



CANADA
PROVINCE OF QUEBEC
BROME MISSISQUOI RCM
MUNICIPALITY OF WEST BOLTON

BY-LAW No. 464-2024
RESPECTING THE CONTROL
AND RESPONSIBLE CARE OF DOMESTIC ANIMALS

WHEREAS the provincial regulation under the *Act to promote the protection of persons by establishing a framework concerning dogs* confers new responsibilities on municipalities in this area;

WHEREAS the SPA des Cantons must comply with the provincial regulation and, therefore, proposes to its member municipalities a model by-law concerning the control and responsible care of domestic animals;

WHEREAS a committee resulting from the CSP of the Brome-Missisquoi RCM has identified certain articles of the model by-law proposed by the SPA des Cantons for application by the Sûreté du Québec;

WHEREAS the municipalities served by the Sûreté du Québec station of the Brome-Missisquoi RCM agree to adopt standardized by-laws to facilitate their application by the Sûreté du Québec;

WHEREAS in order to maintain this standardization, the municipality is served by the Sûreté du Québec, Cowansville station, and should not amend the following articles of this by-law without a consensus:

Article 2.3.1	<i>Dog Left Alone</i>
Article 2.3.9	<i>Restraint Device</i>
Article 2.3.10	<i>Collar</i>
Article 2.3.11	<i>Muzzle</i>
Article 2.3.12	<i>Transportation of Animals</i>
Article 2.4.1	<i>Standards for Keeping an Animal</i>
Article 2.4.2	<i>Stray Animal</i>
Article 2.4.4	<i>Animal Kept on a Leash Outside the Boundaries of Owner's Property</i>
Article 2.4.5	<i>Animal Obstructing the Passage of People</i>
Article 2.4.6	<i>Transportation of an Animal</i>
Article 2.4.7	<i>Under-age Custodian</i>
Article 3.12	<i>Event</i>
Article 3.16	<i>Special Nuisances Caused by Dogs</i>

WHEREAS this by-law replaces By-law 286 dated March 4, 1996, concerning animals;

NOW THEREFORE, be it resolved that this by-law be adopted and that it orders the following:

CONTROL AND RESPONSIBLE CARE OF ANIMALS

PART 1 - DECLARATORY AND INTERPRETATIVE PROVISIONS

Article 1.1 Preamble and definitions

The preamble forms an integral part of this by-law.

Unless otherwise stated expressly, or as otherwise provided in the context of the provision, the following words, terms and expressions have the meaning and application in **this by-law** ascribed to them by this article:

- 1) the term "**agricultural animal**" refers to an animal that is usually found on a farm;

- 2) the term "**animal boarding facility**" means an establishment where cats and dogs are temporarily fed and housed, for a fee;
- 3) the term "**behavioural assessment**" means the examination of the condition and dangerousness of a dog by a veterinarian in accordance with the *Regulation respecting the application of the Act to promote the protection of persons by establishing a framework concerning dogs* (c. P-38.002, s. 1, 2nd para.);
- 4) the term "**breeding site**" is defined as the place where an animal is bred for sale. Breeding can include training an animal;
- 5) the word "**cattery**" refers to the building in which cats are kept;
- 6) the term "**competent authority**" means the *Société protectrice des animaux des Cantons* and its staff, any member of the Municipality's Police Department and any authorized officer;
- 7) the word "**custodian**" means a person who owns, possesses or has custody of an animal. A person who shelters, feeds or maintains an animal is presumed to have custody of the animal. Where the competent authority has custody of the animal, the word "**custodian**" refers to its owner or habitual custodian for any custody obligations, measures or standards as well as for the payment of fees;
- 8) the term "**dog park**" means any land belonging to the Municipality where an enclosure is set up to allow dogs to roam freely without being kept on a leash and that is identified as such;
- 9) the term "**henhouse**" refers to the closed building where laying hens are kept;
- 10) the term "**host family**" means a place where animals authorized for the purpose of this by-law in convalescence or in a period of withdrawal with a view to their adoption are temporarily kept. Only animals entrusted by the *SPA des Cantons* or a **refuge** are covered by this expression. Animals belonging to the foster family are also covered by the provisions of **this by-law**;
- 11) the word "**kennel**" refers to the building in which dogs are kept;
- 12) the term "**main building**" means a building used for one or more main uses on the land on which it is erected;
- 13) the term "**outdoor enclosure**" means an enclosure in which one or more animals may be released and designed in such a way that the animal cannot leave it;
- 14) the word "**park**" means any land managed or belonging to the Municipality on which a park, a dog park, an island of greenery, an ecological zone or a multipurpose trail is built, whether developed or not;
- 15) the term "**permanent agricultural area**" means that part of the territory of the municipality recognized by order of the government or by inclusion in accordance with the *Act respecting the preservation of agricultural land and agricultural activities* (CQLR, c. P-41.1);
- 16) the term "**playground**" means the part of a plot of land, accessible to the public, occupied by equipment intended for the amusement of children, such as a swing, slide, trapeze, sandbox, swimming pool or paddling pool;
- 17) the word "**pound**" refers to a place where stray or abandoned cats or dogs are taken in. The aim is to encourage the animal to be taken back by its custodian or adopted, i.e. transferred to another place of care, or euthanasia by the operator or by a third party;
- 18) the term "**public place**" means any road, street, lane, driveway, walkway, sidewalk, stairway, garden, park, dog park, promenade, playground, multipurpose trail, grandstand, public parking lot, or outdoor gathering place to which the public has access;

- 19) the word "**refuge**" means a place supervised by a non-profit organization where authorized animals and stray or abandoned animals are temporarily kept. The aim is to encourage the animal to be taken back by its custodian or, failing that, adopted, i.e. transferred to another place of care, or euthanized by the operator or by a third party. A refuge permit must be issued by MAPAQ;
- 20) the term "**service dog**" means a dog that is trained or in training, including the initial period of being placed in the care of a family for the purpose of socialization that is required by a person to assist the dog and that is the subject of a valid certificate that the dog has been trained, or is being trained for that purpose, by a professional service dog training organization;
- 21) the word "**shed**" means an accessory, dependent, or detached building, intended to improve the usefulness and convenience of the main building situated on the same land and used mainly for the storage of things. A shed must not be used for parking or storing motor vehicles;
- 22) The acronym "**SPA des Cantons**" means the Society for the Protection of Animals of the Townships, a non-profit organization whose main role is the protection of animals where they are received, temporarily housed, cared for and given up for adoption, if necessary. Otherwise, the animals can also be transferred to a new place of care or euthanized if they are sick, injured, banned from the territory, overcrowded or if they have behavioral problems. The premises where the animals are kept are designated as the SPA des Cantons shelter;
- 23) the term "**unit of occupation**" means a space consisting of a room or a group of complementary and communicating rooms, including its outbuildings and the land on which this unit is located of which the custodian of the animal is the owner, tenant or occupant;
- 24) the term "**white zone**" means the part of the territory of the Municipality that is located outside the permanent agricultural zone;
- 25) the term "**wild animal**" means an animal that is excluded from the list of animals permitted in this by-law;

Article 1.2 Agreement and Designated Officer

In accordance with Section 63 of the *Municipal Powers Act* (CQLR, c. C47.1) and Section 6 of the *Act to promote the protection of persons by establishing a framework concerning dogs* (CQLR, c. P-38.002), the Municipality may enter into an agreement with any person authorizing him/her to apply a by-law of the Municipality concerning animals and to ensure compliance with the *Regulation respecting the application of the Act to promote the protection of persons by establishing a framework concerning dogs*.

The SPA des Cantons is the authorised body for the purposes of the first paragraph of this article.

The SPA des Cantons and its employees have the powers of the employees of the Municipality for the sole purpose of applying **this by-law** and the *Regulation under the Act to promote the protection of persons by establishing a framework concerning dogs*.

Pursuant to Section 14 of the *Regulation respecting the application of the Act to promote the protection of persons by establishing a framework concerning dogs*, the Municipality shall, by resolution, designate a person responsible for exercising the powers vested in the Municipality and provided for in Division III of the said regulation and in Part 4 - Dogs Constituting a Risk to Public Health or Safety of **this by-law**.

Article 1.3 Act to promote the protection of persons by establishing a framework concerning dogs

In accordance with Section 7 of the *Act to promote the protection of persons by establishing a framework concerning dogs*, any provision of **this by-law** that is inconsistent with or less stringent than those provided for in a

regulation made by the Government of Québec pursuant to that Act is deemed to be amended and replaced by the provision established by the said regulation.

PART 2 - GENERAL PROVISIONS RELATING TO THE KEEPING OF ANIMALS

Article 2.1 – Animals Permitted

Article 2.1.1 Animals Permitted

Only the following animals are permitted to be kept in captivity in a unit of occupation within the boundaries of the Municipality unless one of them is or becomes listed in Appendix 1 of the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES):

- 1) animals born in captivity of the following species:
 - a) mammals and fish: dogs, cats, small pet rodents (mice and rats selected by humans), guinea pigs, rabbits, gerbils, hamsters, chinchillas, ferrets, degu, jerboas and aquarium fish;
 - b) Birds: cockatiel parakeets, budgies, lovebirds, finches, canaries (serin), turtledoves, doves, psittacines, finches and other known cage birds.
- 2) All reptiles except:
 - a) crocodilians;
 - b) venomous lizards and those whose length at maturity exceeds 1 metre;
 - c) sea turtles and the green-eared turtle;
 - d) venomous snakes and those whose length at maturity exceeds 1 meter.
- 3) all amphibians, except venomous or poisonous amphibians;
- 4) agricultural animals located in a permanent agricultural zone or in a white zone, in places authorised by town planning by-laws or during an exhibition, competition or agricultural fair;

Despite the first paragraph of this article, it is also permitted to keep animals in captivity in any of the following places other than those specifically authorized:

- 1) a veterinary establishment, provided that the animal is under the care of a veterinarian;
- 2) an educational institution or a research centre where the animal is kept for research, study or teaching purposes;
- 3) a zoo duly authorized by permit and accredited by CAZA (Canada's Accredited Zoos and Aquariums) or a place authorized by town planning by-laws where animals in captivity are kept, and whose conservation is solely for pedagogic, educational or exhibition purposes;
- 4) the SPA des Cantons shelter.

Article 2.1.2 Offence

It is forbidden for any person to keep, give, sell or offer for sale on the territory of the Municipality an animal other than those listed in Article 2.1.1.

This prohibition does not apply to pet stores or other commercial establishments that are authorized by the town planning by-laws insofar as the merchant clearly and visibly displays on the unit in which the animal is kept that the animal is not authorized to be kept in captivity on the territory of the Municipality. It is an offence for a trader to fail to comply with this paragraph.

Article 2.2 – Number of Cats and Dogs Allowed

Article 2.2.1 Number of cats and dogs allowed in a unit of occupation

It is forbidden to keep, in a unit of occupation, more dogs or cats than the numbers indicated in the following table:

Custodian category	Number of cats	Number of dogs
Any custodian other than those mentioned in the other categories of this table	Total combined number of cats and dogs = 5	
Agricultural business	Unlimited	5

Article 2.2.2 Exception

The custodian of a cat or dog that gives birth must, within 120 days of giving birth, dispose of the kittens or puppies to comply with this by-law. Article **2.2.1** does not apply before this period.

Article 2.3 – Minimum Conditions for Keeping Animals

Article 2.3.1 Dog Left Alone

It is forbidden to leave a dog alone and unsupervised for a period exceeding 24 hours. After this period, the custodian must appoint a responsible person to provide the animal with water, food and all the care required for its age and species.

Article 2.3.2 Vital Needs

The custodian must provide the animal in his/her care with safe, fresh drinking water and food that are free of contaminants, including faeces, urine or litter, and all care that is appropriate to the animal's biological requirements or necessary for its survival, health, safety and well-being.

Snow and ice are not sources of drinking water that meet the animal's biological requirements. The biological imperatives of the animal are those related in particular, to its species, age, stage of growth, size, level of physical activity, state of health, whether it is pregnant or breastfeeding, as well as those related to its degree of adaptation to cold and heat.

Article 2.3.3 Healthiness

The building, cage, enclosure, playpen, kennel or shelter in lieu thereof, the animal's immediate environment, and the equipment and accessories therein, must be clean and free of waste, including the accumulation of faeces and urine.

Article 2.3.4 Security

The cage, enclosure, playpen, kennel or shelter in lieu thereof, as well as the immediate environment of the animal, must be free of any product, object or material likely to be harmful to its safety.

Article 2.3.5 Rest Area

The animal must always have access to a dry, clean, solid, comfortable resting area of sufficient size to allow it to lie on its side with its limbs fully extended.

This area must be located away from elements that can cause stress to the animal or harm its health, such as bad weather, sun, drafts, excessive noise or harmful gases.

Article 2.3.6 Outdoor Shelter

It is forbidden to house outdoors any animal whose morphology, coat, age, state of health or degree of adaptation to cold or heat is not suitable for the climatic conditions to which it is subjected.

Any animal housed primarily outdoors must have access to a shelter that meets the following requirements:

- 1) It is made of non-toxic, durable, and corrosion-resistant materials;
- 2) it is made of insulating material so that the animal is protected from the elements and the cold;
- 3) its roof and walls are watertight, its floor is raised, its entrance is accessible at all times;
- 4) it is in good condition, free of protrusions, sharp edges or other features that could cause injury;
- 5) it is solid and stable;
- 6) its size allows the animal to turn around and maintain its body temperature in cold weather;
- 7) it is located in a shaded area with little exposure to wind, snow and rain.

Article 2.3.7 Location of the Outdoor Shelter

The outdoor shelter must not be located in the front yard of the custodian's property and must be located at a minimum distance of one metre from any property line.

Article 2.3.8 Outdoor Enclosure for Cats or Dogs

An outdoor enclosure for cats or dogs must comply with the following requirements:

- 1) it is constructed to prevent the escape of the animal as well as injury or stress by another animal that is not kept there;
- 2) its soil drains easily;
- 3) The floor area must be equal to or greater than the result of the following equation in square metres:
 $9 \times L^2$
L: length of the animal measured from the muzzle to the base of its tail.
- 4) the area covered must be large enough to protect the animal from the elements and the undesirable effects of the sun;
- 5) the stakes and screens forming its fence, if any, or any other component thereof, are in good condition, free of protrusions, sharp edges or other features that may cause injury;
- 6) it is located at a minimum distance of one metre from any property line.

Article 2.3.9 Restraint Device

Any restraint device, such as a chain or rope, used to secure an animal outdoors must comply with the following requirements:

- 1) it has a minimum length of 3 metres and is installed so that the animal cannot leave its custodian's yard;
- 2) it is strong enough to hold the animal based on its size and weight;
- 3) it is not likely to get stuck or shortened, especially by wrapping itself around an obstacle;
- 4) it does not cause discomfort for the animal, especially because of its weight;

- 5) it allows the animal to move without danger or constraint;
- 6) It allows the animal to have access to its water and food.

In addition, the restraint period must not exceed 12 consecutive hours in any 24-hour period.

Article 2.3.10 Collar

An animal's collar should not impede its breathing or cause pain or injury. Spike collars and electric collars, among others, are prohibited.

It is also forbidden to tie an animal to a fixed object if it is wearing a choke collar or if a rope or chain also serves as a collar.

Article 2.3.11 Muzzle

The custodian of an animal wearing a muzzle is prohibited from leaving it unattended.

Article 2.3.12 Transportation of Animals

It is forbidden for any person to transport an animal in the trunk of a vehicle or on the bed of an open-air truck.

During transportation or when a vehicle stops, the custodian must place the animal away from bad weather, the sun or heat and ensure that there is no danger of the animal falling out of the vehicle.

Article 2.3.13 Injured or Sick Animal

A custodian who knows that his/her animal is injured or suffering from an illness must immediately take steps to have it treated or euthanized by a veterinarian.

Article 2.3.14 Disposal of an Animal

A custodian may not dispose of an animal other than by entrusting it to a new custodian for adoption, by submitting it to euthanasia by a veterinarian or by handing it over to the SPA des Cantons or to a shelter that disposes of it by adoption or euthanasia. In all cases, the costs are borne by the custodian.

The above paragraph notwithstanding, no person may dispose of a dangerous dog within the meaning of Article 4.1 of **this by-law** other than by submitting it to euthanasia by a veterinarian.

The costs incurred for the application of this article when the animal is taken into care by the shelter or the SPA des Cantons shall be borne by the custodian, including those relating to the adoption or euthanasia of the animal, if applicable.

Article 2.3.15 Abandonment of an Animal

It is forbidden for the custodian of an animal to abandon it.

Article 2.3.16 Dead Animal

The custodian of a dead animal must, within 24 hours of its death, dispose of it, at his/her expense, through one of the following means:

- 1) give it to a veterinarian;
- 2) dispose of it in any place legally authorised to receive dead animals;
- 3) if it is a dog, cat or animal weighing less than 5 kilograms, the animal can be handed over to the SPA des Cantons for a fee.

Article 2.4 - Animal Care and Control Standards

Article 2.4.1 Standards for Keeping an Animal

On the land on which the custodian's unit of occupation is located or on any other private land on which the custodian is located with the authorization of the owner or occupant of the land, any animal, except cats, that may roam freely, must be kept as the case warrants:

- 1) in a building from which it cannot leave;
- 2) in a yard under the direct control of the custodian. The latter must have constant control of the animal;
- 3) on a fenced plot of land so as to contain the animal within its boundaries;
- 4) in an outdoor enclosure set up in accordance with Article **2.3.8** of this by-law;
- 5) by means of a restraint device preventing it from leaving when the land is not fenced.

The custodian must take all necessary measures to ensure that the animal care standards in place are effective and that they contain the animal in the custodian's unit of occupation based on its breed, age, weight and characteristics of the animal.

Article 2.4.2 Stray Animal

It is forbidden to let an animal run wild outside the limits of the custodian's unit of occupation in the absence of the custodian. Outside these limits, the animal is considered a stray animal. An animal that escapes from its unit of occupation is presumed to have been released by the custodian.

The above paragraph does not apply to cats.

Article 2.4.3 Reporting a Stray or Abandoned Animal

Anyone who finds a stray or abandoned animal must, without delay, report it to the police department or the municipality during business hours.

It is forbidden for any person to capture a stray or abandoned animal in order to abandon it or then release it at a place other than the place where it was found.

Article 2.4.4 Animal Kept on a Leash Outside the Boundaries of Owner's Property

It is forbidden for a custodian to walk with his/her animal outside the boundaries of his/her unit of occupation without keeping the animal on a leash or otherwise assuming control and supervision of the animal at all times. Otherwise, the animal is presumed not to be under the control of its custodian.

The custodian must constantly keep his/her animal on a leash in public and in public places.

The use of an extendable restraint is prohibited in a public place and in a public place.

This article does not apply to cats.

Article 2.4.5 Animal Obstructing the Passage of People

No custodian may leave an animal in a public place in such a way as to hinder the passage of people.

Article 2.4.6 Transportation of an Animal

Any custodian transporting one or more animals in a road vehicle must ensure that they cannot leave the vehicle or come in contact with a person passing by the vehicle.

Article 2.4.7 Underage Custodian

To control and hold an animal, any underage custodian must be mature and able to keep the animal on a leash, without the animal escaping or controlling its movements.

PART 3 – NUISANCES

Article 3.1 Animal Fighting

It is forbidden for any person to organize, participate in, encourage or attend an animal fight.

Article 3.2 Attack

It is forbidden for a custodian to order a dog to attack a person or animal, or to simulate the command of such an attack against a person or animal, without lawful excuse.

Article 3.3 Cruelty

It is forbidden for anyone to inflict cruelty on an animal, or to mistreat, molest, harass or provoke it.

Article 3.4 Excrement

The custodian of an animal must immediately clean, by all appropriate means, any public place or private property soiled by the animal's deposits of faecal matter and must dispose of it in a sanitary manner. To this end, the custodian must have the necessary equipment in his/her possession. This provision does not apply to service dogs.

The custodian must also clean his/her private property soiled by the deposits of fecal or urinary matter left by his/her animal in order to keep the premises in an adequate state of sanitation so as not to inconvenience one or more neighbours.

Article 3.5 Household Waste

The custodian is liable for the penalty outlined in **this by-law** for a nuisance caused by an animal that rummages through household garbage, moves bags or overturns containers.

Article 3.6 Damages

It is forbidden for a custodian to allow his animal to cause damage to the property of others.

Article 3.7 Poison

It is prohibited to use or permit the use of poison to capture or dispose of an animal.

Article 3.8 Pigeons, squirrels, raccoons, free-roaming animals

It is forbidden for any person to feed, keep, or otherwise attract pigeons, squirrels, raccoons or any other wild animal living in the wild within the limits of the Municipality.

Article 3.9 Eggs, Bird Nests

It is forbidden for any person to take or destroy birds' eggs or nests in the public places of the Municipality.

The offence set out in the above paragraph does not apply to persons and organizations acting pursuant to a permit issued by a government agency.

Article 3.10 Ducks, Gulls and Geese

It is forbidden for anyone to feed ducks, gulls or geese.

Article 3.11 Agricultural Animals

Farm animals must be kept at all times on the rancher's or custodian's property except on a road where an animal crossing is expressly authorized by appropriate signage, during an agricultural show, a competition or an agricultural fair.

The above paragraph does not apply to a horse ridden by a person on a road or to a horse that is part of a show.

Article 3.12 Event

It is forbidden for any person to bring an animal into a public place during a special activity, a party, an event or a public gathering.

This article does not apply to service dogs, animals during an activity in which they are directly involved and animals under the care of an employee of the SPA des Cantons or the competent authority working in the course of his/her duties.

Article 3.13 Bathing

It is forbidden for any person to bathe an animal in public swimming pools including water playgrounds, public ponds, beaches equipped for swimming on the shores of lakes or rivers of the Municipality and in places where it is prohibited by signage.

Article 3.14 Public Fountain

It is forbidden for anyone to allow an animal to drink from a public fountain.

Article 3.15 Cat nuisance

It is a nuisance for which the custodian is liable to the penalty outlined in **this by-law** for a cat to interfere with the rest and comfort of one or more people in the neighbourhood by excessive repetitive vocalisation or by emitting persistent and very pronounced odours.

Article 3.16 Special Nuisances Caused by Dogs

The facts, circumstances, gestures and acts set out below constitute nuisances caused by a dog for which the custodian is liable to the penalties outlined in **this by-law**:

- 1) a dog barking or howling in such a way as to disturb the peace, and tranquility and to be a nuisance to one or more people;
- 2) presence by a custodian in public places with a dog without being able to control it at all times;
- 3) presence of a dog on private property without the express consent of the owner or occupant of that land. This provision does not apply to a service dog;
- 4) a dog biting a person or an animal;
- 5) a dog attempting to bite a person or an animal;
- 6) presence of a custodian with a dog in a public place where a sign indicates that the dog's presence is prohibited. This provision does not apply to service dogs;
- 7) presence of a custodian with a dog in a playground. This provision does not apply to a service dog.

PART 4 - DOGS CONSTITUTING A RISK TO PUBLIC HEALTH OR SAFETY

Article 4.1 Dangerous Dog

Any dangerous dog within the meaning of this article constitutes a risk to public health or safety.

The Municipality may declare a dog to be dangerous in any of the following situations:

- 1) it has bitten or attacked a person causing death;
- 2) it has bitten or attacked a person inflicting a serious injury, i.e. a physical injury that could result in death or resulting in significant physical consequences;
- 3) following a behavioural assessment conducted in accordance with Part 4 of this by-law.

When the Municipality declares a dog to be dangerous, its decision must contain an order to euthanize the dog within 48 hours. Before the end of this period, the dog's custodian must send the Municipality a written confirmation signed by the veterinarian who carried out the euthanasia. Otherwise, the custodian is presumed not to have complied with the order.

Until a dog that is declared dangerous is euthanized, its custodian must muzzle it with a basket muzzle whenever it is outside its residence.

Article 4.2 Notice to Custodian

Before declaring a dog to be dangerous under subparagraph **1)** or **2)** of the second paragraph of Article **4.1**, the Municipality shall transmit to the custodian a written notice informing him/her of the following:

- 1) its intention to declare their dog as dangerous;
- 2) the grounds on which it bases its conclusion;
- 3) that he/she has 24 hours to submit written observations and produce documents to complete his/her file, if applicable.

If the dog's custodian is unknown or cannot be found, the Municipality may immediately declare the dog to be dangerous and have it euthanized.

Article 4.3 Decision of the Municipality

Following the time limit set out in the notice to the custodian sent under Article **4.2** and after taking into account the observations and documents provided by the custodian, if applicable, the Municipality may confirm its initial decision and declare the dog to be dangerous or reconsider its initial decision.

Whatever the case, the Municipality shall give reasons for its decision in writing, refer to any document or information it has taken into consideration and notify the dog's custodian.

Article 4.4 Failure to Comply with the Decision and Power to Intervene

When a custodian does not comply with the order to euthanize or the conditions of custody of his/her dog resulting from the decision of the Municipality provided for in Article **4.3**, the Municipality shall issue him/her a formal notice to comply within 24 hours.

Following this period, the competent authority may seize the dog and euthanize it or have it euthanized.

If the dog's custodian objects to the seizure of the animal, the competent authority may apply to the court for permission to capture and seize the animal at the custodian's residence, or elsewhere.

Article 4.5 Power to Intervene

The competent authority may seize and retain a dog that could be declared dangerous under Article 4.1. A visiting dog is also covered by this provision.

It is an offence for any person to obstruct in any way the seizure of a dangerous dog by the competent authority.

Article 4.6 Offense

A custodian or any person who keeps, owns or is in possession of a dog that has been declared dangerous under Article 4.1 commits an offence, except for the period of time allowed for euthanasia.

It is also prohibited to abandon, give up for adoption or adopt a dog that has been declared dangerous under Article 4.1. This offence also applies to dogs declared dangerous from another territory or for which a euthanasia order has been issued by another municipality.

Article 4.7 Dog Behaviors Deemed Unacceptable Requiring Evaluation

Except in the cases referred to in subparagraphs **1) and 2)** of Article 4.1, a behavioral assessment is ordered by the Municipality in respect of a dog that has bitten a person or another animal when the bite causes a laceration of the skin requiring medical intervention.

The Municipality may also order a behavioural assessment of a dog as soon as it has reasonable grounds to believe that it poses a risk to public health or safety.

The custodian of a dog who is ordered to submit the animal to a behavioral assessment must comply at the date, time and place prescribed in the notice sent by the Municipality or its agent or the competent authority. The custodian is also responsible for paying the fees for the evaluation as provided for in this notice.

Article 4.8 Examination Summary

Before requiring a behavioral assessment by a veterinarian, the Municipality may first, with the agreement of the custodian, ask the SPA des Cantons to conduct a summary examination of the dog in order to confirm or refute the reasonable grounds it has to believe that it constitutes a risk to public health or safety.

When the summary examination makes it possible to invalidate the said reasonable grounds, the Municipality does not require a behavioral assessment by a veterinarian but may issue recommendations to the dog's custodian.

If the dog's custodian refuses to submit the dog to a summary examination, the Municipality then orders a behavioral assessment by a veterinarian and the custodian must submit the dog to it.

Article 4.9 Custody of the Dog

Depending on the circumstances and how dangerous the dog is, the competent authority may refer the dog to the SPA des Cantons shelter until the behavioural assessment is carried out. However, if the dog remains under the responsibility of its custodian, the latter must comply with the standards of custody ordered by the Municipality or the competent agent or authority to ensure the safety of persons pending the behavioral assessment and submit the animal to this evaluation within the prescribed period.

All costs related to the care and evaluation of the animal are the responsibility of the animal's custodian, even if he/she fails to attend the evaluation.

Article 4.10 Behavioral Evaluation

The behavioral assessment is conducted by a veterinarian mandated by the Municipality, an agent or a competent authority.

The veterinarian prepares a report in which he/she must give his/her opinion on the risk posed by the dog to public health or safety. The report may also contain recommendations on measures to be taken with regard to the dog or its custodian. The veterinarian sends his/her report to the Municipality, agent or competent authority as soon as possible.

Article 4.11 Statements and Orders

Following the analysis of the veterinarian's report, the Municipality may, as the circumstances warrant, declare that the dog is dangerous. The declaration and standards must be proportionate to the risk posed by the dog or custodian to public health or safety.

Article 4.12 Dog Declared Dangerous

When the result of the behavioural assessment reveals a high level of dangerousness of the animal and the circumstances justify the use of a draconian measure to ensure public health or safety, the Municipality may declare the dog dangerous and order it to be euthanized.

The Municipality may also order any of the following measures with respect to the custodian of such a dog:

- 1) force him/her to part with any other dog in his/her care;
- 2) prohibit him/her from owning, acquiring, keeping or breeding a dog for a specified period of time.

Article 4.13 Dog Declared Potentially Dangerous

When the result of the behavioural assessment and the circumstances reveal certain problems that require the rigorous observance of strict standards of care based on the risk that the dog poses to public health or safety, the Municipality may declare the dog potentially dangerous.

The Municipality may also declare a dog that has bitten or attacked and inflicted an injury on a person or a domestic animal as potentially dangerous.

When a dog is declared potentially dangerous, the following standards apply:

- 1) it must have an up-to-date rabies vaccination status unless contraindicated by a veterinarian;
- 2) it must be sterilized unless contraindicated by a veterinarian;
- 3) it must be microchipped unless contraindicated by a veterinarian;
- 4) it may not be kept in the presence of a child 10 years of age or younger, except under the constant supervision of a person 18 years of age or older;
- 5) on private land, it must be kept within the boundaries of the land by means of a fence or other device;
- 6) on private land, the custodian must place a sign in a place visible to any person who comes to the property announcing the presence of a dog that has been declared potentially dangerous;
- 7) it must wear a basket muzzle at all times in public;
- 8) In public, it must be held by means of a leash with a maximum length of 1.25 metres.

The Municipality may also order or recommend any of the following measures or standards with respect to such a dog or its custodian:

- 1) amend any standard set out in the second paragraph of this article to make it more stringent;
- 2) take obedience classes;
- 3) subject the dog to behavioural therapy;

- 4) periodically submit the dog for behavioural assessment;
- 5) isolate the dog or keep it in detention;
- 6) force the custodian to get rid of the dog. In this case, the Municipality may ask the SPA des Cantons to keep the dog at the shelter in order to choose the next custodian itself or require that it authorize the next custodian prior to the transfer;
- 7) any of the measures set out in Article **4.12**;
- 8) any other appropriate standards or measures based on the risk posed by the dog to public health or safety.

Article 4.14 Notice to the Custodian

Before rendering its decision and ordering appropriate measures or standards under articles **4.12**, **4.13** and **4.14**, the Municipality shall notify the custodian in writing about the following:

- 1) the Municipality's intention with respect to its decision and measures ordered;
- 2) the reasons on which it bases its decision;
- 3) that he/she has 10 days to submit written observations, produce documents to complete the file, or request a second expert opinion in accordance with Article **4.17**, if necessary.

If the dog's custodian is unknown or cannot be found, the Municipality may immediately render its decision and order appropriate measures, including euthanizing or causing the dog to be euthanized when it is declared dangerous.

Article 4.15 Second Opinion

A custodian who wishes to request a second expert opinion must, within 10 days of receipt of the notice provided for in Article **4.16**, notify the Municipality in writing of his/her reasons and the name, contact information and position of the veterinarian he/she has mandated to proceed, in conjunction with the veterinarian mandated by the Municipality, with a second evaluation of the dog within a maximum period of 5 days in order to determine whether the level of risk to public health or safety and, where applicable, if the recommendations made in the veterinarian's first report were justified. During this period, the custodian must comply with the conditions of custody imposed in the notice provided for in Article **4.16** or, if euthanasia is ordered, he/she must comply with the measures ordered by the Municipality in accordance with Article **4.9**.

Once the second assessment has been carried out, one or more of the following situations may occur:

- 1) the veterinarians confirm the result of the initial behavioural assessment and maintain the conclusion as to the risk and, if any, the recommendations of the report of the veterinarian mandated by the Municipality. The declarations, orders, measures or recommendations of the Municipality then remain unchanged;
- 2) the veterinarians agree on a different conclusion about risk and recommendations, if any, from the one already provided by the veterinarian mandated by the Municipality and draw up and countersign a new report. The Municipality shall analyze the new report and make the appropriate conclusions, orders, measures or recommendations regarding the dog's risk, in accordance with articles **4.11** at **4.15**;
- 3) the veterinarians disagree on the outcome of the behavioural assessment. The Municipality then decides between the following options:
 - a) it maintains its declarations, orders, measures or recommendations arising from the initial report of the

veterinarian it has appointed; or

- b) It modifies its declarations, orders, measures or recommendations according to the report of the veterinarian retained by the custodian, serves a new notice to the dog's custodian and orders him/her to comply with it within the prescribed period.

All costs related to the care of the animal and the second opinion are the responsibility of the animal's custodian.

Article 4.16 Decision following the evaluation or second opinion

Where no second expert opinion has been requested by the custodian, the Municipality may, after considering the observations and documents provided by the custodian, if applicable, confirm or modify its initial decision and the measures ordered within the time limit set out in the notice to the custodian that was sent as per Article **4.16**.

When a second expert opinion is requested by the custodian, the Municipality renders its decision and the measures ordered as soon as possible following the second opinion, all in accordance with Article **4.17**.

Whatever the case, the Municipality shall give reasons for its decision and the measures ordered in writing, refer to any document or information that has been taken into consideration and notify the dog custodian thereof.

The dog's custodian must comply with the decision and the measures ordered by the Municipality within the prescribed period.

Should the decision require a dog still in the possession of its custodian to be euthanized and the custodian refuses or neglects to comply with the euthanasia order within the prescribed period, the competent authority may use its powers of intervention provided for in **this by-law** and enforce the euthanasia order. If the dog's custodian objects to the seizure of the animal, the Municipality may apply to a judge for permission to capture and seize the animal at its custodian's home, or elsewhere, in order to have it euthanized.

Article 4.17 Confidentiality of the Veterinarian's Report, the Decision and Measures Ordered

The veterinarian's report produced following the behavioural assessment of a dog in accordance with this article belongs to the Municipality and is considered confidential unless, for health or safety reasons, it is reasonable to disclose certain information contained therein to a person who so requests.

The decision and measures ordered by the Municipality are not considered confidential and apply throughout the territory of Québec, as provided for in Section 15 of the *Regulation respecting the application of the Act to promote the protection of persons by establishing a framework concerning dogs*.

Article 4.18 Offence

It is an offence to contravene a measure or standard of custody ordered by the Municipality under **this by-law**.

The custodian is responsible for compliance with any custody measures or standards ordered in accordance with **this by-law**.

Article 4.19 Repeat Offense

If a dog declared potentially dangerous following a behavioural assessment by a veterinarian bites a person or another animal, whether or not the standards of care were respected, the Municipality may require that the dog be transferred to the competent authority or that it be seized by the competent authority and that the custodian's licence for that dog be revoked. Depending on the circumstances, the dog may be euthanized or given up for adoption if a new custodian with the necessary skills to control the animal is willing to adopt it, without any obligation for the Municipality to require a new behavioural assessment. All costs shall be the responsibility of the dog's custodian.

Article 4.20 Irresponsible Custodian

A licence for the care of a new dog may not be issued to a custodian when any of the following situations occur:

- 1) when at least 2 euthanasia orders have been issued for dogs belonging to the same custodian;
- 2) when the custodian has been convicted of at least 2 offences under any of the provisions of Part 4 or subparagraph 4) of Article 3.16 of this by-law; or
- 3) when it has been shown that the dog of a custodian who has received a euthanasia order has been trained to be aggressive with no social skills.

This prohibition is valid for a period of 3 years from the date on which one of the preceding paragraphs applies. After this period, obtaining a licence is conditional on the custodian subjecting his/her dog to obedience courses and, if necessary, annual behavioural tests for a minimum period of 2 years. Failure to do so may result in the revocation of the licence.

It is an offence to contravene this article.

PART 5 - SPECIFIC LICENCES AND PERMITS

Article 5.1 – Animal Licences

Article 5.1.1 License

- a) Subject to subparagraph (c) of this article, no custodian may own or keep a dog within the limits of the Municipality without having obtained a licence from the SPA des Cantons in accordance with Part 5.
- b) Omitted intentionally.
- c) The first two subparagraphs do not apply to animals that are kept in a pet store, a veterinary institution, an educational institution or an institution that carries out research activities, a pound, an animal service, a shelter or any person or organization dedicated to the protection of animals holding a permit referred to in Section 19 of the *Animal Welfare and Safety Act* (CQLR, c. B-3.1) or a foster family. It also does not apply to cats kept on a farm.

Article 5.1.2 Requirement

The licence must be applied for within 15 days of the possession of an animal referred to in Article 5.1.1 or within 15 days of moving into the Municipality, even if the animal has a licence issued by another municipality.

It must be requested immediately when adopting an animal in the Municipality.

Article 5.1.3 Validity

The licence issued under Part 5 shall be valid for one year beginning from the date of purchase and/or donation of the animal.

Article 5.1.4 Visiting Animal

No custodian shall bring within the boundaries of the Municipality an animal referred to in Article 5.1.1 that ordinarily lives outside the territory of the Municipality unless he/she holds either a licence issued under Part 5 of this by-law or a valid licence issued by the Municipality where the animal usually lives.

Any person who keeps, for a period of 30 days or more, an animal referred to in Article 5.1.1 that does not ordinarily live in the Municipality must obtain a licence for that animal under Part 5.

This article does not apply to an animal that is participating in a show or competition during the duration of the event.

Article 5.1.5 Application for a License

To obtain a licence, the custodian must be at least 16 years of age and provide the following information:

- 1) last name, first name, date of birth, telephone number and address;
- 2) name, breed or type, date of birth, weight if the animal is a dog, sex, colour and distinguishing marks;
- 3) for a dog, its breed;
- 4) number of animals of which he/she is the custodian;
- 5) proof of sterilisation of the animal, if applicable;
- 6) microchip number, if any;
- 7) proof that the dog's rabies vaccination status is up to date, if required;
- 8) proof of the animal's age, if required;
- 9) the names of the municipalities where the dog has already been registered;
- 10) any decision made by a municipality under the *Regulation respecting the application of the Act to promote the protection of persons by establishing a framework concerning dogs* or under a dog by-law in respect of the dog, the custodian or any person who resides in the same unit of occupation as the dog.

The custodian must, within 21 days of applying for the licence, pay the full cost of the licence. A license is only valid when the full cost has been paid. At the end of the 21-day period, the fees set out in Part 10 of **this by-law** are added to the cost of the licence.

The custodian shall notify the Municipality of any change to the information provided under this article no later than 15 days after the change occurs. The weight of the animal can be updated at the annual licence renewal.

Anyone who provides false or misleading information for the purposes referred to in this article or information that the person ought to have known to be false or misleading is contravening this by-law and thus guilty of an offence.

Article 5.1.6 Duration

The licence issued in the first year is valid for 365 days following the purchase or receipt of the animal.

Article 5.1.7 Renewal

- a) The custodian of an animal referred to in subparagraph **a)** of Article **5.1.1**, within the limits of the Municipality, must renew the licence issued in accordance with Article **5.1.5** every year.
- b) The custodian of an animal referred to in subparagraph **b)** of Article **5.1.1**, within the limits of the Municipality, must renew the licence issued in accordance with Article 5.1.5 every year.
- c) The fees set out in Part 10 of **this by-law** are in addition to the cost of renewing the licence where the custodian has not renewed, no later than 30 days after the date of renewal of the licence.

Article 5.1.8 Licensing Costs

The costs of licences, including their renewal, are set out in Part 10 of **this by-law** or in the **Taxation By-laws**.

Article 5.1.9 Indivisible and non-refundable

The price of the licence or its renewal applies for each animal. The license is indivisible and non-refundable.

Article 5.1.10 Tag

The Municipality shall issue a tag bearing the animal's registration number to the person applying for a licence. The tag is used until the animal is dead, missing, sold or otherwise disposed of by the custodian. The tag is only valid when the licence or its renewal is valid.

Article 5.1.11 Transferability

A tag issued for one animal may not be worn by another animal. Doing so constitutes an infringement of **this by-law**.

Article 5.1.12 Wearing the Tag

The custodian must ensure that any animal identified in Article **5.1.1** wears its tag around its neck at all times, failing which he commits an offence. An animal with a microchip is not exempt from wearing its tag.

Article 5.1.13 Altering a Tag

It is forbidden for any person to modify, alter or remove the tag of an animal in such a way as to prevent its identification.

Article 5.1.14 Unlicensed Custodian

The custodian must present the licence issued for his/her animal to any representative of the competent authority who requests it. Should the custodian fail to produce the requested licence, he/she will be deemed not to possess the licence required under Article **5.1.1**.

Article 5.1.15 Duplicate

A custodian must request a duplicate of a lost or damaged tag or licence from the Municipality. The cost of obtaining a duplicate is set out in Part 10 of **this by-law**.

Article 5.1.16 Time Limit for Notifying the Disposition of an Animal

The custodian of an animal must notify the SPA des Cantons within 30 days of the death, disappearance, transfer or disposal of the animal. They must also provide the contact information of the new custodian, if applicable.

Article 5.1.17 Register

The SPA des Cantons shall keep a register of licences issued.

Article 5.2 - Breeder's Licence and Special Licence

Omitted intentionally.

Article 5.6 – Dog Parks

Omitted intentionally.

PART 7 - KEEPING LAYING HENS IN URBAN AREAS

Omitted intentionally.

PART 8 – SPA DES CANTONS SHELTER

Article 8.1 Custody of Animals

Any animal that is the cause of an offence against **this by-law** may be brought and kept at the SPA des Cantons shelter, or at any other place designated by the latter, on the initiative of a police officer of the Municipality's Police department or at the request of the Municipality.

The representative of the SPA des Cantons must, in the case of an animal duly licensed and kept at the shelter, inform the owner of the animal without delay that the animal is kept at the SPA des Cantons shelter.

Article 8.2 Using a Tranquilizer

Omitted.

Article 8.3 Length of Keeping an Animal at the SPA des Cantons Shelter

Any stray or abandoned animal or any animal otherwise kept at the SPA des Cantons shelter that is unclaimed and unidentified is kept for a minimum period of 72 hours unless its physical condition warrants euthanasia.

However, if the animal wears an identification tag on its collar that allows the custodian to be contacted with reasonable efforts, the minimum period is three (3) days.

For an animal prohibited by this by-law that is recovered by the SPA des Cantons, no minimum custody period is prescribed.

All costs of custody, care, adoption or euthanasia are the responsibility of the custodian if the latter is known.

Article 8.4 Disposal of an Animal Kept at the SPA des Cantons Shelter

When the minimum period prescribed in Article **8.3** has elapsed and the animal kept at the shelter has still not been claimed by its owner, the SPA des Cantons may dispose of it either by selling it for adoption or by submitting it to euthanasia, the whole subject to the other provisions of **this by-law**.

In the case of a prohibited animal, the SPA des Cantons can either entrust the animal to a specialized organization that can legally accept such an animal or submit it to euthanasia without delay.

In the case of a dog kept at the shelter under Article **9.1 4) d)**, the SPA des Cantons may dispose of it by entrusting it to any person able to comply with the prescribed standards of care or by subjecting it to euthanasia, provided that the period granted to the custodian to comply with the standards of care has expired.

Article 8.5 Cost of Transportation, Accommodation and Veterinary Care

The custodian may repossess his/her animal, unless it is an animal prohibited under **this by-law** or the SPA des Cantons has already disposed of it. The costs of transportation, accommodation and veterinary care, if any, incurred for the capture and custody of the animal are at the expense of the custodian.

The custodian shall also pay for the licence or the renewal of the licence if he/she failed to obtain or renew it.

The costs described in the first paragraph of this article are also payable by the custodian of an animal even if the latter does not claim his/her animal or when the SPA des Cantons disposes of it in accordance with Article **8.4**.

Despite the payment of fees by the custodian of an animal, the Municipality reserves the right to prosecute him/her for any violation of **this by-law**, if necessary.

Article 8.6 Request for Euthanasia

Anyone wishing to euthanize their animal must contact a veterinarian of their choice directly.

Article 8.7 Dead Animal

The SPA des Cantons may dispose **without delay** an animal that dies on its premises or is euthanized under **this by-law**.

Article 8.8 Responsibility – Euthanasia or Death

Under **this by-law**, the SPA des Cantons cannot be held liable for euthanizing an animal, or for the death of an animal during its stay at the shelter, during its capture or its transportation.

Article 8.9 Responsibility - Damage or Injury

Neither the Municipality nor the SPA des Cantons can be held responsible for any damage or injury caused to a dog or cat because of its capture and custody at the shelter.

PART 9 - POWERS OF THE COMPETENT AUTHORITY

Article 9.1 Powers

The competent authority shall exercise the powers conferred on it by this by-law and in particular, it may:

- 1) visit and examine any unit of occupation for the purpose of this by-law;
- 2) when it has reasonable grounds to believe that a dog is in a place or vehicle:
 - a) enter in it at any reasonable time to inspect it, except in the case of a dwelling;
 - b) in the case of a dwelling, require the owner or occupant of the premises to show them the dog immediately;
 - c) order the vehicle to be immobilized for inspection;
 - d) examine the dog;
 - e) take photographs or recordings;
 - f) require any person to disclose, for examination, reproduction or extract, any book, register, record or any other document if it has reasonable grounds to believe that it contains information relating to the administration of this by-law;
 - g) require any person to provide any information relating to the application of this by-law.

When the place or vehicle is unoccupied, the inspector must leave a notice indicating the name of the inspector, the time of the inspection and the reasons for the inspection.

- 3) seize and keep at the SPA des Cantons shelter any unlicensed, dangerous, stray, abandoned animal that constitutes a nuisance, for which there are reasonable grounds to believe that it constitutes a risk to public health or safety or that it is not an authorized animal under this by-law;
- 4) in addition to what is already provided for in subparagraph 3), seize and keep a dog in the said shelter for the following purposes:
 - a) submit it for examination by a veterinarian if there are reasonable grounds to believe that the person poses a risk to public health or safety in accordance with Article 4.7;
 - b) submit it to a veterinarian for examination if the custodian fails to attend the examination in accordance with Article 4.7;
 - c) enforce a euthanasia order made under articles 4.4 or 4.18 when the time limit for compliance has expired;

- d) when it has been declared potentially dangerous or low-risk and the standards of care imposed under this by-law are not being complied with and when this situation constitutes a risk to public health or safety. The dog is kept at the shelter until the situation is corrected. If the situation is not corrected and the standards of care are met within the prescribed time frame, Article 8.4 applies.
- 5) entrust the custody of any seized dog to a person in a veterinary establishment or other shelter, in an animal service, in a foster family, in a recognized animal boarding facility, in an impound or in a place kept by a person or organization dedicated to the protection of animals and holding a permit referred to in Section 19 of the *Animal Welfare and Safety Act*;
 - 6) order an animal to undergo a medical examination by a veterinarian;
 - 7) order muzzling or any other standards of custody deemed necessary and the detention of any animal for a specified period;
 - 8) isolate any animal suspected of being affected by a contagious disease until it fully recovers, as attested by the certificate of a veterinarian;
 - 9) euthanize or order an animal that is dangerous, potentially dangerous, dying, seriously injured, highly contagious, or that is not an animal authorized under this by-law, to be euthanized;
 - 10) request proof of sterilization and vaccination of any dog or cat on the territory of the Municipality.

For the purpose of subparagraph (1) of this article, any owner, tenant or occupant of a unit of occupation shall, upon presentation of an identification document from the representatives of the competent authority, allow them access and answer their questions.

For the purpose of subparagraph (2) of this article, where the place is a dwelling, the competent authority may enter the dwelling only with the authorization of the owner or occupant or, failing that, only by virtue of a search warrant issued by a judge, in accordance with Section 27 of the *Regulation respecting the application of the Act to promote the protection of persons by establishing a framework concerning dogs*.

It is an offence under **this by-law** to endanger, obstruct, insult, prohibit or otherwise impede the competent authority from enforcing any provision of **this by-law** or to prohibit it from accessing or otherwise obstructing the access referred to in the second paragraph of this article, as well as to refuse or neglect to comply with a request made to it under this by-law.

In the case of a contagious disease referred to in subparagraphs (8) and (9) (Part 9), a veterinarian must be notified without delay in accordance with the *Animal Health Protection Act*.

Article 9.2 Dog Constituting a Real and Imminent Danger

In addition to the euthanasia powers provided for in **this by-law**, the competent authority may proceed with the immediate destruction of a dog if it has reason to believe that the animal constitutes a real and imminent danger to one or more persons.

Article 9.3 Opinion

When an offence is committed under **this by-law** and the custodian is absent during the visit of an SPA des Cantons patroller or cannot be reached in any other way, a notice shall be left on the spot to the attention of the custodian or transmitted to him/her by any other means, indicating the reason for the visit and the fact that he/she must contact the SPA des Cantons without delay.

Article 9.4 Repeat Offense

In the event that a custodian is found guilty of 3 identical offences under **this by-law** concerning his animal, the competent authority may revoke the licence granted in respect of this animal and order the custodian to dispose of it within 15 days or to surrender it to the SPA des Cantons for disposal, the whole without prejudice to the rights of the Municipality to prosecute for an offence under **this by-law**.

PART 10 - RATES

Article 10.1 Licences for animals

The costs and fees for the issuance of licences are as follows:

- 1) Costs of licences and their renewal (Ref.: 5.1.7 and 5.1.8)
 - a) Intentionally omitted
 - b) Intentionally omitted
 - c) DOG OR CAT sterilized \$25.00
 - e) Guide dog in training free
 - f) Guide Dog free
- 2) Late fees
 - a) non-payment of license (Ref.: 5.1.5) \$20.00
 - b) non-payment of renewal (Ref.: 5.1.7) \$20.00
- 3) Duplicate (Ref.: 5.1.15)
 - a) Lost or damaged tag or license \$10.00
- 4) Special permit NOT ALLOWED
- 5) Breeder's licence NOT ALLOWED
(provide list to the SPA des Cantons)

Article 10.2 Custody and Transportation Costs

The custody fees are as per Appendix A.

The cost of transporting an animal is as per Appendix A.

Article 10.3 Veterinary Fees

The costs of the veterinarian, when necessary, are at the expense of the custodian.

Article 10.4 Summary Examination Cost

The summary examination fee will be followed by the animal control officer's fee.

Article 10.5 Cost of Behavioral Assessment

The cost of a dog's behavioural assessment by a veterinarian is the responsibility of its custodian.

PART 11 - PENAL PROVISIONS

Article 11.1 Police Officer

Any police officer of the Municipality's Police Department is authorized to issue a statement of offence for any violation of this by-law.

Article 11.2 Patrol Officer of the SPA des Cantons

Any patrol officer of the SPA des Cantons and any employee of a person whose services are retained by the Municipality for the purpose of enforcing the animal by-law is authorized to issue a statement of offence for any offence relating to this by-law as well as for any offence under the *Regulation respecting the application of the Act to promote the protection of persons by establishing a framework concerning dogs*.

They also act as inspectors within the meaning of the *Regulation respecting the application of the Act to promote the protection of persons by establishing a framework concerning dogs*.

Article 11.3 Lawyer

Any lawyer or authorized official employed by the Municipality is authorized to issue a statement of offence for any violation of this by-law.

Article 11.4 Minimum Fine of \$100.00

Any person who violates any provisions of the articles of this by-law for which no specific penalty is provided is guilty of an offence and is liable to a minimum fine of \$100.00 and not more than \$1,000.00 if the offender is a natural person or to a minimum fine of \$200.00 and not more than \$2,000.00 if the offender is a legal person.

For a second offence, the minimum fine is \$200.00 and not more than \$2,000.00 if the offender is a natural person, or \$400.00 and not more than \$4,000.00 if the offender is a legal person.

Article 11.5 Minimum Fine of \$150.00

Any person who violates any of the provisions of articles **2.1.2, 2.2.1 to 2.2.3 inclusive, 2.3.1 to 2.3.16 inclusive, 2.4.1 to 2.4.2 inclusive, 2.4.6, 2.4.7, 3.4 to 3.6 inclusive, 3.8 to 3.15 inclusive**, subparagraphs **1), 2), 5), 6) and 7)** of article **3.16** and **articles 3.16 and 5.1.11**, commits an offence and is liable to a minimum fine of \$150.00 and not more than \$1,000.00 if the offender is a natural person or to a minimum fine of \$300.00 and not more than \$2,000.00 if the offender is a legal person.

For a second offence, the minimum fine is \$300.00 and not more than \$2,000.00 if the offender is a natural person, or \$600.00 and not more than \$4,000.00 if the offender is a legal person.

Article 11.6 Minimum Fine of \$200.00

Any person who violates any provisions of articles **3.1 to 3.3 inclusive** and **3.7** of this by-law is guilty of an offence and is liable to a fine of not less than \$200.00 and not more than \$2,000.00 if the offender is a natural person or to a minimum fine of \$400.00 and not more than \$4,000.00 if the offender is a legal person.

For a second offence, the minimum fine is \$400.00 and not more than \$4,000.00 if the offender is a natural person, or \$800.00 and not more than \$8,000.00 if the offender is a legal person.

Article 11.7 Minimum Fine of \$250.00

The custodian of a dog who violates any provisions of subparagraph **a)** of article **5.1.1** and articles **5.1.4 and 5.1.5 of subparagraph a)** of article **5.1.7** and articles **5.1.12 to 5.1.13 inclusive** is guilty of an offence and is liable to a minimum fine of \$250.00 and not more than \$750.00 for a natural person and to a minimum fine of \$500.00 and not more than \$1,500.00 for a corporation.

When the offence concerns a dog that has been declared potentially dangerous, the minimum and maximum amounts are doubled.

In the event of a repeat offence, the minimum and maximum amounts are doubled.

Article 11.8 Minimum Fine of \$500.00

Whoever violates any provisions of Article **2.4.4** and subparagraph **3)** of Article **3.16** is guilty of an offence and is liable to a minimum fine of \$500.00 and not more than \$1,500.00 for a natural person and to a minimum fine of \$1,000.00 and not more than \$3,000.00 for a legal person.

When the offence concerns a dog that has been declared potentially dangerous, the minimum and maximum amounts are doubled.

In the event of a repeat offence, the minimum and maximum amounts are doubled.

Article 11.9 Minimum Fine of \$510.00

Whoever violates any provisions of subparagraph **4)** of article **3.16** of **this by-law** is guilty of an offence and is liable to a fine of not less than \$510.00 and not more than \$1,000.00 for a natural person and to a fine of not less than \$1,020.00 and not more than \$2,000.00 for a legal person.

For a repeat offence, the maximum amount is \$2,000.00 if the offender is a natural person or \$4,000.00 if the offender is a legal person.

Article 11.10 Minimum Fine of \$1,000.00

Any person who violates any provisions of articles **4.6** and **4.22** of this by-law is guilty of an offence and is liable to a minimum fine of \$1,000.00 if the offender is a natural person or \$2,000.00 if the offender is a legal person.

For a repeat offence, the maximum amount is \$2,000.00 if the offender is a natural person or \$4,000.00 if the offender is a legal person.

Article 11.11 Minimum Fine of \$1,000.00

The custodian of a dog who violates any of the provisions of the third paragraph of Article **4.13** or Article 4.20 is guilty of an offence and is liable to a minimum fine of \$1,00 0.00 and not more than \$2,500.00 for a natural person and to a minimum fine of \$2,000.00 and not more than \$5,000.00 for a legal person.

In the event of a repeat offence, the minimum and maximum amounts are doubled.

Article 11.12 Minimum Fine of \$1,000.00

The custodian of a dog who violates any provisions of Article **4.7** or fails to comply with an order made under Article **4.1** or **4.12** is guilty of an offence and is liable to a minimum fine of \$1,000.00 and not more than \$10,000.00 if the custodian is a natural person and to a minimum fine of \$2,000.00 and not more than \$20,000.00 if the custodian is a legal person.

In the event of a repeat offence, the minimum and maximum amounts are doubled.

SCHEDULE A

Schedule A will be amended every two (2) years and will form an integral part of the by-law.

This by-law shall enter into force in accordance with the law.

<hr/> DENIS VAILLANCOURT Mayor	<hr/> LÉA LAPLANTE Director General and Clerk-Treasurer
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Notice of Motion and Tabling of Bill	November 11, 2024
Adoption of the By-law	December 9, 2024
Publication	December 20, 2024
Coming into force	January 1, 2025

CERTIFICATE OF PUBLICATION

I, the undersigned, certify that the public notices of the adoption of the by-law, cited below, were posted at the Municipal Office and at the Post Office on the dates mentioned.

By-law No.:
464 -2024

LÉA LAPLANTE
Director General and Clerk-Treasurer

December 20, 2024

Date