

THE CORPORATION OF THE TOWN OF PELHAM

BY-LAW NO. 177 (1973)

Being a by-law respecting the registration, and running at large of dogs in the municipality of the Town of Pelham.

WHEREAS The Dog Licensing and Livestock and Poultry Protection Act, R.S.O. 1970, Chapter 133, Part (1), as amended, provides that Council's of municipalities may pass by-laws for licensing and requiring the registration of dogs and for imposing a license fee on the owners of dogs and for prohibiting or regulating the running at large of dogs within the municipality and for seizing and impounding and for killing, whether before or after impounding the dogs running at large contrary to the by-law and for killing dogs so impounded at such time and in such manner as may be provided by the by-law.

AND WHEREAS The Council of the Corporation of the Town of Pelham considers it desirable in the interest of the public to enact a by-law subject to the Provisions of the said Act.

NOW THEREFORE BE ENACTED BY THE MUNICIPAL COUNCIL OF THE TOWN OF PELHAM:--

(1) In this by-law:

- (a) "Dogs" means any dog, male or female
- (b) "Owner" of a dog includes any person who possesses or harbours a dog and "owns" and "owned" have a corresponding meaning
- (c) "Purebreed" means (i) registered or eligible for registration in the registrar of the Canada Kennel Club Incorporated or
(ii) of a class designated as purebreed in the regulations
- (d) "Regulation" means the regulations made under this Act
- (e) For the purpose of this by-law a dog shall be deemed to be "running at large" when found in or on a highway or other public place or off the premises upon which it is habitually kept and not under the control of any person

(2) Every owner of a dog in the Town of Pelham is required to register the dog with the municipality and pay a license fee as set out under Section (3) of this by-law.

(3) The amount of the license fee shall be as follows:--

- (a) for each male dog \$5.00
- (b) for each female dog \$9.00
- (c) Upon production of a certificate in writing of a veterinary surgeon that a bitch has been spayed, such bitch shall be taxed at the same rate as a male dog
- (d) Kennel license \$25.00 provided that the owner of a kennel of purebreed dogs, which are registered in the Canada Kennel Club, produces a certificate of such registration

(4) (a) Every owner shall pay the annual license fee as set out in Section (3) of this by-law and shall register every dog on or before the 31st. day of May of each year and shall procure from the Clerk of the municipality a tag for each dog and shall keep the tag securely fixed on the dog at all times during the year and until he procures a tag for the following year except that the tag may be removed while the dog has been lawfully used for hunting in the bush.

(b) A fee not exceeding \$.25 may be charged for each tag

(c) The tag shall bear a serial number and the year in which it was issued and the record shall be kept by the Clerk or other officer designated for the purpose of showing the name and address of the owner and the serial number of the tag.

(5) Every owner who does not register his or her dog and pay the necessary fee shall be liable to a fine not exceeding \$10.00 (4) (a) of this by-law shall

- (6) Every owner who fails to comply with Section (4) or (5) of this by-law by September 30th. of each year or who uses a tag upon a dog other than that for which it was issued is guilty of an offense and on Summary Conviction is liable to a fine of not more than \$50.00
- (7) (a) No owner shall permit his or her dog to "run at large" in public parks, streets, lanes, highways or other public places in the municipality.
- (8) Any dog found running at large contrary to the provisions of this by-law may be seized and impounded and may be sold or destroyed as hereinafter provided.
- (9) (a) Any duly authorized person may capture any dog found running at large contrary to the provisions of this by-law and may deliver such dog to the poundkeeper, who shall impound same, and the owner, possessor or harbinger of such animal may be permitted to redeem the same within forty-eight hours from the time of the capture by paying such charges as may be imposed as follows for the keeping of such dog and expenses incidental to its capture.
- (b) The penalty for reclaiming a dog picked up by the canine control officer according to sub-section (a) \$10.00
- (c) Fee for expenses incidental to the capture of the dog under Section (a) \$5.00
- (10) All dogs impounded, as provided by this by-law, if not redeemed within forty-eight hours after such impoundment may be sold at such price as the poundkeeper may deem proper and all dogs not so redeemed, or sold, shall, after four clear days from the time of such impoundment be killed or otherwise disposed of in such manner as the Council may approve, provided that where the owner or possessor of an impounded dog produces within forty-eight hours after such impoundment, satisfactory evidence that prior to the capture of the dog he has complied with the provisions of this by-law in respect of such dog, he shall be entitled to recover the said dog upon payment of the fees as set out in Section (5) and Section (9).
- (11) Every owner of a dog who allows it to run at large contrary to the provisions made under this by-law is guilty of an offense and on Summary Conviction is liable to a fine of not more than \$50.00.
- (12) By-law #20 be in the same is hereby rescinded.
- (13) This by-law shall take effect from and after the passing thereof.

READ A FIRST, SECOND AND THIRD TIME AND PASSED IN COUNCIL
THIS 7th. DAY OF May, 1973.


MAYOR


CLERK