THE CORPORATION OF THE TOWN OF TILLSONBURG

BY-LAW 2021-013

(Consolidated: By-Law 2025-106, December 8, 2025

By-Law 2025-04 – November 10, 2025,

By-Law 2024-126 – December 9, 2024

By-Law 2023-102 – November 27, 2023

By-Law 2023-091 – November 13, 2023

By-Law 2021-118 – November 23, 2021)

A BY-LAW to provide for the licensing, regulation, and control of animals within the Town of Tillsonburg.

WHEREAS sections 9 to 11 of the Municipal Act, 2001, S.O. 2001, c. 25, as amended (hereinafter referred to as "Municipal Act"), confer the power to pass by-laws regulating or prohibiting animals to a lower-tier municipality;

AND WHEREAS section 103 of the Municipal Act confers the power upon a municipality to pass a by-law to provide for the seizure and impounding of animals being at large or trespassing and the sale of impounded animals under certain conditions;

AND WHEREAS section 105 of the Municipal Act requires Council or a Committee of Council of the municipality to hold a hearing on whether to exempt an owner in whole or in part from muzzling requirements of a dog, when so requested by the dog owner;

AND WHEREAS section 391 of the Municipal Act enables a municipality to pass by-laws imposing fees or charges on any class of persons for services or activities provided or done by or on behalf of it;

AND WHEREAS the Dog Owner's Liability Act, 1990, as amended, including amendments made by the Public Safety Related to Dogs Statute Law Amendment Act, 2005, provides for the control of dogs.

AND WHEREAS Council deems it expedient to ensure that animals are kept and treated in a humane manner and that the owners of animals provide good quality care to them;

BE IT THEREFORE ENACTED by the Council of the Corporation of the Town of Tillsonburg as follows:

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PART 1: DEFINITIONS

1. Definitions:

“Altered” means spayed or neutered;

“Animal” means any member of the animal kingdom, other than human, as defined in the Municipal Act;

"Animal Control Officer” means any person designated or contracted as an Animal Control Officer by the Town and shall include a Police Officer and the Municipal By-law Enforcement Officer for the purpose of this bylaw.

“Animal Enclosure” means an enclosed place for the keeping of animals, but the yard of a property where fencing has been erected on or along the property lines for the purposes of enclosing, in whole or in part, the yard itself, shall not be deemed to be an animal enclosure;

“At large” or **“trespass”** means an animal being at any place other than the premises of the owner of the animal and not under the control of the owner or a person acting on behalf of the owner, and in the case of dogs including not being put on a leash, except where the owner of the property, other than the animal owner’s property, permits the animal to be on his or her property;

“Breeding” mean the production of offspring;

“By-Law Appeals Committee” means a committee that is responsible for considering appeals in accordance with the procedures established under the provisions of the Statutory Powers Procedure Act. The Committee considers appeals to Muzzle Orders (muzzle/leash an animal) issued by Animal Control Officers.

The Committee is authorized by the Statutory Powers Procedure Act to do the following:

- Hear appeals filed by appellants;
- Execute all of the powers of an Animal Control Officer; and,
- Confirm, modify, or rescind Muzzle Orders, or extend the time for complying with a Muzzle Order.

“Cat” means a domesticated feline animal, male or female, spayed or neutered or natural, and harboured or kept by any person;

“Competent person” means a person having the strength and capacity to securely control an animal so as to not permit or allow unwanted contact with another person or animal;

“Corporation” means The Town of Tillsonburg

“Council” means the Council of The Corporation of the Town of Tillsonburg.

“Dangerous dog” means a dog that in the absence of any mitigating factor has bitten or attacked a person or domestic animal, or has behaved in a manner that poses a menace to the safety of persons or other domestic animals. Dangerous dog also means a dog, previously designated as a potentially dangerous dog, that is kept or permitted to be kept by its owner in violation of the requirements for such dog;

“Disturbs” means any persistent sound made by an animal or bird which disturbs the peace, quiet, comfort or repose of any individual in any dwelling house, apartment house, hotel or any other type of residence is prohibited.

“Dog” means a domesticated canine animal, male or female, spayed or neutered or natural, harboured or kept by any person;

“Domestic animal” means an animal kept by or living with human beings;

“Dwelling unit” means one (1) or more habitable rooms occupied or capable of being occupied by a person or a family as an independent and separate housekeeping establishment in which separate kitchen and sanitary facilities are provided for the use of such person or family, with a private entrance from outside the building or from a common hallway or stairway inside the building in which the dwelling unit is located;

“Extreme Weather” means a cold warning, heat warning, or other weather warning or alert issued by Environment Canada for weather in the Town of Tillsonburg including but not limited to extreme cold or hot weather, snow storms, freezing rains, heavy rainfall, hurricane winds;

“Feed” or “Feeding” means the deliberate act of furnishing, or making food or other substances available which is likely to be consumed by wild animals, strays, feral or abandoned animals;

“Guard Dog” means a dog used for security purposes on land legally used for “industrial or commercial purposes;

“Guide Dog” as defined in the Blind Persons’ Rights Act means a dog where a certificate is produced from a recognized training establishment stating the dog is being used as an assistance dog.

“Identification microchip” means a transponder implanted into an animal by a veterinarian and registered with a pet identification entity;

“Impounded” shall mean seized, delivered, received or taken into the pound or any authorized vehicle operated by an Officer pursuant to the provisions of this by-law;
“Keep” means to have temporary or permanent control or possession of an animal;
“Kennel” means any building, pen or other structure, but not including a building used for human habitation, in which dogs and or cats not belonging to the owner of the property, in return for payment of a fee, are kept for breeding or boarding;
“Leash” means a rope, chain or other restraining device not exceeding 2 meters (6 feet, 6 inches) in length, except for pit bull dogs the leash for which shall not exceed 1.8 meters (5.9 feet) in length;
“License Issuer” means the Customer Service Center of the Town of Tillsonburg or an agent who is appointed by the Town of Tillsonburg whose duties include the issuance of dog licences;
“Mitigating factor” means a circumstance which excuses aggressive behavior of a dog and without limiting the generality of the foregoing, may include circumstances where:

a) The dog was, at the time of the aggressive behavior, acting in defense to an attack from a person or domestic animal,
b) the dog was, at the time of the aggressive behavior, acting in defense of its young or reacting to a person or domestic animal trespassing on the property of its owner, or
c) The dog was, at the time of the aggressive behavior, being teased, provoked or tormented.

“Municipal By-law Enforcement Officer” means an Officer designated by the Council and whose duties include the enforcement of this Bylaw.
“Municipality” means the Corporation of the Town of Tillsonburg
“Muzzle’ means a humane fastening or covering device over the mouth of a dog that is strong enough and well-fitted enough to prevent the dog from biting, without interfering with the breathing, panting or vision of the dog or without interfering with the dog’s ability to drink;
"Muzzle order” means an Order issued by the Animal Control Officer or an Officer for a muzzle to be placed on a dog;
“Nuisance” means a situation that is likely to negatively impact any Owner or occupant of property, and includes a situation which, at the discretion of the Officer:

i) Results in a potential health and safety risk, including but not limited to the accumulation of feces; or
ii) Is likely to interfere with the normal use or enjoyment of property, for any reason, including odour or noise; or
iii) For greater certainty, without limiting the above, a situation which attracts a large number of Wildlife is deemed to constitute a Nuisance.

"Officer" is the Animal Control Officer designated by the Council, a Municipal By-law Enforcement Officer designated by the Council and a Police Officer.

"Owner" means a person who keeps, harbours or has custody of an animal, and, in the case of a minor, "owner" means the person responsible for the custody of the minor. If there is more than one owner of an animal, they are jointly and severally the owner;

"Person" means an individual, partnership, association, firm or corporation;

"Pet shop" means an establishment engaged in the retail sale of animals.

"Pet shop keeper" means a person who has the charge, care or ownership of a pet shop.

"Pigeon" means a member of a widely distributed family of birds derived from self-sustaining captive populations of Columbidae (pigeons and doves), and includes a racing pigeon which, through breeding, has developed the distinctive physical and mental characteristics as to enable it to return to its home after having been released a considerable distance there from, and which is also known as a homer pigeon, homing pigeon, or carrier pigeon;

"Pit bull" means the breed of dog which includes:

a) a pit bull terrier,
b) a Staffordshire bull terrier,
c) an American Staffordshire terrier,
d) an American pit bull terrier, or
e) a member of a class of dogs that have the appearance and physical characteristics that are substantially similar to dogs referred to in (a) through (d) above. In determining whether a dog is a pit bull regard may be had to the breed standards established, for dogs referred to in (a) through (d) above, by the Canadian Kennel Club, the United Kennel Club, the American Kennel Club or the American Dog Breeders Association.

"Police work dog" means a dog trained for and engaged in law enforcement by any federal, provincial or municipal government agency;

“Potentially dangerous dog” means a dog that in the absence of any mitigating factors, chases or approaches any person or domestic animal, anywhere other than on the property of its owner, in a menacing fashion or apparent attitude of attack, including but not limited to, aggressive behavior such as growling or snarling or a dog that otherwise demonstrates a propensity or disposition to attack Without Provocation, persons or domestic animals;

“Pound” means such premises and facilities designated by the Town of Tillsonburg

“Pound Keeper” means any person designated or contracted by the Town of Tillsonburg to maintain and administer a pound and impound dogs and or cats.

"Premises" includes a dwelling unit, a house or building and the land or premises on which the building or house is situated or attached;

“Prohibited dog” means:

a) a pit bull dog that is not restricted,
b) a pit bull dog, previously designated as a restricted dog, that is kept or permitted to be kept by its owner in violation of the requirements for such dog, or
c) a dog, previously designated as a potentially dangerous dog or a dangerous dog that is kept or permitted to be kept by its owner in violation of the requirements for such dog.

“Protective care” means the temporary keeping of an animal as a result of an eviction, incarceration, medical or fire emergency, or any other situation that an Officer deems appropriate for the health and safety of the animal;

“Regulated Health Professional” means an audiologist, chiropractor, nurse, occupational therapist, optometrist, physician or surgeon, physiotherapist, psychologist, or psychotherapist.

“Restrained” means being kept inside a building or house or in an enclosed pen of a minimum size for each dog of 4’ wide 12’ long 6’ high, completely enclosed with 9gauge mesh wire with a poured concrete floor to prevent a dog from coming in contact with or making a real and substantial threat of attack on any person or a domestic animal.

“Restricted dog” means a dog that is a pit bull that is owned by a resident on August 29, 2005, or it is born before the end of the 90-day period beginning on August 29,

2005, and that has been registered by the owner with the Corporation and maintains a valid municipal dog license;

"Sanitary condition" means a condition that does not result in an accumulation of fecal matter, odour, insect infestation, or rodent attractants which endanger the health, comfort or convenience of any person or animal;

"Sanitize" means to clean for the purpose of controlling disease-producing organisms and "sanitized" has a corresponding meaning; and

"Service animal" means an animal easily identifiable as relating to a disability wearing a vest or harness and documentation is produced from a Regulated Health Professional confirming the animal is required due to a disability.

"Tether" means a rope, chain or similar device which is used to tie, secure an animal to a post, wall or other such structures, so that the animal will stay in a particular area on a property;

"Town" shall mean The Corporation of the Town of Tillsonburg

"Veterinarian" means a member of the College of Veterinarians of Ontario.

"Wild Animal" means all mammals, birds, and reptiles, other than domestic animals, including feral cats and wild dogs.

"Wildlife" means any non-domesticated animal that is wild by nature and not typically kept as a pet. This includes but is not limited to native or non-native species such as raccoons, skunks, squirrels, coyotes, foxes, bats, deer, wild birds, snakes, amphibians, rats, mice, and feral or strays.

"Without Provocation" means the absence of any teasing, tormenting or abusive or unwanted physical or verbal contact by the Individual or Animal.

PART 2: ADMINISTRATION AND ENFORCEMENT

2. The Animal Control Officer shall be responsible for the administration & enforcement of this by-law.

PART 3: LICENSING OF DOGS

Requirements of a licence:

3. Requirements of a license:
    a. No person, who is residing temporarily or permanently within the Town of Tillsonburg shall own, keep, possess or harbour a dog unless a license has been issued under this bylaw.

b. Deleted by By-Law 2021-118.
c. The Town of Tillsonburg may appoint and authorize a license agent to assist the By-law Enforcement Officer with the issuance of licenses required under this bylaw, and every such license shall be executed on behalf of the Corporation.
d. The owner of any dog within the limits of the Town of Tillsonburg shall cause such dog to be registered with the Corporation and shall be furnished with a dog tag on payment of the annual license fee.
e. Puppies may be kept with the mother for a period not exceeding two (2) months/sixty (60) days following birth. Kittens may be with the mother for a period not exceeding two (2) months following birth.
f. Every person selling a puppy of a dog that is required to be licensed pursuant to this bylaw shall notify the license issuer upon the sale of the puppy providing the name and address of any purchaser who is a Town resident.
g. Deleted by By-Law 2021-118.
h. The owner shall keep such tag furnished securely fixed on the dog at all times during the year and until the owner procures a tag for the following year.
i. Deleted by By-Law 2021-118.
j. All dogs must be registered and license fees paid for on or before February 28th. All license fees paid for after February 28th shall be subject to a license fee increase.
k. Deleted by By-Law 2021-118.
l. A person who acquires a dog during the year shall obtain from the Town of Tillsonburg a dog tag license within ten (10) days after acquiring the dog.
m. Deleted by By-Law 2021-118.
n. Every dog tag licence shall expire on February 28th of the year for which same is issued and every dog owner shall renew the dog tag yearly.
o. Deleted by By-Law 2021-118.
p. Every owner of a licensed dog shall notify the License Issuer in writing if

the animal is sold, gifted, transferred to another person, or deceased within fourteen (14) days of the change in ownership.

q. Where an Owner acquires a dog or moves to the Town of Tillsonburg after February 28th and before November 1st of the following year, the Owner

r. shall pay a fixed amount equal to one-half of the annual registration fee as set out in the Rates and Fees By-Law at the time of registration.

s. Owners shall supply the Town of Tillsonburg or the licensing agent with a description of each dog, sufficient to identify such dog; and a record shall be kept identifying the dog and showing the name, address and telephone number of the owner; and the serial number of the dog tag furnished.

t. Every pet shop keeper shall submit on a monthly basis, to the License Issuer, the names, and addresses of Town residents who have purchased dogs from the said pet shop.

u. The annual license fees payable by the owner of every dog under this By-law, as set out in the Town's Rates and Fees By-Law, shall be the rates approved by the Town of Tillsonburg from time to time.

v. The License Issuer shall maintain a registry with the serial number of the dog tag along with name, address and telephone number of the owner, the name, breed, colour, markings, gender of the dog. If the dog is spayed or neutered or natural, and the date that the dog tag is furnished to the owner. Any changes to the status of the dog(s) must be reported promptly to the License Issuer.

w. Where a dog tag issued pursuant to the provisions of this by-law has been lost or destroyed, the owner on application to the Licensing Issuer may be issued a new dog tag upon payment of the replacement fee as set out in the Town of Tillsonburg Rates and Fees By-Law.

x. The requirement for a dog license does not apply to a pet shop whose business includes the sales of dogs;

y. Service Animals/Guide Dogs are exempt from purchasing a license subject to the owner providing documentation to the Licensing Issuer.

Application for a license:

4. The Licensing Issuer shall:
    a. Review and process all applications for licenses and tags; and
5. Issue all licenses and tags when application is made in accordance with the provisions of this by-law.
6. An application for a license shall be completed on the forms provided by the designated by the License Issuer
    a. All dog owners shall make application to the license issuer forthwith upon commencing ownership of the dog.
    b. Every application shall be accompanied by the following:
        i. Description of dog including colour, breed and name
        ii. Owners certifying on the application that the dog has been vaccinated against rabies.
        iii. Applicable fee

PART 4: KEEPING OF ANIMALS

General provisions:

7. Every owner of an animal shall treat the animal in a humane manner, including but not limited to the provision of:
    a. a shelter for the animal that is waterproof and that protects the animal from exposure to the element;
    b. a shelter for the animal that is adequate for its size and breed;
    c. adequate amounts of potable water for the animal; and food of a type and in amounts nutritionally adequate for the animal.
    d. a tether must be a minimum of three (3) metres in length, have a swivel that can turn 360° at both ends, is in good condition and well-attached to prevent escape;
    e. an animal shall not be tethered outdoors if the animal is under six (6) months old, in heat, whelping, or nursing; and
    f. an animal must not be tethered for longer than four (4) hours in a twenty-four (24) hour period.
8. No person shall keep an animal in an unsanitary condition.
9. Whether temporarily, permanently, or otherwise, no more than 3 domestic dogs,

3 domestic cats, or a total combined number of 5 animals of an age in excess of 2 months shall be kept, harboured, maintained or possessed at any one location within the Town of Tillsonburg.

10. Whether temporarily, permanently or otherwise, no more than a total of two (2) of the following animals shall be kept, harboured, maintained or possessed at any one location within the Town of Tillsonburg:
    a. guinea pig,
    b. gerbil,
    c. hamster
    d. rabbit,
    e. chinchilla,
    f. iguana,
    g. turtle with shell size of 8 inches in diameter
11. Section 8 and 9 do not apply to:
    a. Pet shops in the Town of Tillsonburg;
    b. A police work dog in a Police Canine Unit;
    c. Kennels located in compliance with the Town of Tillsonburg zoning by-law and the Ontario Building Code Act, 1992, as amended, and licensed by the Town of Tillsonburg;
    d. The keeping of animals on lands zoned for agricultural purposes;
12. Sections 8, 9 and 13 do not apply to:
    a. An animal hospital or clinic that is lawfully operated and supervised by a veterinarian licensed by the Ontario Veterinary Association;
    b. A pound designated by the Town of Tillsonburg;
    c. Any organization permitted by law to provide protection and humane treatment of animals;
    d. Any person while rendering emergency treatment to an injured or abandoned animal;
    e. The Corporation or other governmental authority while lawfully operating a public park, exhibition, or zoological garden, and maintaining animals therein;

f. Any person in charge of a traveling circus, exhibition, or road show, or any employee thereof, lawfully displaying animals;

g. Persons operating premises registered as research facilities under the Animals for Research Act, R.S.0.1990, c. A-22, as amended, or the persons in charge, or the employees thereof, during the course of their duties;

13. No person shall keep, or cause to be kept, a reptile, insect or amphibian permitted under this by-law outside a building or structure unless it is in an appropriate animal enclosure.

General restrictions:

14. No person shall keep, harbour or possess any animal or animals listed in Schedule A to this By-Law in the Town of Tillsonburg:
15. Notwithstanding Section 13, on lands zoned for agricultural purposes, institutional or open space or a legal non-conforming status under the Town's Zoning By-law 3295, as amended, no person shall keep, or cause to be kept, any animals listed in Section 13 – Schedule A of this by-law, except for pigeons and/or any other domestic animal.
16. No person who operates a business within the Municipality that includes the sale of pets or other animals shall sell, offer to sell, or otherwise make available in any way to any person any animal listed in Schedule A of this by-law, except those animals mentioned in Section 14.

Dangerous dogs:

17. The owner of a "dangerous dog" shall obtain and maintain in force a policy of public liability ownership issued by an insurer licensed by the Province of Ontario providing third party liability coverage in an amount of not less than 2 million (2,000,000) dollars for any damage or injury caused by the "dangerous dog". A certified copy of the said policy shall be provided annually with the Animal Control Officer of the Town of Tillsonburg.

Animals kept prior to May 24, 2011:

18. Section 13 and 14 shall not prevent any person from keeping, harbouring or possessing any animal if such animal was lawfully being kept, harboured or possessed by that same person prior to May 24, 2011 and for so long as the

animal continues to be kept, harboured or possessed by the person.

19. Pit bulls - special requirements:

20. No person shall:
    a. own a pit bull, except a restricted pit bull; breed a pit bull; transfer a pit bull by sale;
    b. Transfer a pit bull by gift or bequest; if the person to whom the pit bull is transferred will own more pit bulls after August 29, 2005 than on that day (maximum number of dogs per premises is three)
    c. transfer more than one pit bull by gift or bequest to a person who did not own a pit bull on August 29, 2005;
    d. abandon a pit bull other than to a pound operated by or on behalf of the Municipality, the province or a designated body;
    e. Allow a pit bull in his or her possession to stray;
    f. Train a pit bull for fighting.

Pit bulls - other requirements:

21. All other requirements regarding Pit Bulls specifically shall be in accordance with the Dog Owner's Liability Act, 1990 (DOLA), as amended, including regulations pertaining to DOLA, and the Animals for Research Act, 1990, as amended.

Keeping of pigeons:

22. Pigeons that are registered with a National Racing Association may not exceed twenty-four (24) in number. They may be kept provided the pens have been approved by such licensing association and follow the requirements set out in Sections 21, 22, 23, and 24.
    a. Every owner of a pigeon shall band and keep banded each pigeon with an identifying leg band issued by a registered pigeon association/organization in Canada.
23. No person whether temporarily, permanently or otherwise shall keep or cause to be kept more than (10) domestic pigeons on any lands zoned for agricultural purposes and follow the requirements set out in Sections 21, 22, 23, and 24.
24. Every owner of any pigeon shall keep all grains and foodstuff in air-tight containers.

PART 5: ANIMAL ENCLOSURES

General provisions:

25. Every owner of an animal shall ensure that the animal enclosure provided for the animal meets the following requirements, regardless of whether the animal enclosure is located indoors or outdoors:
    a. The animal enclosure shall be of a size and in a condition such that the animal may:
        i. extend its legs, wings, and body to their full natural extent;
        ii. stand;
        iii. sit;
        iv. perch;
    b. Every reptile, fish, and amphibian shall be provided with an enclosed space adequate for the needs of the species;
    c. The enclosure is of such a nature and condition that the animal contained therein would not be harmed and its health would not be negatively affected for the reason of being placed in such an animal enclosure;
    d. Every animal contained therein may be readily observed unless the natural habits of the animal require otherwise.
    e. The animal enclosure is kept in a clean and sanitary condition.
    f. The animal enclosure is kept free of offensive odour.
    g. The animal enclosure is escape proof.

Additional provisions for outdoor animal enclosures:

26. Except for the keeping of animals on lands zoned for agricultural purposes:
    a. no person shall keep, or cause to be kept, an animal enclosure for an animal outside a building or structure unless:
        i. the animal enclosure is in the rear yard; and
        ii. the animal enclosure, is located at least 3.1 meters (10 feet) from the property line and a least 6.1 meters (20 feet) from any school, church, or residential building not located on the same lot; and
    b. No person shall within the Town of Tillsonburg have a dog under control on a leash exceeding 2 meters (6 feet, 6 inches) in length. The dog shall

be in the rear yard of the owner's property, and the dog shall not be able to approach or chase any person or domestic animal other than those belonging on the dog owner's property. When a dog is off the owner's property, the "leash" requirements apply.

c. no person shall keep or cause to be kept a pigeon enclosure outside a building or structure unless the enclosure is located at least 6.1 meters (20 feet) from the property line, or within 19.8 meters (65 feet) of any school, church or residential building not located on the same lot.

27. In addition to the requirements in this part of the by-law, an animal enclosure kept outside shall be:
    a. soundly constructed of hard, durable material;
    b. Impervious to water for the housing unit within the enclosure and the housing unit must comply with all animal enclosure requirements;
    c. Constructed of a material that may be readily sanitized;
    d. Maintained in a good state of repair from cracks, holes, rust and other damage;
    e. Kept in a way that minimizes as nearly as practicable the transfer of disease- causing agents; and
    f. Adequately ventilated and maintained at a suitable temperature and lighting for the health, welfare and comfort of the animal enclosed therein.
28. Compliance with the requirements under this Part does not exempt any person from compliance with other applicable laws and by-laws, including the Building Code Act 1992, as amended, and the municipal zoning by-law.

    In the event of any conflict between the provisions of this Part and the provisions of any other by-laws, the provisions of this Part shall prevail.
29. Every owner shall allow any Officer to carry out an inspection of premises where animal(s) of the owner are kept or to make inquiries deemed necessary for the purposes of insuring compliance with this bylaw.

Kennels:

30. Kennels:

a. No person shall within the Town of Tillsonburg keep a kennel without a license.
b. All persons operating a kennel of dogs and or cats that are registered or eligible for registration with an association incorporated under the Animal Pedigree Act (Canada) shall make application to the License Issuer for a kennel license.
c. All such applications shall be accompanied by the following information:
    i. Name and address of Kennel owner
    ii. Location of kennel
    iii. Proof of zoning approval for said location;
    iv. Applicable fee
d. No Kennel or Pound shall be kept within the limits of the Town of Tillsonburg upon any premises unless the same are at least one hundred and twenty-five (125) feet from any school, church, dwelling or other premises occupied by the keeper or members of his or her immediate family and such Kennel or Pound shall meet all requirements pursuant to regulations of the Ministry of Agriculture and Food.

PART 6: EXCREMENT

31. Excrement:
    a. Every person having care or control of an animal shall forthwith remove and dispose of any excrement left by the animal on any property including highways.
    b. Subsection (a) does not apply to:
        i. persons reliant upon a service animal while that animal is being used to aid a person with a visual, hearing or other impediment;
        ii. owners of racing pigeons when the pigeons are at large during permitted flight times.
        iii. permitted farm animals as noted in Section 14 when animals are on lands zoned for agricultural purposes, as long as the animals are on the lands of their owner.

PART 7: ANIMALS AT LARGE

32. Animals at large:
    a. No person shall within the Town of Tillsonburg, fail to prohibit an animal from running at large.
    b. A dog is not considered to be at large if the dog is:
        i. a service animal or a police work dog; or
        ii. on the premises of a person who has consented to the dog on the person's premises.
    c. No person shall allow or permit any animal to trespass on private property.
    d. A pigeon is not considered to be at large if it is flying:
        i. Before 9:00 a.m. or after 5:00 p.m. during the months of April to September, inclusive; or
        ii. Before 10:00 a.m. or after 3:00 p.m. during the months of October to March, inclusive; and
        iii. under the owner’s personal supervision, or under the supervision of another competent person who is acting on the owner’s behalf to control the pigeons.
    e. In addition to subsection (d), a pigeon is not considered to be at large if a member of a pigeon organization or association in Canada supervises a flight of the racing pigeon while carrying on the duties of such organization or association.

PART 8: SEIZURE AND IMPOUNDMENT

33. Seizure and impoundment
    a. Seizure and impoundment:
        i. Any animal found at large contrary to this by-law may be seized by an Officer.
        ii. An Officer may take possession of an animal for the purpose of providing protective care to it at any time when the Officer deems it necessary to provide protective care to the animal.

b. A dog or cat seized under this by-law shall be impounded for a period of three days, exclusive of the day on which the dog and or cat was impounded and statutory holidays and Sundays, unless:
    i. The dog and or cat is redeemed by the Owner during this time period of impoundment in accordance with the provisions of this by-law;
    ii. The dog and or cat was seized for the purpose of providing protective care to it; or
    iii. In the opinion of the Pound Keeper, the dog and or cat should be euthanized or receive veterinary care immediately.
    iv. A dog and or cat is seized for the purpose of providing protective care, in which case it shall be impounded for a period of up to ten (10) days, exclusive of the day in which the dog and or cat was impounded and statutory holidays and Sundays, unless the animal is redeemed by the owner during this period of impoundment in accordance with the provisions of this by-law or is euthanized for humane reasons.
    v. Where the Pound Keeper has impounded a dog or a cat that has a tag, name plate and other means of identification, the Pound Keeper shall take all reasonable steps to find the owner of the dog and or cat and shall forthwith notify the owner, if found, that the dog and or cat has been impounded and can be redeemed on payment in full of all costs.

c. The owner of an animal impounded under this by-law:
    i. may redeem the animal upon payment of the appropriate impoundment and maintenance fees for the time of the impoundment as per the Town's Rates and Fees By-Law.
    ii. In addition to subsection (i), the owner of a dog seized and impounded shall produce a valid license for the dog before the owner may redeem it.

iii. If a valid license cannot be produced under subsection (ii) the owner of the dog shall obtain a license for the dog and will be responsible for the payment of the penalty as set by the Town's Rates and Fees By-Law before the owner may redeem it.

d. If an animal is not redeemed within the time period specific in this by-law, the animal shall become the property of the Pound Keeper and may be:
   i. Put up for adoption;
   ii. Euthanized by the Pound Keeper's designated veterinarian; or
   iii. Sold for such price as the Pound Keeper may consider proper.

e. A Pound Keeper may euthanize an animal without delay without permitting any person to redeem it if:
   i. The animal seized and impounded under this by-law is seriously injured or ill and should be euthanized without delay for humane reasons; or
   ii. Euthanasia of the animal seized and impounded under this by-law is necessary for the safety of persons or animals that are endangered.

f. Where a dog and or cat is captured or taken into custody and the services of a veterinarian are secured by the Pound Keeper, the owner shall pay to the Pound Keeper all fees and charges of the veterinarian in addition to all other fees and per diem charges payable under this by-law, as set out in the Town's Rates and Fees By-Law whether the dog and or cat is alive, dies, or is euthanized. No damages or compensation shall be recovered by the owner of the animal.

g. No personal shall forcibly retrieve a dog or cat from the Pound Keeper, or premises of the pound or break and enter into a patrol vehicle or a live trap, or retrieve a dog or cat, without payment in full of all fees and charges required to be paid under this by-law, in accordance with the Town's Rates and Fees By- Law.

h. Every pound fee and board fee that is unpaid in whole or in part is a debt due to the Pound Keeper and is recoverable in any court of competent jurisdiction in which a debt or money demand may be recovered.

PART 9: QUARANTINE OF ANIMALS

34. Quarantine of Animals
    a. If, in the opinion of the local Health Unit or an Officer, an animal shall be put in quarantine, the owner of the animal shall:
        i. comply with the quarantine order of the Health Unit or Officer; and
        ii. be responsible for the costs associated with the quarantine, including the costs of any veterinary care required for the animal and any other applicable fees.

PART 10: PRECAUTIONS BY DOG OWNERS

35. The owner of a dog shall exercise reasonable precautions to prevent it from:
    a. biting or attacking a person or domestic animal;
    b. behaving in a manner that poses a menace to the safety of persons or domestic animals;
    c. shall ensure the dog is properly leashed when not on the property of the owner, or not on the property of a person who authorizes the dog to be on his/her property;
36. No person who owns, harbours, or possesses any dog shall permit a dog or dogs to howl or bark as to cause noise, which disturbs, whereas likely to disturb the inhabitants of the Town of Tillsonburg.
37. No person shall cause, permit or allow an Animal to be confined in a vehicle or trailer attached to a vehicle without appropriate ventilation during Extreme Weather as to ensure the Animal is not in pain, distress or subject to undue suffering while in the vehicle.

PART 11: MUZZLE ORDER - DOGS

38. Muzzle Order – dogs:
    a. Where an Officer determines that a dog is a potentially dangerous dog or a dangerous dog, the Animal Control Officer may issue a Muzzle Order to the owner of the dog.

b. The Animal Control Officer may impose conditions on the Muzzle Order to ensure the health and safety of the owner, the dog, and other persons and animals, and the order is effective immediately on issuance.

39. Muzzle order – dogs:
    a. A Muzzle Order may be served by:
        i. delivering it personally to the owner of the dog; or
        ii. Sending it by registered mail to the last known address of the owner of the dog.

40. Notwithstanding other sections of the Bylaw, when a Muzzle Order has been served, the owner of a dog:
    a. shall ensure that the dog shall be restrained when on the owner's premises and
        i. Shall be kept inside a building or house or enclosed pen of a minimum size for each dog of 4' wide 12' long, 6' high, completely enclosed with 9 gauge mesh wire with a poured concrete floor to prevent a dog from coming in contact with or making a real and substantial threat of attack on any person or a domestic animal.
    b. Shall not permit the dog to be off the premises of the owner unless it is muzzled, and securely leashed on a 2 foot lead.
    c. Further to Section 38, the dog may be restrained, leashed and muzzled through any other means as directed by the Animal Control Officer.
    d. Shall ensure that the dog does not bite, chase, or attack a person or a domestic animal on any property including that of the owner.
    e. Shall put the dog under the control of a person at least eighteen (18) years of age when the dog is not on the owner's premises.
    f. Shall notify the Animal Control Officer within five (5) days of transfer if the dog is transferred to a new location or if the ownership of the dog is transferred to another person in the municipality, and the Muzzle Order shall still apply.
    g. Shall ensure that the dog is spayed or neutered;

h. Shall obtain a warning sign as prescribed by the Animal Control Officer which shall be posted and displayed continuously by the owner in a prominent location in close proximity where the particular dog is kept;
i. The dog shall be implanted with an identification microchip
j. Shall comply with any other conditions imposed in the Muzzle Order.

41. Where a dog has been ordered to be muzzled by an Animal Control Officer, pursuant to the provisions of this by-law, the aggrieved owner of the dog may apply for a hearing in respect of such Muzzle Order.
    a. An application for a hearing shall be made in writing and delivered to the Recording Clerk within sixty (60) days of the Muzzle Order being issued.
    b. Upon receipt of the application and required fee of $110.00 (or as amended by the Town Rates and Fees By-Law), the Recording Clerk shall convene a hearing of the “By-Law Appeals Committee” and shall give seven (7) days’ notice to the appellant by either personal service or by registered mail of the date, time and location of the hearing
    c. The “By-Law Appeals Committee” shall be comprised of three (3) members of Council, including the Chair, appointed by Council and the Recording Clerk, as defined in By-Law 2025-106.
    d. When the owner of the dog does not attend at the proper time and place, the “By-Law Appeals Committee” may proceed with the hearing and the appellant shall not be entitled to any further notice of the proceeding.
    e. Notwithstanding that an Applicant has applied for a hearing to appeal the Muzzle Order, the Muzzle Order takes effect when it is served on the person to whom it is directed and remains in effect until the “By-Laws Appeal Committee” has made its decision on the appeal.
    f. A written copy of the decision from the “By-Law Appeals Committee” shall be made and prepared as soon as it is practicable after the conclusion of the hearing and shall be sent to the appellant by either ordinary mail or registered mail.

g. The “By-Law Appeals Committee” may, at its discretion, reserve its decision to be presented later, which shall not be later than 10 days from the hearing date.
h. The decision of the committee is final and binding.
i. A Muzzle Order expires when the dog dies or the Animal Control Officer is satisfied that it no longer resides in the Town of Tillsonburg.

PART 12: FEEDING OF WILDLIFE

a. Feeding of Wildlife:
    i. No person shall intentionally feed or leave food to attract wildlife in a manner that creates a Nuisance.
    ii. Exemptions: Part 12 does not apply in the following situations: the leaving of food as bait by a licensed trapper, an employee of a licensed Wildlife or pest control agency, an Officer, or an Ontario Society for the Prevention of Cruelty to Animals Inspector in performance of their duties.

PART 13: PAYMENT FEES

General provisions:

42. General provisions:
    a. All dogs or cats impounded under the authority of this by-law shall be taken to the Pound, where they shall be confined subject to the right of an owner to redeem the dog and or cat within 72 hours exclusive of the day the dog or car was impounded by paying the Pound Keeper the impound callout fee and applicable daily boarding fee and, if required, the dog tag fee as per the Town’s Rates and Fees By-Law.
    b. The payment of any fees and charges are required under this by-law does not constitute partial or full payment of any fines imposed by a court of competent jurisdiction for an offence committed under this or any other by-laws.

PART 14: OFFENCE

43. Every person who contravenes any provision of this by-law is guilty of an offence and is liable to a fine and any other penalties imposed pursuant to the Provincial

Offences Act, 1990, c. P-33, as amended, the Dog Owner's Liability Act, 1990, as amended, if applicable, and the Pounds Act, 1990, as amended, if applicable.

PART 15: VALIDITY

44. If a court of competent jurisdiction declares any section or part of a section of the by-law invalid, it is the intention of Council that the remainder of the by-law shall continue to be in force.

PART 16: REPEAL AND EFFECTIVE DATE

45. Town of Tillsonburg Bylaws 3507 and 4169 are hereby repealed.
46. This by-law shall come into full force and effect on the day of its final passing thereof and upon approval from the Ministry of the Attorney General.

PART 17: SHORT TITLE

47. This by-law shall be referred to as the "Animal Care and Control By-law".

PART 18: SUBJECT TO RATES AND FEES BY-LAW

48. The fees associated with this by-law shall be in accordance with the current Rates and Fees By-Law for the Town of Tillsonburg.

READ A FIRST AND SECOND TIME THIS 25th day of JANUARY, 2021.

READ A THIRD AND FINAL TIME AND PASSED THIS 25th day of JANUARY, 2021.

Originally signed by:

_____

MAYOR – Stephen Molnar

_____

TOWN CLERK - Michelle Smibert

SCHEDULE A: PROHIBITED ANIMALS

CLASS	ORDER	COMMON NAMES
MAMMALS	Artiodactyla	Such as cattle, goats, sheep, pigs, deer, elk
	Canidae	Such as coyotes, wolves, foxes, hybrid wolf dogs (except domestic dogs)
	Chiroptera	Such as bats, fruit bats, myotis, flying foxes
	Edentates	Such as anteaters, sloths, armadillos
	Felidae	Such as tigers, leopards, cougars, lions, lynx (except domestic cats)
	Hyaenidae	Such as hyaenas
	Lagomorpha	Such as hares, pikas (except domestic rabbits)
	Marsupialia	Such as koalas, kangaroos, possums, wallabies (except sugar gliders derived from self-sustaining captive population)
	Mustelidae	Such as mink, skunks, weasels, otters, badgers (except ferrets)
	Primates	Such as chimpanzees, gorillas, monkeys, lemurs
	Perissodactyla	Such as horses, donkeys, jackasses, mules, zebras, ponies
	Proboscidea	Such as elephants, rhinoceros, hippopotamus
	Procyonidae	Such as coatimundi, cacomistles, raccoons
	Rodentia	Such as porcupines, prairie dogs, nutria, (except rodents such as chinchillas, hamsters and guinea pigs which do not exceed 1,500 grams and are derived from a self-sustaining captive population)
	Ursidae	Such as bears
	Viverridae	Such as mongoose, civets, genets
REPTILES	Crocodylia	Such as alligators, crocodiles, gavials, caimans
	Squamata	Lizards that are venomous or that reach an adult length larger than 2 metres (6.56 feet) Snakes that are venomous Snakes of the families pythonidae and boidae

	Testudines	Such as terrapins, tortoises, turtles (except turtles derived from a self-sustaining captive population)
BIRDS	Anseriformes	Such as ducks, geese, swans, screamers
	Galliformes	Such as pheasants, grouse, guinea fowl, turkeys, chickens, pea fowl
	Struthioniformes	Such as ostriches, rheas, cassowaries, emus, kiwis
	Raptors	Such as eagles, hawks, falcons, owls
• Any other exotic animals not specified above		