



THE CORPORATION OF THE CITY OF BRAMPTON

# BY-LAW

Number 89-90

To licence dogs, and to prohibit the running of dogs at large

WHEREAS the Municipal Act (R.S.O. 1980, Chapter 302, as amended), authorizes the council of a local municipality to pass by-laws prohibiting or regulating the keeping of animals or any class thereof within the municipality, prohibiting or regulating the running at large of dogs in the municipality, and requiring licensing and registration of dogs;

NOW THEREFORE, the Council of The Corporation of the City of Brampton ENACTS as follows:

## DEFINITIONS:

1. (a) In this by-law:

"Animal Control Officer" shall mean a person appointed as such by a by-law of the City, or any other person directed by the Commissioner of Building and By-law Enforcement to enforce this by-law;

"Commissioner" shall mean the person appointed as such by by-law as Commissioner of Building and By-law Enforcement;

"Guide Dog" shall mean a dog trained as a guide for a blind person and used as such;

"Kennel" shall mean:

(i) A place where more than two dogs are kept for the purposes of show, training or breeding, or;

(ii) A place where more than two dogs are kept and cared for on behalf of the owners of the dogs;

"Licence Inspector" shall mean the person or persons appointed as such by Council;

"Owner" of a dog includes a person who possesses or harbours a dog, and, where the owner is a minor, the person responsible for the custody of the minor, and "owns" and "owned" have a corresponding meaning;

"Police Work Dog" shall mean a dog trained to aid law enforcement officers and used by such officers in the execution of their duties;

"Poundkeeper" shall mean the person or agency appointed as such by Resolution or By-law of Council;

"City" shall mean the Corporation of the City of Brampton;

Pure-bred" shall mean:

- (i) Registered or eligible for registration in the register of The Canadian Kennel Club, Incorporated or;
- (ii) Of a class designated as pure-bred in regulations under the Dog Licensing and Live Stock and Poultry Protection Act.

"Tag" shall mean a metal tag indicating the year or number issued.

- 2. In this by-law, unless the context otherwise requires words importing the singular shall include the plural and use of the masculine shall include the feminine, where applicable.
- 3. This by-law shall be administered and enforced by the Commissioner of Buildings and By-law Enforcement, and by such other persons as may be appointed to do so by resolution or by-law of Council.
- 4. Where the owner of a dog has been convicted of a violation of the provisions of this by-law relating to dogs running at large, or has made voluntary payments pursuant to tickets issued in respect of alleged violation of such provisions, a total of four or more times within a period of six months, the licensing of any dogs owned by him may be revoked by the Commissioner or his representative, and any tags furnished to such owner for dogs owned by him shall be returned to the City upon written demand, and such person shall not be permitted to have any dogs licensed or to obtain any tags for a period of twelve months after the date of the revocation of the licences.
- 5. (a) Where a dog is found to be running at large, an Animal Control Officer may issue to the owner of the dog a ticket, in the form set out in Schedule A to this by-law, alleging a violation of this by-law.  
(b) The owner to whom the ticket is issued may make a voluntary payment to the City, in the amount of \$30.00 by attendance at its office or by mailing it thereto, within ten (10) working days of the date of the issue of the ticket.

#### LICENSING

- 6. (a) Every owner of a dog shall ensure that each dog owned by him is registered with and licensed by the City for each calendar year.  
(b) Every owner of a dog shall cause the dog to be registered with and licensed by the City for each calendar year, before the 28th day of February of that year, unless the dog came into his possession or care after that date.  
(c) Every owner of a dog, immediately after the dog comes into his possession or care, shall, if the dog does not have a tag for the current calendar year, cause such dog to be registered with and licensed by the City.

- (d) (i) The owner of a guide dog for the blind, or a police work dog, is not required to cause such dog to be registered with and licensed by the City.
  - (ii) The Commissioner or his representative may require the owner of a dog to establish to his satisfaction that the dog is a guide dog or a police work dog.
7. In order to license a dog and obtain a tag, the owner of the dog must produce to the City satisfactory proof that the dog has been inoculated against rabies within the past twenty-four months.
8. (a) On payment of the licence fee for a dog, the owner shall be furnished with a dog tag and shall keep the tag securely fixed on the dog at all times until the tag is replaced, but the tag may be removed while the dog is being lawfully used for hunting deer in the bush.
- (b) The licence fee in respect of each dog shall be as set out in Schedule B to this by-law.
9. (a) Every tag shall be valid for the calendar year as indicated thereon in respect of the particular dog for which it was obtained.
- (b) The owner of a dog shall return the tag for the said dog to the City if the dog dies, is destroyed or is transferred to another owner.
- (c) No owner shall use a tag upon a dog other than the dog for which said tag was issued.
- (d) A replacement tag may be obtained upon payment of the fees set out in Schedule B to this by-law if it is shown to the satisfaction of the City that a tag for that dog had already been obtained for the current calendar year.
10. (a) The owner of a kennel for dogs that are purebred shall pay to the City, before the 28th day of February in each year, a licence fee for said kennel, as set out in Schedule B to this by-law.
- (b) Where the owner of a kennel has complied with the requirements of Paragraph (a) of this subsection in respect of his kennel, he is not required to cause each pure-bred dog kept at said kennel to be registered with and licensed by the City.
- (c) Kennels may only be licensed if they are located where kennels are permitted by the applicable zoning by-laws.

NUMBER OF DOGS

11. (a) Subject to subsection (c), no person may keep, at any one time, more than three dogs older than three months.

- (b) Subject to subsection (c), no more than three dogs older than three months may be kept at any one time in or about any one dwelling unit or location.
- (c) Subsections (a) and (b) do not apply to the owner of a licensed kennel, the owner of an animal hospital, an animal hospital operated by a veterinary surgeon, the owner of a pet store, or the poundkeeper.

#### RUNNING AT LARGE

- 12. (a) No person shall permit or allow a dog to run at large within the City of Brampton.
  - (b) A dog running at large may be seized by any person, who shall deliver the dog to an animal control officer or to the poundkeeper.
  - (c) Any dog running at large may be seized and impounded, and may be sold or destroyed by the poundkeeper.
  - (d) For the purpose of this by-law, a dog shall be deemed to be running at large when found in any place other than the premises of the owner of the dog and not under the control of any person.
13. As soon as possible after the delivery to the poundkeeper of a dog, the owner of which can be identified by some means, the responsible animal control officer shall make a reasonable effort to contact the owner of the impounded dog.
14. An animal control officer may kill a dog where a dog is running at large and, in his opinion, should be destroyed because it is injured, or for other humane reasons, or for reasons of safety to persons or other animals.

#### LEASHING OF DOGS

15. Every owner of a dog shall keep the dog leashed and under the control of a person when the dog is on land in the municipality other than that of the owner, unless prior consent is given by the person owning the land on which the dog is found.

#### KENNELS

- 16. (a) No person or persons shall keep more than three dogs over three months of age at one location unless a kennel licence is obtained.
- (b) Every person who applies for a kennel licence or operates boarding facilities for animals, shall comply with the following requirements:
  - (i) The kennel building shall be in a separate building and shall not be attached to a building which is or can be used for human habitation.
  - (ii) The kennel building and its location must conform to the applicable zoning by-laws and the Ontario Building Code and be maintained in such a manner as to be free from damage.

- (iii) The kennel building shall have a floor of concrete or other impermeable material and shall have a drain opening constructed as a plumbing fixture, and such floor shall be thoroughly cleaned daily, or more often if necessary; provided, however, that the dogs may be kept in adequately sized cages to allow the animal to extend its legs to their full extent, stand or sit, turn around or lie down in a fully extended position, and the cages are to be constructed solely of metal or wire or partly of wire, and shall have metal or other impermeable bottoms which shall be cleaned and washed daily, or more often if necessary.
- (iv) The kennel building shall have:
  - 1. electric lighting;
  - 2. windows which may be opened for proper ventilation;
  - 3. a heating system sufficient to adequately heat the building;
  - 4. hot and cold running water; and
  - 5. food preparation area.
- (v) Where dogs are permitted to use an outside area, there shall be constructed around such area a solid board fence having a height of at least four feet (4'); the wall of an adjacent building may be included as part of such fenced-in area. Such fenced-in area shall not be required where such outside area is more than two hundred feet (200') from the property lines.
- (vi) Where a clipping and grooming service is performed, such clipping and grooming shall be carried out in the kennel building only.
- (c) Every person who holds a kennel licence or operates boarding facilities for animals or both, shall comply with the following requirements:
  - (i) While the licence is in force he shall keep the licence continuously exposed in a conspicuous place in the interior of the premises for which the licence is obtained.
  - (ii) At all times he shall maintain the premises in a sanitary, well ventilated clean condition, and free from offensive odours.
  - (iii) He shall keep the dogs in sanitary, well bedded, well ventilated, naturally lighted, clean quarters and maintain and keep such quarters at a healthful temperature at all times.
  - (iv) He shall adequately feed and water the dogs periodically each day and keep same in a clean, healthy condition, free from vermin and disease.
  - (v) No new kennel licence shall be issued after the date of the passing of this by-law unless the premises comply with the provisions hereof.
- (d) The License Inspector or such of his staff as he may designate, and any other person authorized by the City may inspect any place where dogs are kept, pursuant to this by-law.

(e) If the kennel is found not to conform, under the requirements set out herein, the Licence Inspector may direct that the dogs be seized and impounded by the Animal Control Officers employed by the City.

17. Subject to section 15(c)(v), the provisions of this by-law shall be effective on the date of the passing of this by-law.

18. Every person who contravenes any of the provisions of this by-law is guilty of an offence, and liable, upon conviction, to a penalty of not more than Two Thousand (\$2,000.00), exclusive of costs, in respect of each offence.

19. By-law 251-82, as amended, is hereby repealed.

READ a FIRST, SECOND and THIRD TIME and PASSED in OPEN COUNCIL this 28<sup>th</sup>, day of May, 1990.

APPROVED  
AS TO FORM  
LAW DEPT  
BRAMPTON  
*me*  
DATE 4/19/90

  
KENNETH G. WHILLANS, MAYOR

  
LEONARD J. MIKULICH, CLERK)

SCHEDULE A



THE CORPORATION OF THE  
CITY OF BRAMPTON

NO. AC 571

YOU ARE HEREBY NOTIFIED OF A VIOLATION OF  
THE ANIMAL CONTROL BY-LAW \_\_\_\_\_

DATE \_\_\_\_\_ TIME \_\_\_\_\_  A.M.  
 P.M.  
NAME \_\_\_\_\_  
ADDRESS \_\_\_\_\_

YEAR

TAG NO.


VIOLATION:

UNLICENSED DOG .....   
DOG(S) RUNNING AT LARGE .....

DESCRIPTION OF DOG APPARENT BREED \_\_\_\_\_

COLOUR & MARKINGS \_\_\_\_\_ SEX \_\_\_\_\_

AT \_\_\_\_\_ BRAMPTON, ONT

**VIOLATION NOTICE**

**SET FINE \$30.00**

OFFICE COPY

ANIMAL CONTROL OFFICER

Schedule B to By-law

	<u>FEEs</u>
Dog licence fees	\$15.00
<u>Fees for replacement tags</u>	
Cost of tag	\$1.25
Handling and administration Charge	<u>3.75</u>
TOTAL:	5.00
Kennel licence fees	\$50.00