

Animals
Chapter 212 Dog – Cat Regulation

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Schedule

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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

212.1.2 Citation

This Chapter may be cited as the "Dog and/or Cat Registration and Regulation By-law."

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 the dog tag and/or leash.

212.2.3 Dog registration - defined

"dog registration" means the registering of every dog over the age of four months with the City. Such registration shall be undertaken on an annual basis and shall include the particulars pertaining to the dog and its owner and the purchase of a dog tag.

212.2.4 Dog registration fee - defined

"dog registration fee" means the fee to register the animal pursuant to the provisions of this Chapter.

212.2.5 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.

212.2.6 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.

212.2.7 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.

212.2.8 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.

212.2.9 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.

212.2.10 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.

212.2.11 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.

212.2.12 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.

212.2.13 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.

212.2.14 Senior - defined

“senior” shall mean any person age 65 years or older.

212.2.15 Service dog - defined

“service dog” means any dog trained to work or perform tasks for the benefit of an individual with a disability.

212.2.16 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.

212.3.3 Service dog

Service dogs are exempt from the dog registration fee provisions of this Chapter.

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 or cats or a combined total of 5 consisting of cats and dogs 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)

212.4.2 Tag - removal - other than to replace - prohibited

No person shall remove a tag from a dog, other than to replace an expired tag with a current tag or to administer medical treatment to the dog. (See Set Fines)

212.4.3 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 first affixing the City's dog tag and a current rabies tag to the dog. (See Set Fines)

212.4.4 Dog off leash area - dog unattended

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

212.4.5 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 identification or registration tag number if it wore a tag, and the disposition made.

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 and applicable daily poundage fee, veterinary fees and, if required, the dog registration fee.

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 Registration - required - annually - January 31

No person who is the owner of a dog shall fail, on or before the 31st day of January in each year, to register with the City of Woodstock each such dog for the following calendar year. Upon registration and payment of the dog registration fee as described in Schedule 'B', the owner shall be given a dog tag for the year. (See Set Fines)

212.6.2 Dog- acquisition - after January 31

A person becoming an owner of a dog shall, within ten days thereof, register such dog with the City of Woodstock and pay the dog registration fee as described in Schedule 'B'. (See Set Fines)

212.6.3 Change of information

No person who is the owner shall fail to ensure that City Hall is notified of a change of address or any other change of information. (See Set Fines)

212.6.4 Dog tag - attached

No person who is the owner of a dog shall fail to immediately attach to such dog, and maintain such attachment, a current tag or replacement tag as proof that the dog is registered. (See Set Fines)

212.6.5 Registration - annually collected - dog - owned

All dog tags shall be purchased from the City of Woodstock or a designated agent of the City of Woodstock.

212.6.6 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)

212.6.7 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)

212.6.8 Transfer

Provided the City is notified, the dog registration can be transferred at no charge to any new owner or upon the death of a registered dog the owner can transfer the registration to a new dog at no charge.

212.6.9 Non-refundable

Dog registration fees are non-refundable.

212.6.10 Banned breeds

Nothing in this Chapter requires the City to issue a dog tag to a dog where the ownership of such dog is prohibited under provincial legislation. Prior to registration of such dog, the owner shall provide proof that he/she is in compliance with the requirements of the provincial legislation.

Article 7 – Dog/Cat Fostering

212.7.1 Compliance - required

No person shall foster a dog in the City of Woodstock in contravention of this Chapter.

212.7.2 Registration - required

No person shall foster a dog in the City of Woodstock without being registered.

212.7.3 Registration - within ten days - form - requirement

A person shall, within ten days from the date such person commences fostering a dog, apply to the City of Woodstock to register to foster a dog using the specified application form along with all supporting documentation required by the Clerk for the City of Woodstock.

212.7.4 Denial of registration - reason required

The City of Woodstock may deny a registration application and shall provide the reasons for the denial.

212.7.5 Placement - home - notification requirement

A person who fosters a dog shall notify the City of Woodstock within 10 days from the date that the fostered dog is placed in a permanent home.

212.7.6 Denial of registration - previous non-compliance

The City of Woodstock may deny a registration if the applicant has previously failed to comply with the provisions of this Chapter.

212.7.7 Tag - exemption - fostering less than six months

A person who is registered to foster a dog under this Article is exempt from Sections 212.6.1 through 212.6.4, inclusive for the six months from the date person commenced fostering the dog.

212.7.8 Tag - fostering - more than six months - personal

If the fostered dog is fostered by the same person for more than six months the exemption under section 212.7.7 ceases to apply and the dog must be licensed in accordance with Sections 212.6.1 through 212.6.4, inclusive.

212.7.9 Tag - fostering - more than six months - dwelling

If the fostered dog that is fostered in the same dwelling for more than six months the exemption under section 212.7.7 ceases to apply and the dog must be licensed in accordance with Sections 212.6.1 through 212.6.4, inclusive.

212.7.10 Foster dog gives birth under care - requirements

In the event a foster dog gives birth while in the foster home, the person fostering the dog shall immediately notify the rescue group, SPCA or Animal control responsible for the foster animal and the person fostering the dog shall wean the puppies and remove them from the foster home within eight weeks.

212.7.11 Pit bull - prohibited

No person shall foster a pit bull as defined by the *Dog Owners' Liability Act*.

Article 8 - Enforcement

212.8.1 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*.

212.8.2 Separate offence - daily

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

Article 9 – Enactment

212.9.1 Effective date

The by-law upon which this Chapter is founded came into force and effect as of third and final reading thereof. 8898-14 – February 20, 2014.

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.

Schedule 'B' - Dog tag registration fees

Dog Registration Fees

A dog tag will be issued upon payment of the appropriate fee.

A kennel owner is entitled to a maximum of five dog tags. If additional dog tags are required the normal fee will be charged.

Fees:

Dog Licences	Existing Owner by January 31st or New owner after January 31st and before July 1st	Existing Owner after January 31st	New Owner after July 1st
Neutered/spayed	\$15	\$30	\$10
Unaltered	\$20	\$35	\$12
Seniors-Neutered/Spayed	\$12	\$27	\$8
Seniors-Unaltered	\$17	\$30	\$12
Replacement tags	\$5	\$5	\$5
Dogs that have a muzzle order in place	\$200	\$210	\$100