

THE CORPORATION OF THE MUNICIPALITY OF PORT HOPE

BY-LAW NO. 60/2022

Being a By-law for the Regulation, Registration, Keeping and Licensing of Dogs, Prohibiting the Running at Large of Dogs and Prohibiting Cruelty to Domestic Animals Within the Municipality of Port Hope and Repeal By-law 20/2020

WHEREAS Section 11 (3) of the *Municipal Act 2001*, S.O. c.25, as amended, municipalities have the authority to pass by-laws to regulate animals;

AND WHEREAS Sections 103 and 105 of the *Municipal Act 2001*, S.O. c.25, as amended, provides authority in respect to the seizure and impounding of dogs found running at large and the muzzling of dogs;

AND WHEREAS the Council of the Corporation of the Municipality of Port Hope deems it desirable to prohibit the running at large of dogs within the Municipality of Port Hope;

AND WHEREAS Subsection 391 (1) of the *Municipal Act 2001*, S.O. c.25, as amended, authorizes a municipality to impose fees or charges on persons for services or activities provided or done or on behalf of it;

AND WHEREAS the Council of the Corporation of the Municipality of Port Hope is desirous of prohibiting cruelty to animals;

AND WHEREAS the Council of the Corporation of the Municipality of Port Hope has entered into an agreement with the Northumberland Humane Society to provide the Municipality with certain animal control services;

NOW THEREFORE the Council of the Corporation of the Municipality of Port Hope enacts as follows:

1. SHORT TITLE:

This By-law shall be referred to as the "Animal Control By-law".

2. DEFINITIONS:

2.1 For the purposes of this By-law the following definitions shall apply:

- a) "Animal" or "Domestic Animal" shall mean any dog or puppy.
- b) "Animal Services" shall mean those services provided under contract by the Northumberland Humane Society (the "Humane Society").
- c) "Dangerous Dog" means a dog that:
 - i) 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; or
 - ii) Has significantly injured a domestic or farm animal; or
 - iii) Has shown the disposition or tendency to be threatening or aggressive to persons or animals; or
- d) "Dog" shall mean a male or female domesticated dog, or any member of the species *Canis familiaris* that is twelve (12) weeks or older.
- e) "Dog Tag" shall mean a metal tag that bears an identification number and is suitable to be securely fixed on an animal for the purpose of identification that is issued by the Municipality, Officer or Animal Services.

- f) "Microchip" means an approved "Canadian Standard" encoded identification device implanted into an animal, which contains a unique code that permits or facilitates access to an Owner's name and address, which is stored in a central database.
- g) "Mitigating Factor" shall mean any circumstance which reasonably excuses aggressive behavior of a dog and may include, but is not limited to:
 - i) the dog was, at the time of the aggressive behavior, acting in defense of an attack by a person or domestic animal, or
 - ii) the dog was, at the time of the aggressive behavior, acting in defense of its young or reacting to a person or domestic animal trespassing on the property of its Owner, or
 - iii) the dog was, at the time of the aggressive behavior, being teased, provoked or tormented.
- h) "Municipality" shall mean the Municipality of Port Hope.
- i) "Owner" shall mean and include any person who owns, possess, harbours or has control, care or custody over a dog an animal as defined herein and, where the Owner is a minor, the person responsible for the custody of the minor.
- j) "Order to Restrain" shall mean the order issued to the Owner by an Officer, where the Officer is satisfied on the balance of probabilities and in the absence of any mitigating factor, that the dog has bitten a person and/or domestic animal, placed a person or domestic animal at risk of physical harm, or behaved in a manner that poses a menace to the safety of persons or domestic animals.
- k) "Officer" shall mean:
 - i) a police officer, including a police officer within the meaning of the Police Services Act, a special constable, a First Nations constable and an auxiliary member of a police force;
 - ii) a municipal law enforcement officer;
 - iii) an animal control officer appointed by the Northumberland Humane Society to enforce the provisions of the Animal Control By-law;
 - iv) an inspector or agent under the Ontario Society for the Prevention of Cruelty to Animals Act; or
 - v) a public peace officer designated as a Officer for the purposes of the Dog Owners' Liability Act.
- l) "Pound" shall mean the premise that are used for the detention and maintenance of dogs that have been impounded, which will be operated and staffed by the Humane Society.
- m) "Protective Care" means the temporary, time-limited keeping of an animal by Animal Services as a result of an eviction, incarceration, fire or medical emergency.
- n) "Running at Large" shall mean any animal as defined herein that is found any place other than the premises of the Owner and is not under control of any person.
- o) "Special Service Dog" shall mean any dog that is individually trained to do work or perform tasks for persons with disabilities and that are registered with an accredited "Service Animal" organization.

- p) "Under Control of a Capable Person" shall mean a dog that is at all times, while the dog is off its Owner's property, on a leash and under care and control and capable of being physically restrained in such a manner as to prevent the dog from biting or attacking a person or other animal and to prevent contact with people and other animals when the dog is off the premise of the Owner.
- q) "Working Dog" shall mean any of various breeds of dogs developed or trained to perform useful work to assist humans (i.e. herding animals, pulling wagons or sleds, livestock guardian, or guarding property) and excludes hunting dogs.

3. LICENSING PROVISIONS:

- 3.1 No person shall own, retain, possess, harbour or keep any dog within the Municipality for longer than fourteen (14) days without obtaining a license from the Municipality, or its agent, in accordance with the provisions of this By-law or in the current year by the Municipality where the dog permanently resides.
- 3.2 Dog tags may be obtained from the Municipality, the Animal Control Officer or Animal Services as outlined in Fees and Charges By-law. All information collected for the purpose of animal control licensing and enforcement shall not be re-purposed without consent.
- 3.3 Every Owner of an animal shall ensure that the dog has a current anti-rabies vaccine and shall produce a Certificate of Proof issued by a qualified veterinarian attesting to an up-to-date rabies vaccine if requested to do so by the Officer.
- 3.4 Every dog tag shall bear the serial number and year in which it was issued and a record shall be kept by the Municipality showing the name and address of the Owner and the serial number of the tag.
- 3.5 Every dog Owner shall cause a dog tag to be securely affixed on the dog at all times (until the tag needs replaced).
- 3.6 Should a dog tag become lost, destroyed or mutilated, the Owner shall upon payment of a Replacement Fee as outlined in the Schedule of Fees established by Animal Services be entitled to the issuance of a replacement tag and license.
- 3.7 Dog tags shall not be transferable and shall expire and become void upon the sale, death or other disposal of the dog. Wherever possible, the tag shall be returned to Animal Services so that the dog may be deleted from the registry.
- 3.8 No person shall have, retain, harbor or have possession of:
 - 3.8.1 more than three (3) dogs within or about any single detached dwelling; or;
 - 3.8.2 more than two (2) dogs within or about any dwelling unit for properties with two (2) or more dwelling units regardless of whether that person is the Owner of the dogs;
 - 3.8.3 Sections 3.8.1 and 3.8.2 shall not apply to a property which is zoned Agricultural, a property possessing a valid kennel license, an approved business and/or veterinary offices.
- 3.9 The Municipality hereby designates Animal Services or their authorized designate or agent for the purpose of licensing animals within the Municipality and all fees shall be remitted as per the agreement with the Northumberland Humane Society.
- 3.10 A Police Services Dog, while engaged in Police duties shall be exempt from provisions of this section of the by-law.

- 3.11 Each dog residing in a dwelling unit requires a dog tag and the following information is required in order to obtain a dog tag:
- 3.11.1 the name, address and telephone number of the Owner;
 - 3.11.2 the name, approximate age of dog;
 - 3.11.3 if the dog is spayed or neutered;
 - 3.11.4 a general description of the dog including its colour, distinguishing marks/physical characteristics and the breed;
 - 3.11.5 payment of the established tag fee as approved and set out in the Schedule of Fees established by the Municipality with the exception of Registered Service Dogs;
 - 3.11.6 whether an Order to Restrain has ever been issued in any Municipality.

4. DOG WASTE:

- 4.1 Every person who owns, retains, possesses, harbours, keeps or is in control of a dog shall immediately remove any excrement or waste left by the dog on any property in the Municipality, and shall dispose of excrement or waste in an appropriate sanitary manner (i.e. properly wrapped in a sealed, leak proof bag and placed in the garbage).

5. DOG OWNER LIABILITY ACT:

- 5.1 It is the declared intention of Council that the Dog Owners' Liability Act shall be enforced under the Provincial jurisdiction, and further that the Animal Control Officers are recognized as Officers under the authority of the *Dog Owners' Liability Act* to ensure the expedient and efficient application of this Act.

6. DANGEROUS DOGS

- 6.1 All Owners shall exercise all reasonable precautions to prevent their dog from:
- 6.1.1 biting or attacking a person or domestic animal;
 - 6.1.2 behaving in a manner that threatens or poses a menace to the safety of persons or domestic animals.
- 6.2 Every Owner of a dangerous dog that has bitten a person or domestic animal shall ensure that said dog is muzzled and leashed while on any property in the Municipality.
- 6.3 Every Owner of a dangerous dog shall keep it indoors or in a secured yard that prevents the dog from escaping over or under the fence or by any other means, and that prevents access by the public. Dangerous dogs shall not be confined only by a chain or tether.
- 6.4 Owners shall post warning signs clearly and visibly on the property where a Dangerous dog is kept.
- 6.5 Animal Services may seize a dog in a public place if the Officer believes on reasonable grounds that:
- 6.5.1 the dog has on one or more occasions bitten or attacked a person or domestic animal;

- 6.5.2 the dog has on one or more occasions behaved in a manner that poses a menace to the safety of persons or domestic animals;
 - 6.5.3 an Owner has on one of more occasions failed to exercise reasonable precautions from carrying out Section 6.5.1 or 6.5.2 as described above;
 - 6.5.4 the dog is a restricted pit bull and the Owner has on one of more occasions failed to comply with the requirements of the legislation or regulations respecting pit bulls;
 - 6.5.5 there is reason to believe that the dog may cause harm to a person or domestic animal.
- 6.6 Where the Owner objects to the muzzling or leashing requirements set forth in Section 6.2 above, the Owner may request and is entitled to a Hearing by the Appeal Body.

7. ORDER TO RESTRAIN:

- 7.1 Where the Officer is satisfied on the balance of probabilities and in the absence of any mitigating factor, that a dog has placed a person or domestic animal at risk of physical harm or behaved in a manner that poses a menace to the safety of persons or domestic animals the Officer may issue an Order to Restrain to the Owner, as set out in Schedule "A" of this By-Law. Every person shall comply with such an Order to Restrain.
- 7.2 An Order to Restrain shall be served upon the dog's Owner by delivering it personally to the Owner or to an inhabitant of the Owner's usual place of residence who appears to be at least 18 years of age.
- 7.3 Notwithstanding other Sections of this By-law, when an Order to Restrain has been served on the Owner, and at the discretion of the Officer the Owner shall as indicated on the Order:
 - 7.3.1 keep the dog, when on the Owner's premises, confined within the dwelling and under the effective control of an adult, or in a secured yard that prevents the dog from escaping over or under the fence or by any other means, or enclosed in a pen constructed with a secure top, sides and bottom, so as to prevent escape of the dog and prevent entry therein by the public;
 - 7.3.2 when not confined in accordance with paragraph (7.3.1), to keep the dog under the effective control of an adult person and on a leash of not more than 1.8 metres (6 feet) in length;
 - 7.3.3 ensure that the dog is muzzled at all times when it is not confined in accordance with paragraph 7.3.1;
 - 7.3.4 provide proof that the dog has been permanently identified (i.e. microchipped) within 30 days of receipt of the Order to Restrain.
 - 7.3.5 notify Animal Services within two working days of moving the dog (new address and phone number), selling the dog, giving the dog away, or death of the dog;
 - 7.3.6 immediately advise Animal Services if the dog is at large, or has bitten or attacked any person or domestic animal;
 - 7.3.7 display warning signs that are clearly visible on the property of the presence of a dog.
 - 7.3.8 if not already licensed, licence and register the dog with Animal Services within seven (7) days of receipt of the Order;

- 7.3.9 not contravene any other conditions imposed in the Order to Restrain.
- 7.4 Animal Services shall maintain a record of all Orders to Restrain and shall notify the Municipality and local police authority of the issuance of the Order to Restrain and shall supply a copy of such Order to the Municipality and local police authority.
- 7.5 Any Owner that fails to comply with the requirements of the Order to Restrain shall pay the set fine or permanently surrender the dog to Animal Services.
- 7.6 No person shall hinder or obstruct, nor attempt to hinder or obstruct, either directly or indirectly, an Officer, employee of the Municipality and/or agent in the lawful exercise of a power or duty under this by-law.
- 7.7 Every person shall comply with any Order or Notice issued under the authority of this by-law.
- 8. ORDER TO RESTRAIN – APPEAL:**
- 8.1 Any Owner to whom an Order to Restrain has been issued may inform Animal Services in writing that they intend to appeal the Order within seven (7) days of being served notice.
- 8.2 Upon payment of the Hearing Fee the Owner may request and is entitled to a hearing by the Appeal Body.
- 8.2.1 By Resolution, the Municipality will identify and appoint the Appeal Body for a term to be described in the Resolution.
- 8.2.2 The Appeal Body will determine the format to which it will hold hearings and ensure procedural fairness.
- 8.3 A request by the Owner for a hearing under this Section shall be made in writing and delivered to the Clerk within fifteen (15) days of the Owner receiving the Order to Restrain.
- 8.4 Upon determination of the hearing date the Municipality shall give notice in writing to the Owner that:
- 8.4.1 includes a statement of the time, date, place and purpose of the hearing, and;
- 8.4.2 includes a statement that if the Owner does not attend the hearing, the Appeal Body may proceed in the absence of the Owner and the Owner will not be entitled to any further notice.
- 8.5 The notice of hearing referred to in this Section may be given by delivering it personally or sending it by prepaid registered mail to the Owner at the Owner's last known address on file with the Municipality. When service is made by registered mail, the service shall be deemed to be made on the fifth (5th) day after mailing.
- 8.6 The Appeal Body shall hold a hearing at the time, date and place set out in the notice referred to in this section and the Appeal Body may:
- 8.6.1 exempt the Owner from muzzling and/or leashing requirements,
- 8.6.2 confirm muzzling and/or leashing requirements,
- 8.6.3 vary muzzling and/or leashing requirements and other requirements of the Order, or

- 8.6.4 combine any exemption confirmation or variance as it sees fit.
- 8.7 The decision of the Appeal Body shall be final and binding.
- 8.8 An application made by the Owner for a hearing under this Section does not act as a stay of the Order to Restrain which shall take effect on the day it is served or deemed served, and shall continue to be effective until the Appeal Body renders a decision indicating otherwise.
- 8.9 If an Owner fails to appear at such hearing, the Order to Restrain shall be deemed to be in full force and effect as if no appeal had been filed.
- 8.10 Despite subsections 7.3.3 and 7.3.4, an Owner who has requested a hearing in compliance with section 8.1 shall not be required to have their dog implanted with a microchip until 30 days after a decision of the committee confirming these requirements.

9. ANIMALS AT LARGE:

- 9.1 No Owner of any animal shall cause or permit an animal to run at large within the limits of the Municipality unless it can be proven that the animal is a 'Working Dog'.
- 9.2 Every person shall keep control of a dog when not on a property owned or occupied by its Owner or with the express permission of the Owner or occupant of that property or with its guardian at a leash free park by:
- 9.2.1 keeping a dog on a leash
- 9.2.2 ensuring the person holding the leash has the skills and ability to control the dog all times.
- 9.3 An Officer may seize and impound any animal found running at large and deliver same to the Animal Services facility.
- 9.4 Any person may restrain at their own risk any animal found at large on their property, or at large on public property, and surrender the animal to the custody of an Officer or Animal Services,
- 9.5 Where an animal seized under this By-law is injured, or should be destroyed without delay for humane reasons or for reasons of safety to persons or animals, Animal Services may euthanize the animal in a humane manner at the Officer's discretion and no damages or compensation shall be recovered by the Owner of the animal for such action.
- 9.6 An Owner who has been notified that their animal has been impounded shall attend or contact Animal Services within four (4) days to obtain the animal and pay the prescribed fees and penalties.
- 9.7 Where an animal's Owner has been notified of the impoundment and fails to contact or attend Animal Services within four (4) days, the Owner of said animal shall be assessed and invoiced a four (4) day impoundment fee, veterinarian or medical fees, a surrender fee or any other relevant fees or charges.
- 9.8 Where an animal is captured or taken into the custody of Animal Services, including by order of a court, or under the direction of the local police services, the Owner shall pay to Animal Services all applicable fees and charges, including the cost of the services of a veterinarian, whether the animal is alive, dies or is euthanized.
- 9.9 Where an injured animal is impounded or otherwise detained and requires the immediate attention of a Veterinarian, Animal Services may deliver the injured animal to a Veterinarian for treatment or euthanization and the

Owner, if known, shall be responsible for all costs incurred. No damages or compensation shall be recoverable by the Owner or any other person.

10. REDEMPTION OF AN ANIMAL:

- 10.1 The Owner of an animal impounded shall be entitled to redeem the animal within four (4) days from the time of impoundment, exclusive of the day of impoundment, statutory holidays and days during which Animal Services is otherwise closed, upon paying the applicable fees and charges prescribed including medical costs.
- 10.2 The Owner of a dog impounded shall produce a valid dog tag license for the dog. If no valid dog tag license can be produced, the Owner shall purchase a dog tag license before possession is returned to the Owner and the Animal Control Officer shall submit records of the registration and fees to the Municipality.
- 10.3 Where an animal that is impounded is not claimed by the Owner within the redemption period, the animal shall become the property of Animal Services who may:
 - 10.3.1 sell the animal in accordance with the adoption fees established by Animal Services;
 - 10.3.2 dispose of the animal in accordance with Northumberland Humane Society policies and practices.
- 10.4 No person shall forcibly retrieve an animal from Animal Services or an Officer.
- 10.5 No person shall remove or retrieve an animal from Animal Services without payment in full of all applicable fees and charges as established.

11. SURRENDERING OF ANIMALS:

- 11.1 An Owner of an animal may give up Ownership of the animal to alleviate an Animal Control issue by surrendering the animal at the Animal Services facility.
- 11.2 Where an Owner has surrendered an animal to Animal Services, the Owner is deemed to have relinquished all rights of Ownership and possession of the animal. The Owner shall pay the appropriate fees as established by the Municipality in this or any other By-law. All surrendered animals shall become the property of Animal Services and may be kept or disposed of as deemed appropriate and shall not be redeemed.

12. PREVENTION OF CRUELTY TO ANIMALS

- 12.1 No person shall keep any domestic animal unless the animal is provided with:
 - 12.1.1 clean potable drinking water in spill proof container at all times and suitable food of sufficient quantity and quality to allow for normal growth and the maintenance of normal body weight;
 - 12.1.2 food and water receptacles kept clean and disinfected and location so as to avoid contamination by excreta;
 - 12.1.3 the opportunity for periodic exercise sufficient to maintain good health;
 - 12.1.4 necessary veterinary medical care when the animal exhibits signs of pain or suffering.

- 12.2 No person shall keep any domestic animal outside for extended periods of time, unless the animal is provided with outside shelter. The shelter must be weatherproof with an exterior windbreak and exterior door flap. The shelter must face away from the prevailing wind and be elevated off the ground. The shelter must be insulated:
- 12.2.1 to ensure protection from heat, cold and wet;
 - 12.2.2 that is appropriate to the animal's weight and type of coat;
 - 12.2.3 that provides sufficient space to allow the animal toe ability to turn about freely and to easily stand, sit and lie in a normal position;
 - 12.2.4 that provides sufficient shade to protect the animal from direct rays of the sun at all times;
 - 12.2.5 that is regularly cleaned and sanitized and all excreta removed.
- 12.3 No person shall tether, fasten, chain, tie, or restrain a dog to any dog house, tree, fence, or other stationary object for an extended period of time. A person may temporarily tether a dog no longer than is necessary for the person to complete a temporary task.
- 12.4 No person shall cause a domestic animal to be confined in an enclosed space without adequate ventilation.
- 12.5 No person shall allow any domestic animal to suffer from any infectious disease.
- 12.6 Animal Services is authorized to receive animals into protective care as a result of an animal owner's eviction, incarceration, or as a result of a fire or medical emergency, or for any other situation that Animal Services deems appropriate.
- 12.7 Animals which are received into protective care by Animal Services shall only be kept on a temporary basis for up to a maximum of five days.
- 12.8 When Animal Services receives an animal into protective care, the owner of the animal shall pay to Animal Services the per diem sheltering fees as outlined in the fee schedule and all costs incurred on behalf of such animal by Animal Services for all required veterinary medical care prior to redeeming the animal.
- 12.9 If an animal is in protective care at the end of the five-day period and the animal has not been redeemed by the owner, then Animal Services shall treat such animal as a day-one impounded animal pursuant to this by-law.

13. PENALTIES:

- 13.1 Every person who contravenes any provisions of this By-law is guilty of an offence and upon conviction is liable to a fine and such penalties as provided in the *Provincial Offences Act* or the *Dog Owners Liabilities Act*.
- 13.2 Pursuant to the authority established in section 429(2) of the Municipal Act, S.O. 2001, c.25, every person who contravenes any provision of this By-law is guilty of an offence and upon conviction pursuant to Part III of the Provincial Offences Act, R.S.O. 1990, Chapter P.33, as amended, shall be subject to the following penalties:
- a) Upon a first conviction – Failure to comply with Order to Restrain - \$350.00

b) Upon a second conviction – Failure to comply with Order to Restrain - \$500.00

13.3 Notwithstanding the provisions of this Section, the Officer may, in lieu of laying an information, with in respect to a dog being at large, issue a Violation Notice to the Owner.

14. VALIDITY

14.1 If any Section, clause or provision of this By-law is for any reason declared by a Court of competent jurisdiction to be invalid, the same shall not affect the validity of the By-law as a whole or any part thereof, other than the section, clause or provision so declared to be invalid and it is hereby declared to be the intention of Council that the remaining sections, clauses or provisions of the by-law shall remain in full force and effect until repealed, notwithstanding that one or more provisions of this by-law shall have been declared to be invalid.

15. No person shall hinder or obstruct, nor attempt to hinder or obstruct, either directly or indirectly, an Officer, employee of the Municipality and/or agent in the lawful exercise of a power or duty under this by-law.

16. Every person shall comply with any Order or Notice issued under the authority of this By-law.

17. THAT By-law 20/2020 is hereby repealed.

18. THAT this By-law shall come into force and take effect on the date it is passed by the Council of the Corporation of the Municipality of Port Hope.

READ A FIRST, SECOND and THIRD time and finally passed in Open Council this 6th day of September, 2022.

Bob Sanderson, Mayor

Brian Gilmer, Clerk

Schedule "A" to By-law No. 60/2022

ORDER TO RESTRAIN

Name of Municipality and By-law No. _____

To (Name of Owner): _____

Address: _____

Telephone : _____

I, _____, an Officer appointed by the
Northumberland Humane Society / Municipality of Port Hope, have reasonable grounds
to believe that the dog
described as Breed: _____ Colour: _____

Age: _____ Name: _____ Microchip: _____

and residing at _____
has bitten or attacked a person or another domestic animal; placed a person or domestic
animal at risk of physical harm; or behaved in a manner that poses a menace to the
safety of persons or domestic animals, as per the provisions of the By-law No.
_____ (Municipality By-law number].

You are hereby ordered as indicated below:

- To keep the dog, when on the Owner's premises, confined within the dwelling and under the effective control of an adult, or enclosed in a pen constructed with a secure top, bottom and sides. The pen shall provide humane shelter for the dog, while preventing escaping therefrom and preventing any entry therein of unsupervised persons.
- To keep the dog under effective control of an adult and on a leash of not more than 1.8 metres (6 feet) in length when it is not confined as noted above. Flexi leads are not permitted.
- To securely attach a muzzle to the dog at all times when it is not confined as noted above
- Provide proof that the dog has been permanently identified (microchipped) within 30 days of receipt of the Order to Restrain.
- Notify Animal Services within two working days of moving the dog (new address and phone number), selling the dog or giving the dog away;
- To advise Animal Services within two days of the death of the dog.
- To advise Animal Services immediately if the dog is running at large, or has bitten or attacked a person or a domestic animal.
- To display a sign of warning of the presence of the dog at the front of the house where it can not be easily removed, but is visible to any person who may enter onto the property. The Officer must approve such sign.

This **ORDER TO RESTRAIN** takes effect immediately.

If you wish to **APPEAL** this Order to Restrain you must apply to the Clerk of the _____ within seven (7) days from the date this Order to Restrain is received by you setting out your request for a hearing which shall include the reasons for appealing this Order to Restrain, and the payment of the hearing fee in the amount of **\$100.00**, failing which this Order to Restrain is final and binding.

Please be advised that notwithstanding that you may apply for a hearing regarding this Order to Restrain, this Order to Restrain takes effect immediately upon its receipt by you and remains in effect for so long as the dog shall live unless the Appeal Body makes a decision on an appeal to rescind this Order to Restrain, in which case this Order to Restrain remains in effect until the date a decision is issued by the Appeal Body

A full copy of By-law No. _____, being a by-law of the _____ for the regulation, registration, keeping and licensing of dogs and prohibiting the running at large of animals and prohibiting cruelty to domestic animals is available from the Clerk of the _____ during normal business hours.

It is RECOMMENDED that you obtain a copy of the By-law in order to be more fully aware of your rights and obligations in this matter and the basis for the issuing of this Order to Restrain.

DATED at the _____ this _____ day of _____, 20_____.

Officer for the Municipality of _____

For purposes of By-law No. _____

(Signature) of
Issuing Animal Control Officer

(Print) Name of
Issuing Animal Control Officer

SCHEDULE 'B' to By-law 60/2022

**ORDER TO RESTRAIN
Appeal Hearing Fee**

Item	Fee
Order to Restrain Appeal Hearing Fee	\$100.00

**Municipality of Port Hope
Part 1 Provincial Offences Act
SET FINES SCHEDULE
By-law 60/2022: Animal Control**

***The Regulation, Registration, Keeping and Licensing of Dogs, Prohibiting
The Running at Large of Dogs and Prohibiting Cruelty to Domestic Animals
Within the Municipality of Port Hope***

Item	Column 1 Short form Wording	Column 2 Provision Creating or Defining Offence	Column 3 Set Fine
1.	Own, possess, harbour dog – no licence	Section 3.1	\$100.00
2.	Failure to produce rabies vaccination certificate	Section 3.3	\$100.00
3.	Failure to affix dog tag	Section 3.5	\$100.00
4.	Keep more than permitted number of dogs.	Section 3.8	\$200.00
5.	Failure to Clean Up Excrement	Section 4.1	\$100.00
6.	Failure to muzzle or leash a dangerous dog	Section 6.2	\$250.00
7.	Fail to comply with order to restrain	Section 7.1	\$150.00
8.	Failure to notify Animal Services of changes to owner information	Section 7.3.5	\$100.00
9.	Animal at large	Section 9.1	\$150.00
10.	Failure to restrain a dog in public	Section 9.2	\$150.00
11.	Every person who keeps any domestic animal shall ensure the animal is provided with:	Section 12.1	\$250.00
12.	Failure to provide adequate shelter	Section 12.2	\$250.00
13.	Confine animal in unsuitable condition	Section 12.4	\$250.00

Note: The general penalty provision for the offences listed above is Section 13 of By-law 60/2022, a certified copy of which has been filed, and s. 61 of the Provincial Offences Act, R.S.O. c.P.33