

THE CORPORATION OF THE CITY OF NORTH BAYBY-LAW NO. 46-73

BEING A BY-LAW TO REGULATE THE KEEPING AND CONTROL OF ANIMALS; THE LICENSING AND RESTRAINT; TAKING UP AND IMPOUNDMENT; DESTRUCTION OF DOGS IN CERTAIN INSTANCES AND OTHER MATTERS OF ANIMAL CONTROL WITHIN THE CITY OF NORTH BAY.

THE COUNCIL OF THE CORPORATION OF THE CITY OF NORTH BAY ENACTS AS FOLLOWS:

1. For the purposes of this By-law
  - (a) "City" means The Corporation of the City of North Bay.
  - (b) "Owner" means any person, group of persons, partnership, or corporation owning, keeping or harboring a domesticated canine or canines, or other animals. "Owns" or "owned" shall have a corresponding meaning.
  - (c) "Kennel" means a place where dogs or dogs and other animals are kept, fed and sheltered and may be used for the purpose of breeding.
  - (d) "Veterinary Hospital" means any establishment, maintained and operated by a licensed veterinarian for the diagnosis and treatment of diseases and injuries of animals.
  - (e) "Dog" means a male or female dog, singular or plural.
  - (f) "Bitch" means the female of the domesticated canine species.
  - (g) "Spayed Female" means a bitch canine which has been operated upon for the removal of the ovaries and uterus by a licensed veterinarian to prevent conception.
  - (h) "Animal" means a live animal not with human vertebrae.
  - (i) "Animal Shelter" means any premises designated by the Humane Society for the purpose of impounding and caring for animals taken up by any officer appointed by the City under the provisions of this By-law or any employee of the Humane Society.
  - (j) "Humane Society" means The North Bay and District Society for the Prevention of Cruelty to Animals, a non-profit organization.
  - (k) "Animal Control Officer" means the person or persons designated by the City as the enforcement officer or officers.
  - (l) "At large" means that a dog shall be deemed to be running at large when found in a highway or other public place and not under the control of any person.
  - (m) "Restraint" means that a dog is on a chain, rope, leash, or within an enclosure or run, on his owner's property.
  - (n) "Exposed to Rabies" means a dog that has been in contact with any animal known to have been infected with rabies.
  - (o) "Peace Officer" means a Police Officer, Police Constable, Bailiff, Constable or other person employed for the preservation and maintenance of the public peace or for the service or execution of civil process.

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2. That all persons employed by the North Bay Humane Society shall be persons designated as Animal Control Officers for the purposes of enforcement of this by-law.
3. No person shall own, keep or harbour any dog within the limits of the City unless such dog is licensed according to the provisions set out in Schedule "A", which is attached and forms part of this By-law.
4. The owner of every dog shall cause such dog to be kept under restraint at all times from January 1st to December 31st inclusive, in each and every year and shall not permit such dog to be off the premises or property of the owner during the said months unless under the control of any person.
5. All dogs apprehended while running at large shall be taken up by a Peace Officer or the Animal Control Officer of the City and impounded in the animal shelter designated by Council, and there confined according to the provisions as set out in Schedule "B", which is attached and forms part of this By-law.
6. No person shall interfere with, hinder or molest any agent of the Humane Society or City in the performance of any duty of such agent, or seek to release any animal in the custody of the Humane Society or aforesaid agents, except as herein provided.
7. Any person or persons guilty of an infraction of any of the provisions of this By-law, shall, upon conviction thereof before the Provincial Court Judge, or any Justice or Justices of the Peace in or for the Municipality of the City of North Bay, forfeit and pay at the discretion of the Provincial Court Judge, Justice or Justices convicting, a maximum fine exclusive of costs of \$50.00 for each offence and a minimum fine exclusive of costs for each offence as follows:
  - (a) For a female dog during estrus found running at large a penalty of not less than \$25.00;
  - (b) For a dog found to be running at large when contrary to this By-law a penalty of not less than \$10.00;
  - (c) For a dog found to be running at large without a tag a penalty of not less than \$15.00;
  - (d) For harboring a dog not licensed in accordance with this By-law, a penalty of not less than \$10.00;


and all such penalties shall be recoverable under The Summary Convictions Act of the Province of Ontario.
7. By-law No. 1132 of the former Township of Widdifield, By-law No. 834 of the former Township of West Ferris, and By-law No. 2166 of the former Corporation of the City of North Bay are hereby repealed.

READ A FIRST TIME IN OPEN COUNCIL THIS 30TH DAY OF APRIL, 1973.

READ A SECOND TIME IN OPEN COUNCIL THIS 14TH DAY OF MAY, 1973.

READ A THIRD TIME IN OPEN COUNCIL AND FINALLY ENACTED AND PASSED THIS 14TH DAY OF MAY, 1973.

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 DEPUTY MAYOR

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 CITY CLERK

THIS IS SCHEDULE "A" TO BY-LAW NO. 46-73 OF THE CORPORATION OF THE CITY OF NORTH BAY

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- 1. (a) Every owner of every dog in the City shall annually, immediately following the 1st day of January and not later than the 1st day of February in every year, cause the same to be licensed for the current year by the City and pay the fee for the same fixed by this By-law.
- (b) Every owner of every dog shall cause the said dog when on or off the premises of the owner thereof but within the said City, to wear a collar or harness at all times, to which shall be attached the tag issued on the licensing of the said dog by the City for the then current year.
- (c) Every license issued under the provisions of this By-law shall expire on the 31st day of December in each year, next after issue thereof.
- 2. (a) Applications for a license shall be made to the City. The application shall state the name and address of the owner, the name, breed, sex, color and age of the dog. The license fee shall be paid at the time of making the application and a receipt given to the applicant. A numbered tag shall be issued to the owner, stamped with the year of its issuance on payment of the fee herein provided.
- 3. (a) The yearly license fee for every dog licensed under the provisions of this By-law shall be as follows:
  - (i) For a male dog if only one is kept \$ 4.00
  - (ii) For a second male dog kept \$ 6.00
  - (iii) For each additional male dog \$25.00
  - (iv) For a female dog if only one is kept \$ 6.00
  - (v) For the second female \$15.00
  - (vi) For each additional female dog \$50.00
- (b) Where the certificate of a veterinarian surgeon is produced at the time of the application to license a dog, showing that a female dog has been spayed, it shall be taxed at the same rate as a male dog.
- (c) Where an owner acquires a dog after the 1st day of February in any year, the owner shall forthwith comply with all the requirements and regulations of this By-law.
- (d) In the event that the tag shall become lost, the owner of the dog for which a tag was issued shall obtain a replacement tag upon the payment of a fee of .25 cents.
- (e) If there is a change of ownership of a dog or kennel during the license year, the new owner shall have the current license transferred to his name and pay the transfer fee of \$1.00.
- 4. No person shall use for any dog a license receipt, or a license tag issued for another dog.
- 5. (a) Veterinary hospitals, clinics and other premises operated by licensed veterinarians for the care and treatment of animals are exempt from the provisions of this By-law.

- (b) The licensing requirements of this By-law shall not apply to any dog belonging to a non-resident of the City and kept within the City for not longer than thirty (30) days, provided such dog has been currently licensed by another municipality and shall at all times while in the City be kept within a building, a vehicle, or be under restraint by the owner or any person.
- (c) Every license fee and license tag issued by another municipality for the license year, shall be recognized as a license fee and license tag for the year of such issue issued by the City provided:
  - (i) The owner notifies the Animal Control Officer of the date of issue of said license and license tag number, and
  - (ii) The owner was a bona fide resident of said other municipality at the date of issue, and
  - (iii) The owner is now a bona fide resident of the City of North Bay.

THIS IS SCHEDULE "B" TO BY-LAW NO. 46-73 OF THE CORPORATION OF THE CITY OF NORTH BAY

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1. The minimum period of time within which the owner of a dog that has been impounded has the right to redeem it, shall be three (3) days, excluding the day on which the dog was impounded and holidays shall not be included in calculating any redemption period.
2. After the expiration of the redemption period, all dogs impounded shall become the property of the Humane Society who may destroy them or dispose of them to new owners.
3. The owner of an impounded dog shall be entitled to regain the possession of such dog when
  - (a) There has been compliance with the license provisions of the By-law;
  - (b) Upon the payment of a \$10.00 impoundment fee;
  - (c) Upon the payment of any penalty imposed by any duly constituted court.
4. Any dog that has been impounded and has not been licensed for the current year shall have a license obtained for the then current year by any prospective owner before it shall be released by the Humane Society.