

BY-LAW NO. 92 - 04

OF THE

CORPORATION OF THE CITY OF CAMBRIDGE

Being a by-law of the Corporation of the City of Cambridge to regulate "birds and animals" in the City of Cambridge and to repeal By-law 180-84.

WHEREAS the Municipal Act, R.S.O., 2001, S.O. 2001, c.25, Section 11(2)9 assigns the sphere of jurisdiction of "Animals" to lower-tier municipalities.

AND WHEREAS the Municipal Act, 2001, S.O. 2001, c.25 Section 9(3) provides that a by-law under Section 11 respecting a matter may:

- (a) regulate or prohibit respecting the matter; and
- (b) as part of the power to regulate or prohibit respecting the matter, require persons to do things respecting the matter, provide for system of licences, permits, approvals or legislations respecting the matter and impose conditions as a requirement of obtaining, continuing to hold or renewing licences, permits, approval or registrations.

AND WHEREAS the Animals for Research Act, R.S.O., 1990, c. A.22, section 20 provides for rules and regulations that must be followed for the keeping of cats and dogs in a municipal pound;

AND WHEREAS the Pounds Act, R.S.O., 1990, c. P.17, applies to every local municipality in Ontario and regulates the running at large, owners liability and impounding of large domestic farm animals;

AND WHEREAS the Health Protection and Promotion Act, R.S.O., 1990, c.H.7 provides for the isolation of animals suspected of being carriers of rabies, at municipal expense;

AND WHEREAS the Ontario Society for the Prevention of Cruelty to Animals Act, R.S.O., 1990, Chap. O.36, provides special powers to help animals in distress;

AND WHEREAS it is considered desirable to pass a by-law relating to animal control within the City of Cambridge.

NOW THEREFORE THE MUNICIPAL COUNCIL OF THE CORPORATION OF THE CITY OF CAMBRIDGE ENACTS AS FOLLOWS:

DEFINITIONS

1. For the purposes of this by-law:

- a) "Animal Control Officer" shall mean a person appointed by the City of Cambridge to enforce this by-law and any servant or agent of this person employed for such purposes;

- b) "Animals Running at Large" shall be considered to be running at large when found on a highway or other public place, or on premises other than the premises upon which they are habitually kept, if not under the control of any person, and an animal shall not be deemed to be under the control of any person unless accompanied by an attendant who shall exercise control over the animal at all times.

A dog shall not be considered to be running at large if it is a guide dog, hearing ear dog or police work dog as defined, or if it is a hunting dog accompanied by the harbourer or another 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 of the land.

- c) "Dangerous dog" means:
- (i) a dog that, in the absence of any mitigating factor has attacked, bitten, or caused injury to a person or has demonstrated a propensity, tendency or disposition to do so;
 - (ii) a dog that, in the absence of any mitigating factor, has significantly injured a domestic animal; or
 - (iii) 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.
- d) "Guide Dog" means a dog that is trained to aid the visually impaired or to assist a disabled person and actively used for such purposes;
- e) "Hearing Ear Dog" means a dog that is trained to aid the hearing impaired and actively used for such purposes;
- f) "Kennel" shall mean a place or confine where pure-bred dogs are kept;
- g) "License" shall be deemed to be the receipt issued by the City of Cambridge upon payment of the appropriate license fee;
- h) "Mitigating factor" means a circumstance which excuses aggressive behaviour of a dog and, without limiting the generality of the foregoing, may include circumstances where:
- (i) the dog was, at the time of the aggressive behaviour, acting in defence to an attack by a person or domestic animal;
 - (ii) the dog was, at the time of the aggressive behaviour, acting in defence of its young or to a person or domestic animal trespassing on the property of its owner; or
 - (iii) the dog was, at the time of the aggressive behaviour, being teased, provoked, or tormented.
- i) "Muzzle" means a humane fastening or covering device of adequate strength placed over a dog's mouth to prevent it from biting.
- j) "Owner" shall include any person who possesses or harbours animals or anyone who is the parent or guardian of any one who possesses or harbours animals;
- k) "Police Work 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 apprehension of law violators;

- l) "Potentially dangerous" dog means:
 - (i) a dog that, in the absence of any mitigating factor, 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, behaviour such as growling or snarling; or
 - (ii) a dog that has been impounded by the Poundkeeper or for whom the owner has been convicted on a total of three occasions within a twenty-four (24) month period for such dog being at large in the municipality.
- m) "Poultry" means chickens, geese, ducks, turkeys and the young of any of them and includes game birds where the game birds are kept pursuant to a license under The Game and Fish Act, or the Migratory Bird Convention Act (Canada);
- n) "Pound" means facilities, designated by the City or maintained by the City pound keeper where animals are held under the provisions of this by-law;
- o) "Pure-Bred" shall mean dogs which are: registered or eligible for registration with an association incorporated under the Animal Pedigree Act (Canada)
- p) "Not under the control of any person" means not held on a leash by the owner or any other person or not tied up.

DOMESTIC FARM ANIMALS

- 2. Domestic farm animals such as cattle, goats, swine, sheep, mink, fox, nutria and others shall not be kept other than in areas zoned agricultural, open space, and industrial.

REGULATION OF POULTRY AND PIGEONS

Poultry

- 3. Persons may not keep poultry or fowl except on land zoned:
 - (a) for agricultural, open space, industrial and rural residential purposes;
 - (b) for residential purposes where poultry or fowl were being kept on the land in question at the date of the enactment of this by-law;
- 4. All pens, cages, and lofts for domestic fowl and poultry shall be located at the rear of the owner's or keeper's lot and shall be situated at least 3 meters from the property line and 15 meters from any school, church, dwelling or other premises used for human habitation or occupancy other than the premises occupied exclusively by the owner or keeper of such fowl or poultry or by members of his immediate family.
- 5. All poultry and other domestic fowl shall be kept in suitably enclosed coops, pens or runs.
- 6. No chicken, goose, turkey, duck or other poultry or domestic fowl shall be permitted to run at large.
- 7. All coops, pens and runs shall be kept in a clean and sanitary condition.

Keeping Pigeons and other Birds

8. No person shall keep pigeons or other birds unless registered with the animal control division of the City of Cambridge by October 31, 1987; and the pigeon coop to be registered was in existence prior to October 31, 1987.
9. Any persons being the owner or keeper of pigeons or other birds shall not allow such pigeons or other birds to stray, perch, roost or nest upon the lands or buildings of any person or to stray, perch, roost, or nest on any public highway or public place, save and except:
 - (a) the real property of which the owner or keeper is the owner or lessee; or
 - (b) for the purposes of racing pigeons when such birds shall be under the control of the owner or keeper.
10. All pens and lofts used for confining pigeons or other birds shall be located at the rear of the owner's or keeper's lot and shall be situated at least 3 meters from the property line and 15 metres from any school, church, dwelling or other premises used for human habitation or occupancy other than the premises occupied exclusively by the owner or keeper of such fowl or poultry or by any members of his immediate family.
11. All lands and premises where such pigeons or birds are kept shall be maintained in a sanitary condition at all times and all cleanings from the said birds and premises shall be disposed of in a manner that will not create a public nuisance or health hazard and in accordance with the provisions of the Health Protection and Promotion Act, R.S.O., 1990, C.H.7, as amended, and regulations pursuant thereto.
12. In the event the owner or keeper of pigeons or other birds suspects they are infected with a communicable disease, he shall immediately consult a Doctor of Veterinary Medicine to diagnose the condition. If the diagnosis is confirmed, the owner or keeper shall immediately notify the Medical Officer of Health and comply with the instructions of the Health Officer.
13. The Medical Officer of Health or his representative may enter upon the property where pigeons or other birds are kept for the purposes of inspecting the pens or lofts and may take such action as is deemed necessary to ensure the sanitary conditions are in compliance with The Health Protection and Promotion Act, R.S.O., 1990, C.H.7 and this by-law.
14. Every building, structure or enclosure used for the keeping of pigeons or other birds shall be so constructed as to be airy, dry and light. The outside must be maintained in a clean manner.
15. Pigeon lofts shall be so constructed that the ingress to the loft can only be obtained by what is known as a drop trap opening or a series of bobs, which shall be so installed as to prevent their being used as a means of egress by the pigeon.
16. The maximum number of pigeons which may be kept on the owner's or keeper's property shall be calculated as follows:
 - (a) one bird for every .227 m³ (8 cu. ft.) of air space within the loft;
 - (b) the maximum number of pigeons including their young, shall not exceed 125 pigeons on any licensed property within the limits of the City of Cambridge.

17. Each pigeon in the loft shall be provided with a perch.
18. In the case of caged birds, other than pigeons, the maximum number that may be kept in a cage shall be regulated by the following rules:
 - (a) roosting area, .05 square meters per bird where the bird does not exceed 30 centimetres in length;
 - (b) birds exceeding thirty centimeters in length, .1 square meters roosting area for each bird.

Trapping or Exterminating Strayed Pigeons

19. The Animal Control Officer, or any person acting under his direction or instructions, upon the complaint of the owner or occupant of any premises is hereby empowered to enter upon such premises and the land of the buildings in the vicinity thereof for the purposes of trapping, removing or Exterminating strayed pigeons that are causing annoyance to the owner or occupant or damage to such premises.
20. The Animal Control Officer, or any person acting under his direction or instructions as aforesaid, shall make or cause to make all such inquiries and investigations as he shall deem necessary to ascertain whether or not such pigeons are strayed.
21. No person or persons shall obstruct, hinder, delay or prevent the By-Law Enforcement Officer, Building Inspector, or Animal Control Officer, or any person acting under his direction or instructions, in the exercise of any power conferred or the performance of any duty imposed by this by-law.

Exotic Pets

22. No person shall keep poisonous snakes, reptiles or spiders.
23. No person shall keep any snake which is not indigenous to North America.
24. No person shall keep felids (Cats) except the felids domesticus (domestic cat); or Canid (Dogs) except the canis domesticus (domestic dog).
25. The provisions of this section shall not apply to premises registered as research facilities under Section 4 of The Animals for Research Act, R.S.O., 1990, C.A. 22, educational facilities, zoos and circuses.

Provisions for the Care of Animals

26. Every person who presently owns or becomes the owner of any animal immediately assumes the responsibility of seeing that such animal receives the food, water, housing and attention necessary for its well-being.
27. Every cage, tank or pen used for the housing of an animal when kept as a pet or for hobby purposes shall be constructed and maintained so that:
 - a) it is not likely to harm any animal;
 - b) every animal therein may be readily observed unless the natural habits of the animal otherwise require;
 - c) any animal cannot readily escape therefrom;

- d) it minimizes as nearly as possible the transfer of pathogenic agents;
- e) it may be readily sanitized;
- f) except in the case of fish and snakes, every animal in the cage, tank or pen may comfortably;
 - i) extend its legs to their full extent;
 - ii) stand, sit and lie down in a fully extended position;
 - iii) be provided with adequate space for exercise purposes.

28. In the case of fish and snakes every animal in the cage, tank or pen shall have adequate room for its health, welfare and comfort.

Provisions for the Care of Horses, Donkeys, Ponies and Mules

- 29. Any horse, pony, donkey or mule may be kept on land used for legal non-conforming agricultural purposes, or on land zoned for agricultural, open space or industrial purposes.
- 30. Any horse, pony, donkey or mule shall be housed in a building or stable.
- 31. Any building or stable shall be at least 91 meters from any school, church, public hall, store, dwelling or other premises used for human habitation, except for premises occupied exclusively by the owner or keeper of such animals or members of his immediate family.
- 32. The floors of such building or stable shall be of durable material, impervious to moisture and provided with gutters so that drainage is effected into a sanitary sewer.
- 33. A wooden platform can be built above such a floor provided an airspace of at least five (5) centimeters is allowed between the floor and the platform.
- 34. Where a sanitary sewer is unavailable, provisions for drainage of sanitary waste shall be made in accordance with the requirements of the Health Protection and Promotion Act, R.S.O., 1990, C.H. 7.
- 35. All doors, windows and openings of the building or stable shall, at all times, between the 1st day of April and the 30th day of November following in each year, be kept protected by screens effective against flies and small insects.
- 36. All manure shall be promptly collected and deposited in a manure receptacle of adequate size.
- 37. Manure receptacles shall be constructed and maintained in such a manner that objectionable odours and the breeding of flies will be kept to the lowest level practicable.
- 38. Manure receptacles shall only be constructed within the City after the design has been approved by a Building Inspector and a building permit issued therefor.
- 39. Manure receptacles must be emptied and the manure disposed of at least once a year.
- 40. Buildings or stables shall be maintained in a clean condition, and any yard under 280 square meters, in which animals are allowed to run, shall be kept free from accumulations of manure and other refuse at all times.

41. All food, except roughage, shall be kept in rodent proof containers.

Dog Licensing, Registration and Regulations

42. Every owner of a dog shall, within 30 days following the date a dog comes into his/her possession, cause the dog to be licensed with the City of Cambridge for the period which shall expire on the last day in December of the current year and shall thereafter annually on or before the 28th day of February in each year obtain a new license.
43. Every owner shall pay the license fee prescribed in the City of Cambridge Rate Review document.
44. On payment of the license fee, the owner shall be furnished with a dog tag, bearing a serial number and the year for which it was issued, for each dog so licensed and registered.
45. At the time of issuing the license, the City shall keep records showing the name and address of the owner, the serial number of the tag, the date of purchase of the tag, name of dog and the breed and sex of the dog for which it was issued.
46. The owner shall keep the tag securely fixed on the dog at all times during the year or until such time as he procures a tag for the following year, except that the collar and tag may be removed while the dog is lawfully being used for hunting or confined on the property where it is habitually kept.
47. No license is transferrable and the license, and tag referred to in Section 42 shall expire and become void upon the sale, death or other disposal of the dog.
48. No unauthorized person shall remove a tag from a dog.
49. Dogs under three months of age are exempt from the licensing requirements.
50. No person, except a person who has been issued a kennel license shall at any time, in any one location, keep or harbour more than three (3) dogs of any age in excess of three months, with the exception of guide dogs and hearing ear dogs.
51. Every owner of a dog, who fails to have it licensed, allows it to run at large without its tag, or uses a tag upon a dog other than that for which it was issued shall upon conviction thereof, forfeit and pay a penalty as noted in the City of Cambridge Rate Review exclusive of costs for each offence and the penalty shall be recoverable under the Provincial Offences Act.

Kennels

52. The owner or operator of a kennel shall license such kennel with the City for the current year and shall at the time of licensing pay the fee as prescribe in City of Cambridge Rate Review.
53. The provisions of Section 42 shall not apply to dogs kept and confined in kennels which have been licensed as provided for in Section 52.

Animals Running at Large (Other than dogs)

54. No owner of any animal, other than a dog, shall allow the animal to run at large or trespass upon private property.
55. Any person may capture any animal running at large and trespassing on their property and deliver them to the pound keeper or Animal Control Officer, who may impound the animal, or return it to the owner.
56. An Animal Control Officer, Police Constable or other duly appointed officer, may enter upon any property, public or private, with the assent of the owner or tenant, for the purpose of catching any animal running at large contrary to the provisions of this by-law.
57. Any animals running at large contrary to the provisions of this by-law may be impounded or may be sold as hereafter provided.
58. Where an animal which is running at large is injured or it appears should be destroyed without delay for humane reasons or for reasons of safety to persons or animals, the animal shall be subjected to examination by a veterinarian, for diagnosis prior to the animal being destroyed. If apparent to the Animal Control Officer or Police Officer that the animal is so severely injured that it is inhumane to remove the animal to a veterinary hospital, the Animal Control Officer or Police Officer may kill the animal in a humane manner.
59. Should such examination or assistance not be available and it is in a hospital, the Animal Control Officer or Police Officer may kill the animal in a humane manner.
60. The owner shall have the right to reclaim the carcass, and if the owner is known be notified of the action taken.

Rabid Animals

61. The poundkeeper or Animal Control Officer shall place any animal known to be rabid or suspected of being rabid in quarantine or shall kill such animal in a manner so as to not damage the brain and shall submit the animal's head to a laboratory for diagnosis.

Dogs Running At Large

62. Dog owners shall not allow their dogs to run at large.
 - a) A dog shall be deemed to be at large when it is found not under the control of an adult person and not under leash to that person or to a structure, unless the animal is on lands of a person who has consented to it being on his/her lands while it is unleashed.
 - b) No leash shall exceed 2.4 metres (8 feet)
63. Any person may capture a dog running at large and trespassing on his property and deliver it to the Animal Control Officer, who may impound the dog or return it to its owner and any fees would apply.
64. An Animal Control Officer, Police Constable or other duly appointed officer, may enter upon any property, public or private, with the assent of the owner or tenant, for the purpose of catching any dog running at large contrary to the provisions of this by-law.

65. Any dog running at large contrary to the provisions of this by-law may be impounded or sold as hereinafter provided and the owner will be required to pay any fines and/or fees as noted in the City of Cambridge Rate Review for Dogs Running At Large.

Dog Control Measures in Emergencies

66. The Mayor, in his/her discretion and with the assent of Council, and the direction of the Regional Medical Officer of Health, whenever claims are being made upon the City Treasurer for damages for loss of sheep killed by dogs or whenever the disease of rabies is prevalent, to issue a proclamation directing all dogs to be confined, tied up or muzzled for a limited period of time to be named in such proclamation, within the City and during the period of time so named in such proclamation any Animal Control Officer or Police Officer may kill or tranquilize any animal which may be at large or is suspected of being rabid.

Animal Pounds

67. For impounding the animals captured under the provisions of this by-law, a place shall be established which shall comply with the provisions of and regulations made pursuant to the Animals for Research Act, R.S.O., 1990, c.A.22.
68. The pound provided shall be under the care and control of the pound keeper, whose duty it shall be to impound all dogs, cats and birds brought to him/her or found by him/her running at large, who have not been returned to their owner.
69. It is the duty of the pound keeper to:
- a) keep a record of all animals impounded and how they are disposed of;
 - b) make monthly returns to the Council or such officer who may be designated by Council, showing the number of impounded animals, how disposed of and the amount of money collected for poundage fees and proceeds of sale;
 - c) care for all animals after they have been impounded in accordance with the Animals for Research Act and regulations thereunder;
 - d) collect from the owner of any impounded animal, the poundage fees and any animal violation fees as set out in the City of Cambridge Rate Review, before releasing the animal.
70. Should any animal impounded bear any tag or other means of identification the pound keeper shall immediately notify the owner of the animal and upon payment of the poundage fee and any animal violation fee shall release the animal to the owner.
71. Those animals not redeemed within seventy-two (72) hours may be sold by the pound keeper to any person or the pound keeper may cause them to be destroyed.

Clean-up of Animal Excrement

72. Any person who owns or is in possession or control of any animal, which defecates on any property other than that on which it is habitually kept, shall be responsible for the immediate removal and sanitary disposal of any excrement.

Rabid Dogs

73. Any dog known to be rabid shall be immediately destroyed.
74. When an animal is alleged to have bitten any person or suspected of being rabid, the Regional Medical Officer of Health may order the pound keeper for the City to confine the animal under supervised quarantine for a period not to exceed ten (10) days in accordance with the Health Protection and Promotion Act, R.S.O., 1990, c.H.7.
75. The pound keeper shall notify the Regional Medical Officer of Health of any reported bites which broke the victim's skin.

Inspection of Premises

76. If there is reasonable ground for believing that an animal is being ill-treated or neglected, any police officer having jurisdiction in the area shall have and may exercise any of the powers of an inspector or agent of the Ontario Society for the Prevention of Cruelty to Animals Act, R.S.O., 1990, Chap. 0.36.

Potentially Dangerous Dog – Notice Requirements

77. Where the Animal Control Officer designates a dog as a potentially dangerous dog, and serves the owner with notice of such designation, the owner shall comply with such of the following requirements as set out in the notice:
- (a) to keep the potentially dangerous dog, when it is on the lands and premises of the owner, confined;
 - (i) within the owner's dwelling and under the effective control of an adult; or
 - (ii) in an enclosed pen constructed with a secure top and sides and either a secure bottom effectively attached to the sides or sides embedded in the ground to a minimum depth of 30 centimetres (1 foot), or as otherwise approved by the Animal Control Officer. The pen shall provide humane shelter for the potentially dangerous dog while preventing it from escaping therefrom and preventing entry therein of unsupervised children.
 - (b) to keep the potentially dangerous dog under the effective control of an adult person and under leash, such leash not to exceed 1.8 metres (6 feet) in length and to be approved by the Animal Control Officer at all times when it is not confined in accordance with clause (a);
 - (c) to securely attach a muzzle as defined in Section 1 to the potentially dangerous dog at all times when it is not confined in accordance with clause (a);
 - (d) to have a microchip inserted in the potentially dangerous dog by a licensed veterinarian and to permit the Animal Control Officer to verify the implantation of such microchip;
 - (e) to provide the Animal Control Officer with the new address and telephone number of the owner within two (2) working days of moving the potentially dangerous dog;
 - (f) to provide the Animal Control Officer with the name, address and telephone number of the new owner within two (2) working days of selling or giving away the potentially dangerous dog;

- (g) to advise the Animal Control Officer within two (2) working days of the death of the potentially dangerous dog;
- (h) to advise the Animal Control Officer forthwith if the potentially dangerous dog is running at large or has bitten or attacked any person or animal; and
- (i) to purchase and display, at the entrance to the owner's dwelling which a person would normally approach, a warning sign provided by the Animal Control Officer. The sign shall be posted in such a manner that it cannot be easily removed by passerby and it is clearly visible to a person approaching the entrance.

Dangerous Dog – Notice – Owner Requirements

78. Where the Animal Control Officer designates a dog as a dangerous dog, and serves the owner with notice of such designation, the owner shall comply with the following requirements as set out in the notice;
- (a) to keep the dangerous dog, when it is on the lands and premises of the owner, confined:
 - (i) within the owner's dwelling and under the effective control of an adult; or
 - (ii) in an enclosed pen constructed with a secure top and sides and either a secure bottom effectively attached to the sides or sides embedded in the ground to a minimum depth of 30 centimetres (1 foot), or as otherwise approved by the Animal Control Officer. The pen shall provide humane shelter for the dangerous dog while preventing it from escaping therefrom and preventing entry therein of unsupervised children.
 - (b) to keep the dangerous dog under the effective control of an adult person and under leash, such leash not to exceed 1.8 metres (6 feet) in length and to be approved by the Animal Control Officer, at all times when it is not confined in accordance with clause (a);
 - (c) to securely attach a muzzle as defined in Section 1 to the dangerous dog at all times when it is not confined in accordance with clause (a);
 - (d) to have a microchip inserted in the dangerous dog by a licensed veterinarian and to permit the Animal Control Officer to verify the implantation of such microchip;
 - (e) to provide for the Animal Control Officer with the new address and telephone number of the owner within two (2) working days of moving the dangerous dog;
 - (f) to provide the Animal Control Officer with the name, address and telephone number of the new owner within two (2) working days of selling or giving away the dangerous dog;
 - (g) to advise the Animal Control Officer within two (2) working days of the death of the dangerous dog;
 - (h) to advise the Animal Control Officer forthwith if the dangerous dog is running at large or has bitten or attacked any person or animal; or
 - (i) to purchase and display, at the entrance to the owner's dwelling which a person would normally approach, a warning sign provided by the Animal Control Officer. The sign shall be posted in such a manner that it cannot be easily removed by passerby and it is clearly visible to a person approaching the entrance;

- (j) not to keep or harbour the dog in a multiple dwelling or a lodging house and, where the owner's dwelling is a multiple or lodging house, the dog may be kept or harboured at other premises for the purpose of Sections 78(a) and 78(i) and subject to all other provisions of this Section.

Notice – Received – hearing requested

79. Where the owner of a dog who receives a notice from the Animal Control Officer designating such dog as a potentially dangerous dog or, a dangerous dog, so requests in writing to the City Clerk of The Corporation of the City of Cambridge within five (5) working days of receipt of such notice, a Committee of Council, to be known as the "Dog Designation Appeal Committee," shall hold a hearing pursuant to the provision of the Statutory Powers Procedure Act within thirty (30) working days of the City Clerk's receipt of the request for a hearing and such committee may:
- (a) when a dog has been designated by the Animal Control Officer as a potential dangerous dog or a dangerous dog:
 - i) affirm or rescind the Animal Control Officer's designation of the dog;
 - ii) substitute its own designation of the dog as potentially dangerous or dangerous; or
 - iii) substitute its own requirements of the owner of a potentially dangerous dog pursuant to Section 77 (a) to (i) or substitute its own requirements of the owner of a dangerous dog pursuant to Section 78(a) to (i).

Complaint – Inquiry by Animal Control Officer

80. The Animal Control Officer may either on his/her own initiative or as a result of a complaint received by him/her from a resident of the City of Cambridge conduct an inquiry into whether a dog should be designated a potentially dangerous dog or a dangerous dog, as the case may be.

Owner Requirements – Compliance Deadline

81. The requirements of Sections 77 and 78 inclusive which may be imposed on a dog owner by the Animal Control Officer pursuant to such Sections shall not be required until:
- (a) the time for requesting an appeal has expired without an appeal being requested;
 - (b) an appeal has been requested and the request has been withdrawn or abandoned; or
 - (c) an appeal has been requested and the Dog Designation Appeal Committee has issued its decision.

Owner Compliance

82. If the owner of a dog that has been designated as dangerous is unwilling or unable to comply with the requirements of the designation, the dog shall be humanly euthanized after a fourteen (14) day holding period. Any dog that has been designated as dangerous under this by-law shall not be offered for adoption.

Notices – How Served

83. Any notices served by the Animal Control Officer shall be provided by hand delivery or prepaid mail and, in the event of service by prepaid registered mail, to the owner’s last known address shall be deemed received on the fifth working day after the date of mailing.

Dangerous Dog – Other Designation

84. As a result of the inquiry conducted pursuant to Section 80, the Animal Control Officer may designate a dog as potentially dangerous or, dangerous, where there are reasonable grounds for the Animal Control Officer to believe that dog meets the requirements of that class.

Enforcement of Building Standards

85. Any owner or keeper of animals kept in buildings not conforming to the requirements of this by-law shall be made to comply or the buildings housing the animals removed within a maximum period of two years from the date of the passing of this by-law or the owner or keeper of the animals shall be considered to be in contravention of this by-law.

Offence

86. Any person who contravenes any of the provisions of this by-law is upon conviction guilty of an offence and is liable to any penalty as provided for by the Provincial Offences Act.

General Provisions

87. Should any part of this by-law be declared by a court of competent jurisdiction to be ultra vires, the remaining parts shall nevertheless remain valid and binding and shall be read as if the offending section had been struck out.
88. In this by-law, unless the context requires otherwise, words importing the singular shall include the plural and words importing the masculine gender shall include the feminine.

Short Title

89. This By-law may be cited as the Animal Control By-law.
90. That By-law 180-84 as amended is hereby repealed.

READ A FIRST, SECOND AND THIRD TIME

ENACTED AND PASSED, THIS 5TH DAY OF APRIL, A.D., 2004

“Doug Craig”
MAYOR

“David Calder”
CLERK