

MUNICIPALITY OF NORTH MIDDLESEX

By-Law No. 090 of 2022

BEING A BY-LAW TO PROVIDE REGULATION, RESTRICTION AND PROHIBITION OF DOGS, ANIMALS AND EXOTIC ANIMALS IN THE MUNICIPALITY OF NORTH MIDDLESEX

Short form title: "Animal Control By-law"

WHEREAS Section 11 (3) of the Municipal Act, 2001, S.O. 2001, c.25 ("Municipal Act") authorizes a lower-tier municipality to pass by-laws with respect to animals;

AND WHEREAS Section 103 of the Municipal Act allows Municipalities to pass a Bylaw regulating or prohibiting with respect to the being at large or trespassing of animals;

AND WHEREAS Section 105 of the Municipal Act provides for Council to have provisions within the By-law pertaining to muzzling of a dog and hold a hearing to determine whether or not to grant an exemption;

NOW THEREFORE the Municipal Council of the Corporation of the Municipality of North Middlesex enacts as follows:

Part 1 – Definitions

1.1. Definitions in this by-law:

- 1) "Animal" shall include any domestic animal, exotic animal and/or agricultural animal within the boundaries of the Municipality of North Middlesex.
- 2) "Animal Control Officer" shall mean a person(s) appointed by the municipality, whose duties include the enforcement of this by-law.
- 3) "Council" shall mean the Council of the Municipality of North Middlesex.
- 4) "Dangerous Dog" means any dog:
 - a) That has bitten or injured a human being or domestic animal;
 - b) That has been threatening or aggressive towards a human being or domestic animal.
- 5) "Dog" shall mean a male or female dog over the age of three (3) months.
- 6) "Dwelling Unit" shall mean a single room or series of rooms of complementary use which are located in a building in which food preparation, eating, living, sleeping and sanitary facilities are provided for the exclusive use of the occupants thereof; which has a private entrance directly from outside the building or from a common hallway or stairway inside the building; and in which occupants have access to all the habitable areas and facilities of the unit.
- 7) "Guard Dog" shall mean a dog used for security purposes on land legally used for industrial or commercial purposes.
- 8) "Herding Dog" means a dog that has been trained and is actively being used on land legally used for a bona fide farming operation for the purposes of controlling livestock on the farm.
- 9) "Hunting" shall mean lying and waiting for, searching for, being on the trail of, pursuing, chasing or shooting at wildlife, whether or not the wildlife is killed, injured, captured or harassed, and does not include trapping.
- 10) "Kennel" shall mean a lot, building, structure or establishment in which four (4) or more dogs are housed, boarded or bred.

- 11) "License Agent" shall mean a person appointed by Council to issue dog licenses.
- 12) "License Issuer" shall mean the Licensing Officer for the Municipality of North Middlesex.
- 13) "Livestock" shall mean any domestic fowl (including chickens, geese, ducks, turkeys, guinea fowl, swans, etc.), domestic rabbits (when more than 3 rabbits are kept), horse, donkey, mule, bull, oxen, cow or other cattle, goat, swine, sheep, llama, alpacas, mink, fox, emu, ostrich.
- 14) "Livestock Guardian Dog" (LGD) shall mean a dog that works and/or lives with domestic farm animals such as cattle, sheep and poultry to protect them while repelling predators and is used on land legally used for exclusively for that purpose.
- 15) "Municipality" shall mean the Municipality of North Middlesex.
- 16) "Owner" includes a person who keeps, possesses or harbours a dog and where the owner is a minor the person responsible for the custody of the minor.
- 17) "Person" includes any physical or corporate entity, partnership or any association and the heirs, executors, administrators, successors and assigns or other legal representative thereof to whom the context may apply.
- 18) "Pet Shop" shall mean an establishment engaged in the retail sale of animals.
- 19) "Pet Shopkeeper" shall mean a person who has the charge, care or ownership of a pet shop.
- 20) "Pound" means premises, regulated under the Animals for Research Act, that are used for the confinement maintenance or disposal of animals that have to be impounded pursuant to this by-law.
- 21) "Pound Keeper" shall mean a person appointed by the Municipality of North Middlesex to act in the capacity of Pound Keeper.
- 22) "Premises" includes the entire lot on which a building may or may not be situated.
- 23) "Restrained" (Dangerous Dog) means being kept inside a building or house or in an enclosed pen of sufficient dimension and strength to be humane and secure so as to prevent a dog from coming in contact with or making a real and substantial threat of attack on a person other than the owner of the dog, or invitee of the owner, and includes keeping such dog securely on a leash of not more than 2 meters in length when outside of such building, house or enclosed pen.
- 24) "Running at Large" shall mean to be found in any place other than the premises, either leased or owned, of the owner of the dog and or animal not either under the physical control of any person, or on a leash or in a properly fenced in area.
- 25) "Enforcement Officer" means any person employed as Municipal By-law Enforcement Officer, Provincial Offences Officer or member of the OPP and or any other persons appointed by by-law to enforce the provisions of this by-law.
- 26) "Service Animal" means, as defined in the Accessibility for Ontarians with Disability Act, 2005, and animal for a person with a disability if:
 - a) It is readily apparent that the animal is used by the person for reasons relating to his or her disability; or
 - b) The person provides a letter from a physician or nurse confirming that the person requires the animal for reasons relating to the disability.

Part 2 – Exemptions

2.1. Animal Hospital-Clinic-Kennel-Registered

This by-law shall not apply to an animal hospital, clinic or kennel, lawfully operated for the exclusive purpose of treating sick or injured animals and

supervised by a veterinarian who is a registered member of the Ontario Veterinary Association.

2.2. Pound

This by-law shall not apply to a pound.

2.3. Pet Shop

With the exception of prohibited animals, this by-law shall not apply to pet shops.

2.4. Zoos-Fair-Exhibitions-Circuses-Authorized

This by-law shall not apply to animals maintained in a temporary zoo, fair, exhibition, dog show or circus not longer than three days, operated or licensed by a municipal or other governmental authority.

2.5. Service Dogs

This by-law shall not apply to dogs maintained in a zoo, fair exhibition, dog show or circus operated or licensed by a municipal or other governmental authority.

2.6. Research Facility – registered

This by-law shall not apply to dogs maintained at a research facility registered under the Animals for Research Act.

Part 3 – Keeping of Dogs

3.1. Maximum – 2 Per Premises

No person shall keep more than 2 dogs in any one dwelling unit or on any premises.

3.2. Kennels – Registered

No kennels are permitted within zones except as specifically authorized under the North Middlesex Zoning By-law.

3.3. Guard Dogs – Industrial-Commercial Premises

Notwithstanding section 3.1 of this by-law, more than two (2) guard dogs may be licensed for lawfully used industrial or commercial premises. Where such dogs are present at a premise, post in a conspicuous place at the entrance(s) of the owner's premises a clearly visible sign warning of the presence of guard dog(s).

3.4. Livestock Guardian Dogs and Herding Dogs

Notwithstanding section 3.1 of this by-law, more than two (2) livestock guardian dogs and/or herding dogs may be licensed for lawful livestock operations on agricultural premises. Where Livestock Guardian Dogs are present at a premise, post in a conspicuous place at the entrance(s) of the owner's premises a clearly visible sign warning of the presence of Livestock Guardian Dog(s).

3.5. Excrement-Removal-Disposal-Sanitary-Immediate

Every owner of a dog shall remove forthwith and sanitarily dispose of excrement left by the dog anywhere in the Municipality.

3.6. Trespassing Without Consent by Dog Prohibited

No person shall permit a dog to enter upon the private property of another person or to remain on the private property of another person without the property owner's consent.

3.7. Running at Large Prohibited

No owner of a dog shall permit the dog and/or animal to run at large or to fail to prohibit the dog and/or animal from running at large.

3.8. Keeping of Dangerous Dogs

- 1) When a dangerous dog is off its owner's property the owner shall:
 - a) Ensure the dog is muzzled in a humane manner at all times;
 - b) Ensure the dog is on a leash not longer than one (1) meter; and
 - c) Ensure the dog is under the control of a person over the age of eighteen.

- 2) When a dangerous dog is on its owner's property the owner shall:
 - a) Ensure the dog is securely confined indoors or in a locked pen that meets the following standards:
 - i. The pen shall be suitable to prevent the escape of the dangerous dog and capable of preventing the entry of any person not in control of the dog.
 - ii. The pen must have minimum dimensions of two (2) meters and must have secure sides and secure top.
 - iii. If the pen has no bottom secured to the sides, the side must be embedded into the ground no less than thirty (30) centimeters deep.
 - iv. The pen shall also provide protection from the elements for the dog.
 - v. The pen shall not be within three (3) meters of the property line or within three (3) meters of a neighbouring dwelling unit.
- 3) The owner of a potentially dangerous or dangerous dog as designated by Section 3.8 shall pay a dangerous dog license fee of \$200.00 and provide proof of \$1 million in liability insurance.
- 4) Failure to keep a dangerous dog license will result in the removal of the dog from the Municipality as signed off by the Enforcement Officer or euthanasia of the dog.

3.9. Designation As Potentially Dangerous or Dangerous Dogs

- 1) Where an Enforcement Officer is satisfied that, in the absence of any mitigating factor, a dog has approached a person or domestic animal in a menacing fashion or apparent attitude of attack, including but not limited to, behaviour such as growling or snarling, the Enforcement Officer may issue a designation in writing to the owner designating a dog as potentially dangerous or dangerous, as shown in Schedule "B".
- 2) Where an Enforcement Officer is satisfied that a dog:
 - a) Has, in the absence of any mitigating factor, attacked, bitten or caused injury to a person or has demonstrated a propensity, tendency or disposition to do so;
 - b) Has in the absence of any mitigating factor, significantly injured or killed a domestic animal; or
 - c) Having been previously designated as potentially dangerous, is kept or permitted to be kept in violation of the requirements for a potentially dangerous dog, the Enforcement Officer may issue a designation in writing to the owner of the dog, designating the dog as dangerous.
- 3) No owner of a dog designated as potentially dangerous or dangerous shall transfer ownership of the dog without first having obtained the written consent of the Pound keeper. In granting or refusing consent, the Pound keeper shall consider the likelihood that all the applicable provisions of this By-law and the Dog Owners' Liability Act, including any orders under that Act, will be met.
- 4) In addition to complying with all the applicable provisions of this By-law, every owner of a dog designated as dangerous shall adhere to the conditions laid out in the Potentially Dangerous Dog Designation Order, as set out in Schedule "B" and signed by the Enforcement Officer.
- 5) Where a dog has been designated as a potentially dangerous or dangerous dog the owner may appeal to North Middlesex Council, by written notice, within fifteen (15) days of the Municipality notifying the owner of the decision to designate the dog.
- 6) Where an owner appeals to the Municipality of North Middlesex Council shall hear the appeal by way of a new hearing under the Statutory Powers Procedure Act to determine whether the dog is dangerous or potentially dangerous.

- 7) No member of Council or its staff is personally liable for anything done by it or him or her under authority of this by-law.

3.9. Owner's Responsibilities

- 1) No owner of a dog shall fail to prevent her/her dog from:
 - a) Threatening, biting or attacking any person;
 - b) Threatening, biting or attacking any domestic animal; or
 - c) Damaging public or private property.
- 2) No owner of a dog shall use a chain as a means of confinement.

3.10. Standard of Animal Care

- 1) No person may keep any animal unless the animal is provided with:
 - a) Clean potable drinking water in spill proof containers at all times and suitable food in sufficient quantity and quality to allow for normal growth and maintenance of normal body weight;
 - b) Food and water receptacles that are kept clean and disinfected and located so as to avoid contamination by excreta;
 - c) The opportunity for periodic exercise sufficient to maintain good health;
 - d) Necessary veterinary medical care when the animal exhibits signs of pain or suffering.
- 2) No person may keep any animal which normally resides outside, or which is kept outside for short to extended periods of time, unless the animal is provided with outside shelter.
- 3) No person may cause a dog to be hitched, tied, or fastened by any rope, chain or cord that is directly tied around the animal's neck or to a choke collar.
- 4) No person shall cause a dog to be confined in an enclosed space without adequate ventilation.
- 5) No person shall allow any domestic animal to suffer from any infectious disease.

3.11. Livestock

Livestock will be addressed in accordance with the North Middlesex Zoning By-law.

Part 4 – Licensing

4.1. Licensing Agent – Appointed-Authorized

The Council shall appoint, if required, a licensing agent or agents for the Municipality and every such license shall be executed on behalf of the Municipality.

4.2. Registration Information Requirements

The license agent shall keep a record showing the following dog license registration information:

- 1) Name and address of dog owner;
- 2) Serial number of tag;
- 3) Date of registration;
- 4) Description of dog;
- 5) Amount of fee paid upon registration.

4.3. Application License Description Fee

Every license application shall be accompanied by the following:

- 1) Description of dog including the colour, breed and name;
- 2) Applicable fee.

4.4. License Annually

Every owner shall cause his/her dog to be licensed annually and every owner shall re-new the license annually.

4.5. Expiry-Annual-December 31

Every license issued by the license agent shall expire on the thirty-first day of December of the year for which it is issued and shall be renewable annually.

- 4.6.** 1) Tag serial number issued upon payment of fee
Upon Payment of the applicable fee(s), the owner shall be furnished with a dog tag bearing the serial number and the year for which it was issued.
- 2) Tag affixed securely to dog at all times
When the dog is not on the owner's premises, the tag shall be fixed securely on the dog for which it was issued at all times until such time as the tag is renewed or replaced.
- 3) Tag replacement when lost
When a tag has been lost, an application shall be made to the license agent for a replacement tag.
- 4) Tag replacement proof of payment plus fee
The application shall be accompanied by proof that the current year's license fee has been paid and the applicable replacement tag fee.
- 5) Tag removal
No person shall, within the Municipality, unlawfully remove a dog tag from a licensed dog.
- 6) Ownership change in failure to notify
Every owner shall notify the license agent upon the change of ownership of a licensed dog.
- 7) Exemption for livestock guardian dog and herding dog
Section 4.6 (2) and (5) shall not apply to dogs legally authorized as livestock guardian dogs and/or herding dogs while on the owners leased or owned premises.
- 4.7.** Owners of a potentially dangerous or dangerous dog shall obtain a dangerous dog license and provide the license agent with proof of \$1 million in liability insurance.

Part 5 – Kennels

- 5.1.** No person shall keep a dog kennel within the Municipality unless that use is allowed in the appropriate section of the Municipality's zoning by-law.
- 5.2.** Subject to proper zoning, any person or persons who keep more than two (2) dogs at one location may apply for a kennel license as set out in Schedule "C" to this by-law.
- 5.3.** A kennel license may be issued to the owner of confined dogs kept exclusively for hunting, working or dog-sled purposes.
- 5.4.** The Council of the Municipality of North Middlesex reserves the right to refuse a kennel license.
- 5.5.** Every person who holds a kennel license shall comply with the following requirements:
- 1) The license shall be displayed at all times in a conspicuous place in the interior of the premises;
 - 2) The premises shall be maintained in a sanitary, well ventilated, clean condition and free from offensive odours;
 - 3) The animals shall be kept in sanitary, well bedded, well ventilated, naturally lighted, clean quarters and a healthful temperature shall be maintained at all times;
 - 4) The animals shall be adequately fed and watered and kept in a clean, healthy condition, free from vermin and disease;
 - 5) The kennel building shall be in a separate building and shall not be attached to any building used or capable of being used for human habitation;

- 6) The kennel and its location shall conform to the applicable zoning by-law and the Ontario Building Code and the building shall be maintained in damage-free condition;
 - 7) The kennel building shall have a floor of concrete or other impermeable material and shall have a drain opening constructed as a plumbing fixture and such floor shall be thoroughly cleaned daily, or more often as necessary;
 - 8) Any cage shall be adequately sized to allow the animal to extend its legs to their full extent, to stand, sit, turn around or lie down in a fully extended position. There must also be sufficient space to enable species appropriate contact, provide bitches with nursing puppies an additional 10% space per nursing puppy, and provide for the social and behavioural needs of the dog.
- 5.6.** If dogs are being housed outside, an example being a hunting dog, the breed of dog must be properly acclimatized to seasonal and regional temperatures. Aged, young or infirmed dogs shall be housed indoors. Shelter and protection from cold and heat must be provided including protection from direct sunlight, rain sleet and snow, which includes an enclosed area with dry bedding, properly drained and a cement pad or patio stones in front of the dog house door.
- 5.7.** The Enforcement Officer may inspect any place where the animals are kept, pursuant to this by-law.
- 5.8.** If the kennel is found not to conform to the requirements set out herein, the Enforcement Officer may direct that the animals be seized and impounded and may revoke the license issued to the kennel.
- 5.9.** Every owner or operator of a kennel shall allow access to the facility for the purpose of inspection at all reasonable hours by an Enforcement Officer.
- 5.10.** Every owner or operator of a kennel shall allow access to the facility for an annual inspection as part of the renewal process and the inspector shall complete the Kennel Inspection Checklist as shown in Schedule "D"

Part 6 – Keeping of Prohibited Animals

- 6.1.** No person shall keep any animal of a kind indicated in Schedule "A" to this By-law.

Part 7 – Fees

7.1. Fees

The license fees to be paid to the Municipality shall be as set out in Schedule "F" to this By-law.

7.2. Service Animals, Livestock Guardian Dogs, Herding Dogs – Police Service Dogs Exempted

Service animals, Livestock Guardian Dogs, Herding Dogs and police service dogs are exempt from the payment of all license fees applicable pursuant to this by-law.

7.3. Pound Fees – Payment Proof of Ownership Required

Where a dog is claimed from the Pound keeper, the owner shall provide proof of ownership of the dog, as well as proof of payment for a current dog license, and pay the Pound keeper the applicable maintenance charges prescribed, and any other damages, fines and expenses according to law.

Part 8 – Impounding

8.1. Seizure – Impounding

The Pound keeper shall impound any dog seized by him/her or delivered to him/her by a police officer, municipal enforcement officer or Animal Control Officer.

8.2. Claim – within 5 days – release

The owner or keeper of a dog impounded for being at large shall be entitled to redeem such dog within 5 days of impoundment, upon paying the Pound keeper the applicable maintenance charges prescribed, and any other damages, fines and expenses according to law.

8.3. Owner to Claim Dog Before Disposal

The owner of a dog that has been impounded may, upon application to the Pound keeper, claim the dog before the Pound keeper is entitled to dispose of the dog according to the provisions of Section 8.4 of this by-law.

8.4. Disposal – Dog Not Claimed – Pound keeper Discretion

Where a dog is impounded and is not claimed by the owner thereof within the redemption period specified under this by-law, the Pound keeper may retain the dog for such further time as he/she may consider proper and during that time the Pound keeper may:

- 1) Sell the dog for such price as he/she may consider proper;
- 2) Euthanize the dog;
- 3) Dispose of the dog in accordance with the Animals for Research Act.

8.5. Euthanasia – For Humane/Safety Reasons

Where a dog that is captured or taken into custody is injured and in the opinion of the Pound keeper should be destroyed without delay for humane reasons or for reasons of safety to persons or animals, the Animal Control Officer, or other trained person appointed by the Pound keeper, may euthanize the dog in a humane manner as soon after capture or taking into custody as he/she may determine, and may do so without permitting any person to reclaim the dog or without offering it for sale.

8.6. Euthanasia – Dangerous Dog Running at Large

In the opinion of an Animal Control Officer, where a dog cannot be captured and where the safety of persons or animals are endangered, the Animal Control Officer may euthanize the dog and no damages or compensation shall be recovered by the owner of the dog for said destruction.

8.7. Veterinary Services – Required Payable by Owner

Where a dog is captured or taken into custody, and the services of a veterinarian are secured by the Pound keeper, the Owner shall pay to the Pound keeper all fees and charges of the veterinarian in addition to all other fees and per diem charges payable under this by-law, whether the dog is alive, dies or is euthanized.

8.8. Compensation – to Dog Owner Prohibited

No compensation, damages, fees or any other sum of money on account of or by reason of the impounding, euthanasia or other disposal of the impounded dog in the course of the administration and enforcement of this by-law shall be:

- 1) Recovered by any owner or other person; or
- 2) Paid by the Municipality.

Part 9 – Excessive Barking

No owner shall allow his or her dog or dogs to become a nuisance by howling or barking excessively. Any person so aggrieved by the howling or barking of a dog or dogs may appear before a Justice of the Peace and swear an information charging the owner with a breach of this section. The Municipal Act RSO 1990 Chapter M.45 Section 210 (138). This Section shall not apply to Livestock Guardian Dogs or Herding Dogs while actively engaged as Livestock Guardian Dogs or Herding Dogs.

Part 10 – Enforcement

10.1. Penalty

Any person who contravenes any provisions of this by-law is guilty of an offence and is liable, upon conviction, to the maximum penalty as prescribed by the Provincial Offences Act, as amended from time to time, and all such penalties and costs may be recovered under the Provincial Offences Act, as per Schedule "E" attached hereto this By-law.

10.2. Investigation

The Animal Control Officer, Municipal Enforcement Officer and or Member of the Ontario Provincial police may enter onto private property to determine a violation of this by-law.

Part 11 – Transition

- 11.1.** Every license issued pursuant to By-law #010 of 2010, as amended, shall be deemed to be a license issued under this by-law and every such license shall continue to be valid until its normal date of expiry.
- 11.2.** Every act taken pursuant to the predecessor to this by-law shall, as necessary, be deemed to have been taken pursuant to this by-law and every such act may be carried to its conclusion pursuant to the authority granted by this by-law.
- 11.3.** If an act has been validly commenced pursuant to the predecessor to this by-law and authority for such act does not exist pursuant to this by-law then such act may be continued to its conclusion and the portions of the predecessor to this by-law necessary to permit such act to be concluded shall be deemed to remain in effect for the purposes of bringing such act to a conclusion.

Part 12 – Repeal-Enactment

- 12.1.** That By-law 010 of 2010, as amended, and any by-law inconsistent with this by-law is hereby repealed.
- 13.2** That Schedule "B" of By-law 07 of 2022 be deleted and replaced with Schedule "F" of this By-law and retitled as Schedule "B" in By-law 07 of 2022.

Part 13 – Effective Date

- 13.1.** This By-law shall come into force and effect upon approval of the set fine schedule (Schedule "E") by the Office of the Regional Senior Justice Ontario Court of Justice West Region.

READ a first and second time this 7th day of September, 2022.

READ a third time and finally passed this _____ day of _____, 2022.

Mayor

Clerk

Schedule "A"
Municipality of North Middlesex
By-law # 090 of 2022

Prohibited Animals (excepting Livestock as authorized in Zoning By-law)

Class	Order	Examples (including, not limited to)	Exceptions/Notes
Mammalia (Mammals)	<i>Afrosoricida</i>	Tenrecs, Golden Moles	
	<i>Artiodactyla</i>	Deer, Cattle, Pigs, Sheep, Goats, Llamas, Alpacas	Except for pot-bellied pigs/mini pigs kept as pets
	<i>Carnivora</i>	Felines (Tigers, Lions, Leopards, Servals), Feline hybrids, Civets, Canines (Coyotes, Wolves, Foxes), Canine Hybrids, Bears, Seals, Skunks, Weasels, Raccoons, Coatis	Except domestic dogs, domestic cats and domestic ferrets
	<i>Chiroptera</i>	Bat, Flying Foxes	
	<i>Cingulata</i>	Armadillos	
	<i>Dasyuromorphia</i>	Tasmanian Devils	
	<i>Didelphimorphia</i>	Opossums	
	<i>Diprotodontia</i>	Wombats, Sugar Gliders	Except Sugar Gliders derived from self-sustaining captive populations
	<i>Erinaceomorpha</i>	Hedgehogs, Moonrats	Except domestic hedgehogs
	<i>Hyracoidea</i>	Hyrax, Dassies	
	<i>Lagomorpha</i>	Pikas, Rabbits, Hares	Except domestic rabbits
	<i>Macroscelidea</i>	Elephant Shrews	
	<i>Microbiotheria</i>	Monito del Montes	
	<i>Monotremata</i>	Echidnas, Platypuses	
	<i>Notoryctemorphia</i>	Marsupial Moles	
	<i>Paucituberculata</i>	Shrew Opossums	
	<i>Peramelemorphia</i>	Bandicoots, Bilbies	
	<i>Perissodactyla</i>	Horses, Zebras, Donkeys	
	<i>Primates</i>	Lemurs, Bush Babies, Monkeys, Apes	
	<i>Rodentia</i>	Beavers, Squirrels, Mice, Porcupines, Capybaras, Rats	Except rodents which do not exceed 1500 grams & are derived from self-sustaining captive populations
	<i>Scandentia</i>	Treeshrews	
	<i>Soricomorpha</i>	Moles, Shrews	
	<i>Tubulidentata</i>	Aardvarks	
Aves (Birds)	<i>Anseriformes</i>	Ducks, Geese, Swans	
	<i>Apodiformes</i>	Hummingbirds, Swifts	
	<i>Bucerotiformes</i>	Hornbills	
	<i>Caprimulgiformes</i>	Nightjars	
	<i>Vathartiformes</i>	Vultures	
	<i>Charadriiformes</i>	Gulls, Auks, Plovers	
	<i>Ciconiiformes</i>	Storks	
	<i>Coliiformes</i>	Mousebirds	
	<i>Columbiformes</i>	Pigeons, Doves	
	<i>Coraciiformes</i>	Kingfishers	
	<i>Craciformes</i>	Curassows, Guans	
	<i>Cuculiformes</i>	Cuckoos, Turacos	
	<i>Falconiformes</i>	Falcons, Eagles, Hawks	Except those owned by falconers licensed by the Ontario Ministry of Natural

			Resources and Forestry
	<i>Galbuliformes</i>	Jacamars, Puffbirds	
	<i>Galliformes</i>	Pheasants, Quail	
	<i>Gaviiformes</i>	Loons	
	<i>Gruiformes</i>	Bustards, Cranes, Rails	
	<i>Musophagiformes</i>	Turacos	
	<i>Passeriformes</i>	Wrens, Swallows, Warblers	
	<i>Pelecaniformes</i>	Pelicans	
	<i>Phaethontiformes</i>	Tropicbird	
	<i>Phoenicopteriformes</i>	Flamingoes	
	<i>Piciformes</i>	Toucans, Woodpeckers	
	<i>Podicipediformes</i>	Grebes	
	<i>Procellariiformes</i>	Albatrosses, Petrels	
	<i>Pteroclidiformes</i>	Sandgrouse	
	<i>Strigiformes</i>	Owls	Except those owned by falconers licensed by the Ministry of Natural Resources and Forestry
	<i>Struthioniformes</i>	Ostriches, Emus, Kiwis	
	<i>Tinamiformes</i>	Tinamou	
	<i>Trogoniformes</i>	Trogons, Quetzals	
	<i>Upupiformes</i>	Hoopoes	
Reptilia (Reptiles)	All squamata purely or partially of the following species	<ul style="list-style-type: none"> • the genus Eunectes (Anacondas) • Morelia amethystina (amethystine and scrub pythons) • Python molurus (Indian python, Indian rock python, Burmese python) • Python sebae (African rock python) • Python reticulatus (Reticulated python) • Varanus niloticus (Nile monitor) • Varanus salvadorii (Crocodile monitor) • Varanus salvator (Water monitor) • Varanus varius (Lace monitor) • Varanus giganteus (perentie) • Varanus komodoensis (Komodo dragon) • The family Viperidae (Tru vipers, Fea's viper, Night adders, Rattlesnakes etc.) • The family Elapidae (Cobras, Mambas, Kraits, Coral snakes etc.) • The subfamily Hydrophiinae (Sea snakes, Coral reef snakes etc.) • The genus Dispholidus (Boomslang snakes) • The genus Thelotornis (Twig snakes) • The genus Rhabdophis (Keelbacks) • The genus Atractaspis (Burrowing vipers, Mole vipers) • Philodryas viridissimus (South American Green racer) • The family Helodermatidae (Gila monster, Beaded lizards) 	

	<i>Crocodylia</i>	All species purely or partially of the order Crocodylia (Alligators, Crocodiles, Caymans, Gavials etc.)	
	All arachnids purely or partially of the following species:	<ul style="list-style-type: none"> • The family Buthidae (Fat tailed scorpions, Bark scorpions etc.) • The family Ctenidae (Wandering spiders) • The genus Latrodectus (Black widow spiders) • The family Sicariidae (Brown recluse spider, Assassin spider etc.) • The family Hexathelidae (Australian funnel web spiders) 	
		All species purely or partially of the class Chilopoda (Centipedes)	
	<i>Rhynchocephalia</i>	Tuatara	
	<i>Testudines</i>	Seas turtles, Red-eared slider	
Amphibia (Amphibians)	<i>Anura</i>	Frogs, Toads	Except those derived from self-sustaining captive populations
	<i>Caudata</i>	Salamanders, Newts	Except those derived from self-sustaining captive populations
	<i>Gymnophiona</i>	Caecilian	
Other		Any and all poisonous or venomous animals including insects, spiders, reptiles, amphibians, centipedes, fish	
		All Characidae fish (Piranhas), and Gymnotidae (Electric eel)	

Schedule "B"
Municipality of North Middlesex
By-law # 090 of 2022

Potentially Dangerous Dog Designation Order
Under Municipality of North Middlesex By-law # xxx of 2022

Order Issued to:

Name: _____

Address: _____

Phone Number: _____

Dog Information:

Name: _____

Tag #: _____

Breed: _____

Colour: _____

On _____ (date) you dog:

- Attacked, bit or caused injury to a person
- Demonstrated a propensity, tendency or disposition to attack, bite or cause injury to a person, or a domestic animal
- Was kept or permitted to be kept in violation of the requirements for a potentially dangerous dog

TAKE NOTICE that, on or hereafter _____ (date) you shall ensure that all conditions checked are met:

- You do not transfer ownership of the dog without first having obtained written consent of the Pound keeper. In granting or refusing consent, the Pound keeper shall consider the likelihood that all the applicable provisions of the By-law and the Dog Owners' Liability Act, including any orders under the Act, will be met;
- Your dog is implanted with a microchip;
- Your dog is sterilized before reaching the age of six months or within 30 days of being designated;
- Your dog has current rabies vaccination and provide proof to animal control officer
- When your dog is not on your premises, your dog is equipped with a muzzle and secured with a leash not exceeding one metre in length in accordance with the following:
 - A muzzle shall be securely placed on the dog at all times so that the dog cannot detach bite any person or domestic animal
 - A collar or harness shall be securely placed on the dog at all times so that the dog cannot detach the collar or harness
 - A leash shall be securely attached to a collar or harness at all times so that the dog cannot detach the leash from the collar or harness.
 - The dog shall be under the control of some person by means of the leash at all times.
- When the dog is on your premises the dog is:
 - When indoors, your dog is securely contained
 - When outdoors, your dog is contained in an enclosure or fenced area or restrained by a chain or other restraint sufficient to prevent the dog from leaving the premises
- You post in a conspicuous place at the entrance of the owner's premises a clearly visible sign warning of the presence of a dangerous dog.
- You obtain a dangerous dog license (\$200.00) and provide proof of \$1 million liability insurance.

As per Animal Control By-law # XXX of 2022 an owner of a dog which has been designated as potentially dangerous or dangerous who wishes to appeal the order or decision may request a hearing by the Council of the Municipality of North Middlesex. **Appeals must be received in writing by the Clerk, no later than fifteen (15) days following the service of this Designation.**

The owner of a dog who has requested a hearing from Council, shall not be required to have their dog implanted with a microchip or sterilized until 30 days following the decision confirming those requirements.

THIS ORDER IS EFFECTIVE IMMEDIATELY. Dated this _____ day of _____, 20____

Animal Control Officer

Served on Owner _____ (name) on _____ (date) at _____ (time)

Schedule "C"
Municipality of North Middlesex
By-law # 090 of 2022

Application for a Kennel Permit

Name of Kennel: _____

Owner (full name): _____

Mailing Address: _____

Telephone (home): _____

Telephone (business): _____

(If more than one registered owner with a different address or telephone, attach a separate sheet)

Legal Description of Property: _____

Professional Affiliations of Applicant:

Canadian Kennel Club

Ontario Dog Kennel Organization

Other (please specify): _____

Breed of Dogs: _____

Calendar Year for which permit is Requested: _____

New Application

Renewal of Application

NOTE: Applicant must attach hereto a diagram showing:

- The true shape and dimensions of the property (drawn to scale);
- The location, height, and dimensions of the kennel structure (drawn to scale);
- The location and dimensions of all runs used in connection with the kennel (drawn to scale); and
- The location and dimensions of all other buildings and structures on the property, and their distances from kennel structures.

Applicant is responsible to schedule and complete inspections with the following prior to submission of Application:

1. Animal Control Officer:

Inspection completed date (new permit): _____

New/Renewal Comments: _____

Permit Recommended? Yes No

Animal Control Officer

Date

2. Planner:

Property Zoning: _____

Compliant: Yes No

Planner

Date

3. Building Department:

Building Permit Required (based on submitted drawing): Yes No

Comments: _____

Chief Building Official

Date

For Municipal Use Only:

Permit issued (date): _____

Issued by: _____

Statement of Fact

I/We, _____, hereby make an application for the following permit. As part of this Application, I/We make the following Statement of Fact:

1. The information set forth in this Application is true and accurate.
2. I/We agree to comply with all by-laws and regulations of the Municipality of North Middlesex, it being expressly understood that receipt of a permit does not relieve the owner from complying with all said by-laws or regulations. I/We further agree that, if the permit is revoked for any cause of non-conformance of the said by-laws or regulations that, in consideration of the issue of the permit, all claims are waived arising therefrom against the Municipality of North Middlesex.
3. I/We understand that making a false Statement of Fact may result in the Application for a permit being refused.

This Statement of Fact was made before me on _____, 20__.

Witness:

Name

Address

Telephone

Applicant: _____

Applicant: _____

Schedule "D"
Municipality of North Middlesex
By-law # 090 of 2022

Kennel Inspection Checklist

Kennel Name: _____

Owner Name: _____

Address of Kennel: _____

No. of Dogs on Premises (at time of inspection): _____

Maximum Capacity: _____

Legend: A=Acceptable NI=Needs Improvement U=Unacceptable

Housing & Accommodation

Site

	A	NI	U
Is the site sufficiently isolated to prevent complaints from neighbours? (at least 150m from neighbouring dwellings, 300m from town limits)			
Does the kennel site provide adequate space for exercising the breed(s) housed?			
Does the kennel site allow for satisfactory waste disposal?			
Is a fence in place to prevent escapes from the property?			

Construction

	A	NI	U
Are the walls solidly constructed of impervious material and to a height adequate for sanitary maintenance?			
Are the walls constructed and maintained in a good state of repair; free of cracks, holes, and other damage, to prevent entrance of vermin or insects, or escape of the animals housed therein?			
Are the doors, windows and frames constructed and maintained, to prevent entrance or harbouring of vermin or insects, or the escape of the animals housed in the facility?			
Is at least one door sufficient size to allow equipment to be removed for sanitation, if removal is necessary?			
Is the building adequately insulated to maintain a temperature at acceptable levels?			
Are the effects of direct sunlight prevented?			
Are the roofs and ceilings maintained in a good state of repair?			
Are the floors constructed of hard durable material that is impervious to water and easily sanitized?			
Do the floors slope and drain in such a manner that the runs, kennels, and alleys remain relatively dry?			
Are the floors and walls built in such a manner that feces and urine are prevented from entering other pens or cages?			
Is the air fresh?			
Is there adequate lighting in all kennel areas?			

Cages, Pens, and Enclosures

Indoor Housing

	A	NI	U
Do the cages permit each animal to: <ul style="list-style-type: none"> • Stand normally, to its full height; • Lie down, in a fully extended position; • Turn around easily; and • Permit human interaction 			
Are the cages solidly constructed, to prevent escape and injuries?			
Do all cages have solid floors?			
Are the cages constructed of materials and designed to be easily cleaned and sanitized?			
Are the pens or runs solidly constructed, to prevent escapes or injury?			

Food & Water

	A	NI	U
Are rations suitable for the various types of animals on the premises?			
Is food stored in vermin proof containers, and properly marked?			
Is a source of clean, potable water available at all times, for all cages and runs?			
Do feed and water containers appear to be cleaned on a regular basis?			

Staff & Attendants

	A	NI	U
Is there sufficient staff to provide proper care for the number of animals on the premises?			

Cleanliness

	A	NI	U
Are all areas free from objectionable odours?			
Are all areas reasonably clean of urine, feces, and garbage?			
Are appropriate chemicals used for regular sanitation?			

Purebred Stock

	A	NI	U
Are complete pedigree records kept available on all breeding stock?			
Does the premises meet all municipal permitting requirements?			

Comments (overall assessment): _____

I certify that I have inspected these premises in accordance with the protocol established for the licensing of kennel operations in Ontario.

Inspected by: _____

Signature: _____

Date of Inspection: _____

Phone: _____

Schedule "E"
Municipality of North Middlesex
By-law # 090 of 2022

Set Fine Schedule

Part 1 Provincial Offences Act

Being a By-law to Provide Regulation, Restriction and Prohibition of Dogs and Animals in the
Municipality of North Middlesex

Item	Short Form Wording	Provision Creating or Defining Offence	Set Fine
1	Having more than two dogs per residence	Section 3.1	\$250.00
2	Failure to remove dog excrement from municipal/private property	Section 3.5	\$250.00
3	Permitting a dog and or animal to run at large	Section 3.7	\$250.00
4	Failure to ensure a dangerous dog is muzzled in a humane manner at all times	Section 3.8 1) a)	\$500.00
5	Failure to ensure a dangerous dog is on a leash not longer than one (1) meter	Section 3.8 1) b)	\$250.00
6	Failure to ensure a dangerous dog is under the control of a person over the age or eighteen	Section 3.8 1) c)	\$250.00
7	Failure to ensure a dangerous dog when on its owner's property is confined indoors or in a locked pen	Section 3.8 2) a)	\$500.00
8	Failure to prevent or allow a dog to bite or attack a person	Section 3.9 1) a)	\$650.00
9	Failure to prevent or allow a dog to bite or attack an animal	Section 3.9 1) b)	\$500.00
10	Failure to renew dog license	Section 4.4	\$150.00
11	Failure to register a dog for a license	Section 4.4	\$150.00
12	Keep Kennel in an urban area of North Middlesex	Section 5.1	\$750.00
13	Failure to comply with Kennel licence requirements	Section 5.5	\$750.00
14	Keep Prohibited Animal	Section 6.1	\$800.00
15	Fail to keep dog from barking or howling excessively	Section 9	\$250.00

The general penalty provision for the offences indicated above as s. 10.1 of By-law # 090 of 2022; a certified copy of which has been filed.

Schedule "F"
Municipality of North Middlesex
By-law # 090 of 2022

LICENCE FEES		
Permanent Tag Fee	\$10 per dog	
Replacement of Tag	\$10 per dog	
Dangerous Dog Licence	\$200 per dog	
Transferring a current licence from another municipality	\$5	
Livestock Guardian Dog / Herding Dog	No Charge	
Certified Guide / Service Dogs	No Charge	
Kennel Licence	\$200	
Kennel Tags - Optional - at kennel owners discretion	\$5 per dog	
Boarding Rate	As per current pound contract	

OFFICE OF THE REGIONAL SENIOR JUSTICE
ONTARIO COURT OF JUSTICE
WEST REGION

80 DUNDAS STREET, 10th FLOOR, UNIT L
LONDON, ONTARIO N6A 6A8



CABINET DU JUGE PRINCIPAL RÉGIONAL
COUR DE JUSTICE DE L'ONTARIO
RÉGION DE L'OUEST

80, RUE DUNDAS, 10^e ÉTAGE, UNITÉ L
LONDON (ONTARIO) N6A 6A8

TELEPHONE/TÉLÉPHONE (519) 660-2292
FAX/TÉLÉCOPIEUR (519) 660-3138

January 27, 2023

Richard Beachey
Municipality of North Middlesex

Dear Mr. Beachey

**Re: Set Fines - Provincial Offences Act - Part 1
By-law Number 090 of 2022, of the Municipality of North Middlesex**

Enclosed herewith is the original Order and an original schedule of set fines for the above referenced By-Law, the By-law indicated in the schedules.

The setting of the fines does not constitute my approval of the short form of wording used to describe the offences.

Please ensure that a copy of the said documents is forwarded to the Provincial Offences Court in London, together with a certified copy of the By-law.

Yours truly,

A handwritten signature in cursive script that reads "Jeanine LeRoy".

Jeanine E. LeRoy
Regional Senior Justice
West Region
Encl.
/kt

ONTARIO COURT OF JUSTICE

PROVINCIAL OFFENCES ACT

PART I

IT IS ORDERED pursuant to the provisions of the Provincial Offences Act and the rules for the Ontario Court of Justice that the amount set opposite each of the offences in the schedule of offences under the Provincial Statutes and Regulations thereunder and **Municipal By-law No. 090 of 2022, of the Municipality of North Middlesex**, attached hereto are the set fines for those offences. This Order is to take effect January 27, 2023.

Dated at London this 27th day of January, 2023.

A handwritten signature in cursive script, reading "Jeanine LeRoy".

Jeanine E. LeRoy
Regional Senior Justice
West Region

Schedule "E"
Municipality of North Middlesex
By-law # 090 of 2022

Set Fine Schedule

Part 1 Provincial Offences Act

Being a By-law to Provide Regulation, Restriction and Prohibition of Dogs and Animals in the
Municipality of North Middlesex

Item	Short Form Wording	Provision Creating or Defining Offence	Set Fine
1	Having more than two dogs per residence	Section 3.1	\$250.00
2	Failure to remove dog excrement from municipal/private property	Section 3.5	\$250.00
3	Permitting a dog and or animal to run at large	Section 3.7	\$250.00
4	Failure to ensure a dangerous dog is muzzled in a humane manner at all times	Section 3.8(1)(a)	\$500.00
5	Failure to ensure a dangerous dog is on a leash not longer than one (1) meter	Section 3.8(1)(b)	\$250.00
6	Failure to ensure a dangerous dog is under the control of a person over the age or eighteen	Section 3.8(1)(c)	\$250.00
7	Failure to ensure a dangerous dog when on its owner's property is confined indoors or in a locked pen	Section 3.8(2)(a)	\$500.00
8	Failure to prevent or allow a dog to bite or attack a person	Section 3.9(1)(a)	\$650.00
9	Failure to prevent or allow a dog to bite or attack an animal	Section 3.9(1)(b)	\$500.00
10	Failure to renew dog license	Section 4.4	\$150.00
11	Failure to register a dog for a license	Section 4.4	\$150.00
12	Keep Kennel in an urban area of North Middlesex	Section 5.1	\$750.00
13	Failure to comply with Kennel licence requirements	Section 5.5	\$750.00
14	Keep Prohibited Animal	Section 6.1	\$1,000.00 \$800.00
15	Fail to keep dog from barking or howling excessively	Section 9	\$250.00

The general penalty provision for the offences indicated above as s. 10.1 of By-law # 090 of 2022; a certified copy of which has been filed.