

THE CORPORATION OF THE TOWNSHIP OF MONTAGUE

BY-LAW NO. 4214-2026

BEING a by-law to regulate the keeping and licencing of animals within the Township of Montague

WHEREAS Section 11(3) of the *Municipal Act, 2001, S.O. 2001, c. 25*, provides that a municipality may pass by-laws respecting animals;

AND WHEREAS the Council of the Corporation of the Township of Montague deems it desirable to establish regulations that support the humane treatment of animals;

AND WHEREAS Section 103 of the *Municipal Act, 2001, S.O. 2001, c. 25*, confers the power upon a municipality to pass a by-law to provide for the seizure and impounding of animals being at large or trespassing, and the sale of impounded animals under certain conditions;

AND WHEREAS Section 436 of the *Municipal Act, 2001, S.O. 2001, c. 25*, provides that a municipality has the power to pass by-laws providing that the municipality may enter on land at any reasonable time for the purpose of carrying out an inspection to determine compliance with a municipal by-law;

AND WHEREAS Section 444 of the *Municipal Act, 2001, S.O. 2001, c. 25*, provides that a municipality may make an order requiring a person who contravened a by-law, or who caused or permitted the contravention, or the owner or occupier of the land on which the contravention occurred, to discontinue the contravening activity;

AND WHEREAS Section 445 of the *Municipal Act, 2001, S.O. 2001, c. 25*, provides that a municipality may make an order requiring the person who contravened the by-law, or who caused or permitted the contravention, or the owner or occupier of the land on which the contravention occurred, to do work to correct the contravention;

AND WHEREAS Section 20 of the *Animals for Research Act, R.S.O. 1990, c. A.22*, provides for the impounding and sale or destruction of any dog, pursuant to the provisions thereof;

AND WHEREAS Section 15 of the *Police Services Act, R.S.O. 1990, c. P.15*, provides that Council may appoint Municipal Law Enforcement Officers to enforce municipal by-laws;

AND WHEREAS Section 40 of the *Fish and Wildlife Conservation Act, 1997, S.O. 1997, c. 41*, prohibits the keeping of live game wildlife or live specially protected wildlife in captivity;

AND WHEREAS the *Dog Owners' Liability Act, R.S.O. 1990, c. D.16*, provides that dog owners are held strictly liable for any damage or injury caused by their dog(s);

AND WHEREAS *R.R.O. 1990, Reg 567: Rabies Immunization* under the *Health Protection and Promotion Act, R.S.O. 1990, c. H.7*, provides that every owner or person having the care or custody of certain animals are to ensure that such animals are immunized against rabies;

AND WHEREAS Section 21 of the *Animal Health Act, 2009, S.O. 2009, c. 31*, provides inspectors with the authority to issue quarantine orders when certain hazards are identified.

NOW THEREFORE the Corporation of the Township of Montague hereby enacts as follows:

PART I – DEFINITIONS AND INTERPRETATION

Section 1 - Definitions

"Accessibility for Ontarians with Disabilities Act" means the *Accessibility for Ontarians with Disabilities Act, 2005, S.O. 2005, c. 11*, as amended, and any regulation passed thereunder.

"Animal" means any member of the animal kingdom, other than a human.

"Animal Shelter" means any premises authorized by the Township for the purpose of impounding and caring of and lawful adoption of animals.

"Animals for Research Act" means the *Animals for Research Act, R.S.O. 1990, c. A.22*, as amended, and any regulation passed thereunder.

"Appeal Committee" means the committee comprised of two (2) appointed members of Council, the Clerk or designate, and a Municipal Law Enforcement Officer appointed by the Township to provide animal control and/or by-law enforcement services, to make recommendations to Council regarding the Township's Animal Control By-law 4214-2026, as amended.

"At Large" means any animal that is off the property or premises of its owner and not under the control of a competent person capable of controlling the dog, and the term "Running at Large" has a similar meaning.

"Attack" means an assault resulting in bleeding, bone breakage, sprains, scratches, or bruising, and "attacked" or "attacking" have a corresponding meaning.

"Bite" means a wound to the skin causing it to puncture or break.

"Clerk" means the appointed Clerk of the Township of Montague, or their designate.

"Competent Person" means a person having the skills and ability to securely and effectively handle and control a dog, so as to prevent unwanted contact with another person or domestic animal.

"Control" means a person having, at all times, the ability to manage, direct, restrict and restrain the movement of an animal, excluding electronic collars and fences.

"Dangerous Dog" means any dog that:

- (a) has killed a domestic animal without provocation while off the owner's property; OR
- (b) has bitten or injured or attacked a human being or domestic animal without provocation on public or private property; OR
- (c) is attack trained; OR
- (d) has shown the disposition or tendency to be threatening or aggressive; OR
- (e) has been declared dangerous by another Municipality, State, Province, Country.

"Dog" means a member of *Canis Familiaris*, male or female, four (4) months of age or older and shall not include a wolf or fox or any other wild or part wild species of *Canis Familiaris*.

"Dog Owners' Liability Act" (also known as D.O.L.A.) means the *Dog Owners' Liability Act, R.S.O. 1990, c. D.16*, as amended, and any regulation passed thereunder.

"Domestic Animal", for the purpose of this by-law, means a dog.

"Exhibition" means an exhibition of animals permitted and/or prohibited by this By-law.

"Farm" means a farm residence, farm buildings and accessory uses and structures and land used for the tillage of soil, the growing of vegetables, fruits, grains, and other staple crops and includes land used for livestock raising, raising of other animals for food, fur or fibre, dairying, woodlots, horticultural crops, fish farming and beekeeping and shall include an intensive farm and a limited farm.

"Grandfathered Pit Bull" means a pit bull as defined under the *Dog Owners' Liability Act*, either born in Ontario between August 29th, 2005, and November 26th, 2005, or owned by a resident of Ontario on August 29th, 2005.

"Grandfathered Prohibited Dog" means a dog deemed vicious or dangerous by the By-Law Enforcement Officer under By-law 2752-2003, prior to August 1st, 2023.

"Health Protection and Promotion Act" means the *Health Protection and Promotion Act, R.S.O. 1990, c.H.7*, as amended, and any regulation passed thereunder.

"Immunize" means to protect against disease by inoculation of immunizing serums and vaccines, and the words "immunized" and "immunization" have a similar meaning.

“Keep” means to have temporary or permanent control or possession of an animal, and the words “kept” or “keeping” have a similar meaning.

“Kennel” means a premises where: (a) greater than three (3) dogs, four (4) months of age or older are kept; or (b) dogs are bred/boarded for profit. It shall not apply to the keeping of animals in a veterinary establishment for the purpose of observation and/or recovery necessary for veterinary treatment, or for the keeping of police dogs, M.N.R.F dogs, or livestock guardian dogs, as defined in this by-law.

“Land” (see **“Lot”**)

“Leash” means any form of material lead or restraint which does not exceed 1.8 metres (6 feet) in length and has the capability to prevent an animal from making unwanted contact with persons or other animals.

“Licensing Officer” means the Clerk for the Township, or their designate.

“Livestock” means beef cattle, birds, dairy cattle, deer and elk, fur-bearing animals, game animals, goats, horses, poultry, ratites, sheep, swine, and other animals as identified in OMAFA’s Minimum Distance Separation Guidelines.

“Livestock Guardian Dog” means a dog that is tasked with protecting livestock from predators and lives with a flock or herd of livestock.

“Lot” shall mean a parcel or tract of land which is capable of being legally conveyed in accordance with the provisions of the *Planning Act*, and the words “land” and “property” have a similar meaning.

“M.N.R.F. Dog” means a dog trained specifically for Ministry of Natural Resources and Forestry duties as defined in its Act and so utilized by the Ministry of Natural Resources and Forestry.

“Medical Officer Of Health” means the Medical Officer of Health for Lanark County or any person acting under his or her authority.

“Microchip” means an approved “Canadian Standard” encoded identification device that is implanted into an animal, which contains a unique code that permits or facilitates access to owner information, including the name and address of the owner, which is stored in a central database.

“Municipal Law Enforcement Officer” means a person appointed by By-law of the Municipality for the purposes of enforcing the provisions of this By-law, pursuant to Section 15 of the *Police Services Act*.

“Muzzle” means a humane fastening or covering device of adequate strength placed over the mouth of an animal to prevent it from biting, and the words “muzzled” and “muzzling” shall have a similar meaning.

"Non-Resident Dog" means a dog that is visiting the Township for a period of no longer than thirty (30) days and is restricted to no more than two (2) non-resident dogs on a premises or lot, unless approved by the Township.

"Nuisance Animal" means any animal found to be causing a common nuisance, irritation, annoyance or bother to other persons or other animals by being at large, trespassing on private property, chasing, barking, whining, howling, or making any other excessive animal noise.

"Ontario Provincial Police" means the Police service in effect for the Township of Montague.

"Owner" means and includes any person who possesses, harbours, or keeps an animal, and where the owner is a minor, the person responsible for the custody of the minor, and includes a person who is the temporary keeper or is in control of an animal. "Owns" or "owned" shall have a corresponding meaning.

"Parkland" means land owned or leased by the Township and set aside for park purposes.

"Pet Shop" means an establishment where animals, birds, and fish, other than those listed in Schedule "B" of this By-law, are kept and sold as pets.

"Petting Zoo" means a collection of animals that individuals may pet and feed and that are not prohibited animals.

"Pit Bull" means a Pit Bull as defined under the *Dog Owners' Liability Act*;

"Prohibited Dog" means:

- (a) a dog that has been deemed Dangerous by the Township's Municipal Law Enforcement Officer as defined in this By-law;
- (b) a dog that has been deemed/declared dangerous/vicious/prohibited by another Municipality, State, Province, Country.

"Play Structure" means a swing, slide, spring-mounted riding toy, climbing equipment, playhouse, sandbox, teeter-totter, and the area maintained under the play structure, if any.

"Police Dog" means a dog trained specifically for active police duties by the Ontario Provincial Police and does not include a retired canine.

"Police Services Act" means the *Police Services Act, R.S.O. 1990, c. P.15*, as amended, and any regulations passed thereunder.

"Pound" means the facility designated by the Township which is used for the temporary housing and care of animals that have been impounded pursuant to this By-law.

"Premises" means a house or building, together with its land and outbuildings, and includes additional dwellings and/or dwelling units located on the same parcel of land.

"Prohibited Animal" shall mean any animal or category of animal that is forbidden to be kept, bred or raised in the Township of Montague as listed in Schedule "B" to this By-law.

"Property" (see "Lot")

"Provincial Animal Welfare Services Act" means the *Provincial Animal Welfare Services Act, 2019, S.O. 2019, c. 13*, as amended, and any regulations passed thereunder.

"Provincial Offences Act" means the *Provincial Offences Act, R.S.O. 1990, c. P.33*, as amended, and any regulations made thereunder.

"Registration Period" means the period from January 1st to December 31st of each year.

"Service Animal" means an animal described in subsection 80.45(4) of *O.Reg 191/11: Integrated Accessibility Standards*, under the *Accessibility for Ontarians with Disabilities Act*. Service dogs are exempt from the payment of all applicable license fees, pursuant to this By-law, but are required to be licensed and wear the current year's ID tag issued by the Licensing Officer.

"Sterilized" means spayed or neutered.

"Tether" means a rope or chain or similar restraining device that prevents an animal from moving away from a localized area, and the words "tethered" and "tethering" have a similar meaning.

"Threatening or Aggressive" means any behaviour by a dog that unduly intimidates a person or domestic animal and includes snarling, growling, or pursuing a person or domestic animal in a menacing manner.

"Township" means The Corporation of the Township of Montague.

"Veterinarian" shall mean a licensed professional regulated by the College of Veterinarians of Ontario.

"Veterinary Hospital" shall mean any establishment maintained and operated by a licensed veterinarian for the diagnosis and treatment of disease and injuries of animals and birds.

"Without provocation" means in the absence of teasing, tormenting, abusing or assaulting actions upon the dog, or its owner, either in the past or the present, by the person or domestic animal who sustained the bite or attack.

"Zoning By-law" shall mean Comprehensive Zoning By-law 4070-2024 of the Township of Montague, as may be amended from time to time, or any subsequent Comprehensive Zoning By-law passed under Section 34 of the *Planning Act*.

Section 2 - Interpretation

- 2.1 This By-law includes the following Schedules, annexed hereto, and said Schedules are hereby declared to form part of this By-law.
- Schedule "A" – Dog and Kennel Registration Fees
 - Schedule "B" – Prohibited Animals
 - Schedule "C" – Penalties
- 2.2 A Decision of a Court of Law that one or more provisions of this By-law are invalid in whole or in part, does not affect the validity, effectiveness, or enforceability of the other provisions of this By-law.

PART II – CARE OF ANIMALS

Section 3 - Responsibility to Care for Animals

- 3.1 Every person who keeps an animal within the Township shall ensure that such animal is provided with:
- (a) A clean and sanitary environment, free from an accumulation of fecal matter;
 - (b) Adequate and appropriate care, food, water, shelter, and opportunity for physical activity.
- 3.2 Every person who keeps an animal within the Township shall ensure that such animal is not kept under conditions where an accumulation of fecal matter, odour, insect, or rodent attractants disturb or are likely to disturb the enjoyment, comfort, convenience of a person, or may endanger the health of any person or animal.
- (a) Subsection 3.2 does not apply to livestock kept in accordance with the provisions of the Township's current Zoning By-law and any applicable Provincial legislation and/or regulations.

Section 4 - Tethers

- 4.1 No person shall keep an animal tethered on a rope, chain, or similar restraining device unless:
- (a) the tether is of appropriate length for the species tethered;
 - (b) the animal has unrestricted movement within the range of such tether; and
 - (c) the animal cannot injure itself as a result of the tethering.
- 4.2 Despite subsection 4.1(a), in the case of dogs, the tether shall be a minimum of three (3) metres, or ten (10) feet, in length, provided that the tether does not permit the animal to go beyond the limits of the person's premises.

- 4.3 Despite subsection 4.1, no person shall keep an animal tethered where a choke collar, choke chain, pronged collar, or any type of slip collar or slip lead, forms part of the tether.

PART III – DOGS

Section 5 - Number of Dogs Restricted

- 5.1 No person(s) in the Township shall keep, on any premises, more than a combined total of (3) three dogs, regardless of the number of dwellings, rental units, or persons residing on the premises.
- 5.2 Subsection 5.1 does not apply to:
- (a) a kennel, as defined herein, that is registered with the Township;
 - (b) a veterinary hospital;
 - (c) a pet store;
 - (d) an Ontario Humane Society shelter or pound;
 - (e) any dog under the age of four (4) months;
 - (f) livestock guardian dogs on properties zoned for agricultural purposes;
 - (g) non-resident dogs that are visiting the Township for a period of not longer than thirty (30) days, provided that:
 - (i) no more than two (2) non-resident dogs are permitted on a premises, unless approved by the Township;
 - (ii) such animals are to be kept within a building or vehicle, or under restraint by the owner by means of a leash not measuring more than 1.8 metres (6 feet) in length;
 - (iii) such animal(s) must have valid pet identification and licensing, to the satisfaction of the Township;
 - (iv) such animal(s) must be duly immunized for rabies within the last twelve (12) months; and
 - (v) non-resident dogs that have been declared dangerous or prohibited by any municipality are prohibited.

Section 6 - Registration

- 6.1 The owner of every dog four (4) months of age or older, within fourteen (14) days of him/her becoming such, shall:
- (a) register the dog with the Township, and pay an annual tag and registration fee, as set out in Schedule "A";
 - (b) keep the dog identification tag, issued by the Township, securely affixed on the collar or harness of the dog at all times, unless:
 - i. The dog is microchipped; or
 - ii. the dog is a police dog, M.N.R.F. dog or livestock guardian dog, during the course of fulfilling their duties;

- (c) obtain a replacement tag, and pay the fee as set out in Schedule "A", in the event that such tag is damaged or lost.
- 6.2 Every applicant for dog registration shall provide to the Licencing Officer the following information:
- (a) name, address and telephone number of the dog owner;
 - (b) name, age, gender, breed and colour of the dog;
 - (c) confirmation of microchipping, if applicable;
 - (d) confirmation of sterilization, if applicable;
 - (e) confirmation that the Animal Control By-law has been reviewed and is understood.
- 6.3 The Licensing Officer shall:
- (a) keep a complete registry of all dogs in respect of which tags are issued; and
 - (b) provide each registrant with a numbered tag for each dog in respect of which the tag is issued.
- 6.4 The identification tag issued by the Township is not transferable to another owner, without the approval of the Township.
- 6.5 Every owner of a dog shall refrain from affixing a dog tag upon a dog other than the dog for which the said tag was issued. Affixing a tag upon a dog other than the dog for which the said tag was issued shall subject the owner to the penalty provided for in this By-law.
- 6.6 The owner of any dog shall not claim such dog to be sterilized when such dog is not sterilized, and wrongful claiming shall subject the owner to the penalty provided for in this By-law.
- 6.7 Section 6 of this By-law does not apply to police dogs, or M.N.R.F dogs, during the course of fulfilling their duties.
- 6.8 Every owner of a dangerous dog, grandfathered pit bull, grandfathered prohibited dog, or prohibited dog must:
- (a) Provide evidence of appropriate insurance for liability coverage;
 - (b) Provide proof that the dog has been microchipped;
 - (c) Provide proof of sterilization;
 - (d) Provide a signed affidavit that the dog has not been deemed prohibited or dangerous in another Municipality, Province, State or Country;
 - (e) Post clear public signage, with a minimum letter size of 4", on the owner's premises that a dangerous dog resides on the premises.
- 6.9 Every owner of a dangerous dog, grandfathered pit bull, grandfathered prohibited dog, or prohibited dog, which has been directed to be removed from the Township, shall provide to the Township, within 48 hours:
- (a) the dog's microchip number; and

- (b) the name and address of the new owner, so the Clerk can notify the new municipality of the assigned designation of the dog by the Township.
- 6.10 Every owner of a dangerous dog, grandfathered pit bull, grandfathered prohibited dog, or prohibited dog must notify the Township within 48 hours of a change of ownership and/or residency of the dog, along with the new address and owner's information.

Section 7 - Kennels

- 7.1 No person shall operate or own a kennel within the boundary of the Township of Montague:
- (a) On a premises or property that does not meet zoning provisions or fire regulations;
 - (b) Without a current licence issued by the Township;
 - (c) If there are convictions or outstanding Orders against the applicant issued under the *Provincial Animal Welfare Services Act*, or under this By-law;
 - (d) Where a dangerous, prohibited, grandfathered prohibited, or previously declared dangerous dog is kept.
- 7.2 Every person who wishes to operate a kennel must make an application to the Township on the approved form, to obtain a kennel licence.
- 7.3 Every person who operates or owns a kennel shall annually submit an application for a kennel licence renewal to the Township, not later than January 31st in each year and shall pay the required non-refundable fee as set out in Schedule "A" hereto.
- 7.4 Each dog kept shall be licensed by the Township, with the exception of unweaned pups under four (4) months of age.
- 7.5 Every person who applies for a kennel licence shall submit to the Township, in the form prescribed by the Township, the following:
- (a) A detailed site plan drawing, drawn to scale, indicating:
 - (i) The property on which the kennel is to be located;
 - (ii) The location of all buildings, structures, dog runs and kennel structures on the subject premises;
 - (iii) The distance which separates the kennel from all property lines, in addition to the distance to any buildings/structures on adjacent properties, especially any residential buildings;
 - (iv) A separate area to be used for isolation of animals suspected and/or diagnosed with having an infectious disease.
- 7.6 Every person who applies for a kennel licence, for non-boarding purposes, shall submit a list of all dogs to be kept at the subject property, including:
- (a) The breed, age, and description of each dog;

- (b) Verification of the current vaccination status of each dog, except where there is evidence that a dog is under four (4) months of age;
 - (c) A declaration that the kenneled dogs have not been previously deemed dangerous or prohibited.
- 7.7 Every person who applies for a kennel licence shall sign a declaration affirming that there are no legal restrictions preventing them from owning or caring for dogs.
- 7.8 The Municipal Law Enforcement Officer, or any person appointed by the Township, may enter and inspect any place where the dogs are kept, at any reasonable time, pursuant to this By-law. Every person operating a kennel shall permit such an inspection.
- 7.9 If there is a change of ownership of a kennel during the license year, the new owner must purchase a new license.
- 7.10 No person shall breed dangerous or prohibited dogs, or any dog previously declared dangerous or prohibited.

Section 8 - Running at Large

- 8.1 For the purposes of this By-law, a dog shall be deemed to be running at large when it is found not under the control of the owner, unless the dog is on the lands of its owner or a person who has consented to it being on their lands. For the purposes of this section, a dog shall be deemed to be not under the control of its owner if it is located in any conservation area, institutional area, park, residential zone, or municipal property or road allowance, unless otherwise indicated by signage, within the municipality, and is not on a leash securely attached to the owner.
- 8.2 No owner of a dog shall permit the dog to run at large in the Township.
- 8.3 Every owner of a dog shall ensure that the dog is kept on a leash and under the control of some person when the dog is on any land in the Township unless:
- (a) the land is the premises of the owner of the dog;
 - (b) the land is owned by a person who has given prior consent to the dog being off the leash.
- 8.4 In the case of parkland that is owned by the Township and designated by sign as an area where dogs are required to be kept on a leash, every owner of a dog shall ensure that the dog is kept on a leash and under the control of some person when the dog is in the area designated by sign.
- 8.5 No owner of a dog shall use on a dog a leash that exceeds 1.8 metres (6 feet) in length.

- 8.6 No owner of a dog shall control a dog by means of a leash that:
- (a) is not held by the person in his or her hand, or securely tethered to the owner's body; or
 - (b) is not securely affixed to some immovable structure from which the dog cannot escape.
- 8.7 Section 8 shall not apply to police dogs or M.N.R.F. dogs, during the course of fulfilling their duties.

Section 9 - Impoundment

- 9.1 The Ontario Provincial Police or Municipal Law Enforcement Officer may seize any dog which is found running at large in the Township and may cause such dog to be delivered to the pound.
- 9.2 Any person may seize any dog which is found running at large in the Township and may cause such dog to be delivered to the pound.
- 9.3 A dog seized pursuant to subsections 9.1 or 9.2 above shall be considered impounded at the time and place when it comes under the control of the Ontario Provincial Police, Municipal Law Enforcement Officer or person.
- 9.4 The operator of the pound to which any dog seized or found pursuant to this By-law has been delivered shall:
- (a) impound such dog; and
 - (b) make reasonable efforts to determine the identity of the owner of such dog and to inform such person that the dog has been impounded.
- 9.5 The operator of the pound shall keep an impounded dog for a redemption period of up to three (3) days.
- 9.6 During the redemption period, the operator of the pound shall:
- (a) provide such veterinary care for an injured or ill impounded dog as may be necessary to sustain its life; and
 - (b) be entitled to recover from the owner the cost of veterinary care provided while the dog was impounded, in addition to any other fees due to the Township for redemption of the dog.
- 9.7 During the redemption period, the operator of the pound may euthanize an impounded and seriously injured or ill dog without delay, when in the opinion of the operator of the pound such actions are warranted for humane reasons.
- 9.8 During the redemption period, the owner of a dog impounded pursuant to this By-law may obtain release of such dog provided that the owner:
- (a) pays the redemption fee;

- (b) provides evidence that the dog is registered with the Township pursuant to Section 6 of this By-law or, if not, obtains such registration and pays the registration fee, as set out in Schedule "A", prior to release of the dog; and
 - (c) takes such other action as the operator of the pound or the Township may direct.
- 9.9 After the expiration of the redemption period, the Township may:
- (a) release the dog to its owner upon compliance with the requirements for release prescribed in subsection 9.8;
 - (b) keep, sell, or dispose of the dog, subject to the provisions of the *Animals for Research Act*.
- 9.10 Whenever a dog impounded pursuant to this By-law is released to its owner pursuant to subsections 9.8 or 9.9 herein, a record of such release shall be kept by the operator of the pound and made available upon request to Township.
- 9.11 Animals found at large by the Ontario Provincial Police or a Municipal Law Enforcement Officer, that are critically ill or injured or pose a threat to the safety of persons or other domestic animals, may be destroyed forthwith.

Section 10 - Stoop and Scoop

- 10.1 Every owner of a dog shall immediately remove any feces left by the dog in the Township:
- (a) on a highway or roadway;
 - (b) in a public park;
 - (c) on any public property other than a public park; or
 - (d) on any private property other than the property of:
 - (i) the owner of the dog; or
 - (ii) the person having care, custody, or control of the dog.
- 10.2 Every owner of a dog shall dispose of any feces removed pursuant to subsection 10.1 on his or her premises.
- 10.3 Every owner of a dog shall remove from his or her premises, in a timely manner, feces left by such dog, so as not to disturb the enjoyment, comfort, convenience of any person in the vicinity of the premises.

Section 11 - Dogs in Parks

- 11.1 No owner of a dog shall have a dog on parkland, or any part thereof, that is designated by sign as an area where dogs are prohibited.
- 11.2 No owner of a dog shall have a dog on parkland, or any part thereof, where the dog is within five (5) metres, or sixteen (16) feet), of a play structure.

- 11.3 No person shall, without authority from the Township, erect, alter, move, remove, or deface or in any manner interfere with any sign designating an area where dogs are prohibited.
- 11.4 Subsections 11.1 and 11.2 shall not apply to a service dog when accompanied by its handler.

Section 12 - Dangerous Dogs and Appeals

- 12.1 No person shall own, keep, harbour, breed or possess any animal that is deemed to be dangerous, as defined by this By-law, if ordered to be removed, on any lot or premises within the limits of the Township of Montague.
- 12.2 No person shall keep more than one (1) dangerous dog on a premises.
- 12.3 No owner of a dog shall fail to ensure that the dog does not display vicious or aggressive tendencies, such as growling, baring of teeth, charging, chasing, or lunging at a person or other domestic animal, while off the property of the dog owner.
- 12.4 No owner of a dog shall fail to ensure that the dog does not bite or attack, without provocation, a person or domestic animal.
- 12.5 If a dog attacks or bites any person, or other domestic animal, without provocation, such dog shall be deemed to be a dangerous dog.
- 12.6 Where the Township or Municipal Law Enforcement Officer is informed upon complaint, and confirms that a dog is dangerous, the Township shall serve notice upon the owner of the dangerous dog requiring the owner to comply with any or all of the requirements set out in subsections 12.7 and/or 12.8 of this By-law upon receipt of such notice to comply.
- 12.7 Once a dog is deemed to be dangerous, the Municipal Law Enforcement Officer, or their designate, shall notify the owner, in writing, that the dog has been deemed to be dangerous, and the owner shall ensure that:
- (a) the dangerous dog does not attack or bite any person or other animal, whether on the owner's property or not;
 - (b) when the dangerous dog is on the property of the owner, it is confined to an enclosed area/fenced yard, capable of restraining the animal;
 - (i) the fence referred to in 12.7(b) is required to be an appropriate height for the breed of dog and constructed in such a manner that prevents the dangerous dog from coming into contact with persons or other domestic animals;
 - (c) when the dangerous dog is off the property of the owner, it is to be securely leashed on a leash not to exceed 1.8 metres (6 feet) in length and muzzled in a manner that prevents it from biting or attacking a person or other animal,

- and is under the control of a competent person capable of controlling the dog and who is over the age of eighteen (18) years;
- (d) within 14 days of notification, the owner of a dangerous dog must post "Warning Dangerous Dog Lives Here" signs at the entrance to the property and on the perimeter of the property, and the sign must have a minimum letter size of 4";
 - (e) all documentation requested by the Township or Municipal Law Enforcement Office, as set out in subsection 6.9 herein, shall be provided to the Township with 14 days of notification.
- 12.8 The dog owner of a dog deemed to be dangerous may be directed by the Municipal Law Enforcement Officer to remove the dangerous dog from the Township.
- 12.9 If the owner of a dangerous dog fails to comply with the Township's direction to remove the dangerous dog from the Township, the owner may be subject to a proceeding under Section 4 of the *Dog Owners' Liability Act* or under this By-law.
- 12.10 Where the owner of a dangerous dog, as defined herein, is informed that they must comply with the provisions of Section 12 of this By-law, the owner may apply for a hearing in respect of such notice by submitting an appeal in writing to the Clerk.
- 12.11 Upon receipt of the appeal, the Clerk shall convene a meeting of the Appeal Committee within thirty (30) days and shall give the owner of the dog notice of the date, time, and location of the hearing.
- 12.12 The owner, or their agent, may appear at the hearing and present oral or written evidence relating to the dog.
- 12.13 If the owner of the dog, or their agent, does not attend at the proper time and place, the Appeal Committee may proceed with the hearing in their absence, and the owner shall not be entitled to any further notice of the proceedings.
- 12.14 The Appeal Committee shall deliberate the merits of the evidence presented and shall provide its recommendation to Council at the next scheduled Regular Meeting of Council.
- 12.15 In the event that an appeal is received, and the Township has ongoing legal proceedings in relation to the subject property, animals and/or owners from an incident related to any animals, the hearing will be delayed until such time as the legal and/or court proceedings have concluded.
- 12.16 In the event that an appeal is received for an incident in the court's jurisdiction, and a court hearing has concluded with a finding by the court on the proceedings/outcome, the Appeal Committee will provide a recommendation to Council, taking into account the court's finding.

- 12.17 Section 12 shall not apply to police dogs, M.N.R.F. dogs, or livestock guardian dogs, during the course of fulfilling their duties.

PART IV – RABIES

Section 13 - Rabies Immunization

- 13.1 Every owner of a dog four (4) months of age or over shall ensure that the dog is duly immunized against rabies and that the immunization is current.
- 13.2 Subsection 13.1 shall be jointly enforced by the Medical Officer of Health pursuant to the provisions of the *Health Protection and Promotion Act*, and the Municipal Law Enforcement Officer for the Township, pursuant to the provisions of this By-Law and Section 61 of the *Provincial Offences Act*.

Section 14 - Rabies Suspects

- 14.1 Every owner of a dog in the Township, which is suspected of having been exposed to rabies, or which has bitten, scratched or had other contact which may result in rabies in a person, shall on demand surrender such animal to the Township to be held by the Township in quarantine, without cost to the owner, for ten (10) days from the date of contact, and such animal shall not be released from such quarantine without permission from the Medical Officer of Health.
- 14.2 Every licensed veterinarian is to report to the Medical Officer of Health their diagnosis of any animal observed by them as a rabies suspect.
- 14.3 Despite subsection 14.1, at the discretion of the Medical Officer of Health, an animal may be held in quarantine on the premises of the owner, or at the owner's expense in a veterinary hospital or licensed kennel of the owner's choice.
- 14.4 Subsections 14.1 and 14.2 shall be enforced by the Medical Officer of Health, pursuant to the provisions of the *Health Protection and Promotion Act*.

PART V – PROHIBITED ANIMALS AND NUISANCE ANIMALS

Section 15 - Prohibited Animals

- 15.1 No person shall keep in the Township, either on a temporary or permanent basis, any prohibited animal, as set out in Schedule "B".

Section 16 - Nuisance Animals

- 16.1 No owner shall permit their animal to become a nuisance animal, by irritation, annoyance or bother to other persons or other animals by being at large, trespassing on private property, chasing, barking/whining/howling, or making any other excessive animal noise.
- 16.2 Once an animal is deemed to be a “nuisance”, the Municipal Law Enforcement Officer, or their designate, shall notify the owner of the “nuisance animal”, in writing, that the animal has been deemed to be a “nuisance” and the owner shall take action as directed by the Municipal Law Enforcement Officer to prevent the animal from continuing to be a nuisance.

PART VI – SPECIAL EVENTS

Section 17 - Special Events

- 17.1 Where a Special Event such as an exhibition, circus, traveling show, petting zoo or any other like show that has prohibited animals, as defined in Schedule “B” of this By-law, requests entry into the Township for the purposes of public display of such animals the operator/owner in charge of the Special Event must:
- (a) apply in writing, 45 days prior to the intended date, to the Clerk for the Township, for permission to enter the Township with prohibited animals for the said purpose;
 - (b) provide proof of a Comprehensive Policy of Public Liability and Property Damage insurance acceptable to the Township providing at least Two Million Dollars (\$2,000,000) coverage;
 - (c) obtain such permit prior to the commencement of the permitted activity.
 - (d) display the permit in plain sight and in a conspicuous location at all times during the times and dates of the special event;
 - (e) not obstruct, interfere, or prevent a Municipal Law Enforcement Officer from conducting an Inspection under Section 23 of this By-law before or during the special event;
 - (f) be in full conformance with all applicable Federal, Provincial and Municipal laws governing the possession, keeping and transportation of the subject animals being used in said function in the Township of Montague, as well as the location where the subject animals are being kept on a permanent basis.
- 17.2 The Clerk for the Township may approve the application and issue a permit from the Township for the authorized purpose.
- 17.3 Failure to comply with all requirements of this By-law as well as any other conditions set out by the Clerk, may result in the permit being revoked and the person/persons in possession of any animals listed in Appendix “B” being subject to the penalty provisions of this By-law.

PART VII – EXEMPTIONS

Section 18 - Exemptions

- 18.1 Hospitals, clinics, and other premises in operation by licensed veterinarians for the care and treatment of animals are exempt from the provisions of this By-law, except where expressly stated.
- 18.2 Any farm as defined in this By-law shall conform to all provisions of this By-law, except where expressly stated.
- 18.3 Notwithstanding any other provision of this By-law to the contrary, the owning, keeping, harbouring, feeding or raising of entities identified on Appendix “B” in Category Numbers 4, 5, 7, 8 and 9, shall be permitted on any lands which are zoned Agriculture (A) in the Zoning Bylaw, or zoned in a zoning category in the Zoning By-law which permits a Farm, Intensive Farm, Limited Farm as defined in this By-law or the keeping of any one or all of the types of farm animals or species identified on Appendix “B” in Categories 4, 5, 7, 8 and 9, and subject to compliance with the Minimum Distance Separation (MDS) formula, where applicable, and the Nutrient Management Act, where applicable;
- 18.4 Where the applicable zoning in the Zoning By-law specifically prohibits the owning, keeping, harbouring, feeding or raising of any of the entities identified on Appendix “B” in Categories 4, 5, 7, 8 and 9, on a specific property, the exemption provided under 19.3 shall not apply to that property for those categories that are prohibited;
- 18.5 Where there is conflict with any other Provincial or Federal Act or legislation which would prohibit the owning, keeping, harbouring, feeding or raising of any of the species identified in Categories 4, 5, 7, 8 and 9, the provisions of those Acts or legislation shall supercede this By-law.

PART VIII – OFFENCES AND PENALTIES

Section 19 - Offences

- 19.1 Any person who contravenes any provision of this By-law is guilty of an offence.

Section 20 - Penalties

- 20.1 Every person who is convicted of an offence under this By-law is liable to a fine as provided for in the *Provincial Offences Act*.
- 20.2 When a person has been convicted of an offence under this By-law by the Ontario Court of Justice, any court of competent jurisdiction thereafter may, in addition to

any other penalty imposed on the person convicted, make an order prohibiting the continuation or repetition of the offence by the person convicted.

PART IX – ADMINISTRATION, INSPECTION & ENFORCEMENT

Section 21 - Administration

- 21.1 This By-Law shall be known and may be cited as "The Animal Control By -law".
- 21.2 By-law 4004-2023, and amending By-law 4148-2025, and By-Law 3183-2011 are hereby repealed effective this date.
- 21.3 This By-law shall come into full force and effect on the date of passing.

Section 22 - Inspection

- 22.1 For the purpose of discharging the duties imposed by this By-law and to enforce its provisions, a Police Officer or Municipal Law Enforcement Officer, or agent of the Township, is empowered to enter upon any property or structure, other than a dwelling, where a dog or animal is kept or harboured and to request the exhibition, by the owner, of such dog or animal.
- 22.2 It is further provided that any Police Officer, Municipal Law Enforcement Officer or agent of the Township may enter the premises where any animal is kept in a reportedly cruel or inhumane manner and request to examine such animal and to take possession of such animal to determine the validity of such complaint or report and to take appropriate corrective measures, if necessary.

Section 23 - Enforcement

- 23.1 Unless otherwise provided in this By-law, the provisions of this By-law shall be enforced by the Township and its appointees.

READ A FIRST, SECOND & THIRD TIME & PASSED, SIGNED & SEALED THIS 5TH DAY OF MAY, 2026.


REEVE


CLERK

SCHEDULE "A"

Dog & Kennel Registration Fees

Dog Tag	\$15.00
Dog Tag – Microchipped (proof required)	\$5.00
Dog Tag – Service Dog (proof required)	No Charge
Replacement Tag	\$5.00
Dog Tag for a Grandfathered Dangerous or Prohibited Dog	\$500.00
Kennel License	\$150.00

**Once updated in the Fees and Charges By-law, will be removed from this Schedule page and the notation "Refer to Current Fees and Charges By-law" will be included here.*

SCHEDULE "B"

Prohibited Animals

It is prohibited to keep, breed or raise any domestic animal, farm animal, wild animal, exotic animal, amphibian, reptile, arachnid, fish or insect including any tamed or domesticated wild animal or part wild animal on any lot or in any building or structure on such lot within the limits of the Township of Montague that is included in this Schedule, unless otherwise provided for in this by-law, as follows:

1. Non-human primates (ie. Monkeys, Chimpanzees)
2. Wild Canids (ie. Foxes, Wolves, Coyotes)
3. Wild Felids (ie. Leopards, Cougars, Lynx)
4. Mustelids (ie. Mink, Skunks, Otters, Weasels, but excluding Ferrets)
5. Ungulates (ie. Horses, Cattle, Swine, Sheep, Goats, any hoofed animal)
6. Raptors (ie. Falcons, Hawks, Owls)
7. Galliformes (ie. Chickens, Quail, Pheasants, Turkeys, Guinea Fowl)
8. Anseriforms (ie. Ducks, Geese, Swans)
9. Columbiformes (ie. Pigeons)
10. Dangerous Fish (ie. Piranha, Electric Eels)
11. Dangerous Dog or Prohibited Dog as defined in this By-law
12. Pit Bull dog - as defined in this By-law and the *Dog Owner's Liability Act*

SCHEDULE "C"

Penalties

Page 1 of 1	COLUMN 1	COLUMN 2	COLUMN 3
Item #	Short Form Wording	Provision Defining Offence	Set Fine
1.	Fail to care for an animal in a clean environment	Section 3.1(a)	\$200.00
2.	Fail to provide adequate food/water/shelter/care	Section 3.1(b)	\$200.00
3.	Owner – No dog tag	Section 6.1(a)	\$100.00
4.	Pet tag not affixed to pet	Section 6.1(b)	\$100.00
5.	Pet tagged with other than tag issued	Section 6.5	\$100.00
6.	Make false claim – sterilized	Section 6.6	\$300.00
7.	Own, operate or conduct a kennel without a licence	Section 7.1(b)	\$500.00
8.	Dog not under control	Section 8.3	\$150.00
9.	Own/harbour/breed a dangerous animal	Section 12.1	\$500.00
10.	Fail to ensure that dog does not bite or attack a person or animal	Section 12.4	\$500.00
11.	Fail to maintain effective control of a dangerous dog	Section 12.7(c)	\$500.00
12.	Owner – Dog with no current rabies immunization	Section 13.1	\$500.00
13.	Own/harbour/breed a prohibited animal	Section 15.1	\$1,000.00
14.	Fail to ensure animal is not a nuisance	Section 16.1	\$150.00
15.	No Special Event Permit	Section 17.1(c)	\$500.00
16.	Fail to post warning signs	Section 6.8(e) Section 12.7(d)	\$250.00
17.	Fail to display Special Event Permit	Section 17.1(d)	\$250.00
18.	Obstruct Officer conducting inspection	Section 17.1(e)	\$500.00

NOTE: The general penalty provision for the offences listed above is Section 20 of By-law 4214-2026, a certified copy of which has been filed with the Court.