

THE CORPORATION OF THE TOWNSHIP OF CASEY

BY-LAW 2008-724

Being a By-law to regulate the control and being at large of other animals, for the impoundment and destruction in certain instances; the provision of penalties for infractions of this By-law; and certain other aspect of animal control within the Corporation of the Township of Casey

WHEREAS Section 8 of the Municipal Act, 2001 states that a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority;

AND WHEREAS the Municipal Act, 2001 (S.O. 2001.), Section 11 authorizes the Council of a single-tier municipality to pass by-laws respecting matters within spheres of jurisdiction;

AND WHEREAS in accordance with Section 103 of the Municipal Act S.O. 2001, Chapter M.45 as amended, council may pass such by-laws of the municipality with respect to the being at large or trespassing of animals;

AND WHEREAS the Council of the Corporation of the Township of Casey deems it expedient to prohibit the being at large of animals, other than dogs, within the Township of Casey.

NOW THEREFORE the Council of the Township of Casey enacts as follows:

1. **DEFINITIONS:**

In this By-law:

- (a) "Dog" shall mean any dog, male or female, of the domesticated canine species from the time of weaning.
- (b) "Animal" shall mean any mammal, bird and reptile, other than a dog or cat.
- (c) "Livestock" shall mean cattle, goats, horses, rabbits, sheep or swine.
- (d) "Poultry" includes a game birds where the game birds are kept pursuant to a licence under the Game and Fish Act.
- (e) "at large" means any animal, livestock, and poultry found in any place other than the premises of the owner or tenant and not under the control of any person.

2. **ENFORCEMENT:**

The provisions of this by-law shall be enforced by the person or persons appointed by Council from time to time, including the appointed pound keeper.

3. **ANIMALS BEING AT LARGE:**

- (a) the being at large of animals, livestock and poultry within the Township of Casey is prohibited, and the owner of any animal, livestock and poultry so found being at large shall be guilty of a breach of this by-law and is liable to the penalty provided in section 4 hereof.
- (b) the persons appointed by Council to enforce the provisions of this by-law may seize and impound every animal being at large contrary to the provisions of this by-law.

- (c) It shall be the duty of the pound keeper to provide suitable quarters in which to keep in a humane manner all the animals that he/she may seize and impound or which may be brought to him for disposal under the provisions hereof. The pound keeper shall keep an accurate account of all animals placed in the pound, including the date of receipt, times of feeding and watering, manner of final disposal of the animal and any amount received by way of redemption fees and/or sales, the names and address of purchasers, and any other particulars that the Clerk of the Township of Casey may advise.
- (d) Every animals so seized and impounded under the provisions of subsections (b) hereof shall be confined in the pound for seventy-two (72) hours and at the end of such period may, if not redeemed by the owner under subsection (e) hereof, be sold.
- (e) the owner of every animal seized and impounded under the provisions of this by-law may redeem the animal at any time prior to its disposal or sale by the pound keeper by paying into his hands or to the Treasurer of the Township of Casey the penalty provided in Section 4 hereof and all expenses incurred in carrying out the provisions of this by-law with respect to that animal.

4. **PENALTY:**

Any person who contravenes any provisions of this by-law or any part thereof shall be liable to a penalty not exceeding three hundred dollars (\$300) exclusive of costs, which may be paid to the pound keeper or the Treasurer of the Corporation of the Township of Casey as the voluntary payment of penalties out of court. If voluntary payment is not made in accordance with these procedures, and upon conviction, the fine is recoverable under the Provincial Offences Act.

5. **REPEAL PROVISION:**

All by-laws or parts of by-laws heretofore passed inconsistent with the provisions hereof and respecting the control of and being at large of other animals, the taking up and impounding and the destruction of other animals in the Township of Casey are hereby repealed.

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED This 9th day of April 2008.



Reeve



Clerk-Treasurer