

CORPORATION OF THE TOWNSHIP OF ALFRED AND PLANTAGENET

BY-LAW 2026-07

ANIMAL CONTROL BY-LAW

BEING A BY-LAW of the Corporation of the Township of Alfred and Plantagenet to regulate the care, control and licensing of dogs within the municipality.

WHEREAS the *Municipal Act, 2001*, S.O. 2001, C. 25, Sections 8, 11(2) and 11(3) of provide that the Council of a municipality may pass by-laws to regulate, prohibit and require persons to do things respecting the animals and in relation to the health, safety and well-being of persons, the social well-being of the municipality and the protection of persons;

AND WHEREAS the *Municipal Act, 2001*, S.O. 2001, C. 25, Section 103 confers the powers upon a municipality to pass a by-law to provide for the seizure and impounding of animals being at large or trespassing and the sale of impounded animals under certain conditions;

AND WHEREAS the *Municipal Act, 2001*, S.O. 2001, C. 25, Section 425, a municipality may pass by-laws providing that a person who contravenes a by-law of the municipality passed under this Act is guilty of an offence;

AND WHEREAS Section 434.1 (1) of the *Municipal Act, 2001*, provides that a municipality may require a person, subject to such conditions as the municipality considers appropriate, to pay an administrative penalty if the municipality is satisfied that the person has failed to comply with a by-law passed under the *Municipal Act, 2001*;

AND WHEREAS the *Municipal Act, 2001*, S.O. 2001, C. 25, Section 426, states that no person shall hinder or obstruct, or attempt to hinder or obstruct, any person who is exercising a power or performing a duty under this Act or under a by-law passed under this act;

AND WHEREAS the *Municipal Act, 2001*, S.O. 2001, C. 25, Section 446(1) states that a municipality may direct or require a person to do a matter or thing and that, in default of it being done by the person directed or required to do it, the matter or thing shall be done at the person's expense;

AND WHEREAS dogs are regulated under various municipal by-laws, and it is deemed necessary and expedient to update and combine these by-laws.

NOW THEREFORE the Council of the Township of Alfred and Plantagenet enacts as follows:

1. SHORT TITLE

- a) This by-law may be cited as the "Animal Control By-Law".

2. DEFINITIONS

(a) **"Animal Control Officer"** shall mean the person or persons appointed by the Township of Alfred and Plantagenet to enforce this by-law and any servant or agent of such person or persons employed for such purposes.

(b) **"Attack" means:**

- i. a menacing behavior or apparent attitude of attack including but not limited to growling or snarling toward a person or a domestic animal;
- ii. an assault resulting in bleeding, bone breakage, sprains, scratches or bruising, or
- iii. aggressive behavior resulting in physical contact and damage to clothing worn by the person or domestic animal, or,
- iv. behavior that poses a menace to the safety of persons or domestic animals; and "attacked" or "attacking" have a corresponding meaning.

(c) **"Bite"** means a wound to the skin, causing it to bruise, puncture or break.

(d) **"Corporation"** shall mean the Corporation of the Township of Alfred and Plantagenet.

(e) **"Dog"** means any member of the species *Canis familiaris*, or any hybrid thereof, over the age of sixteen (16) weeks.

(f) **"Dog Catcher"** shall mean the Dog Catcher appointed by the Council of the Corporation of the Township of Alfred and Plantagenet.

- (g) **"Dog Pound"** means a facility operated by the Township or contracted by the Township for the care, keeping and impounding of dogs.
- (h) **"Kennel"** shall mean an establishment other than a veterinary hospital or pet shop, for the breeding or boarding of dogs and/or dogs that are registered or eligible for registration with an association incorporated under the *Animal Pedigree Act (Canada)*.
- (i) **"Municipal Law Enforcement Officer"** shall mean the Municipal Law Enforcement Officer appointed by the Council of the Corporation of the Township of Alfred and Plantagenet.
- (j) **"Muzzle"** means a humane fastening or covering device of adequate strength over the mouth of prevent a dog from biting yet still allows a dog to pant or drink.
- (k) **"Neutered Dog"** shall mean a male dog which has been castrated or a spayed female dog.
- (l) **"Owner"** means a person who keeps, possesses or harbors a dog, where the owner is a minor, the person responsible for the custody of the minor, and "owns" and "owned" have corresponding meaning.
- (m) **"Running at large"** shall mean a dog found in any place other than the premises of the owner of the dog and not under the control of any person by means of a leash.
- (o) **"Township"** shall mean the Township of Alfred and Plantagenet.
- (p) **"Vicious dog"** means any dog with a known propensity, tendency or disposition to attack without provocation a person or a domestic animal or has bitten another animal or person without provocation.
- (q) **"Zoning Administrator"** shall mean the Zoning Administrator appointed by the Council of the Corporation of the Township of Alfred and Plantagenet.

3. DOG LICENSING, REGULATION AND REGISTRATION

- a) Every resident in the Township of Alfred and Plantagenet who is the owner of a dog shall, within thirty (14) days following the date that a dog comes into his or her possession, or where applicable, upon the dog reaching the age of (16) weeks, register the dog with the Township, and thereafter annually pay a fee as prescribed in Schedule "A" of this By-Law.

- b) Upon registration, the Township shall issue a tag bearing a serial number and enter the following information in a file kept for that purpose:
 - i. Name of owner
 - ii. Address of owner
 - iii. Telephone number of owner
 - iv. Name of dog
 - v. Description and breed of dog

- c) It shall be the responsibility of the owner to notify the Municipal Law Enforcement Officer of any changes in information provided at the time of registration.

- d) The owner of a dog shall keep the tag securely fixed on the dog at all times until the tag is renewed or replaced, but the tag may be removed while the dog is being lawfully used for hunting.

- e) The fee charge for the replacement of a lost dog tag shall be five dollars (\$5.00).

- f) No tag or registration under this By-Law shall be transferable and the tag shall expire and become void upon the sale, death, or other disposal of the dog.

- g) No person other than the owner or his agent shall remove the licence tag from a dog.

4. ANIMAL PROVISIONS

- a) No person shall keep or allow to be kept within the boundaries of the Township more than three (3) dogs per household, with the exception of those holding a kennel licence.

- b) No person shall operate a kennel without first obtaining written confirmation from the Zoning Administrator that such operation complies with the Zoning By-Law of the Township of Alfred and Plantagenet.

- c) Notwithstanding the provisions of Section 3, the owner of a kennel shall pay an annual licence fee as prescribed in Schedule "A" and such owner is not liable to pay any further licence fee in respect to dogs harbored therein.

- d) No person who owns or harbors a dog within the Township shall permit such dog to become a public nuisance. A dog shall be considered public nuisance if:
 - i. It persistently barks or howls at any time so as to disturb the peace or quiet of any residence or any persons in the vicinity
 - ii. It causes damage to public or private property.
 - iii. It interferes with or dumps or scatters garbage or trash.
 - iv. It chases pedestrians, bicyclists or vehicles.

- e) Every owner of a dog shall immediately remove any feces left by the dog in the Township of Alfred and Plantagenet:
 - i. on a highway or roadway;
 - ii. in a public park, recreation area;
 - iii. on any public property;
 - iv. on any private property other than the property of:
 - the owner of the dog, or
 - the person having care, custody or control of the dog;

- f) Every owner of a dog shall remove from his or her property, in a timely manner, feces left by the dog, so as not to disturb the enjoyment, comfort, convenience of any person in the vicinity of the property.

5. ENCLOSURES

- a) Every cage, pen or other such enclosure used for the housing of a dog or dogs shall be constructed and maintained:
 - i. to allow every dog in the cage or pen to comfortably:
 - extend its legs to their full natural extent;
 - stand;
 - sit;
 - lie down in a fully extended position;
 - and be provided with adequate space for exercise purposes.
 - ii. in a manner that is not likely to harm any other animal therein;
 - iii. in a manner that prevents the dog(s) to readily escape therefrom;
 - iv. to minimize as nearly as practicable the transfer of pathogenic agents;
 - v. to allow its sanitization;
 - vi. to have a minimum area of nine and a half (9.5) meter square to be increased by three (3) meter square for each additional dog therein over the number of one.

- b) Every person shall ensure any doghouse which is provided for a dog shall:
 - i. be soundly constructed and made of a hard, durable material so as to be weatherproof and impervious to water;
 - ii. Include clean and dry bedding sufficient for all dogs therein;
 - iii. when used by a dog during cold weather:
 - have an elevated floor to prevent direct contact with the surface of the ground;
 - have a flap affixed over the door to provide protection from the elements;
 - have adequate insulation of the walls, floor and roof to retain heat and sufficiently protect the dog therein against cold weather.

6. RUNNING AT LARGE OF ANIMALS

- a) No person who owns, harbors or possesses any dog shall allow the dog to run at large, or trespass on private property even when on a leash.
- b) Every owner of a dog shall ensure that the dog is kept on a leash having a length of not more than 2.4 meters and that the dog is under the direct physical control of a person when the dog is on any land in the Township of Alfred and Plantagenet unless:
 - i. The land is the premises of the owner of the dog;
 - ii. The land is owned by a person who has given prior consent to the dog being off leash, or
 - iii. The land is parkland that is owned by the Township of Alfred and Plantagenet, and designated as an off-leash dog park;
- c) No owner of a dog shall control a dog by means of a leash that:
 - i. Is not held by the person in his or her hand, or
 - ii. Is not securely affixed to some immovable structure from which the dog cannot escape.
- d) For the purposes of this by-law, a dog shall be deemed to be running at large if found in any place other than the premises of the owner of the dog and without the control of a responsible person.
- e) Any dog running at large contrary to the provisions of this by-law may be captured by the Municipal Law Enforcement Officer or Dog Catcher.
- f) No person shall permit a dog to attack any person or domestic animal or to fight with another animal.
- g) Where a dog is captured, the owner shall be liable for the pick-up, impounding and maintenance fees prescribed in Schedule "A" as pound fees and shall pay all costs to the Township of Alfred and Plantagenet.
- h) In the event that possession of any impounded dog has not been restored to the owner within three clear days, not including the date of impounding and the date of disposal, the dog may be rehomed or sold for such price as the Municipal Law Enforcement Officer deems reasonable, or he/she may dispose of the dog pursuant

to the *Animals for Research Act* and Regulations thereunder. The sale price of any dog so sold shall belong to the Municipality and no damages or compensation shall be recovered on account of any disposition made thereunder.

- i) Where a dog which has been impounded is injured or should be euthanized without delay for humane reasons, the Municipal Law Enforcement Officer may dispose of the dog in a humane manner as soon after seizure as he/she thinks fit without permitting any person to reclaim the dog or without offering it for sale, and no damages or compensation shall be recovered on account of such disposition. When the dog is identifiable, the Municipal Law Enforcement Officer will attempt to notify the owner in advance of its euthanasia.
- j) The Municipal Law Enforcement Officer shall keep a record of every dog impounded or seized, including the date it was impounded, a description of the dog, the license and tag number if it wore a tag, and the date of the disposition and the disposition made.
- k) Possession of the dog may be restored to the owner if the owner claims possession of the dog within seventy-two (72) hours of impounding.
- l) The Municipal Law Enforcement Officer may release a captured dog to the owner if satisfied that the dog is licensed for the current year, after identification of the dog by the owner and payment by the owner of the pound fees prescribed in Schedule "A".
- m) Where the owner of a dog refuses to take possession of his/her dog and/or refuses to pay the pound fees, such fees and all costs incurred by the Township shall be added to the collector's roll of taxes for the current year and shall be collected in like manner and with the same remedies as municipal taxes.

7. VICIOUS DOG

- a) The owner of a vicious dog shall at all times, when it is not in the owner's dwelling but otherwise within the boundaries of the owner's lands, be kept within a fenced yard as prescribed in Schedule "A", section 6, so as to prevent the dog from escaping from the owner's lands and to prevent the dog from causing injury to any person or animal entering onto the owner's lands.

- b) The owner of a vicious dog shall at all times when the dog is outside the boundaries of the owner's lands keep the dog muzzled so as to prevent it from biting a person or animal and securely leashed to the owner of the dog unless the dog is on the lands of a person who has consented to it being on his lands, in which case the provisions of Section 6 a) may apply.


8. ENFORCEMENT OF BY-LAW


- a) That By-Laws numbers 2007-084, 2020-12, and 2023-05 are hereby repealed.
- b) Schedule "A" hereto attached is part of this By-Law.
- c) The provisions of this By-Law shall be enforced by the Municipal Law Enforcement Officer. No owner or person shall hinder, obstruct, molest or interfere with or attempt to hinder, obstruct, molest or interfere with the Municipal Law Enforcement Officer in the lawful performance of his or her duties.

9. PENALTIES

- a) Every person who contravenes any provision of this by-law is guilty of an offence and, upon conviction, is liable to pay an Administrative Monetary Penalty, upon issuance of a penalty notice in accordance with the Administrative Monetary Penalty System ("AMPS") By-law of the Township, as amended from time to time.
- b) When a person has been convicted of an offence under this by-law, 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.
- c) The requirements of this by-law are severable. If any requirements of this by-law are held invalid, the application of such requirements to other circumstances and the remainder of this by-law shall not be affected.
- d) This by-law shall come into force and take effect on the day of its passing.

**READ A FIRST, SECON AND THIRD TIME AND FINALLY PASSED THIS 10th DAY OF
MARCH 2026.**


Antony Viay, Deputy Mayor
~~Yves Laviotette, Mayor S.P.~~


Julie Prudhomme, Clerk

SCHEDULE "A" TO BY-LAW NUMBER 2026-07

1. Annual fees for dog licences:

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|--|----------|
| a) For each dog kept (male or female): | \$30.00 |
| b) Kennel Licence (more than 3 dogs)*: | \$100.00 |

Dog owners have up to June 30th of each year to request a cancellation of the fee for a dog license if the owner no longer has a dog or dogs. Beyond July 1st, the dog license fee shall be payable in full.

* The property shall be adequately zoned for this type of use, and the zoning category shall be confirmed by the Zoning Administrator prior to the issuance of the license.

2. Payment of annual dog licence(s) fees:

- a) Property owners: The applicable annual dog licence(s) fees will be added to the property tax account of dog owners who own property within the Township of Alfred and Plantagenet. The annual fees will be added to their final tax bill. A monthly interest rate of 1.25 % will be imposed after July 1st for any unpaid balance.
- b) Tenants: In January of every calendar year, an invoice for applicable annual dog licence(s) fees will be sent to dog owners who are tenants. If the invoice is not paid by July 1st of every calendar year, the fees listed in paragraph 1. will be increased to the following amounts:
 - I. For each dog kept (male or female): \$40.00
 - II. Kennel Licence (more than 3 dogs): \$110.00

3. Fees for new residents and/or new dogs:

Notwithstanding section 2, newcomers to the Township of Alfred and Plantagenet and/or current residents with new dog(s) have 14 days to register their dog(s).

- a) Property owners:
 - i. Between January 1st and May 31st: The applicable annual dog licence(s) fees will be added to the property tax account of dog owners who own property within the Township of Alfred and Plantagenet. The annual fees will be added to their final tax bill.
 - ii. Between June 1st and December 31st: The applicable annual dog licence fees must be paid upon registration. (For subsequent years, the annual dog licence(s) fees will be added to their final tax bill.)

- b) Tenants: Must pay the applicable annual dog licence fees upon registration. (For subsequent years, an invoice for applicable annual dog licence(s) fees will be sent every January to dog owners who are tenants.)

4. Exemption:

No fee shall be charged for a dog licence issued for a guide dog or service dog that is trained to assist a person with a disability, provided the owner produces upon request, reasonable documentation confirming the dog's status.

5. Pound fees:

- | | |
|-------------------------|---------|
| a) Pick-Up & impounding | \$50.00 |
| b) Daily maintenance | \$25.00 |

6. Fences:

Fences shall be 1.8 meters (6 feet) in height and installed such that no gap greater than 150mm (4 inches) exists between the underside of the fence and the finished grade. Fences shall be of a design that will reasonably deter children from climbing it to gain access to the fenced-in area and that will prevent a vicious dog from digging its way out of or otherwise escaping from the enclosed yard. If a fence contains an opening for access, the opening shall be closed with a gate which shall provide protection equivalent to the fence and shall be equipped with self-closing, self-latching devices, and locks located at the top of and inside the gates.

a) **If of chain/ink construction**, a fence shall:

- i. be of not greater than 50mm (2 inches) diamond mesh,
- ii. be constructed of galvanized steel wire not less than 3.6mm in diameter (no. 9 gauge), or of a minimum of 2.9mm diameter (no. 11 gauge) steel wire covered with a vinyl coating forming its total thickness equivalent to 3.6 mm in diameter (no. 9 gauge).
- iv. be supported by at least 38 mm diameter (1.5 inches) galvanized steel posts installed in accordance with good fencing techniques. Such posts shall be spaced not more than 3 m (10 feet) apart. Top horizontal rails shall be at least 32mm diameter (1.25 inches) galvanized steel. Bottom horizontal rails shall be a 12 mm diameter (.5 inch) galvanized tension rail or a 32mm diameter (1.25 inches) galvanized rail.

b) **If of wood construction**, a fence shall:

- i. be of alternating vertical boards attached to supporting horizontal members. Such vertical boards shall have a minimum dimension of 19 x 88 mm (1 x 4 inches nominal) and spaced at a maximum of 100 mm (4 inches).
- ii. supporting horizontal members shall have a minimum dimension of 38 x 88 mm (2 x 4 inches nominal) and shall be spaced a minimum of 1.4 m (4 feet 6 inches) apart.
- iii. horizontal members shall be supported by posts spaced not more than 2.4 m (8 feet) on centre. Such posts shall be 88 mm (4 inches nominal) Square or in diameter and securely placed to a minimum of 0.6 m (2 feet) below grade. That portion below grade shall be treated with a wood preservative or the post shall be of pressure treated wood.

7. Adoption fees:

Fees for any adopted dog from the pound shall be \$10.00. The dog must be registered at the time of adoption.