

**THE CORPORATION OF THE CITY OF NORTH BAY**

**BY-LAW NO. 151-93**

**BEING A BY-LAW FOR LICENSING DOGS AND FOR THE  
CONTROL OF DOGS AND OTHER ANIMALS WITHIN THE  
CITY LIMITS**

WHEREAS it is deemed expedient to provide for the control of animals and licencing of dogs within the Corporation pursuant to the Municipal Act, R.S.O. 1990, Chap..45.

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE CITY OF NORTH BAY HEREBY ENACTS AS FOLLOWS:

**DEFINITIONS**

1. (1) "Animal Control Officer" includes the North Bay and District Society for the Prevention of Cruelty to Animals and all employees thereof are hereby appointed to enforce this by-law and related legal process serving;
- (2) "Corporation" or "City" means The Corporation of the City of North Bay.
- (3) "Dog" means a male or female dog, whether sterilized or not;
- (4) "Dwelling Unit" means a self-contained unit suitable for occupancy by one (1) family in which sanitary conveniences, cooking facilities and heating facilities are provided, and which has a private entrance either from outside the building or through a common hallway, but does not include a hotel, motel, boarding or lodging house, travel trailer, tent, mobile home or other recreational vehicle.
- (5) "Humane Society" means the North Bay & District Society for the Prevention of Cruelty to Animals.
- (6) "Licence Issuer" means the City Clerk of the Corporation;
- (7) "Licence Agent" means the Corporation and/or any designate of the Corporation;
- (8) "Owner" includes a person who possesses or harbours a dog and who is eighteen years of age or over and "Owns" and "Owner" have a corresponding meaning.
- (9) "Pound" means the facility operated by the North Bay and District Society for the Prevention of Cruelty to Animals for the purposes of this by-law.
- (10) "Pure-Bred" means
  - (a) registered or eligible for registration in the register of the Canadian Kennel Club, Incorporated, or
  - (b) of a class designated as pure-bred by regulation.
- (11) "Treasurer" means the Treasurer of the Corporation.

**LICENCES**

2. (a) No person in the City of North of North Bay shall own, harbour or possess a dog without a licence for such dog as herein provided.
- (b) Every owner of a dog is subject to the provisions of this by-law.
3. The North Bay Humane Society is hereby appointed Licence Agent and authorized to receive licence applications under this By-law. Every such licence application shall be issued for and on behalf of the Corporation according to procedures to be approved by the council.
4. The licence required by this by-law shall be issued:
  - (a) upon application to the City Clerk or the Licence Agent,
  - (b) by payment of the fee prescribed in Section 9 hereof, and
  - (c) by provision of a rabies vaccination certificate , issued within the past 12 months by a veterinarian for such dog.

**DOG TAGS**

5. Any licence issued pursuant to this By-law shall be in the form of a dog tag.
6. (a) Every dog tag shall bear a serial number, year of issue and name of Licence Issuer.
- (b) A record shall be kept by the Licence Issuer or Licence Agent showing the name and address of the owner and the serial number of the tag.
7. (a) Every owner shall keep the dog tag securely fixed on the dog at all times until the tag is rendered or replaced, provided that the tag may be removed while the dog is within the premises of the owner.
- (b) No owner of a dog shall use a tag on a dog other than that for which it was issued unless it has been transferred as provided for in subsection (b) of Section 8.
8. (a) The fee for the replacement of lost dog tags shall be Two Dollars (\$2.00) for each tag.
- (b) If there is a change of ownership of a dog during the licence year, the licence holder shall notify the Licence Issuer or Agent within ten (10) days of any change of ownership or address and shall pay a Two Dollar (\$2.00) licence transfer/update fee for this service.

**FEES AND TERM**

9. The licence fee to be paid to the City Clerk or Licence Agent at the time of issuance of the licence shall be as follows:
  - (i) For each dog sterilized, with proof of sterilization certified by a veterinarian\$ 15.00, and
  - (ii) For each dog not sterilized, or\$ 30.00 uncertified

10. (a) Every licence issued pursuant to this By-law shall expire on the 31st day of December of the year in respect of which it was issued.
- (b) Every licence shall be renewed yearly on or before the 15th day of February.

#### **KENNELS**

11. The owner of a breeding kennel is not liable to pay in respect of such pure-bred dogs any licence fee under this By-law.

#### **AT LARGE**

12. (a) No person shall suffer, allow or permit any dog of which it is the owner or custodian to run at large within the limits of the Corporation.
- (b) For the purpose of this by-law, a dog shall be deemed to be running at large when found in any place other than the property of the owner of the dog and either not under the control of any person or not otherwise confined.
- (c) For the purpose of this By-law a dog shall be deemed not to be under the control of any person when the dog is not on a leash of a maximum length of two (2) meters held by a person, or when a dog is not on a leash which is securely affixed to some permanent structure from which the dog cannot escape.
- (d) No person shall suffer, allow or permit a dog under his or her control or of which he or she is the registered owner to trespass on private property whether on a leash or not unless permission for said trespass is first obtained from the property owner.

#### **IMPOUNDING DOGS**

- 13 (a) Subject to subsection (f) of this section, a Peace Officer or Animal Control Officer may
- (1) seize and impound any dog found running at large, and
- (2) restore possession of the dog to the owner thereof where
- (i) the owner claims possession of the dog within three (3) days (exclusive of the day of its impounding and of statutory holidays) after the date of seizure, and
- (ii) the owner pays a pound fee of \$30.00 (Thirty Dollars) for the dog seized and impounded, plus a maintenance fee of \$5.00 (Five Dollars) for each day subsequent to the day of seizure that the dog remains impounded, and
- (iii) any veterinary fees incurred for the dog.
- (b) Where a dog is seized and impounded under subsection (a) of this section, the owner, if known and whether the dog is claimed from the pound or not, shall be liable for the pound and maintenance fees prescribed and shall pay all fees on demand.

- (c) Where, at the end of the three (3) days mentioned in subsection (a) (2) of this section, the dog has not been restored to the owner, the Humane Society may sell or otherwise dispose of the dog as the Humane Society deems fit.
- (d) Where the owner of a dog has not claimed the dog within three (3) days after its seizure under subsection (a) above, and where the dog has not been sold or placed in a suitable home, the Humane Society or its agent may euthanize the dog in a humane manner or otherwise dispose of the dog as the Society sees fit in accordance with the provisions of the Province of Ontario Animals for Research Act as it relates to pounds and no damage or compensation shall be recovered by the dog owner on account of its euthanization or other disposition.
- (e) Where a dog seized under subsection (a) of this section is injured or should be destroyed without delay for humane reasons, or for reasons of safety to persons or animals, the Humane Society may euthanize the dog in a humane manner as soon after the seizure as it thinks fit or without permitting any person to reclaim the dog or without offering it for sale, and no damages or compensation shall be recovered by the owner on account of its euthanization.

#### **NON-DOMESTIC ANIMALS**

15. No person shall keep any domestic fowl, cattle, goats, swans, horses, sheep, mink or foxes within any area defined by North Bay Zoning By-law 28-80 as Residential, Commercial or Industrial.


#### **PENALTIES**

16. Every person who contravenes any of the provisions of this by-law is guilty of an offence and subject to a fine recoverable under the Provincial Offences Act.
17. By-law Number 219-92 is hereby repealed.
18. This by-law shall come into force from and after the final passing thereof.

READ A FIRST TIME IN OPEN COUNCIL THE 31ST DAY OF JANUARY, 1994.

READ A SECOND TIME IN OPEN COUNCIL THE 31ST DAY OF JANUARY, 1994.

READ A THIRD TIME IN OPEN COUNCIL AND ENACTED AND PASSED THIS 31ST DAY OF JANUARY, 1994.

  
MAYOR

  
CITY CLERK