

BY-LAW 112-1998, OF THE CITY OF CORNWALL

A By-law respecting municipal park lands,
and relating to the licensing and regulating
of dogs and that this By-law be known as the
ANIMAL CONTROL BY-LAW

WHEREAS pursuant to the Municipal Act, R.S.O. 1990 Chapter M.45 Section 210 subsection 8 to 13 inclusive relating to the licensing and regulating of dogs; and

WHEREAS, by resolution dated August 10, 1998, the Council of the Corporation of the City of Cornwall deemed it desirable to allow dogs to enter certain municipal parks; and

WHEREAS it is also deemed desirable that all dog owners who make use of any public lands that permit dogs and/or any private property, respect the said lands and remove forthwith any dog feces caused to be left by their dog.

NOW THEREFORE the Council of the Corporation of the City of Cornwall enacts as follows:

DEFINITIONS

1. For the purpose of this By-law

City shall mean the Corporation of the City of Cornwall.

Dog means any dog or dogs male or female.

Guide Dog shall mean a dog that is trained to aid the visually impaired and actually used for such purpose.

Future Guide Dog Puppy shall include any dog under the age of fourteen (14) months, which is undergoing the preliminary training required to be a "Guide Dog."

Kennel shall mean a place or confine where purebred dogs are bred and raised and registered with an association incorporated under the Animal Pedigree Act (Canada).

Municipal Law Enforcement Officer shall mean a person appointed or employed by the Corporation of the City of Cornwall for the purposes of enforcing the provisions of this By-law.

Muzzled shall mean a fastening or covering device of adequate strength used over the mouth to prevent a dog from biting.

Owner shall mean any person who possesses or harbors a dog and, "owns" and "owned" have a corresponding meaning.

Pound shall mean such premises and facilities designated by the Corporation of the City of Cornwall as the City Pound.

Poundkeeper shall mean a person, persons, association or society appointed by the Corporation of The City of Cornwall to maintain and administer the pound.

Puppy shall mean a young dog that is less than a year old.

REGISTRATION

2. a) Every resident in the City of Cornwall who is the owner of a dog shall, within fourteen (14) days following the date that a dog comes into his/her possession, or where applicable upon the dog reaching the age of three months, register the dog with the City or its authorized agent, and thereafter annually on or before the 1st day of February, in each and every year pay in the office of the City Clerk or his/her authorized agent, a license fee calculated in accordance with Schedule 'A' attached to this by-law.
- b) In the case of a license being sold to the owner of a puppy, the fee shall be the fee payable for a male or female dog not neutered or spayed. Upon producing a Veterinarian Certificate within 6 months from the purchase of the initial tag, the owner of the puppy shall be reimbursed the difference between the fee for male or female dog and a neutered male or spayed female dog as per Schedule 'A' to this by-law.
- c) On payment of the license fee in accordance with subsection (a) of this Section, the City or its authorized agent, shall issue for each dog so registered, a serial numbered license tag and shall cause the name of the owner, his or her address, telephone number, and the number of his/her permit, to be entered in a register to be kept for that purpose. It shall be the responsibility of a dog owner to notify the City or its authorized agent of any changes in the information provided at the time the license tag was purchased.
- d) Every owner shall affix to his or her dog the license tag issued in accordance with subsection (c) of this section and shall keep such tag affixed on the dog at all times until a tag for the next year is purchased and affixed.
- e) No license tag or registration under this section shall be transferable and the license tag shall expire and become void upon the sale, death or other disposal of the dog.
- f) Every license under this section shall expire on the 31st day of January next following the date of issue.
- g) No person other than the owner or his agent shall remove the license tag from a dog.

- h) Every applicant for a license tag for a spayed female dog or a neutered male dog shall produce to the City or its authorized agent at the time of making application, a certificate of a veterinary surgeon that such female dog has been spayed, or that such male dog has been neutered.
- i) The replacement fee for a lost license tag is set out in Schedule 'A' to this by-law.

MUNICIPAL PARKS

- 3. That dogs be permitted to enter the following parks:
 - 1. Guindon Park roadways and Trillium Picnic area, but no other picnic areas or the nature/ski trails.
 - 2. Boals Drain Linear park from Emma Avenue to Meadowvale Crescent.
 - 3. Cedar Rapids corridor from Optimist Park to Brookdale Avenue and from Power Dam Drive east to Vincent Massey Drive

SUPERVISION

- 4. Any person who is so required by the City, or its authorized agent, shall forthwith deliver to the City, or its authorized agent, a statement in writing showing the number of male dogs, female dogs and spayed female dogs owned by such person or which are habitually kept upon the premises for which such person is assessed as owner or otherwise.

KENNEL

- 5. Notwithstanding the provisions of Section 3, subsection (a) of this By-law, the owner of a kennel of dogs that are registered or eligible for registration with an association incorporated under the Animal Pedigree Act (Canada) shall pay an annual license fee set out in Schedule 'A' to this by-law as a license fee for the kennel instead of a license fee for each dog and shall produce to the City, or its authorized agent, a certificate of such registration signed by the keeper of such Register, or a certified extract from such Register, showing that all dogs kept within such kennel are registered or eligible to be registered and provided further that the owner of such kennel holds a current kennel license issued by the the City.
- 6. Any new applicant for a license for a kennel not previously licensed must first obtain clarification that the property location of such kennel complies with the requirements of the City of Cornwall Zoning By-law by the Zoning Administrator.

CONTROL OF DOGS

7. a) No person who owns, harbors or possesses any dog shall allow the dog to run at large, or trespass on private property, even when on a leash.
- b) Every person who owns, harbors or possesses any dog shall ensure that at all times when the dog is off the lands of the owner that the dog is kept under control while on a leash.
- c) For the purpose of this By-law, a dog shall be deemed to be running at large if found in any place other than the premises of the owner of the dog and not on a leash held by a responsible person.
- d) A dog shall not be considered to be running at large if it is a guide dog or a police work dog.
- e) Any dog running at large contrary to the provisions of this By-law, may be captured by the Municipal Law Enforcement Officer or any Police Constable.
- f) Any person may capture any dog running at large and trespassing on his/her property and deliver same to the Municipal Law Enforcement Officer who shall impound the said dog or return same to the owner.
- g) A Municipal Law Enforcement Officer or other duly appointed officer, may enter on any public property or on private property with the consent of the owner or tenant of the property for the purpose of catching any dog running at large contrary to the provisions of this By-law.
- h) Any dog running at large contrary to the provisions of this By-law may be impounded and may be sold as hereinafter provided.
- i) For the impounding of all dogs under the provisions of this By-law, a Pound shall be established which complies with the Regulations made pursuant to The Animals For Research Act and under the care and control of the pound-keeper, whose duty it shall be to impound all dogs brought to him/her or found by him/her to be running at large contrary to this By-law and which have not been returned to their owner and to dispose of the same as hereinafter provided. He/She shall also keep a record of all dogs impounded and how disposed of and make a return as required to the Council of the the City or such Officer as may be designated by the said Council, showing the number of dogs impounded, how disposed of and the amount collected for poundage fees and proceeds of sale.

- j) It shall be the duty of the person appointed for that purpose to capture all dogs running at large contrary to this By-law and return them to the owners' habitual residence, if known, or to impound same, where they shall be confined, subject to the right of the owner to redeem the dog within seventy- two (72) hours from the time of impounding, exclusive of holidays and the day of impoundment, by paying to the pound keeper the poundage prescribed in Section 9 of this By-law and in the event the same or not redeemed with seventy-two (72) hours as aforesaid, the dog shall become the property of the pound keeper who may sell the dog or dispose of it as he deems fit, and in either event aforesaid, no damages or compensation shall be recovered on account of its termination or its disposition.
- k) Where a dog captured under this section is injured and does not have a tag affixed to it in accordance to Section 3 of this By-law or should be destroyed without delay for humane reasons or for reasons of safety to person or animals, the Municipal Law Enforcement Officer or designated agent of the City, may euthanize the dog in a humane manner as soon after capture as he/she thinks fit without permitting any person to reclaim the dog or without offering it for sale and in that event no damages or compensation shall be recovered on account of it being euthanized.
- l) Every person shall be responsible to remove forthwith any feces or excrement caused to be left by their dog(s) while on any public property and/or any private property. This provision shall be known as "Stoop and Scoop."
- m) The removal of dog feces from the owners' land shall be a matter covered in the City of Cornwall Clean Yards By-law.
- n) Excess noise caused by a dog barking is a matter covered in the City of Cornwall Noise By-law.
- o) When a dog is known to have bitten a person, the Medical Officer of Health may order the agent for the City to confine the dog under supervised quarantine for a period not to exceed ten (10) days in accordance with Regulation No. 703, as amended, of the Revised Regulations of Ontario, 1970, pursuant to the Public Health Act.
- p) Any dog known to be rabid or suspected of being rabid shall be placed in quarantine, or it shall be euthanized in such a manner that the brain is not damaged and the head shall be submitted to a laboratory for diagnoses.
- q) It shall be the duty of the pound keeper to care for all animals after they have been impounded in accordance with the regulations made pursuant to the Animals For Research Act.

VICIOUS DOGS

8. Where a person has called for help or assistance to our Municipal Police Department, City's By-law Enforcement Services, Veterinarian, Board of Health, hospitals, or any other public service agency, due to a dog biting or attacking a person or other domestic animal, upon being advised, and has reason to believe such occurrence has taken place the City's Bylaw Enforcement Services will so notify and inform the owner that the following requirements shall be complied with.
- a) The owner shall at all times, when it is not in the owner's dwelling but otherwise within the boundaries of the owner's lands, secure the dog in one or both of the following manners so as to prevent the dog from causing injury to any person or animal entering onto the owner's land.
 - i) The dog shall be located wholly within a fenced and properly secured area, and any gate in such fenced area shall be locked at all times when the dog is in the fenced area.
 - ii) The owner of such a dog shall, at all times when the dog is outside the boundaries of the owner's land, keep the dog muzzled so as to prevent it from biting.
 - b) Every person owning a reported vicious dog shall not walk his/her dog unless on a 6 foot lead, muzzled, and under the care and control of a person 16 years of age or older.
 - c) Every person being the owner of a reported vicious dog shall post a sign in a conspicuous place on his/her property stating that there is a vicious dog on the premises.
 - d) Where the owner of a dog is informed that he/she must comply with these sections, he/she is entitled to a hearing by Council, a Committee appointed by Council, or the Municipal Law Enforcement Officer of the Municipality which or who may exempt the owner from the muzzling or leashing requirement, or both.
 - e) No person shall permit his/her dog to attack any person, domestic animal, or domestic bird or to fight with another dog.

PENALTIES


9. a) Subject to Section 7 (k) of this By-law, a Municipal Law Enforcement Officer or a Peace Officer may:
- i) Seize and impound any dog found running at large; and
 - ii Restore possession of the dog to the owner thereof where:
 - A. The owner claims possession of the dog within three (3) days, exclusive of statutory holidays and Sundays, after the date of seizure; and
 - B. The owner pays to the Municipal Law Enforcement Officer or designated agent of the Corporation of the City of Cornwall, a release fee of thirty (\$30) dollars for the first and second occurrences or a release fee of sixty (\$60) dollars for the third and subsequent occurrences plus a maintenance sum of seven (\$7) for each day subsequent to the day of seizure that the dog remains impounded.
- b) Where a dog is impounded, the owner, if known, and whether or not the dog is claimed from the pound, shall be liable for pound and maintenance fees herein prescribed, and shall pay all fees on demand by the Municipal Law Enforcement Officer, or other designated agent of the City.
- c) In the event that a dog seized and impounded is injured and requires the services of a veterinary surgeon, and in addition, or alternatively must be destroyed, the cost thereof shall be paid by the owner of such dog.
10. Every person who contravenes any provision of this By-law shall be guilty of an offence, and shall be liable to penalties as provided for in the Provincial Offences Act, Chapter P.33 R.S.O. 1990 with a maximum fine of \$5000.00"


Read a First and Second time in open Council this 23rd day of November, 1998.


Clerk


Mayor

Read a Third and Final Time, Signed and Sealed in open Council this 23rd day of November, 1998.


Clerk


Mayor

SCHEDULE "A"

Sterilized dogs (male or female)	\$20.00
Unsterilized dogs (male or female)	\$33.00
Kennel License	\$55.00
Replacement tag	\$5.00

THE CORPORATION OF THE CITY OF CORNWALL

By-law # 2015-055

A By-law to amend By-Law 112-1998 being a By-Law of the Corporation of the City of Cornwall respecting municipal parklands, and relating to the licensing and regulating of dogs and other animals, known as the Animal Control By-law.

Whereas, Section 150, Subsections 2 of the Municipal Act 2001 vests in a local municipality the authority to exercise its licensing powers, including imposing conditions, for one or more of the following purposes: health and safety, nuisance control, consumer protection; and

Whereas, Sections 128 and 130 provide the Council to pass By-Laws to prohibit public nuisances and to regulate matters related to the health, safety and well-being of the inhabitants of the municipality; and

Whereas, Section 11 authorizes the Council to pass By-laws respecting matters surrounding animals and parks; and

Whereas, the Council of the Corporation of the City of Cornwall is desirous of amending By-Law 112-1998 to better address the regulation of animals within its municipality.

Now therefore be it resolved that, the Council of The Corporation of the City of Cornwall enacts as follows:

That By-Law 112-1998 be hereby amended as follows:

A) Add to section 1 – “Definitions”

Lamoureux Park shall be defined as being municipal lands being south of Water Street and Race Street, from Rotary Lane in the West, eastwards to Bergeron Drive and its projection to the river’s edge, including Marina 200 and area, but excluding the Legion Ball Park.

B) Section 3 – “Municipal Parks”; Delete section 3 (as amended) and replace with items 3(a), 3(b), 3(c), and 3(d) as follows:

3(a) That dogs be prohibited from municipal parks or lands used for municipal park purposes, including recreational trails or similar, except as follows, and subject to the applicable regulations contained in sections 3(b) and (c):

- i) Guindon Park
- ii) Boals Drain Linear park from Emma Avenue to Brookdale Avenue
- iii) Cedar Rapids Trail / Bicycle Path from Optimist Park to Brookdale Avenue
- iv) Lamoureux Park

3(b) Where permitted in parks, all dogs and all persons in control of dogs must comply with the following regulations:

- i) At all times the dog is to be kept under control and on a leash intended for such purposes of a length not exceeding two (2) metres.
- ii) That no dog is to be permitted within nine (9) metres of the edge of a municipal park facility or equipment including, but not limited to, a splash pad, pool, playground structure, gazebo, bleachers, sports field or similar facilities in any park. For clarity, the above restrictions do not apply to stand alone park benches.
- iii) That any person using any of the identified parks must comply with sections 7(l) of By-Law 112-1998 with respect to the removal of feces from public property.

3(c) Service dogs, goose or animal control dogs, or similar are permitted in any park.

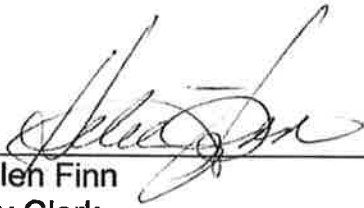
3(d) It is prohibited to feed water-fowl, more specifically geese, in all of Lamoureux Park.

C) Transition Repeal

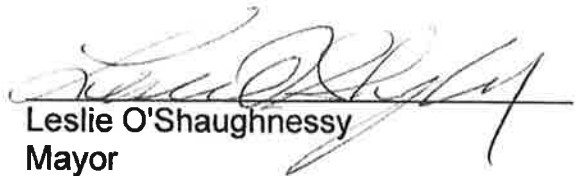
By-Law 2014-192, and amendment to Animal Control By-Law 112-1998, will be repealed on the date of the passing of this By-Law.

By-Law 102-1979 (as amended), known as the Park Lands By-Law, will be repealed on the date of the passing of this By-Law.

Read, signed and sealed in Open Council this 13th day of April, 2015.



Helen Finn
City Clerk



Leslie O'Shaughnessy
Mayor

THE CORPORATION OF THE CITY OF CORNWALL

By-law # 2012-118

A By-law to amend the Animal Control By-law 007-2003 of The Corporation of the City of Cornwall

WHEREAS Section 128 of the *Municipal Act, 2001* S. O. 2001 c. 25 (the "Act") provides that Council may prohibit and regulate with respect to public nuisances, including matters that, in the opinion of Council, are or could become or causes public nuisances;

AND WHEREAS Section 10(2) of the Act provides that a council may pass by-laws respecting animals;

AND WHEREAS Section 11.1 of the Act defines an "animal" as being "any member of the animal kingdom, other than a human" ;

AND WHEREAS Council of the Corporation of the City of Cornwall has determined that it is in the public interest to amend By-law No. 007-2003 (the "Animal Control By-law") to regulate the keeping of birds within the municipal boundaries of the City of Cornwall;

NOW THEREFORE COUNCIL OF THE CORPORATION OF THE CITY OF CORNWALL HEREBY ENACTS AS FOLLOWS:

1. That the Animal Control By-law be amended to include the following provisions:

11. "Keeping of Birds"

11.1 No person shall keep birds, including but not limited to pigeons and doves (referred to herein as a "Bird" or "Birds"), within the Municipal Boundaries of the City of Cornwall.

11.2 Notwithstanding any prohibition for the keeping of birds made in this bylaw, nothing in this bylaw is intended to prevent the keeping of pet birds (including but not limited to canaries, parrots, parakeets) entirely within the living space of any dwelling unit.

11.3 Notwithstanding anything herein to the contrary, the provisions of this Section 11 shall not apply to the keeping of Birds, for any purpose, on property used for Agricultural purposes in general; more specifically, property located in Prime Agricultural and Rural Area zones identified in Zoning By-law No. 751-1969 of the Corporation of the City of Cornwall, as amended.

2. Transition:

Where, as of the date of passing of this By-law, any person is currently keeping Birds in contravention of the provisions of Section 11.1 above, such person shall comply with the provisions of Section 11.1 above by December 7, 2012.

Read a First, Second and Third Time, Signed and Sealed in Open Council this 13th day of August 2012.



MANON L. POIRIER
DEPUTY CITY CLERK



BOB KILGER
MAYOR

THE CORPORATION OF THE CITY OF CORNWALL

By-law # 2011-042

A By-law to amend By-law No. 112-1998 being a By-law of The Corporation of the City of Cornwall respecting municipal park lands and relating to the licensing and regulating of dogs known as the Animal Control By-law

WHEREAS Section 11 of the Municipal Act 2011 authorizes the Council to pass by-laws respecting matters surrounding animals; and

WHEREAS the issue of allowing leashed dogs in Lamoureux Park has been debated at various forums, including Council; and

WHEREAS the Council of the Corporation of the City of Cornwall has endorsed an amendment to By-law 112-1998 to temporarily allow dogs within the boundaries of Lamoureux Park, now, therefore, be it

RESOLVED THAT THE COUNCIL OF THE CORPORATION OF THE CITY OF CORNWALL ENACTS AS FOLLOWS:

That By-law 112-1998 be amended by adding the following to Section 3 (Municipal Parks):

4. Lamoureux Park from May 1, 2011 until October 31, 2011 and subject to the following conditions:
 - i.) At all times, the dog is to be kept under control using a leash intended for such purposes, of a length not exceeding two (2) metres (6 1/2 feet).
 - ii.) That no dog be permitted within nine (9) metres (29 1/2 feet) of the defined edge of a municipal park facility (splashpad, playground, fixed seating or similar).

Read a First, Second and Third Time, Signed and Sealed in Open Council this 28th day of March, 2011.


DENISE LABELLE-GELINAS
CITY CLERK


BOB KILGER
MAYOR

THE CORPORATION OF THE CITY OF CORNWALL

Amended
w/ By-law 2012-118

By-law 007-2003

A by-law to amend Bylaw No. 112-1998 being a bylaw of the Corporation of the City of Cornwall respecting municipal parklands, and relating to the licensing and regulating of dogs known as the **ANIMAL CONTROL BYLAW.**

WHEREAS Section 150, Subsection 2 of the Municipal Act 2001, vests in a local municipality the authority to exercise its licensing powers, including imposing conditions, for one or more of the following purposes: health and safety; nuisance control; consumer protection; and

WHEREAS Section 128 and 130 provide the council to pass Bylaws to prohibit public nuisances and to regulate matters related to the health, safety and well-being of the inhabitants fo the municipality; and

WHEREAS Section 11 authorizes the Council to pass bylaws respecting matters surrounding animals; and

WHEREAS the Council of the Corporation of the City of Cornwall is desirous of amending Bylaw 112-1998 to better address the regulation of animals and the number of animals permitted within one household within its municipality.

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE CITY OF CORNWALL ENACTS AS FOLLOWS:

- 1. That Bylaw 112-1998 be amended by adding the following to section 7:
 - s) *Any person who owns more than the permitted number of dogs or cats (as per 7 (r)) when the Bylaw comes into force, shall be permitted to keep those dogs or cats until they have died or have been otherwise disposed of, provided that such dogs or cats are registered with the City within 90 days of when Bylaw #007-2003 Amendments came into force.*

In regards to dog registration, they must have a valid dog tag as required by Bylaw #112-1998.

In regards to cat registration, an owner must provide a detailed description of the cat including the name, age, sex, colour and other pertinent identifiers.

READ a First and Second Time, in Open Council this 27th day of January,2003.


Clerk


Mayor

READ a Third and Final Time, Signed and Sealed in Open Council this 27th day of January A.D., 2003.


Clerk


Mayor

THE CORPORATION OF THE CITY OF CORNWALL

Bylaw #180-2002

A by-law to amend Bylaw No. 112-1998 being a bylaw of the Corporation of the City of Cornwall respecting municipal parklands, and relating to the licensing and regulating of dogs known as the **ANIMAL CONTROL BYLAW.**

WHEREAS Section 150, Subsections 2 of the Municipal Act 2001 vests in a local municipality the authority to exercise its licensing powers , including imposing conditions, for one or more of the following purposes: health and safety; nuisance control; consumer protection; and

WHEREAS Section 128 and 130 provide the council to pass Bylaws to prohibit public nuisances and to regulate matters related to the health, safety and well-being of the inhabitants of the municipality; and

WHEREAS Section 11 authorizes the Council to pass bylaws respecting matters surrounding animals and parks; and

WHEREAS the Council of the Corporation of the City of Cornwall is desirous of amending Bylaw 112-1998 to better address the regulation of animals within its municipality.

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE CITY OF CORNWALL ENACTS AS FOLLOWS:

1. That Bylaw 112-1998 be hereby amended by adding the following to section 7:
r) ***the number of animals (cats and dogs) per household be limited to five (5) with a maximum of three (3) dogs;***
2. References made to "City Clerk", be replaced with "Chief Building Official"; and
3. Present Fee Schedule "A" be replaced with a new Fee Schedule "A" as attached.

READ a First and Second Time, in Open Council this 9th day of September, 2002.


Clerk


Mayor

READ a Third and Final Time, Signed and Sealed in Open Council this 9th day of December, 2002.


Clerk


Mayor

ANIMAL CONTROL

SCHEDULE "A" to By-law 180-2002

Sterilized dogs (male or female)

Prior to May 1	\$20.00
After May 1	\$25.00
New to owner after Sept. 1	\$10.00

Unsterilized dogs (male or female)

Prior to May 1	\$40.00
After May 1	\$50.00
New to owner after Sept. 1	\$17.50

Kennel License

For initial dog	\$55.00
For each additional dog 6 months of age or older	\$10.00

Replacement tag \$5.00

Impounding Fees

First Occurrence	\$35.00
Second Occurrence	\$45.00
Third Occurrence	\$65.00

*Maintenance fee of \$7.00 / day is levied subsequent to the day of seizure