

**PROVINCE OF QUÉBEC  
MUNICIPALITY OF LA PÊCHE**

**BY-LAW 13-RM-02**

**CONCERNING ANIMALS WITHIN THE BOUNDARIES OF THE  
MUNICIPALITY OF LA PÊCHE**

Whereas Council deems necessary and in the public's interest to regulate the presence of animals on its territory;

Whereas a notice of motion was given at the regular council meeting of July 8, 2013, to the effect that this by-law would be submitted for approval;

Therefore it is ordered and decreed by the council of the Municipality of La Pêche, and said council orders and decrees by this by-law, as follows:

**SECTION 1 – DEFINITIONS**

For the purpose of interpreting this by-law, unless otherwise stated and without restricting their generality, the following words and expressions are defined as:

**1.1 FARMER:**

Refers to an agricultural producer who is designated as such.

**1.2 ANIMAL:**

Refers to all species of animals of any origin. Cats and others pets.

**1.3 FARM ANIMAL:**

Refers to animals kept for breeding purposes on a farm, such as: sheep, cattle, pigs, horses, boars, bison, etc... except dogs.

**1.4 ANIMAL AT LARGE:**

Refers to any animal found outside its keeper's premises or property, uncontrolled or unrestrained.

**1.5 STRAY ANIMAL:**

Refers to any animal found wandering at large or lost, without known owner;

Is interpreted as stray, an animal that is outside the owner property, without immediate control of the keeper, or outside of the property where the animal is detained.

**1.6 EXOTIC ANIMAL:**

Refers to any animal whose species or race is non-native to Québec, except for birds, fish and small turtles.

**1.7 WILD ANIMAL:**

Refers to an animal that normally lives in the water, the woods, the deserts or the forests and generally is not domesticated by human.

**1.8 RELEVANT AUTHORITY:**

Refers to « Animal protection service » staff and any member of the public security department of the MRC des Collines-de-l'Outaouais.

**1.9 BUILDING**

Refers to a construction consisting of a roof supported by columns or walls and used to shelter humans, animals or objects.

**1.10 KENNEL:**

Refers to any area set up in such a way as to board, shelter or breed more than 3 dogs.

**1.11 DOG:**

Refers to any dog, bitch or puppy.

**1.12 WATCHDOG:**

Refers to a dog trained or used to guard against trespassers and attacks on order or on sight.

**1.13 GUIDE-DOG**

Refers to a dog trained as a mobility aid for blind or physically handicapped persons.

**1.14 OUTBUILDING :**

Refers to any accessory building separate from a unit of occupation or of a property on which the unit of occupation is located or adjacent to, including garages adjoining the unit of occupation.

**1.15 PUBLIC BUILDING:**

Refers to any public or private building accessible to the public.

**1.16 BREEDER :**

Refers to any person who breeds cats or dogs, full or part time, with or without remuneration, and has more than 4 dogs or cats and detains a permit to this effect from the Municipality.

**1.17 PUBLIC AREA :**

Refers to any public property, thoroughfare, public land and Municipal park

**1.18 HOST FAMILY:**

Refers to a person or group of person who is authorized to temporary keeps a domestic animal. Its belongs to the SPCA and/or one of their representative to delegate those keepers.

**1.19 DOG POUND:**

Refers to the « Animal protection service » shelter.

**1.20 KEEPER:**

Refers to a person who is the owners, keeper of an animal or give refuge, feeds or maintain a domestic animal as well as the father, mother, sponsor, responsible where lives an underage person who own, keep or give refuge to a domestic animal.

Is also call keeper, the owners, occupant or tenant of the occupation unit where live the animal.

**1.21 MUNICIPALITY:**

Refers to the Municipality of La Pêche.

**1.22 PARK:**

Refers to parks located on the territory of the Municipality and by the same token includes rest areas, parkways, recreational pathways, tourist routes and generally speaking all public areas, sodded or unsodded, accessible to the public for rest or relaxation, games, sports or for any other similar purpose, but does not include streets, roads, alleys and sidewalks adjacent to streets nor any area designed for vehicle traffic.

**1.23 ANIMAL BOARDING:**

Refers to any location used for boarding animals, with or without remuneration, for a set period of time. The term « owner » associated with the terms « animal boarding » refers to a person who carries on this type of activity.

**1.24 PERSON:**

Refers to an individual or a corporation.

**1.25 DISABLED PERSON:**

Refers to a person recognized as such by l'Office des personnes handicapées du Québec or any other similar government authority.

**1.26 KENNEL OWNER:**

Refers to a person who is paid, or not, full or part time to board, care for or breed more than 3 dogs,

**1.27 PROPERTY:**

Refers to any privately owned property or building not accessible to the public.

**1.28 REFUGE**

Refers to any place where animal can be welcome. The place, operation as well as the life conditions of the animal inside the refuge must be recognize by the SPCA.

**1.29 REGULATIONS REGARDING CAPTIVE ANIMALS:**

Pursuant to the Act respecting the conservation and development of wildlife (L.R.Q., c. 61.1, r.0.0001)

**1.30 AGRICULTURAL SECTOR:**

Refers to a sector designated for farming activities permitted by the municipality.

**1.31 ANIMAL PROTECTION SERVICE :**

Refers to an organization which has made an agreement with the Municipality regarding the collection of licence fees and the enforcement of this by-law.

**1.32 PLAYGROUND:**

Refers to a public area designed primarily for sports or recreational activities.

**1.33 PRIVATE PROPERTY ;**

Refers to a privately owned property which is not accessible to the public, except for the buildings on said property.

**1.34 UNIT OF OCCUPATION::**

Refers to one or several rooms in a building and primarily used for residential, institutional, commercial or industrial purposes.

**1.35 TRAFFIC AREAS:**

Refers to a street, alley, public road, private road with public access, parking space or lot, sidewalks or others.

**SECTION 2 – ENFORCEMENT OF THIS BY-LAW**

- 2.1 The Municipality may make an agreement with any person or organization to authorizing the said person or organization to collect animal licence fees and enforce part or all of this by-law.
- 2.2 For the purpose of this by-law, any person or organization entrusted with the authority to collect licence fees and enforce this by-law, in part or completely, is designated as the animal control department.
- 2.3 Notwithstanding the provisions given in articles 2.1 and 2.2 of this by-law, peace officers of the MRC des Collines-de-l'Outaouais are also authorized to enforce this by-law.

**SECTION 3 - INTERPRETATION**

- 3.1 Any article of this by-law which stipulates «does not apply to veterinarians » implies that the article does not apply to veterinarians who have a licence to practice within the boundaries of the Municipality;
- 3.2 Any article of this by-law which stipulates « does not apply to pet shops » implies that the article does not apply to licenced pet shops within the boundaries of the Municipality.

#### **SECTION 4 – GENERAL PROVISIONS RELATED TO ANIMAL KEEPING - AUTHORIZED ANIMALS**

- 4.1 Except for exhibitions or with council's permission, no one may keep any animal within the boundaries of the municipality other than:
- a) Dogs, cats, fishes, small pet rodents (select mice and rats) pet rabbits as well as ferrets (*mustela putorius furo*).
  - b) The number and species of native amphibians and reptiles allowed to be kept according to the Règlement sur les animaux en captivité (Captive Animals Regulation) (R.R.Q., C-61.1, r.0. 0001).
  - c) The following exotic animals:
    - i) all reptiles except for crocodilians, venomous lizards, venomous snakes, boas, pythons, anacondas as well as snakes that could reach 3 metres in length when full grown, sea turtles and green turtles with red ears, wheat snakes or corn snake;
    - ii) all amphibians;
    - iii) all birds of the following families: capitonidae , columbidae, emberizidae, estrilidae, irenidae, myna bird, musophagidae, ploceidae, any bird of the parrot family, pycnonotidae, ramphastidae, timeliidae, turdidae, zosteropidae
    - iv) all following mammals : chinchillas, guinea pigs, gerbils, jerboas, hamsters.

#### **MINIMUM ANIMAL KEEPING STANDARDS AND REQUIREMENTS**

- 4.2 No one may keep more than 3 dogs in a dwelling, on a property where such dwelling is located or in any outbuildings located on the property, except for farmer.
- 4.3 The keeper of a female dog which has given birth must dispose of the animals within three months, in accordance with this by-law.
- Article 4.2 does not apply prior to this time period.
- 4.4 An animal keeper must provide the animal under his keep with the required and appropriate food, water, shelter and care according to its species and age.
- 4.5 The animal keeper must maintain sanitary conditions where the animal is kept.
- 4.6 An animal keeper must provide an animal kept outside with a shelter suitable for its species and the weather. The shelter must meet the following minimum requirements :
- a) It must not be exposed to too much sun or wind, to snow or rain;
  - b) It must be leak proof, isolated from the ground and constructed with insulating material.
- 4.7 A rope or leash used to tie up an animal outside must have a minimum length of three (3) metres.
- 4.8 It is not permitted to transport an animal in the rear trunk of a vehicle or in an open ended vehicle, such as a pickup.

At all time, the owner of the vehicle must shelter the animal from the sun, heat or poor weather conditions, and make sure that the animal cannot fall out of the vehicle.

- 4.9 An animal keeper who is aware that his animal is injured or ill and does not take proper measures to have it treated or put to sleep is in violation of this section of the by-law.
- 4.10 An animal keeper may not dispose of any animal by abandoning it. He must hand over the animal or animals to a relevant authority that will have the animal or animals put up for adoption or put to sleep. In the latter case, the fees are chargeable to the animal keeper.
- 4.11 When a complaint is made to the effect that an animal keeper has abandoned an animal or animals, the relevant authority will investigate and, if necessary, dispose of the animal or animals by adoption or euthanasia.
- If the animal's keeper is found, he will be held liable for the costs incurred and subject to legal proceedings in accordance with this section.
- 4.12 Within 24 hours following an animal's death, the animal's keeper must deliver it to the Animal protection service or dispose of it in accordance with standards of the Department of Environment.

#### **NUISANCES**

- 4.13 No one is permitted to organize, participate in, promote or attend animal fights.
- 4.14 No one is permitted to be cruel to an animal, nor to mistreat, molest, harass or provoke an animal.
- 4.15 An animal's keeper must immediately clean up, in all appropriate manners, any public place or private property which has been soiled by the animal's faeces, and must dispose of said faeces in a sanitary fashion. The keeper must have all the required material to do so in his possession. This clause does not apply to seeing-eye dogs.
- 4.16 Any person who finds a stray animal must report or deliver it without delay to the Animal protection service.
- 4.17 No one may use or permit the use of poison or traps to capture animals except for a trapping cage.
- 4.18 It is considered a nuisance to feed, keep or otherwise attract pigeons, squirrels or any other free-ranging animal on the territory of the municipality, to the detriment of the health, safety or comfort of a person or persons in the vicinity.
- 4.19 No one may take or destroy bird eggs or nests in parks or other locations in the municipality.
- 4.20 No one is permitted to feed the ducks or gulls along shores and banks, lake or ponds located on the territory of the municipality.
- 4.21 Except in areas intended for riding, no one may ride or walk a horse in the parks of the municipality.
- 4.22 No one may, at any time, bring an animal to a public place or public park. This article does not apply to guide-dogs or any occasion or event which the presence of animals is authorized by the Municipality.
- 4.23 No one is permitted to bathe an animal in the public pools or ponds of the municipality.
- 4.24 It is permitted to bathe an animal in the lakes and rivers in the municipality, except where otherwise indicated.

## **POWERS OF THE RELEVANT AUTHORITY**

- 4.25 In the case where a complaint pursuant to this section is received, the relevant authority may investigate.

This complaint must be done only to evaluate an animal following a behavior and/or situation against the present by-law. If the complaint is proved and warranted, the relevant authority can issue a notice to the owner or keeper of the animal;

The owner and/or keeper who receive a notice will have to correct the situation within 5 days of the notice. If the owners and/or keeper did not comply to the notice above mentioned or if a second complaint is received with regard to the same animal and the investigation end with the same recommendation of the first investigation, the keeper will be ordered to dispose of the animal or animals within 7 days of the notice, without detriment to the Municipality's right to take legal action for failure to comply to this by-law.

Commits an offence any animal keeper who does not comply to the given recommendations and/or notice by the relevant authority.

- 4.26 At any time, for reasonable cause, the relevant authority may order the confinement or isolation of an animal for a period of time, impose animal care measures, including neutering or putting the animal to sleep.

An animal keeper who does not comply with the order commits an offence.

- 4.27 An animal considered a nuisance may be destroyed immediately if its capture constitutes a danger.

- 4.28 For the purpose of the present by-law, any relevant authority authorized to apply the present by-law can go on a private property.

Commits an infraction any person who hinders the works of the officers authorized to apply the present by-law or refuse access to the property;

## **SECTION 5 – DOG LICENCES**

- 5.1 No one may own or keep a dog within the limits of the municipality without having obtained a dog licence from the Animal protection service in accordance with this section.

- 5.2 A request for a licence must be filed within fifteen (15) days of taking possession of a dog or within fifteen (15) days of moving into the municipality.

A request for a licence must be filed immediately upon adopting an animal from the Animal protection service.

- 5.3 The licence issued in accordance with this section is valid for a one year period, beginning January 1<sup>st</sup> and ending December 31<sup>st</sup> of each year.

- 5.4 When a dog licence is requested by an underage person, who must be 14 years of age or more, the father, mother, keeper or sponsor of this person, according to circumstances, must consent to the request, in a written statement to be submitted with the request.

5.5 A dog keeper may not bring within the limits of the municipality a dog that normally lives outside the municipal territory, unless he has a dog licence, in accordance with this section, or a valid licence issued by the municipality where the dog usually lives.

However, when the municipality where the dog normally lives does not issue dog licences, the dog must wear a medallion on which is inscribed the dog keeper's name, address and telephone number where he can be reached.

Anyone who keeps a dog on the territory of the municipality that does not normally live here, for a period of fifteen (15) days or more, without having obtained a dog licence for this animal, in accordance with this section, commits an offence.

This article does not apply to an animal who, for the duration of an event, participates in a show or a contest.

5.6 A keeper who settles in the municipality must abide by the provisions of this section even if he has a dog licence issued by another municipality.

5.7 The keeper of a dog living on the territory of the municipality must obtain a new dog licence for this dog in January of each year.

5.8 To obtain a licence, the keeper must provide the following information::

- a) His surname, name, address and date of birth
- b) Type of dog and color
- c) Date of last rabies shot given to the animal
- d) The number of animals in his care
- e) Proof of sterilization, where relevant
- f) Proof of animal's age, if required
- g) Any markings on the animal

5.9 The cost of the licence is set in article 9.1 of this by-law and applies to each dog. The cost of the licence is indivisible and non-refundable.

5.10 The Animal protection service gives the licence applicant a medallion and certificate indicating the medallion number and the information provided in accordance with article 5.8 of this section.

5.11 A medallion cannot be transferred from one dog to another. To do so constitutes an offence.

5.12 The keeper must insure that the dog is wearing at all times the medallion corresponding to that dog, short of which constitutes an offence.

5.13 No one may modify, change or remove a medallion from an animal in such a way as to prevent it from being identified.

5.14 A dog keeper must show the certificate received from the Animal protection service to any representative of said Service or the Police service upon request.

5.15 Duplicates of lost or destroyed medallions and certificates are available at a cost of two dollars (\$2.00).

5.16 This section does not apply to pet shop owners.

- 5.17 An animal keeper must notify, in writing, the Animal protection service, within sixty (60) day upon receipt of the licence renewal notice, that the animal in his care has died, disappeared or been disposed of which he was the keeper. The reception proof of the licence renewal notice to satisfy this article
- 5.18 The Animal protection service keeps a record of dog licences that have been issued.

## **SECTION 6 – PROVISIONS REGARDING FARM ANIMALS**

- 6.1 Anyone who wishes to keep farm animals within the limits of the municipality must be located in an agricultural zone or authorized sector where this use is approved by the Municipality.
- 6.2 An animal keeper or any person in charge of farm animals who has the animals crossing a public roadway must ensure it is done safely.

## **SECTION 7 – SPECIFIC PROVISIONS REGARDING DOGS**

### **ADDITIONAL STANDARDS OF ANIMAL KEEPING AND CONTROL**

- 7.1 It is not permitted to have a dog at large outside the keeper's building, dwelling or property.
- Beyond these limits, the dog keeper must have the dog on a leash or otherwise control and supervise the animal at all times. A dog is deemed not to be controlled by his keeper when it is not on a leash.
- 7.2 On public grounds, a dog must be kept on a leash made from chains, leather or flat braided nylon leash which is no longer than 1.85 metres or 6 feet, including the handle.
- The dog collar must be made of leather or flat braided nylon and equipped with a welded ring or choker to which the leash attaches.
- Subject to the other provisions in this by-law, the use of an extendible leash is not permitted on public grounds however; it is authorized in parks or public areas where dogs are permitted.
- 7.3 No dog may be in a public area, unless it is kept on a leash by its keeper. At no time may the dog be left unattended, tied up or not; otherwise, the dog keeper commits an offence.
- 7.4 A keeper may not allow his dog to lay down in public areas in such a way as to obstruct passage.
- 7.5 A keeper who is transporting one or several dogs in a road vehicle must insure that the animal(s) cannot leave the vehicle or attack a person passing nearby.
- 7.6 In order to hold and be in charge of a dog, an underage person must have the maturity and capability of keeping a dog on a leash and preventing it from running away or taking control of this person's motions.

7.7 Whether it is on a property where the building occupied by the keeper is located or on any other private property where the owner or occupant has given his permission, any dog must be kept, as the case may be :

- a) In a building from which it cannot escape;
- b) In a completely fenced in area. The fence must be high enough, considering the animal's height, to prevent it from leaving the grounds where it is kept.
- c) In an area which not fenced, the owner or occupant of the property must install a recognize electric fence.

The dog must wear a reception collar in good condition in his neck when he is outside of the building. A dog who is outside of a land equip of such system presume a free dog, liable to a fine according to article 7.1.

The dog must be tied to a metal post or similar, by means of a chain or metal or plastic coated rope. The post, chain or rope and the clip must be large and strong enough to prevent the dog from escaping.

The length of the chain or rope must not allow the dog to come within less than one metre of the boundary of an adjacent property, which is not separated by a sufficiently high fence, considering the dog's height, to prevent it from leaving the property where it is kept.

- d) In a dog pen, consisting of an enclosure surrounded by galvanized wire mesh fencing, or fine meshed alternative, to prevent children or anyone from reaching in, 1.2 metres in height and ending in a 60 cm Y shape on the inside, at the top.

Furthermore, this enclosure must be surrounded by an underground fence, at least 30 cm deep, and the ground area must be covered with wiring or material preventing the dog from digging out. The pen area must measure at least 4 square metres.

For the purpose of enforcing this provision, when a dog is kept in accordance with the stipulations given in subsections 2) or 4), any accumulation of snow or other element must be cleared away from the fence, in order to maintain the prescribed height requirements.

7.8 Whether it is on a property where the building occupied by the keeper is located or on any private property where the owner or occupant has given his permission, any dog described in articles 7.13 and 7.14 must be kept, as the case may be :

- a) In a building from which it cannot escape;
- b) In a dog pen, consisting of an enclosure locked with a key or padlock, of a minimum area of 4 square metres per dog and 2 metres in height, ending in a 60 cm Y shape at the top and buried at least 30 cm underground.

The fence must be made of galvanized wire mesh, or a sufficiently fine meshed alternative to prevent anyone from reaching through. The ground area must be covered with wiring or any other material capable of preventing the dog from digging out.

- c) Kept on a leash no longer than 2 metres. The leash and clip must be made of material sufficiently resistant, considering the dog's size, to allow his keeper to have the animal consistently under control.

For the purpose of enforcing this provision, when a dog is kept in accordance with the stipulations given in subsection 2) any accumulation of snow or other element must be cleared away from the pen, in order to maintain the prescribed height requirements.

- 7.9 A keeper may walk with dogs described in article 7.13 and 7.14 he cannot walk with more than one dog at a time.
- 7.10 A keeper may not order his guard dog to attack a person or an animal unless he is physically at risk or they pose a threat to his safety, family or property.
- 7.11 The keeper of a guard dog, security dog or attack dog, whose animal is on such private property, must disclose to anyone wishing to come onto his property that they may encounter such a dog, by means of a written notice which may be easily seen from a public place and stating one or the other of the following warnings :

« Caution- watchdog » or « Caution- dangerous dog » or a recognizable pictogram showing that such a dog is on the premises.

#### **NUISANCES DUE TO DOGS**

- 7.12 The following events, circumstances, deeds, and acts are considered nuisances or offences and the keeper is liable to fines as prescribed in this by-law :
  - a) The fact that a dog barks or howls in such a way as to disturb the peace and quiet or bother one or many persons;
  - b) The fact that a dog disturbs or goes through household garbage;
  - c) The fact that a dog is on private property without express consent from the owner or occupier of the property. This provision does not apply to a guide dog;
  - d) The fact that a dog causes damage to a lawn, patio, garden or flower bed, shrubs or other plants;
  - e) The fact that a dog bites or attempts to bite an animal behaving peacefully;
  - f) The fact that a dog bites or attempts to bite a person behaving peacefully;
  - g) The fact that a dog is on public property where a sign indicates that dogs are not allowed. This provision does not apply to a guide dog;
  - h) The fact that a dog keeper fails to pick up the excrement on his property regularly and to keep the premises adequately sanitary;
  - i) The fact that a dog keeper is in a public place with a dog he is unable to keep under control at all times;
  - j) The fact that a dog keeper, leave his dog alone without providing proper care for a period of 24 hours or more;

- k) The fact that a dog keeper refuses access to a property or immovable to allow the competent authority to monitor compliance with this by-law;
- l) The fact that the keeper of a dog specified in article 7.13 and a guard dog does not put a muzzle on the dog when he is off the property where the building occupied by his keeper is located;
- m) The fact, for a keeper, to be on a playground with his dog. This provision does not apply to guide dog.
- n) The fact that a dog be wandering alone inside the Municipality territory

#### **DANGEROUS DOG**

7.13 Keeping any of the following dogs is considered a nuisance and is forbidden at all times :

- a) Bull terrier, Staffordshire bull terrier, American pit bull terrier or American Staffordshire terrier, Mastiff or Bull Mastiff;
- b) Hybrids resulting from the cross-breeding of any the breeds listed in subsection a) of this article and another breed;
- c) Crossbred dogs bearing a significant number of features similar to the breeds listed in subsection a) of this article;
- d) A dog which has been declared dangerous by the Animal protection service following an assessment of the animal's character and general state.

7.14 Any dog described in article 7.13 of the present by-law is allowed on the territory of the Municipality as long the following conditions before are respected:

- a) The dog live on the MRC des Collines de l'Outaouais territory on December 31, 2011;
- b) A licence was deliver for the dog for each year prior to December 31, 2011;
- c) Produce a certificate from a veterinarian stating that the animal has been neutered;
- d) Deposit a certificate of public liability insurance coverage of \$250 000. The insurance policy must include a rider which states that if the policy is cancelled the insurer will inform the Municipality.
- e) Deposit a certificate stating that the keeper and his dog have successfully completed a dog obedience course given by an institution recognized by the Animal protection service;

7.15 Notwithstanding the article 7.13 and 7.14, the SPCA can:

- a) Authorise the temporary watch in a host family or animal refuge recognize, in the case of a puppy they will have to be place in a host family or refuge after weaning;
- b) Authorize the permanent in a refuge if the animal condition required, and this, following the veterinary mandate by the SPCA;
- c) Proceed to the neutered of all animal in adoption.

7.16 Any dangerous dog is considered a nuisance. For the purpose of this by-law a dog is considered dangerous when:

- a) Without malice or provocation, it has bitten or attacked a law abiding person who is behaving peacefully, or another animal, whose keeper is in compliance with this by-law, causing an injury requiring medical intervention, such as deep or multiple wounds, a fracture, internal injury or other;
- b) Without malice or provocation, and being off the property where the building occupied by his keeper is located or outside his keeper's vehicle, it bites or attacks a person or another animal or is otherwise aggressive towards a person by growling, showing its fangs or behaving in any other way indicating that the animal could bite or attack a law abiding person who is behaving peacefully;
- c) Specified in article 7.13 and the keeper has not obtained a dog licence or does not have the required insurance coverage in accordance with article 7.14.

7.17 Any person responsible for enforcing this by-law may immediately capture, euthanize or have euthanized a dog considered a nuisance as defined in articles 7.13 and 7.15;

7.18 Anyone who keeps owns or is in possession of a dog considered a nuisance, as defined in articles 7.13 and 7.15, commits an offence.

When a person is accused to contravene to the article 7.13 a) b) or c), the simple deposit of the offence is proof of the infraction. It is the responsibility of the defender to prove the dog in not as describe in the article 7.13 a), b) or c

7.19 Subsections 1) and 2) of article 7.15 do not apply to a dog causes an injury to persons or animals trespassing on the property owned, leased or occupied by the keeper of said dog.

#### **POWERS OF THE COMPETENT AUTHORITY:**

7.20 At any time, the competent authority may on reasonable grounds order a dog to be seized or confined for a specific period of time, require an assessment of the dog's behavior, and impose animal care measures, including neutering, obligatory muzzling of the animal in public places, dog obedience course or putting a dog to sleep.

Commits an offence, the keeper of a dog who does not comply with an order.

### **SECTION 8 - DOG POUND**

8.1 Any one may have any animal impounded which is in violation or whose keeper contravenes the provisions of this by-law. In the case of a duly licensed dog, the Animal protection service official must promptly notify the owner of said animal that it has been impounded.

8.2 A police officer or an Animal protection service official may use a tranquilizer or a net to capture a dog.

- 8.3 The Animal protection service official may enter wherever there is an injured, sick or mistreated animal. He may capture the animal and impound it or bring it to a veterinarian until it has recuperated or until the appropriate location to keep the animal is available. Costs are chargeable to the keeper.
- 8.4 The Animal protection service official may enter wherever there is an animal believed to have a contagious disease. He may capture the animal and impound it.
- If the animal has a contagious disease it must be confined until it has fully recuperated and, if it does not recover, it must be put to sleep. If the illness is not confirmed, the dog is given back to its keeper. Costs are chargeable to the keeper.
- 8.5 In a case where the municipal authorities have been notified of a rabies case, they may order, by public notice, that all dog keepers and owners in the municipality or the area in question, to lock up their animals to avoid contact with any other animal. This order will be in force for a period not exceeding 60 days, beginning on the date the public notice is given and, it will may repeated for the same period of time for as long as there are cases or the risk of rabies. An animal keeper or owner who fails to comply with this order is liable to sanctions as provided in this by-law.
- 8.6 Any animal found in a public place or on public property after the publication of the notice mentioned at article 8.5 may be seized by the animal control officer and destroyed at the animal keeper's expense.
- 8.7 Any animal believed to be infected with rabies may be seized by the animal control officer and placed under observation by the competent authorities for a period of 15 days at the animal keeper's expense. If the animal cannot be cured, it may be destroyed at the animal keeper's expense.
- 8.8 An unclaimed and unidentified dog brought to the pound is kept for a minimum period of 5 days unless its physical state warrants putting it to sleep.
- 8.9 If a dog is wearing a dog licence on its collar, in accordance with this by-law, or an identification medallion or any other item which would enable its keeper or owner to be contacted with reasonable effort, the animal can be kept up to 5 days at the pound. If the keeper has not claimed the animal within this time limit, the competent authority may dispose of it.
- 8.10 After the time limits prescribed in articles 8.8 and 8.9, the dog may be euthanized or sold by adoption, all subject to the other provisions of this by-law.
- 8.11 The keeper can retrieve his animal, unless he does not wish to do so, by paying to the competent authority the boarding fees provided for pursuant to the contract passed between the competent authority and the Municipality, all without detriment to the Municipality's right to proceed against any violation of this by-law, if warranted.
- 8.12 If a licence was not issued for the dog in question, for the current year, in accordance with this by-law, the keeper must also obtain the required licence for the current year, in order to retrieve his dog, all without detriment to the Municipality's right to proceed against any violation of this by-law, if warranted.
- 8.13 Anyone who wishes to have a dog put to sleep may personally ask a veterinarian of his choosing or the competent authority to do it, in which case he must pay the competent authority the fee set in this by-law.

- 8.14 The competent authority may immediately dispose of an animal that has died at the pound or has been euthanized in accordance with this by-law.
- 8.15 The competent authority that, in accordance with this by-law, has destroyed a dog cannot be held liable for taking such action.
- 8.16 Any animal which is in breach of this by-law may be locked up at the pound or in any other area designated by the competent authority and, its keeper must be notified as soon as possible.
- The keeper must claim the animal within 5 days; all transportation and boarding fees are chargeable to the keeper, failing which the competent authority may dispose of the animal by adoption or putting it to sleep.
- The keeper of an impounded animal must pay the transportation, boarding, euthanasia fees and other even if he does not retrieve his animal.
- 8.17 Neither the Municipality nor the Animal protection service can be held liable for damages or injuries to a dog due to its capture and being brought to the pound.

## **SECTION 9 - TARIFFS**

- 9.1 The cost of a dog licence is as follows :
- |               |         |
|---------------|---------|
| a) Dog        | \$20.00 |
| b) Guide dog  | Free    |
| c) Farmer dog | Free    |
- 9.2 The fees for boarding a dog are \$12 per day
- The fees for transporting an animal are \$20 during business hours of the Animal protection service and \$40 after hours.
- 9.3 The fees for euthanizing an animal are the rate in effect at the time of the offence.
- 9.4 Veterinarian fees, when necessary, are chargeable to the keeper.
- 9.5 The fees for administering the « good dog » test are the rate in effect at the time of the offence.

## **SECTION 10 - KENNELS AND OTHERS**

- 10.1 Anyone wishing to operate a kennel, pet shop or veterinarian clinic must have a permit to do so within zones where such activities are permitted. The permit fees are fixed according to the Municipality by-law in effect.
- 10.2 The owner of a kennel must operate his business in such a way as to avoid noise and foul odors and, in sanitary conditions that meet the requirements of municipal authorities.

## **SECTION 11 - LEGAL PROVISIONS**

11. Anyone who violates a provision of this by-law commits an offence and is liable to :
  - a) a minimum fine of \$200 and a maximum fine of \$1000
  - b) if a breach of the by-law is continuous, it is considered a separate offence on a daily basis and the offender is liable to a fine for each day.

## **SECTION 12 - INTERPRETATION**

- 12.1 No part of this by-law may be interpreted as an infringement on the rights and power of the Municipal council to collect, by any legal means at its disposal, the cost of a dog licence due and payable in accordance with this by-law or care fees as established in this by-law.
- 12.2 The masculine gender is used in this by-law on a non-discriminatory basis and refers to both genders.
- 12.3 The preamble of this by-law is an integral part of the by-law.
- 12.4 In case of divergence between the French and English version, the French version is the one that predominates for the application of the by-law.

## **SECTION 13 - CRIMINAL PROSECUTION**

The council authorizes by and large the animal control officer as well as peace officers and other persons designated in section 2, to proceed with the criminal prosecution of any offender in breach of any provision of this by-law and therefore authorize by and large the animal control officer to submit the offence reports required for this purpose.

## **SECTION 14- REPEAL AND ENTRY INTO FORCE**

- 14.1 This by-law repeals for all legal purposes by-laws number 06-RM-02 concerning animal within the boundaries of the Municipality of La Pêche and all previous by-laws to the contrary.
- 14.2 This by-law will come into force following the observance of formalities required by law.

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Robert Bussière  
Mayor

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Charles Ricard  
General Director and  
Secretary-treasurer

Notice of motion:  
Adoption of by-law:  
Public notice:  
Entry into force:

July 8<sup>th</sup>, 2013  
September 9<sup>th</sup>, 2013  
September 17<sup>th</sup>, 2013  
September 17<sup>th</sup>, 2013