

# The Corporation of The Township of Stone Mills By-law 2023-1202

Being A By-Law To Prohibit The Being At Large Or Trespassing Of Any Animal Excluding Dogs And Cats, Within The Township Of Stone Mills.

**WHEREAS** Section 103 (1) of the *Municipal Act 2002 -2003*, permits councils by by-law to prohibit or regulate within any part of the municipality the being at large or trespassing of animals other than dogs and cats, and to provide for impounding them and for causing them to be sold; and;

**WHEREAS** Section 103 (2) of the *Municipal Act 2002 - 2003*, allows for the fine to be recoverable under the Provincial Offences Act under clause (1) (c);

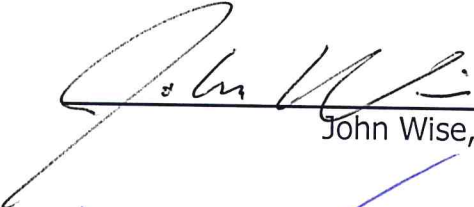
**NOW THEREFORE** THE CORPORATION OF THE TOWNSHIP OF STONE MILLS ENACTS AS FOLLOWS;

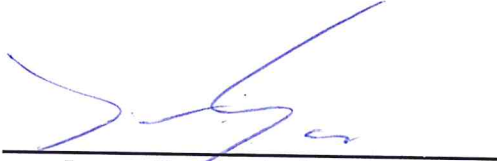
1. No owner of any animal shall cause or permit any such animal to be at large or trespass within the area of the Township of Stone Mills or upon any highway within the Township of Stone Mills.
2. This by-law applies to all animals other than cats and dogs.
3. Any animal which is found at large or trespassing within any area within the jurisdiction of the Township of Stone Mills, including but not limited to any highway within the Township, may be taken into custody and impounded.
4. The By-law Enforcement Officer, when dealing with a complaint of an animal at large, shall be directed in his actions by the policies which are attached to and form part of this by-law.
5. The Pound Keeper shall prepare an appraisal of damages caused by the animal while it was at large or trespassing and these damages shall be paid to the municipality prior to the release of the animal. Council may exercise its right to make grants in the amount of the damages or parts thereof to those parties who have suffered the damages.
6. The provisions of the *Pounds Act*, R.S.O. 1990, Chapter P.17, as amended, shall apply to animals impounded pursuant to Section 1 of the said Act.
7. Any person who contravenes any provision of this by-law shall be guilty of an offence and upon conviction shall be liable to a penalty as provide for in the *Provincial Offences Act*.
8. Every Person who contravenes any provision of this By-law shall, upon issuance of a Penalty Notice in accordance with the By-Law to Impose Administrative Monetary Penalties for Violations Of Municipal By-Laws 2023-1198, be liable to pay to the Township an Administrative Monetary Penalty in accordance with By-Law 2023-1198."
9. No person shall obstruct or hinder or attempt to obstruct or hinder a Provincial Offences Officer or other authorized employee or agent of the Township in the exercise of a power or the performance of a duty under this by-law. Without limiting the generality of the foregoing, the following are deemed to constitute obstruction pursuant to this By-law:

- a. any person who fails to provide proof of identification satisfactory to the Provincial Offences Officer when requested to do so.
10. Every owner of property and every officer or director of a corporation that owns property within the Township has a duty to take all reasonable care to prevent occupants and users of their property from breaching the provisions of this By-law.
  - (a) Every person who has a duty under this section and fails to carry out that duty is guilty of an offence.
  - (b) A director or officer of a corporation is liable to a conviction under this section whether or not the corporation has been prosecuted or convicted.
11. An owner may file an appeal against the order as issued by the Screening and / or Hearing Officer with the Clerk of the Township of Stone Mills in accordance with the terms of the By-Law to Impose Administrative Monetary Penalties for Violations of Municipal By-Laws 2023-1198.
12. As it relates to Section 11 above, should the appellant fail to attend the scheduled appeal hearing respecting the order issued by the Screening and / or Hearing Officer a fee will be collected in accordance with the terms of the By-law to Impose Administrative Monetary Penalties for Violations of Municipal By-laws 2023-1198.
13. This By-law will come into force and take effect on the date of its passing.
14. By-law 2004-257 is repealed in its entirety.

This By-law having been read a first, second and third time is hereby adopted this 17<sup>th</sup> day of July, 2023.

**THE CORPORATION OF THE TOWNSHIP OF STONE MILLS**

  
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John Wise, Reeve

  
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Jason Sands, Acting CAO/Clerk