

THE MUNICIPAL CORPORATION OF THE TOWNSHIP OF ST. JOSEPH

OFFICE CONSOLIDATION OF

**BY LAW #930**

(As Amended by By-law #1228 & By-law #1336)

**LICENSING - a by-law for licencing dogs, for requiring the registration of dogs and for prohibiting the running at large of dogs.**

THE COUNCIL of the Municipal Corporation of the Township of St. Joseph, pursuant to section 1, 4, 5, and 6 of The Dog Tax and Live Stock and Poultry Protection Act, R.S.O. 1960, chapter III, and to paragraph 1 of sub section 1 of section 379 of the Municipal Act, R.S.O. 1960, chapter 249, and amendments thereto, ENACTS as follows:

1. DEFINITIONS

In this by-law:

- 1) "Dog" shall include both male and female dog.
- 2) "Owner" of a dog includes a person who possesses or harbours a dog or has care or control thereof and "owns" and "owned" have a corresponding meaning.
- 3) "Poundkeeper" shall mean any person appointed by the Council under the provisions of this by-law and for purposes of this by-law.
- 4) "Premises" shall include any property owned, leased or occupied by the owner of any dog.

2. LICENCE REQUIREMENT

On or before the first day of March in each year, every person living within the geographic boundaries of the Township of St. Joseph who owns a dog shall –

- 1) Register every dog owned by him with the Clerk of the Township or other officer authorized by the Council of the Township, and
- 2) Obtain a licence and tag for every dog owned by him from the Clerk or other authorized officer of the Township.

3. LICENCE FEE AND REGULATIONS

- 1) The following fees are paid:
  - For a male dog .....\$ 5.00
  - For a female dog .....\$10.00

Provided, however, that where a certificate of a Veterinary Surgeon is produced showing that a female dog has been spayed, such female dog shall be charged at the same licence fee as a male dog.

Where the license fee is not paid on or before the 1<sup>st</sup> day of March in any year, the fee charged shall be double (2 times) the normal fee for said dog.

- 2) Where a person acquires a dog after the 31<sup>st</sup> day of July in any year, he shall be taxed at a rate equal to one half of the license fee otherwise payable under this by-law, for that year.

#### 4. PROHIBITIONS

- 1) Every owner of a dog shall procure a tag for such dog and keep the tag fixed on the dog for which it was procured at all times during the year and until he procures a tag for such dog for the following year, and the fee for such tag shall be \$.25 for each tag obtained.
- 2) No owner of a dog shall use a tag upon a dog other than that for which the tag was issued.
- 3) No person shall procure a license for a female dog as a male dog.
- 4) Any person when so required by the Clerk or other authorized officer of the Township of St. Joseph, shall forthwith deliver to him a true and correct statement in writing of the number of such dogs owned by him, or that are habitually left upon the premises for which he is assessed, by whomsoever owned.
- 5) Any person who violates subsections (1), (2), (3) or (4) of this section is guilty of an offence and is liable to a fine of not more than Ten (\$10.00) dollars, exclusive of costs. Such fine may be paid prior to Court to the Municipal Treasurer of the said Township.
- 6) Each day that any offence under this section shall continue, shall be deemed to be a separate offence.

#### 5. ARREARS OF TAX PAYMENT

- 1) Where the tax, as set out in section three (3) of this by-law, has been demanded by the Municipal Clerk or other authorized officer of the Township, and is not paid within thirty (30) days from the date of demand, the person so in arrears shall be deemed to have committed an offence against this by-law, and the person so in arrears may be summoned before a Magistrate and may be fined not more than Fifty (\$50.00) Dollars and the Magistrate may order the dog destroyed before a time to be named in the Magistrate's order.
- 2) The person so in arrears may pay to the Treasurer of the Township of St. Joseph the fees and penalties applicable under section 3 and schedule I of this by-law.
- 3) For the purpose of carrying out an order of a Magistrate that a dog be destroyed, a constable or other person designated by the Municipal Clerk for such purpose, may destroy the dog wherever it may be found and for such purposes shall have the right to enter upon the lands or buildings where such dog may be found.

## 6. RUNNING AT LARGE PROHIBITED

- 1) No person shall permit a dog owned by him to run at large within the boundaries of the Township of St. Joseph.
- 2) For the purpose of this section, a dog shall be deemed to be running at large when found on a road or other public place, or place other than the premises of the owner of the dog, and not under the control of any person.
- 3) A dog which is found to be running at large contrary to the provisions of this by-law may be seized and impounded.
- 4) A dog so impounded shall be held for five days and if not claimed and released to the owner thereof within such period, such dog may be destroyed at the discretion of the poundkeeper.
- 5) A dog so impounded shall not be released until the owner thereof, has paid to the Treasurer of the Municipality the sum of Three (\$3.00) Dollars for the first twenty-four hours or part thereof and the sum of Three (\$3.00) Dollars for every further day that the dog is kept impounded.
- 6) Every person who allows a dog to run at large in violation of this by-law is guilty of an offence and liable to a fine in accordance with Schedule I of this by-law. Such fine may be paid prior to Court to the Municipal Treasurer of the said Township.

## 7. ATTACKING DOGS

If a dog bites or injures any person, it shall be impounded, forthwith, and it shall be examined by a Veterinary Surgeon, all costs incurred for such examination shall be borne by the owner of the said dog.

## 8. PENALTIES

- 1) Any person who contravenes any of the provisions of this by-law is liable upon summary conviction therefore to a penalty of not less than Ten (\$10.00) Dollars and not more than Fifty (\$50.00) Dollars exclusive of costs.
- 2) The Summary Convictions Act (R.S.O. 1970 Ch. 450) and amendments thereto shall apply to this by-law.
- 3) Any penalties levied are exclusive of costs as may be applied by the Clerk of the Municipality or by any Magistrate on Summary Convictions proceedings.

Any by-law or part of any by-law conflicting with this by-law is hereby repealed.

9. EFFECTIVE DATE

This by-law comes into force on the 15<sup>th</sup> day of June, 1975.

First Reading: June 7, 1975

Second Reading: June 7, 1975

Third Reading: June 7, 1975