

# **The Corporation of the City of Richmond Hill**

## **By-Law XX-24**

A By-Law to promote responsible pet ownership and regulate animal control within the City of Richmond Hill.

Whereas Section 11 of the Municipal Act, 2001, S.O. 2001, c. 25, as amended (the "Municipal Act, 2001") provides that a municipality may enact by-laws respecting animals;

And Whereas Section 103 of the Municipal Act, 2001 provides that, if a municipality passes a by-law regulating or prohibiting animals being at large or trespassing, it may provide for the seizure, impounding and sale of such animals under certain conditions;

And Whereas Section 105(1) of the Municipal Act, 2001 provides that if a municipality requires the muzzling of a dog under any circumstance, the Council of the municipality shall, upon the request of the dog owner, hold a hearing to determine whether or not to exempt the owner in whole or in part from the muzzling requirement;

And Whereas pursuant to the Screening and Hearing Officer By-law No. 70-16, as amended and whereas Section 23.5(2) of the Municipal Act, 2001 authorizes a municipality to delegate to a person or body described in Section 23.2(1) the power or duty to hold a hearing or provide an opportunity to be heard before the decision is made or the step is taken;

And Whereas Section 391 of the Municipal Act, 2001 authorizes municipalities to impose fees or charges for services or activities, and Section 398 of the Municipal Act provides that fees and charges imposed by a municipality on a person constitute a debt of the person to the municipality;

And Whereas Section 434(1) of the Municipal Act, 2001 provides that a municipality may require a person to pay an administrative penalty if the municipality is satisfied that a person has failed to comply with a by-law of the municipality passed under the Municipal Act;

And Whereas Section 435 - 439 of the Municipal Act, 2001 provides for conditions governing the powers of entry of a municipality on land and dwelling at any reasonable time for the purpose of carrying out an inspection to determine compliance with a by-law, and carry out the provisions of a by-law;

And Whereas Section 444 of the Municipal Act, 2001 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 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.

**Now Therefore The Council of The Corporation of The City of Richmond Hill Enacts as Follows:**

1. That this By-law No. XX-24 be effective upon enactment.

Passed this XX day of X, XXXX.

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David West  
Mayor

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Stephen M.A. Huycke  
City Clerk

## ARTICLE 1 – Interpretation

### 1.1 Short Title

This By-law may be referred to as the "Responsible Pet Ownership and Animal Regulation By-law".

### 1.2 Definitions

In this By-law, the following words shall have the following meanings:

**“Administrative Penalty By-law”** means the Corporation’s Administrative Penalty By-law No. 69-16, as amended or superseded, establishing a system of administrative penalties;

**“Animal”** means any member of the animal kingdom, other than human;

**“Attack”** means an assault resulting in physical harm;

**“Attractant”** means any food, substance, scents, sounds, or any other items that may reasonably entice or attract Animals;

**“Bite” or “Bitten”** means the breaking, puncturing or bruising of the skin of a Person or an Animal, caused by a tooth or teeth of a Dog;

**“Care and Control”** means the act of preventing an Animal from creating harm to another Person, Animal, or damage to Property, trespassing or being at-large;

**“Cat”** means a feline of the species Felis Catus;

**“Commissioner”** means the individual from time to time occupying the office of Commissioner of Community Services of the Corporation or a successor office as the case may be;

**“Corporation”** means the Corporation of the City of Richmond Hill;

**“Council”** means the Council of the Corporation;

**“Dangerous Dog”** means a Dog that, in the absence of any Mitigating Factor,

has Attacked, Bitten, or Menaced another Person or Animal and shall not include a Police Service Dog in active duty;

**“Dangerous Dog Notice”** means a notice containing restrictions, provisions and muzzling requirements pursuant to Article 5 of this By-law;

**“Director”** means the individual from time to time occupying the office of Director of Community Standards of the Corporation or a successor office as the case may be;

**“Distress”** means the state of being in need of proper care, water, food or shelter, as a result of and not limited to being injured, sick, in pain, suffering, abuse, or subject to undue or unnecessary hardship, deprivation or neglect;

**“Disturb”** means to intentionally or unintentionally change the conditions which interfere with the normal living of Wildlife, and for greater certainty shall include Harassment and any other actions that may interfere with the normal living behaviour patterns and habitat of Wildlife;

**“Dog”** means a canine of the species *Canis familiaris*;

**“Domestic Animal”** means an Animal Kept by or living with a Person(s), and shall not include Livestock or Wildlife;

**“Dwelling Unit”** means a place of residence with one or more habitable rooms containing separate kitchen and bathroom facilities for private use as a single housekeeping unit;

**“Enclosure”** means any pen, cage, tank, garage, loft or other enclosed structure used for the purposes of keeping Animals;

**“Extreme Weather”** means a weather warning alert issued by Environment Canada for weather including but not limited to, extreme cold or hot temperatures, snowstorms, freezing rain or ice accumulation, heavy rainfall, hurricanes, tornadoes and/or strong winds;

**“Guide Dog”** means a Dog as defined in Section 1(1) of the Blind Persons’ Rights Act R.S.O. 1990, Chapter B.7, or a Dog trained in accordance with the Act to assist the visually impaired person, or deaf or hearing impaired person as prescribed by a member of the College of Audiologists and Speech-Language Pathologists of Ontario;

**“Harass or Harassment”** means to engage in any act which demonstrates a disregard for the well-being of, creates the likelihood of injury to, or disrupts normal behavior patterns of any Animal;

**“Hearing Officer”** means a Person appointed for the purpose of adjudicating appeals of administrative penalties and to conduct hearings in accordance with the Screening and Hearing Officer By-law No. 70-16, as amended;

**“Keep or Kept”** means to have temporary or permanent Care and Control or possession of an Animal;

**“Kennel”** means a place whether enclosed or not, where more than four (4) Animals are kept for the purpose of Keeping, breeding or boarding for commercial purposes;

**“Kennel By-law”** means the Corporation’s Kennel Licensing By-law No. 188-05, as amended or superseded, establishing licensing and regulating requirements of Kennels;

**“Livestock”** means farm Animals kept for use, propagation or profit and includes, without restricting the generality of this definition, dairy and beef cattle, horses, swine, sheep, laying hens, chicken, turkeys, goats, geese, ducks, mink, rabbits and includes game birds where they are kept pursuant to a license under the Fish and Wildlife Conservation Act, 1997, SO 1997, c 41;

**“Menace”** means any intimidating, aggressive or threatening behavior towards any Person or Animal, without a Mitigating Factor, including but not limited to aggressively approaching, chasing, snapping or snarling;

**“Mitigating Factor”** in reference to a Dog or Dangerous Dog, means a circumstance which explains a Dog Attack, Bite or Menacing behaviour, and

without limiting the generality of the foregoing, includes circumstances where:

- a) the Dog was acting in defence of an Attack by a Person or Animal;
- b) the Dog was acting in defence of its young; or
- c) the Dog was being teased, provoked, tormented, abused, or in Distress.

**"Municipal Act, 2001"** means the Municipal Act, 2001, S.O. 2001, c. 25, as amended;

**"Municipal Animal Shelter"** means an animal shelter that is maintained by or on behalf of the Corporation which houses Animals for the purposes of impoundment, Protective Care or adoption;

**"Municipal By-law Enforcement Officer"** means any individual or Person appointed for the purpose of enforcing the provisions of this By-law or all of the by-laws of the Corporation, and may include an Animal Control Officer or Provincial Offences Officer that has been designated by the Commissioner, or a police officer;

**"Muzzle"** means a fastening or covering device of adequate strength and design and suitable to the breed of Dog that is placed over the mouth of a Dog that cannot be removed by a Dog, to prevent it from biting, without interfering with the breathing, panting or vision of the Dog or the Dog's ability to drink;

**"Neutered"** means any male Animal that has been sterilized by a veterinary surgeon licensed pursuant to the *Veterinarians Act, R.S.O. 1990, c. V.3*;

**"Order"** means an order issued by a Municipal By-law Enforcement Officer to a Person under this By-law requiring such Person to remedy a contravention of this By-law;

**"Owner"** includes any Person who Keeps an Animal, and shall include a Person who temporarily Keeps or has Care and Control of an Animal, and where the Owner is a minor, the person responsible for the custody of the minor;

**"Penalty Notice"** means a notice given to a Person pursuant to Part 4 of the Corporation's Administrative Penalty Bylaw;

**“Person”** means any individual, corporation, or partnership and includes an agent or employee of any of them;

**“Police Service Dog”** means a Dog trained for and actually engaged in law enforcement;

**“Property”** includes lands, buildings, structures including those appurtenant thereto, and all mobile homes, mobile buildings, mobile structures, outbuildings, fences and erections thereon; whether heretofore or hereafter erected, and includes vacant property;

**“Protective Care”** means the temporary Custody of an Animal by the Corporation because of an eviction, incarceration, medical or fire emergency or any other situation that the Commissioner deems appropriate;

**“Rear Yard”** means a yard extending across the full width of a Property between the rear Property line and the main wall nearest to the rear yard Property line of the main building or structure on that Property;

**“Service Animal”** means an Animal described in subsection 80.45(4) of O.Reg. 191/11 pursuant to the *Accessibility for Ontarians with Disabilities Act 2005, S.O. 2005, c.11* and shall include a Guide Dog;

**“Spayed”** means any a female Animal that has been sterilized by a veterinary surgeon licensed pursuant to the *Veterinarians Act, R.S.O. 1990, c. V.3*;

**“Tag”** means a registration disc or other shape of metal or plastic issued by the Corporation and is suitable to be securely fixed on a Dog or Cat containing the licence number, issuing municipality and dates of validity/expiry;

**“Tariff of Fees By-law”** means the Corporation’s by-law(s) made pursuant to Section 391 of the Municipal Act, 2001 imposing fees or charges for services or activities done by or on behalf of the Corporation, costs payable by the Corporation, and use of the Corporation’s property;

**“Tether”** means to confine an Animal to a certain location using a rope, chain, or similar restraining device;

**“Valid Microchip Implant”** means an encoded identification device implanted into an Animal and that contains a unique code that permits or facilitates access to Owner information, including the current name and address of the Owner, which is stored in a central database;

**“Valid Rabies Certificate”** means documented proof, letter or certificate issued from a licensed veterinarian, valid for the current licensing year, stating that the Animal has been immunized against rabies virus, as per the requirements set out in *Ontario Regulation R.R.O. 1990, Reg. 567; Rabies Immunization*;

**“Wildlife”** means any Animal that is found in the natural environment and includes any game or protected Animal referenced in the *Fish and Wildlife Conservation Act, 1997, S.O. 1997, c. 41*, or the regulations made thereunder;

**“Working Dog”** means any Dog that has been trained to perform work for a Person on private or public Property and is used exclusively for that purpose while in the execution of its duties, and shall include:

- a) a guard Dog that is used for security purposes on commercial or industrial Property pursuant to *Ontario Regulation 365/07; Use of Animals*, as amended; or
- b) a livestock guardian Dog as defined in Section 2 of *Ontario Regulation 444/19; Standard of Care and Administrative Requirements*, as amended.

## **ARTICLE 2 – Application**

### **2.1 Application of Standards**

1. This By-law applies to all Animals within the City of Richmond Hill.
2. Where a provision of this By-law conflicts with a provision of any other By-law of the Corporation, or any provincial statute, the provision that establishes the higher standard to protect the health, safety and welfare of Animals and the public prevails.



## **2.2 General Exemptions**

1. This By-law shall not apply to:
  - a) Police Service Dogs;
  - b) the employees of a municipal or other governmental authority lawfully operating a public park, exhibition or zoological garden, and maintaining animals therein;
  - c) a lawfully operated Municipal Animal Shelter;
  - d) an animal hospital or clinic which is lawfully operated and supervised by a veterinarian licensed by the Ontario Veterinary Association;
  - e) premises registered as research facilities under the *Animals for Research Act, R.S.O. 1990, c. A.22*, as amended, or the persons in charge or the employees thereof, during the course of their duties;
  - f) any person licensed or exempted as an operator of an animal supply facility in accordance with the *Animals for Research Act, R.S.O. 1990, c. A.22*, as amended, or the employees of such facility, during the course of their duties;
  - g) anyone holding a license under any statute of the Province of Ontario or the Government of Canada, which permits the keeping of animals under stated condition.

## **2.3 Severability**

1. In the event that any particular provision or part of a provision of this By-law is found to be invalid or unenforceable for any reason whatsoever, then the particular provision or part of the provision shall be deemed to be severed from the remainder of this By-law, and all other provisions shall remain in full force and shall be valid and enforceable to the fullest extent permitted by law.

## **ARTICLE 3 – Administration and Enforcement**

### **3.1 Commissioner Powers and Duties**

1. The Commissioner shall be responsible for the administration of this By-law.
2. The Director may impose conditions in addition to the regulations set out in this By-law to ensure the health and safety of all Animals and the public, including imposing additional restrictions to those set out in Section 5.2 on any Dangerous Dog.

### **3.2 Municipal By-law Enforcement Officers**

1. A Municipal By-law Enforcement Officer is authorized to enforce the provisions of this By-law and for the purpose of such enforcement may exercise any of the powers and perform any of the duties set out in this By-law.

2. A Municipal By-law Enforcement Officer shall also perform such other duties as prescribed by the Corporation.
3. A Municipal By-law Enforcement Officer has the discretion to seize, impound, or relocate an Animal.

### **3.3 Power of Entry**

1. A Municipal By-law Enforcement Officer or any Person under their direction may enter on a Property at any reasonable time with proper identification for the purpose of:
  - a) carrying out an inspection to determine compliance with the provisions of this By-law; and
  - b) seizing or impounding an Animal that is at-large or trespassing.

### **3.4 Power of Inspection**

1. For the purposes of an inspection, a Municipal By-law Enforcement Officer may:
  - a) require the production for inspection of documents or things relevant to the inspection;
  - b) inspect and remove documents or things relevant to the inspection for the purpose of making copies or extracts;
  - c) require information from any Person concerning a matter related to the inspection; and
  - d) alone or in conjunction with a Person possessing special or expert knowledge, make examinations or take tests, samples or photographs necessary for the purpose of inspection.

### **3.5 Protective Care of Animals**

1. A Municipal By-law Officer Enforcement has the discretion to place an Animal into Protective Care at any time.
2. The Municipal By-law Enforcement Officer shall arrange for the necessary food, water, shelter, or immediate veterinarian treatment for the Animal for the period the Animal is placed under Protective Care.
3. Any Animal seized for the purpose of providing Protective Care shall be impounded for a minimum period of ten (10) days, exclusive of the day on which the Animal was impounded and statutory holidays and Sundays.
4. Where an Animal is not redeemed at the end of the Protective Care period, it shall be treated as an unclaimed impounded Animal.
5. The Owner shall pay any costs incurred by the Corporation or Municipal Animal Shelter.

### **3.6 Inspection Pursuant to Court Order**

1. A Municipal By-law Enforcement Officer may undertake an inspection pursuant to a court order issued under section 438 of the Municipal Act, 2001.

### **3.7 Fee for Inspection**

1. The Corporation may charge the Owner of an Animal or Property a fee or charge pursuant to the Tariff of Fees By-law to conduct an inspection, including additional fees for multiple inspections.

### **3.8 Hindering or Obstructing**

1. No Person shall hinder or obstruct, or attempt to hinder or obstruct a Municipal By-law Enforcement Officer, or any Person under their direction, who is exercising a power or performing a duty under this By-law.

### **3.9 Work Orders**

1. If a Municipal By-law Enforcement Officer has reasonable grounds to suspect that a Person has contravened this by-law, they may issue a Work Order requiring the Person to discontinue or remedy the contravention.
2. The Work Order shall set out the reasonable particulars of the contravention adequate to identify the contravention, the location of the land on which the contravention occurred, and the date by which there must be compliance with the Work Order. The Work Order may also provide that if the Owner fails to correct the contravention, the Corporation may perform the work to correct the contravention, at the expense of the Owner.
3. A Work Order may be served by:
  - a) personal service;
  - b) prepaid registered mail sent to the last known address of the Owner or Person, or as shown on the most recent records of the Corporation;
  - c) by email to the last known email address of the Owner or Person; or
  - d) prominently posting a copy of the Work Order either:
    - i. on the Property in respect of which the Work Order is made; or
    - ii. on any Structure on the Property.
4. An Order served in accordance with section 3.9.2 and 3.9.3 is considered to be served:
  - a) on the day of personal service or posting;

- b) on the fifth (5<sup>th</sup>) business day after the day of mailing if served by registered mail;
  - c) on the day of sending if served by email, unless the document was sent after 5:00 p.m., in which case service shall be deemed to have been made on the following day.
- 5. An Owner or Occupant who has been served with a Work Order shall comply with the requirements of the Work Order.
- 6. If an Owner in receipt of a Work Order fails to correct the contravention referred to in the Work Order by the date specified in the Work Order, the Corporation, in addition to all other remedies it may have, may enter onto the Owner's Property to do all work necessary to correct the contravention.
- 7. The Corporation's power to undertake remedial work to correct a contravention may be exercised by the Commissioner, or any Person under their direction.
- 8. The Corporation's actual costs incurred in conducting the work described in section 3.9.7., including any administration fees as set out in the City's Tariff of Fees By-law, shall be deemed to be a debt to the Corporation and may be collected by action or added to the tax roll and collected in the same manner as municipal taxes.
- 9. No proceeding for damages or otherwise shall be commenced against a member of council or a Municipal By-law Enforcement Officer, employee or agent of the Corporation or a Person acting under the instructions of a Municipal By-law Enforcement Officer, employee or agent for any act done in good faith in the performance or intended performance of a duty or authority under this By-law or for any alleged neglect or default in the performance in good faith of the duty or authority.

## **Article 4 - Dog Licencing, Care and Control**

### **4.1 Dog Maximum**

- 1. No Owner shall Keep, possess, or harbour or allow to be Kept, possessed or harboured on, at, or in any one Dwelling Unit more than three (3) Dogs, unless the Property is a licensed Kennel pursuant to the Corporation's Kennel By-law, as amended.
- 2. An Owner who owns more than the permitted number of Dogs on the date this By-law is enacted shall be permitted to keep the previous number of four (4) Dogs for the life of the Dog(s), provided that such Dog(s) are licensed with the Corporation upon enactment and annually for the life of the Dog(s) in accordance

with the provisions of this By-law.

3. Every Person shall ensure effective Care and Control of a maximum of six (6) Dogs at one time while walking or transporting such Dogs.

#### **4.2 Dog Licencing**

1. Every Owner of a Dog who resides in the City of Richmond Hill shall obtain an annual licence for each Dog within thirty (30) days of acquisition of the Dog and every year thereafter in accordance with Section 4.2.
2. Every Owner of a Dangerous Dog shall obtain an annual Dangerous Dog licence for each Dangerous Dog.
3. Every Owner obtaining a Dog licence shall pay the applicable non-refundable fee as set out in the Tariff of Fees By-law, and complete a registration application providing the following information:
  - a) a Valid Rabies Certificate;
  - b) proof the Dog has been Spayed or Neutered for Owners seeking to purchase a license, in accordance with the Tariff of Fees By-law;
  - c) confirmation of Valid Microchip Implant, if applicable;
  - d) name, address, telephone number of the Dog Owner, and alternate emergency contact person if available; and
  - e) name, age, gender, breed and colour of Dog.
4. Upon payment of the licence fee, the Corporation will issue the Owner a Tag.

#### **4.3 Service Dog Exemption**

1. The Owner of a Service Animal for which Animal is used for the purpose of a Service Animal shall ensure that such Animal is licensed, however no fee is imposed for such Animal. The Owner may be required to prove satisfactorily that the Animal is a Service Animal.

#### **4.4 Dog Tag Requirements**

1. The Owner shall affix the Tag on the collar of the Dog for which the license was issued, and ensure the Dog wears such Tag at all times.
2. No Owner shall affix a Tag upon a Dog other than the Dog for which the Tag was issued.
3. The Owner shall forthwith replace a lost or stolen Tag by purchasing a replacement Tag.
4. The Owner shall contact the Corporation to report any change of status for the Dog within forty-eight (48) hours of the change, such as but not limited to:

- (a) a change of address;
- (b) they no longer own the Dog; or
- (c) the Dog is deceased.

#### **4.5 Working Dog – Guard or Security Dog Notice Requirement**

1. No Person shall use or permit the use of a Working Dog as a guard or security Dog on a commercial or industrial Property unless a sign is conspicuously posted at every entrance containing a warning that a Working Dog is on Property.

### **Article 5 – Dangerous Dogs**

#### **5.1 Dangerous Dog Designation and Notice**

1. No Owner shall permit a Dog to Bite, Attack, or Menace another Person or Domestic Animal.
2. Where a Municipal By-law Enforcement Officer has reasonable grounds to believe a Dog is a Dangerous Dog, a Municipal By-law Enforcement Officer shall serve the Owner with a Dangerous Dog Notice.
3. Every Dangerous Dog Notice shall include:
  - a) a statement that a Municipal By-law Enforcement Officer has reason to believe that the Dog is a Dangerous Dog;
  - b) the restrictions that the Owner must comply with in accordance with Section 5.2, and when such requirements take effect; and
  - c) a statement that the Owner may request a hearing with respect to the Municipal By-law Enforcement Officer's designation of the Dog as a Dangerous Dog and the requirements with which the Owner must comply with, by providing a written request to the Director within ten (10) business days of receiving such notice and paying the applicable hearing fee as prescribed by the Corporation's Tariff of Fees By-law.
  - d) A statement that a request for a hearing does not act as a stay of the Dangerous Dog Notice, nor its prescribed requirement.
4. Where the Owner of a Dog who receives a notice from a Municipal By-law Enforcement Officer requests a hearing, a Hearing Officer shall hold a hearing pursuant to the provisions of the *Statutory Powers Procedure Act, RSO 1990, c S.22*, and the Hearing Officer may:
  - a) Affirm, or rescind the Municipal By-law Enforcement Officer's designation of the Dog; and
  - b) Vary and or substitute the requirements in accordance with a recommendation of a Municipal By-law Enforcement Officer.

5. The decision of the Hearing Officer is final.
6. The restrictions contained in Section 5.2 are effective immediately upon notice being received that the Dog is a Dangerous Dog, and this designation continues for the life of the Dangerous Dog, unless amended by a Hearing Officer pursuant to section 5.1.4.
7. Any notices served by a Municipal By-law Enforcement Officer shall be provided by hand delivery or prepaid registered mail service and, in the event of service by prepaid registered mail service, shall be deemed received five (5) business days after the date of mailing.

## **5.2 Dangerous Dog Restrictions**

1. Upon receiving a Dangerous Dog Notice, the Owner of the Dangerous Dog shall comply with the following restrictions:
  - a) the Dangerous Dog is Kept on the Property of its Owner either;
    - i. within the Owner's Dwelling Unit and under the Care and Control of an adult Person; or
    - ii. confined in a fenced in area or Enclosure that prevents the Dangerous Dog from escaping or causing harm to any Person on or near the Property.
  - b) when the Dangerous Dog is not confined to the Owner's Dwelling Unit or Property;
    - i. the Dangerous Dog has a Muzzle securely attached, and
    - ii. the Dangerous Dog is under the Care and Control of an adult Person and on a leash that is of sufficient strength to hold the Dangerous Dog in place at all times;
  - c) the Dangerous Dog is Spayed or Neutered and that proof of this is provided to the Director forthwith which may include a formal document, receipt, or certificate issued by a licensed veterinarian;
  - d) a "beware of dog" sign is conspicuously posted on the Owner's Property, and at every entrance to the Dwelling Unit;
  - e) the Dangerous Dog does not enter any designated Off Leash Dog Areas pursuant to the Corporation's Park Use By-law;
  - f) the Dangerous Dog is microchipped within fourteen (14) days, and that the Owner's name and contact information is current and accessible, and that proof of microchip implantation is provided to the Director forthwith, which may include a formal document, receipt, or certificate issued by a licensed veterinarian;
  - g) a Dangerous Dog Tag is purchased in accordance with the Corporation's Tariff of Fees By-law and is attached to the collar of the Dangerous Dog at all

- times;
- h) compliance with any other requirement imposed by the Director or a Hearing Officer;
  - i) the Director is provided with the following information:
    - i. the new address and telephone number of the Owner within (2) business days of relocating or moving the Dangerous Dog to a different address;
    - ii. notice within two (2) business days of the death of the Dangerous Dog;
    - iii. provide notice forthwith that the Dangerous Dog is running at large or has Bitten or attacked any Person or Domestic Animal.
  - j) if the Owner of a Dangerous Dog is unable or unwilling to above by the restrictions contained in Section 5.2, the Owner shall surrender the Dangerous Dog into the Care and Control of the Municipal Animal Shelter.

### **5.3 Reclaiming a Dangerous Dog**

1. Where a Dangerous Dog has been impounded for any reason, a Municipal By-law Enforcement Officer shall not restore the Dangerous Dog to its Owner or to any other Person unless:
  - a) the Municipal By-law Enforcement Officer determines the Person seeking to reclaim the Dangerous Dog is sufficiently aware of and in compliance with the provisions of Section 5.2;
  - b) the Owner seeking to claim the Dangerous Dog has paid any applicable fees in accordance with the Corporation's Tariff of Fees By-law and as required by the Municipal Animal Shelter; and
  - c) the Owner is in compliance with any other conditions that have been imposed on the Owner.

### **5.4 Transfer of an Order**

1. At the discretion of the Director, any Owner who has been required to muzzle a dog pursuant to section 105 of the Municipal Act, 2001 in another municipality, upon taking residence in the City of Richmond Hill, shall be required to obtain a licence as provided for in Section 5.2, and shall comply with the restrictions set out in Section 5.2.
2. For the purposes of section 5.4.1, the Director shall provide notice of the restrictions as set out in section 5.2.

## **Article 6 – Cat Licencing, Care and Control**



## **6.1 Cat Maximum**

1. No Owner shall Keep, possess or harbour or allow to be Kept, possessed or harboured on, at, or in any one Dwelling Unit more than four (4) Cats, unless the property is a licensed Kennel pursuant to the Corporation's Kennel By-law, as amended.
2. Any Owner who owns more than the permitted number of Cats on the date this By-law is enacted shall be permitted to keep the Cats for the life of the Cat, provided that such Cats are licenced with the Corporation upon enactment and annually for the life of the Cat in accordance with the provisions of this By-law.

## **6.2 Cat Licencing**

1. As of June 1, 2025, following the enactment of this By-law, every Owner of a Cat who resides in the Corporation shall obtain an annual licence for each Cat within thirty (30) days of acquisition and every year thereafter in accordance with this Section 6.2.
2. Every Owner obtaining a Cat licence shall pay the applicable non-refundable fee as set out in the Corporation's Tariff of Fees By-law, and complete a registration application providing the following information:
  - a) a Valid Rabies Certificate;
  - b) proof the Cat has been Spayed or Neutered for Owners seeking to purchase a licence in accordance with the Corporation's Tariff of Fees By-law;
  - c) confirmation of Valid Microchip Implant, if applicable;
  - d) name, address, telephone number of the Cat Owner, and alternate emergency contact person if available; and
  - e) name, age, gender, breed and colour of Cat.
3. Upon payment of the licence fee, the Corporation will issue the Owner a Tag.

## **6.3 Cat Tag Requirements:**

1. The Owner shall affix the Tag on the collar of the Cat for which the license was issued, and ensure the Cat wears such Tag at all times.
2. No Owner shall affix a Tag upon a Cat other than the Cat for which the Tag was issued.
3. The Owner shall forthwith replace a lost or stolen Tag by purchasing a replacement Tag.
4. The Owner shall contact the Corporation to report any change of status for the Cat within forty-eight (48) hours of the change, such as but not limited to:

- (a) a change of address;
- (b) they no longer own the Cat; or
- (c) the Cat is deceased.

## **Article 7 – Animals Trespassing**

### **7.1 Animal Trespassing**

1. No Owner who Keeps, harbours or possesses any Animal shall allow it to trespass on any private and or public Property.

### **7.2 Dogs At-Large**

1. A Dog shall be deemed to be at large if:
  - a) it is not under the effective Care and Control of a Person;
  - b) it is found in any place other than confined within the Dwelling Unit of the Owner of the Dog or, an enclosed yard, or within an area designated as an “Off Leash Dog Area” pursuant to the Corporation’s Park Use By-law;
  - c) it is not on a leash which provides effective Care and Control when not confined within a Dwelling Unit; or
  - d) is found to be trespassing.

### **7.3 Cats At-Large**

1. A Cat shall be deemed to be at-large if it is found in any place other than the Property of its Owner, and is not under the effective Care and Control of its Owner.

### **7.4 Impounding Animals**

1. Any Animal found at large, may be seized by a Municipal By-law Enforcement Officer, and taken to the Municipal Animal Shelter where such Animal may be impounded and held for a period of three (3) business days.
2. If any Animal so seized and impounded is not claimed at the expiration of the three-day period, the Municipal Animal Shelter may at their discretion, sell such Animal.
3. For the purpose of Section 7.4.1, the period of three (3) business days shall not include the day on which the Animal is seized.
4. The Municipal Animal Shelter shall keep a record of all Animals seized and impounded.

### **7.5 Claiming Impounded Animals**

1. Any Owner claiming an Animal which has been seized and impounded shall be entitled to recover the Animal from the Municipal Animal Shelter upon payment of impoundment fees as set out by the Municipal Animal Shelter, and reimbursement of any costs incurred by the Corporation.
2. No Person shall regain possession of a Dog or Cat from the Municipal Animal Shelter without producing proof of a valid licence purchased for said Dog or Cat.

## **Article 8 – Care of Animals**

### **8.1 Basic Care**

1. Every Owner who Keeps, harbours, possesses an Animal shall provide the Animal with a clean and sanitary environment free from an accumulation of fecal matter, with adequate and appropriate care, food, water, shelter, warmth, opportunity for physical activity, attention, veterinary care as may be required, and an environment that is appropriate to meet the physical and behavioral needs of the species.

### **8.2 Enclosure requirements**

1. Every Owner shall ensure an Enclosure used to shelter any Animal is at all times:
  - a) structurally sound and in good working order;
  - b) is weather-proof as to protect against the elements and Extreme Weather;
  - c) provides adequate insulation, ventilation and lighting;
  - d) kept in a clean and sanitary condition;
  - e) protected such that the Animal contained would not be harmed, and its health would not be negatively affected for the reason of being placed in such an Enclosure;
  - f) not exposed to noxious odours, lights or sounds;
  - g) escape-proof, except for doghouses that are contained within a secure Enclosure such as a fully fenced yard;
  - h) located not less than 1.52 metres (5 feet) from the Property line; and
  - i) of adequate size and in a condition such that the animal may extend its legs, wings and body to its full natural extent, stand, sit, perch, turn around and lie down.

### **8.3 Tethering Animals**

1. Every Owner who Tethers an Animal shall ensure:
  - a) that the Tether is less than three (3) metres (9.8 feet) in length;
  - b) the Tether allows for the full range of motion for an Animal; and

- c) the Tether does not cause harm or injury or Distress to the Animal.
- d) the Animal has access to water and shelter while Tethered.

#### **8.4 Unattended Animals**

1. The Owner of an Animal left unattended in a motor vehicle shall ensure that:
  - a) the Animal is restrained in a manner that prevents contact between the Animal and any member of the public;
  - b) the Animal has suitable ventilation; and
  - c) the Animal is not exposed to extreme temperatures which can cause Distress and/or death.

#### **8.5 Extreme Weather**

1. No Owner shall permit their Animal to remain outdoors during Extreme Weather events where such weather events cause Distress to the Animal.

#### **8.6 Excrement**

1. Any Owner of an Animal shall immediately remove and dispose of any excrement left by their Animal on any Property. The Owner shall dispose of the excrement in a proper refuse receptacle.
2. Section 8.6.1. shall not apply to Owners of Guide or Working Dogs or Police Service Dogs while these Dogs are engaged in their duties.

#### **8.7 Unspayed Female Confinement**

1. Every Owner of an Animal that has not been Spayed shall, during each period that the Animal is in heat, keep the Animal confined so as to not attract other Animals.

#### **8.8 Animal Entertainment**

1. No Person shall allow an Animal to be used for the purposes of any exhibit, public show, circus, rodeo, carnival or other display or act of entertainment which causes Distress to the Animal.
2. Animals may be used in professionally produced films and Kept temporarily during active filming, provided that:
  - a) the exhibitor or the Owner of such Animals is a member of, and accredited by either the Canadian Association of Zoos and Aquaria (CAZA) or the American Zoo and Aquarium Association, or is otherwise licensed by an appropriate authority;
  - b) such Animals have been inspected and approved by the Provincial Animal Welfare Services (PAWS) or successor, or

Municipal By-Law Enforcement Officer, seven (7) business days prior to the exhibit or performance;

- c) such Animals are used or Kept in an Enclosure which has protective devices that are adequate to prevent such Animal from escaping or injuring the public;
- d) such Animals are provided with a species-appropriate living environment while in the Corporation; and
- e) Municipal By-law Enforcement Officers may enter upon such areas at any reasonable time for the purpose of carrying out inspections to determine compliance with this By-law.

## **8.9 Animal Breeding**

1. No Person shall intentionally breed any Dog, or Cat, or other Animal unless they are a licensed Kennel pursuant to the Corporation's Kennel By-law.

## **Article 9 – Livestock**

### **9.1 Keeping Livestock**

1. No Person shall Keep, harbour or cause to be kept any Livestock unless the use is permitted pursuant to lands zoned for agriculture and/or farming use.
2. In addition to the requirements as stated in section 8.1 and 8.2, every Owner shall ensure:
  - a) In the case of a suspected Livestock infectious disease is diagnosed, the Livestock or Animal promptly received care by a qualified veterinarian, and if the infectious diseases is confirmed, the Corporation is notified forthwith;
  - b) Every Owner or custodian of a horse, cow, bull, steer, calf or sheep shall ensure that each such Animal has current rabies vaccination in accordance with *Ontario Regulation R.R.O. 1990, 567, Rabies Immunization*, as amended, or its successor regulations, and
  - a) A dead farm Animal must be disposed of by a method set out in Section 8 of *Ontario Regulation 106/09 Disposal of Dead Farm Animals*, as amended or its successor regulation, within forty-eight (48) hours of its death.

## **Article 10 – Wildlife**

### **10.1 Wildlife Keeping and Handling**

1. No Person shall:
  - a) Keep, harbour, or possess Wildlife;

- b) relocate or Disturb Wildlife or the natural habitat of Wildlife on Public Property unless otherwise authorized by the Corporation or another government entity; or
- c) injure, maim, kill, Harass or have their Animal injure, maim, or kill, or Harass any Wildlife unless provoked.

## **10.2 Wildlife Feeding**

1. No Person shall feed Wildlife or leave food or Attractants of any Property in such a manner as to attract or be accessible by Wildlife.
2. Section 10.2.1. does not apply to:
  - a) A Property Owner who uses food or Attractants as a trap to capture a sick or injured Animal on their Property;
  - b) A licensed animal trapper or pest control agency;
  - c) A Municipal By-law Enforcement Officer in the performance of their duties; or
  - d) A bird feeder in compliance with the Corporation's Clean Neighbourhoods By-law.

## **10.3 Wildlife Trapping**

1. No Person shall use a killer, leg-hold or snare trap within the City of Richmond Hill to capture Wildlife unless specifically authorized by, and under the supervision of the Ontario Ministry of Natural Resources and in accordance with the provisions of the *Fish and Wildlife Conservation Act 1997*, S.O. 1997, c. 41.
2. Traps shall be checked daily, and no Person shall cause Wildlife to remain in a trap for any extended period of time that may cause Distress to the trapped Animal.

# **Article 11 – Pigeon Keeping**

## **11.1 Pigeon Keeping**

1. No Person shall keep any pigeon unless they are a member in good standing of a recognized pigeon club which has, as its sole purpose, racing, showing, or sporting pigeons, and proof of which has been provided to the satisfaction of the - Commissioner.
2. No Pigeon Owner shall permit any pigeons to nest, perch, stray, or feed upon any Property other than the Owner's Property.
3. No Person shall keep more pigeons than would be permitted by the most restrictive of the following provisions:

- a) one (1) pigeon for every 0.185 m<sup>2</sup> (2 sq ft) of loft area being a raised shelter or building where pigeons are kept;
  - b) one (1) pigeon for every 0.093 m<sup>2</sup> (1 sq ft) of cage area;
  - c) one (1) pigeon for every 9.290 m<sup>2</sup> (100 sq ft) of Property area; or
  - d) twenty-five (25) pigeons in total.
4. In addition to the requirements as stated in section 8.1 and 8.2, every Owner shall ensure pigeons suspected to have an infectious Disease are diagnosed promptly by a qualified veterinarian, and if the infectious diseases is confirmed, the Corporation is notified forthwith.

## **Article 12 – Prohibited Animals**

### **12.1 Prohibited Animals**

1. No Person shall Keep, harbour or cause to be Kept within the Corporation, any Animal listed in Schedule 'A' e.
2. Section 12.1.1 does not apply to:
  - a) a licensed veterinary hospital or clinic under the care of a licensed veterinarian;
  - b) premises registered as research facilities pursuant to the *Animals for Research Act, RSO, 1990, c.A.22*;
  - c) the premises or an affiliate branch of a Municipal Animal Shelter or the Provincial Animal Welfare Services; and
  - d) any premises which hold a license under any statute of the Province of Ontario or Canada, which permits the custody of Animals under stated conditions.

## **Article 13 – Offences**

### **13.1 Fines for Contravention**

1. Every Person who contravenes any of the provisions of this Chapter is guilty of an offence and upon conviction is liable to a fine or penalty as provided for in the Provincial Offences Act, R.S.O. 1990, Chapter P.33, as amended.

### **13.2 Continuing Offence**

1. Where a Person is found to have been in contravention of any provision of this By-law, and the contravention has not been corrected, the contravention of the provision shall be deemed to be a continuing offence for each day that the contravention remains uncorrected.

### **13.3 Administrative Penalties**

1. In lieu of laying a charge under the Provincial Offences Act for a contravention of any provision of this By-law, a Municipal By-law Enforcement Officer may issue a Penalty Notice to the Person(s) who has contravened this By-law in accordance with the service requirements of the Administrative Penalty By-law. For greater certainty, the Municipal By-law Enforcement Officer has the discretion to either proceed by way of an administrative penalty or a charge laid under the Provincial Offences Act. If an administrative penalty is issued to a Person(s) for the contravention, no charge shall be laid against that same Person(s) for the same contravention.
2. A Person served with a Penalty Notice shall be liable to pay to the Corporation an administrative penalty in the amount specified in Schedule "A" of the Administrative Penalty By-law. An administrative penalty for a contravention of this By-law that is not paid within fifteen (15) days after the day it becomes due and payable, shall be subject to administrative fees as set out in the Tariff of Fees By-law and shall constitute a debt of the Person to the Corporation, and may be added to a municipal tax roll and collected in the same manner as municipal taxes for which all owners are responsible to pay.
3. A Person who is issued a Penalty Notice shall be subject to the procedures as provided for in the Administrative Penalty By-law.

### **13.4 Procedures**

1. A Person who is issued a Penalty Notice shall be subject to the procedures as provided for in the Administrative Penalty By-law.



## Schedule 'A' - Prohibited Animals

| Animal Class                  | Animal Order   | Examples   |
|-------------------------------|--|--|
| <b>Mammals<br/>(Mammalia)</b> | Artiodactyla   | Such as deer, antelope, giraffe, hippopotamus  |
|                               | Cetacea  | Such as dolphins, whales, sea lions  |
|                               | Chiroptera   | Such as brown, hoary, eastern red, eastern small footed, and long eared bats   |
|                               | <b>Canidae<br/>(Except Canis Familiaris)</b>                               | Such as wolves, foxes, coyotes, dingos, jackals, raccoon dogs, bush dogs, and any hybrid offspring of a wild Dog and domesticated Dog, or any breed of Pit Bulls or Dogs as defined in the Dog Owners' Liability Act R.S.O. 1990, Chapter D.16 |
|                               | Edentates  | Such as anteaters, sloths, armadillos  |
|                               | <b>Felidae<br/>(Except Felis Catus)</b>                                    | Such as lions, tiger, leopards, ocelots, jaguars, pumas, panthers, mountain lions, cheetahs, wild cats, cougars, bobcats, lynxes, servals, and any hybrid offspring of a wild Cat and domesticated Cat   |
|                               | Hyaenidae  | Such as hyaenas  |
|                               | Hyracoidea   | Such as hyraxes  |
|                               | Insectivores   | Such as aardvarks, anteaters, shrews, otter shrews, moles, hedge hogs  |
|                               | Lagomorpha   | Such as hares and pikas <b>(except domestic rabbits)</b>   |
|                               | Marsuiples   | Such as tasmanian devils, bandicoots, kangaroos, wallabies, opossums, wombats, koala bears, cuscus's, numbats and pigmy's, sugar and greater gliders   |
|                               | Mustelids  | Such as skunks, weasels, otters, badgers, martens, minks, ermines, pole cats, wolverines <b>(excludes ferrets)</b>   |
| Perissodactyla                | Such as zebras, rhinoceroses, tapirs <b>(excludes permitted Livestock)</b> |  |

|                            |                     |   |
|----------------------------|---------------------|---|
|                            | Pholidota           | Pangolins   |
|                            | Pinnipeds           | Such as seals, fur seals, walruses  |
|                            | Non-Human Primates  | Such as lemurs, orangutans, chimpanzees, gibbons, and gorillas  |
|                            | Proboscides         | Such as elephants   |
|                            | Procyonids          | Such as raccoons, kinkajous, cacomistles, cat-bears, pandas and coatimundi, coatis and cacomistles  |
|                            | Rodentia (Rodents)  | Such as gophers, muskrats, pacas, groundhogs, marmots, beavers, prairie dogs, nutrias', viscachas', porcupines, and squirrels ( <b>except rodents such as chinchillas, hamsters and guinea pigs</b> )               |
|                            | Sirenia             | Such as manatees, and sea cows  |
|                            | Ursides             | Bears including, but not limited to polar, grizzly, panda, brown, black bears   |
|                            | Viverrids           | Such as mongooses, civets, genets   |
| <b>Birds (Aves)</b>        | Anseriformes        | Such as ducks, geese, swans, screamers  |
|                            | Columbiformes       | Such as doves or pigeons  |
|                            | Galliformes         | Such as chickens, pheasants, grouse   |
|                            | Gruiformes          | Such as guinea fowl, turkeys, pea fowl  |
|                            | Phoenicopteriformes | Such as cranes, rails, and flamingos  |
|                            | Raptors             | Such as eagles, hawks, falcons, owls, vultures, condors   |
|                            | Ratite              | Such as ostriches, rheas, and cassowaries   |
|                            | Sphenisciformes     | Penguins  |
| <b>Reptiles (Reptilia)</b> | Squamata            | Such as the common or green anaconda and yellow anaconda, the African rock python, the Indian or Burmese python, the Amethystine or scrub python, and any snake that may reach an adult length larger than 3 meters |
|                            | Chelydridae         | Such as snapping turtles and alligator snapping turtles   |
|                            | Crocodylians        | Such as alligators, caiman, and crocodiles  |

|              |                           |   |
|--------------|---------------------------|---|
|              |                           |   |
|              | Teiidae                   | Such as golden, common or black and white tegu  |
|              | Testudines                | Such as tortoises, terrapins, and turtles ( <b>except turtles derived from a Self-Sustaining captive population</b> )   |
|              | Trachemys scripta elegans | All red-eared slider turtles  |
|              | Varanidae                 | Such as the white throated monitor; the African savannah monitor; the water monitor; the Komodo monitor or dragon; the Bornean earless monitor; the Nile monitor; the crocodile monitor   |
|              | Other                     | All other venomous reptiles or any snake that may reach an adult length larger than 3 meters.   |
| <b>Other</b> | Arachnids                 | All scorpions, venomous spiders such as tarantulas, black widows, solifugids, and all other venomous Arachnids  |
|              |                           | All protected or endangered Animals.<br><br>All Animals, native or exotic, whose possession or sale is prohibited because they are designated as protected or endangered pursuant to an international, federal, or provincial law, regulation, rle or agreement.<br><br>All venomous or poisonous insects or Animals. |