

**The Corporation of the City of Pembroke**

**By-Law Number 2021-75**

**Being a by-law to regulate the keeping and control of animals, or any class thereof, the animal identification system, licensing and restraint of dogs and cats and certain other aspects of animal control within the City of Pembroke**

**Whereas** Section 210 of the Municipal Act, R.S.O. 1990, Chapter M.45, provides that Council may pass by-laws prohibiting, regulating and restricting the keeping of animals or any class thereof, the destruction thereof and allow for a licensing and animal identification system pursuant to the provisions thereof; and

**Whereas** Section 20 of the Animals for Research Act, R.S.O. 1990, Chapter A.22, provides for the impounding and sale or destruction of any cat or dog pursuant to the provisions thereof; and

**Whereas** the Dog Owners' Liability Act, R.S.O. 1990, chapter D.16, provides for the protection of persons and property; and

**Whereas** the Ontario Police Services Act, R.S.O. 1990, Chapter P.15, as amended, provides that Council may appoint Municipal Law Enforcement Officers to enforce all municipal by-laws; and

**Whereas** the Ontario Game and Fish Act, R.S.O. 1990, Chapter G.1, Section 82, provides for the prohibition of keeping or harboring of wild animals;

**Now Therefore** the Municipal Council of the Corporation of the City of Pembroke Enacts as Follows:

**1. Definitions:**

As used in this by-law, the following terms shall have the meaning hereinafter ascribed to them:

"Animal" means any member of the animal kingdom other than a human.

"Animal Control Officer" means a person appointed or employed by the Corporation of the City of Pembroke for the purposes of supervising all animal husbandry matters within the limits of the City of Pembroke and shall also be appointed a Municipal Law Enforcement Officer responsible for the enforcement and provision of this by-law and related Provincial Offences by authority of the Ontario Police Services Act.

"Animal Control – Municipal Law Enforcement Officer" means a person appointed by the Corporation of the City of Pembroke for the purposes of enforcing the provisions of this by-law and related provincial offences by authority of the Ontario Police Services Act, 1990, Chapter P.15, Section 15.

"Animal Shelter" means any premises authorized by the Corporation for the purpose of quarantines, impounding, caring of and lawful adoption.

"At Large" – any animal will be deemed to be at large when it is off the property of its owner and not under control of a competent person.

"Bite" means an action with the mouth of any dog or cat on any person or animal that result in contact.

"Cat" shall mean any feline over the age of three (3) months of any domesticated cat or crossbreed domesticated cat.

"Corporation" shall mean the City of Pembroke.

“Dog” shall mean *Canis Familiaris*, male or female, over the age of three (3) months and shall not include wolf or fox or any other wild or part wild species of *Canis Familiaris*.

“Exhibit” means an exhibition of animals permitted and/or prohibited by this by-law.

“Grandfathered Pit Bull Dog” shall mean a defined Pit Bull dog for which a valid Pit Bull Dog license was issued by the Animal Control Officer for the City of Pembroke and was either born in Ontario between August 29, 2005, and November 26, 2005, or owned by a resident of Ontario on August 29, 2005.

“Immunization” shall mean to protect against disease by annual inoculation of immunizing serums and vaccines.

“Kennel” shall mean any person, group of persons, partnership or corporation engaged in the commercial business of breeding, buying, selling, or boarding of dogs and cats.

“Leash” includes any form of lead or restraint which does not exceed two (2) meters in length and has the capability to control an animal from annoying, bothering, or irritating persons or other animals.

“Microchip” shall mean an object which may be permanently implanted in a dog by injection or surgical procedure, which is programmed to store a permanent identification number and is capable of relaying stored information to a scanning device.

“Medical Officer of Health” means the Medical Officer of Health for the County of Renfrew or authorized assistants acting under his or her authority.

“M.N.R. Dog” means a dog trained specifically for the Ministry of Natural Resources.

“Muzzle” means a humane fastening or covering device of adequate strength placed over a dog’s mouth to prevent it from biting.

“Nuisance Animal” shall mean any animal found to be causing a common nuisance, irritation, annoyance or bother to other persons or other animals.

“Owner” means any person who possesses, keeps, feeds, or harbors an animal and, where the owner is a minor, the person responsible for the custody of the minor.

“Pit Bull Dog” means a dog that:

- i. is of the Pit Bull terrier breed, or,
- ii. is of the Staffordshire Bull Terrier breed, or,
- iii. is of the American Staffordshire Terrier breed, or,
- iv. is of the American Pit Bull Terrier breed, or,
- v. has an appearance and physical characteristics that are substantially similar to those of dogs referred to in any of the clauses (i) to (v), having regard to the breed standards established for American Staffordshire Bull Terriers or American Pit Bull Terriers by the Canadian Kennel Club, the United Kennel Club, the American Kennel Club or the American Dog Breeders Association.

“Pembroke Police Service” means the police service in force.

“Pet” shall include cat or dog, or both, and any other common animal, fish or bird that may be kept as a pet that is not prohibited in this by-law.

“Pet Shop” means any person, group of persons, partnership or corporation operating an establishment where live animals, birds and fish are kept other than those listed in Schedule “A” of this by-law are kept for retail as pets.

“Petting Zoo” means a collection of animals that are for display.

“Police Dog” means a dog trained specifically for police duties as deemed by the Chief of Police.

“Prohibited Animal” shall mean any animal or category of animal that is forbidden to be kept or raised in the City of Pembroke as listed in Schedule “A” to this by-law.

“Public Utility Emergency Vehicle” means the vehicle used by the Animal Control Officer, or his/her designate, while on duty.

“Registered Period” shall mean the period from January 1 to December 1 of which year with an extended period to March 15 of the next year which shall be an extension of the prior year registration period to allow owners of animals that were registered in the prior year to purchase new pet tags.

“Service Dog” means a dog trained at a recognized school for service as a guide dog for the blind or visually impaired and/or for the deaf or hearing impaired.

“Sterilized Animal” shall mean any spayed/neutered dog or cat that is in support of such certificate from a licensed veterinarian.

“Veterinarian” shall mean a member of the College of Veterinarians of Ontario.

“Veterinary Hospital” shall mean any establishment maintained and operated with a licensed veterinarian for the diagnosis and treatment of diseases and injuries of animals and birds.

“Vicious Animal” shall mean any animal that displays vicious tendencies such as growling, baring of teeth, charging, or lunging, attacking, or biting a person or other domestic animal.

## **2. Enforcement**

The provisions of this by-law shall be enforced by the Corporation, its servants, agents, workmen, employees, or any of them.

## **3. Keeping of Animals**

- a) No person shall keep or raise any animal identified under Appendix “A” to this by-law on any lot or in any building or structure on such lot within the limits of the City of Pembroke.
  - i. Any such classifications or types of animals as listed in Appendix “A” that have been found, seized, or apprehended in any lot or in any building or structure on such lot within the limits of the City of Pembroke shall be considered the property of the City of Pembroke. The City of Pembroke reserves all options to itself when in possession of any such classifications or types. Any such classifications or types in the possession of the City may at the City’s sole discretion, be placed into the care of an accredited zoo for the purposes of continuing life or destroying said classifications or types.
  - ii. The City of Pembroke, its employees, agents, servants, and the Animal Control Officer shall not be held liable for damages or compensation for any classification or type listed in Appendix “A” that has been seized under the provisions of this by-law and no damages or compensation of any type or for any reason shall be paid to any individual, group, business, or corporation by the City of Pembroke.
- b) No person shall own, keep, harbour, or possess any animal that is found repeatedly to be a nuisance animal on any lot or in any building or structure on such lot within the limits of the City of Pembroke.
- c) Every person who keeps, owns, or cares for an animal in the City of Pembroke shall ensure that such animal is provided with:
  - i. A clean and sanitary environment free from accumulation of fecal matter;

- ii. Adequate and appropriate care, food, water, shelter, and opportunity for physical activity.
- d) Every person who keeps, owns, or cares for an animal in the City of Pembroke shall ensure that such animal is not kept under conditions where an accumulation of fecal matter, odour, insect infestations, or rodent attractants may disturb or is likely to disturb the enjoyment, comfort or convenience of a person or may endanger the health of a person or animal.

#### **4. Licensing and Animal Identification System:**

- a) The owner of every dog three (3) months of age or older, within three (3) days of his/her becoming such, shall cause it to be licensed with a valid pet tag, numbered, and described with the City, which provision shall be called the Animal Identification System.
- b) The owner of every cat three (3) months of age or older within three (3) days of his/her becoming such, shall cause it to be registered with a valid pet tag, numbered, and described with the City, which provision shall be called the Animal Identification System.

- c) The Pet License and Registration fees are as follows:

For all Spayed/Neutered Pets - \$20.00

For all Unsterilized Pets - \$30.00

For all Service Dogs - \$0

Such license and registration shall expire on December 31<sup>st</sup> of each year and shall be renewed annually prior to March 31<sup>st</sup> of each year.

- d) The owner of every dog or cat shall not claim such dog or cat to be sterilized when such cat or dog is not sterilized, and wrongful claiming shall subject the owner or harbored to the penalty provided for in this by-law.
- e) Upon payment of the required fee, the owner shall be furnished with a tag for each dog or cat owned by him with a serial number and the year in which it was issued marked thereon and the owner shall keep said tag securely fixed on the dog or cat for which it was issued at all times during the year and until he procures a tag for the following year. A record shall be kept by the Licensing Officer showing the name and address of the owner and the serial number of the tag. In the event that a tag is lost, the person to whom it was issued shall immediately claim another from the License Issuer and shall pay, therefore, the sum of Two Dollars (\$2.00) for each such tag.
- f) Every owner or harbourer of a dog or cat shall obtain a tag and keep it securely fixed on this dog or cat and shall not affix the tag upon a dog or cat other than the dog or cat for which the said tag was issued. Affixing a tag upon a dog or cat other than the dog or cat for which the said tag was issued shall subject the owner or the harbourer of the penalty provided for in this by-law.
- g) Section 4 of this by-law does not apply to police dogs during the course of fulfilling its duties.
- h) Section 4 of this by-law does not apply to M.N.R. dogs during the fulfillment of its duties.
- i) Section 4 (a) (e) of this by-law does not apply to Pit Bull breed dogs.

#### **5. Kennels:**

- a) Every person who owns, operates, or conducts a kennel for pure breed dogs which is registered with the National Kennel Club pursuant to the Statutes of Ontario enacted in that behalf, shall pay to the City of Pembroke, immediately following the first day of January in any year, a license fee of Fifty Dollars

(\$50.00). Each dog kept shall be licensed by the Corporation with the exception of pups that have not been weaned yet.

- b) If there is a change of ownership of a kennel during the license year the new owner must purchase a new license.
- c)
  - i. No person shall keep kennels for the breeding of dogs other than as set out in Section 5 (a) of this by-law within the limits of the City of Pembroke without first having received a license so to do. Upon applying for a license to be issued, the applicant shall file with the Treasurer a certificate from the Renfrew County and District Health Unit dated within ten (10) days of the application setting out that the quarters where the kennels for the breeding and boarding of dogs meet the health requirements and whether or not the keeping of such animals as set out in the application for a permit would constitute a nuisance to other residents in the City of Pembroke.
  - ii. The Chief Administrative Officer of the City of Pembroke, upon any application under Section 5 (c) (i), may issue the required license but if he/she does not issue such license at the request of the applicant, he/she shall refer the application to the Council of the City of Pembroke at its next regular sitting and the Council may, at its discretion, grant or refuse the issuing of a permit hereunder.
  - iii. Any license which may be issued pursuant to an application under Section 5 (c) (i) shall expire on the 31<sup>st</sup> day of January in the year following the issuing of such permit and the same requirements for the original application will apply.

## **6. Immunization**

No person who resides within the City of Pembroke shall own or harbour any dog or cat over the age of six (6) months without immunization for rabies and such rabies that is current as defined by Agriculture Canada.

This section shall be jointly enforced by the Medical Officer of Health pursuant to the provisions of the Health Protection and Promotion Act, R.S.O. 1990, c. H.7, as amended and the Animal Control Officer for the City of Pembroke pursuant to the provisions of this by-law.

Every owner of a dog or cat in the City which is suspected of having been exposed to the rabies virus, or which has been bitten, scratched or has other contact that may result in rabies in a person or animal shall, on demand, surrender such animal to the City to be held by the City for quarantine without cost to the owner for a period not exceeding ten (10) days from the date of the contact and such animal shall not be released without consent from the Medical Officer of Health. At the discretion of the Medical Officer of Health an animal may be placed in quarantine on the premises of the owner.

## **7. Impoundment:**

- a) animals found running at large shall be taken up by the agents of the Corporation and impounded in the pound maintained by the Animal Control Officer for the City of Pembroke and there confined in a humane manner for a period of not less than three (3) days, exclusive of the day of impoundment and exclusive of holidays and may thereafter be disposed of in a humane manner if not claimed by their owners. Animals not claimed by their owners at the expiration of three (3) days shall become the property of the Corporation and humanely disposed of by the Corporation, except as hereinafter provided in the cases of certain animals.

- b) Sick or injured animals found at large and taken up by the agents of the Corporation shall not be placed into the animal shelter to save harm to other animals and possible contamination of the pound facility. A quick attempt shall be made by the agents to find the owner. If the owner is not ascertainable during the attempt the agent may seek medical attention for the animal or may perform euthanasia to save further pain and/or suffering to the animal.
- c) Animals found at large by an appointed Agent or any Police Officer that poses a threat to the safety of persons or other animals may be destroyed forthwith.

## **8. Redemption of Impounded Animals**

- a) The owner shall be entitled to regain possession of any impounded animal except as hereinafter provided in the cases of certain animals, upon compliance with the license or identification provisions of Section 4 of this by-law and the payment of impoundment fees set forth in Section 9 of this by-law.
- b) Any animal impounded under the provisions of this by-law and not reclaimed by it's owner within three (3) days, exclusive of the day of impoundment and exclusive of any day the pound may be closed during the impoundment, may be humanely destroyed by the Corporation or placed in the custody of some person deemed to be a responsible and suitable owner who will agree to comply with the provisions of this by-law and such other regulations as shall be fixed by the Corporation.
- c) Animals impounded and in possession of a current municipal registration tag shall be placed in the shelter. Attempts to contact the registered owner shall be made by the Animal Control Officer in compliance with the animals for Research Act, R.S.O. 1990, Chapter A22.

## **9. Impoundment Fees**

Any animal impounded hereunder may be reclaimed as herein before provided upon payment by the owner to the Corporation the sum of Fifty Dollars (\$50.00) which shall cover the impoundment costs for the first day or partial day and the additional sum of Eight Dollars (\$8.00) for each additional day such animal is kept commencing the second day of confinement.

Impoundment fees, as set forth herein and such additional sums as herein provided for keeping animals, shall be collected by the Corporation, and retained by it to help defray the costs of keeping such animals beyond the period set forth herein.

## **10. Restraint**

- a) For the purpose of this by-law, an animal shall be deemed to be running at large if found in any place other than that of its owner/keeper and not under the control of any person.
- b) No person shall allow their animal to become a common nuisance by:
  - i. barking;
  - ii. biting;
  - iii. howling;
  - iv. chasing and barking or biting at horses;
  - v. chasing and barking or biting at motor vehicles;
  - vi. chasing and barking or biting at bicycles;
  - vii. chasing and barking or biting at persons walking or riding on any street; or,
  - viii. causing damage when running at large;
  - ix. causing damage to commonly shared property.

- c) Any such person who owns or possesses any animal that is a nuisance as defined in this by-law and has breached this by-law with convictions recorded shall be subject to the penalty provided. The C.A.O. for the City of Pembroke shall order the subject animal out of the City of Pembroke. If the owner of the subject animal can prove the nuisance behavior has been corrected the Animal Control may permit re-entry of the subject animal. Any person who possesses such animal not having permission to re-enter the City of Pembroke shall be subject to the penalty provided for in this by-law.
- d) No person who owns, keeps, harbors, or possesses any animal shall allow it to trespass on private property even when on a leash.
- e) No person who owns, keeps, harbors or possess any animal shall allow it to run on City-owned property except when on a leash.
- f)
  - i. Any person who owns, keeps, harbors, or possesses any animal which defecates on a public, commonly shared or private property, other than that of the said owner or keeper thereof, shall forthwith clean up after it.
  - ii. No person who owns, keeps, harbors, or possesses any animal shall allow a build up of animal fecal matter on the property where the animal is kept and where it becomes offensive to other members of the community.
- g) No person shall control a dog while off its property with a leash that is not held by the person in his or her hand or is not securely affixed to some immovable structure other than private property from which the dog cannot escape and that such leash does not exceed 1.8 m in length.

#### **11. Dangerous or Vicious Animal Restriction:**

No person shall keep a dangerous or vicious animal within the limits of the Corporation and any owner, keeper or harbourer of such animal found to be fierce, dangerous, or vicious shall be dealt with under The Dog Owners Liability Act, Chapter D.16.

#### **12. Report of Bite Cases:**

It shall be expected that every Physician or other practitioner shall report the names and addresses of persons treated for bites inflicted by animals, together with such other information as will be helpful in rabies control to the Renfrew County and District Health Unit.

#### **13. Responsibilities of Veterinarians:**

It shall be the duty of every licensed veterinarian to report to the Renfrew County and District Health Unit his diagnosis of any animal observed by him as a rabies suspect.

#### **14. Exemptions:**

- a) Special Circumstances for Circuses, Exhibitions, and other Like Shows

Where an exhibition, circus, traveling show, petting zoo or any other like show that has prohibited animals, as defined in Schedule "A" of this by-law, requests entry into City limits for the purpose of public display of such animals it must first:

- i. Request, in writing, at least fifteen (15) days prior to the intended date of entry to the Chief Administrative Officer for the City of Pembroke, permission to enter the City with prohibit animals for the said purpose.

- ii. With written approval from the Chief Administrative Officer of the City of Pembroke, be furnished with a permit from the City of Pembroke for the said purpose.
- iii. To pay a non-refundable fee to the City of Pembroke for the permit issued by the Chief Administrative Officer.
- iv. Provide proof of an up-to-date Comprehensive Insurance Policy indicating Public Liability and Property Damage coverage acceptable to the City and reflecting coverage of at least Two Million Dollars.
- v. Be subject to reasonable inspections before, during and after the display concerning the animals in their containment, proximity of the animals to the public and any other concerns that may arise by the Animal Control Officer.
- vi. Be in full conformance of all federal, provincial and municipal laws governing the possession, keeping and transportation of the subject animals being used in the said function in the City as well as where the subject animals are being kept on a permanent basis.
- vii. Be accredited by C.A.Z.A. or the American Zoo and Aquarium Association; and
- viii. Not exceed three consecutive days within the City for the said function unless authorized by the Chief Administrative Officer for the City of Pembroke.

b) Hospitals, Clinics

Hospitals, clinics, and other premises in operation with licensed veterinarians for the care and treatment of animals are exempt from the provisions of this by-law, except where such duties are expressly stated.

c) Non-Resident Animals

- i. The licensing and pet identification system of this by-law shall not apply to any animal belonging to a non-resident of the City and kept within the City for not longer than thirty (30) days provided such animals shall, at all times while in the City, be kept within a building or vehicle, or be under restraint by the owner. No person shall keep, harbour, or possess a non-resident animal that has not been duly immunized at the resident municipality for the current year.
- ii. Any person who owns, keeps, harbors, or possesses any non-resident animal within the limits of the City of Pembroke shall ensure valid immunization and identification papers are kept with the animal at all times while in the City. Should the requirements of Section 14 (c) (i) and (ii) be ignored, the owner, keeper, harbourer, or possessor shall be subject to the penalty provided for in this by-law.

d) Police Dogs

Section 10 of this by-law does not apply to Police dogs during the fulfillment of their duties.

e) Ministry of Natural Resources Dogs

Section 10 of this by-law does not apply to M.N.R. dogs during the fulfillment of their duties.

f) Services Dogs

Section 10 (f) (i) and (ii) does not apply to a handler of a service dog.

g) Animal Control Services



This bylaw shall not apply to Animal Control Services.

h) Animal Shelter used by City

This bylaw shall not apply to the animal shelter utilized by the City.

i) Permitted Reptiles and Amphibians

Section 3 (a) of this by-law does not apply to the sale, keeping or raising of the following list of reptiles and amphibians, provided these reptiles and amphibians do not exceed a full-grown length of 1 foot (12 inches/30 centimetres):

Reptiles: Agamids, Anoles, Leopard geckos, Newts, Salamanders,

Amphibians: Horned frogs, Mantilla Frogs, Pacman Frogs, Tree Frogs

## **15. Pit Bull Licensing, Conditions, Prohibited Matters and Duties:**

15.1 Beginning January 01, 2006, no person shall own a Pit Bull dog that is not a Grandfathered Pit Bull dog.

Every Pit Bull dog owner shall make application for a Pit Bull dog license prior to December 31, 2005. The Pit Bull dog owner shall schedule an appointment with the Animal Control Officer to allow the Animal Control Officer to review the application and view the Pit Bull dog. A mutually agreeable location for the viewing of the Pit Bull dog will be arranged with the owner of the pit bull.

Only an owner of a valid Pit Bull dog license from the City of Pembroke for their Pit Bull dog will be considered to have a Grandfathered Pit Bull dog.

15.2 Every application for a Pit Bull License and the subsequent annual renewal of such a Pit Bull License shall be accompanied by the following:

- a) a description of the Pit Bull dog including color, age, date of birth (if known), place of birth, sex and name;
- b) a signed and sworn statement of the owner that the Pit Bull dog was owned by a resident in Ontario on August 29, 2005, or a signed and witnessed statement of the owner that the Pit Bull dog was born in Ontario between August 29, 2005 and November 26, 2005;
- c) a photocopy taken by the Animal Control Officer of the Pit Bull dog;
- d) a certificate satisfactory to the Animal Control Officer stating that the Pit Bull dog has been sterilized on or before the day it reaches that age, unless the Pit Bull dog is surgically unfit to be sterilized with a statement from a licensed veterinarian;
- e) a certificate showing proof of immunization for rabies;
- f) proof satisfactory to the Animal Control Officer that the Pit Bull dog has had a microchip implanted by a licensed veterinarian;
- g) a receipt showing the application fee and license fee, as set out in Appendix "B" has been paid

15.3 Every Pit Bull dog license issued by the Animal Control Officer shall expire on the 31<sup>st</sup> day of December of each year and shall be renewable yearly by March 31<sup>st</sup> upon payment of the renewal of the Pit Bull license fee set out in Appendix "B".

15.4 Every holder of a Pit Bull license issued by the Animal Control Officer shall notify the Animal Control Officer forthwith upon the death, or change of ownership, of a dog so licensed so verification of the subject Pit Bull dog can be made by the Animal Control Officer prior to disposal of the dog or change of ownership.

- 15.5 A Pit Bull dog license issued by the Animal Control Officer may be transferred to another owner.
- i. No owner of a Grandfathered Pit Bull dog shall fail to notify the Animal Control Officer of the name, address, and phone number to whom the possession of the Grandfathered Pit Bull dog will be transferred to.
  - ii. No person who is to be the new owner of the Grandfathered Pit Bull dog shall fail to apply to the Animal Control Officer for a change of ownership. All aspects of Section 15.2 of this by-law must be complied with before the change of ownership takes place.
- 15.6 No owner of a Grandfathered Pit Bull dog shall fail to renew a Pit Bull dog license.
- 15.7 No owner of a Grandfathered Pit Bull dog shall fail to affix the tag issued for the Pit Bull license securely on the collar or the harness worn by the Pit Bull dog for which it was issued while off its own property.
- 15.8 No person, group of persons, S.P.C.A. Peta or other like gathering shall transfer a Grandfathered Pit Bull dog to a resident of the City except by gift and shall ensure that all aspects of Section 15.2 are complied with.
- 15.9 Upon issuance of the Pit Bull dog license and payment of the applicable fee, the owner shall be furnished with a Pit Bull dog tag bearing the serial number of the Pit Bull license, the word 'Pembroke' and the words 'Pit Bull'. The Pit Bull tag shall always be the property of the City of Pembroke and shall be considered as being lent to the owner of the Pit Bull dog. The Pit Bull dog tag must be returned to the City of Pembroke upon demand by the City. If any change of ownership or death of the Pit Bull dog occurs, the Pit Bull dog tag must be returned to the City.
- 15.10 Where a tag has been lost, the owner shall apply forthwith to the Animal Control Officer for a new Pit Bull license and tag. No lost tags will be replaced. The Animal Control Officer shall cancel the license for which there is a lost tag. The application for a new Pit Bull dog license and tag shall be accompanied by proof of the license for which there is a lost tag, in addition to the information in Section 15.2 of this by-law, along with the application and license fee, as set out in Appendix "B".

#### 15.11 Control Measures

Every holder of a Pit Bull license shall ensure that the following conditions are met, and no Pit Bull License shall be obtained, renewed, or continued if the conditions are not met:

- a) the Pit Bull dog has a microchip implanted by a licensed veterinarian;
- b) the Pit Bull is sterilized, unless it is exempted by a licensed veterinarian;
- c) the Pit Bull was either owned by a resident of Ontario on August 19<sup>th</sup>, 2005, or that the Pit Bull dog was born in Ontario between August 29<sup>th</sup>, 2005, and November 25<sup>th</sup>, 2005;
- d) the Pit Bull dog does not run at large;
- e) the Pit Bull dog is muzzled in accordance with this by-law;
- f) the tag issued with the Pit Bull license is securely affixed to the Pit Bull dog it is issued to;
- g) the Pit Bull dog license is renewed prior to end of the registration period;

- h) if the owner of a Grandfathered Pit Bull moves, he/she shall ensure the Animal Control Officer is provided with the new address and telephone number of the new location within two days of moving;
- i) the Animal Control Officer is notified immediately if the Pit Bull is running at large or has bitten or attacked any person or domestic animal.

#### 15.12 Control of Pit Bull dogs

- a) Commencing October 28, 2005, no owner of a Pit Bull dog shall fail to ensure that the Pit Bull dog is, at all times, when off its own property, fastened with a muzzle and secured with a leash in accordance with Subsection (b). No owner of a Pit Bull dog shall fail to muzzle a dog when being moved within a vehicle when the vehicle is occupied by any person(s) other than the owner and/or the owner's immediate family.
- b) For the purposes of Subsection (b), a Pit Bull dog shall be equipped with a muzzle and secured by a leash in accordance with the following requirements:
  - i. The Pit Bull dog shall be fitted with a collar or harness that is properly fitted and attached to the dog.
  - ii. The movement of the Pit Bull dog shall be controlled by a person capable of restraining the Pit Bull dog by means of a leash attached to the collar or harness on the Pit Bull dog.
  - iii. The leash shall not exceed 1.8m in length and shall be attached to the collar or harness.
  - iv. The collar or harness and the leash shall be strong enough to prevent the Pit Bull dog from breaking any of them.
  - v. The mouth of the Pit Bull dog shall be covered by a muzzle that is humane and is strong enough and well fitted enough to prevent the Pit Bull dog from biting, without interfering with the breathing, panting or vision of the Pit Bull dog or with the Pit Bull dog's ability to drink.

#### 15.13 Pit Bull Removed from City/Destruction

- a) Beginning January 01, 2006, every person who:
  - i. owns a Pit Bull dog that is not a Grandfathered Pit Bull, or,
  - ii. owns a Pit Bull that has bitten or attacked a person or domestic animal after this by-law comes into affect shall have the Pit Bull destroyed humanely or removed from the City.
  - iii. Where the Animal Control Officer finds a violation of Section 15.13, he shall notify the owner, in writing, that the Pit Bull dog is required to be destroyed humanely or be removed from the City within 10 days after the service of notification. Failure by the owner of the Pit Bull dog to comply with written notification will result in the seizure by search warrant or not, of the subject dog and immediate destruction.
  - iv. As of August 29, 2005, and where the Animal Control Officer finds a violation of section 16.1 that is or has occurred in a public place, he may exercise immediate seizure of the Pit Bull dog, D.O.L.A section 15. The Pit Bull dog will be held as evidence to the charges and considered as a prohibited Pit Bull dog. After completion of any ordered quarantine of the subject Pit Bull dog by the Renfrew County Health Unit and its regulations, the subject Pit Bull dog may be destroyed forthwith.
  - v. Where the owner is required to humanely destroy a Pit Bull, the owner is responsible for all costs. Where the City has the Pit Bull dog destroyed, the City may have its costs recovered by action.

- vi. The City, its employees, agents, servants, and the Animal Control Officer shall not be held liable for damages or compensation for any dog humanely destroyed under the provision of this bylaw and no damages or compensation shall be paid to any one person.

**16. Investigation:**

For the purpose of discharging the duties imposed by this by-law and to enforce its provisions, any agent of the Corporation or any Police Officer is empowered to enter upon any premises upon which a dog or animal is kept or harboured and to demand the exhibition by the Owner of such dog or animal or the license/identification of such dog or animal. It is further provided that any agent of the Corporation may enter the premises where any animal is kept in a reportedly cruel or inhumane manner and demand to examine such animal and to take possession of such animal to determine the validity of such report or complaint and to take appropriate corrective measures, if necessary.

**17. Penalty:**

Any person who contravenes any provision of this by-law is guilty of an offence and upon conviction shall forfeit and pay the fine for such offence as provided for under Section 61 of The Provincial Offences Act.

When a person has been convicted of an offence under this by-law the Ontario Court of Justice or the Ontario Provincial Court may, in addition to any other penalty imposed on the person convicted, make an order prohibiting the continuation or repetition of the offence by the person convicted.

**18. Repeals:**

That By-law 2005-58, 2006-51 and 2008-48 and any other by-law inconsistent with the provisions contained in this by-law are hereby repealed.

**19. Severability:**

If any part of this by-law shall be held void such part shall be deemed severable and the invalidity thereof shall not affect the remaining parts of this by-law.

20. That By-law Number 2004-66 and any subsequent amendments to this by-law be, and it is, hereby repealed.
21. This by-law shall come into force and take effect upon the date of the final passing thereof.

**Passed and enacted this 21<sup>st</sup> Day of December 2021**

Michael LeMay  
Mayor

Heidi Martin  
Clerk

## Appendix "A" to By-law Number 2021-75

It is prohibited to keep or raise any domestic animal, farm animal, wild animal, exotic animal, amphibian (except as permitted by Section 14 (i)), reptile (except as permitted by Section 14 (i)), arachnid, fish, or insect including any tamed or domesticated wild animal or part wild animal on any lot or in any building or structure on such lot within the limits of the City of Pembroke that is included in this appendix hereunder and therefore it is prohibited to keep or raise:

1. All protected or endangered animals being all animals, native or non-native, whose possession or sale is prohibited because they are designated or protected or endangered pursuant to an international, federal, or provincial law, regulation, rule, or agreement, unless the animal has been obtained in accordance with international, federal, or provincial law as applicable, and if the animal is not identified in Appendix "A".
2. All dogs, other than domesticated dogs (*canis familiaris*), including but not limited to wolf, fox, coyote, hyaena, dingo, jackal, raccoon dog, bush dog, and any hybrid offspring of a wild dog and domesticated dog.
3. All cats, other than domesticated cats (*felis catus*), including but not limited to lion, tiger, leopard, ocelot, jaguar, puma, panther, mountain lion, cheetah, wild cat, cougar, bobcat, lynx, serval, and any hybrid offspring of a wild cat and domesticated cat.
4. All bears, including but not limited to polar, grizzly, brown and black bear.
5. All fur bearing animals of the family Mustelidae, including but not limited to weasel, martin, mink, badger, ermine, skunk, otter, pole cat, wolverine, except the domestic ferret (*putorius furo*).
6. All Procyonidae, including but not limited to raccoon, kinkajou, cacomistle, cat bear, panda, and coatimundi.
7. All carnivore mammals of the family Viverridae, including but not limited to civet, mongoose and angente.
8. All bats (chiroptera).
9. All nonhuman primates, including but not limited to monkey, ape, chimpanzee, gorilla, and lemur.
10. All squirrels (*sciuridae*).
11. Reptiles (*reptilia*):
  - a. All helodermatidae (gila monster and Mexican bearded lizard);
  - b. All front fanged venomous snakes, even if de venomized, including but not limited to:
    - i. All Viperidae (viper, pit viper);
    - ii. All elapidae (cobra, mamba, krait, coral snake);
    - iii. All atractaspidae (African burrowing asp);
    - iv. All hydrophiidae (sea snake); and
    - v. All laticaudidae (sea krait).
  - c. All venomous mid or rear fanged, duvernoy-glanded members of the family colubridae even if de venomized;
  - d. Any member of the family boidae;
  - e. Any member of the family Pythonidae.

- f. Any member of the family Varanidae including but not limited to white throated monitor, the water monitor, the komoda monitor or dragon, the bornean earless monitor, the Nile monitor, and the crocodile monitor.
12. Birds (aves):
    - a. All predatory or large birds (Accipitridae, cathartidae), including but not limited to eagle, hawk, falcon, owl, vulture, and condor.
    - b. All Anseriformes, including but not limited to ducks, geese, and swans.
    - c. All Galliformes, including but not limited to pheasants, grouse, guinea fowl, and turkeys.
    - d. All Struthioniformes, including but not limited to flightless ratitis such as ostriches, rheas, cassowaries, emus, and kiwis, and
    - e. All Columbiformes, including but not limited to pigeons.
  13. All arachnida, chilopoda, and venomous arthropods, including but not limited to centipede, spider, and scorpion.
  14. All large rodents (rodentia) including but not limited to gopher, muskrat, paca, groundhog, marmat, beaver, prairie dog, and porcupine.
  15. All even toed ungulates (artiodactyla), including but not limited to domestic sheep, antelope, giraffe, and hippopotamus.
  16. All odd toed ungulates (perissodactyla), including but not limited to domesticated horses, zebra, rhinoceros.
  17. All marsupials, including but not limited to tazmanian devil, bandicoot, kangaroo, wallaby, possum, wombat, koala bear, cuscus.
  18. All sea mammals (cetacean, pinnipedia and sirenia), including but not limited to dolphin, whale, seal, sea lion, and walrus.
  19. All elephants (proboscides).
  20. All hyraxes (hyracoidean).
  21. All pangolin (Pholidota).
  22. All sloth and armadillo (edental).
  23. All insectivorous mammals (insectivore), including but not limited to aardvark (tubulidentata), anteater, shrew, otter shrew, mole, and hedgehog.
  24. All gliding lemurs (dermoptera).
  25. All dangerous fish, including but not limited to piranha, electric eel.
  26. All insects, including but not limited to cockroaches, ants, bees.
  27. All prohibited pit bull dogs (not grandfathered).
  28. All other venomous, poisonous, or constricting animals.

## **Appendix “B” to Bylaw 2021-75**

### **Fees**

Initial Application and License Fee for Pit Bull dog - \$75.00

Annual Renewal - \$50.00

Transfer of Pit Bull License - \$50.00

**Appendix “C” to By-law 2021-75**

**Set Fines**

<b>Item Number</b>	<b>Column 1 Short Form Wording</b>	<b>Column 2 Provisions creating or defining offence</b>	<b>Column 3 Set Fines</b>
1	Keep/raise prohibited animal	Section 3 (a)	\$500.00
2	Own/keep/harbour/possess a nuisance animal	Section 3 (b)	\$500.00
3	Fail to keep/own/care for an animal in a clean/sanitary environment	Section 3 (c) (i)	\$150.00
4	Fail to keep/own/care for an animal by providing adequate food/water/shelter/physical activity	Section 3 (c) (ii)	\$150.00
5	Fail to license dog	Section 4 (a)	\$100.00
6	Fail to register cat	Section 4 (b)	\$100.00
7	Claiming dog or cat sterilized when it is not	Section 4 (d)	\$200.00
8	Transferring tag to unlicensed dog or cat	Section 4 (f)	\$100.00
9	Keeping a kennel without a license	Section 5 (c) (i)	\$100.00
10	Own/harbour dog or cat without immunization for rabies	Section 6	\$100.00
11	Allow animal to become a nuisance by barking	Section 10 (b) (i)	\$100.00
12	Allow animal to become a nuisance by biting	Section 10 (b) (ii)	\$500.00
13	Allow an animal to become a nuisance by howling	Section 10 (b) (iii)	\$100.00
14	Animal a nuisance by chasing/barking/biting at horses	Section 10 (b) (iv)	\$150.00
15	Animal a nuisance by chasing/barking/biting at motor vehicles	Section 10 (b) (v)	\$150.00
16	Animal a nuisance by chasing/barking/biting at bicycles	Section 10 (b) (vi)	\$150.00
17	Animal a nuisance by chasing/barking/biting at persons walking or riding on any street	Section 10 (b) (vii)	\$150.00
18	Animal a nuisance by causing damage when running at large	Section 10 (b) (viii)	\$150.00
19	Animal a nuisance by causing damage to commonly shared property	Section 10 (b) (ix)	\$100.00
20	Owens/possesses an animal found repeatedly to be a nuisance has been ordered out	Section 10 (c)	\$500.00
21	Animal trespassing on private property	Section 10 (d)	\$100.00
22	Animal running at large on City-owned property	Section 10 (e)	\$100.00
23	Fail to clean up animal excrement forthwith	Section 10 (f) (i)	\$150.00
24	Allow build-up of animal fecal on property where animal is kept	Section 10 (f) (ii)	\$200.00
25	Fail to control animal with secure leash	Section 10 (g)	\$150.00
26	Keep a dangerous/vicious animal in City	Section 11	\$500.00



<b>Item Number</b>	<b>Column 1 Short Form Wording</b>	<b>Column 2 Provisions creating or defining offence</b>	<b>Column 3 Set Fines</b>
27	Non-resident animal not immunized	Section 14 (c) (i)	\$100.00
28	Immunization papers not with the non-resident animal	Section 14 (c) (ii)	\$100.00
29	Own a Pit Bull dog that is not Grandfathered Pit Bull dog	Section 15.1	\$500.00
30	Fail to notify Animal Control Officer of name, address and telephone number to whom transfer of Grandfathered Pit Bull dog is to be made	Section 15.5 (i)	\$500.00
31	New owner, fail to apply for a change of ownership	Section 15.5 (ii)	\$500.00
32	Fail to renew Pit Bull dog license	Section 15.6	\$500.00
33	Fail to affix Pit Bull dog license tag to dog	Section 15.7	\$500.00
34	Transfer a Grandfathered Pit Bull dog other than by gift	Section 15.8	\$500.00
35	Fail to ensure Pit Bull dog has microchip	Section 15.11 (a)	\$500.00
36	Fail to ensure Pit Bull dog is sterilized	Section 15.11 (b)	\$500.00
37	Fail to ensure Pit Bull dog does not run at large	Section 15.11 (d)	\$500.00
38	Fail to securely attach tag to Pit Bull dog to which tag was issue to	Section 15.11 (f)	\$500.00
39	Fail to provide Animal Control Officer with new address and telephone number within two (2) days	Section 15.11 (h)	\$500.00
40	Fail to notify Animal Control Officer immediately if Pit Bull Dog running at large	Section 15.11 (i)	\$500.00
41	Fail to notify Animal Control Officer immediately if Pit Bull dog has bitten/attacked any person	Section 15.11 (i)	\$500.00
42	Fail to ensure Pit Bull dog equipped with muzzle	Section 15.12 (a)	\$500.00
43	Fail to ensure Pit Bull dog secured by leash	Section 15.12 (a)	\$500.00
44	Fail to muzzle dog when in a vehicle when occupied by any person(s) not in immediate family	Section 15.12 (a)	\$500.00
45	Fail to remove from City/destroy Pit Bull dog	Section 15.13 (a) (ii)	\$500.00