

**CANADA
PROVINCE OF QUEBEC
COUNTY OF ARGENTEUIL
TOWNSHIP OF GORE**

BY-LAW N° 71-4

CONCERNING ANIMALS

WHEREAS the council wishes to bring modifications to the present by-law and it is therefore necessary to repeal by-law n° 71-3 concerning the care of animals in the municipality of the Township of Gore;

WHEREAS the council wished to impose to the owners of dogs the obligation to obtain a permit and to set a fee for any animal that is picked up and brought to the pound;

WHEREAS the council wishes to have more control on the number of animals that one keeper can possess and to regulate the authorized animals keeper's behaviour;

WHEREAS a notice of motion was given in a regular fashion, with a reading dispensation, by Councillor Anik Korosec at the regular council meeting held March 5th, 2012;

CONSEQUENTLY, it is proposed by Councillor Anik Korosec and seconded by Councillor Donald Lovegrove and resolved that by-law n° 71-4 be adopted.

CHAPTER I- INTERPRATIVE AND ADMINISTRATIVE MEASURES

ARTICLE 1

Each time that they are used in this by-law, these words and expressions have the following meaning:

- | | |
|----------------|--|
| «wild animal»: | An animal that usually lives in the woods, in the desert or in the forest; includes notably the animals indicated in Annex "A" and being an integral part of the present by-law. |
| «guide dog»: | A dog that is trained to guide the visually impaired. |

«controller»:	Besides a police officer, municipal inspector or any other civil servant designated by the Council, any person with whom the Municipality has signed an agreement to authorize them to apply the present by-law.
«outbuilding»:	An accessory building to an occupation unit or to a lot on which is situated the occupation unit or to which is contiguous.
«dog pound»	Place where the dogs that are caught by the dog catcher are kept.
«owner»:	The owner of an animal or the person who regularly gives refuge to an animal, feeds it, or accompanies it, or acts as its master, or a person or guarantor who requests a licence as provided in the present by-law. Is also reputed as the owner, the proprietor, the occupant or holder of a unit where the animal usually lives.
«dog catcher»	Besides the municipal inspector, the physical person or legal entity, company or organization that the municipal Council has, by resolution, given the responsibility to apply, in whole or in part, the present by-law
«municipal inspector»	Employee of the Municipality of the Township of Gore.
«Municipality»:	Indicates the Municipality of the Township of Gore.
«park» :	A public space reserved primarily as a green space for relaxation or for walks.
«playground» :	A public space primarily laid out for practicing sport and for leisure.
«occupation unit»:	One or several rooms situated in a building and primarily used for residential, commercial or industrial means.
«public way»:	All routes, roads, streets, alleys, places, bridges, walkways, cycling paths, sidewalks or other ways that are not part of a private domain.

ARTICLE 2

The Municipality can enter into agreements with any person or organization authorizing them to apply in whole or in part the present by-law.

ARTICLE 3

The dog catcher is in charge of the application of the present by-law.

The dog catcher is authorized to visit and examine, between 7:00 am and 7:00 pm, all movable and immovable properties, as well as the interior and exterior of all homes or buildings whatsoever, to ensure that the present by-law is being respected, and any owner, renter or occupant of these properties, homes or buildings must receive him, allow him to enter and answer all of the questions that he may ask relative to the execution of the present by-law.

CHAPTER II– MEASURES APPLICABLE TO ALL ANIMALS

ARTICLE 4

It is forbidden to all persons to own a wild animal within the limits of the Municipality of the Township of Gore.

ARTICLE 5

It is forbidden to own more than three (3) animals in an occupation unit and its outbuildings.

The preceding paragraph does not apply to a pet shop, a training school, a kennel and a veterinarian clinic.

In spite of the preceding paragraph, if an animal births, the litter may be kept for a period not exceeding three (3) months from the date of the birth.

The limit of three (3) animals provided for in the first paragraph does not apply to birds, nor to mammals such as hamsters, rats and mice, within the measure where the owner or occupant of a building or flat does not keep more than five (5) of these animals in this building, flat or outbuilding.

ARTICLE 6

All animals kept outside of the owner's occupation unit or his outbuildings must be kept tied by means of a device (fastener, leash, fence, cage, etc.) preventing them from leaving the premises.

ARTICLE 7

It is forbidden at all times to allow an animal to wander on a public way or on a private property other than the animal owner's occupation unit and its outbuildings.

ARTICLE 8

An animal's owner must feed him adequately, taking into account its species and age.

ARTICLE 9

It is forbidden to leave an animal's fecal matter in a public space or on a private property. The animal's owner, except in the case of a guide dog, must remove them immediately and dispose of them in a hygienic way in a waterproof bag before throwing them in the garbage bins.

When the animal's fecal matter is on the owner's private property, he must dispose of them within a reasonable delay.

ARTICLE 10

It is forbidden to abandon an animal within the limits of the Municipality.

An owner, who wishes to rid himself of his animal, unless he gives it away or sells it, must give it to the dog pound who in turn will dispose of it according to the measures provided in the present by-law at the owner's expense.

ARTICLE 11

If an animal dies, its owner must, within 24 hours of the death, adequately dispose of the animal and inform the Municipality in order for them to update the licence registry.

CHAPTER III- MEASURES RELATIVE TO DOGS

SECTION I – GENERAL MEASURES

ARTICLE 12

In the streets, public roads, parks, playgrounds and in all other public spaces, a dog must always be kept on a leash of a maximum length of one (1) meter and under control of the person walking it.

ARTICLE 13

The controller may, when a dog or any other animal finds itself in a public space contrary to article 12, seize the animal and bring it to the dog pound.

SECTION II – LICENCES

ARTICLE 14

Any person that is the owner of a dog within the limits of the Municipality must get a licence from the municipal office according to the present section.

The owner of a dog wearing a valid current year licence issued by another Municipality where he usually lives is not obliged to get the licence stipulated in the previous paragraph if the dog is brought to the Municipality for a temporary period.

ARTICLE 15

The licence must be obtained within twenty one (21) days of the acquisition of the dog.

ARTICLE 16

The licence is valid for the lifetime of the animal. The permit is non-transferable.

ARTICLE 17

Obtaining the licence is free. However, there is a \$100 fee for a kennel.

ARTICLE 18

An owner cannot have more than one licence per dog unless he proves that he no longer has that dog and has acquired a new one.

ARTICLE 19

A licence issued to a dog can only be worn by that dog.

ARTICLE 20

An owner who establishes himself in the Municipality must conform to the present section within a three month delay from the time when he started residing in the territory of the Municipality, even if his dog has a licence issued by the authorities from another Municipality.

ARTICLE 21

The permit request must be presented using the form in Annex “B”.

ARTICLE 22

The municipal employee gives the owner a licence indicating the dog’s registration number and the name of the Municipality using the information mentioned in article 21.

ARTICLE 23

The Municipality keeps a registry where there is written the name, surname, address and telephone number of the owner as well as the dog's registration number for which the licence was issued, as well as all relative information about the dog.

ARTICLE 24

It is the owner's responsibility that the dog wears his licence on his collar at all times.

ARTICLE 25

In case of loss, another licence may be obtained free of charge.

ARTICLE 26

The articles of the present section do not apply to pet shops or other businesses of this type.

SECTION III – STRAY DOGS

ARTICLE 27

The controller can put in the dog pound, sell for the Municipality's profit or euthanize any stray or dangerous animal.

For the purpose of the present by-law, is renowned dangerous any dog who:

- bit or attacked a person or other animal causing injury,
- is found outside its land where is situated the building occupied by its owner or outside its owner's vehicle, who manifests aggression towards a person by growling, showing its teeth, barking ferociously or by acting in all other manner which indicates that the animal could bite or attack.

ARTICLE 28

Notwithstanding what follows, the owner of a caught dog can get it back within the next three (3) business days, without prejudice to the right of the Municipality to pursue for infractions to the present by-law that might have been committed.

If no licence was issued for the dog, according to the present by-law, the owner must also, in order to take possession of his dog, obtain the required licence from the Municipality, without prejudice to the right of the Municipality to pursue for infractions to the present by-law, if necessary.

If the dog is not claimed within the delay mentioned in the preceding paragraph, the said dog could be eliminated or sold to the profit of the Municipality, by the controller.

ARTICLE 29

If the dog is wearing the licence required by the present by-law on its collar, the three (3) day delay mentioned in the preceding article starts as of the moment when the Municipality has sent a notice, by registered or certified mail, to the registered dog's owner, informing him that they are holding his dog and that they will dispose of it after three (3) business days following the reception of the notice.

ARTICLE 30

At the expiration of the delays mentioned in articles 28 and 29, the controller is authorized to proceed with the destruction or sale of the dog to the profit of the Municipality.

CHAPTER IV– NUISANCES

ARTICLE 31

An animal that barks, howls or whose repeated yelps are susceptible to hinder the neighbours' comfort or peace, constitutes a nuisance and is prohibited.

ARTICLE 32

It is forbidden to whomever to allow an animal to swim or to tolerate that an animal is swimming in lakes, public pools, basins, fountains or other similar places situated on the Municipality's territory.

ARTICLE 33

It is forbidden to find oneself, without a legitimate excuse, on a street, in a park, in a public place or in any place where the public is admitted with, in a cage or not, a rat, a tarantula or other spider, a snake or other reptile or any animal of this nature.

ARTICLE 34

The fact that a domestic animal is on a private property other than the owner's, without the consent of the property owner or occupant constitutes a nuisance and is prohibited.

ARTICLE 35

It is forbidden to all owners to allow their animal to act or to permit to their animal to act in a way to prevent or to hamper the passage or circulation of persons or to scare anyone in proximity to the animal.

The first paragraph applies when the animal is found in a place where the public is admitted, such as streets, parks or commercial centers and on a private property if its wrongdoings hamper or scare any person who is found in a place where the public is admitted.

ARTICLE 36

It is forbidden to all owners to order their dog to attack a person or an animal, or to simulate the command of such an attack against a person or animal, without a legitimate excuse.

May be considered as a legitimate excuse for an owner to order his dog to attack a person or an animal if this was done to protect himself against a perpetrated aggression by this person or animal.

In fact, if a dog bites or attempts to bite a person or animal, this constitutes an infraction and the animal's owner is liable of a fine provided in the present by-law.

CHAPTER V- PENALTIES

ARTICLE 37

Whoever, including the animal's owner, lets his animal infringe on the present by-law's measures, and whoever, including the animal's owner, contravenes to the present by-law commits an infraction and is liable, for all violations, of a minimum penalty of \$300 to a maximum penalty of \$1,000 for a natural person in the case of a first violation and a minimum penalty of \$600 to a maximum penalty of \$2,000 for a legal entity in the case of a first violation; for a repeat offense, the minimum penalty is \$600 to a maximum of \$2,000 for a natural person, and a minimum penalty of \$1,200 to a maximum of \$4,000 for a legal entity.

If the infraction is continuous and constitutes day after day a separate infraction, the offender is liable of a penalty for each day during which the infraction continues.

CHAPTER VI- LEGAL PROCEEDINGS

ARTICLE 38

The Council generally authorizes the controller to undertake the legal proceedings against an offender to any of the present by-law's measures, and consequently generally authorizes the controller to deliver infraction reports to be used for this purpose.

CHAPTER VII- FINAL AND PROVISIONAL MEASURES

ARTICLE 39

The present by-law does not affect the number of intended animals in previous by-laws of the Municipality of the Township of Gore as long as it concerns the same animal.

However, when those animals die or at the time when the owner gives them away, they cannot be replaced and the measures in article 5 of the present by-law are consequently applied.

ARTICLE 40

The present by-law repeals and replaces by-law N° 71-3 concerning animals in the Municipality.

ARTICLE 41

The present by-law will come into force according to the Law.

Scott Pearce
Mayor

Diane Chales
Secretary-treasurer

Notice of motion:	05-03-2012
Adoption:	02-04-2012
Publication notice:	05-04-2012
Comes into force:	05-04-2012

ANNEX "A"

WILD ANIMALS

- All marsupials (e.g. kangaroos, koalas)
- All simians and lemurs (e.g. chimpanzees)
- All venomous arthropods (e.g. tarantulas, scorpions)
- All birds of prey (e.g. falcons)
- All edentate mammals (e.g. armadillos)
- All bats
- All flightless birds (e.g. ostriches)

CARNIVORS

- All canines excluding domestic dogs (e.g. wolves)
- All felines excluding domestic cats (e.g. lynxes)
- All weasels excluding domestic ferrets (e.g. skunks)
- All ursidae (e.g. bears)
- All hyaenidae (e.g. hyenas)
- All pinnipedia (e.g. seals)
- All procyonidae (e.g. racoons)
- All [perissodactyla](#) excluding domestic horses (e.g. rhinoceros)
- All artiodactyla excluding domestic goats, sheep, pigs and bovine (e.g. buffalos, antelopes)
- All probocidians (e.g. elephants)

REPTILES

- All lacertilians (e.g. iguanas)
- All ophidians (e.g. royal pythons, striped grass snakes)
- All crocodilians (e.g. alligators)

ANNEX "B"

The register kept by a competent authority must contain the following details:

ANIMAL'S OWNER

LAST NAME: _____

FIRST NAME: _____

ADDRESS: _____

POTAL CODE: _____

TELEPHONE: _____

RESPONSIBLE PERSON (if different from owner)

CONNECTION: _____

NAME: _____

ADDRESS: _____

POSTAL CODE: _____

TELEPHONE: _____

ANIMAL

BREED: _____

SEX: _____

AGE: _____

NAME: _____

TYPE OF FUR: _____

COLOUR: _____

DISTINGUISHING MARKS: _____

DATE: _____

TAG NUMBER: _____