

**THE CORPORATION OF THE  
TOWNSHIP OF EAST ZORRA-TAVISTOCK  
COUNTY OF OXFORD**

**BY-LAW #2001 - 54**

As amended by By-law #2005-35 & By-law #2016-23

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**BEING** a by-law to regulate or prohibit the keeping of animals, birds or reptiles in the Township of East Zorra-Tavistock.

**WHEREAS** Section 210.1 of the Municipal Act, RSO 1990, provides authority to Council for prohibiting or regulating the keeping of animals or any class thereof within the municipality or defined areas thereof and for restricting, within the municipality or defined areas thereof, the number of animals or any class thereof that may be kept by any person, or that may be kept in or about any dwelling unit or class of dwelling unit as defined in the by-law

**AND WHEREAS** Section 6.3 of Township Zoning By-law #15-89, as amended, provides for the control of animals, birds and reptiles in any zone except an agricultural zone by way of an Animal Control By-law passed under authority of Section 210 of the Municipal Act;

**AND WHEREAS** Council deems it necessary and expedient to pass such a by-law;

**NOW THEREFORE** the Council of the Township of East Zorra-Tavistock enacts as follows:

**Definitions**

1. Animal – means any live non-human vertebrate or invertebrate, including a bird or reptile, and without limiting the generality of the foregoing, includes a domestic animal, an animal raised for commercial purposes, an animal kept as a working animal, a pet or for hobby purposes such as breeding, showing, or sporting, fowl, an exotic animal, livestock, pigeons, reptiles and wild animals.
2. Council – means the Council of the Corporation of the Township of East Zorra-Tavistock
3. Domestic Bird – means all varieties and species of domestic and tame birds except birds typically associated with an agricultural operation
4. Lot – means a parcel or tract of land which is held under separate ownership from adjacent lands according to the registration thereof in the Registry Office or Land Titles Office, with the exception of mobile home lots within a mobile home park, such mobile home lots shall be deemed a separate lot for the purposes of this by-law and individual units in an apartment building which shall be deemed a separate lot
5. Owner – means any person who keeps or harbours an animal, and for the purpose of this definition, “owns” and “owned” shall have a corresponding meaning and shall include a person who is temporarily the keeper or in control of the animal

6. Person – means any individual, firm, incorporated or unincorporated group or organization, business entity or club to whom the context can apply in accordance with the Interpretation Act.
7. Township – means the Corporation of the Township of East Zorra-Tavistock

### **General Provisions**

8. No person shall within the areas zoned as Residential (RR, ER1, R1, R1A, R2, R3, RE), Village (V), Commercial (C1, C2, C3), Industrial (M1, M2, M3, M4, M5), Open Space (OS), Institutional (I), Environmental Protection (EP) or Development (D) or a Special Provision Category to any of the aforementioned zones in the Township Zoning By-law #15-89, as amended, keep any animal except those permitted in accordance with the following schedule:
  - a. Dogs – 3 per lot (*As amended by By-law #2016-23*)
  - b. Cats – 2 per lot
  - c. Rabbits – 2 per lot
  - d. Hamsters, gerbils, guinea pigs, tame mice – exempt if totally confined and for hobby purposes only and not sale purposes
  - e. Domestic Birds – exempt if totally confined and for hobby purposes only and not sale purposes
  - f. Non-venomous reptiles and amphibians – exempt if totally confined and for hobby purposes only and not sale purposes
9. No person shall keep, harbour or cause to be kept within any area of the Township, any animal of the kind listed in Schedule “A” forming part of this by-law, for sale, for exhibition, as a pet or for any other purpose.
10. Every cage, tank, pen, lot or other such structure of enclosure used for the housing of animals shall:
  - a. not be constructed of any unsightly material;
  - b. be of sound construction and totally enclosed;
  - c. be kept within the half of the rear yard nearest to the main building or structure; and
  - d. be constructed with a wooden or metal floor, with a clearance from the ground of at least thirty centimetres (twelve inches) or on a concrete pad.
11. Every cage, tank, pen, loft or other such structure or enclosure used for the housing of animals shall be maintained so that:
  - a. such enclosure may be readily sanitized;
  - b. such enclosure is kept in a clean condition; and
  - c. such enclosure minimizes, as nearly as practicable, offensive odours.
12. Every coop pen or shelter used to house pigeons shall not be closer than 60 meters to any school, church or public hall or closer than 40 meters to a neighbouring dwelling house if occupied by persons other than the owner or tenant.

13. No dog shall be kept confined or tied within 10 meters of a dwelling house other than that of the owner of the dog
14. No person shall permit any animal to run at large or trespass on public property or the property of others and such animals found so running *may* (As amended by By-law# 2005-35) be liable to impoundment and otherwise being dealt with or disposed of under the provisions of The Pounds Act and any amendments thereto.
15. Every person who keeps an animal in the Township shall provide the animal or cause it to be provided with such food, water, exercise, attention and veterinary care as may be required from time to time to keep the animal in good health.
16. If an animal is customarily kept out-of-doors, the person having the custody or control of the animal shall at all times provide for its use a structurally sound, weather-proof, insulated enclosure with off-the-ground flooring, which enclosure shall be located not less than five feet from the property line.
17. Every person who has the custody or control of an unspayed female animal shall, during each period that the animal is in heat, keep it confined so that it will not attract other animals.

#### **Exemptions**

18. The provisions of this by-law shall not apply to the employees of a municipal or other governmental authority lawfully operating a public park, exhibition or zoological garden, and maintaining animals therein.
19. The provisions of this by-law shall not apply to an animal control contractor or lawfully operating Society shelter.
20. The provisions of this by-law shall not apply to an animal hospital or clinic which is lawfully operated and supervised by a veterinarian licensed by the Ontario Veterinary Association.
21. With the exception of Section 9, Prohibited Animals, the provisions of this by-law shall not apply to a legally operating pet store.
22. The provisions of this bylaw shall not apply to premises registered as research facilities under the Animals for Research Act, or the persons in charge or the employees thereof, during the course of their duties.
23. The provisions of this bylaw shall not apply to any person licensed or exempted as an operator of an animal supply facility in accordance with the Animals for Research Act, or the employees of such facility, during the course of their duties.
24. The provisions of this bylaw shall not apply to anyone holding a licence under any statute of the Province of Ontario or the Government of Canada, which permits the keeping of animals under stated condition.

25. The provisions of this bylaw shall not apply on the premises of any television studio where such animals are being kept temporarily for the purpose of a television production.
26. The provisions of this bylaw shall not apply to any person while rendering emergency treatment to an injured or abandoned animal.
27. Sections 8 and 9 shall not prevent any person from keeping, harbouring or possessing any animal if such animal was lawfully being kept, harboured or possessed by the person on the day of the passing of the enabling by-law; but only for so long as the animal continues to be kept, harboured or possessed by the person.

27.1 Exemption – Number of Dogs (*As amended by By-law #2016-16*):

Township Staff are delegated the authority by Council to grant an exemption to allow a person to keep more than three (3) dogs on a subject property. In doing so, it should be clearly understood that an exemption shall not be granted as a matter of right, merely because a person wishes to own more than three (3) dogs or is able to provide a suitable home to a dog in need of a home. Rather, this may be granted for reasons such as the result of a family death or illness, joint occupancy where occupants had their own dogs prior to deciding to live together, service animal status, or for other compassionate reasons conducive to responsible dog ownership. Township Staff must believe that the additional dog(s) will be kept in accordance with other provisions of this by-law and will not cause a nuisance to neighbours or other residents.

Those wishing to obtain an exemption shall make their request in writing to the Clerk and pay the requisite fee. In deciding whether to grant such an exemption, Township Staff, in co-operation and with the assistance of the applicant, would review:

- a) History and reason for the request;
- b) Previous convictions or founded complaints under this or a previous by-law of the Township respecting dogs or other animals;
- c) Previous convictions or founded complaints under a by-law of another jurisdiction respecting dogs or other animals;
- d) The size and breed of the dog(s);
- e) Reasonable concerns of neighbours in the area;
- f) The suitability of the premises where the dog(s) would be housed; and,
- g) Any other factors that may be presented to Staff as part of the review.

Any exemption granted pursuant to this section of the by-law will be limited until one of the following situations occurs (whichever occurs first):

- 1) The additional dog(s) passes away or is otherwise no longer owned/ housed by the person(s) holding the exemption; or,

- 2) The exemption time period (as determined solely by Staff) has expired. Under no circumstances shall the exemption time period be granted for a period which is greater than sixty (60) months.

Prior to granting any exemption, the owner shall be required to enter into a "Letter of Understanding" with the Township which shall, amongst other information, provide a detailed physical description of the dog(s) that are subject to the temporary exemption, as well the owners' firm agreement that if the dog(s) are still present once the exemption has expired, the applicant shall have three (3) weeks to re-home the number of dogs required to ensure that they have no more than three (3) dogs on a subject property.

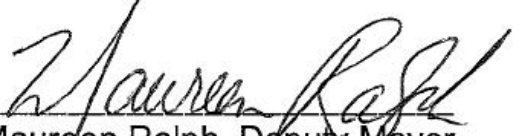
Any exemption granted is subject to revocation by Township Staff at any time due to concerns related to any of the factors outlined above. Should the exemption be revoked, the applicant shall have three (3) weeks to re-home the number of dogs required to ensure that they have no more than three (3) dogs on a subject property.


If the exemption request is not approved, the applicant shall have three (3) weeks to re-home the number of dogs required to ensure that they have no more than three (3) dogs on a subject property.

- 28. Any person who contravenes any provision of this by-law is guilty of an offence and shall be liable to a fine recoverable under the provisions of the Provincial Offences Act.
- 29. The provisions of this by-law take full force and effect on the passage hereof.
- 30. This by-law may be cited as the Animal Control By-law

**READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS 17<sup>th</sup> DAY OF OCTOBER, 2001.**

(SEAL)

  
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Maureen Ralph, Deputy Mayor

  
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Jeff Carswell, Clerk

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**Schedule "A"**  
**Animals Prohibited in the Township of East Zorra-Tavistock**

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1. All marsupials (such as kangaroos and opossums)
2. All non-human primates (such as gorillas and monkeys)
3. All felids, except the domestic cat
4. All canids, except the domestic dog
5. All viverrids (such as mongooses, civets and genets)
6. All mustelids (such as skunks, weasels, otters, badgers) except the domestic ferret
7. All ursides (bears)
8. All artiodactylus ungulates, except domestic goats, sheep, pigs and cattle
9. All procyonids (such as raccoons, coatis and cacomistles)
10. All hyaenas
11. All perissodactylus ungulates, except the domestic horse and ass
12. All elephants
13. All pinnipeds (such as seals, fur seals and walruses)
14. All snakes of the families pythonidae and boidae
15. All venomous reptiles and amphibians
16. All diurnal and nocturnal raptors (such as eagles, hawks and owls)
17. All edentates (such as anteaters, sloths and armadillos)
18. All bats
19. All crocodilians (such as alligators and crocodiles)
20. All arachnids (such as tarantulas)