

THE CORPORATION OF THE TOWN OF AURORA

By-law Number 5642-14

BEING A BY-LAW to regulate various matters relating to the keeping, licensing and controlling of animals in the Town of Aurora.

WHEREAS section 11 of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended (the "Act"), authorizes The Corporation of the Town of Aurora (the "Town") to enact by-laws respecting animals, which includes domestic animals such as dogs or cats;

AND WHEREAS section 103 of the Act authorizes the Town, through the passage of a by-law, to seize, impound, and sell animals that are trespassing or at large;

AND WHEREAS section 391 of the Act authorizes the Town to impose fees or charges for services or activities provided or done by or on behalf of the Town and for use of the Town's property;

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

PART I: DEFINITIONS AND INTERPRETATION

1. DEFINITIONS

1.1 In this by-law, the following words have the following meanings:

- (a) "**adult**" means a person who has attained the age of eighteen years;
- (b) "**Animal Control Officer**" means a By-Law Enforcement Officer of the Town and any person or corporation contracting with the Town to control dogs, cats or other animals, and any servants or agents of such person or corporation;
- (c) "**bite**" means piercing or puncturing of the skin as a result of contact with an animal's tooth or teeth and "bitten" has the same meaning;
- (d) "**Clerk**" means the Town Clerk of the Town as appointed by by-law;
- (e) "**domestic animal**" means a dog or a cat kept by a person as a pet;

- (f) "**dwelling unit**" means a room or suite of two (2) or more rooms designed or intended for residential use by a person or persons in which culinary and sanitary conveniences are provided for the exclusive use of such person or persons, and having a private entrance from outside or from a common hallway or stairway;
- (g) "**establishment**" means a separately assessed parcel of land according to the tax rolls for the Town on which is located one or more buildings notwithstanding that there may be two or more dwelling units located on that parcel. However, the term "establishment" shall not refer to properties that are zoned Special Mixed Density Residential (R5) Zone, First (RA1), Second (RA2) or Third (RA3) Density Apartment Residential Zone, or any exception zones thereof;
- (h) "**Guide Dog**" means a guide dog as defined in section 1 of the *Blind Persons' Rights Act*, R.S.O. 1990, c. B.7;
- (i) "**keep**" means to have temporary or permanent control, possession or ownership of an animal, and "keeping" has the same meaning;
- (j) "**Law Enforcement Dog**" means a dog trained to assist law enforcement officers and used by such officers in the execution of their duties;
- (k) "**leash**" means a rope, chain or other material or restraining device used to restrain a dog or cat;
- (l) "**license**" means a license issued pursuant to this by-law in the form of an identification tag issued by the Town, or a designate;
- (m) "**Manager**" means the Manager of By-law Services for the Town or his/her designate;
- (n) "**Medical Officer**" means the Medical Officer of Health for the Region of York or his/her designate;
- (o) "**microchip**" means an encoded identification device, which is compliant with any applicable standards, implanted into a dog or cat, which contains a unique code that permits or facilitates access to an owner's name and address, which is stored in a central data base;
- (p) "**Municipal Act**" means the *Municipal Act, 2001*, S.O. 2001, c.25, as amended or successor legislation thereto;
- (q) "**muzzle**" means a humane fastening or covering device that cannot be removed by a dog, of adequate strength and design and suitable to the breed for which it is used, that is placed over a dog's mouth to

prevent it from biting as approved by an Animal Control Officer, and "muzzling" has a similar meaning;

- (r) "**Notice to Muzzle**" means a notice containing muzzling requirements, pursuant to Section 16 of this by-law;
- (s) "**owner**" means any person who possesses or harbours or attends to the shelter, care or feeding of an animal and, where the owner is a minor, includes the person responsible for the custody of the minor, and "owns" and "owned" have similar meaning;
- (t) "**person**" includes an individual, a corporation, association and a partnership;
- (u) "**restricted pit bull**" means a restricted pit bull as defined by the *Dog Owners' Liability Act*, R.S.O. 1990, c. D.16, as amended;
- (v) "**Service Animal**" means an animal that serves a person with a disability if it is readily apparent that the animal is used by the person for reasons relating to his or her disability or if the person provides a letter from a physician or a nurse confirming that the person requires the animal for reasons relating to a disability; and
- (w) "**Town**" means The Corporation of the Town of Aurora.

2. INTERPRETATION OF THIS BY-LAW

- 2.1 The Part and Section headings contained throughout this document are for reference purposes only and do not form a part of this by-law. This by-law is to be interpreted without reference to such headings.

PART II: CARE OF ANIMALS

3. KEEPING DOMESTIC ANIMALS IN SANITARY CONDITIONS

- 3.1 No person shall keep a domestic animal within the Town in an unsanitary condition.
- 3.2 For the purposes of Subsection 3.1, a domestic animal is considered kept in an unsanitary condition where there is an accumulation of fecal matter, insect infestation or rodent attractions which disturbs or is likely to disturb the enjoyment, comfort or convenience of any person or that endangers or is likely to endanger the health of any person or domestic animal.

4. PROTECTIVE CARE OF DOMESTIC ANIMALS

- 4.1 The Town may receive domestic animals into protective care as a result of a domestic animal owner's eviction, incarceration, or as a result of a fire or

medical emergency, or for any other situation that the Manager or an Animal Control Officer deems appropriate.

- 4.2 Domestic animals which are received into protective care by the Town shall only be kept on a temporary basis for up to a maximum of five (5) days.
- 4.3 When the Town receives a domestic animal into protective care, the owner of the domestic animal shall pay all costs incurred on behalf of such domestic animal, i.e. shelter fees and veterinary medical fees, prior to recovering the domestic animal.
- 4.4 If a domestic animal is in protective care at the end of the five (5) day period and the domestic animal has not been recovered by the owner, then the Town shall treat such domestic animal, pursuant to provision of this by-law, as if it was impounded at the end of the five (5) day period.

5. TETHERS

- 5.1 No person in the Town shall keep a domestic animal tethered on a chain, rope or similar restraining device of less than three (3) metres in length.
- 5.2 No person shall keep a domestic animal tethered on a rope, chain or other similar restraining device unless:
 - (a) the tether is of an appropriate length for the species tethered;
 - (b) the domestic animal has unrestricted movement within a range of such tether; and
 - (c) the domestic animal cannot suffer injury as a result of tethering.

PART III: DOG CONTROL

6. RESPONSIBILITY TO CARE FOR DOGS

- 6.1 Every person who keeps a dog in the geographical boundaries of the Town of Aurora shall provide that dog, or cause it to be provided, with such food, water, exercise, attention and veterinary care as may be required from time to time to keep the dog in good health and an environment that is appropriate to meet the physical and behavioural needs of the species.
- 6.2 If a dog is customarily kept out-of-doors, the person or persons keeping or having custody or control of the dog shall at all times provide for its use, a structurally sound, weatherproof, insulated enclosure with flooring, that:
 - (a) is located in accordance with the Zoning By-law of the Town; and
 - (b) provides sufficient space to allow the dog the ability to turn about freely and to easily sit, stand and lay in a fully extended position.

- 6.3 Every person who keeps an unspayed female dog shall, during each period that the dog is in heat, keep it confined so that it will not attract other dogs.

7. REGISTRATION AND LICENSING

- 7.1 Every owner of a dog which is twelve (12) weeks of age or older, shall:
- (a) annually, and not later than February 15th in each year, or within seven (7) days of becoming an owner, cause the dog to be registered, described and licensed with the Town pursuant to this by-law;
 - (b) complete an application for a license or for the renewal of a license on the forms provided by the Town which shall include the following information:
 - (i) name, address, and telephone number of the dog owner;
 - (ii) name, age, gender, breed and colour of dog;
 - (iii) a valid rabies certificate which proves that the dog's rabies vaccination is current on the date of application or renewal of a license;
 - (iv) proof of sterilization from a qualified veterinarian, if applicable; and
 - (v) proof of a microchip implant, if applicable;
 - (c) securely affix on the collar of the dog, the dog tag issued by the Town or its representatives;
 - (d) in the event that a dog license is lost, obtain a replacement dog tag and pay the fee set out in Schedule "A" hereto;
 - (e) notify the Town in writing if the dog is sold, gifted or transferred to another person within fourteen (14) days of the change of ownership; and
 - (f) remain liable for the actions of the dog until formal written notification of sale, gift or transfer to another person is provided to the Town.
- 7.2 Notwithstanding Subsection 7.1, every owner of a dog under the age of twelve (12) weeks which has been impounded pursuant to this by-law shall register and license the dog and pay an annual dog license fee set out in Schedule "A" hereto.

- 7.3 A new resident of the Town of Aurora shall not be required to pay a license fee for a dog if the license for said dog has already been obtained for the current year from another municipality to which he or she has previously been a resident, providing such license is forfeited to the Town or its representatives and payment is made for the cost of a replacement dog tag at the fee set out in Schedule "A" hereto.
- 7.4 No person shall:
- (a) own, keep, possess or harbour a dog in the Town of Aurora or allow a dog to be owned, possessed or harboured on his or her premises, unless the license fee, required by this by-law, has been paid in accordance with Schedule "A" hereto;
 - (b) own, keep, possess or harbour a dog unless a valid dog tag issued to such person pursuant to this by-law is kept securely fastened to the dog at all times;
 - (c) affix a dog tag issued pursuant to this by-law to a dog other than the dog for which the dog tag has been issued; and
 - (d) knowingly give false information when applying for a license under this by-law.
- 7.5 Where a dog or dogs are kept, possessed or harboured in or at one establishment or dwelling unit, as the case may be, within the Town of Aurora, they shall be deemed to be owned by the adult person residing at that establishment or dwelling unit. Where there is more than one adult person residing in an establishment or dwelling unit, for the purposes of this by-law, all such adult persons shall be deemed to jointly own any dogs in such establishment or dwelling unit and shall be jointly and severally responsible for such dogs and any license fee(s) as set forth in Schedule "A" hereto.
- 7.6 All licenses and tags issued pursuant to this by-law shall be serially numbered and a record of their issue shall be kept by the Town. Such registration shall, at a minimum, set out the name and address of the owner, the name of the dog and information as to the date of the dog's last anti-rabies inoculation and may contain such other information as may be required by the Manager.
- 7.7 Every license for a dog issued hereunder is personal to the owner thereof and may not be assigned or transferred.

8. NUMBER OF DOGS RESTRICTED

- 8.1 No person shall keep, possess or harbour or permit to be kept, possessed or harboured more than three (3) dogs within or about any dwelling unit or, in the case of an establishment does not contain any dwelling units, within

or about such establishment, unless otherwise permitted under Subsection 8.3.

8.2 Notwithstanding Subsection 8.1, where a property is zoned First (RA1), Second (RA2) or Third (RA3) Density Apartment Residential Zone, or any exception zones thereof, under the Zoning By-law of the Town, no person shall keep, possess, harbour or permit to be kept, possessed or harboured more than two (2) dogs within or about any dwelling unit on a property within such zones, unless otherwise permitted under Subsection 8.3.

8.3 Restrictions on the number of dogs set out under Subsections 8.1 and 8.2 shall not apply to:

- (a) a veterinary hospital, clinic, office or veterinary service lawfully operated and supervised by a veterinarian licensed to practice in Ontario;
- (b) premises registered as a research facility in accordance with the *Animals For Research Act*, R.S.O. 1990, c. A.22, as amended, or any successor legislation thereto;
- (c) a kennel licensed by the Town in accordance with the Town's Licensing By-law; and
- (d) facilities that provide animal services that are legally operated on premises where the zoning permits such uses, such as pet shops, obedience schools, and animal daycare, grooming or spa facilities.

9. DOG ON PRIVATE PROPERTY

9.1 Every person keeping a dog shall, while the dog is outdoors on the property of that person, restrain the dog by one of the following means:

- (a) on a tether in accordance with Section 5 and tied in a secure and humane manner so as to prevent the dog from going beyond the limits of the dog keeper's property;
- (b) contained within an enclosed pen of sufficient dimensions and construction to provide humane shelter for the dog; or
- (c) contained in an enclosed fenced area to prevent the dog from going beyond the limits of the keeper's property and to prevent entry therein by persons.

10. STOOP AND SCOOP

10.1 A person who owns or keeps a dog shall not permit any excrement deposited by such dog to remain on land or premises owned by the Town

or on land or premises owned by any other person, and a person keeping or owning such dog shall remove such excrement forthwith.

- 10.2 A person who owns or keeps a dog shall not permit any excrement deposited by such dog to remain on land owned or leased by the person, where such excrement emits foul or offensive odours that constitute a nuisance to members of the public.
- 10.3 The provisions of Subsections 10.1 and 10.2 do not apply to a person whose sight is impaired with respect to a Guide Dog, to a person keeping a Service Animal, or to a person with a disability that prevents such a person from complying with Subsection 10.1 or 10.2.

11. DOGS RUNNING AT LARGE

- 11.1 A dog shall be deemed to be running at large where the dog is found in any place, other than the lands or premises of the owner or a person keeping such a dog, and:
 - (a) the dog is not leashed; or
 - (b) the dog is leashed but not under the control of any person.
- 11.2 No person keeping a dog shall allow the dog to run at large within the geographical boundaries of the Town of Aurora.
- 11.3 Subsection 11.2 does not apply to any leash-free parks or zones approved or designated by the Town.
- 11.4 Unless otherwise permitted by Town policy, other by-laws or any legislation, no person keeping a dog shall allow the dog to be in or on Town property or Town facilities where posted signs prohibit such activity or such prohibition is communicated by Town staff in another manner.
- 11.5 Law Enforcement Dogs and dogs engaged in activities under contract to the Town are exempt from complying with the requirements of this section.

12. SEIZURE AND IMPOUNDING OF DOGS

- 12.1 An Animal Control Officer and any law enforcement officer may seize and impound any dog found running at large.
- 12.2 Notwithstanding other provisions of this by-law, any impounded female dog in heat may be held at the pound until no longer in heat, but in any case no longer than twenty-one (21) days.
- 12.3 A record of every dog impounded or seized shall be kept, 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 disposition and the disposition made.

12.4 Notwithstanding other provisions of this by-law, where a pit bull or a restricted pit bull is seized or impounded pursuant to the provisions of this by-law, such a dog shall be treated pursuant to any applicable provisions of the *Dog Owners' Liability Act*, R.S.O. 1990, c. D.16, as amended, for the purposes of the redemption of the dog by the owner and for transferring or destroying the dog.

13. RETURN OF IMPOUNDED DOG TO OWNER

13.1 Within twenty-four (24) hours of the impounding of a dog, every reasonable effort shall be made by Animal Control Officers to notify the owner, if known, that the dog is impounded and the conditions whereby custody of the dog may be regained.

13.2 Where a dog has been impounded, it may only be returned to the owner:

- (a) if the owner claims possession of the dog within five (5) days after the date of seizure and impounding or later if permitted under this by-law or at the discretion of an Animal Control Officer where such dog is still impounded;
- (b) an Animal Control Officer is 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 fee as set out in Schedule "A" hereto;
- (c) the dog owner and the dog are in compliance with any other provision of this by-law and any other applicable animal control legislation; and
- (d) the owner has paid such fees for which he/she/it is liable pursuant to Subsection 13.3.

13.3 Where a dog is impounded, the owner shall be liable for and shall pay all of the following fees on demand to an Animal Control Officer:

- (a) the impound and daily maintenance fees as set out in the attached Schedule "A";
- (b) the costs incurred for veterinary care provided while the dog was impounded, if applicable;
- (c) the license fees as set out in the attached Schedule "A", where the dog is unlicensed; and
- (d) any other expenses incurred by the Town or its agents while providing care and shelter to the impounded dog.

14. DISPOSAL AND SALE OF IMPOUNDED DOGS

- 14.1 In the event that any impounded dog has not been restored to the owner within five (5) days after seizure, the dog may be:
- (a) disposed of by an Animal Control Officer in a humane manner; or
 - (b) sold, gifted, adopted-away or relocated by an Animal Control Officer for a price, if applicable, that the Animal Control Officer deems reasonable.
- 14.2 The Town or its authorized agents shall not be liable for damages or compensation arising from disposal, sale or transfer pursuant to Subsection 14.1.
- 14.3 Any proceeds from sale or disposal of a dog pursuant to Subsection 14.1 shall be the property of the Town, subject to any contract or agreement with any person or corporation providing animal services to the Town.
- 14.4 Where a dog which has been seized or impounded is injured or in a condition where it would be appropriate to destroy it without delay for humane reasons, an Animal Control Officer may dispose of such a dog in a humane manner as soon after impoundment or seizure as he/she thinks appropriate without permitting any person to reclaim the dog, taking any steps to identify and notify the owner, if any, of such a dog or taking any steps to sell, gift or transfer such a dog.
- 14.5 No dog disposed of by an Animal Control Officer shall be provided for research under the *Animals for Research Act*, R.S.O. 1990, c. A.22, as amended, or any successor legislation thereto and any regulations thereunder.

PART IV: DOG BITES AND ATTACKS

15. PROHIBITION

- 15.1 Law Enforcement Dogs which are in the course of fulfilling their duties, and their authorized owners are exempt from the provisions of this Part.
- 15.2 No owner or person keeping a dog shall permit his or her dog to attack, bite or engage in a fight with any person, domestic animal or any other animal that is kept or used as a pet by any person.

16. NOTICE TO MUZZLE

- 16.1 Where the Manager has reasonable grounds to believe that a dog has bitten a person, domestic animal, or any other animal that is in control of or used as a pet by any person, the Manager shall:
- (a) where the bite is the first bite on record and it occurs on private property, serve the owner with a written warning which shall caution the owner that any subsequent bite will automatically result in the

issuance of a Notice to Muzzle and a possible prosecution under the *Dog Owners' Liability Act*, R.S.O. 1990, c. D.16, as amended; or

- (b) where the bite occurred on public property or where the bite is a second or subsequent bite, the Town shall serve the dog owner with a Notice to Muzzle.

16.2 When an owner is served with a Notice to Muzzle, the owner shall:

- (a) while on the property of the owner, cause the dog subject to the Notice to Muzzle to be tethered or confined in a fenced-in area in a way that prevents the dog from going beyond the limits of the owner's property or being accidentally or intentionally released; and
- (b) whenever off the property of the owner, cause the dog subject to the Notice to Muzzle to be muzzled and leashed, and the owner shall not permit such a dog to be left in the control of a person under the age of sixteen (16).

16.3 A written warning and a Notice to Muzzle may be served by hand delivery or prepaid registered mail service and, in the event of service by prepaid registered mail service, shall be deemed received on the fifth (5th) day after the date of mailing.

16.4 Where the owner of a dog is served with a Notice to Muzzle, the owner may request a hearing before the Aurora Appeal Tribunal by delivering a notice to the Clerk in accordance with the provisions of the Aurora Appeal Tribunal By-law within fifteen (15) calendar days of deemed receipt of the Notice to Muzzle.

16.5 A request for a hearing under Subsection 16.4 does not act as a stay of the muzzling requirement under a Notice to Muzzle.

16.6 Upon receipt of a notice to appeal a Notice to Muzzle pursuant to Subsection 16.4, such a request shall be processed and handled in accordance with the Aurora Appeal Tribunal By-law.

16.7 Subject to the provisions of the Aurora A Tribunal By-law, if a request for a hearing is not provided to the Town Clerk in accordance with the provisions of the Aurora Appeal Tribunal By-law within fifteen (15) calendar days of deemed receipt of a Notice to Muzzle, such a Notice to Muzzle is deemed to be final.

PART V: CATS

17. REGISTRATION AND LICENSING

17.1 Every owner of a cat which is twelve (12) weeks of age and older, shall:

- (a) annually, and not later than February 15th in each year or within seven (7) days of becoming an owner at a later date, cause the cat to be registered, described and licensed with the Town pursuant to this by-law;
 - (b) complete an application for a license or for the renewal of a license on the forms provided by the Town which shall include the following information:
 - (i) name, address and telephone number of the cat owner;
 - (ii) name, age, gender breed and colour of the cat;
 - (iii) a valid rabies certificate which proves that the cat's rabies vaccination is current on the date of application or renewal of a license;
 - (iv) proof of sterilization from a qualified veterinarian, if applicable; and
 - (v) proof of a microchip implant, if applicable;
 - (c) securely affix on the collar of the cat, the cat tag issued by the Town or its representatives;
 - (d) in the event that a cat license is lost, obtain a replacement cat tag and pay the fee set out in Schedule "A" hereto;
 - (e) notify the Town in writing if the cat is sold, gifted or transferred to another person within fourteen (14) days of the change of ownership; and
 - (f) remain liable for the actions of the cat until formal written notification of sale, gift or transfer to another person is provided to the Town.
- 17.2 Notwithstanding Subsection 17.1, every owner of a cat under the age of twelve (12) weeks which has been impounded pursuant to this by-law shall register the cat and pay an annual cat license fee set out in Schedule "A" hereto.
- 17.3 A new resident of the Town shall not be required to pay a license fee for a cat if the license for said cat has already been obtained for the current year from another municipality to which he or she has previously been a resident, providing such license is forfeited to the Town or its representatives and payment is made for the cost of a replacement tag at the fee set out in Schedule "A" hereto.
- 17.4 No person shall:

- (a) own, keep, possess or harbour a cat in the Town of Aurora, or allow a cat to be owned, kept, possessed or harboured on his or her premises, unless the license fee, required by this by-law, has been paid in accordance with Schedule "A" hereto;
 - (b) own, keep, possess or harbour a cat unless a valid cat tag is kept securely fastened to the collar of the cat;
 - (c) affix a cat tag pursuant to this by-law to a cat other than the cat for which the cat tag has been issued; and
 - (d) knowingly give false information when applying for a license under this by-law.
- 17.5 Where a cat or cats are kept, possessed or harboured in or at one establishment or dwelling unit, as the case may be, within the Town of Aurora, they shall be deemed to be owned by the adult person residing at that establishment or dwelling unit. Where there is more than one adult person residing in an establishment or dwelling unit, for the purposes of this by-law, all such adult persons shall be deemed to jointly own any cats in such establishment or dwelling unit and shall be jointly and severally responsible for such cats and any license fee(s) as set forth in Schedule "A" hereto.
- 17.6 All licenses and tags issued pursuant to this by-law shall be serially numbered and a record of their issue shall be kept by the Town. Such registration shall, at a minimum, set out the name and address of the owner, the name of the cat and information as to the date of the cat's last anti-rabies inoculation and may contain such other information as may be required by the Manager.
- 17.7 Every license for a cat issued hereunder is personal to the owner thereof and may not be assigned or transferred.

18. NUMBER OF CATS RESTRICTED

- 18.1 No person shall keep, possess or harbour or permit to be kept, possessed or harboured more than three (3) cats within or about any dwelling unit or, in the case of an establishment does not contain any dwelling units, within or about such establishment, unless otherwise permitted under Subsection 18.3, except that any person who, on the date of the passage of this by-law, was lawfully keeping more than three (3) cats may keep such cats until they die or are disposed of in some manner.
- 18.2 Notwithstanding Subsection 18.1, where a property is zoned First (RA1), Second (RA2) or Third (RA3) Density Apartment Residential Zone, or any exception zones thereof, under The Zoning By-law of the Town of Aurora, no person shall keep, possess, harbour or permit to be kept, possessed or harboured more than two (2) cats within or about any dwelling unit on a property within such zones, unless otherwise permitted under Subsection

18.3, except that any person who, on the date of the passage of this by-law, was lawfully keeping more than the permitted amount of cats may keep such cats until they die or are disposed of in some manner.

18.3 Restrictions on the number of cats set out under Subsections 18.1 and 18.2 shall not apply to:

- (a) a veterinary hospital, clinic, office or veterinary service lawfully operated and supervised by a veterinarian licensed to practice in Ontario;
- (b) premises registered as a research facility in accordance with the *Animals For Research Act*, R.S.O. 1990, c. A.22, as amended, or any successor legislation thereto;
- (c) a kennel licensed by the Town in accordance with the Town's Licensing By-law; and
- (d) facilities that provide animal services that are legally operated on premises where the zoning permits such uses, such as pet shops, obedience schools, and animal daycare, grooming or spa facilities.

19. CATS AT LARGE

19.1 A cat shall be deemed to be running at large if found in any place, other than the lands or premises of the owner or a person keeping such a cat, and:

- (a) the cat is not leashed; or
- (b) the cat is leashed but not under the control of any person.

19.2 No person keeping a cat shall permit such a cat to run at large within the Town or allow such cat to cause damage or create a nuisance or disturbance either to another person, or another person's property, or to public property.

20. SEIZURE AND IMPOUNDMENT OF CATS

20.1 Where a cat is running at large, an Animal Control Officer may seize and impound such cat.

20.2 A record of every cat impounded or seized shall be kept, including the date it was impounded, a description of the cat, the license and tag number if it wore a tag, and the date of disposition and the disposition made.

21. RETURN OF IMPOUNDED CATS

21.1 Within twenty-four (24) hours of the impounding of a cat, every reasonable effort shall be made by Animal Control Officers to notify the owner, if

known, that the cat is impounded and the conditions whereby custody of the cat may be regained.

21.2 Where a cat has been impounded, it may only be returned to the owner:

- (a) if the owner claims possession of the cat within five (5) days after the date of seizure and impounding or later if permitted under this by-law or at the discretion of an Animal Control Officer where such cat is still impounded;
- (b) an Animal Control Officer is satisfied that the cat is licensed for the current year after identification of the cat by the owner and payment by the owner of the fee as set out in Schedule "A" hereto;
- (c) the cat owner and the cat are in compliance with any other provision of this by-law and any other applicable animal control legislation;
- (d) the owner has paid such fees for which he/she/it is liable pursuant to Subsection 21.3.

21.3 Where a cat is impounded, the owner shall be liable for and shall pay all of the following fees on demand to an Animal Control Officer:

- (a) the impound and daily maintenance fees as set out in the attached Schedule "A";
- (b) the costs incurred for veterinary care provided while the cat was impounded, if applicable;
- (c) the license fees as set out in the attached Schedule "A", where the cat is unlicensed; and
- (d) any other expenses incurred by the Town or its agents while providing care and shelter to the impounded cat.

22. DISPOSAL AND SALE OF IMPOUNDED CATS

22.1 In the event that any impounded cat has not been restored to the owner within five (5) days after seizure, the cat may be:

- (a) disposed of by an Animal Control Officer in a humane manner; or
- (b) sold, gifted, adopted-away or relocated by an Animal Control Officer for a price, if applicable, that the Animal Control Officer deems reasonable.

22.2 The Town or its authorized agents shall not be liable for damages or compensation arising from disposal, sale or transfer pursuant to Subsection 22.1.

- 22.3 Any proceeds from sale or disposal of a cat pursuant to Subsection 22.1 shall be the property of the Town, subject to any contract or agreement with any person or corporation providing animal services to the Town.
- 22.4 Where a cat which has been seized or impounded is injured or in a condition where it would be appropriate to destroy it without delay for humane reasons, an Animal Control Officer may dispose of such a cat in a humane manner as soon after impoundment or seizure as he/she thinks appropriate without permitting any person to reclaim the cat, taking any steps to identify and notify the owner, if any, of such a cat or taking any steps to sell, gift or transfer such a cat.
- 22.5 No cat disposed of by an Animal Control Officer shall be provided for research under the *Animals for Research Act*, R.S.O. 1990, c. A.22, as amended, or any successor legislation thereto and any regulations thereunder.

PART VI: ANIMAL LICENSING

23. ANIMAL LICENSING POWERS

- 23.1 The Manager shall review and process all applications for licenses and for renewal of licenses and issue such licenses or renewals, along with any tags, when an application is made in accordance with this by-law with respect to a domestic animal, provided that the applicant provides all the information and documentation required under this by-law, the appropriate fees and the ownership or keeping of such an animal is in compliance with the provisions of this by-law and any other animal control legislation.

PART VII: QUARANTINE AND DESTRUCTION

24. QUARANTINE

- 24.1 Every owner of a domestic animal that is suspected of having been exposed to rabies or which has bitten a person or another animal, shall, on demand, surrender such domestic animal to the Town, or to an agent of the Town, to be held by the Town, or its agent, in quarantine until such time as becoming satisfied that such animal does not carry or suffer from rabies or any other infectious or harmful disease.
- 24.2 Notwithstanding Subsection 24.1, at the discretion of the Medical Officer or the Manager, an animal may be held in quarantine on the premises of the owner, in a veterinary hospital, a kennel or other facility designated by the Medical Officer or the Manager.
- 24.3 An animal held in quarantine under Subsections 24.1 or 24.2 shall not be released from such quarantine without permission from the Medical Officer or the Manager.

24.4 Notwithstanding other provisions of this by-law, the Town, and its agents acting on behalf of the Town, may upon impoundment of a domestic animal hold such animal in quarantine until such time as becoming satisfied that such animal does not carry or suffer from any infectious or harmful disease.

25. DESTRUCTION

25.1 Any animal which is found to be rabid or suffering from other infectious disease, at the discretion of Medical Officer or Manager, may be immediately destroyed by the Town or Town agents in accordance with any applicable legislation.

PART VIII: OFFENCES, INSPECTIONS AND POWERS OF ENTRY

26. OFFENCES AND PENALTIES

26.1 Every person who contravenes any provision of this by-law or an order or direction of the Town issued pursuant to this by-law or the Municipal Act is guilty of an offence.

26.2 Any contravention of this by-law shall be deemed to be a continuing offence for each day or part of a day that the contravention remains uncorrected or an order or direction of the Town issued pursuant to this by-law or the Municipal Act is not complied.

26.3 All contraventions of this by-law or of orders issued by the Town pursuant to this by-law or the Municipal Act are designated as multiple offences.

26.4 Every person convicted of an offence under this by-law is liable to a maximum fine pursuant to the Municipal Act.

27. POWERS OF ENTRY AND INSPECTIONS

27.1 The Town may enter on land at any reasonable time for the purpose of carrying out an inspection to determine whether or not the following are being complied with:

- (a) the provisions of this by-law;
- (b) any direction or order, including the Notice to Muzzle, issued under this by-law or the Municipal Act;
- (c) any condition on a license issued under this by-law; or
- (d) an order issued under Section 431 of the Municipal Act.

27.2 Where an inspection is conducted by the Town, the person conducting the inspection may:

- (a) require the production for inspection of documents or things relevant to the inspection;
 - (b) inspect and remove documents or things relevant to the inspection for the purpose of making copies and extracts;
 - (c) require information from any person concerning a matter related to the inspection including their name, address, telephone number and identification; or
 - (d) alone or in conjunction with a person possessing special or expert knowledge, make examinations or take tests, samples or photographs necessary for the purpose of inspection.
- 27.3 The Town may undertake an inspection pursuant to an order issued under Section 438 of the Municipal Act.
- 27.4 The Town's power of entry, inspection and enforcement may be exercised by an Animal Control Officer, the Manager, Medical Officer or agent of the Town or by a member of a police force with jurisdiction, as well as by any person under his or her direction.

PART IX: GENERAL PROVISIONS

28. If any provision of this by-law or the application thereof to any person or circumstance is held to be invalid by a court of competent jurisdiction, the invalidity does not affect other provisions or applications of this by-law which can be given effect without the invalid provision or application, and to this end the provisions of this by-law are severable.
29. This by-law shall be known and may be cited as the "Animal Control By-law".
30. By-laws 4747-05.P and 4749-05.P, as amended, be and are hereby repealed.
31. This by-law shall come into full force and effect on the date of final passage hereof.

READ A FIRST AND SECOND TIME THIS 15th DAY OF JULY, 2014.

READ A THIRD TIME AND FINALLY PASSED THIS 15th DAY OF JULY, 2014.

GEOFFREY DAWE, MAYOR

STEPHEN M.A. HUYCKE, TOWN CLERK

Schedule "A" – Fees**1. Cat License Fees**

(1)	Regular License Fee	\$20.00
(2)	License Fee for Micro-chipped Cat	\$15.00
(3)	License Fee for Cat Owned by Resident Fifty Five (55) Years of Age or Older	\$10.00

2. Dog License Fees

(1)	Regular License Fee	\$30.00
(2)	License Fee for Micro-chipped Dog	\$22.50
(3)	License Fee for Dog Owned by Resident Fifty Five (55) Years of Age or Older	\$15.00
(4)	License Fee for Guide Dog or Service Animal	No fee with proper documents

3. Impound Fees

(1)	First Impound	\$20.00
(2)	Second Impound	\$30.00
(3)	Third Impound	\$50.00
(4)	Daily Maintenance Fee	\$15.00

4. Licensing Canvasser Fee \$10.00 per household

5. Replacement Fee for Lost Cat or Dog Tag \$3.00

THE CORPORATION OF THE TOWN OF AURORA
PART I - Provincial Offences Act
By-Law #5642-14: Animal Control

ITEM	COLUMN 1 Shortform Wording	COLUMN 2 Provision creating or defining offence	COLUMN 3 Set Fine
1	Fail to keep animal in a sanitary condition	Section 3.1	\$500.00
2	Keep animal on restraining device less than three (3) metres in length	Section 5.1	\$250.00
3	Dog - Fail to provide care	Section 6.1	\$500.00
4	Dog - Fail to license for the current year	Section 7.1 (a)	\$250.00
5	Keep more than three (3) dogs in a dwelling/establishment	Section 8.1	\$350.00
6	Dog - Fail to restrain on Private Property	Section 9.1	\$250.00
7	Dog - Fail to remove excrement	Section 10.1	\$250.00
8	Dog - Fail to remove excrement from dog owner's property	Section 10.2	\$250.00
9	Permit dog to run at large	Section 11.2	\$250.00
10	Permit dog to attack a person/animal	Section 15.2	\$500.00
11	Cat - Fail to license for the current year	Section 17.1 (a)	\$250.00
12	Keep more than three (3) cats in a dwelling/establishment	Section 18.1	\$350.00
13	Permit cat to run at large	Section 19.2	\$250.00
14	Fail to surrender animal for quarantine	Section 24.1	\$350.00

NOTE: The penalty provision for the offences indicated above is Section 61 of the Provincial Offences Act, R.S.O. 1990, c. P. 33.