

**THE CORPORATION OF THE TOWN OF ESSEX
BY-LAW # 315**

Being a by-law to provide for imposing of a licence fee on every person owning or harbouring a dog and for the prohibiting of and regulating of the number of animals, and regulating the running at large of dogs.

WHEREAS the Councils of municipalities are authorized to pass by-laws pursuant to the provisions of Section 210(11) of the Municipal Act, R.S.O. 1990, Chapter M. 45 to provide for the payment of a licence fee by every person who owns a dog and the time of purchase of such licence;

AND WHEREAS the Councils of municipalities are authorized to pass by-laws pursuant to provisions of Section 210(I) of the Municipal Act R.S.O. 1990, Chapter M.45 to provide for regulating the keeping of animals and the number thereof;

AND WHEREAS the Council of Municipalities are authorized to pass by-laws pursuant to the provisions of Section 210(13) of the Municipal Act R.S.O. 1990 Chapter M.45 to provide and regulate dogs running at large;

AND WHEREAS, the Council of the Town of Essex deems it advisable to pass such a by-law;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWN OF ESSEX ENACTS AS FOLLOWS:

1. In this by-law:
 - (a) "dog" means a male or female dog over the age of six (6) months.
 - (b) "owner" of a dog includes a person who possesses or harbours a dog, and "owns" and "owned" have a corresponding meaning.
 - (c) "kennel" shall mean a kennel or pure-bred dogs registered under the Canadian Kennel Club Incorporated.
 - (d) "Clerk" shall mean the Clerk of the Corporation of the Town of Essex.
 - (e) "Canine Enumerator" and "Enumerator" shall mean the officer designated for the purpose of the dog licence sales and dog tag registrations.
 - (f) "Town" shall mean the Corporation of the Town of Essex.
 - (g) "Running at large" shall mean if found in a place other than the premises of the owner of the dog and not under the control of any person.
2. No person shall after the 30th day of April in each year, own a dog within the municipality unless such person has obtained from the Clerk, Police Department or Canine Enumerator of the Town, a licence and a dog tag for each dog owned.
3. The licence fee shall be imposed in accordance with the Schedule "A" which shall apply to all dogs owned by any one person or in any one household:
4. The licence fee shall apply to all dogs over the age of six months and where a dog becomes a licenceable age during the second half of the year, the fee shall be charged at the lesser rate.
- 5 (a) A tag shall be supplied by the Clerk or Enumerator for each dog with respect to which a licence is issued hereunder, and the owner shall securely affix the said tag to the dog so that it will remain there at all times during the year.
 - (b) The said tag shall bear a serial number and the year for which it is issued and a record shall be kept by the Clerk for the purpose of showing the name and address of the owner and the serial number of the tag.

(c) No person shall put on or affix to a dog a tag unless the same is issued for use upon such dog.

6. No owner shall allow a dog to run at large in the Town of Essex.
7. (a) Every dog which is found within the limits of the Town, off the premises on which it is usually kept, with or without a tag and not under the control any competent person, may, by the person designated for the purpose of dog catching be seized and impounded, and if not claimed by the owner thereof within seventy-two (72) hours from the time of seizure, be destroyed.

(b) The fee payable for the re-claiming of such dog or dogs shall be in the amount of Fifty Dollars (\$50.00) for each dog payable to the keeper of the pound prior to the release of such dog or dogs.
8. (a) No person or household shall be allowed to possess or harbour in excess of two (2) dogs at anytime, however has a litter, shall within six (6) months of birth of the litter take steps necessary to comply with maximum allowable.

(b) Notwithstanding Section 8 (a) above, a person or household may harbour in excess of two dogs subject to approval of a kennel licence by the Council of the Town.
9. Everyone who contravenes any provisions of this By-law is guilty of an offence and on conviction is liable to a fine as provided for in the Provincial Offences Act.
10. Where an owner of a dog allows it to run at large, the owner may voluntary pay the penalty out of Court and if payment is not made in accordance with this procedure, the fine is recoverable under the provisions of the Provincial Offences Act.
11. By-Law #122 is hereby repealed.
12. This by-law shall come into full force and effect on the day of final passing thereof.

READ a first and second time this 23rd day of May, 2001.

READ a third time and finally passed this 23rd day of May, 2001.

DEPUTY-MAYOR

CLERK

Schedule "A"
To By-Law # 315

	January 1 st to April 30 th	May 1 st to December 31st
Fee per tag per dog	\$10.00	\$20.00
Kennel Licence*	\$100.00	\$150.00

*A Kennel Licence shall be issued only in Zones permitted by the Municipalities Comprehensive Zoning By-Law. The Kennel Licence fee includes the necessary number of dog tags to meets the needs of the Kennel Operator at the time of the issuance of the Kennel Licence.

TOWN OF ESSEX BY-LAW # 315

BEING A BY-LAW TO PROVIDE FOR IMPOSING OF A LICENCE FEE ON EVERY PERSON OWNING OR HARBOURING A DOG AND FOR THE PROHIBITING OF AND REGULATING OF THE NUMBER OF ANIMALS, AND REGULATING THE RUNNING AT LARGE OF DOGS.

ITEM	COLUMN 1 SHORT FORM WORDING	COLUMN 2 OFFENCE CREATING PROVISION OR DEFINING OFFENSE	COLUMN 3 SET FINE (includes costs)
1.	Own dog without licence and dog tag	Section 2	\$ 105.00
2	Affix dog tag to dog other than one for which tag issued	Section 5 (c)	\$ 105.00
3.	Dog owner permitting a dog to run at large	Section 6	\$ 105.00
4.	Harbour more than two (2) dogs	Section 8 (a)	\$ 105.00

NOTE: The penalty provisions for the offences indicated in Section 9 of By-Law #315, a certified copy of which has been filed.