

ANIMAL

Chapter 314 DOG - LICENSING - KEEPING

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Article 1
INTERPRETATION

314.1.1 Animal Control Officer - defined

“Animal Control Officer” means a person or organization employed by The Corporation of the Town of Richmond Hill and appointed to enforce the provisions of this Chapter.

314.1.2 Animal control unit - defined

“animal control unit” means a pound maintained by or on behalf of The Corporation of the Town of Richmond Hill.

314.1.3 Commissioner of Planning and Development - defined

“Commissioner of Planning and Development” means the Commissioner of Planning and Development of The Corporation of the Town of Richmond Hill.

314.1.4 Council - defined

“Council” means the Council of The Corporation of the Town of Richmond Hill.

314.1.5 Dog - defined

“dog” means a male or a female dog.

314.1.6 Dwelling unit - defined

“dwelling unit” means a separate set of living quarters provided for human habitation which has a private entrance from outside the building or from a common hallway or stairway inside a building.

314.1.7 Licensing Officer - defined

“Licensing Officer” means the Licensing Officer of The Corporation of the Town of Richmond Hill.

314.1.8 Owner - defined

“owner” of a dog includes a person who possesses or harbours 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.

314.1.9 Police service dog - defined

“police service dog” means a dog trained for and actually engaged in the law enforcement by a police force.

314.1.10 Treasurer - defined

“Treasurer” means the Treasurer of The Corporation of the Town of Richmond Hill.

Article 2 GENERAL PROVISIONS

314.2.1 Rabies certificate - requirement

A valid rabies certificate from a veterinary surgeon registered as a member of the Ontario Veterinary Association under the *Veterinarians Act*, and amendments thereto shall be produced when a licence is purchased.

314.2.2 Rabies certificate - validity - one year

A rabies certificate shall be dated no longer than one year from the date of the purchase of the licence.

314.2.3 Rabies certificate - failure to produce

Failure to produce a rabies certificate shall constitute an offence under the provisions of this Chapter and in addition to any other penalty or remedial action provided herein, the failure to provide such a certificate shall be forthwith reported to the York Regional Health Unit.

314.2.4 Notice - published in newspaper - requirements

The Commissioner of Planning and Development, on or before the 31st day of January in each year, shall cause to be published in a newspaper having general circulation in the Town of Richmond Hill, a notice bringing to the attention of the public the provisions of Sections 314.2.1 through 314.2.3 and Sections 314.4.1 through 314.4.6 of this Chapter, provided the failure to do so shall not relieve any person from the requirement to comply with the terms of this Chapter nor shall the publication of such notice be a condition precedent to the prosecution of any person for a violation of any provision of this Chapter.

314.2.5 Guide dog - licence - not required - condition

Despite anything in this Chapter to the contrary, there shall be no licence fee required from the owner or the person in possession of a seeing eye dog or a hearing ear dog, provided such dog is used solely for the purpose of assisting a person whose sight or hearing is impaired, provided the owner of such dog shall provide proof, satisfactory to the Commissioner of Planning and Development, entitling him or her to such exemption.

314.2.6 Register - kept - licences issued - by Licensing Officer

The Licensing Officer shall keep a register showing the name and address of every owner and the number of the licences and tags issued, the date of such issue, and the particulars of the dog for which such licence and tag are issued, and the amount paid by such owner for such licence and tag, provided the failure to maintain such register shall not relieve any person from the requirement to comply with the terms of this Chapter nor shall the maintaining of such register be a condition precedent to the prosecution of any person for a violation of any provision of this Chapter.

314.2.7 Owned - possessed - without licence - prohibited

No person shall own, possess or harbour a dog in the Town of Richmond Hill, or allow a dog to be owned, possessed or harboured on his or her premises, unless the tax or licence fee therefore, required by this Chapter, has been paid.

314.2.8 Fee - paid - licence - issued

Upon payment of the licence fee, the Commissioner of Planning and Development shall issue to the owner, a licence valid until the 31st day of December next ensuing.

314.2.9 Licence - expiry - annual - renewal - required

On or before January 1, of each succeeding year, a new licence shall be taken out for the keeping of every dog for such year, in accordance with the schedule of fees included in Section 314.4.2.

314.2.10 Tag - issued - serial number - date

Upon payment of the licence fee, there shall be issued to the owner a tag, consisting of a metallic plate or of such other material as may be approved by the Commissioner of Planning and Development and having stamped thereon a number and figure indicating the year for which the licence fee has been paid.

314.2.11 Tag - collar affixed to dog - at all times

The owner shall attach the dog tag to a collar and shall cause the dog, for which such licence and tag were issued, to wear such tag and collar at all times during the year.

314.2.12 Tag - collar - not on dog - prohibited

No person shall own, possess or harbour a dog in the Town of Richmond Hill, or allow a dog to be owned, possessed or harboured on his or her premises, unless such dog is wearing a collar with the tag referred to in Section 314.2.10 attached thereto as required by Section 314.2.11.

314.2.13 Tag - use - on dog other than licensed - prohibited

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

314.2.14 Tag - removed - within Town - prohibited

No person shall remove a tag from a licensed dog during the year for which such tag was issued unless the dog is and only while such dog is outside of the municipal limits of the Town of Richmond Hill.

314.2.15 Muzzle - leash - vicious dog - written notice - required

Where the Licensing Officer has determined that a dog has bitten a person or domestic animal, the owner shall, upon receiving written notification from the Licensing Officer, muzzle or leash such dog at all times, provided the owner of such dog may request a hearing by Council, which may exempt the owner from the muzzling or leashing requirement or both, provided further Council may, by by-law, delegate this responsibility and power to a committee of Council.

**Article 3
RUNNING AT LARGE****314.3.1 Not under control - premises other than owner**

A dog shall be deemed to be running at large if found in any place other than the premises of the owner of the dog and not under the control of any person.

314.3.2 Not on leash - restrained - running at large

A dog shall be deemed to be not under the control of any person when the dog is not on a lead held by a person or is not otherwise physically restrained.

314.3.3 Prohibited - exception - police service dog

No dog shall run at large in the Town of Richmond Hill and no owner shall permit his or her dog to run at large in the Town provided this provision shall not apply to a police service dog. By-law 15-01, January, 2001.

314.3.4 Animal Control Officers - investigation - complaints

The Commissioner of Planning and Development shall appoint one or more Animal Control Officers who shall investigate complaints of dogs running at large and may catch and impound dogs running at large. By-law 145-08, 14 July, 2008.

314.3.5 Animal Control Officers - other duties

The Animal Control Officers shall also perform such other duties as Council may from time to time prescribe.

314.3.6 Seizure - destruction - impounding - authority

Every York Regional Police Officer and Animal Control Officer is hereby authorized, and shall have power to seize and destroy, before impounding, any vicious dog found running at large contrary to the provisions of this Chapter.

314.3.7 Impounding - maximum duration - three days

Any dog found running at large, contrary to the provisions of this Chapter, shall be seized by an Animal Control Officer or a York Regional Police Officer and taken to the animal control unit where such dog shall be impounded and held for a period of three days.

314.3.8 Not claimed - destruction - sale

If any dog so seized and impounded is not claimed at the expiration of the three day period provided for in Section 314.3.7, the Animal Control Officer may at his or her discretion, and subject to the requirements of the *Animals for Research Act*, destroy such dog or sell such dog.

314.3.9 Animal - ill - injured - destroyed - humane reasons

Nothing in this Article shall prevent the Animal Control Officer from destroying an animal which is ill or injured and which, in the opinion of the Animal Control Officer, is incapable of being cured, pursuant to the *Animals for Research Act*.

314.3.10 Impounding - duration - exclusive of holidays

For the purpose of Section 314.3.7, the period of three days shall be reckoned exclusive of the day on which the dog is seized, Sundays and holidays.

314.3.11 Claimed - by owner - fees

Any owner claiming a dog which has been seized and impounded shall be entitled to recover the dog from the Animal Control Officer upon payment to him or her of the following fees:

- (a) for each day or part thereof for the period of impoundment \$8;
and
- (b)
 - (i) \$10 for the first impoundment in any calendar year;
 - (ii) \$25 for the second impoundment in any calendar year;
 - (iii) \$35 for the third and subsequent impoundments in any calendar year; and
- (c) any such further fees and charges incurred by the Animal Control Officer for the services of a *bona-fide* veterinarian.

314.3.12 Claimed - licence - tag - required - before release

No person shall regain possession of a dog from the animal control unit without first being in possession of a licence for such dog and producing the tag therefor, or exhibiting the licence therefor to the Animal Control Officer.

314.3.13 Record - kept - all dogs seized - impounded

The Animal Control Officer shall keep a record of all dogs seized and impounded.

**Article 4
LICENSING - FEE**

314.4.1 Fee - to Treasurer - annually

The owner of a dog in the Town of Richmond Hill shall pay to the Treasurer, on or before the first day of January in each year, a licence fee as set out in Sections 314.4.2 through 314.4.4 inclusive.

314.4.2 Fee - set out

The owner of a dog in the Town of Richmond Hill shall pay to the Treasurer, on or before the first day of January in each year, a licence fee as follows:

First whole dog per household	\$25
First neutered/spayed dog per household	\$10
Second and each additional dog per household	\$40
Second and each additional neuter/spayed dog per household	\$20

314.4.3 Seniors - discount - limitation

Despite the fee schedule set out in Section 314.4.2, where a dog is possessed by a person sixty-five years of age or older, the fee for the licence shall be \$5, provided that where a dog is harboured in or at a dwelling unit where there are two or more adult persons residing therein, they shall be deemed to be jointly harbouring such dog and shall not be entitled to the aforesaid reduction unless all such persons are sixty-five years of age or older.

314.4.4 Fee - calculation - additional dogs

For greater particularity, where two or more dogs are possessed or harboured in or at one dwelling unit within the Town of Richmond Hill, they shall be deemed to be harboured by the adult person residing at that dwelling unit and where there is more than one adult person so residing, they shall be deemed to be jointly harbouring such dogs and shall be required to pay the higher licence fee as set forth in this Chapter.

314.4.5 Neutered - spayed dog - certificate - requirement

A certificate, in writing, from a veterinary surgeon registered as a Member of the Ontario Veterinary Association under the *Veterinarians Act*, and amendments thereto, that a dog has been neutered or spayed shall be produced when a licence is purchased for a neutered or spayed dog, failing which the owner shall not be entitled to obtain a licence for the reduced fee as set forth in Section 314.4.4.

314.4.6 Licence - fee - obtained - upon possession of dog

The licence fee shall be payable by the owner as soon as he or she becomes the owner of a dog or at the time when the dog is first possessed by him or her or harboured by him or her on his or her premises, whichever shall first occur.

314.4.7 Refund - rebate - prohibited

There shall be no refund or rebate, to an owner, of any portion of the licence fees referred to in this Article.

314.4.8 Repealed: By-law 84-05, 24 May, 2005**Article 5
DOG - KEEPING****314.5.1 Maximum - four per premises**

Despite anything herein to the contrary, no person shall possess or harbour or allow to be possessed or harboured on, at, or in any one individual premises more than four dogs, unless the property is being used as a kennel.

**Article 6
HUMANE CARE****314.6.1 Food - water - exercise - attention**

Every person who keeps an animal in the Town of Richmond Hill shall provide the animal or cause it to be provided with such food, water, exercise, attention and veterinary care as may be required from time to time to keep the animal in good health.

314.6.2 Enclosure - outdoors - requirements

If an animal is customarily kept out-of-doors, the person having the custody or control of the animal shall at all times provide for its use a structurally sound, weather-proof, insulated enclosure with off-the-ground flooring, which enclosure shall be located not less than 1.52 metres (five feet) from the property line.

314.6.3 Female - unspayed - confinement

Every person who has the custody or control of an unspayed female animal shall, during each period that the animal is in heat, keep it confined so that it will not attract other animals.

314.6.4 Chain - rope - length - minimum

No person in the Town of Richmond Hill shall keep an animal tethered on a chain, rope or similar restraining device of less than three metres (9.8 feet) in length.

314.6.5 Excrement - cleaned up - disposed of

Any owner of a dog shall forthwith clean up and dispose of any excrement left by his or her dog on any property, including the property of the owner.

**Article 7
TRANSITION****314.7.1 No grandfathering**

The provisions of this Chapter shall not operate as, nor be construed so as to confer on any existing business, owner or operator an exemption from the requirement to obtain a licence in accordance with the provisions of this Chapter.

314.7.2 Transition

A licence issued under the applicable by-law in effect immediately prior to the enactment of this Chapter shall remain in effect following the enactment of this Chapter only until the earlier of its expiry or its revocation.

**Article 8
ENFORCEMENT****314.8.1 Fine - for contravention**

Every 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*.

**Article 9
REPEAL****314.9.1 By-law - previous**

By-laws 7-85, 322-87, 65-90, 2-91, 66-92, 295-93, 212-94, 215-97 are hereby repealed. By-law 15-01, 29 January, 2001.