

THE CORPORATION OF THE
T O W N O F P E L H A M

BY-LAW NO. 1017 (1985)

Being a by-law to regulate the removal of animal waste on public property.

WHEREAS the Municipal Act, R.S.O. 1980, Chapter 302, Section 210, Subsection 1 provides for a Municipal Council to prohibit and regulate the keeping of animals;

AND WHEREAS the Council of the Corporation of the Town of Pelham deems it necessary and desirable to pass a by-law to require any person who owns, controls or harbours a dog to remove, forthwith, excrement left by the dog on public property;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWN OF PELHAM ENACTS AS FOLLOWS:

(1) DEFINITIONS in this by-law: -

(a) "TOWN" is the Corporation of the Town of Pelham in the Regional Municipality of Niagara.

(b) "DOG" means any dog, male or female.

(c) "GUIDE DOG" means a dog trained and used actively to aid the blind.

(d) "OWNER" means the person who owns, keeps, possesses or harbours any dog.

(e) "ANIMAL" includes a dog.

(f) "HIGHWAY" means a common and public highway and includes a street and a bridge forming part of a highway, or on, over or across which a highway passes.

(g) "PUBLIC PROPERTY" means any lands of the Corporation of the Town of Pelham, the Regional Municipality of Niagara, the Niagara South Board of Education and the Welland County Separate School Board within the Town of Pelham.

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(2) Any person who owns, controls or harbours a dog shall remove, forthwith, any feces left by such dog on any highway or lands of the Corporation of the Town of Pelham, or on any lands of the Regional Municipality of Niagara, the Niagara South Board of Education or the Welland County Roman Catholic Separate School Board, which are within the Town of Pelham. Failure to promptly remove the feces shall be deemed to be a breach of this By-law.

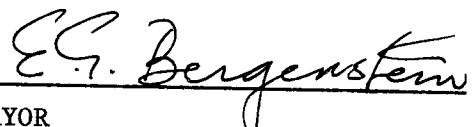
(3) The provisions of this by-law do not apply to a blind person accompanied by a dog serving as a guide or leader.

(4) Every person who contravenes any of the provision of this by-law is guilty of an offence and on conviction is liable for a first offence to a fine of not less than \$25.00 and not more than \$100.00 and for a second or subsequent offence to a fine of not less than \$50.00 and not more than \$250.00, exclusive of costs.

(5) When a person has been convicted of an offence under this by-law, (a) the Provincial Offences Court of the Judicial District of Niagara South or (b) any Court of competent jurisdiction thereafter may, in addition to any other penalty imposed on the person convicted, issue an Order prohibiting the continuation or repetition of the offence or the doing of any act or thing by the person convicted directed toward the continuation or repetition of the offence.

(6) This by-law shall come into force and take effect on the date of passing thereof.

READ A FIRST, SECOND AND THIRD TIME
AND FINALLY PASSED BY COUNCIL THIS
19th. DAY OF AUGUST, 1985 A.D.


MAYOR


CLERK