

THE CORPORATION
OF THE
TOWN OF NIAGARA-ON-THE-LAKE

BY-LAW NO. 4512A-21

**A BY-LAW TO AMEND BY-LAW NO. 4512-11 OF THE CORPORATION
OF THE TOWN OF NIAGARA-ON-THE-LAKE RESPECTING ANIMAL
CARE AND CONTROL**

WHEREAS the Council of The Corporation of The Town of Niagara-on-the-Lake passed By-law No. 4512-11 on December 12, 2011;

AND WHEREAS the Council of The Corporation of The Town of Niagara-on-the-Lake passed By-law No. 5334-21 on June 21, 2021;

AND WHEREAS the Town of Niagara-on-the-Lake considers it desirable to have one administrative penalty system for all non-parking related offences;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWN OF NIAGARA-ON-THE-LAKE ENACTS AS FOLLOWS:

1. That Schedule "C" attached to By-law No. 4512-11 be deleted and replaced with Schedule "C" attached hereto;
2. That By-law No. 4512-11 be amended by adding the following Section to OFFENCES AND PENALTIES:

OFFENCES AND PENALTIES

97. Any person who contravenes this By-law may be issued an administrative penalty in accordance with the AMPS By-law No. 5306-21 for Non-Parking Offences in accordance with Schedule "C" attached hereto and forming part of this By-law.
3. That By-law No. 4512-11 be amended by renumbering the following Sections:

INTERPRETATION

98. Where a Court of competent jurisdiction declares any section or part of a section of this By-law invalid, the remainder of this By-law shall continue in force and effect unless the Court makes an order to the contrary.

99. The schedules attached hereto shall form part of this By-law.

ENACTMENT

100. By-law No. 2948-95, as amended, is hereby repealed.

101. This By-law shall come into force and take effect upon the date of passage.

SHORT TITLE

101. This By-law may be referred to as the "Animal Care and Control By-law".

4. That this by-law come into force and effect upon the passing thereof.

READ A FIRST, SECOND AND THIRD TIME AND PASSED THIS 30TH DAY OF AUGUST, 2021

LORD MAYOR BETTY DISERO ACTING TOWN CLERK COLLEEN HUTT

Item	Column 1 - Short Form Wording	Offence	Set Fine
Schedule A - Animal Control By-law No. 4512A-21			
1	Failing to provide animal with clean and sanitary environment, free from the accumulation of waste matter	Part II, 2(a)	\$250.00
2	Failing to provide animal with adequate/appropriate care	Part II, 2(b)(i)	\$250.00
3	Failing to provide animal with adequate/appropriate food	Part II, 2(b)(ii)	\$250.00
4	Failing to provide animal with adequate/appropriate water	Part II, 2(b)(iii)	\$250.00
5	Failing to provide animal with adequate shelter from the elements	Part II, 2(b)(iv)	\$250.00
6	Failing to provide animal with medical care	Part II, 2(b)(iii)	\$250.00
7	Failing to provide animal with sufficient physical activity to maintain good health	Part II, 2(c)	\$250.00
8	Improper tethering of animal	Part II, 4	\$250.00
9	Operate kennel not within the provisions of this By-law	Part III, 16.	\$250.00
10	Failing to register dog with the Town	Part III, 9(a)	\$50.00
11	Keep dog without collar and affixed dog tag	Part III, 16	\$50.00
12	Permitting dog to run at large	Part III, 23.	\$50.00
13	Improper use of a collar/leash on a dog	Part III, 24, 25, 26, 27	\$50.00
14	Permitting a dog to bite/attack/chase a person/animal or to damage public/private property	Part III, 39	\$250.00
15	Improper muzzling of dog - restricts dog's ability to breath/drink water/muzzle causes dog pain/suffering/injury	Part III, 40	\$250.00
16	Failure to immediately remove and dispose of any feces left by a dog in any place other then the premises of the owner	Part III, 47	\$100.00
17	Keeping more than three dogs over ten weeks of age on a premises	Part III, 49	\$100.00
18	Keeping more than three cats over twenty weeks of age on a premises	Part III. 50	\$100.00
19	Improper containment of a dangerous dog	Part III, 43	\$100.00
20	Causing an animal to be confined in an enclosed space, including a car, without adequate ventilation	Part III, 55	\$200.00
21	Permitting an animal to be outside of the passenger cab of a motor vehicle on a roadway, regardless of whether the motor vehicle is moving or parked	Part III, 56	\$150.00
22	Dog outside of passenger cab of motor vehicle - not fully enclosed trailer	Part III, 57(a)	\$150.00
23	Dog outside of passenger cab of motor vehicle - not fully enclosed bed area of truck or enclosed trailer	Part III, 57(b)	\$150.00
24	Improper transportation of animal — failure to securely tether animal in bed of pick up truck/flat bed truck	Part III, 58	\$150.00
25	Improper transportation of animal - causing/permitting pain/injury/suffering to an animal while being transported in bed of pick up truck/flat bed truck	Part III, 59	\$150.00
26	Keeping animal in vehicle/part of vehicle/trailer attached to vehicle did cause/may cause animal illness/pain/injury/suffering or undue/unnecessary hardship/privation/neglect	Part III, 59	\$150.00
27	Trapping an animal not within the provisions of this By-law	Part III, 61(a)	\$150.00
28	Trapping animal in an inhumane manner	Part III, 61(b)	\$250.00
29	Keeping trapped animal in a trap for more than 24 hours	Part III, 61(c)	\$250.00
30	Using any trap that causes or may cause injury/pain/suffering to an animal	Part III, 62	\$150.00
31	Keeping livestock in area not zoned/lawfully used for that purpose	Part III, 64	\$250.00
32	Permitting livestock to run at large	Part III, 67	\$250.00
33	Failing to surrender wild animal to local pound	Part III, 72(b)	\$100.00
34	Keeping prohibited animal	Part III, 73	\$250.00
35	Failing to register a grandfathered prohibited animal	Part III, 74	\$100.00
36	Failing to register a grandfathered prohibited animal in an appropriate environment for the species	Part III, 74	\$250.00
37	Permitting a prohibited animal to run at large	Part III, 80	\$300.00
38	Failing to ensure (dog) vaccinated against rabies	Part III, 81	\$100.00
39	Failing to keep (dog) rabies vaccination current	Part III,81	\$100.00
40	Failing to ensure (cat) vaccinated against rabies	Part III, 81	\$100.00
41	Failing to keep (cat) rabies vaccination current	Part III,81	\$100.00
42	Feed or attract any animal or animals in such manner or place as to cause material discomfort or annoyance to any neighbouring person or persons	Part III, 84	\$250.00
43	Failing to keep any animal from disturbing the peace by barking/howling excessively	Part III, 82	\$350.00
44	Permitting an animal to trespass upon neighbouring properties	Part III, 83	\$250.00
45	Place any food or water on any public or private property for the purpose of attracting or feeding animals	Part III, 85	\$250.00
46	Tormenting/assaulting/battering/annoying or teasing an animal; willfully/recklessly killing or causing injury/pain/suffering to an animal	Part III, 86	\$250.00