

THE CORPORATION OF THE TOWNSHIP OF NIPISSING

BY-LAW NUMBER 2021-36

Being a By-Law to prohibit or regulate animals, other than dogs and cats, within the Township of Nipissing.

WHEREAS subsection 10(2) (9) of the *Municipal Act*, 2001 permits Council of a local municipality to enact by-laws regulating animals;

AND WHEREAS subsection 103(1) of the *Municipal Act*, 2001 provides that a municipality may pass a by-law to provide for the seizure and impounding of animals being at large or trespassing;

AND WHEREAS the Council of the Township of Nipissing deems it necessary to regulate animals, other than dogs and cats, running at large and for the impounding of same;

NOW THEREFORE Council for the Corporation of Township of Nipissing hereby enacts as follows:

- 1) That no domestic livestock and poultry, including but not limited to cattle, goat, horse, sheep or swine, shall be allowed to run at large in any part of the Township of Nipissing.
- 2) That the owner of any domestic livestock and/or poultry running at large, contrary to Section 1, is liable in damages for all injuries committed by such animals.
- 3) The owner or occupant of any land is responsible for any damage caused by any animal under the person's charge and keeping as though such animal were the person's own property, and the owner of any animal not permitted to run at large by the by-laws of the municipality is liable for any damage done by such animal.
- 4) The Township shall appoint a Pound Keeper and the Pound Keeper shall impound any domestic livestock and/or poultry unlawfully running at large or for trespassing and doing damage. The owner of any animal(s) impounded pursuant to this By-law may obtain the release of said animal(s) upon payment to the Township of the costs incurred for the capturing, impounding and care of the animal(s), as provided in Schedule A, attached hereto and declared to be part of this by-law.
- 5) Where an animal(s) is found to be at large, the Pound Keeper and/or Municipal Law Enforcement Officer (MLEO) may try to contact the owner to retrieve their animal(s) or may impound any animal found at large.
- 6) The Pound Keeper and/or the MLEO shall make reasonable efforts to determine the identity of the Owner of the animal(s) and to inform the Owner and the Clerk that an animal(s) has been impounded, in accordance with the *Pounds Act*, R.S.O. 1990, c P. 17.
- 7) In the event that the Pound Keeper and/or MLEO do not find the Owner, the Clerk, upon receiving a notice from the Pound Keeper, shall post such notice in the Township Office and on the Township website for seven (7) days during which period such animal(s) can be redeemed. The Pound Keeper shall make reasonable inquiries with any persons who may live in the immediate area in which the animal(s) was found at large to determine the Owner of the animal(s).
- 8) Where an animal(s) is sick or injured before or after being seized or impounded, and in the opinion of the Pound Keeper should receive veterinary care without delay for humane reasons or for reasons of safety to persons or animal(s), the Pound Keeper

may obtain appropriate care from a certified Veterinarian. The Owner shall pay to the Township all veterinary fees in addition to the costs incurred for the capturing, impounding and care of the animal(s).

- 9) If an animal(s) impounded by the Pound Keeper pursuant to this By-law is not claimed within seven (7) days after impounding, or if the damages, penalties and expenses imposed by this By-law are not paid, within the timelines as outlined in the *Pounds Act*, the Pound Keeper may sell the animal(s) and the proceeds of such sale shall be applied to:
 - a. Any expenses incurred by the Pound Keeper in selling the animal(s);
 - b. Any expenses incurred as per Schedule A to this By-law for services rendered to the impounded animal(s);
 - c. Any damages payable in accordance with the damage appraisal prepared by the Municipal Law Enforcement Officer (MLEO); and
 - d. To the Township.
- 10) The Township may make a request to the Treasurer to add any part of the expenses incurred in accordance with this By-law that is in default to the tax roll for any property in the Township for which the Owner of the animal(s) is responsible for paying, and collect it in the same manner as municipal taxes.
- 11) Penalty: Any person who contravenes any portion 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*, R.S.O. 1990, Chapter P.33, as amended or any successor thereof.
- 12) Enforcement: Any provincial offences officer or employee of the Corporation of the Township of Nipissing whose duties include the enforcement of this by-law is authorized to enforce this by-law pursuant to the provisions hereof, the *Municipal Act*, 2001, S.O. 2201, c.25, as amended or any successor thereof, and of the *Provincial Offences Act*. R.S.O. 1990, c. P. 33, as amended, or any successor thereof.
- 13) That By-Law Number 631 is hereby rescinded.

READ A FIRST, SECOND AND THIRD TIME AND PASSED THIS 17TH DAY OF AUGUST, 2021.

THE CORPORATION OF THE TOWNSHIP
OF NIPISSING


Tom Piper Mayor


Kris Crosken-Hodgins
Acting CAO-Clerk-Treasurer

By-Law Number 2021-36
Schedule "A"

Township of Nipissing
Impound and Maintenance Fees for Animals Found At Large

ACTIVITY	FEE
Pound Keeper fee for attending the requested site, capturing the animal(s) and transportation to the appropriate facility for impound of the animal(s).	\$350.00
Where there are a number of animal(s) for transport, each additional trip by the Pound Keeper.	\$250.00
Impound fees per day/per animal – one day or any part thereof	Per Day
Horse (per animal)	\$75.00
Cow, Ox, Bull (per animal)	\$75.00
Goat (per animal)	\$50.00
Sheep (per animal)	\$50.00
Swine, pig (per animal)	\$50.00
Geese or Poultry (per bird)	\$25.00
Veterinary Care if required	As billed by veterinarian
Damages made to property by animals while at large – to be prepared by the Municipal Law Enforcement Officer using current material supplies and labour rates as applicable from required repair services. Quotes may be obtained to substantiate the damage order.	As required