



TITLE: Animal Control Policy
NUMBER: ENF-001
CATEGORY: Enforcement
DATE: January 19, 2022
REFERENCES: By-Law 2022-04
Repeals By-Laws 2001-15, 2001-16, 2007-38

Purpose

1. Section 10 (2) 9 of the *Municipal Act, 2001* S.O. 2001 c25. authorizes the councils of municipalities to pass by-laws respecting animals.
2. Section 103 of the *Municipal Act, 2001* authorizes municipalities to impound animals which are at large in contravention of any such by-law.
3. Section 391 of the *Municipal Act, 2001* authorizes municipalities to impose fees or charges for services rendered.
4. Council considers it advisable to regulate animals to ensure that animals are kept and treated in a humane manner and that the owners of animals provide good quality care to them.

Accordingly, the Council of The Corporation of the Municipality of Centre Hastings enacts By-Law 2022-04 to adopt Animal Control Policy ENF-001.

Definitions: In this Policy,

“Administrative Fees” means any fees specified as set out in the current User Fees By-Law.

“Aggressive animal” means an animal which, in the opinion of the Animal Control Officer, the Municipal By-Law Enforcement Officer or their delegate, has demonstrated excessive and/or unprovoked aggression, or is of a threatening disposition.

“Aggressive, dangerous or vicious” means behaviour exhibited that, without mitigating factors, the animal has:

- attacked, bitten, or caused injury to a person, or
- demonstrated a propensity to do so, or
- attacked, bitten, or caused injury to a domestic animal, or
- been placed on an Order to Restrain and is kept or permitted to be kept by its owner in violation of the requirements of such order.

“Altered” means spayed or neutered.

“Animal” means any member of the animal kingdom or living beings, including mammals, birds and reptiles but excluding fish.

“Animal Control Officer” means the individual(s) appointed by council for the purpose of enforcing the provisions of this policy.

“Animal Enclosure” means an enclosed place for the keeping of animals and includes bird lofts, bird cages, pigeon coops, dog runs, dog pens, doghouse, rabbit hutches, catteries, and reptile tanks. Pastureland or fenced agricultural land used for livestock or

property where fencing has been erected on or along the property lines for the purposes of enclosing, shall not be deemed to be an animal enclosure.

“At large” means an animal that is in a place other than the property owned, or occupied by the owner, where that animal is not being kept on a leash by its owner or by another person acting on the owner's behalf, where permission has not been granted by that owner, excludes domestic cats.

“Attractant” means any substance which could be reasonably expected to attract a wild animal or animals or does attract wild animals, strays, feral or abandoned animals.

“Backyard Hen” means a domesticated biological female chicken that is a minimum of four (4) months old and is not located on a farm.

“Breeding” means the production of offspring.

“Built-up Area” means the area contiguous to the road where there are fronting on one side of the road, three or more dwellings, schools or churches within a distance of 152.4 m (500 feet) measured along the limit of the road.

“Business day” means any Monday, Tuesday, Wednesday, Thursday or Friday other than a public holiday.

“Clerk” means the person appointed by Council to carry out the duties of the clerk described in section 228 of the *Municipal Act, 2001*.

“Companion animal” means an animal specifically trained and used as a companion animal for persons with special needs and shall not include Livestock.

“Confining” means to prevent the animal from leaving the owner's property and coming into contact with other persons or animals who have not consented to contact; when used in connection with a dog that is the subject of an Order to Restrain at the owner's property, means that the dog must be restrained by means of an enclosure, fence, leash or tether in order to prevent the animal from leaving the owner's property.

“Control” includes care and custody.

“Council” means the Council of the Municipality of Centre Hastings.

“Daily care fee” means the ordinary cost for housing and feeding an animal per day.

“Dog” means a domesticated canine animal of the species *canis familiaris*, male or female.

“Domestic Animal” means an animal that is permitted in Canada, is not wild and is normally kept as a household pet or is domesticated for humane use or agricultural purposes.

“Dwelling” or “Dwelling unit” means a room or suite of two 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 inside and which is in a residentially zoned part of the Municipality.

“Enclosed property” means a pen or other enclosure that it prevents the animal from leaving the property and prevents contact with people and other animals.

“Exotic Animal” means any animal listed in Schedule A to this policy.

“Extreme weather” means a cold warning, heat warning or other weather warning alert issued by Environment Canada for weather in the municipality including but not limited to

extreme cold or hot weather, snowstorms, freezing rain, heavy rainfall, hurricanes, tornadoes and/or strong winds.

“Feed or feeding” means the deliberate act of furnishing or making food or other substances available which is likely to be consumed by wild animals, strays, feral or abandoned animals.

“Hen Coop” means a fully enclosed weatherproof and tamperproof building where Backyard Hen(s) are kept and which the interior includes nest boxes for egg laying, perches, and food and water containers.

“Hen enclosure” means the sum of the hen run and hen coop.

“Hen run” means a secure enclosure that allows Backyard hen(s) access to the outdoors.

“Household pet” means a domestic animal that is kept for companionship.

“Humane Society of Quinte” means the local animal shelter and affiliate of the OSPCA from which animals may be redeemed or lawfully adopted.

“Impound” means the animal is taken into custody and transported to a pound and held as per this policy.

“Keep” means to have temporary or permanent control or possession of an animal, and the words “kept” or “keeping” have a similar meaning.

“Kennel” means a facility licenced by the municipality dealing with the business of breeding, buying, selling, boarding or training of dogs.

“Leash” means a strap, cord or chain which is designed to restrain the breed of animal it is controlling, and it may not exceed 1.8 metres (6 ft.) long.

“Leash free park” means a park identified by Council as an enclosure where dogs are permitted to run free.

“Licence” means a licence issued pursuant to this policy.

“Licencing officer” means a person appointed by Council under section 15 of the *Police Services Act* to enforce the by-laws and policies of the Municipality.

“Livestock” means domestic farm animal (i.e. horse, donkey, pony, mule, jackass, bovine, bull or heifer, goat, swine, deer, elk, mink, fox, sheep, chinchilla) and fowl that are kept for agricultural purposes; as designated as livestock under the Livestock and Livestock Products Act O. Regulation 318/99, the Livestock Community Sales Act; and such additional class or classes of animals as are prescribed in the regulations made under the Livestock Identification Act;

“Livestock Guardian Dog” means a dog that works and/or lives with domestic farm animals (i.e., cattle, sheep, goats) to protect them while aggressively repelling predators and is used exclusively for that purpose.

“Microchip” means an approved “Canadian Standard” encoded identification device implanted into an animal, which contains a unique code that permits or facilitates access to owner information, including the name and address of the owner, which is stored in a central data base.

“Municipal Law Enforcement Officer” means a person appointed by Council under section 15 of the *Police Services Act* to enforce the by-laws and policies of the municipality and includes the Animal Control Officer and the By-law Enforcement Officer.

“Municipal property” means all property owned, leased or under the control of the municipality, and without limitation, this term shall include all parks, open space, opened or unopened road allowances, sidewalks, footpaths or bicycle trails.

“Municipality” means the Corporation of the Municipality of Centre Hastings.

“Muzzle” means a humane fastening or covering device of adequate strength placed over the mouth of an animal to prevent it from biting and the words “muzzled” and “muzzling” have similar meaning.

“Muzzled dog” means a dog wearing a muzzle in the manner anticipated by the manufacturer of the muzzle.

“Occupied” means being in possession of a property or part of a property, for example, as a result of a tenancy agreement or as an invited guest.

“Order to restrain” means the order issued by a Municipal Officer or Police Officer in accordance with the provisions of this policy.

“OSPCA” means the Ontario Society for the Prevention of Cruelty to Animals.

“Owner” includes any person who possesses, keeps or harbours an animal and, where an owner is a minor, includes the person who is responsible for the care, control or custody of the minor; and the word “owns” has a similar meaning.

“Park” means a public area controlled by the municipality and set aside for use by the public for rest, recreation, exercise, pleasure, amusement and enjoyment, and includes playgrounds, sports fields, wading and swimming areas, public pathways and trails.

“Person” means an individual, partnership, association, firm or corporation.

“Pet store” means a business that sells live animals as household pets.

“Police Service dog” means a dog trained for and engaged in law enforcement by any federal, provincial, or municipal government agency.

“Pound” means a contract authorized facility in which animals impounded under the authority of this policy are kept.

“Premises” includes a dwelling unit, a house or building and the land or premises on which the building or house is situated or attached.

“Property” means a parcel of land including any buildings or other structures on the land.

“Protective care” means the temporary keeping of an animal as a result of an eviction, incarceration, medical or fire emergency, or any other situation as approved by the Animal Control Officer, for the health and safety of the animal.

“Restrained” means under control and were used in connection with a dog which is the subject of an Order to Restrain means the said dog will be controlled by one or more of being muzzled, leashed with a leash no longer than 1.8 metres (6 feet) in length and under the care and control of a person who is at least 16 years of age with sufficient strength to control the dog.

“Sanitary Condition” means a condition that does not result in an accumulation of fecal matter, odour, insect infestation, or rodent attractants which could endanger the health of any person or animal. The definition shall not be interpreted in such a way as to restrict livestock or farm practices regulated by other legislation.

“**Sanitize**” means to clean for the purpose of controlling disease-producing organisms and “sanitized” has a corresponding meaning.

“**Shelter**” means a recognized facility that provides fostering or treatment programs for dogs that have been abandoned, abused or injured.

“**Service Animal**” means a guide dog and other trained service animal identifiable by proper identification and used principally to assist persons with a disability or impairment, includes a Police Service Dog.

“**Tag**” means a conventional tag or any other device that sets out the identification number of every dog that is registered within the municipality.

“**Tether**” means a rope, chain or similar device which is used to tie, secure an animal to a post, wall, or other such structures, so that the animal will stay in a particular area on a property.

“**Veterinary hospital or clinic**” means premises for the medical treatment of dogs under the supervision of a licensed veterinarian.

“**Without provocation**” means in the absence of teasing, tormenting, abusing or assaulting actions upon the dog or its owner, either in the past or in the present, by the person or domestic animal which has been bitten by the dog.

“**Wild Animal**” means all mammals, birds, and reptiles, other than domestic animals, including feral cats and wild dogs.

Section 1.00 Interpretation

1.01 **Regulation:**

- (1) Except as otherwise provided, the regulations established by this policy apply to all animals and to their owners within the boundaries of the municipality.
- (2) The schedules attached to this policy form part of the policy and are enforceable as such.
- (3) The words “include” and “including” are not to be read as limiting the meaning of a word or term to the phrases or descriptions that follow.
- (4) Except as otherwise provided, the fees established by this policy shall be in accordance with the fees established within the current User Fees By-law of the municipality and apply to all animals and their owners.

1.02 **Statutes:** References to laws in this policy are meant to refer to the statutes, as amended from time to time that are applicable within the Province of Ontario.

1.03 **Severability:** If a court or tribunal of competent jurisdiction declares any portion of this policy to be illegal or unenforceable, that portion of this policy shall be considered to be severed from the balance of the policy, which shall continue to operate in full force and effect.

Section 2.00 Licencing and Registration of Dogs

2.01 **Registration:** Every owner of a dog that has reached the age of 28 weeks shall make application to register the dog with the municipality for an annual dog tag.

- 2.02 **Registration Procedure:** A dog shall be registered at any municipal service centre, or in any other manner adopted by the municipality by providing the necessary information and paying the prescribed fee. It is an offence for an owner of a dog to provide false information about the dog being registered.
- 2.03 **Issuance of Tag:** Upon registration with the Municipality's Docu Pet Licensing Program, a dog will be included in the dog identification system by means of the issuance of a tag.
- 2.04 **Wearing of Tag:** Every tag that is issued shall be kept securely fixed on the dog at all times when the dog is in a place other than the dwelling of its owner.
- 2.05 **Replacement of Tag:** An owner of a dog or another person acting on the owner's behalf may obtain a replacement for a tag that has been lost or destroyed by paying the prescribed fee as outlined in the User Fees By-Law.
- 2.06 **Exemptions:** The requirement for annual registration set out in section 2.01 does not apply to dogs in a:
- pound or shelter.
 - veterinary hospital or clinic.
 - kennel which holds a valid licence from the municipality.
 - pet store.
 - police dogs.
- 2.07 **Livestock Guardian Dog Exemption:** The owner of a licenced Livestock Guardian Dog may remove the tag from a Livestock Guardian Dog's collar while the dog is being actively used for Livestock protection to repel predators, provided that the owner provides for alternative means of identification.

Section 3.00 Kennel Licences

3.01 Requirements:

- (1) No kennel licenses will be issued for property located in the Urban Centre or in the Hamlets of Fuller, Roslin, Moira, Ivanhoe or Crookston.
- (2) No person shall operate a kennel without first obtaining a kennel license and paying to the Municipality, prior to the 31st day of March in each calendar year, the kennel fees as set out in the current User Fees By-Law. Upon the payment of the kennel fee the owner is not liable to pay a further fee in respect of such dogs.
- (3) No person shall establish a new kennel except in accordance with the uses established by the applicable Zoning By-law and unless it is separated from a residential use, other than that of the owner of the kennel, by a distance not less than 45 m (150 feet).
- (4) Applications for permission to establish a dog kennel shall be filed, by the assessed owner of the property, with the Clerk of the Municipality, signed by the owner and shall include particulars as to the location, type of enclosure, breed and the maximum number of dogs to be kept in the enclosure.
- (5) The location distances which are included on the application for permission to establish a dog kennel shall be verified by the Municipal By-law Enforcement Officer.

- (6) Abutting property owners within 213.4 m (700 feet) of the lot on which the proposed kennel is to be located, shall be notified of the application, for their input.
- (7) An application under this policy shall be considered by Council at an open public meeting and any other person may be heard either in support of or in opposition to the proposed kennel. Council shall by resolution determine whether to grant or deny the application and such decision shall be conveyed in writing to the applicant by the Clerk.
- (8) No kennel shall be located within 304.8 m (1000 feet) of a built-up area.
- (9) The owner or operator of a kennel shall provide adequate care and control of each dog and shall submit to an annual inspection by the Animal Control Officer. This Officer may request an inspection report by a Veterinarian, the District Health Inspector and/ or an Ontario Society for the Prevention of Cruelty to Animals (O.S.P.C.A.) agent and may revoke the kennel license if the premises does not conform to the standards set out in this policy or upon recommendation by the above Inspector(s).

Section 4.00 Order to Restrain and Appeals - Dogs

- 4.01 **Order to Restrain**: Where a dog exhibits aggressive, dangerous, or vicious behaviour towards a person or domestic animal, a Municipal Law Enforcement Officer may issue an "Order to Restrain" to the owner or person responsible for the dog.
- 4.02 Any **Order to Restrain** may include but is not limited to:
 - (1) confining the dog to the owner's property.
 - (2) restraining the dog with a leash.
 - (3) restraining the dog with a muzzle.
 - (4) the posting of warning signs.
- 4.03 **Underage**: An owner or person responsible for the dog which is the subject of an Order to Restrain shall ensure that the dog is under the control of a person at least sixteen (16) years of age when the dog is not on the owner's premises.
- 4.04 **Transfer of Ownership**: An owner or person responsible for the dog which is the subject of an Order to Restrain shall notify the Municipal By-Law Enforcement Officer within five (5) days of transfer if the dog is transferred to a new location or if the ownership of the dog is transferred to another person.
- 4.05 **Compliance**: Every owner or person responsible for the dog shall at all times comply with an Order to Restrain.
- 4.06 **Appeal of Order to Restrain**:
 - (1) If the owner or person responsible for the dog disagree with the Order to Restrain, he or she may appeal the Order to Restrain to the Municipal By-Law Officer within 7 days of receipt of said order by filing a "Notice to Appeal.
 - (2) Upon receipt of notification of an appeal, the Municipal By-Law Officer shall prepare a report for the consideration of the CAO/Clerk. The Applicant and any other interested party shall be provided with a copy of the decision.
 - (3) The Order to Restrain shall remain in full force and effect between the

date of the Order to Restrain and the date of the decision of the CAO/Clerk, the owner or person responsible for said dog, shall comply with all the requirements as outlined in the Order to Restrain.

- (4) At such time as the CAO/Clerk makes the decision to confirm, modify or quash the Order to Restrain, the decision shall be final, and binding and the owner of the dog shall comply therewith.
- (5) Within seven (7) days of the decision, the CAO/Clerk shall provide a written decision letter to the Applicant.
- (6) An Order to restrain only expires upon the provision of proof that the dog is deceased, or the Animal Control Officer/ By-Law Officer is satisfied that it no longer resides in the municipality.

Section 5.00 Feeding of Wild Animals

5.01 **Feeding of Wild Animals:** No person shall intentionally feed wild animals or leave food or attractants of any type, in any form and in such a manner as to attract, be accessible to wild animals, feral or stray domestic animals.

5.02 **Exemptions:** Section 5.01 does not apply in the following situations:

- (1) The leaving of food as bait for the purposes of hunting or in a trap by a property owner or person authorized to legally hunt or to capture a nuisance wild animal inhabiting or habituating their property pursuant to the Fish and Wildlife Conservation Act, 1997, S.O.1997, c.41 or other hunting regulation.
- (2) The leaving of food as bait by a licensed trapper, and employee of a licensed wildlife or pest control agency, a Municipal Law Enforcement Officer, an Ontario Society for the Prevention of Cruelty to Animals Inspector or a Police Officer, in the performance of their work.
- (3) The leaving of food for a colony of stray or feral cats.
- (4) The feeding of birds on a property provided the owner or occupier places seed in a bird feeding device that is sufficiently above grade and maintained in a sanitary condition.

Section 6.00 Keeping of Animals – General Provisions

6.01 **Animal Welfare:** Every owner of an animal shall treat the animal in a human manner, as provided in the Ontario Society for the Prevention of Cruelty to Animals Act, Ontario Regulation 60/09, Standards of Care and Administrative Standards.

6.02 **Tethering:** No person shall tether an animal using a choke chain or a prong type collar.

6.03 **Tethering Device:** Notwithstanding section 6.02 of this policy and normal farming practices, a tether restraining device used to tether an animal must:

- (1) be at least three (3) metres long (9.84 feet).
- (2) be attached to a permanently fixed object.
- (3) allow the animal to move safely and unrestricted (except by the length of the tether).
- (4) allow the animal to have access to adequate water, shelter; and
- (5) be designed to prevent injury to the animal.
- (6) Nothing under this section requires the municipality to assume responsibility concerning distress or care of an animal, which is the obligation of the OSPCA.

6.04 **Prohibited Animals**: No person shall keep, or cause to be kept, any animals listed in Schedule "A",

6.05 **Exemptions**: It is permissible to keep any animal of the kind listed in Schedule A in the following places or circumstances:

- (1) In a veterinary hospital under the care of a licenced veterinarian,
- (2) In a zoo or wildlife sanctuary,
- (3) In a designated pound or shelter,
- (4) At a farm operation involving alternative livestock animals where such use is permitted by the Municipality of Centre Hastings Zoning By-law and providing that the animals are kept in a secure, humane, and escape-proof cage, tank, or enclosure.

6.06 **Backyard Hen Exemption**: No person shall keep on his or her premises backyard hens except where:

- 1) The premises consists of lands zoned (RU)
- 2) A hen coop and hen run are provided on the premises.
- 3) No owner is permitted to keep more than six (6) backyard hen(s) at any time on a property zoned (RU) .
- 4) The keeping of a rooster is strictly prohibited.

6.07 **Number of Animals**: No person shall keep, or cause to be kept, more than three (3) dogs, three (3) cats or a total of six (6) individual animals, except:

- (1) a licensed pet shops.
- (2) a Police Canine Unit.
- (3) a kennel licensed by the Corporation.
- (4) a security firm licensed and authorized by the Province of Ontario to provide guard dog services.
- (5) where the keeping of animals is on lands zoned and used for agricultural, agricultural support or agriculturally related purposes.

6.08 **Exemptions**: Section 6.05 does not apply to:

- (1) an animal hospital or clinic that is lawfully operated and supervised by a veterinarian licensed by the Ontario Veterinary Association.
- (2) a pound or shelter lawfully operated by or under license by the municipality, or the Quinte Humane Society and Quinte branch of the Ontario Society for The Prevention of Cruelty to Animals (OSPCA).
- (3) any organization permitted by law to provide protection and humane treatment of animals.
- (4) any person while rendering emergency treatment to an injured or abandoned animal.
- (5) persons operating "agriculture" operation including farming in all its branches, including but not limited to dairying, beekeeping, aquaculture, the raising of livestock including non-traditional livestock, furbearing animals and poultry, including eggs, and any practices performed as an integral part of an agricultural operation.

- 6.09 **Restriction – Livestock or Agricultural Animals**: No person shall keep livestock or agricultural animals such as but not limited to a horse, donkey, pony, mule, jackass, bovine, bull, heifer, goat, swine, mink, fox, sheep, chickens, peafowl in any premises or on property that is zoned and primarily used for residential purposes as defined in the applicable Zoning by-law.

Section 7.00 Keeping of Animals

- 7.01 **Requirement to Clean Up**: Every owner and other person, who is in control of an animal, shall immediately remove any excrement left by the animal on any property other than a property owned or occupied by the owner.
- 7.02 **Mode of Clean Up**: If an Animal is on any public or private property other than the property of its Owner, the animal Owner shall have in his possession a suitable means of facilitating the removal of the Animal's feces.
- 7.03 **Being at Large**: No owner shall cause or permit his or her animal to be at large; this section shall not apply to domestic cats.
- 7.04 **Exemption**: An animal shall not be deemed to be at large, if, without being kept on a leash or lead, it is on a property other than a property owned or occupied by its owner with the express permission of the owner or occupant of that property or with its owner at a leash free park. **This exemption will include farm practices that include Livestock movement, such as a cattle drive, between properties, where the activity is supervised and monitored.**

Section 8.00 Animal Enclosures

- 8.01 **Requirements**: Every owner of an animal shall ensure that the animal enclosure provided for the animal meets the following requirements, regardless of whether the animal enclosure is located indoors or outdoors:
- 1) The animal enclosure shall be of a size and in a condition such that the animal may:
 - a) extend its legs, wings, and body to their full natural extent.
 - b) stand, turn around and lie down.
 - c) sit; and
 - d) perch.
 - 2) Every reptile and amphibian shall be provided with an enclosed space adequate for the needs of the species.
 - 3) The enclosure is of such a nature and condition that the animal contained therein would not be harmed and its health would not be negatively affected for the reason of being placed in such an animal enclosure.
 - 4) Every animal contained therein may be readily observed unless the natural habits of the animal require otherwise.
 - 5) The animal enclosure shall be sufficiently lit, ventilated, and kept in a clean and sanitary condition.
 - 6) The animal enclosure is kept free of offensive odour.
 - 7) The animal enclosure (except for doghouses) is escape proof.

- 8.02 **Agriculture Purpose**: Section 8.01 shall not be interpreted to regulate a Livestock animal enclosure on lands zoned and used for agricultural purposes.
- 8.03 **Enclosure Requirement**: No person shall keep, or cause to be kept, a reptile, insect or amphibian permitted under this policy outside a building or structure unless it is in an animal enclosure.

Section 9.00 Seizure and Impoundment

- 9.01 **Impoundment**: Any domestic animal found at large in contravention of this policy may be impounded by a municipal law enforcement officer or police officer and taken to a pound or facility. This section shall not be used to impound Livestock found to be at large.
- 9.02 **Injured or Vicious Animals**: Despite section 9.01, any animal found at large in contravention of this policy that is gravely injured or that is exhibiting the characteristics of viciousness to such an extent that a municipal law enforcement officer or police officer attending the animal fears for his or her own health or safety or the health and safety of others in the vicinity, may be destroyed immediately at the officer's sole discretion.
- 9.03 **Recovery of Impounded Animals**: The owner of an impounded animal or another person acting with the authorization of the owner may recover the animal from the Animal Control Officer within 24 hours, failing which the animal will be transported and released to the Quinte Humane Society, and in order to do so shall be required to pay the current fee for each day or portion of a day that the animal has been in the pound and all costs incurred by the municipality in impounding the animal, including the full amount of any emergency veterinary care that was required for the animal and administration fee, as set out in the User Fees By-law.
- 9.04 **Recovery of Unregistered Dogs**: If the animal is a dog and it has reached the age of 28 weeks, the owner shall, in addition to paying the costs set out in section 9.03, be required to register the dog in the manner set out in section 2.

Section 10.00 Surrendering of Animals

- 10.01 **Surrender Ownership**: An owner of an animal may give up ownership of the animal by surrendering the animal to Municipal Law Enforcement, a member of a Police Service or the Municipalities approved Pound.
- 10.02 **Ownership and Possession**: By surrendering the animal, the owner is deemed to have relinquished all rights of ownership and possession of the animal.
- 10.03 **Fees**: To surrender the animal, the owner shall pay the appropriate fees as required under the applicable User Fees By-law.

Section 11.00 Quarantine of Animals

- 11.01 **Quarantine Requirements and Fees**: This section shall not apply to agricultural Livestock.
- 11.02 **Quarantine Process**: If, in the opinion and by the direction of the Hastings and Prince Edward Health Unit inspector, bites of persons by animals or contacts to persons that may result in human rabies, may result in the animal being put into quarantine by the Municipal Law Enforcement Division in addition to other regulation or direction, the owner of the animal shall:

- 1) quarantine the animal, in premise or property, as per the direction of the Health Inspector; or
- 2) bring or ensure that the animal is brought to the Municipalities approved pound facility to be put in quarantine; if the owner is not able to transport the animal, the animal shall be transported by or on behalf of the Municipal Animal Control Officer.
- 3) be responsible for the costs associated with the quarantine, including the costs of any transportation costs, veterinary care required for the animal and any other daily care fees as provided in the applicable User Fees By-law.

Section 12.00 Municipal Liability

12.01 **Damages or Compensation:** The Corporation, its officers, employees and agents shall not be liable for damages or compensation for any animal euthanized under the provisions of this policy and no such damages or compensation shall be paid to any person.

Section 13.00 Offence

13.01 **Enforcement:** This policy may be enforced by every municipal enforcement officer and police officer.

13.02 **Obstruction:** No person shall hinder or obstruct, or attempt to hinder or obstruct, any person exercising a power or performing a duty under this policy.

13.03 **Offence and Penalty:** It is an offence for a person to contravene any provision of this policy, and every person who contravenes this policy is guilty of an offence and, on conviction, is liable to a fine in accordance with the provisions of the *Provincial Offences Act*, R.S.O and to any other applicable penalty.

13.04 **Multiple Offences:** The conviction of a person for the contravention of any provision of this policy shall not operate as a bar to a prosecution against the same person for any subsequent or continued contravention of this policy.

13.05 **Court Order:** If this policy is contravened and a conviction entered, the court in which the conviction has been entered and any court of competent jurisdiction thereafter may, in addition to any other remedy and to any penalty that is imposed, make an order prohibiting the continuation or repetition of the offence by the person convicted.

Schedule "A" Prohibited Animals

Class	Order	Common Names
Mammals	Artiodactyl	<p>All species purely or partially of the order Artiodactyl (Even-toed ungulates) (cattle, goats, sheep, pigs, deer, elk, hippopotamus, etc.)</p> <p>Except where the animals are kept as agricultural Livestock</p>
	Carnivora	<p>All species purely or partially of the order Carnivora [panda, otter, wolves, bears, seals, walruses, coyotes, foxes' hybrid, wolf dogs, tigers, leopards, cougars, lions, lynx, hyaenas, minks, skunks, weasels, otters, badgers, mongoose, civets, genets coatimundi, cacomistles, raccoons, African wildcats, savannah cat, jungle cat, serval cat, European wildcat, Chinese mountain cat, sand cat etc.]</p> <p>Except common domestic dogs, common domestic cats, and ferrets</p>
	Chiroptera	<p>All species purely or partially of the order Chiroptera [bats, myotis, flying foxes, etc.]</p>
	Edentates	<p>All species purely or partially of the order Edentates [anteaters, sloths, armadillos, etc.]</p>
	Lagomorpha	<p>All species purely or partially of the order Lagomorpha [hares, pikas, etc.]</p> <p>Except domestic rabbits</p>
	Marsupial	<p>All species purely or partially of the order Marsupial [koala kangaroo, possum, wallabies, etc.]</p>
	Primates	<p>All species purely or partially of the order Primates [chimpanzees, gorillas, monkeys, lemurs, etc.]</p>
	Perissodactyl	<p>All species purely or partially of the order Perissodactyl (odd-toed ungulates)</p> <p>[horses, donkeys, jackasses, mules, zebras, ponies, rhinoceros, etc.]</p> <p>Except where the animals are kept as agricultural Livestock</p>

Schedule "A" Prohibited Animals

	Proboscidea	All species purely or partially of the order Proboscidea [elephants, etc.]
	Rodentia	All species purely or partially of the order Rodentia [porcupines, prairie dogs, nutria etc.] Except rodents which do not exceed 1,500 grams and are derived from self sustaining captive populations
Reptiles	Crocodylian	All species purely or partially of the order Crocodylian [alligators, crocodiles, gavia, caymans, etc.]
	Squamata (scaled reptiles)	All Squamata purely or partially of the following species: <ul style="list-style-type: none"> • The genus Eunectes [Anacondas] • Morelia amethystina [Amethystine and Scrub pythons] • Python molurus [Indian python, Indian rock python, Burmese python] • Python sebae [African rock python] • Python reticulatus [Reticulated python] • Varanus niloticus [Nile monitor] • Varanus salvadorii [Crocodile monitor] • Varanus salvator [Water monitor] • Varanus varius [Lace monitor] • Varanus giganteus [Perentie – Monitor Lizard] • Varanus komodoensis [Komodo dragon] • The family Viperidae [True vipers, Fea’s viper, Night adders, Rattlesnakes, etc.] • The family Elapidae [Cobras, Mambas, Kraits, Coral snakes, etc.] • The subfamily Hydrophiinae [Sea snakes, Coral reef snakes, etc.] • The genus Dispholidus [Boomslang snakes] • The genus Thelotornis [Twig snakes] • The genus Rhabdophis [Keelbacks] • The genus Atractaspis [Burrowing vipers, Mole vipers, etc.] • Philodryas viridissimus [South American green racer] • The family Helodermatidae [Gila monster, Beaded lizards] <p>Lizards which reach an adult length larger than 2 meters when measured from snout to tail.</p> <p>Snakes which reach an adult length larger than 3 meters when measured from snout to tail.</p>
Birds	Anseriformes	All species purely or partially of the order Anseriformes

Schedule "A" Prohibited Animals

		[ducks, geese, swans, screamers, etc.] Except where the animals are kept as agricultural Livestock
	Galliformes	All species purely or partially of the order Galliformes [pheasants, grouse, guineafowls, turkeys, chickens, pea fowls, etc.] Except where the animals are kept as agricultural Livestock. See section 6.06 for Backyard hen exception.
	Struthioniformes	All species purely or partially of the order Struthioniformes [ostriches, rheas, cassowaries, emus, kiwis, eagles, hawks, falcons, owls, etc.] Except agricultural livestock and birds kept for falconry.
Arachnida	Araneae	All Araneae purely or partially of the following species: <ul style="list-style-type: none"> • The family Ctenidae [Wandering spiders] • The genus Latrodectus [Black widow spiders] • The family Sicariidae [Brown recluse spider, Assassin spider, etc.] • The family Hexathelidae [Australian Funnel web spiders]
	Scorpions	All species purely or partially of the family Buthidae [Fat tailed scorpions, Bark scorpions, etc.]
<ul style="list-style-type: none"> • Poisonous or venomous animals – including but not limited to spiders, snakes, lizards, and insects. 		

SCHEDULE 'B'
ANIMAL CONTROL OFFICER
DUTIES AND RESPONSIBILITIES

The Animal Control Officer works under the direction and guidance of the By- law Enforcement Officer and is responsible for the following:

1. To provide animal control services in accordance with the provisions of the Municipal Act, the Provincial Offences Act and the Municipality of Centre Hastings Animal Control Policy ENF-001.
2. To employ and supervise sufficient Animal Control Officers, who shall be Provincial Offences Officers, to patrol the municipality and shall provide such officers with adequate vehicles and formal identification.
3. To respond to calls between the hours of 7:00am and 7:00 pm, excluding Sundays and statutory holidays.
4. To provide emergency services only between the hours of 7:00pm and 7:00am and during statutory holidays.
5. To investigate all complaints from the public relating to Animal Control, and ensure proper action is taken with same, and provide record of same.
6. To submit monthly reports to Council regarding complaints and actions taken.
7. To seize and impound for claiming by the owners all dogs running at large within the Municipality.
8. To maintain or have access to a dog pound in accordance with the regulations provided by the Ministry of Agriculture, Food and Rural Affairs.
9. Every dog seized and impounded will be given for adoption to the Quinte Humane Society after the expiration of twenty-four (24) hours from the following day after impoundment unless, prior to the expiration of the twenty-four (24) hours, the owner of the dog has reclaimed the dog(s) and paid to the Animal Control Officer the fees engendered in the impoundment period. The Animal Control Officer will have them complete the application and collect the fee to purchase a current dog tag (per animal) as per the contract negotiated with the municipality and, failing that, will issue the owner a notice to pay.
10. For any dogs that are not reclaimed, the Municipality will pay the Animal Control Officer the applicable fees, plus mileage.
11. Invoices are to be submitted monthly to the Municipality for payment.