

City of Brockville

Ontario, Canada



**A By-law respecting
Animal Control within
The Corporation of the City of Brockville**

**By-Law No. 7-82
Consolidated Copy**

Enacted by Council January 26, 1982

**THE CORPORATION OF THE CITY OF BROCKVILLE
CONSOLIDATED COPY OF
BY-LAW NUMBER 7-82
AS AMENDED BY BY-LAW NUMBERS**

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**THE CORPORATION OF THE CITY OF BROCKVILLE
CONSOLIDATION OF BY-LAW NUMBER 7-82**

**BEING A BY-LAW TO PROVIDE FOR THE LICENSING AND
REGISTERING OF DOGS AND PROHIBITING THEIR RUNNING
AT LARGE; FOR REGULATING KENNELS
AND TO REGULATE THE KEEPING OF ANIMALS IN
THE CITY OF BROCKVILLE**

WHEREAS it has been deemed expedient by the Council of the Corporation of the City of Brockville to license and regulate dogs pursuant to the Dog Licensing and Live Stock and Poultry Protection Act, Chapter 123 R.S.O. 1980 and amendments thereto, and to regulate the keeping of animals; and

WHEREAS it has been deemed expedient by the Council of the Corporation of the City of Brockville to regulate dogs pursuant to the Dog Owners Liability Act 1980 and amendments thereto;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE CITY OF BROCKVILLE ENACTS AS FOLLOWS:

PART 1

DEFINITIONS

1. In this By-law:
 - (a) "Animal control Officer" shall be the officers or employees of the Corporation of the City of Brockville, as designated.
 - (b) "Commercial Kennel" means any establishment or premises other than "Veterinary Hospital" or "Pet Shop" as defined herein, where four (4) or more dogs or cats or aggregate thereof are kept for commercial purposes, including but not limited to board, propagation and treatment.
 - (c) "Dangerous" dog means:
 - (1) a dog that, in the absence of any mitigating factor, has attacked, bitten, or caused injury to a person or has demonstrated a propensity, tendency or disposition to do so;
 - (2) a dog that, in the absence of any mitigating factor, has significantly injured a domestic animal, or
 - (3) a dog that, in the absence of any mitigating factor, chases or approaches any person or domestic animal, anywhere other than on the property of the owner, in a menacing fashion or apparent attitude of

attack, including, but not limited to, behaviour such as growling or snarling.

- (d) “Dog” shall mean any dog, male or female, over the age of sixteen (16) weeks:
- (e) “Guide Dog” means a dog that is trained to aid the blind and actively in use for such purposes.
- (f) “Mitigating Factor” means a circumstance which excuses aggressive behaviour of a dog and, without limiting the generality of the foregoing, may include circumstances where:
 - (1) the dog was, at the time of the aggressive behaviour, acting in defense of an attack by a person or domestic animal;
 - (2) the dog was, at the time of the aggressive behaviour, acting in defense of its young or reacting to a person or domestic animal trespassing on the property of its owner; or
 - (3) the dog was, at the time of the aggressive behaviour, being teased, provoked or tormented.
- (g) “Muzzle” means a humane fastening or covering device that is:
 - (1) of adequate strength placed over a dog’s mouth to prevent it from biting; and
 - (2) approved by the Animal Control Officer
- (h) “Not under the control of any person” means not held on a leash, as prescribed in this by-law, by the owner or any person, or not tied up.
- (i) “Owner” means an owner of a dog and includes a person who keeps or harbors 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.” Pet Kennel” means any place or confine where four (4) or more aggregate thereof over sixteen (16) weeks of age are bred and raised and registered as a recognized class or as a class designated as “purebred” in the regulations of a nationally recognized breeding or kennel club.
- (j) “Pet Shop” means any establishment or premises maintained for the purpose, sale or exchange of domestic pets of any type.
- (k) “Police Work Dog” shall mean a dog trained to aid law enforcement

officers and it actually being used for police work purposes for the protection of the public, including the investigation of crime and the apprehension of law violators.

- (l) "Pound" shall mean such premises and facilities designated by the City of Brockville as the City Pound.
 - (m) "Pound keeper" shall mean a person, persons, association or society appointed by the City of Brockville to maintain and administer the pound.
 - (n) "Veterinary Hospital" means any establishment or premises operated under the supervision of a duly licensed veterinarian for the medical treatment of domestic animals and pets.
- 1.1 "Senior Citizen" means any person who is 65 years of age or older as of January 1st of the current year.

PART II

LICENSING OF DOGS

1. Every owner of a dog shall annually, on the anniversary of the initial registration date or last renewal date (as applicable), or within seven (7) days of becoming an owner, cause the dog to be registered, described and licensed by the City of Brockville pursuant to this by-law. Every such license shall be valid for one (1) year from the date of purchase.
2. For the purpose of this part, a dog shall be deemed to be running at large when found on public lands and not on a leash or on private lands without the consent of the owners or occupants of the said lands and not on a leash. The leash referred to herein shall be no longer than two (2) meters in length.
3. All licenses and tags issued pursuant to this by-law shall be serially numbered and a record of their issue shall be kept by the Treasurer of the City of Brockville. Such registration shall set out the name and address of the owner, the name of the dog and information as to the date of the dog's last anti-rabies inoculation.
4. At the time of registration, the owner applicant shall be required to pay to the Treasurer, the required license fee pursuant to Part VIII to this By-law.

5. On payment of the license fee for a dog the owner shall be furnished with a dog tag from the Treasurer which shall bear the serial number and the year in which it was issued.
6. The owner of a dog shall keep the dog tag securely fixed on the dog at all times, until renewed or replaced.
7. The fee charged for the replacement of lost dog tags shall be 75 cents (75¢).
8. The owner of a kennel of dogs that are pure-bred, as defined in The Dog Licensing and Live Stock and Poultry Protection Act shall pay an annual fee of Fifty-Three Dollars (\$53.00) to The Corporation of the City of Brockville as a license fee for the kennel, and he is not liable to pay in respect of such pure-bred dogs any license fee under this By-law.

PART III

ANIMAL PROVISIONS

Keeping of Animals - General

1. Every owner of an animal shall:
 - (a) Ensure that the animal is treated in a humane manner, and
 - (b) Ensure that the animal is kept so that:
 - (i) the transfer of pathogenic agents is minimized
 - (ii) There are no offensive odors, or odors which may attract other animals.
2. Every person who presently owns or becomes the owner of any animal immediately thereupon assumes the responsibility of ensuring that such animal receives the necessary food, water, housing and attention.

Animal Enclosures

3. Every cage, tank, pen or other such enclosure used for the housing of an animal when kept as a pet or for hobby purposes shall be so constructed and maintained that:
 - (a) except in the case of fish and snakes, every animal in the cage, tank or

pen may comfortably:

- (i) extend its legs to their full natural extent
 - (ii) stand
 - (iii) sit
 - (iv) lie down in a fully extended position
 - (v) be provided with adequate space for exercise purposes
- (b) in the case of fish and snakes, every animal in the cage, tank or pen shall have adequate room for its health, welfare and comfort;
- (c) it is not likely to harm any other animal therein;
- (d) every animal therein may be readily observed unless the natural habits of the animal otherwise require;
- (e) any animal therein cannot readily escape there from;
- (f) it minimizes as nearly as practicable the transfer of pathogenic agents; and
- (g) It may be readily sanitized.

Prohibition - Wild Animals

4. No person shall keep any wild animal within the limits of the City of Brockville, unless such animal has been domesticated and the facilities for keeping of same have been inspected for public safety by the Animal Control Officer.

Animals - General Restrictions

5. (a) No person shall keep, or do any thing which may cause to be kept, neither more than three (3) animals of any particular specie nor an aggregate of four (4) animals, on any lot on any residential land in the City of Brockville.
- (b) Subsection (5) (a) of this Section does not apply to:
- (i) Any animals under the age of four (4) months
 - (ii) Homing and Racing Pigeons
 - (iii) Fish, rodents or small birds kept at all times in an animal enclosure described in Subsection (3) of this Section
 - (iv) Animals owned and kept prior to the enactment of this by-law

Domestic Fowl, Pigeons and Other Species of Birds

6. (a) No domestic fowl, pigeons or other species of birds shall be kept within the City of Brockville unless same are kept only in the rear yard or outside yard of any lot and at least 12.2 m. from any school, church dwelling, or other premises used for human habitation or occupancy, except the premises on the subject lot, occupied exclusively by the owner or keeper's immediate family.
- (b) All domestic fowl, pigeons or other species of birds shall be kept in enclosed and ventilated lofts, coops, pens or runs, and such enclosures shall, insofar as practicable, be screened from the adjacent lots and streets by hedges, shrubs or other suitable screening.
- (c) No person shall permit domestic fowl to stray from the lot of the owner or keeper.
- (d) No person shall permit pigeons to habitually perch or linger on the buildings or property of others.
- (e) The Animal Control Officer may, upon the complaint of the owner or occupant of any premises, enter upon such premises and the land and buildings in the vicinity thereof for the purpose of trapping, removing or exterminating strayed pigeons that are causing annoyance to the owner or occupant or damages to such premises.

Cattle, Goats, Mink, Fox, Sheep and other Animals

7. (a) No person shall keep Cattle, goats, swine, mink, fox, sheep, nutria and other such animals shall not be kept in the City of Brockville except on agricultural land.
- (b) This Subsection does not apply to dogs, cats, rabbits, horses, donkeys, mules, birds, chinchillas, mice, rats, gerbils, guinea pigs, hamsters, indigenous non-venomous snakes or fish kept as pets.

Horses, Donkeys, Ponies and Mules

8. No person shall keep any horse, pony, donkey or mule unless such person shall

comply with the following:

- (a) Such animal shall be kept at least 30.5 m. from the lot line and at least 91.5 m. from any school, church, public hall, Store, dwelling or other premises used for human habitation or occupancy.
- (b) Such horse, pony donkey or mule shall be housed in a stable not used for human habitation which, insofar as practicable, shall be screened from the adjacent lots and streets by hedges, shrubs or other suitable screening.
- (c) All doors, windows or openings of such building or stable shall, at all times, between the 1st day of April and the 30th day of November following in each year, be kept protected by screens effective against flies and small insects.
- (d) All manure shall be promptly collected and deposited in a manure receptacle of adequate size which shall be provided and constructed as follows:
The floors and all portions of the walls to be of concrete, and water tight, and said receptacles shall be provided with an opening with self closing, fly-proof doors, and the whole to be so constructed that objectionable odors are not allowed to escape. Manure receptacles shall be constructed, erected or located within the City only after design has been approved by the Building Inspector and a permit issued therefore, and all such receptacles must be emptied and the manure disposed of at least once within any twelve month period.
- (e) Such building or stable shall be maintained in a clean condition, and any yard under 279 sq. m. in which animals are allowed to run, shall be kept at all times free from accumulations of manure and other refuse.
- (f) Section 8 of this by-law is not to apply to those farms, riding stables, etc. in existence prior to the 28th day of March 1978.

Inspection of Premises

- 9. If there is reasonable ground for believing that an animal is being ill-treated or neglected, any Peace Officer having jurisdiction in the area shall have and may exercise any of the powers of an Inspector or agent of the Ontario Society for the Prevention of Cruelty to Animals Act, R.S.O. Chapter 356 1980 and amendments thereto.

10. No person who owns or harbors a dog or dogs with the exception of a Guide dog or Police work dog within the Municipality of the City of Brockville shall permit it or them to enter any premises or area where food, groceries or like perishable goods are offered to the public for sale and for greater clarity but without restricting the generality of the foregoing such premises or area shall include:
 - (a) A grocery store or supermarket
 - (b) A restaurant, dining room, lunch bar or cafeteria
 - (c) A beverage room, or liquor delicatessen
 - (d) A market area, vegetable or fruit stand
 - (e) A bakery, meat shop or delicatessen

11. (a) No person who owns or harbors a dog or cat within the City of Brockville shall permit such dog or cat to become a public nuisance.

- (b) A dog or cat shall be considered a public nuisance if:
 - (1) The dog or cat persistently barks or howls.
 - (2) Causes damage to public or private property.
 - (3) Interferes with or dumps or scatters garbage or trash.
 - (4) Persistently barks at or chases pedestrians using public or private paths or sidewalks adjacent to the property where the dog or dogs are kept or harbored.
 - (5) When tethered on a chain, persistently rubs said chain against any object in a manner likely to disturb any inhabitant of the City of Brockville.

PART IV

RUNNING AT LARGE OF ANIMALS

1. The running at large of animals is prohibited within the Municipality, and no owner of an animal shall allow an animal to run at large.

2. For the purpose of this by-law, a dog shall be deemed to be running at large when found on public lands and not on a leash held by a person or otherwise physically restrained or on private lands without the consent of the owner or occupant of the said lands and not on a leash held by a person or otherwise physically restrained. The said leash shall not exceed a length of two (2) meters.

3. No person shall permit an animal to attack any person or domestic animal or

- domestic bird, or to fight with another animal.
4. An Animal Control Officer may seize and impound any animal found running at large.
 5. The owner of an animal which is found to be running at large in contravention of this Part shall be issued an Offence Notice or a Summons by the Animal Control Officer.
 6. The Pound-Keeper shall keep a record of every animal impounded or seized, including the
 7. Possession of the animal may be restored to the owner if the owner claims possession of the animal within five (5) days, in the case of a dog, and within three (3) days in the case of a cat, (exclusive of statutory holidays and Sundays), including the date of seizure or impounding.”
 8. The Pound-Keeper may release an impounded animal to the owner if satisfied (in the case of a dog) that the dog is licensed for the current year, after identification of the animal by the owner and payment by him of Four Dollars (\$4.00) for each day or any part thereof which the animal has been impounded.
 9. Where any animal is impounded, the owner shall be liable for the pound and maintenance fees prescribed and shall pay all fees, on demand, to the Pound-Keeper.
 10. In the event that possession of any impounded animal has not been restored to the owner, within five (5) days, in the case of a cat, (exclusive of statutory holidays and Sundays) after seizure, the animals may be sold by the Pound-Keeper for such price as he deems reasonable, or the Pound-Keeper may dispose as he deems reasonable, or the Pound-keeper may dispose of the animal pursuant to the Animals For Research Act and Regulations there-under. The sale price of any animal so sold shall belong to the Pound-Keeper, and no damages or compensation shall be recovered on account of any disposition made hereunder.”
 11. Where an animal which has been seized is injured or should be destroyed without delay for humane reasons, the Pound-Keeper or Animal Control Officer may dispose of the animal in a humane manner as soon after seizure as he thinks fit without permitting any person to reclaim the dog or without offering it for sale, and no damages or compensation shall be recovered on account of such disposition.

12. No owner of a specifically trained attack or guard dog shall leave or cause to be left such animal unattended to in a public place or on public property. This is to include that no owner shall leave such animals in an unlocked vehicle in a public place.

13. Any person who owns harbors or possesses any animal as a pet shall clean up after it. Notwithstanding, this section shall not apply to boulevards, sidewalks, etc., as well as private property.
14. Should any animal impounded bear a license tag, the Pound-Keeper shall immediately attempt to notify the owner of the impounded animal and, upon payment of the applicable fines and fees, shall release said animal to the owner.
15. Dogs in public parks shall be under the control of the owner and on a leash. (Repealed By-law No. 167-85)

PART V

MUZZLING OF ANIMALS

1. Every owner of a Restricted Pit Bull (as defined under the Dog Owners Liability Act) within the City of Brockville shall ensure that the pit bull is muzzled at all times except when the pit bull is within the owner's enclosed property, that is enclosed in such a way that the pit bull cannot break out, or on enclosed property occupied by another person who consents to the pit bull being off muzzle.
2. Every owner of a dog within the City of Brockville that is deemed to be dangerous by the Animal Control Officer shall ensure that the dangerous dog be muzzled at all times. A dog shall be deemed to be dangerous if the dog has bitten, attacked or behaved in a manner that poses a menace to the safety of persons or domestic animals.
3. Every person who fails to comply with Section 1 and 2 of Part V is guilty of an offence and is liable to a fine of Two Hundred and Fifty dollars (\$250.00) under this section and every fine is recoverable under the Provincial Offences Act and amendments thereto

PART VI

DESIGNATING DANGEROUS DOGS

1. Where the Animal Control Officer designates a dog as a potentially dangerous dog, the Animal Control Officer shall serve notice upon the owner of such dog requiring the owner, upon receipt of such notice, to comply with any or all of the following requirements:

- (a) to keep the dangerous dog, when it is on the lands and premises of the owner, confined:
- (b) within the owner's dwelling and under the effective control of an adult; or
- (c) within the owner's enclosed property, that is enclosed in such a way that the dangerous dog cannot break out, or on enclosed property occupied by another person who consents to the dangerous dog being on his or her property;
- (d) to keep the dangerous dog under the effective control of an adult person and under leash, such leash to be approved by the Animal Control Officer and not to exceed 1.8 metres (6 feet) in length, at all times when it is not confined in accordance with Part VI, Section 1(b);
- (e) to securely attach a muzzle as defined in Part I to the dangerous dog at all times when it is not confined in accordance with Part VI, Section 1(b).;
- (f) to provide the Animal Control Officer with the new address and telephone number of the owner within two (2) working days of selling or giving away the dangerous dog;
- (g) to provide the Animal Control Officer with the name address and telephone number of the new owner within two (2) working days of selling or giving away the potentially dangerous dog;
- (h) to advise the Animal Control Officer within two (2) working days of the death of the dangerous dog;
- (i) to advise the Animal Control Officer forthwith if the dangerous dog is running at large or has bitten or attacked any person or animal; and
- (j) to purchase and display, at the entrance to the owner's dwelling which a person would normally approach, a warning sign provided by the Animal Control Officer. The sign shall be posted in such a manner that it cannot be easily removed by passersby and it is clearly visible to a person approaching the entrance.

NOTICE

2. The notice referred to in this section shall include:

- (a) a statement that the Animal Control Officer has reason to believe that the dog is a dangerous dog;
- (b) the requirements that the owner must comply with in accordance with this by-law and when such requirements take effect;
- (c) a statement that the owner may request, within five (5) working days of receipt of the Animal Control Officer's notice, and is entitled to, a hearing by a committee designated by the Council of The Corporation of the City

of Brockville which may affirm or rescind the Animal Control Officer's designation of the dog as dangerous.

APPEAL

3. Where the owner of a dog who receives a notice from the Animal Control Officer designating such dog as dangerous so requests in writing to the City Clerk of the Corporation of the City of Brockville within five (5) working days of receipt of such notice, the "Dog Designation Appeal Committee", shall hold a hearing pursuant to the provisions of the Statutory Powers Procedure Act within thirty (30) working days of the City Clerk's receipt for a hearing.

For purposes of this by-law, members appointed to the Finance and Administration Committee will serve as the "Dog Designation Appeal Committee".

Such committee may when a dog has been designated by the Animal Control Officer as a dangerous dog;

- (a) affirm or rescind the Animal Control Officer's designation of the dog;
- (b) substitute it own designation of the dog as dangerous; or
- (c) substitute its own requirements of the owner of a dangerous dog pursuant to Part VI, Section 1 of this by-law.

INQUIRY

4. The Animal Control Officer may either on his or her own initiative, or as a result of a complaint received by him or her from a resident of the City of Brockville, conducts an inquiry into whether a dog should be designated as a dangerous dog.

IMPOSITION OF REQUIREMENTS OF SECTION 1

5. The requirements of Part VI, Section 1 which may be imposed on a dog owner by the Animal Control Officer, save and except for the requirement of muzzling (Section 1(e), shall not be required until;
 - (a) the time for requesting an appeal has expired without an appeal being requested;
 - (b) an appeal has been requested and the request has been withdrawn or abandoned; or

- (c) an appeal has been requested and the Dog Designation Appeal Committee has issued its decision.

SERVING NOTICES:

- 6. Any notices served by the Animal Control Officer or requests for hearings made by an owner pursuant to this by-law shall be provided by hand delivery or prepaid registered mail and, in the event of service by prepaid registered mail, shall be deemed received on the fifth working day after the date of mailing.

PART VII

- 1. Every keeper of a kennel shall ensure that:
 - (a) the floors of each room in which cats or dogs are kept shall be:
 - (i) constructed of an impermeable material, and
 - (ii) flushed with water and deodorized with a suitable disinfectant daily or more often if necessary, and that animals should be removed when this is being done, and
 - (iii) If such room is physically attached to a building used for human habitation, graded to an adequate drain which shall be connected to a municipal sewerage system or sewer disposal system.
 - (b) Each room in which cats or dogs are kept shall be adequately lighted and ventilated to the satisfaction of the Medical Officer of Health.
 - (c) Each doorway, window and outside opening shall be screened during the period of May 1st to October 1st of each year.
 - (d) The cages shall be so constructed as to be easily cleaned.
 - (e) The yards and runways shall be:
 - (i) fenced, and screened and
 - (ii) if within 30.5 m. of an occupied building:
 - (a) paved with concrete, asphalt or other impermeable material
 - (b) graded to an adequate drain or gutter, and
 - (c) flushed with water at least once daily when in use.
 - (f) Each area in which cats or dogs are kept shall at all times be maintained

in a clean and sanitary condition, and

- (g) Excreta, dead animals and other waste resulting from the keeping of cats and dogs shall be removed daily from the premises.

PART VIII

PROVISIONS FOR THE CONTROL OF SALE OF YOUNG AND DISEASED ANIMALS

1. No person shall upon the markets,
 - (a) knowingly sell any diseased animal or bird,
 - (b) sell or give away any dog or bitch under the age of six weeks,
 - (c) display any animal or bird unless such animal or bird is adequately protected from draughts, direct rays of the sun, excessive heat or cold and unless ample space is provided,
 - (d) sell or give to, or for, any child under the age of ten years, any chicken, duckling or
 - (e) Sell or keep for sale any wild animal or bird.

PART IX

PENALTY OF CONTRAVENTION

1. Every person who contravenes any section of this by-law is guilty of an offence and upon conviction is liable to a fine as provided for by the Provincial Offences Act.
2. When a person has been convicted of an offence under this By-law:
 - (a) The Provincial Offences Court of the Judicial District of Leeds and Greenville in the Province of Ontario, or
 - (b) Any court of competent jurisdiction thereafter may, in addition to any other penalty imposed on the person convicted, issue an order prohibiting the continuation or repetition of the offence or the doing of any act or thing by the person convicted, directed toward the continuation or repetition of the offence.
3. Every person who fails to comply with Section 1 of Part IV is guilty of an offence and is liable to a fine of not less than Ten dollars (\$10.00) and not more than Fifty

Dollars (\$50.00) for the first offence, and, not less than Twenty-five Dollars (\$25.00) and not more than Fifty Dollars (\$50.00) for each and every subsequent offence after the first offence under this section and every fine is recoverable under the Provincial Offences Act and amendments thereto.

4. Every person who fails to comply with Section 1 and 2 of Part V is guilty of an offence and is liable to a fine of Two Hundred and Fifty dollars (\$250.00) under this section and every fine is recoverable under the Provincial Offences Act and amendments thereto.
5. Every person who fails to comply with any other provision of this By-law is guilty of an offence and is liable to a fine of not less than twenty-five dollars (\$25.00) and not more two thousand dollars (\$2,000.) exclusive of costs for each and every such offence and every fine is recoverable under the Provincial Offences Act and amendments thereto.”

PART X

Cats and the Control Thereof

1. NOTWITHSTANDING any other provision contained in By-law 7-82, the following regulations shall apply to cats within The City of Brockville.
 - (a) “By-law enforcement officer” means an animal control officer appointed by the City and designated as a Provincial Offences Officer;
 - (b) “Cat” means a feline over the age of six weeks of any breed of domesticated cat or cross-breed domesticated cat;
 - (c) “City” means The Corporation of the City of Brockville;
 - (d) “Control” includes care and custody;
 - (e) “Pound keeper” means a person or company appointed by the City of Brockville to maintain and administer a City pound;
 - (f) “Veterinarian” means a person registered under The Veterinarians Act.
2.
 - (a) every cat owner, shall place on his or her cat a collar on which is permanently inscribed the name and address of the owner;
 - (b) No cat owner shall permit his or her cat to be found in any place other

than the premises of the owner, without a collar referred to in subsection.

3. (a) Notwithstanding Section 3(a), a cat owner may lodge his or her name and address with the City and receive a number to be inscribed on the collar or a tag on which the number is inscribed for attachment to the collar, but nothing obliges the City to provide a number or a tag
- (b) Where a number is received from the City and is valid in accordance with Subsection (a) and the number is inscribed on the collar or a tag attached to the collar, Section 3(a) shall not apply.
4. (a) No cat owner shall allow or permit his or her cat to trespass on private property.
- (b) Subsection (a) does not apply where the cat is on the private property with consent of the owner or his or her representative.
5. A By-law Enforcement Officer may capture and take into custody a cat,
 - (a) Not having a collar in accordance with Section 3(a) or a tag in accordance with Section 4(a);
 - (b) that is trespassing on private property, upon request of the owner of the property or his representative.
6. Where the City captures and takes into custody a cat under section 6, it shall impound the cat.

7. Where a cat is impounded and the owner of the cat is known to the City or pound keeper, the owner shall pay the following costs:
 - (1) \$15.00 fee;
 - (2) Expenses for care of the cat; and
 - (3) Any veterinarian fees.

8. (a) Every cat owner shall claim the cat within three days of the day on which the cat was impounded, excluding the day of impounding, Sundays and statutory holidays

(b) Where a cat is not claimed by its owner in accordance with Subsection (a), the cat may be sold forthwith or disposed of or killed in a humane manner.

9. Where a cat is injured before or after being taken into custody, or in the opinion of the City or pound keeper should be destroyed without delay for humane reasons or for reasons of safety to persons or animals, the Animal Control Officer or the pound keeper or other persons designated by the pound keeper, may kill the cat in a humane manner as soon after capture or custody as he may determine without permitting any person to reclaim the cat or without offering it for sale.

10. (a) No person shall forcibly retrieve a cat from a By-law Enforcement Officer.

(b) No person shall break and enter into a patrol or other vehicle of the City for the purposes of retrieving a cat.

(c) No person shall retrieve a cat without payment of expenses in full referred to in Section 8.

11. No compensation, damages, fees or other sum shall be,
 - (a) Recoverable by a cat owner or other person;
 - (b) paid by the City or pound keeper on account of, or by reason of, capturing taking into custody, or impounding a cat; or
 - (c) Selling, disposing of or killing a cat, in the course of the administration and enforcement of this By-law.

12. (a) No cat owner and no person who has control of a cat shall suffer, allow, or permit the cat to defecate or urinate on private property, without the

consent of the owner of the premises.

- (b) The cat owner or person referred to in Subsection (a) shall immediately and without delay, remove the excrement and provide for its sanitary disposition.
13. Where a By-law enforcement Officer believes that one or more persons has committed an offence under this By-law, the Officer may issue an offence notice or summons in accordance with Section 3 of the provincial Offences Act.

PART XI

PLEASE REFER TO THE LATEST FEE BY-LAW
FOR LIST OF CURRENT DOG TAG FEES

THAT BY-LAW NUMBER 55-78 is hereby rescinded.

Read a first and second time this twelfth day of January, A.D., 1982.

GIVEN UNDER THE SEAL OF THE CORPORATION
OF THE CITY OF BROCKVILLE READ A THIRD
TIME AND PASSED ON THE 26TH DAY OF
JANUARY A.D. 1982

W.P. Lewis [Signed]
Mayor

J. Miles [Signed]
Clerk