

**The Corporation of the Township of James
Part I Provincial Offences Act
Schedule 'A' to
By-Law 23-11**

1 DEFINITIONS

- 1.1 **Capable Person** shall mean a person of sufficient size and status able to control and restrain a dog to such an extent that the physical well-being of any person or animal is not threatened.
- 1.2 **Control** shall mean secured by a leash of not more than 1.5 meters in length under the supervision of a capable person.
- 1.3 **Officer** shall mean Police Officer, Officer, or By-Law Enforcement Officer of the Municipal Corporation of the Township of James designated pursuant to the Provincial Offences Act.
- 1.3 **Owner** of a dog includes a person who possesses or harbors a dog, and if the owner is a minor, the person responsible for the custody of the minor.

2 GENERAL PROVISIONS

- 2.1 Every dog owner shall ensure that their dog does not run at large within the Municipality of the Township of James
- 2.2 Any dog running at large may be seized and impounded, sold or destroyed.
- 2.3 For the purposes of this by-law a dog shall be deemed to be running at large when found in any place other than the premises of the owner of the dog and not under the control of a capable person.
- 2.4 Every owner of a dog shall keep the dog leashed and under the control of a capable person when the dog is on land in the municipality other than that of the owner unless prior consent is given by the person owning the land on which the dog is found.
- 2.5 Every dog owner shall immediately remove excrement left by the dog anywhere in the Municipality other than the land of the owner.
- 2.6 No person shall keep, or permit to be kept any dog in a building, structure, pen or run unless it is at least 1 meter from the boundary of the property upon which it is located.

3 OBSTRUCTION

- 3.1 No person shall hinder or obstruct, or attempt to hinder or obstruct, any Officer exercising a power or performing a duty under this By-law.
- 3.2 Any person who has been alleged to have contravened any of the provisions of this By-law, shall identify themselves to the Officer upon request, failure to do so shall be deemed to have obstructed or hindered the Officer in the execution of his duties.

4 PENALTY

- 4.1 Every person who contravenes any provision of this bylaw is guilty of an offence and upon conviction is liable to a fine as provided for by the Provincial Offences Act, R.S.O. 1990, Chapter P.33, as amended.
- 4.2 In addition to any other remedy available to the Municipality, every person who contravenes a provision of this By-law is guilty of an offence and on conviction is liable to a fine not exceeding \$5,000.
- 4.3 Sections 2.1, 2.4, 2.5, and 2.6 of this bylaw are deemed continuing offences pursuant to subsection 429(2) of the Municipal Act. For additional clarity, this means that a separate penalty may be imposed for any offence committed contrary to these sections that continues for each day that the offence continues

5 FINE

ITEM	SHORT FORM WORDING	PROVISION CREATING OR DEFINING OFFENCE	SET FINE
1	Permit dog to run at large	Sch. 'A', s. 2.1	\$150.00
2	Fail to keep dog leashed/under control	Sch. 'A', s. 2.4	\$150.00
3	Fail to remove dog excrement	Sch. 'A', s. 2.5	\$150.00
4	Permit dog to be kept within 1 meter of boundary line	Sch. 'A', s. 2.6	\$150.00

Note: The general penalty provision for the offences listed above is Schedule 'A' section 4.1 of by-law 23-11, a certified copy of which has been filed.

THE CORPORATION OF THE TOWNSHIP OF JAMES

BY-LAW NO. 23-11

**BEING A BY-LAW TO PROVIDE FOR THE REGULATION
AND CONTROL OF ANIMALS WITHIN THE TOWNSHIP
OF JAMES**

WHEREAS pursuant to the Municipal Act 2001, Section 103, 105, and 128 permits municipalities to regulate animals within the Municipality;

NOWHEREFORE the Council of the Corporation of the Township of James hereby enacts the following as a by-law:

1. That the Schedule attached hereto shall form part of this by-law as 'Schedule A'; and
2. That the Clerk-Treasurer for the Township of James is hereby authorized to make any minor modifications or corrections of an administrative, numerical, grammatical, semantically or descriptive nature or kind to the by-law and schedule as may be deemed necessary after the passage of this by-law; and
3. That other 'animal' by-laws will continue to be enforceable and only items that conflict with this by-law are hereby repealed; and
4. That this by-law shall come into force and effect upon final passing thereof and remain in force and effect until such time as it is repealed by the Council of the Corporation of the Township of James.

READ a FIRST, SECOND, and THIRD TIME and FINALLY PASSED this 16th day of August 2023.

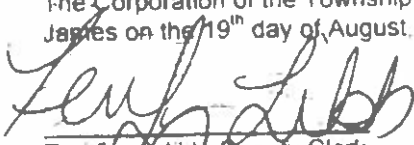


REEVE



DEPUTY CLERK

Certified to be a true copy of
By-Law.23-11 passed by Council for
The Corporation of the Township of
James on the 19th day of August, 2023



Teri-Lynn Jibb, Deputy Clerk
August 22nd 2023