

ANIMALS

Chapter 284 DOG - LICENSING - REGULATION

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**Article 1
INTERPRETATION**

284.1.1 Animal Control Officer - defined

"Animal Control Officer" includes the person or association who has entered into a contract with The Corporation of the City of Orillia to control dogs and to maintain a dog pound and any employees or agents of such person.

284.1.2 Deputy CAO/Clerk - defined

"Deputy CAO/Clerk" means the Deputy Chief Administrative Officer/Clerk for the City of Orillia or his or her designate.

284.1.3 Dog - defined

"dog" means a male or female dog over the age of twelve weeks.

284.1.4 Owner - defined

"owner" of a dog includes any person who possesses or harbours a dog and "own", "owns" or "owned" has a corresponding meaning.

284.1.5 Manager of Legislative Services - defined

"Manager of Legislative Services" means the Manager of Legislative Services for the City of Orillia or his or her designate.

284.1.6 Muzzle - defined

"muzzle" means a human fastening or covering device of adequate strength placed over the dog's mouth to prevent it from biting.

284.1.7 Pit Bull - defined

"Pit Bull" means a dog of any age which can be identified as a dog of one or more of the following breeds or mixed breed by the Humane Society:

1. Pit Bull Terrier;
2. American Pit Bull Terrier; or
3. Pit Bull.

284.1.8 Service dog - defined

Service dogs shall include specially trained dogs to assist the visually impaired, the hearing impaired and dog guides working with persons with physical disabilities, mental disabilities and/or medical conditions.

Article 2 GENERAL PROVISIONS

284.2.1 Maximum - two dogs - per dwelling

No person shall harbour or keep, or permit to be harboured or kept, more than two dogs on the premises of or in a dwelling unit located within the City of Orillia, with the following exceptions:

- (a) a veterinary hospital;
- (b) a pet store;
- (c) a Ontario Humane Society shelter or the Animal Control Pound;
- (d) a kennel licensed under the provisions of Article 5;

- (e) any dog being displayed or exhibited for a set period of time in a City sanctioned event, which is operated in accordance with the City's conditions.

284.2.2 Running at large - prohibited

No owner of a dog shall allow a dog to run at large within the limits of the municipality of the City of Orillia.

284.2.3 Running at large - not on leash - property

For purposes of this Article, a dog not on a leash is deemed to be at large when found elsewhere than on the property of the owner.

284.2.4 Leash - length - maximum - ten feet

A dog when on property other than that of its owner must be contained by a leash not exceeding ten feet in length and must be maintained under control at all times.

284.2.5 Howling - barking - excessively - nuisance - prohibited

No owner of a dog shall allow the dog to howl or bark excessively or otherwise become a nuisance.

284.2.6 Pit bull - muzzle - requirement

No owner of a pit bull shall allow the dog outside its residence without securely attaching a muzzle.

284.2.7 Orillia City Centre

No owner of a dog shall allow a dog on the Orillia City Centre property on Saturdays between 5:00 a.m. and 2:00 p.m. with the exception of a designated dog area as shown on Schedule 'A'. This provision shall not apply to a service dog.

284.2.8 Exemption - apply

Any person who owns, controls, possesses, boards or harbours more than two dogs per dwelling unit upon establishing residency on any property within the City may apply in writing to the Manager of Legislative Services for an exemption to Section 284.2.1.

284.2.9 Exemption - authorized

The Manager of Legislative Services may authorize an exemption to Section 284.2.1 subject to such terms and conditions as are necessary to give effect to this Chapter, provided that no more than two dogs are exempted.

284.2.10 Exemption - denied - notice

If the Manager of Legislative Services denies the exemption, the applicant may appeal the decision to the Deputy CAO/Clerk. The Manager of Legislative Services shall notify the applicant in writing of his/her decision and inform the applicant of his/her right of appeal within fourteen days of receipt of notification.

284.2.11 Exemption - appeal - notice - decision - final

Upon receipt of an appeal, the Deputy CAO/Clerk may authorize an exemption to Section 284.2.1 subject to such terms and conditions as are necessary to give effect to this Chapter. The Deputy CAO/Clerk shall notify the applicant in writing of his/her decision and that decision will be final and no further right of appeal will be granted.

Article 3**LICENCE - TAG - REQUIREMENTS****284.3.1 Registration - licence**

Every owner of a dog shall register such dog with The Corporation of the City of Orillia, or its agent, and procure a licence and dog tag for each dog owned by him or her.

284.3.2 Application - Payment of fee - requirement

Upon application for a licence, the owner of a dog shall pay to the City, or its agent, a fee as set out in Article 4.

284.3.3 Application - Rabies vaccination - certificate - requirement

Upon application for a licence, the owner of a dog shall produce a current certificate signed by a practicing veterinarian that the dog has been inoculated with an anti-rabies vaccine.

284.3.4 Licence - expiry

Every licence issued by the City, or its agent after December 10, 2020 shall have no expiry date associated with such licence.

284.3.5 Licence - not required - dog under twelve weeks

No licence shall be required for any dog before it is twelve weeks old.

284.3.6 New resident - registration - within fifteen days

A new resident of the City of Orillia must register his or her dog within fifteen days of becoming a new resident.

284.3.7 Tag - serially numbered

Every dog tag shall bear the serial number.

284.3.8 Tag - securely affixed to dog - at all times

The owner shall keep the dog tag securely fixed on the dog at all times.

284.3.9 Tag - use - on dog - not licensed - prohibited

No person shall use a dog tag upon a dog other than the dog for which the tag was issued.

284.3.10 Tag - lost - fee

The fee charged for the replacement of a lost dog tag shall be \$10.00.

284.3.11 Record - kept - owner - name - address - serial number

A record shall be kept by the City of Orillia showing the name and address of the owner and the serial number of the dog tag.

284.3.12 Licence - tag - non transferable

No licence or dog tag issued for a dog pursuant to the provisions of this Chapter is transferable between dogs or owners.

**Article 4
FEES****284.4.1 Fees - licence**

The licence fee to be paid to The Corporation of the City of Orillia, or its agent shall be \$75.00.

284.4.2 Service Dogs - exempt from licence fee

Where a Certificate is produced from a recognized training establishment stating the dog is being used as a service dog, the owner of the dog shall be exempt from the payment of all licence fees applicable pursuant to the Chapter.

**Article 5
KENNEL****284.5.1 Licence - annual - fee**

Notwithstanding the provisions of Article 4, the owner of a kennel of purebred dogs shall pay an annual kennel licence fee of \$25 to The Corporation of the City of Orillia, and such owner is not liable to pay any further licence fee in respect of such purebred dog.

284.5.2 Licence - expiry - annual

Every kennel licence issued pursuant to this Chapter shall expire on the 31st day of December of the year in which the licence was issued.

284.5.3 Erection - maintenance - approval required

No kennel shall be erected or maintained, subsequent to the passing of the enabling by-law, unless approval has been obtained from both the Simcoe County Health Unit and the Animal Control Officer.

284.5.4 Distance from buildings - street allowances

No building housing a kennel shall be erected or maintained, subsequent to the passing of the enabling by-law, within fifty feet of any inhabited or habitable building or any street allowance.

284.5.5 Run - pen - exercise yard - distance from boundary line

No run, pen or exercise yard shall be constructed subsequent to the passing of the enabling by-law within four feet of any boundary line.

284.5.6 Land - minimum area - requirement

No kennel shall be erected or maintained subsequent to the passing of the enabling by-law upon a parcel of land which has an area of less than 19,000 square feet.

**Article 6
ANIMAL CONTROL SHELTER****284.6.1 Impounding - release - fees - claim procedure**

Subject to Section 284.6.7, a peace officer or Animal Control Officer may:

- (a) seize and impound any dog found running at large; and
- (b) restore possession of the dog to the owner thereof where:
 - i) the owner claims possession of the dog within five days (exclusive of statutory holidays and Sundays) after the date of seizure; and
 - ii) the owner pays to the peace officer or Animal Control Office a pound fee of \$30 for a dog seized and impounded plus a maintenance sum of \$6 for each day subsequent to the day of seizure that the dog remains impounded.

284.6.2 Female - in heat - held twenty-one days - fee

Any female dog found to be running at large in heat shall be held at the pound until no longer in heat, but in any case no longer than twenty-one days, and the owner shall be liable for a pound maintenance fee of \$6 per day.

284.6.3 Owner - liable - all fees - dog not claimed

Where a dog is impounded, the owner, if known, and whether the dog is claimed from the pound or not, shall be liable for the pound and maintenance fees prescribed and shall pay all fees on demand to the Animal Control Officer.

284.6.4 Licence - required - before release

No dog shall be returned to the owner unless the dog has been licensed in accordance with the provisions of this Chapter and any owner of a dog without a licence or a dog tag shall obtain a licence and a dog tag for the current year before delivery is made.

284.6.5 Dog - not claimed - within five days - sale

At the end of the five days where possession of the dog has not been restored to the owner as set out in Section 284.6.1, the Animal Control Officer may sell the dog for such a price as he or she deems reasonable.

284.6.6 Dog - not claimed - within five days - disposal

Where the owner of a dog has not claimed the dog within five days after its seizure under Section 284.6.1 and the dog has not been sold, the Animal Control Officer may kill the dog in a humane manner, or otherwise dispose of the dog as he or she sees fit, and no damages or compensations shall be recovered on account of its killing or other disposition.

284.6.7 Injured dog - destroyed - for humane reasons

Where a dog seized under Section 284.6.1 is injured or should be destroyed without delay for humane reasons or safety to persons or animals, the peace officer or Animal Control Officer may kill the dog in a humane manner as soon after seizure as he or she thinks fit without permitting any persons to reclaim the dog or without offering it for sale and no damages or compensations shall be recovered on account of its killing.

**Article 7
ENFORCEMENT****284.7.1 Fine - for contravention**

Any person who contravenes any of the provisions of this Chapter is guilty of an offence and upon conviction is liable to a fine or penalty as provided for in the *Provincial Offences Act*.

284.7.2 Hinder or Obstruct

No person shall hinder or obstruct, or attempt to hinder or obstruct, any Officer exercising a power or performing a duty under this Chapter, or any person lawfully acting in aid of such an Officer. Without limiting the generality of the meaning of “hinder” or “obstruct”, a person shall be deemed to have obstructed or hindered an Officer in the execution of their duties if he or she:

- (a) provides false information to an Officer; or
- (b) is alleged on reasonable and probable grounds to have contravened any of the provisions of this Chapter, and fails to identify themselves to an Officer upon request.

284.7.3 Rebuttable presumption - identification

In a prosecution for a contravention of this Chapter, evidence of identification shall be presumed to be correct and accurate, unless rebutted by evidence to the contrary.

**Article 8
EFFECTIVE DATE****284.8.1 Effective date**

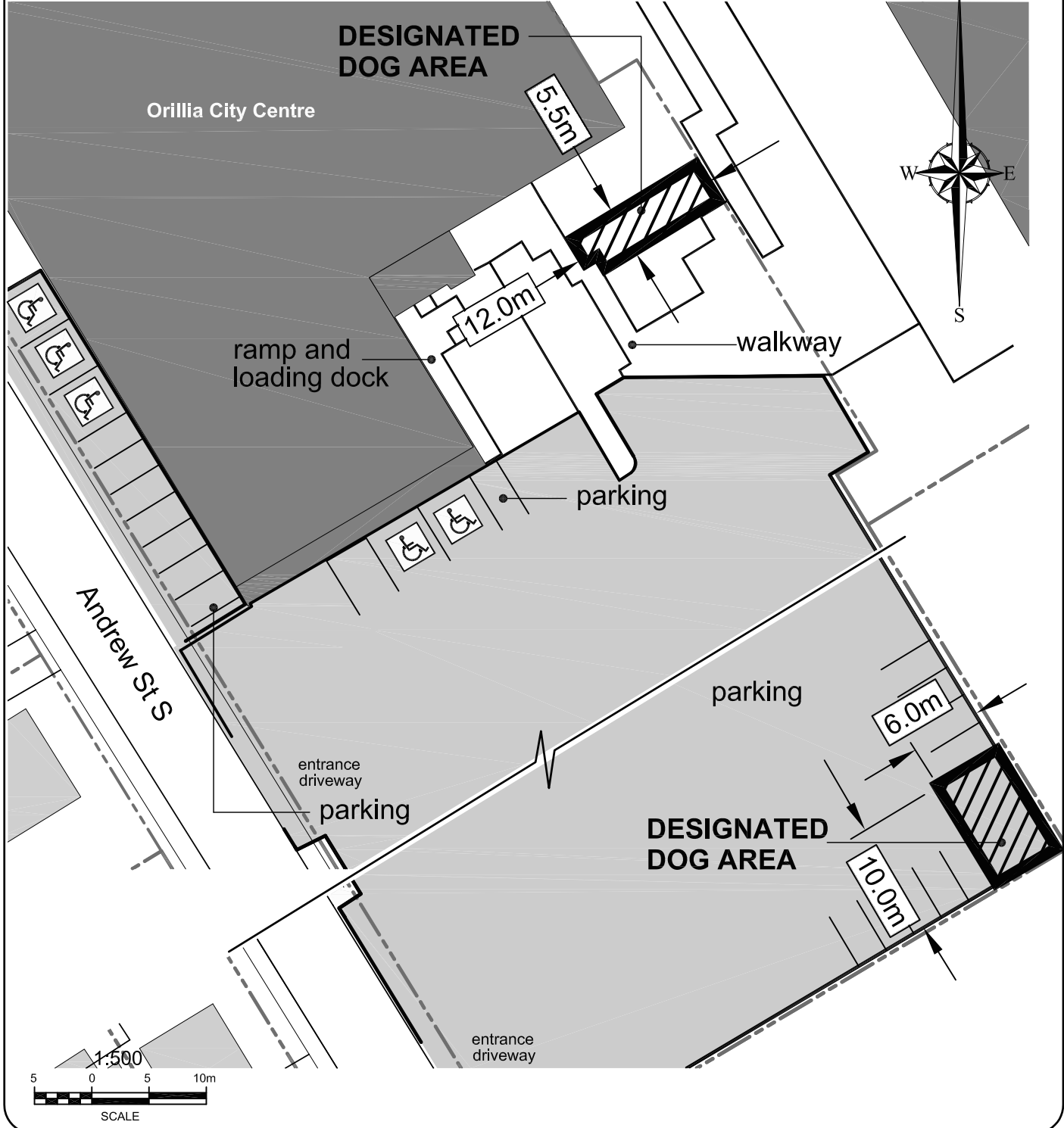
This Chapter shall come into force and take effect as of the date of the final passing of the enabling by-law.

Adopting By-law: By-law 1975-132, 8 December 1975

By-law Amendments: By-law 1992-36, 27 April 1992; By-law 1994-23, 10 January 1994; By-law 1994-74, 11 April 1994; By-law 1997-15, 3 March 1997; By-law 1997-110, 8 September 1997; By-law 2000-131, 25 September 2000; By-law 2001-6, 15 January 2001; By-law 2001-147, 15 October 2001; By-law 2002-61, 3 June 2002; By-law 2006-69, 1 May 2006; By-law 2008-9, 21 January 2008; By-law 2008-68, 5 May 2008; By-law 2010-15, 1 February 2010; By-law 2014-4, 20 January 2014; By-law 2015-60, 29 June 2015; By-law 2016-28, 7 March 2016; By-law 2017-14, 13 February 2017.

Repealed and Replaced: By-law 2020-106, 10 December 2020.

SCHEDULE "A"



DESIGN BY: SC
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 CHECKED BY: SC
 APPROVED BY:
 DATE: JAN. 19, 2009
 PLOTTED: JAN. 19, 2009



THE CORPORATION OF THE
CITY of ORILLIA
 PUBLIC WORKS DEPARTMENT

TITLE
Orillia City Centre

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 SHEET: PLAN No:
 ACAD FILE:
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