

As amended by By-law 131-2012, 63-2013, 135-2015, 90-2016, 101-2017, 112-2017, 86-2018, 127-2019, 47-2020, 41-2022 and 43-2022.



By-Law 14-2010
of The Corporation of the City of Oshawa

NOTE: This consolidation is prepared for convenience only.

For accurate reference the original by-laws should be reviewed.

Being a By-law to regulate the care and control of animals in the City of Oshawa.

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Whereas

1. The Council of The Corporation of the City of Oshawa wishes to ensure that animals are kept and treated in a humane and responsible manner;

Now therefore the Council of The Corporation of the City of Oshawa enacts as follows:

Interpretation

1. In this By-law:
 - 1.1. “Animal” means any member of the animal kingdom or living beings, including mammals, birds, reptiles and fish but not including humans;
 - 1.2. “Animal Control Order” means an order given pursuant to section 13 and more particularly described in sections 14 and 15;
 - 1.3. “By-law” means this by-law and any schedule to this by-law as they may from time to time be amended;
 - 1.4. “Cat” means a domesticated feline animal;
 - 1.5. “City” means The Corporation of the City of Oshawa;

- 1.5.1. “Colony Caretaker” means a person who harbours or provides regular care for a Feral Cat or Cats; (47-2020)
- 1.6. “Council” means the City’s Council;
- 1.7. “Director” means the City’s Director, Municipal Law Enforcement and Licensing Services, and, except for sections 11, 22, 37 and 38 includes the Manager and the Operations Coordinator, and for the purpose of section 6B and the second sentence of section 30, includes the Commissioner, Community Services or designate; (101-2017, 86-2018, 127-2019)
- 1.8. “Dog” means a domesticated canine animal;
- 1.8.1 “Doghouse” means an enclosed building or structure that is designed and used to shelter at least one Dog; (90-2016)
- 1.8.2 “Dog Pen” means a structure without a roof that is designed and used exclusively to contain at least one Dog; (90-2016)
- 1.9. “Dwelling Unit” means a unit consisting of one or more rooms, which unit contains toilet and cooking facilities and which is designed for use as a single housekeeping establishment;
- 1.10. “Euthanized” means humanely destroyed;
- 1.10.1 “Feral Cat” means a Cat that lives exclusively outdoors with limited human contact and is un-socialized; (47-2020)
- 1.10.2 “Feral Cat Colony” means a group of Feral Cats living in one geographic area; (47-2020)
- 1.11. “Ferret” means the species of Animal known as *mustela putorius furo*;
- 1.11.1 “Front Yard” is as defined in the City’s Zoning By-law; (90-2016)
- 1.12. “General Fees and Charges By-law” means the City’s By-law 13-2003 as from time to time amended and includes any successor by-law;
- 1.13. “Keep” includes to temporarily or permanently control, harbour, have custody of, keep, maintain, possess or store;
- 1.14. “Licence”
- (a) means a licence issued pursuant to this By-law; and
- (b) includes a licence issued pursuant to the City’s Responsible Pet Owners By-law 11-96 that had not expired or had not been suspended or revoked on the date on which this By-law was passed;
- 1.15. “Licence Decision Notice” means a notice given pursuant to sections 8 or 32; (86-2018)
- 1.16. “Licence Revocation Notice” means a notice given pursuant to section 20;
- i) “Lot Line” is as defined in the City’s Zoning By-law; (90-2016)
- 1.17. “Manager” means the City’s Manager, Municipal Law Enforcement;
- 1.18. “Minor” means a person under the age of eighteen (18) years;
- 1.19. “Muzzle” means a humane fastening or covering device that does not interfere with the breathing, panting, ability to drink, or vision of the Animal when fitted and fastened over the mouth of the Animal, but that is of sufficient strength to prevent the Animal from biting;

- 1.20. "Noise By-law" means the City's Noise By-law 112-82 as from time to time amended and includes any successor by-law;
- 1.21. "Normal Farm Practice" is as defined in the *Farming and Food Production Protection Act, 1998*, S.O. 1990, c. 1, as from time to time amended;
- 1.22. "Officer" means each of
- (a) the Director;
 - (b) the Manager;
 - (c) a Municipal Law Enforcement Officer appointed by Council or by the Director to enforce this By-law; and
 - (d) a police officer employed by a municipal police force, by the Ontario Provincial Police or by the Royal Canadian Mounted Police.
- 1.23. "Operations Coordinator" means the City's Municipal Law Enforcement Operations Coordinator;
- 1.24. "Owner" means each Person who Keeps an Animal and includes
- (a) each Person who applies for a Licence;
 - (b) each Person to whom a Licence is issued;
 - (c) each Person responsible for the custody of a minor Person who Keeps an Animal; and;
 - (d) each Person who owns or leases Premises on or in which an Animal is Kept by any Person;
- 1.25. "Person" includes an individual, partnership, association, firm or corporation; (112-2017)
- 1.26. "Pet Store" means a Person to whom or to which a Licence has been issued pursuant to section 5A of this By-law; (112-2017)
- 1.27. "Premises" includes a Dwelling Unit, a house or building and the land or premises on which the building or house is situated or attached;
- 1.27.1 "Rescue Group" means a Person to whom or to which a Licence has been issued pursuant to paragraph 6B of this By-law. (86-2018)
- 1.28. "Responsible Pet Owners By-law 11-96" means the City's Responsible Pet Owners By-law 11-96 as from time to time amended to the date on which this By-law was passed;
- 1.29. "Running at Large":
- (a) in reference to an Animal, means being found in any place other than the Animal's Owner's Premises and not under the physical control of any Person; (135-2015)
 - (b) in reference to a Dog and in addition to the criteria in paragraph 1.29(a), includes not restrained by means of a leash not exceeding two (2) metres in length;
 - (c) includes an Animal to which subsection 14.5 relates; and (135-2015)
 - (d) includes an Animal in respect of which a Person has not complied with paragraph 24.14(g). (135-2015)
- 1.30. "Veterinarian" means a person holding a licence to engage in the practice of veterinary medicine pursuant to the *Veterinarians Act*, R.S.O. 1990, c. V.3.

1.31. "Zoning By-law" means that City's Zoning By-law 60-94, as from time to time amended and includes any successor by-law. (90-2016)

2. Where authority has been delegated by this By-law to the Director, the Manager and to the Operations Coordinator,

2.1. the determination of the Operations Coordinator as to whether to exercise the authority or the manner in which to exercise the authority is without effect to the extent of any conflict with the determinations of the Manager or the Director; and

2.2. the determination of the Manager as to whether to exercise the authority or the manner in which to exercise the authority is without effect to the extent of any conflict with the determination of the Director.

Licences – Cats, Dogs and Ferrets

3. The Director may refuse to accept an application for a Licence unless the application is:

3.1. submitted on forms approved by the Director;

3.2. includes such information as the Director considers necessary for the proper administration of this By-law including, without limitation, the Owner's name, address, telephone number and e-mail address; and is

3.3. accompanied by payment in full of any fee prescribed by the General Fees and Charges By-law.

4. The Director's decision to refuse to accept an application is not subject to review including review by any Court.

5. No Person shall Keep a Cat, Dog or Ferret where the Cat's, Dog's or Ferret's age is greater than twelve (12) weeks except pursuant to a Licence in respect of each such Cat, Dog or Ferret and except pursuant to the following conditions, each of which is a condition of obtaining and continuing to hold a Licence:

5.1. The Person complies with all applicable law including this By-law;

5.2. The Person complies with any conditions to the Licence imposed pursuant to subsection 7.1;

5.3. The Person is not a Minor;

5.4. The Person notifies the Director in writing of any change to the information provided in an application submitted pursuant to section 3 within seven (7) days of the date of the change;

5.5. At all times during the term of the Licence, a legible tag acceptable to the Director and that evidences the Licence is affixed to the Cat, Dog or Ferret to which the Licence relates; and

5.6. The Person is not indebted to the City except:

(a) pursuant to an agreement in good standing; or

(b) in respect of current property taxes;

5A. No Person shall sell, transfer or dispose of a Cat, Dog, or Rabbit except pursuant to a Licence issued to the Person to operate a Pet Store, except pursuant to the conditions imposed pursuant to subsections 5.1, 5.2, 5.3, 5.4 and 5.6 and except pursuant to the following condition, each of which is a condition of obtaining and continuing to hold a Licence:

(a) The Person does not permit the sale, transfer or disposition of a Cat, Dog, or Rabbit except one that is acquired by the Person from an animal shelter operated by or on behalf of an Ontario municipality, from the Humane Society of Durham Region or from a Rescue Group. (112-2017, 86-2018, 41-2022)

- 5B. A Feral Cat that is part of a registered Feral Cat Colony, spayed/neutered, ear tipped, microchipped and vaccinated, including vaccination against rabies is exempt from the licensing requirement. (47-2020)
6. The Director shall issue a Licence to a Person where the Director is satisfied that the application complies with section 3 and that the Person has complied and will comply at all times with this By-law.
- 6B. The Director may issue a Rescue Group Licence to a Person where the Director is satisfied that the Person is and will operate as a rescue group as described in Report CORP-18-30. (86-2018)
- (a) No Person to whom or to which a Rescue Group Licence is issued shall fail to comply with the conditions imposed pursuant to subsections 5.1, 5.2, 5.3, 5.4 and 5.6, each of which is a condition of obtaining and continuing to hold a Licence. (86-2018)
7. Where the Director is not satisfied for the purposes of section 6, the Director may
- 7.1. issue a Licence and impose such conditions to the Licence as the Director determines are necessary to maintain the general intent and purpose of this By-law; or
- 7.2. refuse to issue a Licence.
8. Where the Director issues a Licence with conditions or refuses to issue a Licence, the Director shall give to the Person a Licence Decision Notice as soon as is reasonably practicable which shall include the following information:
- 8.1. where a Licence is issued with conditions, particulars of the conditions;
- 8.2. where a Licence is refused, particulars of the reasons for refusing to issue the Licence;
- 8.3. information respecting the process by which the person may exercise the Person's right to appeal to the Hearings Officer against the conditions or the refusal to issue a Licence; and
- 8.4. a statement advising that the Director's decision, unless modified or rescinded by the Hearings Officer, shall be final and not subject to review including review by a Court.
9. A Person who receives a Licence Decision Notice may appeal the conditions or the refusal to the Hearings Officer pursuant to section 44.
10. A Licence Decision Notice that is not appealed pursuant to section 44 is final and is not subject to review including review by any Court.
11. Despite section 10 and subsection 44.1, the Director may rescind a Licence Decision Notice at any time.
12. A Licence expires on the earlier of:
- 12.1. the first (1st) anniversary of the day on which it was issued; and
- 12.2. the day on which it is revoked.

Animal Control Order

13. In addition to any other remedy, an Officer may give to an Animal's Owner an Animal Control Order where the Officer has reason to believe that:
- 13.1. the Animal has bitten or will bite a Person or another Animal;
- 13.2. the Animal poses a threat to the health or safety of a Person or of another Animal; or that

- 13.3. the Owner has not complied with this By-law.
14. An Animal Control Order may require the Owner to do such things at the Owner's expense as the Officer considers appropriate including, without limitation, any or all of the following: (90-2016)
- 14.1. to Muzzle the Animal indefinitely or for a specific period and subject to conditions as may be specified;
 - 14.2. to restrain or to confine the Animal in such manner and subject to such conditions as may be specified;
 - 14.3. to cause the Animal to be examined and treated by a Veterinarian;
 - 14.4. to give to the Director forthwith upon the Director's requests from time to time such information and documents that the Director determines are relevant to the Animal Control Order; and
 - 14.5. to cause the Animal to be surrendered or delivered to such Person as the Animal Control Order may direct.
15. An Animal Control Order shall include the following information:
- 15.1. particulars of the reasons for which the Animal Control Order was given;
 - 15.2. particulars of the things the Owner is required to do; and
 - 15.3. information respecting the process by which the person may exercise the Person's right to appeal to the Hearings Officer against the Animal Control Order.
16. An Owner to whom or to which an Animal Control Order is given shall forthwith comply with it and may appeal to the Hearings Officer against it pursuant to section 44.
17. An appeal to the Hearings Officer does not operate as a stay of the Animal Control Order.
18. An Animal Control Order that is not appealed pursuant to section 44 is final and is not subject to review including review by any Court.
19. Despite section 18 and subsection 44.1, the Director may rescind an Animal Control Order at any time.
- A. Where an Animal Control Order is final and the Owner to whom or to which the Animal Control Order has been given has not complied with it, the Director may cause to be done such things as, in the Director's opinion, will result in compliance with the Animal Control Order and section 446 of the Municipal Act, 2001, S.O. 2001, c.25, as amended, will apply with respect to such things done. (90-2016)

Licence Revocation

20. In addition to any other remedy, where the Director has reason to believe that an Owner to whom a Licence has been issued has not complied with this By-law, the Director may give to the Owner a Licence Revocation Notice which shall include the following information:
- 20.1. a statement that the Licence is to be revoked on a day which is no fewer than fourteen (14) days following the day on which the notice is given;
 - 20.2. particulars of the reasons for which the Licence is to be revoked;
 - 20.3. information respecting the process by which the Owner may exercise the Owner's right to appeal to the Hearings Officer against the Licence Revocation Notice; and
 - 20.4. a statement that the Director's decision to revoke the Licence, unless modified or rescinded by the Hearings Officer, shall be final and not subject to review including review by any Court.

21. An Owner who is given a Licence Revocation Notice may appeal to the Hearings Officer against the pending Licence revocation pursuant to section 44.
22. Despite subsection 44.1, the Director may rescind the Licence Revocation Notice at any time.
23. Where the Owner does not appeal against the pending Licence revocation pursuant to section 44, and where the Licence Revocation Notice is not rescinded pursuant to section 22, the Licence shall be deemed to be revoked on the fourteenth (14th) day following the day on which the Licence Revocation Notice is given.

Animal Control

24. No Person shall Keep an Animal and no Owner shall permit to be Kept an Animal except pursuant to the following conditions:
 - 24.1. The Animal is not described in Schedule "A" to this By-law;
 - 24.2. The Animal is not Running at Large;
 - 24.2.1 A Feral Cat that is part of a registered Feral Cat Colony, spayed/neutered, ear tipped, microchipped and vaccinated, including vaccination against rabies and not interfering with a resident's enjoyment of property is not deemed to be Running at Large. (47-2020)
 - 24.3. The Animal's excrement is forthwith collected and disposed of in accordance with all applicable law;
 - 24.4. The Animal is provided with shelter, food and water that is appropriate to the Animal's species; (135-2015)
 - 24.5. The Animal is treated humanely;
 - 24.6. The Animal is forthwith examined and treated by a Veterinarian when the Animal's health reasonably requires it;
 - 24.7. The number of Cats Kept at any Premises does not exceed six (6);
 - 24.8. The number of Dogs Kept at any Premises does not exceed three (3);
 - 24.9. The number of Ferrets Kept at any Premises does not exceed two (2);
 - 24.10. An Owner complies with the Noise By-law including in relation to any noise related to an Animal;
 - 24.11. The Animal is not on a public beach; (135-2015)
 - 24.12. An Owner does not permit an Animal to threaten the health or safety of a person or of another Animal;
 - 24.13. Without limiting subsection 1.29, no more than four (4) Dogs are restrained by leash by any one Person; and (135-2015)
 - 24.14. Without limiting subsections 24.4 and 24.5:
 - (a) a choke chain or prong collar is not used in the tethering of the Dog;
 - (b) a tether used to restrain the Dog is maintained at all times at an effective length of no less than three (3) meters;
 - (c) a tether is, at all times that it is used to restrain the Dog, securely attached to a permanently affixed object;
 - (d) a tether is not used to restrain the Dog for a period or periods exceeding two (2) hours within each twenty-four (24) hour period, and a person who is authorized by the Owner of the Dog to exercise care and control over the Dog must be present for the entire period of tethering. (47-2020)

- (e) the Animal is not Kept in a Vehicle in circumstances or in a manner that could pose a risk to the Animal's or a Person's health or safety including in relation to inadequate ventilation, the temperature of the Vehicle's interior or inadequate restraint of the Animal;
- (f) the Animal is not transported by a Vehicle outside of the Vehicle's passenger compartment except secured at all times in a way that protects the Animal's health and safety including in the event of sudden changes in the vehicle's movement; and
- (g) the Animal is not Kept in conditions that could pose a risk to the Animal's health or safety. (90-2016)
- (h) A Dog is not within a Doghouse or a Dog Pen except in compliance with the standards established by this By-law for Doghouses and Dog Pens; (90-2016)
- (i) a Dog is not within a Dog Pen for a period or periods exceeding twenty-three (23) hours within each twenty-four (24) hour period; (90-2016)
- (j) A Dog is simultaneously not restrained by a tether and not within a Dog Pen for a continuous period of no less than one (1) hour within each twenty-four (24) hour period; (90-2016)
- (k) each Doghouse is designed and constructed: (90-2016)
 - i) so as to be completely enclosed with a roof, floor and walls, save only for an entrance door within one exterior wall to permit the ingress and egress of each Dog therein; (90-2016)
 - ii) of hard, durable material that is impervious to water and that can be sanitized; (90-2016)
 - iii) so as to be weatherproof; (90-2016)
 - iv) with a floor that is elevated so as to prevent direct contact with the ground surface but that permits the unassisted ingress and egress of a Dog; (90-2016)
 - v) with partial wall within the Doghouse that separates the entrance area from the sleeping area so as to permit a Dog's passage between the entrance area and sleeping area and that shelters a Dog within the sleeping area from the entrance area; (90-2016)
 - vi) with sufficient insulation in the roof, walls, and floor of the sleeping area so as to retain therein a Dog's body heat; (90-2016)
 - vii) with ventilation that is adequate for the health, welfare and comfort of each Dog therein; and (90-2016)
 - viii) During each period from November 1 of a year to April 30 of the next year, with a flap that covers the Doghouse door so as to completely shelter each Dog therein while also permitting the ingress of each Dog therein; (90-2016)
- (l) each Dog Pen is designed and constructed: (90-2016)
 - i) to prevent the escape of any Dog therein; (90-2016)
 - ii) with an area of no less than 4.6 square metres of space, exclusive of any other structures therein, for each Dog at any time there in; (90-2016)
 - iii) with no side that is less than one (1) metre in length; (90-2016)
 - iv) of a height of no less than once (1) metre higher than the tallest Dog in a standing position at any time therein; and (90-2016)
 - v) to permit each Dog thereon to be readily observed by the Dog's Owner; (90-2016)

- (m) each Doghouse and Dog Pen is designed and constructed: (90-2016)
 - i) on the land of the Dog's Owner's Premises, other than within the Front Yard; (90-2016)
 - ii) no closer than two (2) metres from any Lot Line;
 - iii) of sufficient size so as to permit each Dog therein to extend its legs and body to its full natural extent, stand, turn around, lie down and to sit; an (90-2016)
 - iv) so as to prevent harm to any Dog therein; (90-2016)
- (n) each Doghouse and Dog Pen is maintained at all times: (90-2016)
 - i) in a good state of repair; (90-2016)
 - ii) in a clean and sanitary condition; and (90-2016)
 - iii) so as to prevent harm to any Dog therein; (90-2016)
- (o) each Doghouse is maintained at all times with clean and dry bedding material; and (90-2016)
- (p) each Dog Pen is maintained at all times with a dry area of sufficient size so as to permit each Dog therein to lie down. (90-2016)

24.15 A Colony Caretaker shall identify a Feral Cat Colony with the City of Oshawa and shall complete any training or educational program required by the City. (47-2020)

Running at Large

25. Where an Officer finds an Animal to be Running at Large, the Officer may cause the Animal to be seized and impounded and, for that purpose, without limitation to and in compliance with an Officer's power of entry at law, may use reasonable means including force to enter a vehicle, onto land and into a building or structure to seize and impound the Animal. (90-2016)
26. The Director may, subject to the *Animals for Research Act*, R.S.O., 1990, c. A.22, cause to be Euthanized an Animal impounded pursuant to section 25.
27. Where an Animal is not Euthanized pursuant to section 26, the Director may:
- 27.1. permit the Animal to be claimed by the Animal's Owner upon compliance with this By-law and payment of any fees prescribed by the General Fees and Charges By-law; or
 - 27.2. sell or otherwise dispose of the Animal.

Exceptions / Exemptions

28. This By-law is without effect only to the extent of any conflict with the following:
- 28.1. a Normal Farm Practice;
 - 28.2. law enforcement by a municipal police force, the Ontario Provincial Police or by the Royal Canadian Mounted Police;
 - 28.3. the *Accessibility for Ontarians with Disabilities Act, 2005*, S.O. 2005, c. 11, as from time to time amended;
 - 28.4. the lawful operation of an Animal hospital or clinic that is supervised by a Veterinarian;
 - 28.5. a pound or shelter lawfully operated by the City;

- 28.6. any organization permitted by law to provide protection and humane treatment of Animals;
- 28.7. emergency treatment to an injured, ill or abandoned Animal;
- 28.8. the operation by the City of a public park, exhibition, or zoological garden; or
- 28.9. the lawful operations of premises registered as research facilities under the *Animals for Research Act*, R.S.O. 1990, c. A.22, as amended.
29. Subsection 24.2 does not prevent an Owner from permitting the Owner's Dog to be unleashed in any area designated by Council for that purpose provided that at all times:
- 29.1. the Owner and the Dog are within the designated area; and
- 29.2. the Owner otherwise complies with this By-law.
30. The Director may exempt any Person from all or any part of this By-law where the Director is satisfied that the granting of the exemption would maintain the general intent and purpose of this By-law. Without limitation, the Director may exempt any Person from all or any part of this By-law where the Director is satisfied that the exemption is necessary to effectively implement a Trap, Neuter, Return and Manage Program.
(101-2017, 127-2019)
31. The Director may impose such conditions as the Director determines are appropriate in relation to an exemption granted by the Director.
32. Where the Director grants the exemption with conditions or refuses to grant an exemption, the Director shall give to the Person a Licence Decision Notice as soon as is reasonably practicable which shall include, with necessary changes, the information prescribed by subsections 8.1, 8.2, 8.3 and 8.4. Sections 9, 10 and 11 shall apply to the Licence Decision Notice.
(63-2013, 86-2018)

Administrative Penalties

33. Administrative Penalty Process By-law 63-2013 applies to each administrative penalty issued pursuant to this By-law.
(63-2013)
34. Each Person who contravenes any provision of this By-law shall, upon issuance of a penalty notice in accordance with Administrative Penalty Process By-law 63-2013, be liable to pay to the City an administrative penalty. If a Person receives a penalty notice in accordance with the City's Administrative Penalty Process By-law for a contravention of this By-law, and the Person has not received a penalty notice for the same contravention within one (1) calendar year or less, the Person shall be liable to pay to the City a tier one (1) administrative penalty amount for that contravention in the amount of \$150. If a Person receives an additional penalty notice for the same contravention of the By-law within one (1) calendar year or less from the date of the penalty notice containing a tier one (1) administrative penalty amount, the Person shall be liable to pay to the City a tier two (2) administrative penalty amount for that contravention in the amount of \$250. If the Person receives a subsequent penalty notice for the same contravention of the By-law within one (1) calendar year or less from the date of the penalty notice containing a tier two (2) administrative penalty amount, the Person shall be liable to pay to the City a tier three (3) administrative penalty amount for that contravention in the amount of \$350. If the Person receives any subsequent penalty notices for the same contravention of the By-law within one (1) calendar year or less from the date of the penalty notice containing a tier three (3) administrative penalty amount, the Person shall be liable to pay to the City a tier three (3) administrative penalty amount for that offence in the amount of \$350.
(63-2013, 41-2022)
- 34.1. Intentionally deleted. (41-2022)
- 34.2. Intentionally deleted. (135-2015, 41-2022)

Sections 35 to 43, inclusive, deleted by By-law 63-2013.

Hearings Officer

44. The following applies to appeals to the Hearings Officer:

- 44.1. A Person's right to appeal expires if it has not been exercised in the manner prescribed in subsection 44.2 before 4:30 p.m. on the tenth (10th) day after the Licence Decision Notice, the Animal Control Order, the Licence Revocation Notice or the Penalty Notice is given to the Person at which time the Licence Decision Notice, the Animal Control Order, or the Licence Revocation Notice, as applicable, is final and is not subject to review including review by any Court.
- 44.2. A right to appeal is exercised by:
 - (a) giving to the Director written notice of the appeal that includes particulars of all grounds upon which the appeal is made; and by
 - (b) paying the fee from time to time prescribed by the City's General Fees and Charges By-law.
- 44.3. The Person shall be given no fewer than seven (7) days' notice of the date, time and place of the hearing of the appeal.
- 44.4. Where the Person fails to appear at the time and place scheduled for a hearing of the appeal, the Person's appeal shall be deemed to be dismissed and the Person shall pay to the City an administrative fee as from time to time prescribed by the General Fees and Charges By-law.
- 44.5. Subject to subsection 44.4, the Hearings Officer shall not decide the appeal unless the Hearings Officer has given each of the Person, the Director and the Officer an opportunity to be heard at the time and place scheduled for the hearing of the appeal.
- 44.6. The Hearings Officer may make any decision that the Director or an Officer could have made pursuant to this By-law.
- 44.7. The decision of the Hearings Officer is final and not subject to review including review by any Court.

Offences

45. Each Person who contravenes any provision of this By-law is guilty of an offence and on conviction is liable to a fine of:
 - 45.1. not less than \$300 and not more than \$5,000;
 - 45.2. not less than \$400 and not more than \$10,000 for a second conviction of the same offence; and
 - 45.3. not less than \$500 and not more than \$25,000 for a third or subsequent conviction of the same offence. (135-2015)

Notice

46. Any notice or document respecting this By-law may be given in writing in any of the following ways and is effective:
 - (a) on the date a copy is personally delivered to the Person to whom it is addressed;
 - (b) on the third (3rd) day after a copy is sent by regular mail or by registered mail to the Person's last known address;
 - (c) upon confirmation of the successful transmission of a copy by facsimile transmission to the Person's last known facsimile transmission number;

- (d) upon sending a copy by e-mail transmission to the Person's last known e-mail address;
- (e) upon a copy being posted on the door of any building or structure on the Person's last known Premises or, where no building or structure exists, on a stake erected by the Officer on the Person's last known Premises; or
- (f) on the date a copy is placed on or affixed in any manner to a Person's motor vehicle.

(43-2022)

47. For the purpose of section 46, a Person's last known address, last known facsimile transmission number and last known e-mail address are deemed to include those provided pursuant to subsection 3.2 as they may be changed pursuant to subsection 5.4.

General

48. For the purpose of subsection 23.2(4) of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, it is the opinion of Council that the powers delegated to the Hearings Officer and to the Director pursuant to this By-law are of a minor nature.

49. Responsible Pet Owners By-law 11-96 is repealed on April 30, 2010.

50. This By-law is effective on April 30, 2010.

51. The short title of this By-law is the "Responsible Pet Owners By-law".

By-law passed this eighth day of March, 2010.

Mayor

City Clerk

Schedule "A" to By-law 14-2010

Prohibited Animals (Subsection 24.1)

The common names of animals are provided as examples only and do not limit the generality of the categories to which they relate.

Mammals

Marsupialia: Marsupials or Pouched Mammals

Macropodidae	Kangaroos, Wallabies
Didelphidae	American Opossums
Dasyuridae	Tasmanian Devil, Pouched Mouse
Notoryctidae	Marsupial Mole
Peramelidae	Australian Bandicoot
Caenolestidae	Pouched Rat, Shrew-Opossums
Phalangeridae	Cuscus (a marsupial monkey)
Phascolarctidae	Koala
Vombatidae	Wombats
Petauridae	Leadbeater's Possum, Triok, Gliders, except Sugar Gliders

Carnivora: Carnivorous land Mammals

Canidae	Wolf, Coyote, Fox, Wolf-Dog hybrids, except domestic Dogs
Ursidae	Bear, Pandas
Procyonidae	Raccoon, Kinkajou, Coatimundi
Mustelidae	Weasels, Stoat, Wolverine, Marten, Mink, Badger, Otter, except domestic Ferrets
Mephitidae	Skunk
Herpestidae	Mongoose
Viverridae	Civet, Genet
Hyaenidae	Hyena

Felidae	Ocelot, Lion, Tiger, Leopard, Lynx, Mountain Lion, Bobcat, Wild-Cat hybrids, except domestic Cats
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Pinnipedia	Seals, Sea Lions, Walruses
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Chiroptera	Bats
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Perissodactyla: Odd-toed hoofed Mammals

Equidae	Horse, Ass, Zebra, Mule
Tapiridae	Tapir
Rhinocerotidae	Rhinoceros

Artiodactyla: Even-toed hoofed Mammals

Suidae	All Pigs, Warthog
Tayassuidae	Peccaries
Hippopotamidae	Hippopotamus
Camelidae	Camel, Llama, Alpacas
Tragulidae	Mouse Deer
Cervidae	Deer, Reindeer, Caribou, Moose, Elk
Giraffidae	Giraffe, Okapi
Antilocapridae	Prong-Horned Antelope
Bovidae	Sheep, Goat, Bison, Water Buffalo, Musk Ox, Cow, Heifer, Steer Bull, Antelope

Scandentia

Tupaiaidae	Tree shrews
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Xenarthra	Anteaters, Sloths, Armadillos
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Erinaceomorpha

Erinaceidae	Hedgehogs except African Pygmy Hedgehogs
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Proboscidea

Elephantidae	Elephants
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Hyracoidea

Procaviidae	Hyraxes
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Rodentia	Prairie dogs, except domestic rodents which do not exceed 1500 grams
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Lagomorpha	Hares, Pikas, except domestic rabbits
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Primates

Prosimii	Lemurs, Lorises, Bush Babies
Anthropoidea	Monkeys, Apes

REPTILES

Squamata: Lizards and Snakes	All lizards that reach an adult length of two (2) metres or more All snakes that reach an adult length of three (3) metres or more All venomous lizards and snakes
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Crocodylia	Crocodiles, Alligators, Caimans, Gavials
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BIRDS**Struthioniformes or Ratites**

Struthionidae	Ostriches
Rheidae	Rheas
Casuariidae	Cassowaries
Apterygidae	Kiwis
Dromaiidae	Emus

Anseriformes	Ducks, Geese, Swans
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Galliformes	Chickens, Pheasants, Guineafowl, Turkeys
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Gruiformes	Cranes, Rails
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Phoenicopteriformes	Flamingos
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Sphenisciformes	Penguins
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Raptors: Diurnal and Nocturnal

Falconiformes	Hawks, Falcons, Eagles
Strigiformes	Owls

Arachnids: Scorpions, Spiders **except** Tarantulas

Insects: All venomous insects, except bees as defined in the Bees Act, R.S.O. 1990, c. B.6

(By-law 131-2012)