

ANIMALS

Chapter 192 DOGS - LICENSING - REGULATION

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**Article 1
INTERPRETATION**

192.1.1 Clerk - defined

"Clerk" means the Clerk of The Corporation of the City of Peterborough.

192.1.2 City - defined

"City" means the City of Peterborough.

192.1.3 Control - defined

"control" means the person in charge of the dog at the time it drops its feces.

192.1.4 Deaf person - defined

"deaf person" means a deaf person who because of deafness is dependent on a guide dog.

192.1.5 Dog - defined

"dog" means a male or female dog.

192.1.6 Guide dog - defined

"guide dog" means a dog trained and actively used to assist a person who is legally blind, or legally deaf.

192.1.7 Kennel - defined

"kennel" means a commercial dog kennel, as defined in the Zoning By-law.

192.1.8 Legally blind - defined

"legally blind" shall be defined as such pursuant to applicable provincial law.

192.1.9 Minor - defined

"minor" is a person who has not achieved the age of majority as defined by applicable provincial law.

192.1.10 Owner - defined

"owner" of a dog includes a person who possesses or harbours the dog and, where the owner is a minor, the person responsible for the custody of the minor, and "owns" and "owned" have a corresponding meaning.

192.1.11 Possession or harbouring - defined

"possession or harbouring" of a dog shall be deemed to occur when a person permits a dog to remain at or about, or on the property of the premises which he owns or occupies or which is habitually kept on such property.

192.1.12 Pure-bred - defined

"pure-bred" means:

- (a) registered or eligible for registration in the register of the Canadian Kennel Club, Incorporated; or
- (b) recognized as such pursuant to the *Animal Pedigree Act (Canada)*; or
- (c) The American Field Trials Association.

192.1.13 Singular - plural - masculine - feminine

The singular includes the plural, and the masculine includes the feminine where the context permits in this Chapter. By-law 90-330, 17 December, 1990.

Article 2**LICENCE - REQUIREMENTS****192.2.1 Dogs - ~~kept~~ - licence required**

Every person who owns a dog which is kept in the City shall obtain a licence for such dog from the Clerk or his designate. By-law 90-330, 17 December, 1990; By-law 94-08, 17 January, 1994.

"192.2.1 Dogs – kept – licence required – proof of immunization

Every person who owns a dog which is kept in the City shall obtain a licence for such dog from the Clerk, or his or her designate, provided that the person shall first provide satisfactory proof that the dog is adequately immunized against rabies at the time of obtaining such licence.

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192.2.2 Fee - paid - to Clerk or Designate

Each person who owns a dog which is kept in the City shall pay to the Clerk, or his or her designate, an annual licence fee, for each calendar year as follows: (see chart pg. 192.9)

**192.2.3 Kennel – pure-bred – licence required – proof of immunization
annual fee – Schedule ‘A1’**

Every person who owns a kennel within the City in which a pure-bred dog or dogs are kept shall pay an annual kennel licence fee, as prescribed in Schedule ‘A1’, instead of a licence fee for each dog so kept, provided that the person shall first provide satisfactory proof that all dogs then kept in the kennel are adequately immunized against rabies at the time of paying such annual fee.”

Accordingly, licences issued in a prior calendar year are deemed to expire at midnight of January 31 in the succeeding year.

**Article 3
IDENTIFICATION****192.3.1 Tag - issued - each dog - serial number**

Every person who is issued a licence pursuant to Sections 192.2.1 and 192.2.2 shall be given a tag for such dog, and such tag shall indicate an identification serial number thereon for such tag, the year in which it was issued, and the same shall be provided to the person by the Clerk, or his or her designate.

192.3.2 Tag - affixed - to dog - collar - until renewal

Every person who is provided with a tag pursuant to Section 192.3.1 shall ensure that the tag is affixed to the collar of the dog, or otherwise placed on or around the dog, in such a manner that the tag can identify such dog to any person at all times, and the same shall be secured on the dog until the tag is renewed or replaced.

192.3.3 Tag - removal permitted - conditions

Section 192.3.2 does not apply in cases when the dog is receiving veterinary treatment, or is being cleaned, or otherwise cannot have the tag affixed because it would represent a danger to the dog, or when the dog is being lawfully used for hunting in the bush.

192.3.4 Kennel licence - posted

Every person who is issued a kennel licence pursuant to Section 192.2.3 shall ensure that the kennel licence be kept posted within the kennel or in a secure area on the property where the kennel is situate.

192.3.5 Record - dog owner - serial number - address

A record shall be kept by the Clerk, or his or her designate, showing the name and address of the owner of the dog and the serial number of the tag provided to the person pursuant to Section 192.3.1. By-law 90-330, 17 December, 1990.

192.3.6 Tag - lost - replacement - fee

Tags which are lost may be replaced by providing sufficient proof that a licence for the dog has been issued for the current year, and paying to the Clerk or his designate the sum of 50 cents for each lost tag. By-law 94-08, 17 January, 1994.

192.3.7 Exemption - guide dogs

Articles 2 and 3 of this Chapter shall not apply to any person who is legally blind or who is legally deaf and who owns a dog (or dogs) for his or her assistance as a guide dog.

Article 4**RUNNING AT LARGE****192.4.1 Prohibited - dog not under control - deemed to be**

No person shall permit a dog owned by him or her to run at large in the City, and running at large shall be deemed to occur when a dog is found in any place other than the property or premises of the owner, and not under the control of any person, and held securely in or on a leash to prevent the possibility of any person or other animal (including another dog) from being attacked or bitten by such dog.

192.4.2 Exception - on property - with consent

Section 192.4.1 shall not apply in cases where prior consent to allow the dog to be at large is given by the person owning the land on which the dog is found.

**Article 5
SEIZURE - IMPOUNDING****192.5.1 Running at large**

Any dog found running at large pursuant to Article 4 may be seized, impounded, and killed, whether before or after impounding, by any police constable or small animal control officer within the City.

192.5.2 Release - fee charged

Any dog, so impounded pursuant to Section 192.5.1 may be kept at any secure place, and a fee charged to the owner prior to the release of the dog, for all costs of the distrainer.

192.5.3 Destruction of dog - not claimed

When a dog is so impounded and kept pursuant to Section 192.5.2 then it shall not be destroyed until any minimum redemption period has expired as established by applicable provincial law.

192.5.4 Destruction of dog - protection

Nothing in this Article shall be so interpreted and applied so as to prevent the destruction of a dog when the same is required, in the judgement of the police officer or small animal control officer engaged in the act, in order to protect the security of any person or other animal.

**Article 6
STOOP - SCOOP****192.6.1 Removal - excrement - by owner - required**

Any person who owns or controls a dog shall remove forthwith any feces left by such dog on any property within the City, other than the property of the owner of the dog.

192.6.2 Exception - blind person - guide dog

Section 192.6.1 shall not apply to any legally blind person in regard to any dog used as a guide dog. By-law 90-330, 17 December, 1990.

Article 7 ENFORCEMENT

192.7.1 Fine - for contravention

Every person who contravenes this Chapter is guilty of an offence and is liable to the penalty, as prescribed by applicable law, for each offence. By-law 91-116, 22 April, 1991.

Article 8 REPEAL - ENACTMENT

192.8.1 By-laws - previous

The following by-laws are repealed:

- (a) By-law 1978-43 as amended;
- (b) By-law 1988-40; and
- (c) By-law 1984-139.

192.8.2 Effective date

This Chapter comes into force upon the final passing of the enabling by-law. By-law 90-330, 17 December, 1990.

Note: Except where otherwise expressly provided in this Chapter, and pursuant to other provincial statutes, such as the *Planning Act*, the maximum fine for violation of the Code is specified in section 62 of the *Provincial Offences Act*, R.S.O. 1980, c. 400, which indicates that a party guilty of an offence is liable to a fine of not more than five thousand dollars (\$5000.00).

"Article 9 PROHIBITION

192.9.1 Prohibited area - defined

No owner of a dog shall permit the dog to be within the following areas:

- (a) the grass covered areas of Del Crary Park, shown as outlined in red on the map attached hereto as Schedule "A" to this Chapter, between the 1st day of May and the 31st day of October;
- (b) the fenced playing field in the north west portion of King Edward Park.

192.9.2 Exception - person with disability - Special Service Dog

Section 192.2.1 shall not apply to any owner who is a person with a disability, in regard to any dog used as a Special Service Dog."

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"192.2.2 Fee – paid – to Clerk or Designate

Each person who owns a dog which is kept in the City shall pay to the Clerk, or his or her designate, an annual licence fee, for each calendar year, as follows:

Licence Fee	Non-Senior	Senior (65+)	Non-Senior	Senior (65+)
	Spayed/Neutered		Unaltered	
If renewed by January 31 st	\$25	\$15	\$50	\$35
If renewed between February 1 st and May 31 st	\$50	\$30	\$75	\$50
If renewed between June 1 st and December 31 st	\$75	\$45	\$100	\$65
New dogs obtained after September 1 st	\$15	\$15	\$15	\$15
Replacement of a lost tag	\$10	\$10	\$10	\$10
Certified/ Service Dogs	No Charge	No Charge	No Charge	No Charge

The fees provided in Section 1 shall come into effect beginning with licences issued for the 2012 calendar year.

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Schedule 'A-1' - Licence Fees - Kennels Kennel Licence Fee (Pursuant to Article 2)

Kennel of pure-bred dogs

By-law 90-330, 17 December, 1990; Schedule 'A-1'.

~~\$25.00~~
\$100.00

