



## **Kennel By-law**

### **By-law No. 2013-107**

A by-law of the City of Ottawa to amend By-law No. 2002-189 with respect to boarding kennels, in-home breeding kennels and recreational kennels, and to repeal the provisions respecting kennels in certain by-laws of the old municipalities.

THIS CONSOLIDATION IS PROVIDED FOR OFFICE USE AND REFERENCE PURPOSES ONLY. EVERY EFFORT IS MADE TO ENSURE THE ACCURACY OF THIS CONSOLIDATION. IT IS NOT TO BE USED IN PLACE OF PHOTOCOPIES OF ORIGINAL BY-LAWS, NOR CAN IT BE USED FOR COURT PURPOSES. FOR LEGAL REQUIREMENTS, PLEASE REFER TO THE OFFICIAL BY-LAWS OF THE CITY OF OTTAWA.

Updated February 2016

Prepared by By-law & Regulatory Services

The Council of the City of Ottawa enacts as follows:

**1.**

Section 1 of By-law No. 2002-189 entitled “A by-law of the City of Ottawa respecting the licensing, regulating and governing of certain businesses”, as amended, is amended by adding thereto the following definitions:

“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;

“cat” means a male or female domesticated cat;

“dog” means a male or female domesticated dog;

“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 or structure on the property,

are owned and being bred and raised;

“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(s) or structure(s) on the property,

are owned and raised for non-commercial recreational purposes, such as dog sledding, but are not bred for sale.

**2.**

Section 9 of the said By-law No. 2002-189 is amended by adding thereto, immediately after clause (30), the following clauses:

- (31) every person who owns or operates a boarding kennel;

(32) every person who owns or operates an in-home breeding kennel;

(33) every person who owns or operates a recreational kennel.

**3.**

Schedule "A" of the said By-law No. 2002-189 is amended by adding thereto the following items:

Column 1 Description of License	Column 2 License Fee \$	Column 3 Expiry Date
BOARDING KENNEL	100.00	April 30
IN-HOME BREEDING KENNEL	75.00	April 30
RECREATIONAL KENNEL	75.00	April 30

**4.**

The said By-law No. 2002-189 is amended by adding thereto, immediately after Schedule No. 30, the Schedule No. 31 Relating to Boarding Kennels, the Schedule No. 32 Relating to In-Home Breeding Kennels, and the Schedule No. 33 Relating to Recreational Kennels, attached hereto.

## **REPEAL OF OLD MUNICIPALITIES' BY-LAWS**

### **OLD CITY OF CUMBERLAND**

**5.**

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.

### **OLD CITY OF GLOUCESTER**

**6.**

By-law No. 170-2000 of the old Corporation of the City of Gloucester entitled "Being a by-law of The Corporation of the City of Gloucester to provide for licensing, regulating and governing certain trades, callings, businesses, occupations or Home Occupations", as amended, is amended:

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- a) by repealing the definition “Kennel” where it occurs in Section 1,
- b) by repealing item “Kennels A-25” where it occurs in Schedule “A”,
- c) by repealing Schedule “A-25”, and
- d) by repealing the item “Kennel \$150.00” where it occurs in Schedule “C”.

### **OLD TOWNSHIP OF GOULBORN**

#### **7.**

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.

### **OLD CITY OF KANATA**

#### **8.**

By-law No. 139-00 of the old Corporation of the City of Kanata entitled “Being a by-law of The Corporation of the City of Kanata to provide for licensing, regulating and governing certain trades, callings, businesses or occupations”, as amended, is repealed.

### **OLD CITY OF NEPEAN**

#### **9.**

By-law No. 135-2000 of the old Corporation of the City of Nepean entitled “Being a by-law of The Corporation of the City of Nepean to provide for licensing, regulating and governing certain trades, callings, businesses or occupations”, as amended, is amended:

- a) by repealing item “20 Kennels” where it occurs in the Index to Licenses,
- b) by repealing item “Kennels” where it occurs in Schedule “A” entitled “FEES FOR LICENSES”, and
- c) by repealing Schedule 20 entitled “Kennel License”.

## **OLD CITY OF OTTAWA**

### **10.**

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 repealed.

### **11.**

By-law Number 59-76 of the old Corporation of the City of Ottawa 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, is repealed.

## **OLD TOWNSHIP OF OSGOODE**

### **12.**

By-law No. 83-2000 of the old Corporation of the Township of Osgoode entitled “Being a by-law concerning kennels” is repealed.

## **OLD TOWNSHIP OF RIDEAU**

### **13.**

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.

## **OLD TOWNSHIP OF WEST CARLETON**

### **14.**

By-law No. 90 of 2000 of the old Corporation of the Township of West Carleton entitled “Interim Control By-law – Kennels” is repealed.

### **15.**

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.

## EFFECTIVE DATE

### **16.**

This by-law shall come into effect upon enactment.

ENACTED AND PASSED this 24<sup>th</sup> day of April, 2013.

CITY CLERK | MAYOR

## Schedule No. 31 Relating to Boarding Kennels

### LICENSES REQUIRED

#### 1.

- 1) Every owner or operator of a boarding kennel shall obtain a boarding kennel license.
- 2) A separate license shall be obtained for each premise at which a boarding kennel is being operated.

### EXEMPTIONS

#### 2.

This schedule does not apply to:

- a) 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,
- b) premises that are registered with the City as premises where dogs or cats are receiving temporary foster care, and
- c) the local animal shelter operated by the Ottawa Humane Society.

### CONDITIONS FOR ISSUANCE

#### 3.

- 1) No individual other than the owner or operator of a boarding kennel shall apply for a boarding kennel license.
- 2) No applicant for a boarding kennel license shall be issued a license unless:
  - a) the applicant is at least eighteen (18) years of age;
  - b) the applicant submits to the Chief License Inspector a detailed plan that includes the following information:
    - i. the maximum number of dogs or cats that may be boarded, raised or trained in the boarding kennel,
    - ii. procedures as to how sickness, disease or injuries to a dog or cat will be handled at the boarding kennel,

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- iii. name and telephone number of emergency veterinarian on call, and,
  - iv. procedures established for an emergency evacuation;
- c) the premises comply with the zoning, building and property standards requirements of the City;
  - d) if deemed necessary by the Fire Chief, the Fire Chief has reported in writing that the premises comply with all applicable fire regulations;
  - e) an authorized Inspector or Agent appointed under the *Ontario Society for the Prevention of Cruelty to Animals Act*, R.S.O. 1990, c. O.36, as amended, or any successor thereto, has reported in writing that the premises, and the animals housed on the premises, have been inspected and meet the requirements of the Act and any regulations thereunder;
  - f) the applicant has agreed to indemnify and save harmless the City of Ottawa as required by Section 7 of this Schedule;
  - g) the applicant has filed proof of insurance as required by Section 8 of this Schedule; and,
  - h) the applicant has paid the fee set out in Schedule "A".
- 3) Despite Section 3(1), the holder of a valid kennel license issued under the by-law of a former municipality in Ottawa-Carleton may renew said license under this by-law but is not required to apply for a license under this Schedule as a new applicant.
  - 4) Despite the expiry date of April 30 set out in Schedule "A", the license of the holder of a valid kennel license issued under the by-law of a former municipality in Ottawa-Carleton is extended until May 30, 2013.

### 4.

The Chief License Inspector may impose such additional conditions with respect to the issuance of a boarding kennel license, as he or she deems necessary to ensure the health, safety and well being of the public.

## CONDITIONS FOR RENEWAL

### 5.

No boarding kennel license shall be renewed unless:

- a) if deemed necessary by the Chief License Inspector, the Fire Chief has reported in writing that the premises are suitable for the purpose of the license application and comply with all applicable fire regulations;



- b) if deemed necessary by the Chief License Inspector, an authorized Inspector or Agent appointed under the *Ontario Society for the Prevention of Cruelty to Animals Act*, R.S.O. 1990, c. O.36, as amended, or any successor thereto, has reported in writing that the premises, and the animals housed on the premises, have been inspected and meet the requirements of the Act and any regulations thereunder;
- c) the applicant has agreed to indemnify and save harmless the City of Ottawa as required by Section 7 of this Schedule;
- d) the applicant has provided proof of insurance as required by Section 8 of this Schedule; and
- e) the applicant has paid the fees outlined in Schedule "A" of this by-law.

## **6.**

The Chief License Inspector may impose such additional conditions with respect to the renewal of a boarding kennel license, as he or she deems necessary to ensure the health, safety and well-being of the public.

## **IDEMNIFICATION**

## **7.**

The licensee shall indemnify and save harmless the City of Ottawa from and against any and all claims, causes of action, loss, costs or damages that the City of Ottawa may suffer, incur or be liable for, resulting from the performance or non-performance of the licensee of the licensee's obligations under the license whether with or without negligence on the part of licensee, or the licensee's employees, directors, contractors and agents.

## **INSURANCE**

## **8.**

- 1) Every applicant for a boarding kennel license shall file with the Chief License Inspector proof of insurance of Commercial General Liability insurance coverage subject to limits of not less than two million dollars (\$2,000,000.00) inclusive per occurrence for bodily injury, death and damage to property, including loss of use thereof.
- 2) The proof of insurance shall contain an endorsement to provide the Chief License Inspector with thirty (30) days prior written notice of any cancellation or of a material change.

## **TRANSFERS OF LICENSE**

### **9.**

The boarding kennel licenses issued pursuant to this Schedule are not transferable.

## **POSTING OF LICENSE**

### **10.**

No licensee shall fail to post the boarding kennel license in a prominent location on the licensed premises so as to be clearly visible to the public.

## **POSTING OF EMERGENCY EVACUATION PLAN**

### **11.**

No licensee shall fail to post the emergency evacuation plan referred to in Section 3(2)(b)(iv) in a prominent location on the licensed premises so as to be clearly visible to staff and to the public.

## **RECORDS**

### **12.**

- 1) No licensee shall fail to ensure that a record is made in a clear and legible manner and contains the following information at a minimum:
  - a) the name of every owner of a dog or cat left at the boarding kennel, including an emergency contact number;
  - b) the name, breed and description of every dog or cat left at the boarding kennel;
  - c) verification of rabies immunization; and
  - d) the dates of arrival and departure of every dog or cat.
- 2) No licensee shall fail to ensure that the records are available upon request for inspection by the Chief License Inspector.

## **GENERAL REGULATIONS**

### **Care of Dogs and Cats**

#### **13.**

- 1) No licensee shall fail to ensure that:
  - a) knowledgeable and experienced staff are in charge of and responsible for the care and safeguarding of the dogs or cats; and
  - b) all persons responsible for the care, feeding or cleaning of the dogs or cats are adequately instructed and supervised in the handling and care of the dogs or cats.
- 2) No licensee shall fail to maintain and make readily available to boarding kennel staff at all times written dog or cat care procedures providing:
  - a) methods of handling the dogs or cats generally and in the event of escape;
  - b) methods for handling sickness, injury or death of a dog or cat;
  - c) methods for handling situations in which a dog or cat has bitten a person or another dog or cat; and
  - d) contact information for a veterinarian, for the Ottawa Humane Society and for City of Ottawa By-law & Regulatory Services.
- 3) No licensee shall fail to ensure that any dog or cat indicating symptoms of serious illness or serious injury requiring veterinary attention is:
  - a) isolated, if appropriate;
  - b) examined by a veterinarian within a reasonable period of time from the onset of the symptoms of illness or injury, or as authorized by the owner or emergency contact on behalf of the owner;
  - c) treated in accordance with the veterinarian's directives, as appropriate; and
  - d) kept in an isolated area separate from all other dogs or cats, if appropriate, until such illness or injury is cured or the risk of contagion is eliminated.

#### **14.**

No licensee shall fail to ensure that all dog and cat waste materials and dead dogs and cats are disposed of in a manner that will not create a public nuisance or health hazard and in accordance with all applicable laws.

## Facility Requirements

### 15.

- 1) No licensee shall fail to ensure that the boarding kennel is:
  - a) maintained in a clean and sanitary condition;
  - b) well-ventilated and well-lit, and;
  - c) maintained at a temperature suitable for the welfare and comfort of each dog or cat therein based on its breed, age and health status.
- 2) No licensee shall fail to ensure that every doorway, window or outside opening provides an effective barrier against the escape of a dog or cat.
- 3) No licensee shall fail to ensure that:
  - a) an exercise area, whether indoor or outdoor, is provided so as to enable each dog or cat to exercise freely and easily in a manner that will prevent injury to the dog or cat; and
  - b) where dog or cat runs are provided, each run shall:
    - i. have a minimum floor area that is appropriate for the breed and size of the dog or cat;
    - ii. be maintained in such a manner to keep the dog or cat securely enclosed; and
    - iii. be free from debris.
- 4) No licensee shall fail to ensure that the surface of every outdoor yard and run is:
  - a) covered in concrete, asphalt, fine gravel or other material or grass which can be easily cleaned or raked; and
  - b) cleaned at least once daily.

### 16.

No licensee shall fail to ensure that all areas in which dogs or cats are kept are enclosed, such as by fencing, in such a way as to ensure that all dogs or cats are confined to the property.

## **Housing of Dogs and Cats**

### **17.**

No licensee shall fail to ensure that every indoor cage or pen used for the keeping or housing of dogs or cats:

- a) is of an adequate size to permit the dog or cat confined therein to:
  - i. stand normally to its full height;
  - ii. extend its legs and body to their full natural extent;
  - iii. turn around easily;
  - iv. move about easily for the purpose of posture adjustments; and
  - v. lie down in a fully extended position;
- b) has a floor soundly constructed of hard, durable material which is impervious to water, or which is disposable and replaceable;
- c) is equipped with receptacles for food and water, mounted or situated such that they cannot be easily overturned or contaminated;
- d) is in good working condition;
- e) is not dangerous to the health or well-being of the dog or cat; and
- f) is maintained in a clean and sanitary condition at all times with all waste material removed at least twice daily.

### **18.**

No licensee shall fail to ensure that dogs or cats confined in cages or runs are exercised appropriately based on their breed and size.

### **19.**

No licensee shall fail to ensure that every dog or cat is supplied on a daily basis with:

- a) food that is nutritionally adequate for the dog or cat; and
- b) adequate amounts of fresh potable water available at all times.

### **20.**

No licensee shall fail to comply with all other applicable federal or provincial laws and regulations, and municipal by-laws.

## Schedule No. 32

### Relating to In-Home Breeding Kennels

#### LICENSES REQUIRED

##### 1.

- 1) Every owner or operator of an in-home breeding kennel shall obtain an in-home breeding kennel license.
- 2) A separate license shall be obtained for each premise at which an in-home breeding kennel is being operated.
- 3) Applicants for a new or renewed in-home breeding kennel license shall be exempt from the requirement to pay the processing fee prescribed in Schedule "A" of the By-law.

#### EXEMPTIONS

##### 2.

This schedule does not apply to:

- a) 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;
- b) premises that are registered with the City as premises where dogs or cats are receiving temporary foster care; and
- c) the local animal shelter operated by the Ottawa Humane Society.

#### CONDITIONS FOR ISSUANCE

##### 3.

- 1) No individual other than the owner or operator of an in-home breeding kennel shall apply for an in-home breeding kennel license.
- 2) No applicant for an in-home breeding kennel license shall be issued a license unless:
  - a) the applicant is at least eighteen (18) years of age;
  - b) the premises comply with the zoning, building and property standards requirements of the City;
  - c) the number of dogs or cats over the age of twenty (20) weeks being kept for breeding, showing or other purposes does not exceed ten;

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- d) there are no convictions or outstanding Orders against the applicant issued under the *Ontario Society for the Prevention of Cruelty to Animals Act*;
  - e) the applicant complies with the Code of Practice for Canadian Kennel Operations (dogs) or the Code of Practice for Canadian Cattery Operations (cats) established by the Canadian Veterinary Medical Association or any successor document thereto;
  - f) the applicant obtains, free of charge, a license for each dog or cat, and the dogs or cats are identified with the municipal tag or a microchip or a legible tattoo at no later than ten (10) weeks of age; and
  - g) the applicant has paid the fee set out in Schedule "A".
- 3) Despite clause (c) of subsection (2):
- a) the holder of a valid kennel license issued under the by-law of a former municipality in Ottawa-Carleton is exempted from the limit of ten (10) dogs or cats over the age of twenty (20) weeks until April 1, 2018, provided that there has been no change in location of the premises and that the holder of the valid license complies with all of the other requirements of the by-law;
  - b) the limit of ten (10) dogs or cats over the age of twenty (20) weeks does not include:
    - i. up to three (3) dogs or five (5) cats kept on the premises that are retired from breeding and that are sterilized, unless there is a legitimate medical reason preventing sterilization; and
    - ii. either, but not both, of
      - 1. a dog or cat temporarily housed in the kennel for breeding purposes; or,
      - 2. a dog or cat that has been rescued and is temporarily in the care of the in-home breeding kennel.
- 4) Clause (c) of subsection (2) and subsection (3) respecting the limit on the number of dogs or cats that may be kept shall not apply to the holder of an in-home breeding kennel license where the primary housing for the dogs or cats is in an accessory building(s) or structure(s) on the property provided that all other requirements of this by-law are met.
- 5) Despite Section 3(1), the holder of a valid kennel license issued under the by-law of a former municipality in Ottawa-Carleton may renew said license under this by-law but is not required to apply for a license under this Schedule as a new applicant.

- 6) Despite the expiry date of April 30 set out in Schedule "A", the license of the holder of a valid kennel license issued under the by-law of a former municipality in Ottawa-Carleton is extended until May 30, 2013.

#### **4.**

The Chief License Inspector may impose such additional conditions with respect to the issuance of an in-home breeding kennel license, as he or she deems necessary to ensure the health, safety and well-being of the public.

### **CONDITIONS FOR RENEWAL**

#### **5.**

No in-home breeding kennel license shall be renewed unless:

- a) if deemed necessary by the Chief License Inspector, a property standards inspection is conducted and the premises comply with property standards requirements of the City;
- b) subject to subsections 3(3) and (4), the number of dogs or cats over the age of twenty (20) weeks being kept for breeding, showing or other purposes does not exceed ten (10);
- c) there are no convictions or outstanding Orders against the applicant issued under the *Ontario Society for the Prevention of Cruelty to Animals Act*;
- d) the applicant complies with the Code of Practice for Canadian Kennel Operations (dogs) or the Code of Practice for Canadian Cattery Operations (cats) established by the Canadian Veterinary Medical Association or any successor document thereto;
- e) the applicant renews the existing or obtains a new license, free of charge, for each dog or cat accordingly, and the dogs or cats are identified with the municipal tag or a microchip or a legible tattoo at no later than ten (10) weeks of age; and
- f) the applicant has paid the fee set out in Schedule "A".

#### **6.**

The Chief License Inspector may impose such additional conditions with respect to the renewal of an in-home breeding kennel license as he or she deems necessary to ensure the health, safety and well-being of the public.



## **TRANSFERS OF LICENSE**

### **7.**

The in-home breeding kennel licenses issued pursuant to this Schedule are not transferable.

## **AVAILABILITY OF LICENSE**

### **8.**

No licensee shall fail to make available for viewing by clients the in-home breeding kennel license.

## **RECORDS**

### **9.**

- 1) No licensee shall fail to ensure that records are maintained showing the number of dogs or cats being kept in the in-home breeding kennel, and the gender and birth date of each dog or cat.
- 2) No licensee shall fail to ensure that the records are available upon request for inspection by the Chief License Inspector.

## **GENERAL REGULATIONS**

### **Breeding, Selling and Transferring**

### **10.**

No licensee shall cause or permit a female dog or a female cat to:

- a) be mated if she is less than one (1) year of age, and,
- b) give birth to more than six (6) litters in its lifetime.

### **11.**

No licensee shall transfer a dog or cat to its purchaser before the dog or cat is seven (7) weeks of age.

## Care of Dogs and Cats

### 12.

- 3) No licensee shall fail to ensure that any dog or cat indicating symptoms of serious illness or serious injury is:
  - a) examined by a veterinarian within a reasonable period of time of the onset of the symptoms of the illness or the injury; and
  - b) depending on the condition, treated in accordance with the veterinarian's directives, as appropriate.

### 13.

No licensee shall fail to ensure that all dog or cat waste materials and dead dogs and cats are disposed of in a manner that will not create a public nuisance or health hazard and in accordance with all applicable laws.

## Facility Requirements

### 14.

- 1) No licensee shall fail to ensure that the in-home breeding kennel is:
  - a) maintained in a clean and sanitary condition;
  - b) well-ventilated and well-lit; and
  - c) maintained at a temperature suitable for the welfare and comfort of each dog or cat therein based on its breed, age and health status.
- 2) No licensee shall fail to ensure that:
  - a) an exercise area, whether indoor or outdoor, is provided so as to enable each dog or cat to exercise freely and easily in a manner that will prevent injury to the dog or cat; and
  - b) where dog or cat runs are provided, each run shall:
    - i. have a minimum floor area that is appropriate for the breed and size of the dog or cat;
    - ii. be maintained in such a manner to keep the dog or cat securely enclosed; and
    - iii. be free from debris.
- 3) No licensee shall fail to ensure that the surface of every outdoor yard and run is:

- a) covered in concrete, asphalt, fine gravel or other material or grass which can be easily cleaned or raked; and
- b) cleaned at least once daily.

**15.**

No licensee shall fail to ensure that all areas in which dogs or cats are kept are enclosed, such as by fencing, in such a way as to ensure that all dogs or cats are confined to the property.

**Housing of Dogs or Cats**

**16.**

No licensee shall fail to ensure that every crate, cage or pen used for the keeping or housing of dogs or cats:

- a) is of an adequate size to permit the dog or cat confined therein to:
  - i. stand normally to its full height;
  - ii. extend its legs and body to their full natural extent;
  - iii. turn around easily;
  - iv. move about easily for the purpose of posture adjustments; and
  - v. lie down in a fully extended position,
- b) has a floor soundly constructed of hard, durable material which is impervious to water, or which is disposable and replaceable;
- c) is equipped with receptacles for food and water, mounted or situated such that they cannot be easily overturned or contaminated;
- d) is in good working condition;
- e) is not dangerous to the health or well-being of the dog or cat; and
- f) is maintained in a clean and sanitary condition at all times with all waste material removed at least twice daily.

**17.**

No licensee shall fail to ensure that dogs or cats confined in cages or runs are exercised appropriately based on their breed and size.

**18.**

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No licensee shall fail to ensure that every dog and cat is supplied on a daily basis with:

- a) food that is nutritionally adequate for the dog or cat; and
- b) adequate amounts of fresh potable water available at all times.

**19.**

No licensee shall fail to comply with all other applicable federal or provincial laws and regulations, and municipal by-laws.

## Schedule No. 33 Relating to Recreational Kennels

### LICENSES REQUIRED

#### 1.

- 1) Every owner or operator of a recreational kennel shall obtain a recreational kennel license.
- 2) A separate license shall be obtained for each premise at which a recreational kennel is being operated.
- 3) Applicants for a new or renewed recreational kennel license shall be exempt from the requirement to pay the processing fee prescribed in Schedule "A" of the By-law.

### EXEMPTIONS

#### 2.

This schedule does not apply to:

- a) 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,
- b) premises that are registered with the City as premises where dogs or cats are receiving temporary foster care, and
- c) the local animal shelter operated by the Ottawa Humane Society.

### CONDITIONS FOR ISSUANCE

#### 3.

- 1) No individual other than the owner or operator of a recreational kennel shall apply for a recreational kennel license.
- 2) No applicant for a recreational kennel license shall be issued a license unless:
  - a) the applicant is at least eighteen (18) years of age;
  - b) the premises comply with the zoning, building and property standards requirements of the City;
  - c) the number of dogs over the age of twenty (20) weeks being kept for recreational purposes does not exceed ten (10);

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- d) there are no convictions or outstanding Orders against the applicant issued under the *Ontario Society for the Prevention of Cruelty to Animals Act*;
  - e) the applicant complies with the Code of Practice for Canadian Kennel Operations established by the Canadian Veterinary Medical Association or any successor document thereto;
  - f) the applicant obtains, free of charge, a license for each dog, and the dogs are identified with the municipal tag or a microchip or a legible tattoo at no later than ten (10) weeks of age; and
  - g) the applicant has paid the fee set out in Schedule "A".
- 3) Despite clause (c) of subsection (2):
- a) the holder of a valid kennel license issued under the by-law of a former municipality in Ottawa-Carleton is exempted from the limit of ten (10) dogs or cats over the age of twenty (20) weeks until April 1, 2018, provided that there has been no change in location of the premises and that the holder of the valid license complies with all of the other requirements of the by-law; and
  - b) the limit of ten (10) dogs over the age of twenty (20) weeks does not include:
    - i. up to three (3) dogs kept on the premises that are retired from recreational activities; and
    - ii. a dog that has been rescued and is temporarily in the care of the recreational kennel.
- 4) Clause (c) of subsection (2) and subsection (3) respecting the limit on the number of dogs that may be kept shall not apply to the holder of a recreational kennel license where the primary housing for the dogs is in an accessory building(s) or structure(s) on the property provided that all other requirements of this by-law are met.
- 5) Despite Section 3(1), the holder of a valid kennel license issued under the by-law of a former municipality in Ottawa-Carleton may renew said license under this by-law but is not required to apply for a license under this Schedule as a new applicant.
- 6) Despite the expiry date of April 30 set out in Schedule "A", the license of the holder of a valid kennel license issued under the by-law of a former municipality in Ottawa-Carleton is extended until May 30, 2013.

**4.**

The Chief License Inspector may impose such additional conditions with respect to the issuance of a recreational kennel license as he or she deems necessary to ensure the health, safety and well-being of the public.

## **CONDITIONS FOR RENEWAL**

### **5.**

No recreational kennel license shall be renewed unless:

- a) if deemed necessary by the Chief License Inspector, a property standards inspection is conducted and the premises comply with property standards requirements of the City;
- b) subject to subsections 3(3) and (4), the number of dogs over the age of twenty (20) weeks being kept for recreational purposes does not exceed ten (10);
- c) there are no convictions or outstanding Orders against the applicant issued under the *Ontario Society for the Prevention of Cruelty to Animals Act*;
- d) the applicant complies with the Code of Practice for Canadian Kennel Operations established by the Canadian Veterinary Medical Association or any successor document thereto;
- e) the applicant renews the existing or obtains a new license, free of charge, for each dog accordingly, and the dogs are identified with the municipal tag or a microchip or a legible tattoo at no later than ten (10) weeks of age; and
- f) the applicant has paid the fee set out in Schedule "A".

### **6.**

The Chief License Inspector may impose such additional conditions with respect to the renewal of a recreational kennel license as he or she deems necessary to ensure the health, safety and well-being of the public.

## **TRANSFERS OF LICENSE**

### **7.**

The recreational kennel licenses issued pursuant to this Schedule are not transferable.

## **RECORDS**

### **8.**

- 1) No licensee shall fail to ensure that records are maintained showing the number of dogs being kept in the recreational kennel, and the gender and birth date of each dog.
- 2) No licensee shall fail to ensure that the records are available upon request for inspection by the Chief License Inspector.

## **GENERAL REGULATIONS**

### **Breeding**

#### **9.**

No licensee shall cause or permit a female dog to:

- a) be mated if she is less than one (1) year of age, and,
- b) give birth to more than six (6) litters in its lifetime.

#### **10.**

No licensee shall sell a dog bred at the recreational kennel.

### **Care of Dogs**

#### **11.**

No licensee shall fail to ensure that any dog indicating symptoms of serious illness or serious injury is:

- a) examined by a veterinarian within a reasonable period of time of the onset of the symptoms of the illness or the injury; and
- b) depending on the condition, treated in accordance with the veterinarian's directives, as appropriate.

#### **12.**

No licensee shall fail to ensure that all dog waste materials and dead dogs are disposed of in a manner that will not create a public nuisance or health hazard and in accordance with all applicable laws.

### **Facility Requirements**

#### **13.**

- 1) No licensee shall fail to ensure that the recreational kennel is:
  - a) maintained in a clean and sanitary condition;
  - b) well-ventilated and well-lit; and



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- c) maintained at a temperature suitable for the welfare and comfort of each dog therein based on its breed, age and health status.
- 2) No licensee shall fail to ensure that:
- a) an exercise area, whether indoor or outdoor, is provided so as to enable each dog to exercise freely and easily in a manner that will prevent injury to the dog; and
  - b) where dog or cat runs are provided, each run shall:
    - i. have a minimum floor area that is appropriate for the breed and size of the dog;
    - ii. be maintained in such a manner to keep the dog securely enclosed; and
    - iii. be free from debris.
- 3) No licensee shall fail to ensure that the surface of every outdoor yard and run is:
- a) covered in concrete, asphalt, fine gravel or other material or grass which can be easily cleaned or raked; and
  - b) cleaned at least once daily.

### **14.**

No licensee shall fail to ensure that all areas in which dogs are kept are enclosed, such as by fencing, in such a way as to ensure that all dogs are confined to the property.

## **Housing of Dogs**

### **15.**

No licensee shall fail to ensure that every crate, cage or pen used for the keeping or housing of dogs:

- a) is of an adequate size to permit the dog confined therein to:
  - i. stand normally to its full height;
  - ii. extend its legs and body to their full natural extent;
  - iii. turn around easily;
  - iv. move about easily for the purpose of posture adjustments; and
  - v. lie down in a fully extended position;
- b) has a floor soundly constructed of hard, durable material which is impervious to water, or which is disposable and replaceable;

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- c) is equipped with receptacles for food and water, mounted or situated such that they cannot be easily overturned or contaminated;
- d) is in good working condition;
- e) is not dangerous to the health or well-being of the dog; and
- f) is maintained in a clean and sanitary condition at all times with all waste material removed at least twice daily.

**16.**

No licensee shall fail to ensure that dogs confined in cages or runs are exercised appropriately based on their breed and size.

**17.**

No licensee shall fail to ensure that every dog is supplied on a daily basis with:

- a) food that is nutritionally adequate for the dog; and
- b) adequate amounts of fresh potable water available at all times.

**18.**

No licensee shall fail to comply with all other applicable federal or provincial laws and regulations, and municipal by-laws.

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A by-law of the City of Ottawa to amend By-law No. 2002-189 with respect to boarding kennels, in-home breeding kennels and recreational kennels, and to repeal the provisions respecting kennels in certain by-laws of the old municipalities.

Enacted by City Council at its meeting of April 24, 2013.

LEGAL SERVICES - VB/CH/mm

G04-01 KENN

G04-01 BREE

G04-01 RECR

Council Authority:

City Council – April 10, 2013

Item 3 (ARAC Report No. 30)