

THE CORPORATION OF THE COUNTY OF PRINCE EDWARD

BY-LAW NO. 2958-2011

Consolidated Version

Amended by By-law 3239-2013-April 23 2013

A BY-LAW TO PROVIDE FOR THE LICENSING, REGULATION AND REGISTRATION OF DOGS WITHIN THE CORPORATION OF THE COUNTY OF PRINCE EDWARD.

WHEREAS pursuant to Section 10 (2) of the Municipal Act, 2001, S.O. 2001, c.25 as amended, a single tier municipality may pass a by-law respecting animals;

AND WHEREAS Section 103 of the Municipal Act, 2001, S.O. 2001, c.25 as amended, provides for the seizure and impounding of animals being at large or trespassing, and the sale of impounded animals;

AND WHEREAS Section 105 of the Municipal Act, 2001, S.O. 2001, c.25 as amended, provides for the requirement of muzzling dogs;

AND WHEREAS Section 391 of the Municipal Act, 2001, S.O. 2001, c. 25 authorizes a municipality to impose fees or charges for services or activities provided by the municipality."

AND WHEREAS Council desires to provide for the licensing, regulating and registration of dogs within the Corporation of the County of Prince Edward;

NOW THEREFORE THE COUNCIL OF CORPORATION OF THE COUNTY OF PRINCE EDWARD ENACTS AS FOLLOWS:

1. GENERAL

1.1. This by-law may be cited as the "Canine Control By-Law".

2. DEFINITIONS

In this by-law, unless the context requires otherwise:

2.1. **"ANIMAL CONTROL OFFICER"** shall mean the person or persons, society or association appointed by the Council of the County of Prince Edward to enforce this by-law and shall include any servant or agent of such person or society or association employed for such purpose.

2.2. **"AID DOG"** shall mean a dog that is trained to aid the handicapped and is actively in use for such purpose.

- 2.3. **"BREEDER"** shall mean a person who operates a kennel to breed dogs on his or her property as a home occupation and who, for this purpose, keeps more than the maximum allowable number of dogs.
- 2.4. **"COUNCIL"** shall mean the Council of the Corporation of the County of Prince Edward
- 2.5. **"COUNTY"** shall mean the Corporation of the County of Prince Edward.
- ~~2.6.~~ **"KENNEL"** shall mean ~~premises other than a pet store, veterinary hospital or clinic, animal shelter or property that is operating a legitimate fostering program for dogs under the authority of a Society, in which the predominant activity consists of:~~
- 2.6.1. breeding dogs; or
 - 2.6.2. raising dogs; or
 - 2.6.3. boarding dogs; or
 - 2.6.4. harbouring more than the maximum allowable number of dogs.
- (as amended by By-law 3239-2013)**
- 2.7. **"LEASH"** shall mean a restraining device of sufficient strength and material for holding a dog.
- 2.8. **"LEASHED"** shall mean a restraining device securely attached to the dog and person or object.
- 2.9. **"LICENCE"** shall mean the receipt issued by the Treasurer of the County of Prince Edward or his or her authorized agent, upon payment of a licence fee for the licensing of dogs as required under the provisions of this by-law.
- 2.10. **"MEDICAL OFFICER"** shall mean the Medical Officer of Health for the Hastings and Prince Edward Counties Health Unit.
- 2.11. **"MUZZLED"** shall mean a humane fastening or covering device of adequate strength over the mouth to prevent a dog from biting.
- 2.12. **"OWNER"** shall include any person who possesses or harbours dogs, ~~and owns or owned shall have a corresponding meaning, and owner shall include the person or persons who are temporarily the keeper of dogs,~~ and where the owner is a minor, the person responsible for the custody of the minor.
(as amended by By-law 3239-2013)
- 2.13. **"PERSON"** shall mean any individual, firm, incorporated group, business entity or club to whom the context can apply.

- 2.14.** “**POLICE WORK DOG**” shall mean a dog trained to aid law enforcement officers and that is actually being used for police work purposes for the protection of the public, including the investigation of crime and the apprehension of law violators.
- 2.15.** “**POUND**” shall mean such premises and facilities designated by the Council of the County of Prince Edward as a pound.
- 2.16.** “**POUNDKEEPER**” shall mean a person, persons, association or society appointed by the Council of the County of Prince Edward to maintain and administer the pound or pounds.
- 2.17.** “**RUNNING AT LARGE**” shall mean found in any place other than the premises of the owner of the dog and not under the control of any competent person and not leashed in accordance with the provisions of this by-law.
- 2.18.** “**SOCIETY**” or “**HUMANE SOCIETY**” means the Loyalist Humane Society, the Ontario Humane Society and includes affiliated Societies and the Ontario Society for the Prevention of Cruelty to Animals (OSPCA).
- 2.19.** “**SPORTING DOGS**” shall mean dogs of various breeds raised, kept and trained to participate in sporting activities and competitions including, but not limited to, dog shows, trials for retrievers and tracking dogs, sled dog races and the hunting of game but not for breeding.
- 2.20.** “**TAG**” shall mean a disc bearing a serial number and year of issue which shall be affixed to the dog for which it is issued.
- 2.21.** “**URBAN AREAS**” shall mean and include Ward One (Picton), Ward Two (Bloomfield), Ward three (Wellington), and all villages and hamlets in the County.
- 2.22.** “**VICIOUS OR DANGEROUS DOG**” shall mean any individual dog that:
- 2.22.1.** has killed a domestic animal; or
 - 2.22.2.** has bitten or injured a human being or domestic animal; or
 - 2.22.3.** has been threatening or aggressive towards a human being or domestic animal without being provoked.

3. KENNELS

3.1. The owner of a kennel **used for other than boarding, or breeder** shall pay annually to the County, or its authorized agent, on or before the 31st day of March in each year, a licence fee for his or her kennel in accordance with Schedule 'E' of the Fee and Charges By-law No. 3025-2012, as amended, and shall receive a kennel licence for the current year.
(as amended by By-law 3239-2013)

~~3.2. Subject to Section 3.3, where the owner of a kennel or breeder has complied with subsection 3.1, he or she is not required to cause each dog kept at his or her kennel to be registered with and licensed by the County.~~

3.2 **Owners of a boarding kennel shall register their own dogs in accordance with Section 4. The owner of a boarding kennel shall register their kennel with the County, or its authorized agent.**
(as amended by By-law 3239-2013)

3.3. Owners of a kennel shall register their own dogs in accordance with Section 4. Registration fee is included in the kennel licence fee.

3.4. No person shall operate a kennel without a kennel licence.

~~3.5. No licence shall be issued to any kennel pursuant to the provisions of this by-law unless the kennel is in a location or an area in which kennels are permitted by the applicable Zoning By-Law and unless the kennel complies with all of the requirements of that Zoning By-Law.~~

3.5 **No person shall operate a kennel or be issued a kennel license or the renewal of a kennel license unless the use or proposed use conforms with the zoning by-law that applies to the property, the property complies with the property standards by-law and any other applicable by-laws including but not limited to, the *Health Protection and Promotion Act*, the *Ontario Society for the Prevention of Cruelty to Animals Act*, and the *Fire Protection and Prevention Act*;**

The kennel shall be in a separate building and shall not be attached to a building which is or can be used for human habitation."

(as amended by By-law 3239-2013)

3.6. No person shall keep more than three (3) dogs over three (3) months of age at any one location unless a kennel licence or sporting dog licence has been issued to that person for that location.

- 3.7.** Every person who operates a kennel shall comply with the following requirements:
- 3.7.1.** The kennel shall be in a separate building and shall not be attached to a building which is or can be used for human habitation.
 - 3.7.2.** The kennel building must conform to the Ontario Building Code and must be maintained in such a manner as to be free of damage.
 - ~~**3.7.3.** The kennel building shall have a floor of concrete or other impermeable material and shall be equipped with a drain opening constructed as a plumbing fixture. Alternatively, dogs may be kept in cages of size adequate to allow the animal to extend its legs to their full extent, to stand or sit, to turn around or lie down in a fully extended position, and the cages shall be constructed solely of metal or wire or partly of wire and shall have metal or other impermeable bottoms.~~
(as amended by By-law 3239-2013)
 - 3.7.4.** The kennel building shall have:
 - 3.7.4.1.** electric lighting;
 - 3.7.4.2.** windows which may be opened for proper ventilation;
 - 3.7.4.3.** a heating system sufficient for the health, care and comfort of the dogs; and
 - 3.7.4.4.** hot and cold running water and a food preparation area.
 - 3.7.5.** Where dogs are permitted to use an outside area, there shall be constructed around such area a fence designed to limit visibility having a height of at least 1.52 metres (5 feet); the wall of an adjacent building may be included as part of such fenced-in area. Such fence shall not be required where the outside area is more than 61 metres (200 feet) from the nearest limit of the property.
 - 3.7.6.** Where a clipping and grooming service is performed, such clipping and grooming shall be carried out in the kennel building only.
- ~~**3.8.** Every kennel shall be subject to an annual inspection by the Animal Control Officer, or by such other person or agency as may be designated by Council, to ensure that the foregoing provisions of Section 3 are being adhered to in the operation of the kennel, and a report in writing of each inspection shall be filed in the Office of the Commissioner of Planning Services for the County. The initial inspection fee is included in the kennel licence fee. Fees for any further inspections within the year the kennel licence was purchased will be in accordance with~~

~~Schedule 'E' of the Fee and Charges By-law No. 2817-2011, as amended.~~

- 3.8** Every kennel shall be subject to an initial inspection by the Animal Control Officer, or by such other person or agency as may be designated by Council, to ensure that the foregoing provisions of Section 3 are being adhered to in the operation of the kennel, and a report in writing of each inspection shall be filed in the Office of the Commissioner of Engineering, Development and Works.

The initial inspection fee is included in the kennel licence fee. Fees for any further inspections within the year the kennel licence was purchased will be charged in accordance with Schedule "E" of the Fee and Charges By-law No. 2817-2011, as amended. **(as amended by By-law 3239-2013)**

- 3.9.** Where such inspection reveals that the foregoing provisions of Section_3 are not being adhered to by the kennel owner or the breeder, the Animal Control officer, or such other person or agency as may be designated by Council, may suspend the owner's or breeder's kennel licence until the deficiencies found have been remedied. An inspection fee shall be payable to the County, or its authorized agent, on each occasion that a further inspection of the kennel is necessary to determine that the kennel satisfies the requirements of Section 3.

~~**3.10.** An inspection of a kennel may be carried out more frequently than once each year where a reasonable complaint or complaints with respect to the operation of the kennel have been received by the County.~~

- 3.10** **Subsequent inspections of a kennel may be carried out where a reasonable complaint or complaints with respect to the operation of the kennel have been received.**
(as amended by By-law 3239-2013)

- 3.11.** No person shall operate a kennel while his or her kennel licence is under suspension.

- 3.12.** Kennel licenses may be issued by the Animal Control Officer upon an approved kennel inspection to be carried out within sixty (60) days from application.

4. DOG LICENSING REGULATIONS AND REGISTRATION

- 4.1.** No person shall own a dog in the County without a dog licence.
- 4.2.** Every person who resides in the County and who is the owner of a dog shall, immediately upon the dog coming into his or her possession, register the dog with the County or its authorized agent and on the day of registration, and thereafter annually on

or before the 31st day of March in each year, shall pay to the County or its authorized agent a licence fee calculated in accordance with Schedule 'E' of the Fee and Charges By-law No. 2817-2011, as amended.

- 4.3.** On payment of the licence fee and conformity with the provisions of this by-law, the County or its authorized agent shall issue for each dog so registered a serially numbered licence tag and shall cause the name of the owner, his or her address and the number of the tag to be entered in a book or database kept for this purpose.
- 4.4.** Every owner shall affix to his or her dog a current licence tag issued in accordance with this by-law, and shall keep such tag affixed to the dog at all times when the dog is not on the owner's property.
- 4.5.** No person shall transfer a licence tag or registration, and the licence tag shall expire and become void upon the sale, death or other disposal of the dog.
- 4.6.** Every licence under this Section shall expire on the 31st day of March of the year following the year in which the licence was issued. Upon payment of the annual licence fee in accordance with Schedule 'E' of the Fee and Charges By-law No. 2817-2011, as amended, the licence shall be issued for a period of one year.
- 4.7.** No person other than the owner of the dog or his or her agent shall remove the licence tag from the dog.
- 4.8.** Where any person who has been issued a tag for a dog pursuant to the provisions of this by-law can prove to the satisfaction of the Animal Control Officer, or any other Officer duly authorized by the County for this purpose, that the tag has been lost or otherwise misplaced, the Officer may issue a replacement tag upon payment by the person of the fee therefore as set out in Schedule "A" to this bylaw.
- 4.9.** No person shall use a licence tag upon a dog other than the dog for which the tag was issued.
- 4.10.** Any person who is so required by the County, or its authorized agent, shall forthwith deliver to the County, or its authorized agent, a statement in writing showing the number of male dogs, neutered dogs, female dogs and spayed female dogs owned by such person or which are habitually kept upon the premises for which such person is assessed as owner or otherwise.
- 4.11.** No owner shall cause or permit his or her dog to become a public nuisance by:

 - 4.11.1.** persistently barking or howling; or
 - 4.11.2.** damaging public or private property; or

- 4.11.3. scattering garbage or interfering with waste management activities; or
- 4.11.4. persistently barking at or chasing persons, vehicles, domestic animals, livestock, poultry, or other animals kept on an agricultural property; or
- 4.11.5. being in a public park or recreational area and not on a leash; this subsection shall not apply when the dog is within the fenced area of the Picton Dog Park.

5. RESTRICTIONS

- 5.1. Subject to 5.1.1, 5.1.2 and 5.1.3 hereunder, no person shall harbour more than a total of three (3) dogs in or about any single dwelling unit.
 - 5.1.1. This Section does not apply to the operation of a kennel.
 - 5.1.2. This Section does not apply to holders of a sporting dog licence.
 - 5.1.3. This section does not apply to dogs under the age of three (3) months.

6. DOGS RUNNING AT LARGE

- 6.1. No person shall cause or permit any dog to run at large.
- 6.2. For the purposes of this By-law, a dog shall be deemed to be running at large if it is found in any place other than the premises of the owner of the dog and not under the control of any person.
- 6.3. In the urban areas of the County every dog shall be leashed when not on the premises of its owner, and every dog shall be leashed when in any public park in the County.
- 6.4. A dog shall not be considered to be running at large if it is an aid dog or a police work dog.
- 6.5. Any dog running at large contrary to the provisions of this by-law may be captured by any animal control officer, by-law enforcement officer, police officer or any other person duly authorized by Council for that purpose.
- 6.6. Any person may capture any dog running at large and trespassing on his or her property and, upon doing so, shall deliver the dog to the Animal Control Officer who may impound the dog.
- 6.7. An Animal Control Officer, or other duly appointed officer, may enter on any public property, or on private property with the consent of the owner or tenant of the property, for the purpose of apprehending any dog running at large contrary to the provisions of this by-law.

- 6.8.** Any dog running at large contrary to the provisions of this by-law which in the opinion of the Animal Control Officer appears to be vicious or rabid and to be a threat to the safety of the community, and which cannot be captured by the Animal Control Officer, may be killed by the Animal Control Officer or other duly appointed officer. The owner of the dog shall not be entitled to damages or compensation on account of the dog being killed.
- 6.9.**
- 6.9.1.** To provide for the impounding of dogs under the provisions of this by-law a pound shall be established which complies with the Regulations made pursuant to the Animals for Research Act, R.S.O. 1990. c.A.22, as amended.
 - 6.9.2.** The pound shall be under the care and control of the poundkeeper whose duty it shall be to impound all dogs brought to him or her or found by him or her or others contrary to this by-law.
 - 6.9.3.** The poundkeeper shall keep a record of all dogs impounded and disposed of and shall, as may be required, report to Council or to such Committee as may be designated by Council, the number of dogs impounded, how each has been disposed of, the amount collected for poundage fees and the proceeds of any sales of dogs.
- 6.10.**
- 6.10.1.** It shall be the duty of the Animal Control Officer to capture all dogs running at large and to return them to the owner's residence, if known, or to take them to the pound where they may be impounded.
 - 6.10.2.** Subject to the provisions of this section, the owner of the impounded dog may redeem the dog from the pound within seventy two (72) hours from the time of impounding, exclusive of holidays and the day of impoundment, by paying to the pound keeper the applicable fees prescribed in Schedule "B" to this by-law and any charges incurred for the services of a veterinarian where necessary because a dog has been injured or where it is required that the dog be destroyed.
 - 6.10.3.** The pound keeper shall notify the owner, where his or her identity can be ascertained, that his or her dog has been impounded and the time and place and conditions upon which the dog can be reclaimed.
 - 6.10.4.** In the event that an impounded dog is not redeemed within seventy-two (72) hours the dog shall become the property of the pound keeper who may sell the dog or dispose of it as her or she deems fit. The owner of the dog shall not be entitled to damages or

compensation on account of the disposition of the dog.

- 6.11.** A female dog found to be running at large in heat shall be held at the pound until no longer in heat unless the owner makes arrangements satisfactory to the pound keeper for the confinement of the dog elsewhere. Such a dog shall not be held in the pound longer than twenty-one (21) days for the purposes of this subsection.
- 6.12.** Where a dog captured under this Section is found to be injured or ill and should be destroyed without delay for humane reasons or for reasons of safety to persons or animals, the Animal Control Officer or other duly appointed officer may put down the dog in a humane manner as soon after capture as he or she thinks fit without permitting any person to reclaim the dog or without offering it for sale. The owner of the dog shall not be entitled to damages or compensation on account of its being put down.
- 6.13.** Any owner of a dog that has been captured or impounded who has not obtained a dog licence for the current year or who is unable to produce to the Animal Control Officer or pound keeper proof of rabies vaccination of the dog within the preceding twelve (12) months shall be required to purchase a licence and/or to have the dog vaccinated at his or her expense before it is released to him or her.
- 6.14.** When a dog is known to have bitten a person, the Medical Officer may order that the dog be confined under supervised quarantine in the pound, in a veterinarian's facility or in a building on the dog owner's property for a period not to exceed fourteen (14) days in accordance with the Regulations under the Health Protection and Promotion Act, R.S.O. 1990, c.H.7, as amended.
- 6.15.** Any dog suspected of being rabid shall be placed in quarantine and shall be examined by a licensed veterinarian who may order the dog to be held in quarantine for a period of up to twenty-one (21) days or, with the approval of the Medical Officer, may order the dog to be put down in such manner that the brain is not damaged and the head shall be submitted to a competent laboratory for diagnosis.
- 6.16.** It shall be the duty of the poundkeeper to care for all impounded dogs in accordance with the Regulations made pursuant to the Animals for Research Act.

7. DOG BITES

- 7.1.** Unless it is a police work dog, no owner of a dog shall fail to take all precautions necessary to prevent the dog from biting or

attacking any person or from attacking, fighting with or biting any dog, domestic animal, domestic fowl, or livestock, whether on public or private property.

- 7.2.** When a dog has bitten or attacked a person or has attacked, fought with or bitten any dog, domestic animal, domestic fowl, or livestock, the owner of the dog shall cause the dog to be muzzled or leashed immediately and to remain muzzled or leashed until such time as the incident has been reviewed by the Animal Control Officer. The Animal Control Officer, as the result of his or her review, may:
- 7.2.1.** exempt the owner from the muzzling or leashing requirement; or
 - 7.2.2.** designate the dog as a vicious or dangerous dog, as the result of which the owner must comply with Section 8 of this by-law; or
 - 7.2.3.** commence proceedings under the Dog Owners' Liability Act, R.S.O. 1990, c. D.16, whereby the Ontario Court of Justice may order penalties ranging from effective control of the dog to its destruction.
- 7.3.** If the Animal Control Officer requires that a dog be leashed and/or muzzled after biting a person, a dog, a domestic animal or domestic fowl, or livestock, the owner of the dog may request, and is entitled to, a hearing by council or a Committee thereof, the members of which may exempt the owner from the muzzling or leashing requirement, or both.

8. VICIOUS OR DANGEROUS DOGS

- 8.1.** This Section shall not apply to police work dogs.
- 8.2.** A dog shall be deemed a vicious or dangerous dog where:
- 8.2.1.** an Animal Control Officer has designated a dog as a vicious or dangerous dog; or
 - 8.2.2.** the dog has been deemed vicious or dangerous in another jurisdiction or municipality; or
 - 8.2.3.** the owner has specific knowledge of the dog's temperament and behaviour which would classify the dog as vicious or dangerous.
- 8.3.** The owner of a vicious or dangerous dog shall pay the licence fee for a vicious or dangerous dog in accordance with Schedule 'E' of the Fee and Charges By-law No. 2817-2011, as amended.
- 8.4.** Every person who owns or keeps a vicious or dangerous dog shall keep the vicious or dangerous dog restrained at all times when on the premises of the owner of the vicious or dangerous dog in accordance with the provisions of this section;
- 8.5.** Every person who is obligated to restrain a vicious or dangerous dog shall restrain the vicious or dangerous dog in accordance

with any written directives which may be given by an Animal Control Officer and such written directives may include the following requirements:

- 8.5.1.** that such dog be muzzled in a humane manner at all times when it is in, or at, any place other than the premises of the owner; and
 - 8.5.2.** that such dog be further restrained by whatever means deemed appropriate and reasonable by the Animal Control Officer.
- 8.6.** The owner of a dog to which a written directive to muzzle under this by-law applies may request, and is entitled to, a hearing by council or a Committee thereof, the members of which may exempt the owner from the muzzling requirement if satisfied that it is appropriate to do so.
- 8.7.** No person shall keep a vicious or dangerous dog in the County if the vicious or dangerous dog has been found running at large in the County or not restrained when on the premises of the owner of the vicious or dangerous dog, or not restrained in accordance with written directives of an Animal Control Officer.
- 8.8.** Upon registration, every person who keeps a vicious or dangerous dog shall immediately notify the Municipality that the dog is vicious or dangerous.
- 8.9.** No person shall fail to inform the Animal Control Officer of change of ownership of the dog within fourteen (14) days of the transfer of a vicious or dangerous dog from one owner to the other. Such notification shall include identification of the dog, the name and address of the transferee and transferor and any other information which may be reasonably requested by the County.
- 8.10.** Every person or owner of a vicious or dangerous dog shall ensure that the dog is under control of a person over the age of nineteen (19).
- 8.11.** No person shall operate a kennel containing a vicious or dangerous dog.
- 8.12.** No person or owner shall allow vicious or dangerous dogs to attack, bite or fight with any dog, domestic animal, or domestic fowl or livestock.
- 8.13.** No person or owner of a vicious or dangerous dog shall fail to inform the Animal Control Officer that the dog is vicious or dangerous when a licence is being applied for.
- 8.14.** The owner of a vicious or dangerous dog shall post a sign of reasonable size in a conspicuous place on his or her property stating that there is a vicious or dangerous dog on the premises.

- 8.15.** No person or owner shall cause or permit a vicious or dangerous dog to:
- 8.15.1.** threaten, bite or attack any person; or
 - 8.15.2.** threaten, bite or attack any domestic animal; or
 - 8.15.3.** damage public or private property.
- 8.16.** No person or owner of a vicious or dangerous dog shall use a chain as a means of confinement.
- 8.17.** Any person or owner of a dog designated by an Animal Control Officer as vicious or dangerous shall have a ten (10) day appeal process to Council commencing when official notice of the designation has been served. Such notice of appeal shall be in writing setting out the appeal circumstances.

9. SPORTING DOGS

- 9.1.** No person shall keep sporting dogs without a sporting dog licence.
- 9.2.** The owner of a group of sporting dogs shall pay annually to the County, or its authorized agent, on or before the 31st day of March in each year, a licence fee for such dogs in accordance with Schedule 'E' of the Fee and Charges By-law No. 2817-2011, as amended, shall complete a form of registration of the dogs, and shall receive a sporting dogs' license for the current year.
- 9.3.** The maximum number of sporting dogs that may be kept at any one location shall be ten (10).
- 9.4.** Where the owner of a group of sporting dogs has complied with this section he or she is not required to cause each of his or her sporting dogs to be individually licensed by the County.
- 9.5.** No person shall keep more than (10) sporting dogs over three (3) months of age at any one location.
- 9.6.** The owner of sporting dogs shall ensure that these dogs are adequately housed and cared for.
- 9.7.** It shall be the responsibility of the owner to ensure that the activities of his or her sporting dogs conform with the details of these activities shown in the form of registration completed by the owner and that such activities are carried out only on his or her property unless the written permission of another property owner or owners has been obtained for this purpose.
- 9.8.** No person owning sporting dogs shall engage his or her dogs, or any of them, in activities other than those listed in the form of registration.

- 9.9.** No sporting dog licence shall be issued unless the property is located in an area in which kennels are permitted by the applicable zoning by-law.
- 9.10.** Every person who received a sporting dog licence prior to December 31, 2011 and cannot meet the requirement of subsection 9.9 may not obtain any new dogs but may receive a sporting dog licence until such time as the existing dogs naturally, or otherwise, are reduced to three (3).
- 9.11.** Every owner of a group of sporting dogs shall be subject to an annual inspection by the Animal Control Officer, or other such person or agency as may be designated by Council, to verify the number of dogs kept and registered. Each dog shall be issued a tag and be identified by that tag number on the registration.
- 9.12.** No persons owning sporting dogs shall permit the activities of such dogs, or any of them, to be carried out on private property without the written permission of the owner or owners of such private property.

10. WASTE

- 10.1.** The owner of a dog shall forthwith remove any excrement left by the dog on any land publicly or privately owned within the County of Prince Edward, save and except for property owned or occupied by the owner of the dog.
- 10.2.** Section 10.1 of this by-law does not apply to any person who is blind or visually impaired and whose dog is a guide dog trained to assist the blind or visually impaired persons.

11. ADMINISTRATION

- 11.1.** This by-law shall be administered by the Corporation of the County of Prince Edward.

12. PENALTIES

- 12.1.** Every person who contravenes any provision of this by-law is guilty of an offence and upon conviction is liable to a fine as provided in the Provincial Offences Act, R.S.O. 1990, c.P.33, as amended.
- 12.2.** Upon registering a conviction for a contravention of any provision of this by-law the Ontario Court of Justice may, in addition to any penalty imposed under subsection 12.1, make an order prohibiting the continuation or repetition of the offence by the person convicted.

13. EXEMPTIONS

- 13.1.** Sections 3, 4, and 5 do not apply to:
- 13.1.1.** An animal hospital owned and operated by a veterinarian licenced by the College of Veterinarians of Ontario ~~unless the animal hospital boards dogs for non-medical reasons, in which case a kennel licence is required;~~ or
 - 13.1.2.** The pound or a Humane Society shelter; or
 - 13.1.3.** A pet store.
(as amended by By-law 3239-2013)

14. SEVERABILITY

- 14.1.** In the event any Court, or competent jurisdiction, should judge that any section or sections of this by-law are not valid for any cause, such section or sections shall be deemed severable from the remainder of the by-law and the remainder of the by-law shall stand and be enforceable to the same extent as if the offending section or sections had not been included herein.

15. GENERAL

- 15.1.** This by-law does not preclude the Animal Control Officer from implementing the provisions of the Dog Owners' Liability Act, R.S.O. 1990, c. D.16.
- 15.2.** By-Law Nos. 404-2000, 701-2001, 754-2001, 1222-2004, 1777-2006, 2174-2008 of the Corporation of the County of Prince Edward are hereby repealed.

Read a first, second and third time and finally passed this 8th day of November, 2011.

CLERK
Victoria Leskie

Mayor
Peter A. Mertens