

The Corporation of the Township of Guelph/Eramosa

By-law Number 5/2017

A By-law to amend By-law 80/2016, being a By-law for the registration and licensing of dogs and for the control of dogs generally within the Township of Guelph/Eramosa.

WHEREAS Section 11, of the *Municipal Act*, S.O. 2001, s.25, as amended, authorizes municipalities to pass by-laws to regulate animals;

AND WHEREAS Section 11, of the *Municipal Act*, S.O. 2001, s.25, as amended, authorizes a municipality to regulate matters related to health, safety and well being of the inhabitants of the municipality;

AND WHEREAS Council for the Township deems it expedient to regulate dogs within the Township of Guelph/Eramosa;

NOW THEREFORE the Council of The Corporation of the Township of Guelph/Eramosa enacts as follows:

1. That Part 1 h) of By-law 80/2016 be amended to read:

“Kennel” means a place where a minimum of three (3) dogs or four (4) intact cats are housed, boarded, bred, trained, sold or kept and which is licensed by the Township under the provisions of the Municipal Act S.O. 2001, c.25, but does not include a Veterinary Clinic as defined herein. Accessory retail sales and accessory Pet Grooming are permitted. Notwithstanding, the definition of Kennel does not apply to where dogs are kept as working dogs associated to a Livestock Facility as defined. The limit shall be four (4) where the Township is satisfied this criterion has been met.


- a. “Boarding Kennel” means a building, premises or place in which more than three (3) dogs or four (4) intact cats are maintained or cared for, for remuneration or otherwise to a maximum number based on the square footage of the housing up to a maximum number of fifty (50) dogs and/or fifty (50) cats
- b. “Breeding Kennel” means a building, premises or place in which more than three (3) dogs, or four (4) intact cats, are bred for remuneration or otherwise to a maximum number based on the square footage of the housing up to a maximum number of ten (10) intact dogs or cats

2. That Part 3 a) of By-law 80/2016 be amended to read:

No person shall own, harbor, or keep more than 3 (three) dogs within or about any dwelling or building within the Township of Guelph/Eramosa provided said dogs are not owned, harboured or kept for any commercial gain or purpose and that the dwelling or building does not operate or is not construed to operate as a kennel, as defined in the applicable zoning by-law and licensing by-law. Any dwelling or building within the Township of Guelph/Eramosa that harbours or keeps 3 (three) or more dogs for any commercial gain or purpose **shall be deemed to be a kennel and** must obtain a kennel licence under the applicable licensing by-law.

3. That Part 3 e) of By-law 80/2016 be amended to read:
- i) Every owner shall ensure that the dog has a current rabies vaccination and, upon application for a dog tag license, shall produce a certificate signed by a practicing veterinarian that the dog to be licensed has a current rabies vaccination ;
 - ii) No owner shall register an unspayed and unneutered dog as having been spayed or neutered and upon application for a dog tag license, every owner shall produce proof that the dog to be licensed has been spayed or neutered.
4. That Schedule A "Set Fine Schedule" of By-law 80/2016 be repealed and replaced with Schedule A "Set Fine Schedule" attached hereto.

READ three times and finally passed
this 16th day of **January, 2017**.



Chris White, Mayor



Amanda Knight, Acting Clerk

Set Fine – Schedule A

Township of Guelph/Eramosa

Part I Provincial Offences Act

By-law No. 80/2016, as amended, a by-law for the registration and licensing of dogs, and for the control of dogs generally within the Township of Guelph/Eramosa.

| ITEM | COLUMN 1 Short Form Wording | COLUMN 2 Provision creating or defining offence | COLUMN 3 Set fine |
|-----------------------|---|--|----------------------|
| 1 | Failure to provide adequate care | Section 2 (a) | \$500.00 |
| 2 | Dog left unattended in motor vehicle in unsafe conditions | Section 2 (f) | \$250.00 |
| 3 | Own, harbour or keep more than 3 dogs | Section 3 (a) | \$100.00 |
| 4 | Own dog without license and dog tag | Section 3 (b) | \$100.00 |
| 5 | Fail to provide rabies protection | Section 3 (e) (i) | \$100.00 |
| 6 | Register unspayed / unneutered dog as spayed / neutered | Section 3 (e) (ii) | \$100.00 |
| 7 | Affixing tag on incorrect dog | Section 3 (g) | \$100.00 |
| 8 | Failure to affix dog tag | Section 3 (j) | \$100.00 |
| 9 | Allowing dog to run at large | Section 4 (a) | \$130.00 |
| 10 | Allowing dog to trespass on private property | Section 4 (b) | \$150.00 |
| 11 | Allowing dog onto Township Cemetery | Section 4 (d) | \$150.00 |
| 12 | Allowing dog to bark or howl causing undue noise | Section 5 (a) | \$200.00 |
| 13 | Failure to dispose of excrement | Section 5 (b) | \$100.00 |
| DANGEROUS DOGS | | | |
| 14 | Failure to display Township-approved warning signage on property of dangerous dog owner | Section 7 (c) (iv) | \$200.00 |
| 15 | Failure to keep dangerous dog at least 3.28 feet (1m) from any other person, person's animal, and wildlife | Section 7 (d) (iv) | \$200.00 |
| 16 | Failure to provide Animal Control Officer with name, address and telephone number of new owner of dangerous dog | Section 7 (e) | \$100.00 |
| 17 | Failure to provide Animal Control Officer with new address and telephone number of moving of dangerous dog | Section 7 (e) (i) | \$100.00 |

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|----|--|---------------------|----------|
| 18 | Failure to advise Animal Control of death of dangerous dog | Section 7 (e) (iii) | \$100.00 |
| 19 | Failure to muzzle dangerous dog | Section 7 (j) | \$200.00 |

NOTE: The general penalty provision for the offences listed above is section 61 of the *Provincial Offences Act, R.S.O. 1990, c.P.33*.