

**THE CORPORATION OF THE
TOWNSHIP OF EDWARDSBURGH/CARDINAL**

BY-LAW 2018-18

**"A BY-LAW TO AMEND BY-LAW 2016-85 TO REGULATE THE KEEPING OF
ANIMALS IN THE TOWNSHIP OF EDWARDSBURGH/CARDINAL"**

WHEREAS the Municipal Act 2001, SO 2001, c. 25, Section 103, authorizes the municipality to pass by-laws providing for the seizure and impounding of animals;

AND WHEREAS the Municipal Act 2001, SO 2001, c. 25, Section 150 authorizes the municipality to pass by-laws for licensing, regulating and governing any business carried on within the municipality;


AND WHEREAS the Council of the Corporation of the Township of Edwardsburgh/Cardinal deems it desirable to amend By-law 2016-85;

NOW THEREFORE the Council of the Corporation of the Township of Edwardsburgh/Cardinal enacts as follows:

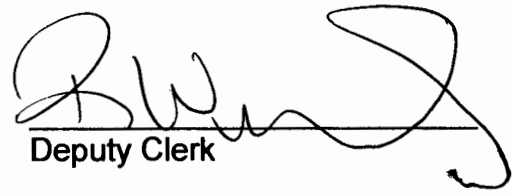
1. That Section 53 under the "PENALTIES" heading is deleted and replaced by the following:
"Every person who contravenes any provision of this by-law is guilty of an offence and upon conviction is liable to a fine as provided for in the Provincial Offences Act, R.S.O. 1990, c. P 33, as amended."
2. That the following Section 54 under the "PENALTIES" heading is added:
"A person who is convicted of an offence under this by-law is liable for each day or part of a day that the offence continues, where the minimum fine shall not exceed \$500.00 and a maximum fine of \$10,000.00 and the total of all daily fines for the offences is not limited to \$100,000.00 as provided for in Section 429(3) of the Municipal Act, SO 2001, c. 25, as amended."
3. That Section 54 is renumbered as Section 55.
4. That Section 55 is renumbered as Section 56.
5. That Section 56 is renumbered as Section 57 and amended as follows:
"Upon registering a conviction for a contravention of any provision of this By-law, the court in which the conviction has been entered, may in addition to any other remedy and to any penalty imposed by this By-Law, make an order prohibiting the continuation or repetition of the offence by the person convicted, pursuant to Section 431 of the Municipal Act 2001, SO 2001 as amended."
6. That Section 58 be added to the "PENALTIES" section as follows:
"Every person who contravenes this by-law, including a notice to remedy issued under this by-law is guilty of an offence."
7. That Sections 57 through 61 under the "OTHER" section be renumbered 59 through 64.
8. That By-law 2016-85 be amended to include Schedule "F" – Set Fines attached hereto.
9. That all other provisions of by-law 2016-85 shall remain in force and effect.

Read a first and second time in open Council this 26th day of March, 2018.

Read a third and final time, passed, signed and sealed in open Council this 26th day of March, 2018.



Mayor



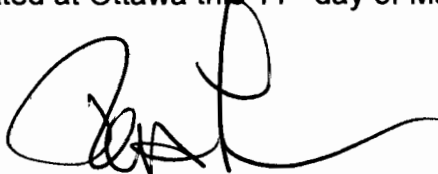
Deputy Clerk

PROVINCIAL OFFENCES ACT

Part I

IT IS ORDERED pursuant to the provisions of the *Provincial Offences Act* and the rules for the Ontario Court of Justice, that the amount set opposite each of the offences in the schedule of offences under the Provincial Statutes and Regulations thereunder and Municipal By-law No. 2016-85 as amended of the Corporation of the Township of Edwardsburgh/Cardinal, attached hereto is the set fine for that offence. This Order is to take effect on May 11th, 2018.

Dated at Ottawa this 11th day of May 2018.



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Jean G. Legault, Regional Senior Justice
Ontario Court of Justice
East Region

Schedule "F"

Township of Edwardsburgh Cardinal

Part 1 – Provincial Offences Act

By-law 2016-85, as amended by By-law 2018-18

Animal Control – Set Fines

ITEM	SHORT FORM WORDING	PROVISION CREATING OR DEFINING OFFENCE	SET FINE
1	Allow cat to run at large	2.a	\$125
2	Allow dog to run at large	4.a	\$125
3	Allowing dog to trespass on any private property	8	\$125
4	Failure to properly secure vicious dog from escaping owner's property	13	\$250
5	Failure to muzzle vicious dog	14	\$250
6	Failure to prevent dog from attacking a person or domestic animal	17	\$300
7	Failure to post signage on property warning of vicious dog	20	\$100
8	Failure to remove excrement	21	\$100
9	Keeping more than 3 domestic animals of any species or an aggregate of 6 domestic animals	23	\$200
10	Keeping more than 2 domestic animals	24	\$200
11	Keeping animal causing disturbing noise or sound in the neighbourhood	27a	\$100
12	Keeping animal causing disturbing noise or sound in any dwelling, apartment or other residence	27b	\$100
13	Failure to have a valid dog license	28	\$125
14	Keeping of wild animal	36.a	\$300
15	Keeping of prohibited animal(s)	36.b -Schedule "B"	\$300
16	Keeping of "other pets" without an escape-proof enclosure	36.c	\$100
17	Failure to obtain a kennel license	39	\$300
18	Failure to provide list of dogs	39.b	\$100
19	Failure of kennel to conform and be maintained to Ontario Building Code	39.d	\$300
20	Housing more than 15 dogs	39.f	\$250
21	Failure to obtain an animal rescue shelter license	47	\$200
22	Failure of animal rescue shelter to conform to standards in Schedule "E"	48	\$300
23	Housing more than 20 animals	50	\$250
24	Failure to obtain a pet shop license	51	\$300
25	Failure of pet shop shelter to conform to standards in Schedule "E"	52	\$300

Note: The general penalty sections for the offences indicated above is Sections 53 to 58 of By-law 2016-85 as amended by By-law 2018-18. A certified copy of which has been filed.