

**The Corporation of the Town of Greater Napanee  
By-law No. 2015-0067**

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**A By-Law to Regulate the Licensing of Dogs and for  
Regulating the Running at Large and Control of Dogs**

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**WHEREAS** sections 9 and 11 of the *Municipal Act, 2001*, S.O. 2001, c.25, as amended (the "*Municipal Act, 2001*") authorizes a lower tier municipality to pass by-laws respecting animals;

**AND WHEREAS** section 103 of the said *Municipal Act, 2001* confers the power to regulate or prohibit dogs from being at large or trespassing and for the seizure and impoundment of dogs found at large or trespassing contrary to the by-law under certain conditions;

**AND WHEREAS** section 391 of the said *Municipal Act, 2001* enables a municipality to pass a by-law imposing fees or charges for services or activities provided or done by or on behalf of it;

**AND WHEREAS** The Council of The Corporation of the Town of Greater Napanee deems it expedient and in the public interest to licence, regulate and control dogs in the municipality;

**NOW THEREFORE** the Council of The Corporation of the Town of Greater Napanee hereby enacts as follows:

**PART I - DEFINITIONS**

1.1 In this By-law:

- (a) "Attack" means physical contact, other than accidental contact, by an Dog that results in bleeding, bone breakage, bruising, a scratch or a sprain to a Person or an Dog or damage to clothing worn by a Person, and the words "Attacked" or "Attacking" have a corresponding meaning;
- (b) "Bite" means a wound or wounds to the skin that causes it to puncture or break, which are caused by the teeth of an Dog;
- (c) "Council" means the Council of The Corporation of the Town of Greater Napanee;
- (d) "Dog" means a male or female canine of the species *Canis familiaris*, excluding pups under ten (10) weeks of age; the onus of proving which lies with the Owner;

- (e) "Dwelling Unit" means a building, structure, room or rooms occupied or intended for use for human habitation in which sanitary, cooking, living and sleeping facilities exist;
- (f) "Keep" means to have temporary or permanent control or possession of an Dog, and the words "Kept" or "Keeping" have a corresponding meaning;
- (g) "Kennel" means any Premises, cages or pens, excluding dog clinics, grooming establishments, humane societies and Pet Shops where four (4) or more Dogs are lodged, treated, bred, kept or boarded. A Kennel may be classified as:
  - (i) "Breeding Kennel" is a Kennel where the primary purpose of the facility is for breeding of Dogs;
  - (ii) "Commercial Kennel" is a Kennel where the primary purpose of the facility is for the boarding or training of Dogs for hire or gain;
  - (iii) "Hobby Kennel" is a Kennel where Dogs are Kept for personal uses as hunting Dogs, sled Dogs or show Dogs, Kept for the purpose of training or Kept as pets and where there is no boarding and no revenue derived from the Kennel;
- (h) "Leash" means a restraint held by a Person and used to restrain an Dog;
- (i) "Muzzle" means a humane fastening or covering device of adequate strength placed over the mouth of an Dog to prevent it from biting a Person or Dog, and the words "Muzzled" and "Muzzling" have a corresponding meaning;
- (j) "Officer" means a Person appointed by Council as a Municipal By-law Enforcement Officer, and Dog Control Officer;
- (k) "OSPCA" means the Ontario Society for the Prevention of Cruelty to Animals as constituted under the *Ontario Society for the Prevention of Cruelty to Animals Act*, R.S.O. 1990, c. O.36, as amended;
- (l) "Owner" means any Person who possesses, harbours or keeps an Dog(s), and where the Owner is a minor, the Person responsible for the custody of the minor, and includes a Person who is temporarily the Keeper or in control of the Dog and the word "Owns" has a corresponding meaning;
- (m) "Person" includes an individual, corporation, association, or any other non-incorporated entity;
- (n) "Pound" means the part of the Premises of the OSPCA used for the temporary housing and care of Dogs that have been impounded pursuant to this By-law, in accordance with the *Dogs for Research Act*, R.S.O. 1990, Chapter A.22;

- (o) "Premises" includes lands, buildings or structures or any parts thereof;
- (p) "Service Dog" means an Dog trained by a recognized school for service as a guide Dog for the blind or visually-impaired, a guide Dog for the deaf or hearing-impaired, or a special skills Dog for other disabled Persons;
- (q) "Tether" means a rope, chain or any restraining device attached to an inanimate object that prevents an Dog from moving away from a localized area and the words "Tethered" and "Tethering" have a corresponding meaning;
- (r) "Town" means The Corporation of the Town of Greater Napanee or the geographic area of the Town of Greater Napanee;
- (s) "Without Provocation", when used in reference to a Bite or Attack on a Person or Dog, means in the absence of any abuse, assault, teasing, tormenting or unwanted physical contact by the Person or Dog who sustained the Bite or Attack.

## **PART II - TETHERING OF DOGS**

- 2.1 No Person shall keep a dog tethered unless:
  - (a) the Tether is a minimum of four (4) metres in length;
  - (b) the Dog has unrestricted and unobstructed movement within the range of the Tether;
- 2.2 No Person shall Tether a Dog in such a way as to permit the Dog to go beyond the limits of the Person's Premises, or the Premises of another Person from whom the Owner of the Dog has received prior consent from the owner of that Premises.

## **PART III – DOG REGISTRATION**

### **REGISTRATION**

- 3.1 Every Owner of a Dog in the Town shall:
  - (a) in every year, register the Dog with the Town and pay an annual Dog registration fee as set out in Schedule "A", as may be amended by Council from time to time;
  - (b) renew the registration annually on or before the last day of February of each year to qualify for the discounted registration fee;
  - (c) ensure that the Dog identification tag, issued as part of the registration, is displayed on the Dog's collar, and that said collar is affixed to the Dog at all times;

- (d) obtain a replacement identification tag by paying the fee as set out in Schedule "A", as may be amended by Council from time to time, in the event that such tag is lost, damaged or destroyed; and
  - (e) pay the regular registration fee as set out in Schedule "A", as may be amended by Council from time to time, where the Dog is registered on or after March 1<sup>st</sup> of any given year.
- 3.2 Where an Owner of a Dog acquires the Dog or moves into the Town after the 1<sup>st</sup> day of March of any year, at the time of registration the Owner shall pay one-half of the applicable annual registration fee as set out in Schedule "A", as may be amended by Council from time to time, on condition that the registration fee is paid at the Town's Community & Corporate Services office.
- 3.3 In order to register a Dog, the Owner of the Dog shall provide the Town with the following information:
- (a) name, address and telephone number of the Dog Owner; and
  - (b) name, age, gender, breed, disposition, and colour or markings of the Dog.
- 3.4 The Owner of a Dog shall notify the Town within seven (7) days of the sale or death of a Dog registered with the Town, or of any change in the Owner's name, address or telephone number.
- 3.5 The Town may provide the registrant with an identification tag for each Dog registered in accordance with this By-law.
- 3.6 No Person shall use an identification tag for any Dog other than the Dog for which such identification tag was issued.
- 3.7 No Person shall provide the Town with any false information in respect of the registration, or renewal of a registration, of a Dog.

### **DOG KENNELS**

- 3.8 No Person shall construct, establish, maintain or operate a Kennel in the Town unless:
- (a) the Kennel is constructed, established, maintained and operated in compliance with the provisions of this By-law, any other applicable municipal by-law and any applicable Act or Regulation including, without restricting the generality of the foregoing, the Town's Zoning By-law No. 02-22, as amended;
  - (b) the Kennel and its surrounding environs is so constructed, established,

- maintained and operated in a way that prevents escape by any Dog from the Kennel;
- (c) in every year, the owner or operator of the Kennel registers the Kennel with the Town and pays the annual Kennel registration fee as set out in Schedule "A", as may be amended by Council from time to time;
  - (d) the owner or operator of the Kennel renews the Kennel registration annually before the last day of February of each year at a discounted rate;
  - (e) in the event the Kennel is registered on or after March 1<sup>st</sup> of any given year, the owner or operator of the Kennel pays the regular Kennel registration fee as set out in Schedule "A", as may be amended by Council from time to time; and
- 3.9 Where an owner or operator of a Kennel constructs or establishes a Kennel after the 1<sup>st</sup> day of March of any year, at the time of registration the Owner or operator may pay one-half of the applicable annual registration fee as set out in Schedule "A", as may be amended by Council from time to time, on condition that the registration fee is paid at the Town's Community & Corporate Services Office.
- 3.10 In order to register a Kennel, the owner or operator of the Kennel shall provide the Town with the following information:
- (a) the name, address, telephone numbers and email address of the Kennel owner and /or operator;
  - (b) the name, age, gender, breed, disposition and color or markings of all Dogs kept at the Kennel for a Breeding or Hobby Kennel; and
  - (c) a completed Application for Kennel License and the prescribed fee.
- 3.11 No Owner or operator of a Kennel shall permit more than the maximum number of Dogs for which the registration fee has been paid to be kept at the Kennel.
- 3.12 Every Owner or operator of a Kennel shall, upon request by an Officer, permit the Officer to inspect at any reasonable time the Premises for the purpose of determining compliance with this By-law.
- 3.13 Any Kennel Registration may be refused, suspended pending compliance, or revoked by an Officer for non-compliance if, in his/her opinion, the Kennel does not comply with the provisions of this By-law.
- 3.14 It shall be unlawful for any person to keep, use or maintain within the Town any Kennel/Commercial Kennel in such a manner that the same is found by the Ontario Society for the Prevention of Cruelty to Animals to be nauseous, foul or offensive or a public nuisance, and upon such a finding, any licence therefore

many be revoked by the Town.

- 3.15 In the event that an Officer refuses a Kennel Registration or suspends or revokes a Kennel Registration, the Owner or operator of such Kennel may appeal to Council in accordance with the following procedures.
- (a) A request by the Owner or operator of such Kennel for a hearing under this section shall be made in writing and delivered to the Clerk within fifteen (15) days of the Owner receiving the decision of the Officer.
  - (b) The Owner or operator of such Kennel, upon payment of a hearing fee as set out in Schedule "A", as may be amended by Council from time to time, may request and is entitled to a hearing by of Council.
  - (d) Upon determination of the hearing date the Council shall give notice in writing to the Owner that:
    - (i) includes a statement of the time, date, place and purpose of the hearing, and;
    - (ii) includes a statement that if the Owner or operator of such Kennel does not attend the hearing, the committee may proceed in the absence of the Owner or operator of such Kennel and the Owner or operator of such Kennel will not be entitled to any further notice.
  - (e) The notice of hearing referred to in this section may be given by delivering it personally or sending it by prepaid registered mail to the Owner or operator of such Kennel at the Owner or operator of such Kennel's last known address on file with the Town. When service is made by registered mail, the service shall be deemed to be made on the seventh (7<sup>th</sup>) day after the day of mailing, unless the person on whom service is being made established that he or she did not, acting in good faith, through absence, accident, illness or other cause beyond his or her control receive the written notice until a later date.
  - (f) Council shall hold a hearing pursuant to the provisions of the *Statutory Powers and Procedures Act* at the time, date and place set out in the notice referred to in this section and the committee may:
    - (i) exempt the owner from some or all of the Kennel requirements,
    - (ii) confirm the Kennel requirements and the decision of the Officer,
    - (iii) vary the Kennel requirements and impose other conditions on the granting of a Kennel license, or
    - (iv) combine any exemption confirmation or variance as it sees fit.
  - (g) An application made by the Owner or operator of such Kennel for a hearing under this section does not act as a stay of the decision of the Officer which shall take effect on the day it is served or deemed served, and shall continue to be effective until the Council renders a decision

indicating otherwise.

3.16 If an appeal is taken, the decision of the Council shall be final and binding.

### **LEASHING AND RUNNING AT LARGE**

3.17 For the purposes of this By-law, a Dog shall be deemed to be running at large if it is found in any place other than on the Premises of its Owner or property of any Person with permission of that Person, while not on a Leash held by any Person and not under the control of any Person.

3.18 No Owner of a Dog shall permit the Dog to run at large in the Town.

3.19 Every Owner of a Dog shall, while the Dog is not on the Owner's Premises or property of any Person with permission of that Person, control the Dog by means of a Leash that is held or affixed to their Person or another competent Person.

3.20 A Dog shall not be deemed to be under the control of a competent person unless the dog is on a leash of a maximum length of 1.8 metres (6 feet) and escorted by a competent Person.

3.21 Notwithstanding section 3.20, a retractable leash may be utilized, provided it is limited to a maximum of 1.8 metres (6 feet) in length when approaching or in the presence of another Dog or Person.

3.22 Sections 3.17 – 3.20 shall not apply to:

(a) police working dogs while they are in the course of fulfilling their duties; and

(b) hunting Dogs that are under the direct supervision of a Person who is a bona fide hunter actively engaged in hunting in accordance with the *Fish and Wildlife Conservation Act, 1997*, S.O. 1997, c. 41, as amended, and other applicable law during a permitted season to whom has been issued such necessary licences and permits as may be required by federal, provincial or municipal laws.

### **IMPOUNDING OF DOGS**

3.23 An Officer may seize any Dog that is found running at large in the Town and may cause such Dog to be delivered to the Pound.

3.24 Any Person may seize any Dog that is found running at large in the Town and shall immediately thereafter cause such Dog to be delivered to the Pound or, if known, returned to its Owner.

3.25 A Dog seized pursuant to Sections 3.22 or 3.23 of this By-law shall be considered impounded at the time and place when it comes under the control of

- the Officer or, in any other case, when delivered to the Pound.
- 3.26 Upon seizing or taking possession of any Dog, the Pound shall impound the Dog and make reasonable efforts to determine the identity of the Owner of the Dog and inform such Person that his or her Dog has been impounded.
- 3.27 The Pound shall keep any Dog impounded pursuant to this By-law for a redemption period of three (3) days. This redemption period shall be calculated in accordance with the *Dogs for Research Act*, R.S.O. 1990, c. A.22, as amended.
- 3.28 During the redemption period, the Pound
- (a) may provide such emergency veterinary care for an injured impounded Dog as may be necessary to sustain its life or relieve any distress;
  - (b) shall be entitled to recover from the Owner of the Dog, the cost of any veterinary or other care provided while the Dog was impounded; and
  - (c) shall be entitled to recover from the Owner of the Dog, any Pound fees for the redemption of the Dog as set out in Schedule "A", as may be amended by Council from time to time.
- 3.29 During the redemption period, the Pound may euthanize an impounded Dog without delay if, in the opinion of a veterinarian, such action is warranted for humane reasons.
- 3.30 During the redemption period, the Owner of an impounded Dog may obtain release of such Dog by first:
- (a) providing evidence to the Pound that the Dog is registered in accordance with the requirements of this By-law or if the Dog is not registered, by registering the Dog with the Town in accordance with this By-law;
  - (b) paying the costs and fees provided for in Section 3.28 of this By-law; and
  - (c) taking any other action in relation to the care or control of the Dog that the Town or Pound may direct.
- 3.31 After the expiration of the redemption period, the Pound may:
- (a) release the Dog to its Owner upon compliance with Section 3.31 of this By-law; or
  - (b) Keep, sell or dispose of the Dog in accordance with the provisions of the *Dogs for Research Act*, R.S.O. 1990, c. A.22, as amended.

- 3.32 Whenever an impounded Dog is released to its Owner, a record of such release shall be kept by the Pound.

### **DOG BITES & MUZZLING OF DOGS**

- 3.33 Where an Officer becomes aware, either through his own investigation or as a result of information received by him from any source, that a Dog has Bitten or Attacked a Person or Dog Without Provocation, the Officer may issue an Order to Restrain to the Owner and require the Owner to comply with the requirements set out in Sections 3.33 and 3.34 of this By-law within the time stipulated in said Order to Restrain, and the Dog shall thereafter be deemed to be a dangerous Dog.
- 3.34 Every Owner of a dangerous Dog shall, at all times while the dangerous Dog is not in the Owner's Dwelling Unit, but is otherwise within the boundaries of the Owner's Premises, ensure that the dangerous Dog wears a Muzzle and ensure that:
- (a) the Dog is securely Tethered in accordance with Section 2.1 of this By-law; and
  - (b) the Dog is contained within an area enclosed by a fence of an appropriate height for the breed of Dog, or an area enclosed by other means such that the Dog cannot come into contact with any other Person or Dog; and
- 3.35 Every Owner of a dangerous Dog shall, at all times while the Dog is not within the boundaries of the Owner's Premises, keep the Dog:
- (a) Muzzled;
  - (b) under the control of a competent Person capable of handling the Dog who is eighteen (18) years of age or older; and
  - (c) on a Leash that does not exceed one (1) metre in length.
- 3.36 Every Owner of a dangerous Dog shall immediately notify the Town of the following:
- (a) any change in Ownership or residence of the dangerous Dog and provide the name, current address and telephone number of the new Owner or residence;
  - (b) if the Dog runs at large, attacks or bites any Person or Dog; or
  - (c) if the Dog dies.

- 3.37 An Officer shall have the authority to make whatever inquiry is deemed necessary to ensure compliance with Sections 3.32 and 3.33 of this By-law.
- 3.38 A request by the Owner for a hearing under this section shall be made in writing and delivered to the Clerk within fifteen (15) days of the Owner receiving the Order to Restrain.
- 3.39 The Owner of a Dog to which an Order to Restrain has been issued, upon payment of a hearing fee as set out in Schedule "A", as may be amended by Council from time to time, may request and is entitled to a hearing by Council, which may exempt the Owner from the muzzling or leashing requirement or both.
- (a) Upon determination of the hearing date the Council shall give notice in writing to the Owner that:
- (i) includes a statement of the time, date, place and purpose of the hearing, and;
  - (ii) includes a statement that if the Owner of the dog does not attend the hearing, the committee may proceed in the absence of the Owner and the Owner will not be entitled to any further notice.
- (b) The notice of hearing referred to in this section may be given by delivering it personally or sending it by prepaid registered mail to the Owner at the Owner's last known address on file with the Town. When service is made by registered mail, the service shall be deemed to be made on the seventh (7<sup>th</sup>) day after the day of mailing, unless the person on whom service is being made established that he or she did not, acting in good faith, through absence, accident, illness or other cause beyond his or her control receive the written notice until a later date.
- (c) Council shall hold a hearing pursuant to the provisions of the *Statutory Powers and Procedures Act* at the time, date and place set out in the notice referred to in this section and the committee may:
- (i) exempt the owner from muzzling and/or leashing requirements,
  - (ii) confirm muzzling and/or leashing requirements,
  - (iii) vary muzzling and/or leashing requirements and other requirements of the Order to Restrain, or
  - (iv) combine any exemption confirmation or variance as it sees fit.
- (d) The decision of Council shall be final and binding.
- (e) An application made by the Owner for a hearing under this section does not act as a stay of the Order to Restrain which shall take effect on the day it is served or deemed served, and shall continue to be effective until the committee renders a decision indicating otherwise.

### **STOOP AND SCOOP**

- 3.40 Every Owner of a Dog shall immediately remove any feces left by the Dog in any place other than the Premises of the Owner and dispose of it in a proper waste receptacle.
- 3.41 Section 3.40 of this By-law shall not apply to:
- (a) the handler of a Service Dog, where the handler is unable to remove the excrement left by such Dog due to a physical disability or impediment;
  - (b) a blind or visually impaired handler of a Service Dog if the feces were left while the Dog was off the Premises of the handler and carrying out its duties; or
  - (c) a police working Dog while they are carrying out their duties.

### **NUMBER OF DOGS RESTRICTED**

- 3.42 No Person shall Keep on their Premises more than:
- (i) two (2) Dogs on Premises with two or more Dwelling Units, or
  - (ii) three (3) Dogs on Premises with one Dwelling Unit,
- unless:
- (a) the Premises is registered as a Kennel in accordance with the provisions of this By-law;
  - (b) the Premises is a Pet Shop;
  - (c) the Premises is used by the OSPCA;
  - (d) the Premises is used as the Pound; or
  - (e) the Premises is an accredited veterinary facility under the supervision of a veterinarian licensed pursuant to the *Veterinarians Act*, R.S.O. 1990, c. V.3, as amended.
- 3.43 Despite Section 3.42 of this By-law, any Person lawfully Keeping more than the permitted number of Dogs on his or her Premises on the date this By-law comes into effect shall be permitted to Keep said Dogs on his or her Premises, provided that such Dogs are registered with the Town in accordance with this By-law within ninety (90) days of the date that this By-law comes into effect. If any Dog is added or replaced by the Owner, the Owner will be required to obtain an appropriate Kennel license.

3.44 The onus of proving the exemption provided for in Section 3.42 shall be upon the Person seeking the exemption.

3.45 The exemption provided for in Section 3.42 of this By-law shall be for the life of the Dogs.

#### **PART IV - ADMINISTRATION**

##### **ENFORCEMENT**

4.1 Unless otherwise provided for herein, all provisions of this By-law shall be enforced by an Officer as defined in this By-law.

4.2 An Officer may issue a direction or order requiring that a Person comply with the provisions of this By-law.

4.3 An Officer may enter upon land at any reasonable time for the purpose of carrying out an inspection to determine whether or not:

(a) the provisions of this By-law are being complied with; or

(b) a direction or order under this By-law is being complied with.

4.4 No Person shall hinder or obstruct any Officer, or any Person lawfully acting in aid of such Officer, in the execution of their duties under this By-law.

##### **OFFENCES AND PENALTIES**

4.5 Every Person who contravenes any provision of this By-law is guilty of an offence and on conviction is liable to a fine as provided for in the *Provincial Offences Act*, R.S.O. 1990, c. P.33.

##### **INTERPRETATION**

4.6 Where a Court of competent jurisdiction declares any Section or part of a Section of this By-law invalid, the remainder of this By-law shall continue in force and effect unless the Court makes an order to the contrary.

4.7 For the purposes of this By-law, unless the context requires otherwise:

(a) words imparting the singular number shall include the plural and words imparting the masculine gender shall include the feminine and vice versa; and

(b) where a form of words or expression are prescribed in this By-law, deviations therefrom not affecting the substance or calculated to mislead do not vitiate them.

- 4.8 The set fines in Schedule "B" attached hereto, as may be approved or modified by an Order of the Chief Judge of the Ontario Court of Justice (Provincial Division) pursuant to the provisions of the *Provincial Offences Act* and the rules of the Ontario Court of Justice, shall come into force and take effect upon approval or modification by the said Chief Judge.
- 4.9 The schedules attached hereto shall form part of this By-law.

**ENACTMENT**

- 4.10 That Town of Greater Napanee By-law No. 2011-62 and any other by-law or portions thereof conflicting with this by-law are hereby repealed.
- 4.11 This By-law shall come into force and take effect on the date an order is made approving set fines for this by-law.

**SHORT TITLE**

- 4.12 This By-law may be referred to as the "Dog Control By-law".

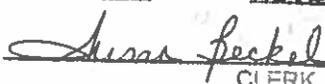
Read a first and second time and finally passed this 24<sup>th</sup> day of November, 2015.



Gordon Schermerhorn, Mayor



Susan Beckel, Clerk

CERTIFIED A TRUE COPY  
OF BY-LAW NUMBER 2015-0067  
PASSED BY THE COUNCIL  
OF THE CORPORATION OF  
THE TOWN OF GREATER NAPANEE  
ON  
THE 24<sup>th</sup> DAY OF NOVEMBER, 2015  
  
CLERK

**Schedule "A"**  
**To Dog Control By-Law No. 2015-0067**

**Fees and Charges**

<i>Item</i>	<i>Description</i>	<i>Fee</i>
1.	Discounted Dog Registration (before March 1 <sup>st</sup> )	\$15.00/tag
2.	Regular Dog Registration (on or after March 1 <sup>st</sup> )	\$30.00/tag
3.	Replacement of Lost/Damaged/Destroyed Dog Tag	\$5.00/tag
4.	Dog Registration for Service Dog (Proof Required)	No charge for tag
5.	Dog Registration for Dog acquired after March 1 <sup>st</sup> (for year of purchase only) with Identification and Proof of Purchase Required	\$15.00/tag
6.	Commission for each third party sale of a Dog Tag – Outlet	\$2.00/tag
7.	Discounted Dog Kennel Registration (before March 1 <sup>st</sup> or the establishment of a new kennel after March 1 <sup>st</sup> )	(4 – 10 dogs) \$125.00 (11 – 25 dogs) \$200.00 (26 or more dogs) \$400.00
8.	Regular Dog Kennel Registration (on or after March 1 <sup>st</sup> )	(4 – 10 dogs) \$250.00 (11 – 25 dogs) \$400.00 (26 or more dogs) \$800.00
9.	Redemption Fee	\$75.00
10.	Daily board rate (for dogs impounded)	\$25.00
11.	Appeal to Council of a Dog Kennel Registration Refusal/Revocation	\$125.00
12.	Appeal to Council of an Order to Restrain	\$125.00

**Schedule "B"**  
**The Corporation of the Town of Greater Napanee**  
**Part I, Provincial Offences Act**  
**By-law No. 2015-0067: Dog Control By-law**

Item	Column 1 Short Form Wording	Column 2 Provision Creating or Defining Offence	Column 3 Set Fine
1.	Failing to register a Dog with the Town.	S. 3.1(a)	\$100.00
1.	Failing to renew a Dog registration with the Town	S. 3.1(b)	\$100.00
2.	Failing to display a Dog identification tag on collar affixed to the Dog	S. 3.1(c)	\$50.00
3.	Failing to obtain a replacement Dog identification tag	S. 3.1(d)	\$50.00
4.	Failing to notify the Town within seven (7) days of the (sale/death/change of ownership) of a Dog	S. 3.4	\$50.00
5.	Improper use of a Dog tag – use of tag on a Dog other than one for which tag was issued.	S. 3.6	\$50.00
6.	Providing false information respecting a (Dog registration/renewal of Dog registration)	S. 3.7	\$100.00
7.	Operate Kennel where escape is not prevented	S. 3.8(b)	\$100.00
8.	Operate a Kennel without licence	S. 3.8(c)	\$200.00
9.	Failing to renew Kennel registration with the Town	S. 3.8(d)	\$200.00
10.	Owner of a Kennel permit more than the maximum registered Dogs to be kept.	S. 3.11	\$200.00
11.	Failing to permit an Officer to inspect Kennel Premises	S. 3.12	\$250.00
12.	Permitting a Dog to run at large	S. 3.18	\$150.00
13.	Failing to control a Dog with leash	S. 3.19	\$100.00
14.	Failing to turn over a found Dog to the Pound	S. 3.24	\$75.00
15.	Failing to turn over a found Dog to its Owner	S. 3.24	\$75.00
16.	Failing to muzzle a dangerous Dog on Owner's Premises	S. 3.34	\$250.00
17.	Failing to securely Tether a dangerous Dog	S. 3.34(a)	\$350.00
18.	Failing to properly confine a dangerous Dog with an appropriate fence	S. 3.34(b)	\$350.00
19.	Failing to muzzle a dangerous Dog	S. 3.35(a)	\$350.00
20.	Failing to keep a dangerous Dog under control of a competent Person when off owner's premises	S. 3.35(b)	\$350.00
21.	Using leash of more than one (1) metre on dangerous Dog	S. 3.35(c)	\$250.00
22.	Failing to notify Town of change in (ownership/residence) of a dangerous Dog,	S. 3.36(a)	\$100.00
23.	Failing to provide Town with current information for a new Owner of a dangerous Dog	S. 3.36(a)	\$100.00
24.	Failing to notify the Town of a dangerous Dog (running at large/attacking a person/biting a person)	S. 3.36(b)	\$350.00
25.	Failing to notify the Town of a dangerous Dog (attacking a Dog/biting a Dog)	S. 3.36(b)	\$350.00
26.	Failing to notify the Town of the death of a dangerous Dog	S. 3.36(c)	\$100.00
27.	Failing to immediately remove Dog feces	S. 3.40	\$100.00

Item	Column 1 Short Form Wording	Column 2 Provision Creating or Defining Offence	Column 3 Set Fine
28.	Failing to dispose of Dog feces in a proper waste receptacle	S. 3.40	\$100.00
29.	Keeping more than two (2) Dogs on Premises with two or more Dwelling Units	S. 3.42(i)	\$150.00
30.	Keeping more than three (3) Dogs on Premises with one Dwelling Unit	S. 3.42(ii)	\$150.00
31.	Failing to register additional Dog(s) for Dog limit exemption within the first ninety (90) days of this By-law	S. 3.43	\$100.00
32.	Obstructing an Officer in the execution of his/her duties	S. 4.4	\$250.00

**NOTE:** The general offence and penalty provisions for the offences listed above are in Part IV, Section 4.5 of By-law No. 2015-0067 and Section 61 of the Provincial Offences Act, R.S.O. 1990, c.P.33.

**PROVINCIAL OFFENCES ACT**

RECEIVED JAN 20 2016

**Part I**

IT IS ORDERED pursuant to the provisions of the *Provincial Offences Act* and the rules for the Ontario Court of Justice, that the amount set opposite each of the offences in the schedule of offences under the Provincial Statutes and Regulations thereunder and Municipal By-law No. 2015-0067 of the Corporation of the Town of Greater Napanee, attached hereto is the set fine for that offence. This Order is to take effect on January 5<sup>th</sup>, 2016.

Dated at Ottawa this 5<sup>th</sup> day of January 2016.

  
.....  
Hugh L. Fraser, Regional Senior Justice  
Ontario Court of Justice  
East Region

**Schedule "B"**  
**The Corporation of the Town of Greater Napanee**  
**Part I, Provincial Offences Act**  
**By-law No. 2015-0067: Dog Control By-law**

Item	Column 1 Short Form Wording	Column 2 Provision Creating or Defining Offence	Column 3 Set Fine
1.	Failing to register a Dog with the Town.	S. 3.1(a)	\$100.00
1.	Failing to renew a Dog registration with the Town	S. 3.1(b)	\$100.00
2.	Failing to display a Dog identification tag on collar affixed to the Dog	S. 3.1(c)	\$50.00
3.	Failing to obtain a replacement Dog identification tag	S. 3.1(d)	\$50.00
4.	Failing to notify the Town within seven (7) days of the (sale/death/change of ownership) of a Dog	S. 3.4	\$50.00
5.	Improper use of a Dog tag – use of tag on a Dog other than one for which tag was issued.	S. 3.6	\$50.00
6.	Providing false information respecting a (Dog registration/renewal of Dog registration)	S. 3.7	\$100.00
7.	Operate Kennel where escape is not prevented	S. 3.8(b)	\$100.00
8.	Operate a Kennel without licence	S. 3.8(c)	\$200.00
9.	Failing to renew Kennel registration with the Town	S. 3.8(d)	\$200.00
10.	Owner of a Kennel permit more than the maximum registered Dogs to be kept.	S. 3.11	\$200.00
11.	Failing to permit an Officer to inspect Kennel Premises	S. 3.12	\$250.00
12.	Permitting a Dog to run at large	S. 3.18	\$150.00
13.	Failing to control a Dog with leash	S. 3.19	\$100.00
14.	Failing to turn over a found Dog to the Pound	S. 3.24	\$75.00
15.	Failing to turn over a found Dog to its Owner	S. 3.24	\$75.00
16.	Failing to muzzle a dangerous Dog on Owner's Premises	S. 3.34	\$250.00
17.	Failing to securely Tether a dangerous Dog	S. 3.34(a)	\$350.00
18.	Failing to properly confine a dangerous Dog with an appropriate fence	S. 3.34(b)	\$350.00
19.	Failing to muzzle a dangerous Dog	S. 3.35(a)	\$350.00
20.	Failing to keep a dangerous Dog under control of a competent Person when off owner's premises	S. 3.35(b)	\$350.00
21.	Using leash of more than one (1) metre on dangerous Dog	S. 3.35(c)	\$250.00
22.	Failing to notify Town of change in (ownership/residence) of a dangerous Dog,	S. 3.36(a)	\$100.00
23.	Failing to provide Town with current information for a new Owner of a dangerous Dog	S. 3.36(a)	\$100.00
24.	Failing to notify the Town of a dangerous Dog (running at large/attacking a person/biting a person)	S. 3.36(b)	\$350.00
25.	Failing to notify the Town of a dangerous Dog (attacking a Dog/biting a Dog)	S. 3.36(b)	\$350.00
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*Approved  
H. Fran*