

TOWNSHIP OF WOOLWICH

BY-LAW NUMBER 75-2006 AS AMENDED

A BY-LAW TO PROVIDE FOR THE  
REGULATION, RESTRICTION AND PROHIBITION  
OF THE KEEPING OF ANIMALS IN THE TOWNSHIP OF WOOLWICH

WHEREAS Section 11 (1) of the Municipal Act, 2001, provides for the authority for lower tier municipalities to pass by-laws to regulate animals;

AND WHEREAS Section 11 (1) of the Municipal Act provides for the regulating of establishments for the breeding or boarding of animals within defined areas of the municipality;

AND WHEREAS section 11 (1) of the Municipal Act provides for requiring an owner of a dog to remove forthwith excrement left by the dog anywhere in the municipality;

AND WHEREAS Section 103 of the Municipal Act provides for the regulating or prohibiting with respect to the being at large or trespassing of animals;

AND WHEREAS under authority of Section 105, Subsection 3 of the Municipal Act S.O. 2001, Chapter 25, A municipality may, upon such conditions as it considers appropriate, delegate the powers of council under this section to a committee of council or an animal control officer of the municipality 2001, c. 25, s. 105 (3).

AND WHEREAS section 12 of the Dog Owners' Liability Act R.S.O. 1990, Chapter D.16 designates a Municipal Law Enforcement Officer as a Peace Officer for the purposes of enforcing the Act;

AND WHEREAS the Municipal Council of the Corporation of the Township of Woolwich deems it desirable to pass a by-law with respect to the control of dogs;

NOW THEREFORE THE MUNICIPAL CORPORATION OF THE TOWNSHIP OF WOOLWICH ENACTS AS FOLLOWS:

A. DEFINITIONS

In this by-law:

1. "Animal Control Officer" means the person or agency so designated by the Council, and any employees or agents of such person or agency, to carry out the provisions of this by-law;
2. "Body Length" means 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;
3. "Council" means the Council of the Corporation of the Township of Woolwich;
4. "Dog" means a male or female dog over the age of twelve (12) weeks, but does not include a Guide Dog or Special Assistance Dog;

5. "Licensing By-law" refers to the current by-law of the township to establish fees for kennel operations;
6. "Guide Dog" or "Special Assistance Dog" means a dog which serves as a guide or leader for a physically, vision or hearing impaired person or performs search and/or rescue functions and which has been especially trained for that purpose;
7. "Kennel" means a place where a minimum of four (4) and a maximum of fifty (50) dogs are housed, groomed, boarded, bred, trained, sold or kept for hunting or other specific work and which is licensed by the Township under the provisions of the Municipal Act. Kennels existing on the day of the passing of this by-law will be restricted to the number of animals for which their existing facilities are designed so long as they comply with the regulations contained herein;
8. "New Kennel" means a place where a minimum of four (4) and a maximum of fifty (50) dogs are housed, groomed, boarded, bred, trained, sold or kept for hunting or other specific work and which is licensed by the Township under the provisions of the Municipal Act. For the purposes of this By-law, a "New Kennel" is any kennel operation for which application is made to the Township of Woolwich after the date of the passing of this by-law;
9. "Owner" -means any person who owns, possesses harbors or has custody of an animal and, where the owner is a minor, the person responsible for the custody of the minor. Shall also include a person who is temporarily the keeper of the animal;
10. "Pound" means the place so designated by the Council;
11. "Poundkeeper" means the person or agency designated for the Township;
12. "Proof" means documentation signed by a qualified veterinarian attesting to the age of the animal together with purchase documents, such purchase documents being in an original form and identifying the animal, the name and address of the pet store or person from whom the animal was purchased, the date the animal was purchased, the purchase price, and the name and address of the purchaser, or medical records identifying the animal, the name and address of the qualified veterinarian administering such medical services and the dates such services were administered, including the date of commencement of such care of the animal. Such records must clearly establish that the applicant owned the animal in question prior to the date of passage of a by-law to otherwise prohibit the keeping of such animal and further that the owner and animal resided in the Township at such time.
13. "Public Utility Emergency Vehicle" means the vehicle used by the authorized Animal Control Officer, or his/her authorized designate, while on duty and or while responding to calls of an emergency nature.
14. "Township" means the municipality of the Corporation of the Township of Woolwich;
15. "Zoning By-law" refers to the current comprehensive Zoning By-law, as amended, of the Township of Woolwich.

## B. ANIMAL CONTROL OFFICER

1. Council may appoint an Animal Control Officer whose duty it shall be to:
  - (a) issue fines in the manner set forth in this by-law attached as Schedule 'A';
  - (b) receive accurate records, from Council and Information Services, of all licenses and dog tags issued pursuant to this by-law and such records must include the dog owner's name, address, the serial number of the dog tag, and copies of documents produced showing proof of rabies vaccination and proof of breed;
  - (c) provide monthly statements outlining the activities such as complaints and fines issued;
  - (d) Inspect licensed kennels once a year or as required. No license will be issued to any kennel operator that does not comply with the By-law;
  - (e) seize and impound dogs found to be running at large.
2. Council may appoint a Deputy Animal Control Officer whose duty shall be to replace the Animal Control Officer during their absence from the Township. The Deputy Animal Control Officer shall have the same duties as are herein set forth for the Animal Control Officer.
3. The Animal Control Officer may be a contracted employee paid an annual salary to be fixed by Council. The Deputy Animal Control Officer shall receive remuneration from the Township based on the agreed contract for the Animal Control Officer.

#### C. LICENSING AND FEES

1. Every owner of a dog, before the 15<sup>th</sup> day of April in each year or within 21 days of becoming the owner of a dog, shall license and register such dog with the Township. Every owner shall pay for a dog licence and produce appropriate documents that show proof of rabies vaccination and proof of breed for each dog. The fee for such dog license shall be payable according to the Fees and Charges By-law.
  - a) The owner of a dog that is in or has a physical condition that precludes the safe immunization or reimmunization of the dog against rabies is exempt from the requirement of this section where:
    - i. a statement of exemption is issued by a veterinarian with respect to the dog that sets out the reason why the animal cannot be immunized or reimmunized and;
    - ii. the dog is controlled in such a manner as to preclude its being exposed to rabies.
  - b) An owner or person referred to in subsection (a) continues to be exempt from the requirements of this section so long as the animal cannot be immunized or reimmunized.
2. Every license issued pursuant to this section shall expire on the 31<sup>st</sup> day of December in the year it was issued.

3. The Township shall not issue a dog license until evidence of rabies inoculation and spaying or neutering has been provided to the satisfaction of the Township. Upon payment of the appropriate license fee for a dog, the Township shall supply the owner with a dog tag and the owner shall keep the tag securely fixed on the dog at all times that the dog is off of the property of the owner, until the tag is renewed or replaced. No person shall remove the tag from a licensed dog that is off the property of the owner, except while the dog is being lawfully used for hunting.
4. The tag shall bear the serial number and the year in which it was issued.
5. A record shall be kept by the Township showing the name, address of the owner, the serial number of the tag copies of documents produced showing proof of rabies vaccination and proof of breed.
6. Upon application for a license, an owner shall provide proof as defined in this by-law that the dog has been inoculated with an anti-rabies vaccine. If requested by the Animal Control Officer the owner must produce a certificate signed by a practicing veterinarian.
7. An owner shall not register or attempt to register an unspayed female dog as a spayed female dog or an unneutered male as a neutered male dog.
8. If required upon application for a license, an owner of a dog shall produce a certificate from a veterinarian surgeon that the dog has been modified. Modified shall mean the medical procedure used to make a female dog a spayed female or a male dog a neutered male dog.
9. In the event that a dog tag is lost, an owner shall apply for a replacement dog licence and shall pay the dog licence fee as detailed in the Fees and Charges By-law.
10. No license or dog tag shall be transferable and the dog tag shall expire and become void upon the sale, death or other disposal of the dog.
11. An owner of a Guide Dog or Special Assistance Dog, upon providing proof that the dog has been trained and certified as such, shall not be required to pay a license fee.
12. Every owner of a dog shall, when requested by the Animal Control Officer, Municipal Law Enforcement Officer, Police Officer or other duly appointed officer, produce evidence that the dog has been inoculated with anti-rabies vaccine within a period of twelve (12) months.

#### D. DOGS RUNNING AT LARGE

1. No owner of a dog shall allow or permit such dog to run at large.
2. A dog shall be 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. Any dog found running at large contrary to this by-law may be seized and held in a Township Pound or place so designated. Payment for such impounding shall be according to the rates as determined by Council or the Pound from time to time. A dog

will not be released until the owner of the dog pays a fee to be determined from time to time by the Council. The proceeds from any dog sold by the Poundkeeper shall belong to the Pound.

4. The owner of a dog which has been impounded, whether or not the dog is claimed by the owner from the Pound, shall be liable to the Pound for all fees as detailed in Section J (3). Such fees shall be paid on demand to the Poundkeeper.
5. A dog shall not be considered to be running at large if it is registered, accredited or otherwise certified as a Guide Dog, Special Assistance Dog, a dog involved in police work or if it is a dog being lawfully used for hunting. If an animal kill occurs by a dog being lawfully used for hunting, the provisions of the *Livestock, Poultry and Honey Bee Protection Act* will prevail."
6. Any person may capture any dog running at large on his property and deliver the same to a Municipal Law Enforcement Officer, Animal Control Officer or other duly appointed officer, who may impound the said dog.
7. A Municipal Law Enforcement Officer, Animal Control Officer or other duly appointed officer, may enter on any public property, or on private property with the consent of the owner or tenant of the property, for the purpose of impounding or otherwise distraining and detaining any dog found running at large pursuant to the provisions of this by-law.
8. Where a Municipal Law Enforcement Officer or other duly appointed officer impounds or otherwise distrains and detains a dog found running at large, contrary to the provisions of this by-law, and the owner of such dog is known, the Municipal Law Enforcement Officer or other duly appointed officer may return the dog to the owner. Where the dog is returned to the owner, the Municipal Law Enforcement Officer or other duly appointed officer may issue an Animal Control Service Fee Notice to the owner of the dog and the owner of the dog shall pay an Animal Control Service Fee as established by the Fees and Charges by-law of the Township as passed by Council in accordance with the respective by-law provisions. The Animal Control Service Fee shall be paid to the Township within seven (7) days of the return of the dog to the owner.
9. No owner of a dog shall permit a dog to bite or otherwise attack any person or domestic animal.
10. (a) Where a dog has bitten or attacked any person or domestic animal, or is alleged to have bitten or attacked any person or domestic animal, the Animal Control Officer or other duly appointed officer may issue an Order in the prescribed form authorized by the Clerk, to the owner of the dog requiring that the dog be kept muzzled at such times as are set out in the Order. 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 Owners' Liability Act has concluded, it is deemed by the Municipal Law Enforcement Officer or other 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 10(a) shall at all times comply with the provisions of the Order in its entirety.

11. Where a dog has bitten or attacked any person or domestic animal, a proceeding may be commenced by the Township against the owner of the dog to seek an Order of the Court necessary for the protection of the public under the provisions of the Dog Owners' Liability Act, R.S.O. 1990, c. D.16 and any amendments thereto.
12. Where an injured dog is impounded or otherwise distrained and detained for running at large and requires the immediate services of a qualified veterinarian or should be destroyed due to such injuries without delay for humane reasons, the Municipal Law Enforcement Officer, Animal Control Officer, or any other duly appointed officer may deliver the injured dog to a qualified veterinarian for care or to euthanize the dog as soon after impounding or otherwise distraining and detaining the dog as he 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.

#### E. DOG WASTE

1. The owner of a dog or person in control of a dog except a Guide Dog shall remove forthwith and dispose of in a sanitary manner excrement left by the dog anywhere in the Township, other than the premises of the owner of the dog.

#### F. KENNELS

1. Every owner/operator of a kennel shall apply for and pay a license fee in accordance with the provisions of the Licensing By-law.
2. Each kennel must conform to section 7 of the Zoning By-law and no kennel, run, pen or exercise yard shall be erected contrary to the provisions of such by-law.
3. An application for a kennel license or renewal shall be submitted in the proper form as provided by the Township, including a detailed site plan and the appropriate fee, to the Township Council and Information Services Department.
4. Any applications for a new kennel shall be subject to a circulation of 250 metres from the property boundary prior to a decision by Council as to whether or not a license shall be granted.
5. No kennel shall typically be located within a minimum of sixty (60) metres (two hundred [200] feet) of any road allowance or any adjacent habitable building or building used for the keeping of livestock excluding buildings of the owner of the property on which the kennel is located. At Council's discretion this distance may be decreased or increased on a case-to-case basis.
6. The owner/operator of a kennel shall erect and install a fence with a minimum height of five (5) feet, around every pen, run or exercise yard. The Township may require that the fence be constructed to prevent visibility from the exterior and to provide acoustical barriers where necessary."

7. After having given notice in writing, Council may, at any time, cancel a kennel license 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 license, as determined by the Township.
8. The written notice described in section D(7) shall be delivered in person or mailed by prepaid registered mail to the registered owner of the kennel.
9. No person shall operate or continue to operate a kennel without a valid license.
10. All kennel licenses shall be valid for a one year period.
11. Kennel licenses shall only be issued by the Council of the Township of Woolwich.
12. Every owner/operator of a kennel existing at the time of the passage of this by-law shall;
  - a) not maintain more than the existing number of dogs at the current location of the kennel; and,
  - b) comply with the standards for kennels contained in this by-law within fourteen (14) months of the passing of this by-law."
13. The owner/operator/manager of the kennel shall reside on the property on which the kennel is located.
14. No person shall keep more than the number of dogs permitted in Section A(7) in a kennel operation.

#### G. KENNEL CONDITIONS

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 infestations;
  - (b) The kennel building and outdoor runs shall have floors and walls made of concrete or other impermeable material (including rigid plastic). Wire floors will not be permitted;
  - (c) The floor of the kennel building and outdoor runs shall be drained immediately after water is present. No water may sit on the floor of a kennel building. Any new kennel structure is required to install a self-drain with a maximum five (5) minute drain time;
  - (d) The yards and runways associated with kennel operations shall have adequate shelter and protection from the elements and be completely enclosed with a fence as required in Section F(6) 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 specific to the breed of dog being housed;

- (g) Every kennel shall be constructed to provide the following pen minimum space per dog or sufficient room to permit the animal confined therein to stand normally to its full height, turn around easily and lie down in a fully extended position, whichever is greatest:
- |       |              |                           |
|-------|--------------|---------------------------|
| (i)   | Up to 12 kgs | 1.0 square metre per dog  |
| (ii)  | 12-30 kgs    | 2.0 square metres per dog |
| (iii) | 30-50 kgs    | 2.5 square metres per dog |
| (iv)  | Over 50 kgs  | 3.0 square metres per dog |
2. If dogs are being housed in outdoor housing the following regulations apply in addition to the regulations in Section G(1):
- (a) The breed of dog must be properly acclimatized to seasonal and regional temperatures;
  - (b) Aged, young, or infirmed dogs shall be housed indoors;
  - (c) Shelter and protection from cold and heat must be provided including protection from direct sunlight, rain, sleet, and snow;
  - (d) An enclosed area with dry bedding must be provided.
3. Group housing is suitable provided that the following regulations apply in addition to the regulations in Section G(1):
- (a) Any animal exhibiting vicious behaviour or dominance aggression is housed separately;
  - (b) A dog under treatment for a communicable disease or suspected of harboring a communicable disease is housed separately;
  - (c) Newly acquired dogs are isolated before full integration into group housing.
4. Exemptions:
- (a) Any of the above regulations in Section G that are not in the best interest of the breed of dog being housed in a private kennel may be granted a partial exemption from certain conditions. These exemptions will be granted by Council based on information provided by the owner of the kennel.
  - (b) Under Section 4(a) private kennel means a place where a minimum of four (4) and a maximum of fifty (50) dogs owned by the kennel operator are housed or kept for hunting, sports (dog sledding) or other specific work.

#### H. BREEDING KENNEL CONDITIONS

1. Every kennel owner/operator shall conform to the regulations set out in Section G.
2. Every kennel owner/operator shall maintain the whelping bitch in separate accommodation from the balance of the dogs in the kennel and shall provide an area 2 ½ times the size of the whelping bitch.
3. Every kennel owner/operator shall provide a separate outdoor run for the whelping bitch to prevent the transfer of diseases from other adult dogs to the puppies.
4. Every kennel owner/operator shall provide a whelping box constructed with four sides and a floor made from impermeable material.
5. Every kennel owner/operator shall provide adequate supplemental heat required in winter conditions.

6. Every kennel owner/operator shall provide a designated space for individual socialization between the puppies and humans away from both visual and physical contact with littermates and other dogs.
7. Every kennel owner/operator shall provide associated, 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.

#### I. KENNEL APPLICATIONS FOR OVER TWENTY (20) DOGS

1. Every kennel owner/operator who makes application for a kennel license of over thirty-five (35) dogs shall submit an acoustical study after approval of their application by Council. At Council's discretion this condition may be waived.
2. Every kennel owner/operator, after the kennel building has been completely built or renovated and dogs are being housed in the facility, shall have a qualified acoustical consultant conduct a follow up to the first acoustical study at a time determined by the Township to ensure that all measures are taken to control the noise and disturbance to surrounding properties. At Council's discretion this condition may be waived.
3. No kennel housing over twenty (20) dogs shall typically be located within a minimum of one hundred and fifty (150) metres (four hundred ninety two [492] feet) of any road allowance or any adjacent habitable building or building used for the keeping of livestock excluding buildings of the owner of the property on which the kennel is located. At Council's discretion this distance may be decreased or increased on a case-to-case basis.
4. The following conditions may also be required:
  - (a) Approval from the Regional Health Unit for the installation of any septic system to handle dog waste;
  - (b) A storm water management plan approved by the Township's Director of Planning and Engineering Services;
  - (c) A restriction on the time that the outdoor runs may be open;
  - (d) A restriction on how many dogs are in the outdoor runs or exercise yards at one time to reduce possible noise issues;
  - (e) A barrier preventing the dogs from seeing motorists or persons traveling along any roads/walkways/trails, etc;
  - (f) Any ventilation or other air connections from the kennel to the outside shall be oriented and treated acoustically to comply with the Ministry of Environment guidelines;
  - (g) Additional evaluations by a qualified acoustical consultant after the kennel has been operating;
  - (h) An increased distance separation from any adjacent habitable building excluding buildings of the owner of the property on which the kennel is located;
  - (i) Or any other condition that Council deems appropriate for specific applications.

#### J. RECORDS

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 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 individual puppies;
  - (e) Veterinarian records on individual dogs maintained in the kennel.

#### K. KENNEL INSPECTIONS/POSTING OF LICENSE

1. Every person who holds a kennel license or the owner/operator of the kennel shall, at all reasonable hours, be open to inspection by the Township Animal Control Officer and/or the Township Municipal Law Enforcement Officer, Ontario Society for the Prevention of Cruelty to Animals, Police Officer, any such other person trained in the area of disease control and sanitation as may be appointed by Council, or any other person authorized to do so under any Provincial or Federal Legislation.
2. Every person who holds a kennel license or the owner/operator of the kennel shall keep the license posted up in some conspicuous place on the premises and shall, when so requested by any person authorized by the Township, produce such license for inspection.

#### L. EXOTIC PETS

1. No person shall own, harbour, possess, keep, sell or offer for sale any animal listed below as a pet or for any other purpose or for any period of time.
  - (a) All Canids, except the domestic dog
  - (b) All Felids, except the domestic cat
  - (c) All non-human Primates, except monkeys kept by physically handicapped persons to assist in their day to day living.
  - (d) All Viverrids (such as Mongooses, Civets and Genets)
  - (e) All Marsupials (such as Kangaroos and Opossums)
  - (f) All Mustelids (such as Skunks, Weasels, Otters, Badgers) except for ferrets, minks
  - (g) All Ursids (Bears)
  - (h) All Ungulates, except the domestic horse, ass, goat, sheep, pig, cattle, buffalo, bison and red deer
  - (i) All Procyonids (such as Raccoons, Coatis, and Cacomistles)
  - (j) All Hyaenids (Hyaenas)
  - (k) All Elephantids (Elephants)
  - (l) All Pinnipeds (such as Seals, Fur Seals, and Walruses)
  - (m) All Snakes of the Families Pythonidae and Boidae
  - (n) All Venomous Reptiles and Amphibians
  - (o) All Raptors (such as Eagles, Hawks, Owls and Falcons)
  - (p) All Edentates (such as Anteaters, Sloths and Armadillos)
  - (q) All Chiroptera (Bats)
  - (r) All Crocodylians (such as Alligators, Crocodiles, and Cayman)
  - (s) All Venomous Arachnids (such as Spiders, Scorpions, and Tarantulas)
  - (t) All Tortoises

- (u) All Cetaceans (such as dolphins, whales and sharks)
- (v) Examples of animals of a particular prohibited group are given in parentheses. They are examples only and shall not be construed as limiting the generality of the group.

2. Notwithstanding subsection 1, the prohibition shall not apply in the following places or circumstances:

- (i) a public health laboratory;
- (ii) a public pound;
- (iii) a veterinary hospital or clinic under the care of a licensed veterinarian;
- (iv) on premises registered as a research facility under Section 5 of The Animals for Research Act, R.S.O., 1990.

3. Notwithstanding subsection 1, the prohibition shall also not apply on the premises of an elementary, middle, junior or secondary school operated by the Waterloo County Board of Education or the Waterloo Region Roman Catholic Separate School Board where such animals are being kept or are made available for research, study or teaching purposes.

(a) The organizations and/or persons keeping the animals on aforementioned school premises must provide proof of consent of the applicable school board. The following organizations and/or persons are permitted onto school property:

- (i) Organizations accredited by the Canadian Association of Zoological Park and Aquariums;
- (ii) Government Agencies;
- (iii) Personnel from Veterinary Clinics

#### M. MISCELLANEOUS MATTERS

1. The Township, its agents, Animal Control Officer and the Poundkeeper shall not be liable for damages or compensation for any dog injured or killed under the provisions of this by-law and no such damages or compensation shall be paid to any person.
2. No owner or occupier of a premises shall keep more than three (3) dogs on any one property. The provisions of this section do not apply to:
  - (a) an animal hospital or veterinary clinic;
  - (b) a pet store;
  - (c) an Ontario Humane Society shelter or the Pound designated by this By-law;
  - (d) dogs under 12 weeks of age;
  - (e) a licensed kennel.
3. The owner of a dog shall not permit such dog to make any clearly audible noise which is likely to disturb the inhabitants of the Township.

#### N. FEES

1. Every owner of a dog or of a kennel shall pay the fees set out in the Licensing By-law and in accordance with the requirements of this By-law.

#### O. PENALTY PROVISIONS

1. Every person who contravenes any provisions of this by-law is guilty of an offence and is liable, upon conviction, to a fine not exceeding Five Thousand Dollars (\$5,000.00), exclusive of costs, for each offence as prescribed in the Provincial Offences Act, R.S.O. 1990, C.P. 33 as amended.
2. Each and every one of the foregoing provisions of the by-law is severable and if any provisions of this by-law should, for any reason, be declared invalid by any court, it is the intention and desire of this Council that each and every one of the then remaining provisions shall remain in full force and effect.
3. Any person who contravenes any provisions of this by-law and upon conviction shall pay the fines as laid out in Schedule 'A' attached to this By-law.

P. REPEAL SECTION

1. By-law numbers 115-2004 (Dog Control By-law) and 86-95 (Exotic Pets By-law) of the Township of Woolwich, and all by-laws amending the same and any other by-law inconsistent with the provisions of this By-law are hereby repealed on the date this by-law shall come into force and effect.
2. This bylaw shall come into force and effect on the date that the fines set out in Schedule "A" are approved by the Regional Senior Justice for the West Region.
3. This by-law may be known as the "Animal Control By-law".

PASSED this 14<sup>th</sup> day of November, 2006

Wm. L. Strauss

Mayor

Christine Broughton

Clerk

Schedule "A"

PART I Provincial Offences Act

Corporation of the Township of Woolwich By-law 75-2006 as amended

Being a By-law To Provide for the Licensing, Registration  
and Regulation of Dogs and Dog Kennels in the  
Township of Woolwich

Page 1 of 3

Item	Column 1 Short Form Wording	COLUMN 2 Section	COLUMN 3 Set Fine
1	Fail to license dog	C1	\$195.00
2	Fail to pay dog license fee	C1	\$195.00
3	Unlawfully remove dog tag	C3	\$195.00
4	Unlawfully register un-spayed female dog	C7	\$195.00
5	Unlawfully register un-neutered male dog	C7	\$195.00
6	Unlawfully attempt to register un-spayed female dog	C7	\$195.00
7	Unlawfully attempt to register un-neutered male dog	C7	\$195.00
8	Fail to produce evidence of modification	C8	\$195.00
9	Fail to apply for a replacement dog license	C9	\$195.00
10	Fail to pay for replacement dog licence fee	C9	\$195.00
11	Fail to produce evidence of rabies inoculation	C12	\$345.00
12	Allowing a dog to run at large	D1	\$195.00
13	Fail to pay Animal Control Service Fee	D8	\$195.00
14	Permit dog to bite person	D9	\$495.00
15	Permit dog to bite domestic animal	D9	\$495.00
16	Permit dog to attack person	D9	\$495.00
17	Permit dog to attack domestic animal	D9	\$495.00
18	Fail to comply with muzzle order	D10(b)	\$345.00
19	Fail to remove dog waste	E1	\$345.00
20	Fail to pay a kennel license fee	F1	\$495.00
21	Operating kennel contrary to Section 7 of the Zoning By-law	F2	\$495.00
22	Fail to install required fence	F6	\$495.00
23	Operating a kennel without a valid license	F9	\$495.00
24	Fail to maintain existing number of dogs	F12(a)	\$495.00

Item	Column 1 Short Form Wording	COLUMN 2 Section	COLUMN 3 Set Fine
25	Fail to comply with standards for kennels within fourteen (14) months	F12(b)	\$495.00
26	Fail to reside on the property on which the kennel is located	F13	\$495.00
27	Keeping more than the maximum number of dogs permitted in a kennel operation	F14	\$495.00
28	Fail to keep an animal in a sanitary condition	G1(a)	\$495.00
29	Fail to provide floors and walls made of concrete or other impermeable material for the kennel building	G1(b)	\$495.00
30	Fail to provide a self-draining floor in a new kennel structure	G1(c)	\$495.00
31	Allowing water to sit on a kennel floor	G1 (c)	\$495.00
32	Fail to keep all yards and runways completely enclosed with a fence	G1(d)	\$495.00
33	Fail to equip kennel with accessible fresh water and adequate feed	G1(e)	\$495.00
34	Fail to provide kennel with adequate natural or artificial light	G1(f)	\$495.00
35	Fail to provide kennel with proper ventilation	G1(f)	\$495.00
36	Fail to provide kennel with sufficient heat	G1(f)	\$495.00
37	Fail to provide adequate space to accommodate the breed of dog being housed	G1(g)	\$495.00
38	Fail to maintain the whelping bitch in a kennel in separate accommodation	H2	\$495.00
39	Fail to provide 2 ½ times the size of the whelping bitch space	H2	\$495.00
40	Fail to provide a separate outdoor run for the whelping bitch	H3	\$495.00
41	Fail to construct a whelping box with four sides and a floor made from impermeable material	H4	\$495.00
42	Fail to provide adequate supplemental heat in winter	H5	\$495.00
43	Fail to provide sufficient designated space for puppies	H6	\$495.00
44	Fail to provide adequately shaded open-air runs	H7	\$495.00
45	Fail to provide the Township with an acoustical study	I1	\$345.00
46	Fail to provide a follow-up acoustical study to the Township	I2	\$345.00
47	Fail to maintain records	J1	\$345.00
48	Fail to permit an inspection	K1	\$345.00
49	Fail to post license in a conspicuous place	K2	\$195.00
50	Fail to produce license when requested	K2	\$195.00
51	Own Exotic Animal	L1	\$395.00
52	Harbour Exotic Animal	L1	\$395.00
53	Possess Exotic Animal	L1	\$395.00
54	Keep Exotic Animal	L1	\$395.00
55	Sell Exotic Animal	L1	\$395.00
56	Offer Exotic Animal for sale	L1	\$395.00

Item	Column 1 Short Form Wording	COLUMN 2 Section	COLUMN 3 Set Fine
57	Keep more than three dogs on any one property	M2	\$345.00
58	Permit dog to make clearly audible noise	M3	\$345.00

Note: Penalty provisions for the offences indicated above are section O1 of By-law 75-2006,  
a certified copy of which has been filed.

OFFICE OF THE REGIONAL SENIOR JUSTICE  
ONTARIO COURT OF JUSTICE  
WEST REGION

COURT HOUSE  
15<sup>TH</sup> FLOOR, UNIT "G"  
80 DUNDAS STREET  
LONDON, ONTARIO  
N6A 6B3



CABINET DU JUGE PRINCIPAL REGIONAL  
COUR DE JUSTICE DE L'ONTARIO  
REGION DE L'OUEST

TELEPHONE/TÉLÉPHONE (519) 660-2292  
FAX/TÉLÉCOPIEUR (519) 660-3248

August 13, 2007



Mr. Mathew Goldsmith  
Municipal Law Enforcement Officer  
The Township of Woolwich  
P.O. Box 158, 69 Arthur Street South  
Elmira, Ontario N3B 2Z6

Dear Mr. Goldsmith:

**Re: Set Fines - Provincial Offences Act - Part I  
By-law Number 75-2006, as amended, of the Township of Woolwich**

Enclosed herewith is a copy of an Order, and a copy of a schedule of set fines for the above referenced By-Law, the By-law indicated in the schedule.

The setting of the fines does not constitute my approval of the short form of wording used to describe the offences.

I have forwarded the copy of the Order and the schedule of set fines to the Provincial Offences Court in Kitchener, Ontario, together with a certified copy of the By-law.

Yours truly,

A handwritten signature in black ink, appearing to read "Alexander M. Graham".

Alexander M. Graham  
Regional Senior Justice  
West Region

Enclosures

/pp

cc: Manager, Provincial Offences Court


ONTARIO COURT OF JUSTICE

PROVINCIAL OFFENCES ACT

PART I

IT IS ORDERED pursuant to the provisions of the Provincial Offences Act and the rules for the Ontario Court of Justice that the amount set opposite each of the offences in the schedule of offences under the Provincial Statutes and Regulations thereunder and Municipal By-law No. 75-2006, as amended, of the Township of Woolwich, attached hereto are the set fines for those offences. This Order is to take effect August 13, 2007.

Dated at London this 13<sup>th</sup> day of August, 2007.



Alexander M. Graham  
Regional Senior Justice  
West Region

Schedule "A"

PART I Provincial Offences Act

Corporation of the Township of Woolwich By-law 75-2006 as amended

Being a By-law To Provide for the Licensing, Registration and Regulation of Dogs and Dog Kennels in the Township of Woolwich

Item	Column 1 Short Form Wording	COLUMN 2 Provision creating or defining offence	COLUMN 3 Set Fine
1	Fail to license dog	C1	\$195.00
2	Fail to pay dog license fee	C1	\$195.00
3	Unlawfully remove dog tag	C3	\$195.00
4	Unlawfully register un-spayed female dog	C7	\$195.00
5	Unlawfully register un-neutered male dog	C7	\$195.00
6	Unlawfully attempt to register un-spayed female dog	C7	\$195.00
7	Unlawfully attempt to register un-neutered male dog	C7	\$195.00
8	Fail to produce evidence of modification	C8	\$195.00
9	Fail to apply for a replacement dog license	C9	\$195.00
10	Fail to pay for replacement dog licence fee	C9	\$195.00
11	Fail to produce evidence of rabies inoculation	C12	\$345.00
12	Allowing a dog to run at large	D1	\$195.00
13	Fail to pay Animal Control Service Fee	D8	\$195.00
14	Permit dog to bite person	D9	\$495.00
15	Permit dog to bite domestic animal	D9	\$495.00
16	Permit dog to attack person	D9	\$495.00
17	Permit dog to attack domestic animal	D9	\$495.00
18	Fail to comply with muzzle order	D10(b)	\$345.00
19	Fail to remove dog waste	E1	\$345.00
20	Fail to pay a kennel license fee	F1	\$495.00
21	Operating kennel contrary to Section 7 of the Zoning By-law	F2	\$495.00
22	Fail to install required fence	F6	\$495.00

Column 1 Short Form Wording		Column 2 Provision creating or defining offence	Column 3 Set Fine
23	Operating a kennel without a valid license	F9	\$495.00
24	Fail to maintain existing number of dogs	F12(a)	\$495.00
25	Fail to comply with standards for kennels within fourteen (14) months	F12(b)	\$495.00
26	Fail to reside on the property on which the kennel is located	F13	\$495.00
27	Fail to more than the maximum number of dogs permitted in a kennel operation	F14	\$495.00
28	Keeping more than an animal in a sanitary condition	G1(a)	\$495.00
29	Fail to provide floors and walls made of concrete or other impermeable material for the kennel building	G1(b)	\$495.00
30	Fail to provide a self-draining floor in a new kennel structure	G1(c)	\$495.00
31	Allowing water to sit on a kennel floor	G1 (c)	\$495.00
32	Fail to keep all yards and runways completely enclosed with a fence	G1(d)	\$495.00
33	Fail to equip kennel with accessible fresh water and adequate feed	G1(e)	\$495.00
34	Fail to provide kennel with adequate natural or artificial light	G1(f)	\$495.00
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43	Fail to provide sufficient designated space for puppies	H6	\$495.00
44	Fail to provide adequately shaded open-air runs	H7	\$495.00
45	Fail to provide the Township with an acoustical study	I1	\$345.00
46	Fail to ensure a follow-up acoustical study is performed	I2	\$345.00
47	Fail to maintain records	J1	\$345.00
48	Fail to permit an inspection	K1	\$345.00
49	Fail to post license in a conspicuous place	K2	\$195.00
50	Fail to produce license when requested	K2	\$195.00
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