

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 219-92

BEING A BY-LAW TO PROHIBIT THE KEEPING OF
DOMESTIC FOWL AND CERTAIN FARM ANIMALS
IN RESIDENTIAL AREAS AND TO LICENSE AND
REGULATE THE KEEPING OF DOGS.

WHEREAS the Municipal Act, R.S.O. 1990, Chap. M.45,
section 210 (1 to 13) authorizes the prohibiting or regulating
of the keeping of animals or any class thereof within defined
areas, regulating establishments for the breeding or boarding of
animals, prohibiting dogs from running at large and for the
licensing of dogs.

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

1. For the purposes of this by-law:-
 - (a) "Animal" means a live animal not with human vertebrae.
 - (b) "Animal Control Officer" means the person or persons designated by the City as the enforcement officer or officers.
 - (c) "Animal Shelter" means any premises designed by the Humane Society for the purpose of impounding and caring for animals taken up by any officer appointed by the City under the provisions of this by-law or any employee of the Humane Society.
 - (d) "At large" means that a dog shall be deemed to be running at large when found in any place other than the premises of the owner of the dog and not under the control of any person.
 - (e) "Bitch" means the female of the domesticated canine species.
 - (f) "City" means The Corporation of the City of North Bay.
 - (g) "Dog" means a male or female dog, singular or plural.
 - (h) "Humane Society" means The North Bay and District Society for the Prevention of Cruelty to Animals, a non-profit organization.
 - (i) "Kennel" means a place where dog or dogs and other animals are kept, fed and sheltered and may be used for the purpose of breeding.
 - (j) "Owner" means any person, group of persons, partnership, or corporation owning, keeping or harboring a domesticated canine or canines, or other animals. "Owns" or "owned" shall have a corresponding meaning.
 - (k) "Restraint" means that a dog is on a chain, rope, leash, or within an enclosure or run, on his owner's property.
 - (l) "Spayed Female" means a bitch canine which has been operated upon for the removal of the ovaries and uterus by a licensed veterinarian to prevent conception.
 - (m) "Veterinary Hospital" means any establishment, maintained and operated by a licensed veterinarian for the diagnosis and treatment of diseases and injuries of animals.

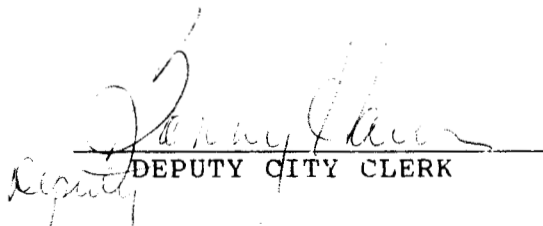
- (n) "Exposed to Rabies" means a dog that has been in contact with any animal known to have been infected with rabies.
- (o) "Peace Officer" means a Police Officer, Police Constable, Bailiff, Constable or other person employed for the preservation and maintenance of the public peace or for the service or execution of civil process.
- 2. 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.
- 3. No person shall keep any kennel for the purpose of breeding either cats or dogs.
- 4. No person shall own, keep or harbor any dog within the City unless such dog is licensed according to the provisions of Schedule "A" attached hereto, the provisions of which shall be deemed to be included in this by-law.
- 5. (i) The owner of every dog shall cause such dog to be kept under restraint at all times and shall not permit such dog to be off the premises or property of the owner unless under the control of a person.
(ii) No person being the owner of a dog shall permit the dog to run at large.
(iii) For the purposes of this section, a dog shall be deemed to be running at large when found in any place other than the premises of the owner of the dog and not under the control of any person.
- 6. (i) Any dog apprehended while running at large shall be taken by a Peace Officer or an Animal Control Officer and impounded in the North Bay and District Humane Society and confined there according to the provisions set out in Schedule "B" to this by-law.
(ii) Nothing in this section confers on any person a right to enter any premises.
- 7. Any person employed by The North Bay and District Humane Society shall be a person designated as an Animal Control Officer for the purposes of enforcement of this by-law.
- 8. Any person who contravenes any provision of this by-law shall be guilty of an offence and subject to the penalties provided by the Provincial Offences Act.
- 9. By-laws No. 119-75 and 46-73, as amended, are hereby repealed.

READ A FIRST TIME IN OPEN COUNCIL THE 30TH DAY OF NOVEMBER, 1992.

READ A SECOND TIME IN OPEN COUNCIL THE 30TH DAY OF NOVEMBER, 1992.

READ A THIRD TIME IN OPEN COUNCIL AND ENACTED AND PASSED THIS 30TH DAY OF NOVEMBER, 1992.


MAYOR


DEPUTY CITY CLERK

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1. (a) Every owner of every dog in the City shall annually, immediately following the 1st day of January and not later than the 1st day of February in every year, cause the same to be licensed for the current year by the City and pay the fee for the same fixed by this by-law.
- (b) Every owner of every dog shall cause the said dog when on or off the premises of the owner thereof but within the said City, to wear a collar or harness at all times, to which shall be attached the tag issued on the licensing of the said dog by the City for the then current year.
- (c) Every licence issued under the provisions of this by-law shall expire on the 31st day of December in each year, next after issue thereof.
2. (a) Applications for a licence shall be made to the City. The application shall state the name and address of the owner, the name, breed, sex, color and age of the dog. The licence fee shall be paid at the time of making the application and a receipt given to the applicant. A numbered tag shall be issued to the owner, stamped with the year of its issuance on payment of the fee herein provided.
3. (a) The yearly licence fee for each dog, male or female under the provisions of this by-law shall be \$10.00.
- (b) Where the certificate of a veterinarian surgeon is produced at the time of the application to license a dog, showing that a female dog has been spayed, it shall be taxed at the same rate as a male dog.
- (c) Where an owner acquires a dog after the 1st day of February in any year, the owner shall forthwith comply with all the requirements and regulations of this by-law.
- (d) In the event that the tag shall become lost, the owner of the dog for which a tag was issued shall obtain a replacement tag upon the payment of a fee of \$1.00.
- (e) If there is a change of ownership of a dog or kennel during the license year, the new owner shall have the current licence transferred to his name and pay the transfer fee of \$5.00
4. No person shall use for any dog a licence receipt, or a licence tag issued for another dog.
5. (a) Veterinary hospitals, clinics and other premises operated by licensed veterinarians for the care and treatment of animals are exempt from the provisions of this by-law.
- (b) The licensing requirements of this by-law shall not apply to any dog belonging to a non-resident of the City and kept within the City for not longer than thirty (30) days provided such dog has been currently licenced by another municipality and shall at all times while in the City be kept within a building, a vehicle or be under restraint by the owner or any person.

- (c) Every licence fee and licence tag issued by another municipality for the licence year, shall be recognized as a licence fee and licence tag for the year of such issue issued by the City provided:
- (i) The owner notifies the Animal Control Officer of the date of issue of said licence and licence tag number, and
 - (ii) The owner was a bona fide resident of said other municipality at the date of issue, and
 - (iii) The owner is now a bona fide resident of the City of North Bay.

THIS IS SCHEDULE "B" TO BY-LAW NO.
OF THE CITY OF NORTH BAY

OF THE CORPORATION

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1. The minimum period of time within which the owner of a dog that has been impounded has the right to redeem it, shall be three (3) days, excluding the day on which the dog was impounded and holidays shall not be included in calculating any redemption period.
2. After the expiration of the redemption period, all dogs impounded shall become the property of the Humane Society who may destroy them or dispose of them to new owners.
3. The owner of an impounded dog shall be entitled to regain the possession of such dog when
 - (a) there has been compliance with the licence provisions of the by-law;
 - (b) upon the payment of a \$30.00 impoundment fee;
 - (c) upon the payment of any penalty imposed by any duly constituted court.
4. Any dog that has been impounded and has not been licensed for the current year shall have a licence obtained for the then current year by any prospective owner before it shall be released by the Humane Society.