

# **Animals**

## **Chapter 212 Dog – Cat Regulation**

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## **Schedule**

Schedule 'A' - Dog off leash recreation areas

WHEREAS section 11 of the *Municipal Act, 2001*, c. 25 provides that a municipality may pass a by-law to regulate animals;

AND WHEREAS pursuant to the provisions of the *Municipal Act, 2001*, c. 25, s. 103, states where a municipality has passed a by-law to regulate or prohibit with respect to the being at large or trespassing of animals, the municipality may provide for the seizure, impounding and sale of seized and impounded animals;

AND WHEREAS section 391 of the *Municipal Act, 2001*, c. 25 as amended, provides that a municipality may pass by-laws imposing fees or charges for services;

AND WHEREAS The Corporation of the City of Woodstock deems it appropriate to charge a fee to owners of animals for the provision of the service of animal control;

AND WHEREAS the Council of The Corporation of the City of Woodstock deems it appropriate to provide animal control for the health and safety of the public.

## **Article 1- Short Title**

### **212.1.1 Citation**

This Chapter may be cited as the "Dog and/or Cat Regulation By-law." By-law 9478-21- August 12, 2021

## **Article 2 - Interpretation**

### **212.2.1 Animal Control Officer - defined**

"Animal Control Officer" means:

- a) any company and its employees which has entered into a contract with the municipality to control animals or to operate a pound
- b) municipal by-law enforcement officer appointed by the City of Woodstock
- c) a member of any police force having jurisdiction within the municipality.

### **212.2.2 Collar or harness - defined**

"collar or harness" means a stiff band of leather, strong fabric or plastic or metal placed around the neck or body of the dog that is to attach a dog tag and/or leash.

### **212.2.3 Dog/cat identification - defined**

“dog/ cat identification” means a microchip or personalized dog/ cat tag that provides information on how to contact the dog or cat owner. By-law 9478-21- August 12, 2021

### **212.2.4 Dog off leash recreation area - defined**

“dog off leash recreation area” means a specific confined area designated in Schedule ‘A’ where a dog owner is permitted to allow his/her dog to run at large and is not required to leash such dog.

### **212.2.5 Dwelling unit - defined**

“dwelling unit” means a single room or a series of rooms which is located in a building, in which food preparation, eating, living, sleeping and sanitary facilities are provided for the exclusive use of the occupants thereof, which has a private entrance directly from outside the building or from a common hallway inside the building in which all occupants have access to all of the habitable areas and facilities of the unit, and which is occupied and used, or capable of being occupied and used as a single and independent housekeeping establishment by one family.

### **212.2.6 Foster - defined**

“foster” means the temporary keeping, harbouring or possessing, for a period of less than six months, of a dog that is abandoned or does not have a permanent owner and under the care and control of either a recognized animal rescue group, the SPCA or the City of Woodstock Animal Control, while there is an active attempt by the person keeping the dog, the rescue group, SPCA or Animal control responsible for the foster dog to find a permanent home for the dog.

### **212.2.7 Kennel - defined**

“kennel” means a place or confine where dogs that are registered or eligible for registration with an association incorporated under the *Animal Pedigree Act* (Canada) are bred and raised or a facility used to board dogs on a short term basis.

### **212.2.8 Leash - defined**

“leash” means a line or cord attached to a collar not exceeding 1.8 metres (5.9 feet) in length which is used to secure or restrain a dog or cat.

### **212.2.9 Owner - defined**

“owner” includes any person who possesses, fosters, or harbours a dog or cat and shall include a person or persons who are temporarily the keeper of a dog or cat; and “owns” and “owned” have a corresponding meaning. Where a person is a minor, the person responsible for the custody of the minor shall be deemed the owner.

### **212.2.10 Pound - defined**

"pound" means a premises or facility designated by the City of Woodstock that is used for the confinement, maintenance or disposal of animals that have been impounded pursuant to this Chapter.

### **212.2.11 Poundkeeper - defined**

"Poundkeeper" means a person or company appointed by the City of Woodstock to maintain and administer a pound and impound dogs and/or cats.

### **212.2.12 Running at large - defined**

"running at large" means a dog or cat found in any place other than the premises of the owner or person having care, custody or control of the dog or cat and not secured by a collar and leash.

### **212.2.13 Spayed/neutered- defined**

"spayed/neutered," also known as "altered" means any dog or cat which has been altered by the removal of the ovaries in the case of a female dog or cat or by the castration in the case of a male dog or cat and that the owner produces satisfactory evidence of its being spayed/neutered.

## **Article 3 - Exemptions**

### **212.3.1 Animal hospital - clinic**

This Chapter shall not apply to an animal hospital or clinic lawfully operated and supervised by a veterinarian who is a registered member of the Ontario Veterinary Association.

### **212.3.2 Humane Society - SPCA**

This Chapter shall not apply to a Humane Society or Society for the Prevention of Cruelty to Animals provided that such premises is located in compliance with the City of Woodstock Zoning By-laws.

## **Article 4 - General Provisions**

### **212.4.1 Dog – cat - maximum - five per location - exception**

No person shall, whether temporarily or permanently, keep, harbour, maintain or possess at any location within the City of Woodstock more than three domestic dogs and two domestic cats or two domestic dogs and three domestic cats of an age in excess of four months with the exception of a kennel operated and registered in accordance with the provisions of this Chapter. (See Set Fines) By-law 9478-21, Aug 12, 2021

**212.4.2 Dog – cat – animal identification attached**

No person who is the owner of a dog or cat, or the foster of a dog or cat, shall fail to immediately attach dog/cat identification, and maintain such an attachment. (See Set Fines) By-law 9478-21, August 12, 2021

**212.4.3 Animal identification - removal - other than to replace - prohibited**

No person shall remove dog/cat identification from a dog or cat, other than to replace the identification or administer medical treatment to the dog or cat. (See Set Fines) By-law 9478-21, August 12, 2021

**212.4.4 Use of dog off leash recreation areas**

No person shall allow his/her dog to run at large in dog off leash recreation areas designated in Schedule 'A' without having dog identification and affixing a current rabies tag to the dog. (See Set Fines) By-law 9478-21, August 12, 2021

**212.4.5 Dog off leash area - dog unattended**

No person shall leave a dog unattended within a dog off leash recreation area. (See Set Fines)

**212.4.6 Dog off leash area - pit bull restriction**

No person shall allow a pit bull, as defined under the *Dog Owners' Liability Act*, to run at large in a dog off leash recreation area. (See Set Fines)

**Article 5 – Dog and/or Cat- At Large**

**212.5.1 Running at large - prohibited**

No person shall allow or permit any dog or cat of which he/she is the owner to run at large within the City of Woodstock. (See Set Fines)

**212.5.2 Running at large - exception**

The owner of a dog may allow their dog to be at large in dog off leash recreation areas designated in Schedule 'A.'

**212.5.3 Trespass**

No person shall allow or permit any dog or cat of which he/she is the owner to trespass on private property even when on a leash. (See Set Fines)

**212.5.4 Dog - cat - not under control - off owner's premises**

A dog or cat shall be deemed to be running at large if found in any place other than the premises of the owner of the dog or cat and not under the control of any person.

**212.5.5 Dog and/or cat - unleashed - deemed not under control**

A dog or cat shall be deemed not to be under the control of any person when the dog or cat is not on a leash.

**212.5.6 Euthanasia - for humane reasons - safety**

Where a dog or cat which is running at large is injured or should be destroyed without delay for humane reasons or for reasons of safety to persons or animals, an Animal Control Officer may euthanize the dog or cat in a humane manner without permitting any person to reclaim the dog or cat.

**212.5.7 Impoundment - permitted**

Animal Control Officers are authorized to impound dogs and cats for purposes of enforcing this Chapter.

**212.5.8 Impound - records**

The Animal Control Officer shall keep a record of every dog or cat impounded or seized, including the date upon which it was impounded, a description of the dog or cat, any dog/cat identification it had, and the disposition made. If no dog/cat identification is found on an animal that is redeemed by an owner, the owner's contact information will be forwarded to the City for follow up to ensure future compliance with section 212.4.2. By-law 9478-21, August 12, 2021

**212.5.9 Impound - public safety**

The Animal Control Officer may take possession of any dog or cat regardless of its identification that in the opinion of the Animal Control Officer is interfering with public health and safety, that is in contravention of this Chapter or is injured or in distress.

**212.5.10 Trespassing - capture - impoundment - permitted**

Any person may capture or confine any dog or cat running at large and trespassing on his/her property and either request the Animal Control Officer to pick up the dog or cat or deliver the dog or cat to the Animal Control Officer who shall impound the dog or cat.

**212.5.11 Impoundment - redemption - time limit - fee**

All dogs and cats impounded under the authority of this Chapter shall be taken to the pound, where they shall be confined, subject to the right of an owner to redeem a dog and/or cat within three days, excluding the day of impoundment and not including holidays. Upon redemption of the dog or cat, the owner must pay the poundkeeper the pick-up fee, any applicable daily poundage fees, a search fee (if no dog/cat identification is on the animal), and veterinary fees. By-law 9478-21, August 12, 2021

**212.5.12 Dog - cat - not redeemed - destroyed - adopted – spayed /neutered - sold**

Any dog or cat not redeemed by an owner within three days, excluding the day of impoundment and not including holidays, may be euthanized in a humane manner by the poundkeeper or spayed/neutered and/or sold or adopted, unless the law requires otherwise.

**212.5.13 Other penalties - liabilities - applicable**

The payment of the impoundment fees shall not be construed as relieving the owner or any other person of any liability to pay any other penalty which may become payable pursuant to the provisions of this Chapter or any other liability enforceable in law.

**212.5.14 Dog and/or cat - at large - prevention**

An owner of a dog or cat, when the dog or cat is on the property of the owner or on the property of some other person with that person’s consent, shall keep the dog or cat from leaving the property on its own by means of:

- a) enclosure;
- b) containment within a fenced area; or
- c) physical restraint of the dog or cat by a chain or rope. (See Set Fines)

**Article 6 - Registration**

**212.6.1 Kennel registration - obtained annually**

No person shall operate a kennel within the City of Woodstock without having obtained a kennel registration prior to conducting the business of operating a kennel. A kennel must be registered on an annual basis on or before the 15th day of February of the current year. (See Set Fines)

**212.6.2 Kennel registration - eligibility**

A kennel registration shall only be issued where the location of the kennel is in compliance with the City of Woodstock Zoning By-laws. (See Set Fines)

**212.6.3 Banned breeds**

In addition to the requirements of section 212.4.2, the owner of a banned breed shall provide proof to the City that he/she is in compliance with the requirements of the provincial legislation. By-law 9478-21, August 12, 2021



## **Article 7 - Enforcement**

### **212.7.1 Fine - for contravention**

Every person who contravenes any of the provisions of this Chapter is guilty of an offence and upon conviction is liable to a fine or penalty as provided in the *Provincial Offences Act*.

### **212.7.2 Separate offence - daily**

Each day a violation of this Chapter continues shall constitute a separate and distinct offence under this Chapter.

## **Article 8 – Enactment**

### **212.8.1 Effective date**

The by-law upon which this Chapter is founded shall come into force and effect as of January 1, 2022. 9478-21 – August 12, 2021.

## **SCHEDULE**

### **Schedule 'A' - Dog off leash recreation areas**

The following areas of the City of Woodstock are hereby designated "dog off leash recreation areas" where dogs may be at large to exercise without being on leashes:

1. North West area of Southside Park in the vicinity of Henry Street & Butler Street intersection;
2. North side of Woodstock in Roth Park.

These areas are clearly defined by enclosed fencing with vestibule entrances to restrict the escape of dogs off leash while other dogs and owners are entering and exiting the leash free area.