

THE CORPORATION OF THE MUNICIPALITY OF GREENSTONE

BY-LAW 26-20

Being a By-Law to provide for the regulation of animals and for the licensing of dogs within the Corporation of the Municipality of Greenstone.

WHEREAS Section 10 of the *Municipal Act, 2001*, S.O. 2001, c.25, as amended, provides that a single-tier municipality may provide any service or thing that municipality considers necessary or desirable for the public and may pass by-laws respecting animals including with respect to the being at large or trespassing of animals;

AND WHEREAS Sections 103, and 105 of the *Municipal Act, 2001*, provides for the impounding of animals and the muzzling of dogs;

AND WHEREAS Council deems it necessary and advisable to prohibit and regulate the keeping of animals within the Corporation of the Municipality of Greenstone;

AND WHEREAS the Corporation of the Municipality of Greenstone deems it necessary to require the owners of dogs in the Corporation of the Municipality of Greenstone to register the same, keep them under proper control at all times, and to provide for the imposition of the licence fee in respect thereto;

NOW THEREFORE the Council of the Corporation of the Municipality of Greenstone **ENACTS AS FOLLOWS:**

DEFINITIONS:

1. For the purpose of this By-Law, the following definitions shall apply:

“Aggressive dog” shall mean a dog that has shown the propensity to attacks or bite a person or other domestic pet or has attacked or bitten a person or other domestic pet.

“Altered” means where the dog has been spayed or neutered, with the onus of providing proof thereof, being the obligation of the owner of the dog.

“Animals” shall mean cows, goats, swine, horses, mules, reptiles, and all other animals normally considered as livestock.

“Council” shall mean the Council of The Corporation of the Municipality of Greenstone.

“Dog” shall mean any member of the species *Canis Familiaris*.

“Domestic Fowl” shall mean live domestic fowl including chickens, ducks, geese, turkeys and pigeons.

“Enforcement Area” shall mean the settlement area, as defined in the Municipal of Greenstone’s Official Plan, Approved with Modifications on November 15, 2022.

“Fees and Charges By-Law” means the Municipality’s Fees and Charges By-Law 25-69, and any successor By-Law enacted by Council.

“Kennel” shall mean a place or confine for the breeding, raising, boarding or sheltering of dogs.

“Licence”, for the purpose of this By-Law, shall be deemed to be the receipt issued by the Treasurer of the Municipality, or his authorized agent, upon payment of the appropriate tax or license fee.

“Lifetime dog licence” shall mean a licence issued by the Municipality for a dog, whose owner has complied with the provisions of this By-Law relating to dog licencing.

"Mitigating Factor" means a circumstance which excuses aggressive behavior of a dog and, without limiting the generality of the foregoing, may include circumstances where:

- (1) the dog was, at the time of the aggressive behavior, acting in defense of an attack by a person or a pet;
- (2) the dog was, at the time of the aggressive behavior, acting in defense of its young or reacting to a person or pet trespassing on the property of its owner; or
- (3) the dog was, at the time of the aggressive behavior, being teased, provoked or tormented.

“Officer”, for the purposes of this By-Law, shall mean an employee or agent of the Municipality, who’s duties include the administration and enforcement of the provisions of this By-Law.

“Owner” of a dog includes a person who possesses, has care and control of, or harbours a dog.

“Pet” shall mean dogs, cats, guinea pigs, birds and other animals such as are normally considered to be domestic pets.

“Police Service Dog” shall mean a dog trained to aid law enforcement officers and is actually being used for police work purposes for the protection of the public, including the investigation of crime and the apprehension of law violators.

“Potentially aggressive dog” shall mean a dog that has been determined by the officer to have been running at large multiple times and/or displays actions such as snarling, growling, snapping, biting, chasing or lunging at a person or other domestic pet.

“Pound” shall mean such premises and facilities designated by The Corporation of the Municipality of Greenstone as a pound.

“Pound Keeper” shall mean a person appointed by The Corporation of the Municipality of Greenstone to maintain and administer the pound, and includes an Officer.

“Service Animal” shall mean an animal who provides assistance and support to a person with a disability, and which animal is accredited with, and the owner can produce documentation from, an acceptable and regulated health professional in Ontario.

DOG LICENSING, REGULATION AND REGISTRATION:

2. Every person and resident in the enforcement area who is the owner of a dog shall, immediately when a dog comes into his or her possession, register the dog with the respective sector office, and thereafter annually on or before the 15th day of February in each and every year pay to the sector office, a license fee calculated in accordance with the Fees and Charges By-Law.
3. On payment of the license fee in accordance with Section 2, the appropriate sector office shall issue for each dog so registered, a tag

bearing a serial number and the year of issue and shall cause the name of the owner, his or her address, and the number of the dog tag, to be kept for this purpose.

4. Every owner shall affix to his or her dog a current licence tag, issued in accordance with Section 2 of this By-Law, and shall keep such tag affixed on the dog at all times when the dog is not on the owner's property.
5. No licence tag or registration under Section 2 of this By-Law shall be transferable and the licence tag shall expire and become void upon the sale, death, or other means of disposal of the dog.
6. Every licence issued under Section 2 of this By-Law shall expire on the 31st day of December next following the date of issue.
7. No person, other than the owner or his or her agent, shall remove the licence tag from a dog.
8. No licence shall be required for any dog until it has attained the age of two (2) months. The onus of proving that the dog is under the age of two (2) months shall be on the owner.
9. Every applicant for a licence tag for a spayed female dog or a neutered male dog, shall produce to The Corporation of the Municipality of Greenstone, or its authorized agent, at the time of making application, a certificate of a veterinary surgeon or other proof that such female dog has been spayed, or that such male dog has been neutered.
10. In addition to the annual dog licence provided under this By-Law, Council may establish a lifetime dog licence option by resolution through the Fees & Charges By-Law.
11. The lifetime licence shall be valid for the lifetime of the dog and is non-transferable.
12. Council may also establish a reduced license fee or waive the license fee for dogs that are permanently identified with a microchip, upon proof provided by the owner at the time of registration.
13. In order to qualify for a lifetime dog licence, the subject dog must be spayed or neutered, with proof acceptable to the municipality, provided by the owner at the time of registration.
14. All dogs, including those licensed under a lifetime or microchip-based waiver, must continue to comply with all other provisions of this By-Law.

RESTRICTIONS:

15. No more than a total of three (3) dogs may be kept on any residential, commercial or industrial property in the enforcement area.
16. Section 15 does not apply to:
 - a) the operation of a kennel for the purposes of breeding or boarding animals;
 - b) an animal hospital owned and operated by a veterinarian licensed by the Ontario Veterinarian association;
 - c) a pet store;
 - d) a dog that serves as a "service animal" in accordance with the provisions of this By-Law;
 - e) an Ontario Humane Society shelter; or

f) a pound.

17. Section 15 does not apply to dogs under the age of two (2) months.
18. The Officer may, based on compassionate grounds, grant a temporary exemption to Section 15 to allow for an additional dog to be kept on the premises. Such exemption will only apply until such time as the number of dogs in the subject premises is reduced to three (3) again.

CONTROL OF DOGS:

19. No person who owns, harbours or possesses any dog that is altered, shall allow the dog to run-at-large or trespass on private property including when the dog is on a leash.
20. No person who owns, harbours or possesses any dog that is not altered, shall allow the dog to run-at-large or trespass on private property, including when the dog is on a leash.
21. For the purpose of this By-Law, a dog shall be deemed to be running-at-large if found in any place other than the premises of the owner of the dog and not under the control of any person.
22. A dog shall not be considered to be running-at-large if it is a guide dog or a police work dog, or if it is a hunting dog accompanied by the harbourer or other responsible adult and is actively engaged in hunting or training for hunting, on unposted land, or on posted land with the permission of the owner.
23. An Officer or other duly appointed Officer, may enter on any public property, or on private property with the consent of the owner or occupant of the property, for the purpose of restraining and impounding any dog running-at-large contrary to the provisions of this By-Law.
24. Any person who owns, harbours or possesses any dog shall not allow the dog to defecate anywhere on property other than that of the owner, unless the owner ensures that the excrement is removed and disposed of in a sanitary manner.

AGGRESSIVE DOGS

25. Where, in the opinion of the Officer, a dog is deemed to be an aggressive dog or a potentially aggressive dog, the Officer may issue an Order to require any or all of the following things:
 - a. have the dog muzzled and under strict control by means of a leash at all times when not on the property of the owner; and/or
 - b. have the dog under strict control by means of a secure tether that prohibits the dog from leaving the property when outside of any building on the property of the owner.
26. No person shall allow a dog to attack or bite a person or pet.
27. Section 26 does not apply where, in the opinion of the officer, the dog bite or attack is caused by a mitigating factor.
28. The officer may rescind an Order issued pursuant to Section 25, where in the opinion of the officer, the owner of the dog has satisfied the officer that sufficient action has been taken to have the dog undergo all reasonable training and rehabilitation efforts and the dog no longer exhibits aggressive tendencies or the propensity to bite a person or pet.

DOGS SEIZED and IMPOUNDED

29. The Officer is authorized to seize all dogs found by him or her to be running-at-large contrary to this By-Law, and take such dogs to the pound where they shall be impounded.
30. The Pound Keeper shall, subject to availability, resources and capacity to house, receive and impound any dog brought to him or her as a result of being found running at large, contrary to this By-Law, and which cannot be returned to its' owner.
31. The Pound Keeper shall care for all dogs after they have been impounded, in accordance with the regulations made pursuant to the Animals for Research Act, and shall dispose of such dogs as provided for in this By-Law.
32. The Pound Keeper shall also keep a record of all dogs impounded and how disposed of.
33. The owner of a dog impounded may redeem the dog within the redemption period, as defined by the Animals for Research Act, R.S.O. 1990, c. A.22, as amended.

Nothing in this By-law shall be interpreted to permit the disposition of an impounded dog prior to the expiry of the redemption period, except where humane euthanasia is required to relieve suffering or where otherwise authorized by law.

34. Where an impounded dog is not redeemed within the redemption period described in Section 33, the dog shall be deemed unclaimed and may be disposed of by the Pound Keeper in accordance with the *Animals for Research Act* and applicable regulations, including but not limited to:
 - a) transfer to an animal shelter or animal rescue organization;
 - b) adoption; or
 - c) humane euthanasia.

No damages or compensation shall be recoverable by the owner as a result of such disposition.

35. The dog may be redeemed by paying to the Municipality, the fees prescribed in the Fees and Charges By-Law.
36. In the event that an impounded dog is not redeemed within seventy-two (72) hours as aforesaid, the dog may be disposed of, as the Pound Keeper deems appropriate, including being surrendered to an animal shelter or animal rescue service or being offered for adoption, subject to any related fees as set out in the Fees and Charges By-Law. No damages or compensation shall be recoverable by the owner as a result of the disposition of the dog.
37. All attempts should be made by the Officer to notify the owner of the dog, if the Animal Control Officer knows whom the owner is or has any idea whom the owner is, whether the dog has a tag or not.
38. No dog shall be released by any person other than the Animal Control Officer, or a person duly authorized by the Animal Control Officer.
39. Any person, other than the Animal Control Officer, who releases any dog from the pound shall be deemed to have violated the provision of this By-Law and shall be liable to the penalties as set out herein.

40. The Officer shall not release an impounded dog to its owner unless the dog is licensed for the current year, as prescribed in Section 2 of this By-Law.

KENNELS:

41. No owner or operator of a kennel shall carry on such operation until he or she has obtained a licence, upon payment of the kennel license fee, as set out in the Fees and Charges By-Law. All such licences shall be renewed no later than the 15th day of February in each year.
42. The owner or operator of every boarding or breeding kennel for dogs shall ensure strict compliance with the following kennel requirements:
 - a. All dogs shall be adequately fenced or caged to prevent their running-at-large;
 - b. All dogs must be kept in pens or cages of adequate size, in that every cage or pen used for housing of dogs shall be so constructed that every dog in the cage or pen may comfortably:
 - i. extend its legs to their full extent,
 - ii. stand,
 - iii. sit,
 - iv. turn around, and
 - v. lie down to a fully extended position;
 - c. All dogs must be kept fed and watered regularly and kept in a clean, healthy condition, free from vermin and disease;
 - d. All droppings, soiled beddings and the like from which odour might arise, must be removed not less often than weekly during the period between the 1st day of November of one year and the 31st day of March of the following year, and daily during the remainder of the year; and
 - e. The kennel shall not become a nuisance by reason of odour, noise from barking or otherwise.
43. Kennels shall only be permitted in locations of the enforcement area, permitted by the Municipality Zoning By-Law.

KEEPING OF HENS:

44. No person who keeps hens on any property that is zoned for residential use, shall fail to comply with the following keeping of hens requirements:
 - a. The maximum number of hens on a property shall not exceed five (5).
 - b. No roosters shall be permitted on a property, except for properties zoned as rural.
 - c. Hens must be contained on the owner's property at all times.
 - d. Owners of the hens must reside on the property where they are kept.
 - e. If the owner of the hens is a tenant, he/she will require written permission from the property owner to keep the hens on the subject property.
 - f. Hens must be kept in an enclosed run when not in their coop.
 - g. All hen coops shall comply with the regulations set out in Section 45 of this By-Law.
 - h. Sale of eggs, manure, meat and other products derived from the hens is not permitted.
 - i. Home slaughter of hens is not permitted.
 - j. No person shall permit their hens to create a nuisance to any other property.

- k. For the purposes of subsection (j), nuisance means, but is not limited to:
 - i. foul odours;
 - ii. persistent noise
 - iii. unsanitary conditions; and/or,
 - iv. any unreasonable conditions that attract wildlife, including rodents and vermin.
45. No person who has a hen coop, as referenced in Section 44 of this By-Law, shall fail to comply with the following hen coop requirements:
- a. The minimum setbacks for all coops shall be:
 - i. 1.2m from a rear lot line; and
 - ii. 2.5 from a side lot line or a rear lot line abutting a side yard.
 - b. No coop shall be permitted in a front yard.
 - c. All runs must be enclosed and must comply with the setback requirements listed in subsection (a).
 - d. All coops must provide protection from weather and be adequately ventilated.
 - e. All coops and runs shall be cleaned regularly and maintained in a clean condition and free from odours that may cause a nuisance.

OTHER ANIMALS:

46. Subject to Section 44 of this By-Law, no person shall keep animals or domestic fowl, except pets, within the limits of the enforcement area except in locations zoned as rural.
47. Every owner or person having care or control of a pet shall ensure that the pet does not run at large and does not create a nuisance; for greater certainty, this section imposes responsibility on the owner and does not authorize the capture or impoundment of pets other than as expressly provided elsewhere in this By-Law.
48. No person shall keep a pet that is not in clean and sanitary conditions.
49. No person shall keep more than three (3) rabbits, which have attained the age of six (6) months, at his or her place of residence.
50. No person shall keep more than three (3) cats, which have attained the age of six (6) months, at his or her place of residence.
51. Sections 49 and 50 of this By-Law shall not apply to the operator of a pet shop at his or her place of business.

FEEDING WILDLIFE

52. No person shall feed or permit the feeding of a wild animal.
53. No person shall place any food or feeding device, intended for wild animals, on any property.
54. Sections 52 and 53, do not apply to the use of a bird feeding device, provided that:
- a. the bird feeding device is reasonably inaccessible to wild animals; and
 - b. any excessive spilled seed or other food is promptly cleaned up to avoid attracting wild animals.
55. Sections 52 and 53 do not apply in the following situations:

- a. the leaving of food as bait in a trap by property owner to capture a nuisance animal inhabiting or habituating their property pursuant the *Fish and Wildlife Conservation Act, 1997*, S.O.1997, c. 41; or
- b. the leaving of food as bait by a licensed trapper, and employee of a licensed wildlife or pest control agency, Municipal Law Enforcement Officer, an Ontario Society for the Prevention of Cruelty to Animals Inspector, or a Police Officer, in the performance of their duties.

POWERS OF ENTRY

56. For the purposes of the administration and enforcement of this By-Law, the Officer shall have all the powers of entry provided for in the Municipality's Powers of Entry By-Law #24-55, and any successor thereof.

ORDER

57. Where an Officer has determined that a person has violated any provisions of this By-Law, the Officer may issue an Order that indicates:
 - a. the violation that has occurred and the necessary action required to cease the violation;
 - b. the timeframe for complying with the Order; and
 - c. that not complying with the Order constitutes an offence under this By-Law.

58. No person shall fail to comply with an Order issued under this By-law.

OBSTRUCTION

59. No Person shall hinder or obstruct, or attempt to hinder or obstruct, an officer who is exercising a power or performing a duty under this By-Law, including providing false or misleading information.
60. A refusal of consent to enter or to remain in a room or place actually used as a dwelling does not constitute hindering or obstruction within the meaning of Section 59 of this By-Law, unless the Officer is acting under a warrant under Section 439 of the *Municipal Act, 2001*, or in the circumstances described in Sections 437(d) or (e) of the *Municipal Act, 2001*.

PENALTIES

61. Any person who contravenes any provision of this By-Law, is liable to a fine not exceeding five thousand (\$5,000.00) dollars, exclusive of costs, for each offence, and every such fine shall be recoverable under the *Provincial Offences Act, R.S.O. 1990*, c. P.33.
62. Each day a violation continues shall be deemed to be a separate offence.

REPEAL

63. By-Law 05-66, By-Law 12-75 and any additional amendments thereto, and any predecessor are hereby repealed.

EFFECTIVE DATE

64. This By-Law shall come into force and effect on the date of passing.

PASSED AND ENACTED this 27th day of April, 2026.

Original signed and sealed by K. Miousse
April 27, 2026

Kristina Miousse, Clerk

Original signed by J. McPherson
Resolution 26-143

James McPherson, Mayor