

THE CORPORATION OF THE TOWN OF TECUMSEH

BY-LAW NUMBER 2017-61

Being a by-law to amend By-law No. 2003-91
being a by-law to provide for the regulation,
restriction and prohibition of the keeping and
the running-at-large of dogs in the Town of
Tecumseh

WHEREAS Sections 11 (1)9, 103 and 105 of *the Municipal Act 2001, S.O. 2001, c. 25*, provides that by-laws may be passed by councils of municipalities for prohibiting or regulating the keeping of animals; for regulating establishments for the breeding or boarding of animals or any class thereof; for determining the compensation for impounding animals; for requiring an owner of a dog to keep the dog leashed; for requiring an owner of a dog to remove forthwith excrement; for licensing and regulating and requiring the registration of dogs; and for prohibiting the running at large of dogs.

AND WHEREAS the Council of The Corporation of the Town of Tecumseh ("Town") adopted By-law No. 2003-91 on the 18th day of November, 2003, to provide for the regulation, restriction and prohibition of the keeping and the Running At Large of Dogs in the Town of Tecumseh (Dog Control By-law);

AND WHEREAS the Council of the Town is desirous of amending the Dog By-law.

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWN OF TECUMSEH HEREBY ENACTS AS FOLLOWS:

1. **THAT** Part 1 of the Dog Control By-law be amended by adding the following definitions:
 - (i) "Choke Collar", "Choke Chain", or "Prong Collar" means a collar that tightens, constricts, or pinches a dog's neck when tension is applied and may inflict pain or discomfort on an animal.
 - (ii) "Extreme Weather" means a cold warning, heat warning or other weather warning alert issued by Environment Canada for weather in the Town of Tecumseh, including, and not limited to, extreme cold or hot weather, snow storms, freezing rain, heavy rainfall, hurricanes, tornadoes and/or strong winds.
 - (iii) "Tethered" means the fastening of a rope, chain, cord or similar restraining device to a dog's collar or halter so that the animal can only range in an area limited to the length of such rope, chain, cord, or similar restraining device.

2. **THAT** Paragraph 4.12 and 4.14 of the Dog Control By-law are hereby repealed and replaced with the following:

4.12 Out of door dog – weather proof enclosure and extreme weather
No person shall allow a dog to remain outdoors during extreme weather unless the dog has access to shelter that will adequately protect the dog from the conditions.

Any person who owns an animal that is customarily kept outside shall at all times:

- (i) provide it with protection from the elements including harmful temperatures;
- (ii) provide a structurally sound, weatherproof, insulated shelter, of a size and design having regard for the animal's weight and type of coat;
- (iii) provide an enclosure which has sufficient space to allow the animal the ability to turn around freely and to easily sit, stand and lie in a fully extended position.

4.14 Tethered Dog – length and restraining device

No person shall keep a dog tethered on a rope, chain, cord or similar restraining device unless:

- (i) the tether shall be a minimum of three (3.0) meters in length, provided that the tether does not permit the dog to go beyond the limits of the dog owner's property;
- (ii) the dog has unrestricted movement within the range of such tether;
- (iii) the dog is not tethered for longer than four (4) hours per day (24-hour period);
- (iv) the dog has access to water, shade and shelter while tethered; and
- (v) the dog cannot injure itself as a result of tethering.

Notwithstanding the subsection above, no person shall keep a dog tethered where a choke collar, a choke chain or a prong collar forms part of the tether or a rope chain, cord or similar restraining device is tied directly around a dog's neck

3. **THAT** the following Paragraphs 4.15, 4.16 and 4.17 be added to the Dog Control By-law:

4.15 Enforcement

The Windsor/Essex Humane Society shall have the right to enforce all of the provisions of Part 4 of this By-law on its own volition and in its sole discretion.

4.16 Vehicle – prohibited

No person shall allow a dog to be outside the passenger cab of a motor vehicle on a roadway, regardless of whether the motor vehicle is moving or parked.

No person shall leave a dog unattended in a motor vehicle if the weather conditions are not suitable for containment of an animal.

A Police Officer and/or a By-law Enforcement Officer, who has reasonable grounds to believe that an animal left unattended in a motor vehicle is in imminent physical danger, may take steps to remove the animal from the vehicle and shall not be held liable for any damage to the vehicle by so doing.

4.17 Transporting of Dog

Notwithstanding the subsection above, a person may allow a dog to be outside the passenger cab of a motor vehicle, including riding in the back of a pick-up truck, or flatbed truck, if the dog is:

- (i) in a fully enclosed trailer;
- (ii) in a topper enclosing the bed area of the truck;
- (iii) contained in a ventilated kennel or similar device securely fastened to the bed of the truck; or
- (iv) securely tethered in such a manner that the dog is not standing on bare metal, cannot jump or be thrown from the vehicle, is not in danger of strangulation and cannot reach the outside edges of a vehicle.

4. THAT Schedule "A" of the Dog Control By-law is hereby repealed and replaced with Schedule "A" attached hereto and forming part of this By-law.
5. THAT this by-law shall come into force and take effect upon third and final reading.

READ a first, second and third time and finally passed this 12th day of September, 2017.




Gary McNamara, Mayor


Laura Moy, Clerk

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**Schedule "A" - Licence Fees
Payable to the Treasurer**

1. Dog Licence Fee:
 - (a) On or before March 31st. \$ 20.00
 - (b) After March 31st. \$ 35.00

2. Kennel Licence Fee:
 - (a) On or before March 31st \$ 100.00
 - (b) After March 31st \$ 125.00

3. Guide Dogs
 - (a) Guide Dogs January 1 to December 31
 - i) Seeing eye Dog No charge
 - ii) Hearing ear Dog No charge

4. Miscellaneous
 - (a) Replacement tag \$10.00
 - (b) Transfer of Licence No charge