



Animal Care and Control By-law

By-law No. 2003-77

A by-law of the City of Ottawa respecting animal care and control.

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Prepared by By-law & Regulatory Services

Amending By-laws:

2004-144	2007-517
2004-489	2008-484
2005-552	2009-259
2006-80	2010-97
2007-34	2011-4
2007-116	2011-110
2007-465	2014-107

A by-law of the City of Ottawa respecting animal care and control.

The Council of the City of Ottawa enacts as follows:

DEFINITIONS

1.

In this by-law:

“animal” means any member of the animal kingdom, other than a human;

“Animal Control Tribunal” means the person holding the position of General Manager of the Emergency and Protective Services Department, the Director of Building Code Services in the Planning and Growth Management Department, or the Program Manager of Parking Enforcement in the Emergency and Protective Services Department, or Christine Hartig, Project/Policy Officer, By-law and Regulatory Services Branch, Emergency and Protective Services Department; (By-law Nos. 2011-4, 2007-465 and 2007-34)

“attack” means: (By-law No. 2006-80)

- a) an assault resulting in bleeding, bone breakage, sprains, scratches or bruising; or
- b) aggressive behaviour resulting in physical contact and damage to clothing worn by the person or domestic animal, and “attacked” or “attacking” have a corresponding meaning;

“bite” means a wound to the skin causing it to puncture or break;

“boarding kennel” means any premises or part thereof where:

- a) more than three (3) dogs over the age of twenty (20) weeks, or
- b) more than five (5) cats over the age of twenty (20) weeks,

are boarded, raised or trained, for any period of time that includes an overnight stay, for remuneration;

“By-law Officer” means a person appointed by Council as a Municipal Law Enforcement Officer to enforce the provisions of the by-law;

“cat” means a female or a male cat;

“Chief of Police” means the Chief of Police for the City of Ottawa or authorized assistants or persons acting under his or her authority;

“City” means the municipal corporation known as the City of Ottawa or the geographic area of the City of Ottawa as the context requires;

“Director” means the person occupying the position of Manager, By-law and Regulatory Services in the Emergency and Protective Services Department of the City of Ottawa, or an authorized representative; (By-law Nos. 2007-34 and 2009-259)

“dog” means a female or a male dog;

“domestic animal” means a cat or a dog;

“dwelling unit” means a building, room or rooms occupied or intended for use as a housekeeping unit in which sanitary, cooking, living and sleeping facilities exist;

“in-home breeding kennel” means any premises or part thereof where:

- a) more than three (3) and less than eleven (11) dogs over the age of twenty (20) weeks, or
- b) more than five (5) and less than eleven (11) cats over the age of twenty (20) weeks, or
- c) more than three (3) dogs over the age of twenty (20) weeks or more than five (5) cats over the age of twenty (20) weeks, where the primary housing for the dogs or cats is in an accessory building(s) or structure(s) on the property,

are owned and being bred and raised; (By-law No. 2014-107)

“keep” means to have temporary or permanent control or possession of an animal, and the words “kept” or “keeping” have a similar meaning;

“livestock” means any domestic fowl (including chickens, geese, ducks, turkeys, guinea fowl, etc.), horse, donkey, mule, bull, ox, cow or other cattle, goat, swine, sheep, llama, mink, fox, emu or ostrich, or the young thereof; (By-law No. 2004-489)

“Manager of Enforcement and Inspections” means the person holding the position of Manager of Enforcement and Inspections in the By-law and Regulatory Services Branch of the Community and Protective Services Department of the City of Ottawa; (By-law No. 2007-34)

“Medical Officer of Health” means the Medical Officer of Health for the City of Ottawa or authorized assistants or persons acting under his or her authority;

“microchip” means an approved “Canadian Standard” encoded identification device implanted into an animal, which contains a unique code that permits or facilitates access to owner information, including the name and address of the owner, which is stored in a central database;

“muzzle” means a humane fastening or covering device of adequate strength placed over the mouth of an animal to prevent it from biting, and the words “muzzled” and “muzzling” have a similar meaning;

“old municipalities” means the old municipalities of the City of Cumberland, the City of Gloucester, the Township of Goulbourn, the City of Kanata, the City of Nepean, the Township of Osgoode, the City of Ottawa, the Township of Rideau, the Village of Rockcliffe Park, the City of Vanier and the Township of West Carleton;

“operator of the livestock pound” means any one of the livestock handlers as set out in Schedule “C” or such other facility designated by the City;

“operator of the pound” means the Ottawa Humane Society or such other facility designated by the City;

“OSPCA” means the Ontario Society for the Prevention of Cruelty to Animals;

“Ottawa Humane Society” means the local animal shelter and affiliate of the OSPCA located at 101 Champagne Avenue South, Ottawa, from which animals may be redeemed or lawfully adopted;

“owner” means any person who possesses or harbours an animal, and where the owner is a minor, the person responsible for the custody of the minor, and includes a person who is temporarily the keeper or in control of the animal, and the word “owns” has a similar meaning;

“parkland” means land owned or leased by the City and set aside for park purposes;

“pet shop” means a shop or place where animals for use as pets are sold for retail or kept for sale;

“petting zoo” means a collection of animals that children may pet and feed and that are not prohibited animals;

“play structure” means a swing, slide, spring-mounted riding toy, climbing equipment, play house, sand box or teeter-totter, and the sand-filled area maintained under the play structure, if any;

“pound” means the part of the premises of the Ottawa Humane Society or such other facility designated by the City which is used for the temporary housing and care of animals that have been impounded pursuant to this by-law;

“premises” means a building or part of a building or a place;

“premises of the owner” includes premises where a dog is habitually harboured or fed;

“prohibited animals” means the animals identified in Schedule “B”;

“protective care” means the temporary, time-limited keeping of an animal by the City as a result of an eviction, incarceration or fire or medical emergency;

“recreational kennel” means any premises or part thereof where:

- a) more than three (3) dogs and less than eleven (11) dogs over the age of twenty (20) weeks, or
- b) more than three (3) dogs over the age of twenty (20) weeks where the primary housing for the dogs is in an accessory building or structure on the property,

are owned and raised for non-commercial recreational purposes, such as dog sledding, but are not bred for sale; (By-law No. 2014-107)

“redemption period” means the period of time within which the owner of a dog which has been impounded pursuant to this by-law has the right to redeem it;

“service animal” means an animal trained by a recognized school for service as a guide dog for the blind or visually impaired, a guide dog for the deaf or hearing-impaired, or a special skills dog for other disabled persons and includes an animal used in therapy, registered with a recognized organization for that purpose;

“spray pad” means a spray pad whether or not there is water and includes the concrete or asphalt decking;

“sterilized” in respect of a dog or cat means either spayed or neutered;

“tether” means a rope or chain or similar restraining device that prevents an animal from moving away from a localized area, and the words “tethered” and “tethering” have a similar meaning;

“vicious” in respect of a dog means a dog that has bitten or attacked without provocation a person or a domestic animal;

“wading pool” means a wading pool whether or not there is water and includes the concrete or asphalt decking;

“without provocation” means in the absence of teasing, tormenting, abusing or assaulting actions upon the dog, or its owner, either in the past or the present, by the person or domestic animal who sustained the bite or attack.

INTERPRETATION

2.

- 1) This by-law includes the Schedules annexed hereto, and the Schedules are hereby declared to form part of this by-law.
- 2) It is declared that if any section, subsection or part or parts thereof be declared by any Court of Law to be bad, illegal or ultra vires, such section, subsection or part or parts shall be deemed to be severable and all parts hereof are declared to be separate and independent and enacted as such.

CARE OF ANIMALS

RESPONSIBILITY TO CARE FOR ANIMALS

3.

- 1) Every person who keeps an animal within the City shall ensure that such animal is provided with:
 - a) a clean and sanitary environment free from an accumulation of fecal matter;
 - b) adequate and appropriate care, food, water, shelter, and opportunity for physical activity.

- 2) Subsection (1) shall be enforced by an inspector or agent, authorized by the OSPCA, under the provisions of the *Ontario Society for the Prevention of Cruelty to Animals Act*, R.S.O. 1990, c. O.36, as amended.

TETHERS

4.

- 1) No person shall keep an animal tethered on a rope, chain or similar restraining device unless:
 - a) the tether is of appropriate length for the species tethered;
 - b) the animal has unrestricted movement within the range of such tether; and
 - c) the animal cannot injure itself as a result of the tethering,
- 2) Despite clause (a) of subsection (1), in the case of dogs, the tether shall be a minimum of three (3) metres in length provided that the tether does not permit the animal to go beyond the limits of the person's property.
- 3) Despite subsection (1), no person shall keep an animal tethered where a choke collar, a choke chain or a pronged collar forms part of the tether.

KEEPING ANIMALS UNDER SANITARY CONDITIONS

5.

- 1) Every person who keeps an animal within the City shall ensure that such animal is not kept under conditions where an accumulation of fecal matter, odour, insect infestations or rodent attractants disturb or are likely to disturb the enjoyment, comfort, convenience of a person or may endanger the health of any person or animal.
- 2) Subsection (1) does not apply to livestock kept in accordance with the provisions of Section 74 of this by-law.
- 3) Subsection (1) shall be enforced by an inspector or agent, authorized by the OSPCA, under the provisions of the *OSPCA Act*, R.S.O. 1990, c. O.36, as amended.

PROTECTIVE CARE

6.

The Director is authorized to:

- a) receive animals pursuant to an eviction, incarceration, fire or medical emergency, or for any other situation that the Director deems appropriate;
- b) temporarily keep such animals for a maximum of five (5) days;
- c) charge the owner the current per diem sheltering fee and all costs for required veterinary medical care, when the animals are redeemed; and
- d) at the end of the five (5) day protective care period, unless other arrangements are agreed to between the owner and the City, treat such animals as day-one impounded animals.

DOGS

REGISTRATION

7.

- 1) Every owner of a dog shall:
 - a) register the dog with the City in accordance with Section 8 and pay an annual tag and registration fee, as set out in Schedule "A";
 - b) obtain and renew such registration annually no later than one (1) calendar year after the date of the initial registration; (By-law No. 2014-107)
 - c) keep the dog identification tag, issued by the City as part of the registration, securely affixed on the collar or harness on the dog at all times; and
 - d) obtain a replacement tag, and pay the fee as set out in Schedule "A", in the event that such tag is lost.
- 2) Where an original application for the tag and registration is filed after the expiry of the first six months of the registration period, the owner shall pay at the time of issuance of the dog identification tag one-half of the fee set out in Schedule "A".

- 3) Clause (b) of subsection (1) shall not apply to the owner of a dog where the dog is registered prior to March 15, 2007. (By-law No. 2007-116)

8.

- 1) Every applicant for dog registration shall provide to the Director the following information:
 - a) name, address, telephone number of the dog owner;
 - b) name, age, gender, breed and colour of the dog;
 - c) declaration of sterilized or unsterilized status; and (By-law No. 2014-107)
 - d) declaration of a microchip implant including the corresponding identification number of the implant, if applicable. (By-law No. 2014-107)
- 2) Despite subsection (1), where the applicant provides certification from a qualified veterinarian that the dog is a poor surgical risk and should not undergo the sterilization procedure, the Director may issue a tag and register the dog at the same fee as that for a sterilized dog.
- 3) The owner of a dog shall notify the Director of any change in information provided in subsection (1) or of the sale or death of the dog, as applicable.
- 4) The Director shall:
 - a) keep a complete registry of all dogs in respect of which tags are issued; and
 - b) provide each registrant with a numbered tag for each dog in respect of which the tag is issued. (By-law No. 2014-107)
- 5) The identification tag issued by the City in respect of a dog is not transferable.

RUNNING AT LARGE

9.

For the purposes of this by-law, 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.

10.

No owner of a dog shall permit the dog to run at large in the City.

11.

Every owner of a dog shall ensure that the dog is kept on a leash and under the control of some person when the dog is on any land in the City unless:

- a) the land is the premises of the owner of the dog;
- b) the land is owned by a person who has given prior consent to the dog being off the leash; or
- c) the land is parkland that is:
 - i. owned by the City; and
 - ii. not designated by sign as an area where dogs are prohibited.

12.

Despite clause (c) of Section 11, in the case of parkland that is:

- a) owned by the City; and
- b) designated by sign as an area where dogs are required to be kept on the leash, every owner of a dog shall ensure that the dog is kept on a leash and under the control of some person when the dog is in the area designated by sign.

13.

No owner of a dog shall permit the dog to be off leash in contravention of Section 11.

14.

No owner of a dog shall permit the dog to be off leash in contravention of Section 12.

15.

No owner of a dog shall use on a dog a leash that exceeds three metres (3 m) in length.

16.

No owner of a dog shall control a dog by means of a leash that:

- a) is not held by the person in his or her hand; or
- b) is not securely affixed to some immovable structure from which the dog cannot escape.

17.

Sections 7 to 16 inclusive shall not apply to police working dogs, during the course of fulfilling their duties.

IMPOUNDMENT

18.

The Chief of Police or a By-law Officer may seize any dog which is found running at large in the City and may cause such dog to be delivered to the pound.

19.

Any person may seize any dog which is found running at large in the City of Ottawa and may cause such dog to be delivered to the pound.

20.

A dog seized pursuant to Section 18 or 19 shall be considered impounded at the time and place when it comes under the control of the Chief of Police, By-law Officer or person.

21.

The operator of the pound to which any dog seized or found pursuant to this by-law has been delivered shall:

- a) impound such dog; and
- b) make reasonable efforts to determine the identity of the owner of such dog and to inform such person that the dog has been impounded.

22.

The operator of the pound shall keep impounded dog for a redemption period of three (3) days, excluding:

- a) the day on which the dog is impounded;
- b) statutory holidays; and
- c) days on which the pound is not open.

23.

- 1) During the redemption period, the operator of the pound shall:
 - a) provide such veterinary care for an injured or ill impounded dog as may be necessary to sustain its life; and
 - b) be entitled to recover from the owner the cost of veterinary care provided while the dog was impounded, in addition to any other fees due to the City for redemption of the dog.
- 2) During the redemption period, the operator of the pound may euthanize an impounded and seriously injured or ill dog without delay, when in the opinion of the operator of the pound such actions are warranted for humane reasons.

24.

During the redemption period, the owner of a dog impounded pursuant to this by-law may obtain release of such dog provided that the owner:

- a) pays the redemption fee, as set out in Schedule "A";
- b) provides evidence that the dog is registered with the City pursuant to Section 7 of this by-law or, if not, obtains such registration and pays the registration fee, as set out in Schedule "A", prior to release of the dog; and
- c) takes such other action as the operator of the pound or the City may direct.

25.

After the expiration of the redemption period, the operator of the pound where a dog has been impounded pursuant to this by-law may:

- a) release the dog to its owner upon compliance with the requirements for release prescribed in Section 24;
- b) keep, sell or dispose of the dog, subject to the provisions of the *Animals for Research Act*, R.S.O. 1990, Chap. A.22, as amended.

26.

Whenever a dog impounded pursuant to this by-law is released to its owner pursuant to Section 24 or Section 25, a record of such release shall be kept by the operator of the pound and made available upon request to the Chief of Police or the Director.

DOG BITES

27.

No owner of a dog shall permit the dog to bite or attack without provocation a person or domestic animal.

28.

Where the Manager of Enforcement and Inspections is informed upon complaint and confirms that a dog is vicious, the Manager of Enforcement and Inspections shall serve notice upon the owner of the vicious dog requiring the owner to comply with any or all of the requirements set out in Sections 29 and 30 of the by-law upon receipt of such notice to comply. (By-law No. 2007-34)

29.

Every owner of a vicious dog shall at all times when the vicious dog is not in the owner's dwelling unit, but otherwise within the boundaries of the owner's premises, ensure that:

- a) the vicious dog is muzzled so as to prevent it from biting a person or domestic animal;
- b) the vicious dog is securely leashed on a leash which does not allow it to go beyond the property line of the owner's lands; and
- c) the vicious dog is contained within an enclosed area, including a fence of an appropriate height for the breed of dog, or in a manner such that the vicious dog is unable to come into contact with persons or other animals.

30.

Every owner of a vicious dog shall at all times when the vicious dog is not within the boundaries of the owner's premises:

- a) keep the vicious dog under the effective control of a person sixteen (16) years of age or older and under leash, such leash not to exceed two (2 m) metres in length; and
- b) keep the vicious dog muzzled.

31.

Every owner of a vicious dog shall notify the Manager of Enforcement and Inspections within two (2) working days of any change in ownership or residence of the vicious dog and provide the Manager of Enforcement and Inspections with the new address and telephone number of the owner. (By-law No. 2007-34)

32.

Where the owner of a vicious dog is informed that he or she must comply with Sections 29 and 30 of the by-law, the owner is entitled to a hearing by the Animal Control Tribunal who may exempt the owner from the muzzling or leashing requirement, or both requirements.

33.

Where the owner of a vicious dog requests in writing to the Manager of Enforcement and Inspections a hearing by the Animal Control Tribunal: (By-law No. 2007-34)

- a) within fourteen (14) days of receiving the notice to comply; or
- b) at any time after the Animal Control Tribunal has confirmed the muzzling or leashing requirement, or both, if the circumstances respecting the vicious dog have changed, the Director shall advise the Committee Coordinator to the Animal Control Tribunal of the request for a hearing and obtain a hearing date. (By-law No. 2007-34)

34.

Upon determination of the hearing date, the Manager of Enforcement and Inspections shall give notice in writing to the owner of the vicious dog, said notice to: (By-law No. 2007-34)

- a) include a statement:
 - i. as to the time, date, place and purpose of the hearing; and
 - ii. that if the owner of a vicious dog does not attend the hearing the Tribunal may proceed in his or her absence and he or she will not be entitled to any further notice; and

- b) be serviced personally or by registered mail to the owner of a vicious dog at his or her address last on file with the Manager of Enforcement and Inspections. (By-law No. 2007-34)

35.

- 1) The Animal Control Tribunal shall hold the hearing pursuant to the provisions of the *Statutory Powers Procedure Act*, R.S.O. 1990, Chapter S.22, as amended at the time, date and place set out in the notice to comply.
- 2) The City shall be represented at the hearing by either the Manager of Enforcement and Inspection or the City Solicitor, or the assistant who is entitled to adduce evidence and submit argument. (By-law No. 2007-34)
- 3) The owner of the vicious dog may, at the hearing:
 - a) be represented by counsel or an agent;
 - b) call and examine witnesses and present his or her arguments and submissions; and
 - c) conduct cross-examination of witnesses reasonably required for a full and fair disclosure.
- 4) The Animal Control Tribunal may:
 - a) exempt the owner of the vicious dog from the muzzling or leashing requirement, or both; or
 - b) confirm the muzzling or leashing requirement, or both.
- 5) The Animal Control Tribunal shall give its decision in writing to the Director within seven (7) days of the date of the completion of the hearing. (By-law No. 2007-34)
- 6) The Manager of Enforcement and Inspections in receipt of the decision referred to in subsection (5) shall forthwith notify the owner of the vicious dog of the decision by serving a copy personally or by registered mail to:
 - a) the owner of the vicious dog at the address last known to the Manager of Enforcement or Inspections; or (By-law No. 2007-34)
 - b) the counsel or agent of the owner of the vicious dog, if any, at his or her address as stated to the Animal Control Tribunal.
- 7) All hearings shall be public hearings unless the owner of a vicious dog requests that the hearing be held in camera. (By-law No. 2007-34)

8) The Animal Control Tribunal's decision shall be final and binding.

36.

Sections 27 to 35 inclusive shall not apply to police working dogs during the course of fulfilling their duties.

STOOP AND SCOOP

37.

Every owner of a dog shall immediately remove any feces left by the dog in the City:

- a) on a highway or roadway;
- b) in a public park;
- c) on any public property other than a public park; or
- d) on any private property other than the property of:
 - i. the owner of the dog; or
 - ii. the person having care, custody or control of the dog.

38.

Every owner of a dog shall dispose of any feces removed pursuant to Section 37 on his or her premises.

39.

Every owner of a dog shall remove from his or her premises, in a timely manner, feces left by such dog, so as not to disturb the enjoyment, comfort, convenience of any person in the vicinity of the premises.

40.

Section 37 does not apply to a handler of a service dog, where the handler is unable to remove the excrement left by such dog due to a physical disability or impediment.

41.

Section 38 does not apply to a blind or visually impaired handler of a service dog if the feces was left while the dog was off the premises of the handler and during the course of fulfilling its duties.

DOGS IN PARKS

42.

No owner of a dog shall have a dog on parkland, or any part thereof, that is designated by sign as an area where dogs are prohibited.

43.

No owner of a dog shall have a dog on parkland, or any part thereof, that is designated by sign as an area where dogs are prohibited during:

- a) certain times of the day;
- b) certain days of the week; or
- c) certain months of the year.

44.

No owner of a dog shall have a dog on parkland, or any part thereof, where the dog is within five metres (5m) of:

- a) a play structure;
- b) a wading pool; or
- c) a spray pad.

45.

Despite Section 44, an owner of a dog may have a dog that is kept on a leash on an asphalt path on part of parkland that is within five metres (5 m) of a play structure, a wading pool, or a spray pad provided that the parkland is not designated by sign as an area where dogs are prohibited and the owner moves along the asphalt path without stopping.

46.

No owner of a dog shall keep an unleashed dog on parkland, or any part thereof, unless such parkland is designated such that dogs may be kept off-leash, providing that the person in control of such dog shall keep such dog in sight and under voice control at all times, and shall promptly leash such dog when confrontations with humans or other animals may potentially develop.

47.

Every owner of a dog that takes a dog onto parkland or a part thereof or has a dog on parkland or a part thereof that is not designated by sign as an area where dogs are prohibited shall comply with the by-laws of the City including this by-law.

48.

No person shall, without authority from the Director, erect, alter, move, remove or deface or in any manner interfere with any sign designating an area where dogs are prohibited.

49.

Sections 42 to 48 inclusive shall not apply to a service dog when accompanied by its handler.

NUMBER OF DOGS RESTRICTED

50.

No person shall keep, in or about a dwelling unit in the City, more than three (3) dogs over twenty (20) weeks of age, unless such premises are:

- a) licensed by the City as a boarding kennel, in-home breeding kennel, recreational kennel or a pet shop; (By-law No. 2014-107)
- b) registered with the City as premises where dogs are receiving temporary foster care; or
- c) an accredited veterinary facility under the supervision of a veterinarian licensed pursuant to the *Veterinarians Act*, R.S.O. 1990, Chapter V.3, as amended.

51.

- 1) Despite Section 50, any person who owns more than the permitted number of dogs on the date this by-law comes into force shall be permitted to keep those dogs provided that such dogs are registered with the City in accordance with Sections 6 and 7 within ninety (90) days of the date that the by-law comes into force.
- 2) The burden of proving the exemption from Section 50 is upon the person making the assertion, of which registration with the City as provided in subsection (1) shall be sufficient proof thereof.
- 3) The exemption provided for in subsection (1) shall be for the life of the dog.

52.

The Director shall maintain a list of all dogs registered pursuant to Section 51.

CATS

REGISTRATION

53.

- 1) Every owner of a cat, where the owner resides in an area of the City where the zoning permits residential land use shall:
 - a) register the cat with the City in accordance with Section 54 and pay an annual tag and registration fee, as set out in Schedule "A";
 - b) obtain and renew such registration annually no later than one (1) calendar year after the date of the initial registration; (By-law No. 2014-107)
 - c) keep the cat identification tag, issued by the City as part of the registration, securely affixed on the collar or harness on the cat at all times; and
 - d) obtain a replacement tag and pay the fee, as set out in Schedule "A", in the event that such tag is lost.
- 2) Where an original application for the tag and registration is filed after the expiry of the first six months of the registration period, the owner shall pay at the time of issuance of the cat identification tag one-half the fee set out in Schedule "A".

- 3) Clause (b) of subsection (1) shall not apply to the owner of a cat where the cat is registered as microchipped and sterilized where the cat is registered prior to March 15, 2007. (By-law No. 2007-116)

54.

- 1) Every applicant for cat registration shall provide to the Director the following information:
 - a) name, address, telephone number of the cat owner;
 - b) name, age, gender, breed and colour of the cat;
 - c) declaration of sterilized or unsterilized status; and (By-law No. 2014-107)
 - d) declaration of a microchip implant including the corresponding identification number of the implant, if applicable. (By-law No. 2014-107)
- 2) Despite subsection (1), where the applicant provides certification from a qualified veterinarian that the cat is a poor surgical risk and should not undergo the sterilization procedure, the Director may issue a tag and register the cat at the same fee as that for a sterilized cat.
- 3) The owner of the cat shall notify the Director of any change in information as provided in subsection (1) or of the sale or death of the cat, as applicable.
- 4) The Director shall:
 - a) keep a complete registry of all cats in respect of which tags are issued; and
 - b) provide each registrant with a numbered tag for each cat in respect of which the tag is issued. (By-law No. 2014-107)
- 5) The identification tag issued by the City in respect of a cat is not transferable.

DISTURBANCE

55.

No owner of a cat, where the owner resides in an area of the City where the zoning permits residential land use, shall permit such cat to cause damage or otherwise create a nuisance or disturbance either to another person or another person's property where that person or property is in an area of the City where the zoning permits residential land use.

IMPOUNDMENT

56.

Where a person registers a request for service with the City that a cat is found causing damage or otherwise creating a nuisance or disturbance to the person or the person's property which is located in an area of the City where the zoning permits residential land use, the Chief of Police or a By-law Officer may seize the cat provided the cat is contained and may cause the cat to be delivered to the pound.

57.

A cat seized pursuant to Section 56 shall be considered impounded at the time and place when it comes under the control of the Chief of Police or By-law Officer.

58.

The operator of the pound to which any cat seized or found pursuant to this by-law has been delivered shall impound such cat and shall make reasonable efforts to determine the identity of the owner of such cat and to inform such person that the cat has been impounded.

59.

The operator of the pound shall keep any impounded cat for a redemption period of three (3) days, excluding:

- a) the day on which the cat is impounded;
- b) statutory holidays; and
- c) days on which the pound is not open.

60.

- 1) During the redemption period, the operator of the pound shall:
 - a) provide such veterinary care for an injured or ill impounded cat as may be necessary to sustain its life;
 - b) be entitled to recover, from the owner, the cost of veterinary care provided while the cat was impounded, in addition to any other fees due the City for redemption of the cat.

- 2) During the redemption period, the operator of the pound may euthanize an impounded seriously injured or ill cat without delay, when in the opinion of the operator of the pound such actions are warranted for humane reasons.

61.

During the redemption period, the owner of a cat impounded pursuant to this by-law may obtain release of such cat provided that the owner:

- a) pays the redemption fee, as set out in Schedule "A";
- b) provides evidence that the cat is registered with the City pursuant to Section 53 of this by-law or, if not, obtains such registration and pays the registration fee, as set out in Schedule "A", prior to release of the cat; and
- c) takes such other action as the operator of the pound or the City may direct.

62.

After the expiration of the redemption period, the operator of the pound where a cat has been impounded pursuant to this by-law may:

- a) release the cat to its owner upon compliance with the requirements for release prescribed in Section 61;
- b) keep, sell or dispose of the cat, subject to the provisions of the *Animals for Research Act*, R.S.O. 1990, Chap. A.22, as amended.

63.

Whenever a cat impounded pursuant to this by-law is released to its owner pursuant to Section 61 or Section 62, a record of such release shall be kept by the operator of the pound and made available upon request to the Chief of Police or the Director.

64.

Sections 53 to 63 inclusive shall not apply to the owner of a cat where the owner resides on land zoned agricultural, general rural, rural, rural-agricultural or marginal resource in the applicable zoning by-laws of the old municipalities or any successor by-law thereto.

NUMBER OF CATS RESTRICTED

65.

No person shall keep, in or about a dwelling unit in an area of the City where the zoning permits a residential land use, more than five (5) cats over twenty (20) weeks of age, unless:

- a) the total number of both dogs and cats shall not exceed five (5), where both dogs and cats are kept, with a maximum number of three (3) dogs permitted;
- b) the premises are licensed by the City as a boarding kennel, in-home breeding kennel, recreational kennel or pet shop; (By-law No. 2014-107)
- c) the premises are registered with the City as premises where cats and/or dogs are receiving temporary foster care; and
- d) the premises are an accredited veterinary facility under the supervision of a veterinarian licensed pursuant to the *Veterinarians Act*, R.S.O. 1990, Chapter V.3, as amended.

66.

- 1) Despite Section 65, any person who owns more than the permitted number of cats on the date this by-law comes into force shall be permitted to keep those cats provided the owner has advised the City in writing of the number of cats and his or her name, address and phone number within ninety (90) days of the date that the by-law comes into force.
- 2) The burden of proving the exemption from Section 65 is upon the person making the assertion, of which written notice to the Director provided in subsection (1) shall be sufficient proof thereof.
- 3) The exemption provided for in subsection (1) shall be for the life of the cat.

67.

The Director shall maintain a list of all cats for which notice has been received in accordance with Section 66.

68.

Sections 65 to 67 inclusive shall not apply to the owner of a cat where the owner resides on lands zoned agricultural, general rural, rural, rural-agricultural or marginal resource in the applicable zoning by-laws of the old municipalities or any successor by-law thereto.

RABIES

RABIES IMMUNIZATION

69.

Every owner of a dog or cat three (3) months of age or over shall ensure that the dog or cat is duly immunized against rabies and that the immunization is current.

70.

Section 69 shall be enforced by the Medical Officer of Health pursuant to the provisions of the *Health Protection and Promotion Act*, R.S.O. 1990, c. H.7, as amended.

RABIES SUSPECTS

71.

Every owner of a dog or cat in the City which is suspected of having been exposed to rabies, or which has bitten, scratched or had other contact which may result in rabies in a person, shall on demand surrender such animal to the City to be held by the City in quarantine, without cost to the owner, for ten (10) days, and such animal shall not be released from such quarantine without permission from the Medical Officer of Health.

72.

Despite Section 71, at the discretion of the Medical Officer of Health, an animal may be held in quarantine on the premises of the owner, or at the owner's expense in a veterinary hospital or licensed kennel of the owner's choice.

73.

Sections 71 and 72 shall be enforced by the Medical Officer of Health pursuant to the provisions of the *Health Protection and Promotion Act*, R.S.O. 1990, c. H.7, as amended.

LIVESTOCK

74.

- 1) No person shall keep livestock in any area of the City unless the area is zoned for that purpose or is lawfully used for that purpose.
- 2) Subsection (1) shall not apply to the areas known as:
 - a) Carleton University;
 - b) the Experimental Farm;
 - c) Lansdowne Park;
 - d) Government House, Rideau Hall;
 - e) the National Capital Equestrian Park;
 - f) RCMP "N" Division;
 - g) University of Ottawa;
 - h) 113 York Street;
 - i) the property of the Ottawa Humane Society;
 - j) the premises of an accredited veterinary facility under the supervision of a veterinarian licensed pursuant to the *Veterinarians Act*, R.S.O. 1990, Chapter V.3, as amended;
 - k) any area lawfully used for a travelling show, petting zoo, or other like shows; and
 - l) any area lawfully used as a zoo.

75.

- 1) For the purposes of this by-law, livestock shall be deemed to be running at large if found in any place other than the premises of the owner of the livestock and not under the control of any person.

- 2) No owner of livestock shall permit any livestock to run at large in the City.

76.

The operator of the livestock pound shall, at the City's request, seize and confine any livestock running at large in the City and shall make reasonable efforts to determine the identity of the owner of the livestock and to inform the owner that the livestock has been impounded.

77.

Any livestock in the care of the operator of the livestock pound shall be retained, released and, where appropriate, sold in accordance with the *Pounds Act*, R.S.O. 1990, Chapter P.17, as amended.

78.

The owner of any livestock found running at large shall be liable for all damages caused by such livestock and for the expenses, if any, incurred by the operator of the livestock pound.

PIGEONS

79.

No person shall keep pigeons or doves or both (hereinafter referred to in this Section as "birds") in an area of the City where the zoning permits residential land use unless:

- a) the owner of the birds is a member of a recognized racing or homing pigeon club, which is affiliated with a national pigeon association, and
- b) the birds are not kept in, upon, or under any building used for human habitation;
- c) the birds are kept in a loft of sufficient size to house all birds, which shall provide a minimum space of 1.0 square metres of loft space for every ten (10) birds, and be so constructed as to prevent escape by the birds;
- d) the birds' loft is located at a distance of not less than seven (7) metres from any dwelling, shop or apartment building, and at a distance of not less than three (3) metres from any adjoining property line;
- e) the maximum number of birds kept by any person on any property in an area of the City where the zoning permits residential land use is forty (40) between

November 1 of one year and March 31 of the following year and seventy (70) between April 1 and October 31; (By-law No. 2004-489)

- f) each bird wears a metal or plastic leg band that shall identify the owner of the bird;
- g) none of the birds are permitted to perch, roost, nest or rest upon any premises other than on the premises of the owner; (By-law No. 2004-489)
- h) any bird afflicted with an infectious or contagious disease is not kept, except in a licensed animal hospital or under conditions of isolation and quarantine approved by the Medical Officer of Health, as applicable; and
- i) all lands and premises where the birds are kept are kept and maintained in a sanitary condition at all times, and all waste materials from said lands and premises are disposed of in a manner that will not create a public nuisance or health hazard.

79A.

- 1) The owner of pigeons or doves or both may permit the birds to fly twice daily between the hours of 6 a.m. and 10 a.m. and between the hours of 4 p.m. and 8 p.m. provided that the owner of the birds supervises the flights. (By-law No. 2004-489)
- 2) No owner of pigeons or doves or both shall permit flights at any time other than the times provided for in subsection (1) or permit unsupervised flights. (By-law No. 2004-489)
- 3) The provisions of subsection (1) do not apply during a flight event conducted by a recognized racing or homing pigeon club. (By-law No. 2004-489)

80.

Section 79 shall not apply to a person keeping pigeons or doves or both where such person resides on lands zoned agricultural, general rural, rural, rural-agricultural or marginal resource in the applicable zoning by-laws of the old municipalities or any successor by-law thereto.

RABBITS

81.

No person shall keep rabbits in an area of the City where the zoning permits residential land use unless:

- a) no more than five (5) rabbits over the age of seven (7) weeks are kept on the property of any dwelling unit;
- b) the rabbits are kept as pets only;
- c) the rabbits, if routinely kept outside, are kept in a properly constructed hutch or cage that is so constructed as to prevent escape by the rabbits; and
- d) all lands and premises where rabbits are kept are kept in a sanitary condition at all times, and all waste materials are disposed of in a manner that will not create a public nuisance or health hazard.

82.

Section 81 shall not apply to a person keeping rabbits where such person resides on lands zoned agricultural, general rural, rural, rural-agricultural or marginal resource in the applicable zoning by-laws of the old municipalities or any successor by-law thereto.

PROHIBITED ANIMALS

83.

No person shall keep in the City, either on a temporary or permanent basis, any prohibited animal, as set out in Schedule "B".

84.

- 1) Despite Section 83, a person who is keeping a prohibited animal on the date this by-law comes into force shall be permitted to keep such animal provided that:
 - a) the animal is kept in an environment which is appropriate for the species; and
 - b) the owner has advised the Director in writing of the species of animal and his or her name, address and phone number within ninety (90) days of the date that the by-law comes into force.

- 2) The burden of proving the exemption from Section 83 is upon the person making the assertion, of which written notice to the Director as provided in subsection (1) shall be sufficient proof.
- 3) The exemption provided for in subsection (1) is for the life of the animal.

85.

The Director shall maintain a list of all prohibited animals for which written notice has been received in accordance with Section 84.

86.

Section 83 shall not apply to:

- a) any of the City's animal care and control centres, as applicable;
- b) the premises of the Ottawa Humane Society;
- c) the premises of an accredited veterinary facility under the supervision of a veterinarian licensed pursuant to the *Veterinarians Act*, R.S.O. 1990, Chapter V.3, as amended;
- d) the premises of any licensed zoo or exhibit, permanently located in the City;
- e) premises or facilities accredited by the Canadian Association of Zoos and Aquaria (CAZA);
- f) the areas of the City in which professionally produced films are made using such animals, provided that there is supervision by Inspectors or Agents of the OSPCA or one of its affiliates or branches;
- g) the areas of the City in which educational programs are being conducted with animals, provided that the animals are owned by institutions accredited by CAZA or the American Zoo and Aquarium Association, and only while the educational programs are actually conducted, provided that such programs are limited to three (3) days at any one location;
- h) premises registered as research facilities pursuant to the *Animals for Research Act*, R.S.O. 1990, c. A.22;
- i) the property of Algonquin College;
- j) the property of Carleton University;
- k) the property of the University of Ottawa;

- l) premises where wildlife rehabilitation is being undertaken in accordance with the *Fish and Wildlife Conservation Act, 1997*, S.O. 1997, Chapter 41, as amended, and associated regulations under the jurisdiction of the Ontario Ministry of Natural Resources;
- m) the premises used by the Conservation Unit of the National Capital Commission;
- n) the premises known as Little Ray's Reptile Zoo;
- o) the premises known as Life of Reilley Petting Zoo & Unusual Animals;
- p) premises fostering rescued animals under the auspices of organizations which are exempted under the by-law, are recognized rescue organizations, and provide an educational function as part of their mandate.

NOISE FROM ANIMALS

87.

- 1) No person shall keep, own, or harbour in the City any animal which makes or causes noises that disturb or are likely to disturb the peace, quiet, rest, enjoyment, or comfort of:
 - a) any person in any dwelling, apartment, or other type of residence in the neighbourhood;
 - b) any person in the vicinity; or
 - c) the neighbourhood.
- 2) Subsection (1) shall not apply to livestock kept in accordance with Section 74 of this by-law.

OFFENCES AND PENALTIES

OFFENCES

88.

Any person who contravenes any provisions of this by-law is guilty of an offence.

FINES

89.

Every person who is convicted of an offence under this by-law is liable to a fine as provided for in the *Provincial Offences Act*, R.S.O. 1990, Chapter p.33, as amended.

PROHIBITION ORDER

90.

When a person has been convicted of an offence under this by-law:

- a) the Ontario Court of Justice, or
- b) any court of competent jurisdiction thereafter may, in addition to any other penalty imposed on the person convicted, make an order prohibiting the continuation or repetition of the offence by the person convicted.

ADMINISTRATION

ENFORCEMENT

91.

Unless otherwise provided in the by-law, the by-law shall be enforced by the Chief of Police or by the By-law Officers of the City.

SHORT TITLE

92.

Unless otherwise provided in the by-law, the by-law shall be enforced by the Chief of Police or by the By-law Officers of the City.

REPEAL AND TRANSITION

CITY OF CUMBERLAND

93.

- 1) Subject to subsection (2), By-law 86-87 of the old Corporation of the Township of Cumberland entitled “A by-law to provide for the licensing of dogs and the regulating of the keeping of dogs”, as amended, is repealed.
- 2) The following provisions of the said By-law 86-87 shall remain in full force and effect:
 - a) Section 1, paragraphs (f), (j) and (p);
 - b) Section 9;
 - c) Section 10;
 - d) Section 24;
 - e) Section 27;
 - f) Section 30;
 - g) Items (c) and (d) of Schedule “A”; and
 - h) Schedule “B”.

94.

- 1) By-law Number 2341 of the old Corporation of the Township of Cumberland entitled “Being a By-law to regulate the keeping of bulls within the Township of Cumberland” and prohibiting the running at large of bulls within the Township is repealed.
- 2) By-law No. 76-87 of the old Corporation of the Township of Cumberland entitled “Being a By-law to govern the keeping of racing or homing pigeons” is repealed.
- 3) Subsection (5) and (6) of Section 3 of By-law 33-94 of the old Corporation of the Township of Cumberland entitled “Being a by-law of the Corporation of the Township of Cumberland to prohibit or regulate certain noises and to prohibit and abate public nuisance, as amended”, are repealed.

CITY OF GLOUCESTER

95.

- 1) Subject to subsections (2) and (3), By-law No. 176 of 1996 of the old Corporation of the City of Gloucester entitled “A By-law to regulate and prohibit the keeping, and to provide for the protection and identification of animals in the City”, as amended, is repealed.
- 2) The following provisions of the said By-law Number 176 of 1996 shall remain in full force and effect:
 - a) Section 1, paragraphs (3), (4), (6), (7), (15) and (20);
 - b) Sections 42 to 52 inclusive;
 - c) Sections 62 to 65 inclusive;
 - d) the items entitled “Kennel Licence” and “Kennel Licence Application Fee” on Schedule “A” entitled “Fee Schedule”; and
 - e) Schedule “B” entitled “Required Kennel Fence”.
- 3) The following provisions of the said By-law Number 176 of 1996 shall remain in full force and effect until January 1, 2004:
 - a) Section 1, paragraphs (2), (13) and (14);
 - b) Section 9 to 14 inclusive;
 - c) Sections 27 to 32 inclusive;
 - d) the items “Metal Tag”, “Cat License for spayed or neutered cats” and “Replacement Tag” under the heading “Cat Identification” on Schedule “A” entitled “Fee Schedule”; and
 - e) the item “Cats and Dogs” under the heading “Release Fee for Impounded Animals” on Schedule “A” entitled “Fee Schedule”.
- 4) The following provisions of the said By-law Number 176 of 1996 referred to in subsection (3) are amended:
 - a) by striking out the expression “Domestic Animal” wherever it occurs in Sections 27 to 32 and substituting therefor, in each case, the word “Cat”;
 - b) by striking out the expressions “a Dog licence for the current year or” and “the Dog or” where they occur in Section 30; and

- c) by striking out the words “and Dogs” under the heading “Release Fee for Impounded Animals” on Schedule “A” entitled “Fee Schedule”.

TOWNSHIP OF GOULBOURN

96.

- 1) Subject to subsection (2), By-law 11-95 of the old Corporation of the Township of Goulbourn entitled “Being a by-law for the licensing, regulating and keeping of animals”, as amended, is repealed.
- 2) The following provisions of the said By-law 11-95 shall remain in full force and effect:
 - a) Section 1, the definitions “DOG”, “FENCE”, “GATE AND ENTRANCE”, “KENNEL”, “CHIEF MUNICIPAL LAW ENFORCEMENT OFFICER”, “OWNER”, and “VICIOUS”;
 - b) Section 2;
 - c) Subsection 6 of Section 5;
 - d) Section 6;
 - e) Subsections 4 and 5 of Section 9;
 - f) Sections 11, 12 and 13;
 - g) Schedule “A”; and
 - h) Schedule “B”.

CITY OF KANATA

97.

- 1) Subject to subsection (2), By-law Number 105-89 of the old Corporation of the City of Kanata entitled “Being a By-law of the Corporation of the City of Kanata to regulate the keeping and running at large of animals”, as amended, is repealed.
- 2) The following provisions of the said By-law Number 105-89 shall remain in full force and effect until January 1, 2004:
 - a) Sections 11 and 12; and
 - b) Items 3(b) respecting voluntary licence fees for cats.

- 3) Section 11 of the said By-law Number 105-89 is amended by striking out the word “dogs” where it occurs therein and substituting therefor the word “cats”.

CITY OF NEPEAN

98.

- 1) Subject to subsection (2), By-law No. 15-93 of the old Corporation of the City of Nepean entitled “Being a by-law of The Corporation of the City of Nepean respecting the management, protection and identification of animals and for prohibiting the keeping of animals or any class thereof”, as amended, is repealed.
- 2) The following provisions of the said By-law No. 15-93 shall remain in full force and effect until January 1, 2004:
 - a) Paragraphs (a), (b), (d), (m) and (o) of Section 1;
 - b) Section 2;
 - c) Sections 5 and 6;
 - d) Sections 23 to 29 inclusive;
 - e) Sections 36 to 41 inclusive; and
 - f) the items under the headings “Release Fees” and “Cat Registration” in Schedule “A” entitled “Relating to Fees”.
- 3) The following provisions of the said By-law No. 15-93 referred to in subsection (2) are amended:
 - a) by striking out the expressions “or dog” and “licence for the dog or” where they occur in Section 5;
 - b) by striking out the expression “or dog” where it occurs in Section 6;
 - c) by striking out the expression “domestic animals” where it occurs in Section 29 and substituting therefor the word “cats”; and
 - d) the item “Release Fees” in Schedule “A” entitled “Relating to Fees” is amended by striking out the expression “Domestic Animals” where it occurs therein and substituting therefor the word “Cats”.

TOWNSHIP OF OSGOODE

99.

By-law No. 40-1994 of the old Corporation of the Township of Osgoode entitled “Being a by-law concerning animal control”, as amended, is repealed.

CITY OF OTTAWA

100.

The following by-laws or portions of by-laws of the old Corporation of the City of Ottawa are repealed:

- a) By-law Number 259-80 entitled “A by-law of The Corporation of the City of Ottawa respecting the keeping of certain animals and birds”, as amended;
- b) By-law Number 361-78 entitled “A by-law of The Corporation of the City of Ottawa respecting the keeping of donkeys, horses and mules”, as amended;
- c) By-law Number 292-78 entitled “A by-law of The Corporation of the City of Ottawa respecting the keeping of certain animals commonly known as exotic pets”, as amended;
- d) Sections 5, 6 and 7 of By-law Number 59-76 entitled “A by-law of The Corporation of the City of Ottawa respecting kennels and the limitation of the number of cats and dogs”, as amended;
- e) Subsections (1) to (12) inclusive of Section 6 of By-law Number 225-74 entitled “A by-law of The Corporation of the City of Ottawa respecting Recreation and Parks”, as amended;
- f) Section 4 of By-law Number 3-97 entitled “A by-law of The Corporation of the City of Ottawa respecting noises”, as amended;
- g) By-law Number 83-92 entitled “A by-law of The Corporation of the City of Ottawa to prohibit the running at large of dogs in the City of Ottawa”, as amended; and
- h) By-law Number 196-81 entitled “A by-law of The Corporation of the City of Ottawa respecting dog waste”, as amended.

101.

By-law Number L6-2000 of the old Corporation of the City of Ottawa entitled “A by-law of The Corporation of the City of Ottawa respecting licenses”, as amended, is amended:

- a) by repealing the item entitled “Dogs” in Schedule No. 1 entitled “Fee Structure”; and
- b) by repealing Section 1, Sections 3 to 6 inclusive and Subsections (3) to (5) inclusive of Section 2 of Schedule No.10, “Relating to Dogs”.

TOWNSHIP OF RIDEAU

102.

- 1) Subject to subsection (2), By-law No. 39/99 of the old Corporation of the Township of Rideau entitled “Being a by-law to regulate the keeping of dogs in the Township”, as amended, is repealed.
- 2) The following provisions of the said By-law No. 39/99 shall remain in full force and effect:
 - a) Section 1, clauses (a) to (e) inclusive;
 - b) Section 3, clause (a);
 - c) Sections 4 and 5;
 - d) Section 6, clause (c);
 - e) Sections 7 and 8;
 - f) Sections 14 to 20 inclusive;
 - g) Section 24; and
 - h) the item “Kennel Licence” on Schedule “A” entitled “Licence Fees”.
- 3) The provisions of the said By-law No. 39/99 referred to in subsection (2) are amended:
 - a) by striking out the expression “for a licence for a dog or” where it occurs in Section 5;
 - b) by striking out the expression “Dog Licence Issuer or” where it occurs in Section 7; and
 - c) by striking out the expression “a dog or” where it occurs in Section 8.

103.

The following by-laws of the old municipality of the Corporation of the Township of Rideau are repealed:

- a) By-law No. 15/94 entitled “Being a by-law to regulate dog waste”;
- b) By-law No. 21/93 entitled “Being a by-law to govern the keeping of pigeons”;
- c) By-law No. 56/89 entitled “Being a by-law to prohibit the keeping of certain animals commonly known as exotic pets”; and
- d) By-law No. 101/81 entitled “Being a by-law to prohibit the running at large or trespassing of animals other than dogs”.

VILLAGE OF ROCKCLIFFE PARK

104.

The following by-laws of the old municipality of the Corporation of the Village of Rockcliffe Park are repealed:

- a) By-law Number 92-27 entitled “A By-law of the Corporation of the Village of Rockcliffe Park respecting dog waste”;
- b) By-law Number 92-7 entitled “A By-law of the Corporation of the Village of Rockcliffe Park to provide for the licensing of dogs”;
- c) By-law Number 80-28 entitled “A by-law of the Corporation of the Village of Rockcliffe Park to provide for the inoculation of dogs”;
- d) By-law Number 74-25 entitled “A By-law of the Corporation of the Village of Rockcliffe Park to prohibit the keeping of domestic fowl, cattle, goats or swine”;
- e) By-law Number 54-24 entitled “A by-law of the Corporation of the Village of Rockcliffe Park regarding squirrels, rats, pigeons and skunks”;
- f) By-law Number 50-4 entitled “A By-law regulating the running at large of dogs”, as amended; and
- g) By-law Number 54-23 entitled “A By-law of the Corporation of the Village of Rockcliffe Park regarding strayed pigeons and regulating the keeping of pigeons and the amendment of by-law 51-15”.

CITY OF VANIER

105.

- 1) Subject to subsection (2), By-law No. 30-00 of the old Corporation of the City of Vanier entitled “Being a By-law for regulating and identifying animals and for prohibiting the keeping of animals or any class thereof”, as amended, is repealed.
- 2) The following provisions of the said By-law No. 30-00 shall remain in full force and effect until January 1, 2004:
 - a) Section 1, paragraphs (b), (f), (g) and (i);
 - b) Section 2;
 - c) Section 6;
 - d) Sections 16 to 19 inclusive;
 - e) Sections 26 to 29 inclusive; and
 - f) Item 1(b) of Schedule “A” entitled “Cat Registration”.
- 3) The following provisions of the said By-law No. 30-00 referred to in subsection (2) are amended:
 - a) by striking out the expression “dog or” where it occurs in subsection 6(a);
 - b) by striking out the expression “or dog” where it occurs in subsection 6(b);
and
 - c) by striking out the word “dog” where it occurs after the word “such” in subsection 6(b) and substituting therefor the word “cat”.

TOWNSHIP OF WEST CARLETON

106.

- 1) Subject to subsection (2), By-law No. 16 of 1999 of the old Corporation of the Township of West Carleton entitled “Being a By-law to provide for the keeping, licensing and control of dogs in the Township of West Carleton”, as amended, is repealed.
- 2) The following provisions of the said By-law No. 16 of 1999 shall remain in full force and effect:
 - a) subsections (b), (d), (e), (g), (j), (k), (l) and (m);

- b) Section 5;
- c) Section 9 to 13 inclusive; and
- d) the item “Kennel Licences” on Schedule “A” entitled “Licence Fees”.

107.

By-law No. 496/83 of the old Corporation of the Township of West Carleton entitled “Being a By-law to prohibit the keeping of certain animals and fowl in the Township of West Carleton” is repealed.

EFFECTIVE DATE

108.

- 1) Subject to subsection (2), this by-law shall come into force on the 1st day of April 2003.
- 2) Sections 53 to 64, inclusive, shall come into force on January 1, 2004.

ENACTED AND PASSED this 26th day of March, 2003.

CITY CLERK | MAYOR

SCHEDULE "A"

(Note: All of Schedule "A" to By-law No. 2003-77 was repealed and replaced by this Schedule "A" to By-law No. 2011-110)

PET REGISTRATION AND POUND REDEMPTION FEES

DOG REGISTRATION

1)

- | | |
|--|--------|
| a. for each dog six months of age or older, which is sterilized and identified with a microchip | \$17 |
| b. for each dog under six months of age, which is identified with a microchip | \$17 |
| c. for each dog six months of age or older, which is sterilized but not identified with a microchip | \$23 |
| d. for each dog under six months of age, which is not identified with a microchip | \$23 |
| e. for each dog six months of age or older, which is identified with a microchip but not sterilized | \$23 |
| f. for each dog six months of age or older, which is neither sterilized nor identified with a microchip | \$40 |
| g. for each service dog | No Fee |
| h. for each replacement of a lost identification tag | No Fee |
| i. for each dog whose owner has been convicted of permitting the dog to bite or attack, without provocation, a person or domestic animal | \$103 |

CAT REGISTRATION

2)

- | | |
|---|------|
| a. for each cat six months of age or older, which is sterilized and identified with a microchip | \$17 |
| b. for each cat under six months of age, which is identified with a microchip | \$17 |

BY-LAW NO. 2003-77

- | | |
|---|--------|
| c. for each cat six months of age or older, which is sterilized but not identified with a microchip | \$23 |
| d. for each cat under six months of age, which is not identified with a microchip | \$23 |
| e. for each cat six months of age or older, which is identified with a microchip but not sterilized | \$23 |
| f. for each cat six months of age or older, which is neither sterilized nor identified with a microchip | \$40 |
| g. for each service cat | No Fee |
| h. for each replacement of a lost identification tag | No Fee |

POUND REDEMPTION FEES

3)

- | | |
|---|------|
| a. for each dog redeemed, per day for each day, or part thereof, to be calculated from the first day of impoundment | \$50 |
| b. for each cat redeemed, per day for each day, or part thereof, to be calculated from the first day of impoundment | \$40 |

SCHEDULE “B”

PROHIBITED ANIMALS

1. All protected or endangered animals being all animals, native or non-native, whose possession or sale is prohibited because they are designated as protected or endangered pursuant to an international, federal or provincial law, regulation, rule or agreement, unless the animal has been obtained in accordance with international, federal or provincial law, as applicable, and if the animal is not identified in this Schedule.
2. All dogs, other than domesticated dogs (*Canis familiaris*) including but not limited to: wolf, fox, coyote, hyena, dingo, jackal, raccoon dog, bush dog, and any hybrid offspring of a wild dog and domesticate dog.
3. All cats other than domesticated cats (*Felis catus*) including but not limited to: lion, tiger, leopard, ocelot, jaguar, puma, panther, mountain lion, cheetah, wild cat, cougar, bobcat, lynx, serval, and any hybrid offspring of a wild cat and domesticated cat.
4. All bears, including polar, grizzly, brown and black bear.
5. All fur bearing animals of the family *Mustelidae* including, but not limited to: weasel, marten, mink, badger, ermine, skunk, otter, pole cat, wolverine, except the domestic ferret (*Putorius furo*).
6. All *Procyonidae*, including raccoon, kinkajou, cacomistle, cat-bear, panda and coatimundi.
7. All carnivorous mammals of the family *Viverridae* including, but not limited to:, civet, mongoose, and genet.
8. All bats (*Chiroptera*).
9. All non-human primates, including, but not limited to, monkey, ape, chimpanzee, gorilla and lemur.
10. All squirrels (*Sciuridae*).
11. Reptiles (*Reptilia*)
 - a. all *Helodermatidae* (gila monster and Mexican bearded lizard);
 - b. all front-fanged venomous snakes, even if devenomized, including, but not limited to,

- i. all *Viperidae* (viper, pit viper);
 - ii. all *Elapidae* (cobra, mamba, krait, coral snake);
 - iii. all *Atractaspididae* (African burrowing asp);
 - iv. all *Hydrophiidae* (sea snake); and
 - v. all *Laticaudidae* (sea krait);
- c. all venomous, mid- or rear-fanged, Duvernoy-glanded members of the family *Colubridae*, even if de-venomized;
 - d. any member or hybrid offspring of the family *Boidae*, including but, not limited to the common or green anaconda and yellow anaconda, save and except members of the family *Boidae* reaching an adult length of no greater than two (2) metres;
 - e. any member of the family *Pythonidae*, including but not limited to the African rock python, the Indian or Burmese python, the Amethystine or scrub python, save and except members of the family *Pythonidae* reaching an adult length of no greater than two (2) metres;
 - f. any member of the family *Varanidae*, including but not limited to the white throated monitor, the water monitor, the Komodo monitor or dragon, the Bornean earless monitor, the Nile monitor, the crocodile monitor, save and except members of the family *Varanidae* reaching an adult length of no greater than one (1) metre;
 - g. any member of the family *Iguanidae*, including the green or common iguana;
 - h. any member of the family *Teiidae*, including but not limited to the golden, common or black and white tegu;
 - i. all members of the family *Chelydridae*, including snapping turtle and alligator snapping turtle;
 - j. all members of the order *Crocodylia*, including, but not limited to alligator, caiman and crocodile;
 - k. all other snakes that reach an adult length larger than three (3) metres; and
 - l. all other lizards that reach an adult length larger than two (2) metres.

12.

1. Birds (*Aves*)

- a. all predatory or large birds (*Accipitridea*, *Cathartidae*), including but not limited to eagle, hawk, falcon, owl, vulture and condor;
- b. *Anseriformes* including but not limited to ducks, geese and swans;
- c. *Galliformes* including but not limited to pheasants, grouse, guinea fowl and turkeys; and
- d. *Struthioniformes* including but not limited to flightless ratites such as ostriches, rheas, cassowaries, emus and kiwis.

2. Paragraphs (a) to (d) inclusive in subsection (1) do not apply if the birds are kept as livestock pursuant to Section 74 of this by-law.

13. *Arachnida* and *Chilopoda*

- a. all venomous spiders including but not limited to tarantula, black widow and solifugid, scorpion, save and except the exception of the following species of tarantula: Chilean rose (*Grammostola rosea*), Mexican red-knee (*Brachypelma smithi*) and pink-toed (*Avicularia avicularia*); and
- b. all venomous arthropods including but not limited to centipede.

14. All large rodents (*Rodentia*), including but not limited to gopher, muskrat, paca, groundhog, marmot, beaver, prairie dog, viscacha, and porcupine.

15. All even-toed ungulates (*Artiodactyla*) other than domestic sheep, including but not limited to antelope, giraffe and hippopotamus.

16. All odd-toed ungulates (*Perissodactyla*) other than domesticated horses (*Equus caballus*), including but not limited to zebra, rhinoceros and tapir.

17. All marsupials, including but not limited to Tasmanian devil, bandicoot, kangaroo, wallaby, opossum, wombat, koala bear, cuscus, numbat and pigmy, sugar and greater glider.

18. Sea mammals (*Cetacea*, *Pinnipedia* and *Sirenia*), including but not limited to dolphin, whale, seal, sea lion and walrus.

19. All elephants (*Proboscides*).

20. All hyrax (*Hyracoidea*).

21. All pangolin (*Pholidota*).
22. All sloth and armadillo (*Edentata*).
23. All insectivorous mammals (*Insectivora*), including aardvark (*Tubulidentata*), anteater, shrew, otter shrew, mole and hedgehog.
24. Gliding lemur (*Dermoptera*).

SCHEDULE "C"

LIVESTOCK POUNDS

1. Leo's Livestock Exchange Ltd.
R.R. #3
Greely, Ontario
2. W. McWilliams
1088 Perrault Road
Navan, Ontario
(By-law No. 2004-489)

BY-LAW NO. 2003-77

A by-law of the City of Ottawa respecting animal care and control.

Enacted by City Council at its meeting of March 26, 2003

LEGAL SERVICES

amp – LBS4000/0044

COUNCIL AUTHORITY

February 26, 2003

EPSC – Report 31, Item 2