

PROVINCE OF QUEBEC

CITY OF DORVAL

ADMINISTRATIVE CODIFICATION

BY-LAW NO. RCA-12-2005

BY-LAW CONCERNING DOG CONTROL

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| Adoption | May 2 2005 |
| Amended by RCM-12.1-2006 | September 10 2006 |
| Amended by RCM-12.2-2010 | May 25 2010 |

BY-LAW NO RCA-12-2005

DOG CONTROL BY-LAW

At a regular meeting held at the Borough office, 60, Martin Avenue, Dorval, Québec, on Monday, May 2, 2005 at 8 pm, under the chairmanship of Peter B. Yeomans, Borough Mayor, the Council of the Borough of Dorval/L'Île-Dorval decrees:

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1. DEFINITIONS

- 1.1 In this by-law, unless the context indicates a different meaning, the masculine shall include the feminine. In addition, the following definitions shall apply:

“Animal Control Officer”: The person or representative of such a person hired by the Borough to enforce the provisions of the present by-law.

“Guard dog”: any dog trained as a guard dog or to protect property through aggressive behaviour.

“Pound”: The premises identified to receive animals delivered to it by the Animal Control Officer or any other authorized person.

“Public place”: Any street, road, sidewalk, lane, path, park, playground or other place belonging to the Borough, a school board, a religious order or denomination, within the boundaries of the Borough.

“Validity period of a certificate”: A 12-month period between September 1st and August 31. (modified by RCM-12.2-2010)

“Owner”: The owner, possessor or custodian of a dog; the owner or tenant responsible for the premises where a dog is kept; the parent of any minor owner, possessor or custodian of a dog.

2. REGISTRATION

- 2.1 Every dog owner shall register the dog on or before September 1 each and every year. (modified by RCM-12.2-2010)

When registering a dog for the first time, the owner shall present himself at 60, Martin Ave., Dorval. Annual renewals can be sent in by mail upon receipt of notification.

The registration certificate issued in virtue of the provisions of the present by-law is valid until the 31st of the month of August following the date it was issued and shall expire on that date. (modified by RCM-12.2-2010)

- 2.2 Any person who becomes the owner of a dog shall, within eight (8) days of the acquisition, or within eight (8) days of the date said dog reaches the age of six (6) months, whichever is later, register said dog in accordance with the provisions of this by-law.

However, should said dog be acquired to replace a dog that has died or that has been disposed of, and for which the registration certificate is still within the period of validity, no registration fee shall be required until the renewal date of said registration certificate.

- 2.3 Any dog owner who moves into the Borough shall, within eight (8) days of the move or within eight (8) days of the date said dog reaches the age of six (6) months, whichever is later, shall register said dog.
- 2.4 In order to obtain a registration certificate for the first time, the owner of a dog older than four (4) months shall present proof of vaccination against rabies within at least three (3) years.

When renewing a registration certificate, the dog owner shall attest to having proof of vaccination against rabies within at least three (3) years for said dog.

- 2.5 To obtain a registration certificate, the dog owner shall provide his name and address, as well as the dog's name, breed and address at which the dog is kept.
- 2.6 The registration certificate given to the owner is accompanied by a tag that shall be attached to the dog's collar and bearing a number corresponding to that entered in the register kept by the Borough.

3. REGISTRATION FEES

- 3.1 Annual registration fees are those stipulated in Appendix "A" of this by-law. These fees may be amended by resolution of the Council.
- 3.2 The registration certificate is issued free of charge for any person requiring the assistance of a guide dog or service dog.
- 3.3 Fees paid for a registration certificate are not refundable.

4. ANIMAL CONTROL OFFICER

- 4.1 The Borough may assign responsibility to an Animal Control Officer for enforcing the provisions of the present by-law in accordance with the methods prescribed in the specification in effect at the time the mandate was given.

The Animal Control Officer thus appointed has the powers necessary to carry out his functions and has the authority to act on behalf of the Borough. To this end, he has the right, upon presentation of identification, to enter any private property within the boundaries of the Borough for the purpose of enforcing the provisions of this by-law.

5. POUND

- 5.1 The Borough is designating, by means of a contract, a pound where dogs collected by the Animal Control Officer are kept. This contract sets the fees payable to redeem said dogs.
- 5.2 The Pound keeper keeps all the dogs brought to him by the Animal Control Officer in the pound for a period of one hundred and twenty (120) hours.

The owner of an impounded dog may redeem said dog during said period upon payment of the fees required in virtue of section 5.1.

- 5.3 Should the dog not be claimed within the period of one hundred and twenty (120) hours following its arrival at the pound, the Pound keeper may give away or sell said dog for adoption, or have said dog put to sleep.
- 5.4 The Pound keeper shall keep an updated list of all the dogs brought to him by the Animal Control Officer; on the list he shall note the breed, colour or markings that may serve to identify each dog, as well as the method used to dispose of it.

6. PRESENCE OF DOGS IN PUBLIC

6.1 A dog owner shall not allow the dog to roam in a public place, unless it is leashed in accordance with the provisions listed below, except in dog runs and designated dog areas. (modified by RCM-12.2-2010)

A dog owner shall not allow the dog to roam on the private property of others, unless it is leashed in accordance with the provisions listed below and unless he has received prior permission from the owner, tenant or occupant.

A dog owner shall not allow the dog to roam on his property unless it is leashed in accordance with the provisions listed below.

- 6.2 Any dog leashed in accordance with the provisions of section 6.1 shall be held on a leash not exceeding (7) feet (2.15 m) in length, one end of which is firmly attached to the dog and the other held by a person capable of controlling said dog.
- 6.3 A dog owner shall not allow said dog to defecate or urinate on the property of others without the prior consent of the owner, tenant or occupant of the premises.

A dog owner shall have in his possession the tools or other items necessary to remove from a public place any faecal matter left by said dog.

3rd section abrogated by RCM-12.1-2006.

- 6.4 The presence of any dog, except that of a guide-dog, is prohibited in a municipal building. (modified by RCM-12.2-2010)

7. VARIOUS PROVISIONS

- 7.1 No person shall keep more than two (2) dogs in a residence or on residential property.

In the event that a bitch gives birth to puppies, such puppies may be kept by the owner of the bitch for a period not exceeding three (3) months, after which the two (2) dog limit stipulated shall apply.

- 7.2 A dog owner shall not allow a dog to bark or howl in such a manner as to disturb the peace of his neighbours, nor allow it to injure any person or damage the property of others, whether public or private.
- 7.3 The owner of a dog that injures another person shall keep the dog muzzled at all times following the incident.

Any dog found without a muzzle after having injured someone may be seized by the Animal Control Officer and taken to the pound to be destroyed immediately.

The second paragraph of section 7.3 does not apply to a dog that has injured someone who was knowingly attempting to break into a property owned, leased or occupied by the dog owner.

- 7.4 An owner of a so-called "guard dog" shall post, in plain view, a pictogram to this effect at the main entrances to his residence and yard. This pictogram shall be posted so that it is easily visible by any person wishing to approach the residence or the property.

8. PENALTIES

- 8.1 Anyone who contravenes a provision of the present by-law or allows such a contravention commits an offence and is liable to a fine of between FIFTY DOLLARS (\$50) and ONE THOUSAND DOLLARS (\$1,000).
- 8.2 The failure by any person to comply with the provisions of sections 6.1, 6.2, 6.3, 7.1 and 7.2 of the present by-law shall be deemed to constitute a nuisance, the whole notwithstanding and without limiting the application of the provisions of the Nuisance By-Law.
- 8.3 The Animal Control Officer and members of the Montreal Urban Community Police Department are authorized to issue a statement of offence for any infraction of this by-law.

The Borough Council may, by resolution, authorize any other person to issue a statement of offence for any infraction of this by-law.

9. FINAL PROVISIONS

- 9.1 By-law 1221-84, as amended, is replaced.
- 9.2 The present by-law comes into force in accordance with the law.

APPROVED _____ BOROUGH MAYOR

APPROVED _____ BOROUGH SECRETARY

APPENDIX "A"

(Ref. : Section 3)

ANNUAL REGISTRATION FEES

2005 and subsequent years: \$25 per year, except for the first year of the application because the fees are calculated proportionally to the number of months to be covered (including the month in which the application was made) for the year ending on the 31st of the next month of August.
(modified by RCM-12.2-2010)