this Part, notwithstanding that the dog at the time may be on the property where it is habitually kept and or that at the time it is under the control of any person. The owner of the unlicensed dog shall be subject to the penalty set forth in "Appendix A". The penalty may be paid voluntarily to the Municipal Clerk who shall receive such payment of a penalty in full satisfaction with respect to the alleged offence providing that the person to whom the ticket was issued being the owner of the unlicensed dog licenses and registers the dog before paying the penalty.
5. The owner of a kennel of dogs that are purebred shall pay an annual fee as prescribed in "Appendix A" and upon payment of such fee upon the kennel the provisions of Part II sections 1 to 4 inclusive of this by-law shall not apply to dogs kept and confined in the kennel.
6. No person except a person to whom a kennel license has been issued shall at any one time in any one location within the Corporation of the Township of Puslinch keep or harbour more than 3 dogs of an age in excess of three (3) months.

7. Dogs under three months of age are exempt from the provisions of Part II of this by-law.
8. Where there are two or more dogs with different owners in a household, then the householder shall be deemed to be the owner of any or all the dogs for the purpose of calculating the licensee fees payable as set out in "Appendix A".
9. Any person owning or harbouring a dog even though the dog is currently registered and licensed in another municipality, is subject to the provisions of this by-law.
10. Boarding Kennels and Animal Hospitals are excluded from the provisions of Part II of this by-law.

**PART III**  
**DOGS RUNNING AT LARGE**

1. For the purpose of this by-law, a dog shall be deemed to be running at large when found in any place other than the premises of the owner of the dog and not under the control of any person.
2. The running at large of dogs is prohibited within the Corporation of the Township of Puslinch.
3. A dog which is found running at large contrary to the provisions of this part may be killed or seized and impounded in the dog pound; a dog so impounded shall be held for a period of not less than three days, unless previously claimed by the owner thereof, and if not claimed and released to the owner thereof within such a period of time may then be sold, destroyed or otherwise disposed of at the discretion of the poundkeeper. Any dog so impounded shall not be released until the owner thereof shall pay the charges of the Poundkeeper.
4. 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 and boarding fee as set out in paragraph 3 above, and shall pay all fees on demand to the Poundkeeper.
5. The owner of a dog which is found running at large may be issued with a ticket as an alternative to impounding the dog. The penalty prescribed on the ticket shall be in accordance with Appendix "A" and may be paid voluntarily to the Municipal Clerk who shall receive such payment as the payment of a penalty in full satisfaction with respect to the alleged offence and a receipt shall be given to the person making the payment.
6. If a person is in violation of this by-law on two (2) separate occasions, the municipality may seek a conviction for a breach of this by-law, and if convicted the municipality may cancel all licenses held by such convicted person under the provisions of this by-law and on the cancellation of a license such person shall not be issued a further license for a period of twelve (12) months from the date of such cancellation, and all dogs owned by such person shall be seized by the Dog Control Officer and disposed of at his/her discretion.

7. Whenever a contravention of this by-law is committed the Dog Control Officer shall deliver to the owner of the dog contravening such by-law a ticket in the prescribed form.
8. The owner, within three days, exclusive of Sundays and Holidays after the date of the said ticket, may report to the office of the Municipal Clerk and pay to the Municipal Clerk or any persons designated by him to receive such payment, the amount of the fees and penalties set out in "Appendix A" to this by-law for the satisfaction in respect of the alleged offence and a receipt thereof shall be given to the person making the payment. If a voluntary payment is not made in accordance with the procedures provided for in this by-law, the procedure of the Provincial Offences Act shall apply.

**PART IV**  
**RABIES CONTROL**

1. When a dog is known to have bitten a person, the Dog Control Officer may order that the dog be kept under supervision of quarantine, by the owner of the dog, upon the property of the owner of the dog or upon such property designated or approved by the Health of Animals Branch of Canada Agriculture and the owner shall be held responsible for the cost of such quarantine. In the case that the owner is not known, the dog shall be kept under supervised quarantine for a period of fourteen (14) days, at Township expense, upon a property designated or approved by the Health of Animals Branch of Canada Agriculture.

**PART V**  
**KENNELS**

1. No person and/or persons shall locate a kennel
  - a) within three hundred feet (300') of any residence or habitation, except that of their own
  - b) that is not in distinct separation from their own residence or habitation
  - c) on an area less than three (3) acres.
2. Owners, operators, and/or such persons charged with the duties of a kennel operation shall take due caution and other necessary means to prevent disturbances or noises likely to disturb the inhabitants.
3. No person and/or persons shall be issued a Kennel Licence unless they qualify with the above.

**PART VI**  
**GENERAL PROVISIONS**

1. The Owner of a dog shall remove forthwith any excrement left by a dog and shall provide for the sanitary disposal of such excrement in all recreational and public areas within the Township of Puslinch.
2. No owner shall permit a dog to be on a highway or any recreational or public area within the Township of Puslinch without the dog being under the control of a person by a leash, cord or chain.

**PART VII**  
**PENALTIES**

1. Every person who contravenes any of the provisions of this by-law is guilty of an offence, and on conviction is liable to a fine.
2. The provisions of this by-law shall be enforced by the By-law Enforcement Officer and Dog Control Officer of the Corporation of the Township of Puslinch.

This By-law shall come into force and effect upon the date of its passing.

By-law Number 23/78 and amending By-law Numbers 11/79, 12/81, 14/91, 22/96, 29/96 and 4/99, and By-law Number 21/82 and amending By-law Number 25/82 of the Corporation of the Township of Puslinch are hereby repealed.

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS 3RD DAY OF February, 1999.

  
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Brad Whitcombe, Mayor

(SEAL)

  
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Brenda Law, Clerk-Treasurer

**APPENDIX "A" TO BY-LAW NUMBER 8/99**  
**SCHEDULE OF FEES AND PENALTIES**

<b>APPLICABLE PART &amp; SECTION</b>	<b>NATURE OF OFFENCE</b>	<b>AMOUNT OF FEE OR PENALTY</b>
Part II, Section 1	License Fees	\$15.00 First Dog \$20.00 2nd Dog \$20.00 3rd Dog
Part II, Section 5	Kennel License	\$75.00
Part II, Section 2(c)	Failure to keep a valid dog tag on the dog and/or using a tag , other than for which it was intended and/or transferring license and registration of dog from original owner to another owner.	\$65.00 if ticket is paid voluntarily
Part II, Section 2(e) and Section 4	Persons other than owner removing the tag from the dog.	\$65.00 if ticket is paid voluntarily
Part II, Section 3 and Section 4	Failure to license and register a dog.	\$65.00 if ticket is paid voluntarily
Part III, Section 5	Dog running at large.	\$65.00 for the first time in any 60 day period if ticket is paid voluntarily. \$75.00 for the second or subsequent times in any 60 day period if ticket is paid voluntarily.