

**CANADA
PROVINCE OF QUÉBEC
REGIONAL COUNTY OFFICE
OF ARGENTEUIL
TOWNSHIP OF WENTWORTH**

BY-LAW NUMBER 2020-003

PUBLIC SAFETY BY-LAW CONCERNING DOG CONTROL

WHEREAS the decree 116-2019 to promote the protection of persons by establishing a framework with regard to dogs;

WHEREAS the *Application By-Law of the Act to promote the protection of the persons by establishing framework with regard to dogs (2019)*, 151 G.O. 2, n° 49, p. 4905 (hereafter the "Provincial Law")

WHEREAS the Council wishes to regulate the control of dogs on the territory of the Municipality that are not included in the Provincial Law;

WHEREAS the Council must determine the Annual Registration fees in its territory;

WHEREAS a Notice of motion of the present By-Law was previously given by Councillor Maurice Pilon at the regular meeting of February 3rd 2020;

THEREFORE, it is proposed by Councillor _____ and
RESOLVED

THAT the Council of the township of Wentworth adopt the Draft By-Law number 2020-003, "*Public Safety By-Law concerning Dog Control*", be enacted and decreed as follows:

ARTICLE 1

The preamble is an integral part of the present By-Law.

ARTICLE 2

The present By-Law repeals and replaces By-Law number RM 410-2019 and its amendments.

ARTICLE 3

The Municipal Council declares that it has adopted this By-Law, section by section, article by article, paragraph by paragraph, so that if any one of these sections should be declared null by a competent court of law, the other sections of the By-Law continue to apply.

ARTICLE 4 – Definitions

For the purposes of the present By-Law, the following words and expressions mean:

Competent Authority:

A peace officer, controller, Sûreté du Québec representative, Municipal Inspector or all other persons named by the Council.

Guide dog:

A dog trained to aid the visually handicapped or any other physical handicap and which is the subject of a valid certificate attesting that it has been trained for this purpose by a professional assistance dog training organization.

Controller:

The person(s), entities, companies or organizations that the Council has mandated by resolution to apply part or all of this By-Law.

Outbuildings:

An accessory building to a residence or land which is located on the unit of occupation or which is contiguous.

Guardian:

The guardian is deemed the owner of a dog or is a person who gives shelter to an animal, feeds it, accompanies it or who acts as if he were the master or is a person applying for a licence.

Also deemed as guardian, the owner, the occupant or the tenant of the residence where the animal lives.

Park:

Parks situated on the territory of the Municipality and under its jurisdiction also includes all public areas, whether there is grass or not, accessible to the public for rest or relaxation, sports or play for any other similar purpose.

Person:

Refers to all persons or legal entities.

Playground:

The portion of land, accessible to the public, occupied by equipment for the amusement of children, such as a swing, slide, trapeze, sandbox, swimming pool, wading pool or skating rink.

Unit of occupation:

One or more rooms within a building used primarily for residential, commercial or industrial use.

ARTICLE 5 – Annual Registration Fees

All dog owners or guardians must pay the annual registration fee before June 3rd of each year. The annual amount is fixed at: \$5.00

All dog owners or guardians must complete the registration form and report any changes within 30 days of the change.

Are excluded from this obligation dog owners and guardians who have their main residence elsewhere in Quebec.

ARTICLE 6 – Restraining Area

A dog must be carried or led by his keeper using a leash whose length does not exceed one meter and eighty-five centimetres (1.85m), except when the dog is in the residence of its owner or its outbuildings.

Access to the main entrance of a building cannot, at any time, be obstructed by the presence of a dog.

It is forbidden, at all times, to leave an animal wandering through a street, alley, public place or on private property other than the residence and outbuildings of its guardian or pet owner.

ARTICLE 7 – Care

- a) The guardian is obligated to provide the animal in its custody with food, water, shelter and care necessary and appropriate to their species and age and must not, in any case, leave the animal in distress.
- b) The guardian must keep the area where an animal is kept in good sanitary condition.
- c) It is forbidden for any person to be cruel, to mistreat, to molest, to harass or to provoke an animal.
- d) It is prohibited to organize or attend one or several fights between dogs or other animals or to participate as a gamble or spectator.

ARTICLE 8 - Nuisance caused by dogs

The following activities, circumstances, actions and gestures are nuisances and, as such, are prohibited. Any person who is responsible for such acts or is responsible for an animal committing such acts that constitute a nuisance and contravenes this By-Law;

- a) An animal barking, howling, shouting, singing or making another sounds in a manner that disturbs the peace is a nuisance to the neighbourhood;
- b) An animal injuring and/or attempting to injure a person or another animal, of damaging, dirtying or soiling public or private property;
- c) An unaccompanied animal outside the property boundaries of its guardian;
- d) An animal off-leash in the presence of its guardian outside the boundaries of his property;
- e) The failure of a dog's guardian, except a guide dog's guardian, to immediately remove and clean up the feces of his animal on public or private property.

- f) The presence of an animal, except a guide dog, in a restaurant or in another place where meals or drinks are served to the public, including establishments where food and drink are sold.
- g) The presence of a dog is in a public place where a sign indicates that the presence of dogs is prohibited. This provision does not apply to guide dogs.
- h) The fact that an owner leaves a pet alone without appropriate care or supervision for a period of 24 hours or more.

ARTICLE 9 - Dangerous Animal

The Provincial regulations contain provisions regarding potentially dangerous dogs and orders regarding owners or guardians of dogs. For the guardians or owners of dogs whose main residence is located outside the province of Quebec these standards are applicable to dogs located in the territory of Wentworth and the same provisions apply.

ARTICLE 10 - Capture and disposal

The Provincial Law contains provisions relating to capture and disposal. For the owners or guardians of dogs whose main residence is located outside the province of Quebec, these standards are applicable to dogs located in the territory of Wentworth and the same provisions apply.

The costs invoiced by the controller must be paid by the owner or the guardian within 10 days of invoicing.

PENAL PROVISIONS

ARTICLE 11

The Council authorizes police and/or the controller and/or the municipal inspector or any other person designated by the Council to apply the present By-Law and apply the Provincial Law in the limits of its territory including section V of the Provincial Law – Inspection, and capture and to issue statements of offence (offence notices, tickets or other) and to undertake penal procedures.

The Provincial Law contains provisions concerning civil and penal provisions. For owners or guardians of dogs whose main residence is located outside the province of Quebec, these standards are applicable to dogs located in the territory of Wentworth and the same provisions apply.

The competent authority may use all legal, penal and/or civil resources, applicable against any person who contravenes this By-Law, alternatively or cumulatively if necessary.

ARTICLE 12 – Effective date

The present By-Law comes into effect in accordance with the Law.

Jason Morrison
Mayor

Natalie Black
General Manager, Secretary-Treasurer

Notice of motion:
Deposit draft By-Law:
Adoption of By-Law:
Public notice:

February 3rd, 2020
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