

BY-LAW NO. 2166

BEING A BY-LAW to regulate the keeping and control of animals:
The licensing and restraint of dogs: The taking up and impoundment;
the quarantining and destruction of dogs in certain instances and
certain other aspects of animal control within the City of North Bay.

THE COUNCIL OF THE CORPORATION OF THE CITY OF NORTH BAY ENACTS
AS FOLLOWS:

1. Definitions: As used in this by-law, the following terms shall have the meaning hereinafter ascribed to them;
 - (a) CITY: The Corporation of the City of North Bay
 - (b) OWNER: 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.
 - (c) KENNEL: Any person, group of persons, partnership or corporation engaged in the commercial business of breeding, buying, selling or boarding dogs.
 - (d) VETERINARY HOSPITAL: Any establishment, maintained and operated by a licensed veterinarian for the diagnosis and treatment of diseases and injuries of animals.
 - (e) DOG: A male or female dog, singular or plural.
 - (f) BITCH: The female of the domesticated canine species.
 - (g) SPAYED FEMALE: A bitch canine which has been operated upon by a licensed veterinarian to prevent conception.
 - (h) ANIMAL SHELTER: Any premises designated by the Humane Society for the purpose of impounding and caring for animals taken up by any officer appointed by the City of North Bay in violation of this by-law.
 - (i) HUMANE SOCIETY; The North Bay and District Society for the Prevention of Cruelty to Animals, a non-profit organization.
 - (j) ANIMAL CONTROL OFFICER: The person or persons designated by the City of North Bay as the enforcement officers.

- (k) AT LARGE: Any dog shall be deemed to be running at large when he is off the property of his owner and not under the control of a competent person.
- (l) RESTRAINT: A dog is under restraint within the meaning of this by-law if he is on his owner's property; out on a lease or at "heel" beside a competent person and obedient to that person's commands.
- (m) EXPOSED TO RABIES: A dog has been exposed to rabies within the meaning of this by-law if it has been bitten by any animal known to have been infected with rabies.

2. The provisions of this by-law shall be enforced by the Corporation, its servants, agents, workmen, employees or any of them.

3. (a) No person shall own, keep or harbor any dog within the limits of the City of North Bay unless such dog is licensed as herein provided. From and after the passing of this by-law, every owner of every dog in the City of North Bay shall annually, immediately following the first day of January and not later than the 1st day of February in every year, cause the same to be registered, numbered, described and licensed for the current year in the offices of the City of North Bay or such other office as may be designated by the Council of North Bay and 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 to which shall be attached a tag having raised, cast or stamped thereon figures indicating the year for which the said license has been paid, together with a number corresponding with the number under which the said dog is registered in the offices of the City of North Bay or other designated office and every such owner shall pay for such license tag and registration, the sum hereinafter set out and every such license shall expire on the 31st day of December in each year, next thereafter. Application for license shall be made to the City of North Bay or other designated office. The application shall state the name and address of the owner, the name, breed, sex, color and age of the dog. The license fee shall be paid at the time of making the application and a receipt given to the applicant and a numbered tag shall be issued to the owner.

3.

(b) The yearly license fee for every dog licensed under the provisions of this by-law shall be as follows:

(i)	For a male dog if only one kept	\$ 4.00
(ii)	For a second male dog kept	6.00
(iii)	For each additional male dog	25.00
(iv)	For a female dog if only one is kept	6.00
(v)	For the second female	15.00
(vi)	For each additional female dog	50.00

Where the certificate of 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.

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.

In the event that the tag shall become lost, the owner of the dog for which a tag was issued may obtain a replacement tag upon the payment of a fee of \$1.00.

(c) Every person who owns operates or conducts a kennel of pure bred dogs which are registered with the Canadian Kennel Club Incorporated pursuant to the Statutes of Ontario enacted in that behalf, shall pay to the City immediately following the 1st day of January in any year a tax or license of \$10.00, and there shall be issued a special license for such Kennel upon production of a Canadian Kennel Club certificate and payment of \$10.00.

(d) If there is a change of ownership of a dog or kennel during the license year, the new owner may have the current license transferred to his name upon the payment of a transfer fee of \$1.00.

(e) No person shall use for any dog a license receipt, or a license tag issued for another dog.

4. Every person who owns, operates or conducts a boarding kennel shall pay to the City immediately following the 1st day of January in any year a license fee of \$10.00 and it shall be the responsibility of the operator of the boarding kennel to see that all provisions of this by-law including Section 3(a) are complied with.

5. Tag and Collar

(a) Upon the compliance of the provisions of subsection (b) of Section 3 of this By-law, every owner of a dog, shall be issued a numbered tag, stamped with the year of issuance. The shape or design of such tag may be changed from year to year.

(b) Every owner is required to see that the tag is securely fastened to the dog's collar or harness, which must be worn by the dog at all times.

6. Restraint

The owner shall cause his dog to be kept under restraint at all times from January 1st to December 31st in each and every year, and shall not permit such dog to be off the premises or property of the owner during said months unless under the control of a competent person.

7. Impoundment

Unlicensed dogs found running at large contrary to the provisions of this by-law shall be taken up by the agents of the City and impounded in the Animal Shelter designated by Council, and there confined in a humane manner for a period of not less than four (4) days and may thereafter be disposed of in a humane manner if not claimed by their owners. Dogs not claimed by their owners at the expiration of four (4) days, shall be placed or humanely disposed of by the Humane Society, except as hereinafter provided in the cases of certain animals.

8. Before a dog may be placed with a new owner in the City, the owner will secure the necessary tag or tags and comply with registration requirements of this by-law.

9. Immediately upon the impoundment of a dog, the agents of the Humane Society shall make every reasonable effort to notify the owners of such dog impounded and inform such owners of the conditions whereby they may regain custody of such dog.

10. When dogs are impounded and are not claimed by their owners within the time specified by this by-law, they shall become the property of the Humane Society who may dispose of them to new owners who will agree to such conditions as the Humane Society shall prescribe.

11. Redemption of Impounded Dogs

(a) The owner shall be entitled to regain possession of any impounded dog except as hereinafter provided in the cases of certain dogs, upon compliance with the license provisions of Section 3 of this by-law and the payment of impoundment fees and other charges set forth herein or in the agreement between the City and the Humane Society, all applicable fines and costs, and a ten dollar (\$10.00) impoundment fee.

(b) Any dog impounded under the provisions of this by-law and not reclaimed by its owner within 4 days, may be humanely destroyed

by the Humane Society, or placed in the custody of some person deemed to be a responsible and suitable owner, who will agree to comply with the provisions of this by-law. Provided, if the animal is one as to which the respective rights of the owner and the person in possession or custody are determined by statute law, such statute shall be complied with.

12. Confinement of Certain Dogs and Animals

(a) The owner shall cause to be confined within a building or secure enclosure, every fierce, dangerous, or vicious dog or other animal and not take such dog out of such building or secure enclosure unless such dog is securely muzzled.

(b) The owner shall cause every female dog in heat to be kept confined in a building or secure enclosure, or in a veterinary hospital or boarding kennel, in such manner that such female dog cannot come in contact with another dog, except for breeding purposes.

(c) Any dog described in the foregoing subsections of Section 12 of this by-law found at large, shall be impounded at the Humane Society Shelter by the City or its agent and may not be redeemed by owners, until after the proceedings with respect to the violation of this by-law have been disposed of by any Court having jurisdiction.

(d) When in the judgement of the Humane Society or its agents, a dog should be destroyed for humane reasons, such dog may not be redeemed.

13. Rabies Control

When deemed expedient the Council of the Corporation of the City of North Bay may declare a City-wide quarantine and a period up to six months may be imposed and all other restrictions, rules and regulations pertaining to rabies may be imposed and will apply under authority of the revised Statutes of Ontario.

14. Exemptions

(a) 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 except where such duties are expressly stated.

(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 licensed and shall at all times while in the City be kept within a building, or vehicle, or be under restraint by the owner.

(c) Every license fee and license tag issued by another municipality for the license year, shall be recognized as a license fee and license tag as issued by the City of North Bay providing:

(d) The owner notifies the Animal Control Officer of the date of issue of said license and license tag number and

(e) The owner was a bona fide resident of said other municipality at the date of issue.

(f) The owner is now a bona fide resident of the City of North Bay.

15. Investigation

For the purpose of discharging the duties imposed by this by-law and to enforce its provisions, any police officer, or other officer appointed by the City for that purpose, or any agent of the Humane Society is empowered to enter upon any premises upon which a dog is kept or harbored and to demand the exhibition by the owner of such dog or the license of such dog. It is further provided that any agent of the Humane Society or aforementioned officer may enter the premises where any animal is kept in a reportedly cruel or inhumane manner and demand to examine such animal and to take possession of such animal when, in his opinion, it requires humane treatment.

16. Interference

No person shall interfere with, hinder or molest any agent of the Humane Society or City in the performance of any duty of such agent, or seek to release any animal in the custody of the Humane Society or aforesaid agents, except as herein provided.

17. Penalty

Any person or persons guilty of an infraction of any of the provisions of this by-law, shall, upon conviction thereof before the Police Magistrate, or any Justice or Justices of the Peace in or for the Municipality of the City of North Bay, forfeit and pay at the

discretion of the said Police Magistrate, Justice or Justices convicting, a maximum fine exclusive of costs of \$50.00 for each offence and a minimum fine exclusive of costs for each offence as follows:

- (a) For allowing a female dog in heat to run at large a penalty of not less than \$25.00
- (b) For allowing a dog to run at large when contrary to this by-law a penalty of not less than \$10.00
- (c) For allowing a dog to run at large without a tag a penalty of not less than \$15.00
- (d) For harbouring a dog not licensed in accordance with this by-law a penalty of not less than \$10.00

and all such penalties shall be recoverable under the Summary Convictions Act of the Province of Ontario.

18. Repeals

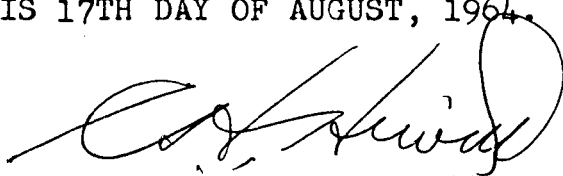
All previous by-laws relating to the keeping, licensing and regulating of dogs, in the Corporation of the City of North Bay are hereby repealed.

This by-law shall come into force and be effective from the day of passing thereof.

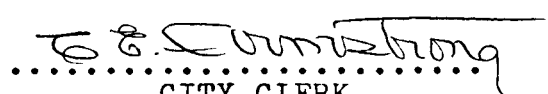
READ A FIRST TIME IN OPEN COUNCIL THIS 17TH DAY OF AUGUST, 1964.

READ A SECOND TIME IN OPEN COUNCIL THIS 17TH DAY OF AUGUST, 1964.

RULES OF ORDER WERE SUSPENDED AND BY-LAW READ A THIRD TIME AND PASSED THIS 17TH DAY OF AUGUST, 1964.



 MAYOR



 CITY CLERK.