

AMENDED

BY-LAW NO. 2009-0011 (LI-3)

DATE Feb. 9, 2009

CORPORATION OF THE TOWN OF GEORGINA  
IN THE  
REGIONAL MUNICIPALITY OF YORK

BY-LAW NUMBER 2004-0130 (LI-3)

**A BY-LAW TO PROVIDE FOR THE LICENSING AND  
REGULATION OF DOGS, FOR IMPOSING A LICENSE FEE  
ON THE OWNER THEREOF AND FOR PROHIBITING THE  
RUNNING AT LARGE OF ANIMALS WITHIN THE TOWN  
OF GEORGINA.**

WHEREAS the Municipal Act, 2001, as amended, authorized the Council of a local municipality to pass by-laws in reference to animals kept within the municipality;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWN OF GEORGINA ENACTS AS FOLLOWS:

1. Definitions

For the purposes of this By-law

"animal" shall mean any domestic dog or cat

"Animal Control Officer" includes any employee of the Town so appointed or an employee, person, company or association who has entered into a contract with the Corporation of the Town of Georgina to control dogs and any servants or agents of such employee, person, company or association.

"Clerk" shall mean the Clerk of the Town of Georgina.

"dog" means any male or female dog over the age of 16 weeks

"cat" means any male or female domesticated cat

"Issuer of Licenses" means the person or persons authorized by the Town of Georgina to issue dog licenses and to collect the required fees.

"owner" means any owner of a dog, including a person, partnership, association or corporation that owns, possesses, harbours or has control care or custody over a dog and where the owner is a "minor", the person responsible for the custody of the minor.

"running at large" shall mean any dog or cat found in any place other than the premises of the owner and not under the control of any person.

"Service Animal" means a guide dog or other trained service animal identifiable by a harness, used principally to assist persons with a visual, hearing or other impediment or law enforcement personnel.

"Town" means the Corporation of the Town of Georgina.

Licensing

2. Every owner of a dog shall upon becoming the owner of such animal, purchase a license for the current year for said dog.

3. The license shall be renewed annually on or before the 28<sup>th</sup> day of February each year and shall expire on the 31<sup>st</sup> day of December of the same year.
4. A new resident of the Town shall not be required to pay a license fee for a dog if the license for said dog has already been obtained for the current year from another municipality to which he or she has previously been a resident, providing such license is forfeited to an Issuer of Licenses and payment is made for the cost of a replacement tag in accordance with the Schedule "A" attached hereto. Residents of the Town of Newmarket, Town of Whitchurch-Stouffville or Town of East Gwillimbury are exempt from this provision of the by-law and will not be required to purchase a replacement tag.
5. Every owner or person in control of, or in apparent control of, a registered dog shall keep the dog tag securely fixed on the animal at all times (except while the dog is being used for hunting purposes) and shall not transfer the license issued to any other person. The license tag shall expire and become void upon sale, death or other means of disposal of dog.
6. In the event a license is lost, the owner shall, upon satisfying the Issuer of Licenses of such loss, be entitled to receive a replacement license upon payment of the fee prescribed in the Schedule "A" attached hereto.
7. No owner of a dog shall use a license issued to him or her for any dog other than the dog for which the license was issued.
8. No person shall remove a dog license from a dog without the consent of the owner thereof.
9. The fees charged for a dog registration tag shall be in accordance with Schedule "A" attached hereto.
10. Any person who produces evidence to the municipality showing that the dog is required as a guide for assistance by a disabled person shall be exempt from paying the license fee.

#### **Responsibility of the Owner**

11. No owner(s) or tenant(s) within any residential, commercial, industrial, or institutional zoned property in the Town of Georgina shall keep more than three dogs per property (with the exception of property zoned as multi-residential apartment buildings). This section does not apply to the following:
  - a) The operation of a licensed kennel;
  - b) An animal hospital owned and operated by a veterinarian licensed by the Ontario Veterinarian Association;
  - c) A pet store;
  - d) An animal pound or shelter;
  - e) All other zoned property.
12. No owner shall permit any dog to bark or to create any noise that is likely to disturb the inhabitants of the Town or that constitutes a public nuisance.
13. Any person who owns, harbours, or possesses a dog shall forthwith clean up and dispose of any excrement left by the said dog on any property whether public or private in the Town of Georgina. In any prosecution pursuant to a violation of this section of the by-law, proof that the defendant is either a blind person or a handicapped person shall constitute a defense to such prosecution.

14. No owner of a dog shall allow the dog to run at large within the limits of the Town. For the purposes of this section, 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 and not on a leash.
15. No person who owns, harbours, or possesses a dog shall allow it, whether leashed or unleashed, to trespass on private property
16. Where a dog/cat is impounded, the owner if known, shall be liable for all charges and fees in accordance with the by-law and shall pay all such charges and fees on demand to the Animal Control Officer, whether or not the dog/cat is claimed from the pound.

#### **Responsibilities of Animal Control Officer**


17. The Animal Control Officer may seize and impound any dog or cat found running at large contrary to the provisions of this by-law.
18. An Animal Control Officer may seize and impound any dog or cat found running at large within the limits of the Town of Georgina or any dog found without a license contrary to the provisions of this by-law. Any dog or cat so impounded, if not retrieved by the owner, shall be fed and watered for a period of a minimum of five (5) business days, excluding the day on which the dog or cat was impounded and excluding the days that the Shelter is closed, and if not redeemed at the expiration of the five (5) day period, may be sold, given to fostering facilities or euthanized.
19. Notwithstanding Section 18, a dog or cat can be euthanized after the three day redemption period has expired if;
  - a) the dog or cat is, in the opinion of staff at the shelter facility, so ill or injured as to be unadoptable;
  - b) the dog or cat is, in the opinion of the staff at the shelter facility, vicious or feral; or
    - i) the shelter facility has become overcrowded,
    - ii) all reasonable efforts to relocate the dog or cat to another shelter or shelter facility have failed, and
    - iii) the dog or cat has been at the shelter facility for longer than any other dog or cat in the facility at the time.
20. No attempt may be made by any authority to claim or purchase animals for the purpose of research, notwithstanding the provisions of the *Animals for Research Act, R.S.O., 1990* and no animal shall be offered for same for the purpose of research.
21. During the redemption period set out in Section 18, the owner of a dog/cat shall be entitled to redeem said dog/cat in accordance with Schedule A attached to this by-law. No owner shall be entitled to redeem said dog until a current tag is procured for said dog. The owner will be charged according to the current dog licensing fees.

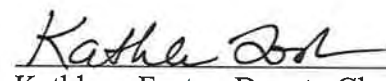
22. At the discretion of the Animal Control Officer, if a dog/cat is seriously injured or should be destroyed without delay for humane reasons, or for safety of persons or animal, the dog/cat shall be destroyed forthwith and the costs recovered from the owner.
23. If a dog/cat is injured and the services of a veterinary surgeon is secured, the owner shall not be entitled to redeem the dog/cat unless the charges for such veterinary surgeon's services are paid, in addition to other charges provided for in this by-law.
24. An Animal Control Officer shall, within twenty-four (24) hours from the impounding of any dog/cat, make every reasonable effort to notify the owner that the dog/cat is impounded and the conditions whereby custody of the dog/cat may be regained.
25. Any person shall be entitled to take charge of any dog/cat found running at large and deliver same to an Animal Control Officer or animal shelter during normal operating hours.
26. A dog/cat seized and impounded and suspected of being rabid shall be held in isolation for at least ten (10) days if ordered by the Regional Health Authority.

**Penalties**

27. Every person who contravenes the provisions of this By-law is upon conviction guilty of an offence and is liable to a fine as provided for in the Provincial Offences Act.
28. This by-law shall come into force and effect on January 1, 2005 at which time By-laws Nos. 2001-0159 (LI-3) and 2002-0182 (LI-3) are repealed.

READ a first, second and third time and finally passed this 13<sup>th</sup> day of December, 2004.

  
Robert A. Grossi, Mayor

  
Kathleen Foster, Deputy Clerk

Schedule 'A' to By-law No. 2004-0130 (LI-3)

**FEE SCHEDULE**

1. License of Dogs
  - Spayed/Neutered ..... \$20.00
  - Not Spayed/Neutered ..... \$35.00
2. Replacement Tags ..... \$5.00
3. License of Service Animal ..... Nil
4. Service Fees
  - picking up an unwanted dog at the request of the owner ..... \$90.00
  - picking up an unwanted cat at the request of the owner ..... \$60.00
  - picking up a dead dog at the request of the owner ..... \$65.00
  - picking up a dead cat at the request of the owner ..... \$45.00
  - accepting an animal at the request of an owner when delivered and released to the shelter ..... \$75.00
  - accepting a litter of puppies at the request of owner when delivered and released to the shelter ..... \$100.00
  - accepting a litter of kittens at the request of owner when delivered and released to the shelter ..... \$75.00
  - disposing of a dead dog at the request of owner if delivered to shelter .... \$50.00
  - disposing of a dead cat at the request of owner if delivered to shelter ..... \$30.00
  - picking up a 'stray' animal (dog/cat, dead or alive)..... N/C
5. Impound Fees (within calendar year):
  - First Offence ..... \$25.00\*
  - Second Offence ..... \$40.00\*
  - Third Offence ..... \$75.00\*
  - \*plus \$15.00 per day or portion thereof
6. Return of Animal to owners without impounding (within calendar year):
  - First Offence ..... \$30.00
  - Second Offence ..... \$45.00
  - Third Offence: ..... dog impounded
7. After Hours - Call Out:
  - Dog delivered to shelter (emergency call) and released to owner ..... \$40.00
8. Adoption Fees (plus GST and PST):
  - Dog ..... \$70.00\*
  - Cat ..... \$25.00\*
  - \*plus cost of sterilization (spay/neuter) and vaccination

**Schedule 'A'**  
**Animal Control Services Agreement**  
**Monthly Report**

	<b>EAST GWILLIMBURY</b>	<b>NEWMARKET</b>	<b>WHITCHURCH- STOUFFVILLE</b>	<b>GEORGINA</b>
<b>Dogs to shelter</b>				
<b>Cats to shelter</b>				
<b>Number of calls</b>				
<b>Wildlife calls</b>				
<b>Dogs claimed from truck</b>				
<b>Verbal</b>				
<b>Written</b>				
<b>Fines</b>				
<b>Total After-Hours Calls</b>				
<b>After-Hours responded to</b>				
<b>After-Hours animals to shelter</b>				