# PROVINCE OF QUEBEC MUNICIPALITY OF PONTIAC

MINUTES of the regular municipal council meeting held on Tuesday, January 15<sup>th</sup>, 2013 at 8:00 p.m. at the Community Center, situated at 2024, route 148, Pontiac. Those who were present:

Edward McCann, mayor and councillors, Roger Larose, Lynne Beaton, Inès Pontiroli and Thomas Howard.

Also present the Director General, the assistant to the Director General and several ratepayers.

EXCUSED ABSENCES: Brian Middlemiss, councillor

Dr. Jean Amyotte, pro-mayor

The meeting began at 8:00 p.m.

#### FLOOR TO THE PUBLIC AND QUESTION PERIOD

James Eggleton - 19 Egan – Report tabled in January

Jean-Claude Carisse - Recycling and garbage week calender

Lorne Dagenais - Pound

Nancy Maxsom - Code of ethics / Procedures

- Standardized by-laws

Sheila McCrindle - Changing RCM

Denis Dubé - December 21<sup>st</sup> 2012- Closing

- Fire chief- Resignation

- By- law – Application policy to be verified

- LCM- Local loan

- Community center - Quyon

Bill Twolan - Hurdman

Zoning - InventoryRCM- Development plan

- Council meeting

Guy Faucher - Pound

Madeleine Carpentier - Is asking all councillors who voted against the

motion the reason they do not want to work with

the Committee - Changing RCM

Ricky Knox - Change of zoning – Green zoning

#### 13-01-1403

# ADOPTION OF THE AGENDA

- 1. Opening of the meeting
- 2. Floor open to public and question period
- 3. Adoption of the agenda
- 4. Adoption of the minutes of previous meetings
  - 4.1 Minutes of the regular meeting held on December 11<sup>th</sup> 2012 and that of the special meetings on December 4<sup>th</sup> and 18<sup>th</sup>, 2012
- 5. Administration
  - 5.1 List of invoices to pay
  - 5.2 List of fixed expenses
  - 5.3 List of incurred expenses for the month of January

- 5.4 Notice of motion Modification by-law 09-12
- 5.5 Front door Administrative center
- 5.6 Phone services
- 5.7 By-law12-RM-02
- 5.8 Estimation of photocopy paper
- 5.9 Financial assistance Groupe Action Jeunesse
- 5.10 Allocation to persons in charge of the libraries

#### 6. Public security

6.1 Agreement fire services – High and very high risks

# 7. Public works

7.1 Reserve - Asphalt

#### 8. Public hygiene

8.1 Investigation report – leak detection in the drinking water system

#### 9. Urban renewal and zoning

- 9.1 Notice of motion Price-setting of permits in virtue of by-law 12-RM-04
- 9.2 Jason Jones (Jay's mobile) 3001 Route 148 Pound
- 9.3 Parking Quyon Ferry

#### 10 Recreation and culture

- 10.1 Maintenance of Luskville Park
- 10.2 Maintenance Davis Park
- 11. Miscellaneous
- 12. Various reports and correspondence

12.1 Tabling of various municipal reports: a) animals;

# 13. Tabling of the registre of correspondence

13.1 Register of the correspondence received in December 2012

# 14. Question period from the public

15. Closing of meeting

Moved by: Thomas Howard Seconded by: Inès Pontiroli

AND RESOLVED to adopt the agenda with the following modifications:

**Additions:** 10.3 Financial assistance – Recreation organizations

11.1 Saint-Vincent-de-Paul, Luskville Counter

Withdrawal: 9.2 Jason Jones (Jay's Mobile)- 3001 route 148- Pound

Carried

#### 13-01-1404

# ADOPTION OF THE MINUTES OF THE REGULAR MEETING HELD ON DECEMBER $11^{\rm TH}$ , 2012 AND THOSE OF THE SPECIAL MEETINGS HELD ON DECEMBER 4 AND $18^{\rm TH}$ , 2012

Moved by: Inès Pontiroli Seconded by: Roger Larose

AND RESOLVED to adopt the minutes of the regular meeting held on December  $11^{th}$ , 2012 and those of the special meetings held on December 4 and  $18^{th}$ , 2012.

Carried

#### 13-01-1405

#### **LIST OF INVOICES TO PAY**

Moved by: Inès Pontiroli Seconded by: Lynne Beaton

AND RESOLVED THAT this Council authorizes the payment of invoices amounting to \$ **34 795.93** (see appendix in file no.102-102) for the period ending December 31<sup>st</sup> 2012 and to debit budget posts related to the expenses mentioned on said list.

Carried

# 13-01-1406

#### LIST OF FIXED EXPENSES

Moved by: Inès Pontiroli Seconded by: Roger Larose

AND RESOLVED THAT this Council approves the list of expenses from the history of cheques which includes:

- fixed expenses;
- payments via Internet;
- the true amount of invoices paid following approval by incurring expenses or by resolution;

all for a total of \$ 500 600.26 (see appendix) for the period ending January 7<sup>th</sup> 2013 and to debit related budget accounts for the expenses mentioned on said list.

Carried

#### 13-01-1407

# LIST OF INCURRED EXPENSES FOR THE MONTH OF JANUARY 2013

Moved by: Roger Larose Seconded by: Thomas Howard

AND UNANIMOUSLY RESOLVED to accept the incurring expenses that appear in appendix A (see file 102-102), for a total amount of \$ 1245.53 taxes included.

Carried

#### **NOTICE OF MOTION**

I, the undersigned, **Inès Pontiroli**, Councillor of the electoral district number **4**, at the Municipality of Pontiac, give notice for the adoption of a by-law to modify by-law 09-12 in order to include the dispositions regarding a register for goods of others received as gifts by the employees of the Municipality.

#### 13-01-1408

# FRONT DOOR – ADMINISTRATIVE CENTER

It is

Moved by: Inès Pontiroli Seconded by: Thomas Howard AND RESOLVED THAT the Municipality authorizes the request of quotes for the replacement of the front door of the administrative center (old part) and that the Director General be authorized to award the contract to the lowest bidder. A maximum budget of \$ 6 800.00 is authorized for these purposes.

Carried

# 13-01-1409 PHONE SERVICES

It is

Moved by: Roger Larose Seconded by: Inès Pontiroli

AND RESOLVED THAT the Municipality accepts the offer of MDL Telecom for the modification to our phone system, by adding among other things, 2 Bell Canada lines, at the cost of \$1,385.44 before taxes.

Carried

13-01-1410

#### **BY-LAW 12-RM-02**

13-01-1410 BY-LAW 12-RM-02

# TO ABROGATE AND REPLACE PREVIOUS BY-LAWS PERTAINING TO ANIMALS WITHIN THE LIMITS OF THE MUNICIPALITY OF PONTIAC

**WHEREAS** at a regular Council meeting held on April 8, 2003, the Municipality of Pontiac adopted resolution no. 03-04-600B, in order to adopt by-law no. 02-RM-02 pertaining to animals within the limits of the Municipality of Pontiac;

**WHEREAS** Council deems is necessary and to be of public interest to regulate the presence of animals on its territory;

WHEREAS a notice of motion was given at a special Council meeting on October 9, 2012 to the effect that the present by-law would be submitted for approval;

**FOR THIS PURPOSE,** it is ordered and decreed by the Municipality of Pontiac's municipal Council, by the present by-law, as follows:

Moved by: Inès Pontiroli Seconded by: Thomas Howard

# **SECTION 1 – DEFINITIONS**

Unless there is statement to the contrary, made expressly or resulting from the context of a clause, the following expressions, terms and words are defined as follows:

REA	ADS AS FOLLOWS:	SHA	ALL NOW READ AS FOLLOWS:
1.1	Farmer:  Refers to an agricultural producer who is designed as such.	1.1	Farmer:  Refers to a person involved in agricultural activities, who is
			recognized as such.

1.2	Animal:	1.2	Animal:
	Refers to all species of animals of any origin.		Refers to all species and origin of animals. Cats and other domestic animals.
1.3	Farm animals:	1.3	Farm animals:
	Refers to animals kept for breeding purposes on a farm, such as: sheep, cattle, pigs, horses, boars, bison, etc except dogs.		Refers to all animals kept for breeding or farming, such as sheep, cattle, pig farming, horses, wild boars, bison, etc., with the exception of dogs.
1.4	Animal at large:	1.4	<u>Unconfined animal</u> :
	Refers to any animal found outside its keeper's premises or property, uncontrolled or unrestrained.		Refers to all animals found outside of the premises or off its owner's property and that is not under his control nor on a leash.
1.5	Stray animal:	1.5	Stray animal:
	Refers to any animal found wandering at large or lost, its owner being unknown.		Refers to any animal found wandering at large or lost, its keeper or owner being unknown.
			A stray is interpreted as being an animal that is found outside of the premises or off its owner's property and that is not under his control, or if the owner is on a different property than where the animal is being kept.
1.6	Exotic animal:	1.6	Exotic animal:
	Refers to any animal whose species or race is non-native to Quebec, except for bids, fish and small turtles.		Refers to any animal of species or subspecies that are not naturally found in in Québec, with the exception of birds, fish and miniature turtles.
1.7	Wild animal:	1.7	Wild animal:
	Refers to an animal who normally lives in the water, woods, deserts or forests and generally not classed as domestic.		Refers to any animal that typically lives in water, the woods, deserts or forests that are not generally domesticated by humans.
1.8	<u>Competent authority</u> :	1.8	Competent authority:
	Refers to "Animal protection service" staff and any member of the public security department of the MRC des Collines-de-l'Outaouais.		Refers to the «Animal protection services» staff and all members of the Public Security department of the MRC des Collines-de-l'Outaouais'
		1.9	Building:
			Refers to a building consisting of a roof supported by columns or walls and that is used to shelter human beings, animals or objects.

1.9	<u>Kennel</u>	1.10 <u>Kennel</u> :
	Refers to any area set up in such a way as to board, shelter or breed more than 3 dogs.	Refers to any area set up in such a way as to board, shelter or breed more than three dogs.
1.10	<u>Dog</u> :	1.11 <u>Dog</u> :
	Refers to any dog, bitch or puppy.	Refers to all males, females or pups.
1.11	Guide dog:	1.12 Guide dog:
	Refers to a dog trained as a mobility aid for blind or physically handicapped persons.	Refers to a dog trained and recognized as a guide dog to assist the blind or any other physically handicapped person.
1.12	Watch dog:	1.13 Watch dog:
	Refers a dog trained or used to guard against trespassers and attacks on order or on sight.	Refers to a dog trained or used to guard against trespassers and will attack an intruder on sight or command.
1.13	Outbuilding:	1.14 <u>Outbuilding</u> :
	Refers to any structure separate from the house or main building (unit of occupation) or a property on which the limit of occupation is located or adjacent to, including buildings adjoining the unit of occupation.	Refers to a secondary building with a unit of occupancy or a property on which the said unit is located or adjoining to it, including attached garages.
1.14	<u>Public building</u> :	1.15 <u>Public building</u> :
	Refers to any public or private building accessible to the public.	Refers to any public buildings, or private buildings to which people have access.
1.15	Breeder:	1.16 Breeder:
1.16	Refers to any person who breeds cats or dog, full or part time, with or without remuneration, and has more than 4 dogs or cats and detains a permit to this effect from the municipality.  Public area:	Refers to any person who breeds cats or dogs, be it on a full or part-time basis, with or without remuneration, who has more than 4 cats or dogs and has a permit issued by the municipality to that effect.  1.17 Public area:
	Refers to any public property, thoroughfare, public land and municipal park.	Refers to any public property, public road, public land and municipal park.
1.17	<u>Keeper</u> :	1.18 <u>Owner</u> :
	Refers to a person who owns or keeps a domestic animal or shelters, feeds or cares for a domestic animal, also the father, mother, guardian or sponsor where a residing minor owns, keeps or shelters, feeds or cares for a domestic animal.  Also refers to the keeper, owner, occupant or tenant of housing where the animal lives.	Refers to a person who owns or keeps a domestic animal or shelters, feeds or cares for a domestic animal, as well as the father, mother, or owner at whose home resides a minor who keeps, has the ownership or gives shelter, feeds or takes care of a domestic animal.  Also refers to the owner, the occupant or tenant of the housing unit where the animal lives.

1.18	Pound:	1.19	Pound:
	Refers to the "Animal protection of Pontiac".		Refers to the animal welfare shelter.
1.19	Municipality:	1.20	Municipality:
	Refers to the Municipality of Pontiac.		Refers to the Municipality of Pontiac.
1.20	Park:	1.21	Park:
	Refers to parks located on the territory of the municipality and by the same token includes rest areas, parkways, recreational pathways, tourist routes and generally speaking all public areas, sodded or not, accessible the public for rest or relaxation, games, sports or for any other similar purpose, but does not include streets, roads, alleys and sidewalks adjacent to streets nor any area designed for vehicle traffic.		Refers to parks located on the territory of the municipality and by the same token includes rest areas, parkways, recreational pathways, tourist routes and generally speaking all public areas, sodded or not, accessible to the public for rest or relaxation, games, sports or for any other similar purpose, but does not include streets, roads, alleys and sidewalks adjacent to streets nor any area designed for vehicle traffic.
1.21	Animal boarding:	1.22	Animal boarding:
	Refers to any location used for boarding animals, with or without remuneration, for a sell period of time. The term "owner" associated with the terms "animal boarding" refers to a person who carries on this type of activity.		Refers to any location used for boarding animals, with or without remuneration, for a specific period of time. The term "owner" associated with the terms "animal boarding" refers to a person who carries on this type of activity.
1.22	Person:	1.23	Person:
	Refers to an individual or a corporation.		Refers to an individual as well as a corporation.
1.23	<u>Disabled person</u> :	1.24	<u>Disabled person</u> :
	Refers to a person recognized as such by <i>l'Office des personnes handicapées du Québec</i> or any other similar government authority.		Refers to a person recognized as such by <i>l'Office des personnes handicapées du Québec</i> or any similar government authority.
1.24	Kennel owner:	1.25	Kennel owner:
	Refers to a person who is paid, or not, to board, care for or breed more than 3 dogs.		Refers to a person who is paid or not, be it part-time or full-time, to board, care for or breed more than 3 dogs.
1.25	Property:	1.26	<u>Property</u> :
	Includes any privately owned property or building not accessible to the public.		Includes any privately owned property or building that is not accessible to the public.
1.26	Regulations regarding captive animals:	1.27	Regulations pertaining to animals in captivity:
	Pursuant to the Act respecting the conservation and development of wildlife. (L.R.Q., c. 61.1, r.0.0001)		Pursuant to the Act respecting the conservation and development of wildlife. (L.R.Q., c. 61.1, r.0.0001)

1.27	Agricultural sector:	1.28	Agricultural sector:
	Refers to a sector designated for farming activities permitted by the municipality.		Refers to a sector designated for farming activities permitted by the municipality.
1.28	<u>Animal protection services</u> :	1.29	Animal protection services:
	Refers to an organization which has made an agreement with the municipality regarding the collection of licence fees and the enforcement of this by-law.		Refers to an organization which has made an agreement with the municipality regarding the collection of licence fees and the enforcement of the present by-law.
1.29	<u>Playground</u> :	1.30	<u>Playground</u> :
	Refers to a public area designed primarily for sports or recreational activities.		Refers to a public area designed primarily for sports or recreational activities.
1.30	Private property:	1.31	<u>Private property</u> :
	Refers to a privately owned property which is not accessible to the public, save for the building on said property.		Refers to privately owned property which is not accessible to the public, save for the building on said property.
1.31	<u>Unit or occupation</u> :	1.32	<u>Housing unit</u> :
	Refers to one or several rooms in a building and primarily used for residential, institutional, commercial or industrial purposes.		Refers to one or several rooms in a building that are mainly used for residential, institutional, commercial or industrial purposes.
1.32	<u>Traffic area</u> :	1.33	<u>Traffic area</u> :
	Refers to a street, alley, public road, private road with public access, parking space or lot, sidewalks or others.		Refers to a street, alley, public road, private road with public access, parking space or lot, sidewalks or others.

# SECTION 2 – IMPLEMENTATION OF THIS BY-LAW

- 2.1 The municipality may enter into an agreement with any person or organization to authorize said person or organization to collect animal licence fees and to enforce part or all of this by-law.
- 2.2 For the purpose of this by-law, any person or organization entrusted with the authority to collect licence fees and enforce this by-law, in part or completely, is designated as the animal control department.
- 2.3 Notwithstanding the provisions given in articles 2.1 and 2.2 of this by-law, police officers of the MRC des Collines-de-l'Outaouais are also authorized to enforce this by-law.

# **SECTION 3 – RULES OF INTERPRETATION**

- 3.1 Any article of this by-law which stipulates "does not apply to veterinarians" implies that the article does not apply to veterinarians who have a licence to practice within the limits of the municipality.
- 3.2 Any article of this by-law which stipulates "does not apply to pet shops" implies that the article does not apply to licensed pet shops within the limits of the municipality.

#### **READS AS FOLLOWS:**

# AUTHORIZED ANIMALS = AUTHORIZED DOMESTIC ANIMALS

- 4.1 Except for exhibitions or with council's permission, no one keep any animal within the limits of the Municipality other than:
- 1. Dogs, cats, fish, small pet rodents (select mice and rats) pet rabbits as well as ferrets (mustela poturius furo).
- 2. The number and species of native amphibians and reptiles allowed to be kept according to the Règlement sur les animaux en captivité (Captive Animals Regulation)

  (R.R.Q., C-61.1, r.o. 0001)
- 3. The following exotic animals:
  - i) All reptiles except for crocodilians, venomous lizards, venomous snakes, boas, pythons, anacondas as well snakes reaching 3 metres in length when full grown, sea turtles and green turtles;
  - ii) All amphibians;
  - iii) All birds if the following families: capilonidae, columbidae, emberizidae, estrilidae, irenidae, myna bird, musophagidae, ploceidae, any bird of the parrot family, pycnocotidae, timiliidae, turdidae, zosteropidae.

iv) All of the following mammals: chinchillas, guinea pigs, brown rats ?(rat brun ou rat d'égout ?), gerbils, jerboas, hamsters.

# SHALL NOW READ AS FOLLOWS:

#### **AUTHORIZED ANIMALS**

- 4.1 It is prohibited for any person to keep other than the following within the limits of the Municipality, except for exhibit purposes and with the permission of Council:
- a) Dogs, cats, fish, small pet rodents (select mice and rats) pet rabbits as well as ferrets (mustela poturius furo)
- b) The number and species of native amphibians and reptiles allowed to be kept according to the Règlement sur les animaux en captivité (Regulation on animals in captivity)

  (R.R.Q., C-61.1, r.o. 0001)
- c) The following exotic animals:
  - i) All reptiles except for crocodilians, venomous lizards, venomous snakes, boas, pythons, anacondas as well snakes reaching 3 metres in length when full grown, sea turtles and red-eared green turtles and corn snakes;
  - ii) All amphibians;
  - iii) All of the following birds: capitonidae (type of Barbet), columbidae (type of pigeon), emberizidae (type of sparrow), estrildidae (type of finch), irenidae (type of fairybluebird), myna bird, musophagidae (turacos and relatives), ploceidae (type of weaver), psittacidae (true parrots), pycnonotidae (type of bulbul), ramphastidae (toucan), timiliidae (type of leiothrix or babbler), turdidae (type of thrush or robin), les zosteropidae (silvereye or white-eyes);
  - iv) All of the following mammals: chinchillas, guinea pigs, brown rats ?(rat brun ou rat d'égout ?), gerbils, jerboas, hamsters.

Minimum animal keeping standards and requirement		Standards and minimum conditions for keeping animals	
4.2	No one may keep more than a combined total of 4 dogs in a dwelling, on a property where such dwelling is located or in any out building located on the property.	4.2 No one may keep more than 3 dogs in a dwelling or on a property where such dwelling is located, or in any outbuilding located on the property.	
4.3	The keeper of a female dog which has given birth must dispose of the animals within three months, in accordance with this by-law.	4.3 In order to conform to this by-law, the owner of a dog that gives birth must dispose of the puppies within three months of their birth.  Article 4.2 does not apply prior to	
		this time period.	
4.4	An animal keeper must provide the animal in his keep with the required and appropriate food, water, shelter and care according to its species and age.	4.4 The owner must provide the animal in his custody with food, water, shelter and any appropriate and required care according to the animal's breed and age.	
4.5	The animal keeper must maintain sanitary conditions where the animal is kept.	4.5 The owner must maintain the area where the animal is kept in a sanitary condition.	
4.6	An animal keeper must provide an animal kept outside with a shelter suitable for its species and the weather. The shelter must meet the following minimum requirements:	4.6 The animal owner must provide an animal that is kept outside with a shelter appropriate for the breed and the weather. The shelter must meet the following minimum requirements:	
It must be exposed to too much sun or wind, to snow or rain; It must be leak proof, isolated from the ground and constructed with insulating material.		<ul> <li>It must not be exposed to too much sun or wind, to snow or rain;</li> <li>It must be watertight and insulated from the ground, and be constructed of an insulated material.</li> </ul>	
4.7	A rope or leash used to lie up animal outside must have a minimum length of three (3) metres.	4.7 A rope or leash used to tie up an animal outside must have a minimum length of three (3) metres.	
4.8	It is not permitted to transport an animal in the rear trunk of a vehicle or in an open ended vehicle.	4.8 It is prohibited for any person to transport an animal in the trunk of a vehicle or in an open vehicle, commonly called a pick-up truck.	
	During transportation or upon stopping the vehicle, the animal keeper must shelter the animal from the sun, heat or poor weather conditions, and make sure that the animal cannot fall out of the vehicle.	At all times, the owner of the vehicle involved must ensure that the animal is sheltered from the sun, heat or poor weather conditions, and ensure that there is no danger of the animal falling out of the vehicle.	
4.9	An animal keeper who is aware that his animal is injured or ill and does not take proper measures to have it treated or put to sleep is in violation of this section of the by-law.	4.9 An owner who is aware that his animal is injured or ill and does not take proper measures to have it treated or euthanized is in violation of this section of the by-law.	

4.10 An animal keeper may not An owner may not dispose of an dispose of an animal by animal by abandoning it. He abandoning it. He must hand must hand over the animal or over the animal or animals to a animals to a competent authority relevant authority that will have that will have it or them put up the animal or animals put up for for adoption or euthanized. In adoption or euthanasia. In the the event of euthanasia, the owner is responsible for costs event of euthanasia, the owner is responsible for the costs incurred. incurred. When a complaint is made to 4.11 4.11 Following a complaint in which an animal or several animals the effect that an animal keeper has abandoned an animal or were abandoned by their owner, animals, the relevant authority the competent authority will investigate and, proceed with an investigation will necessary, dispose of the animal and, if necessary, will dispose of or animals by adoption or the animal(s) through adoption euthanasia. or by euthanasia. If the animal's owner is found, he will be held liable for the If the animal's keeper is found, he will be held liable for the costs incurred and is subject to cost incurred and subject to legal proceedings in accordance legal proceedings in accordance with this section. with this section. Within 24 hours following an 4.12 4.12 Within 24 hours following an animal's death, the animal's animal's death, the owner must keeper must deliver it to the deliver it to the Animal Animal protection service or protection services or dispose of dispose of it in accordance with it in accordance with the standards of the Department of standards of the MDDEFP Environment. (Quebec Ministry Environment). Nuisances Nuisances 4.13 No one is permitted to organize, 4.13 It is prohibited for anyone to participate in, promote or attend organize, participate in, promote or attend animal fights. animal fights. 4.14 No one is permitted to be cruel to It is prohibited for anyone to be cruel, to mistreat, molest, harass an animal, nor to mistreat, molest, harass or provoke an animal. or to provoke an animal. 4.15 An keeper 4.15 An owner must immediately animal's immediately clean up, in an clean up, in an appropriate appropriate manner, any public manner, any public place or place or private property which private property which has been has been soiled by the animal's soiled by the animal's faeces, faeces, and, and must dispose of and must dispose of said faeces said faeces in the sanitary fashion. in a sanitary manner. The owner The keeper must have all the must have all of the required material in his possession for required material to do so in his these purposes. This provision possession. This clause does not apply to seeing eye dogs. does not apply to guide dogs. 4.16 Any person who finds a stray Any person who finds a stray animal must report or deliver it at animal must report it or deliver it once to the Animal protection at once to the Animal protection service. services. 4.17 No one may use or permit the use It is prohibited for anyone to use of poison or traps to capture or to allow the use of poison or animals, safe for a trapping cage. traps to capture animals, with the exception of a cage equipped with a trap door.

4.18 It is considered a nuisance to feel, keep of otherwise attract pigeons, squirrels or any other free-ranging animal on the territory of the Municipality, to the detriment of the health, safely or comfort of a person or persons in the vicinity.	4.18 It is considered a nuisance the fact that someone feeds, keeps, or otherwise attracts pigeons, squirrels or any other animals living freely in the wild within the limits of the Municipality, in a manner as to be harmful to the health, safety or comfort of one or several people in the neighbourhood.
4.19 No one may take or destroy bird eggs or nests in parks or other locations in the municipality.	4.19 It is prohibited to take or destroy any birds' eggs or nests found in parks or other locations within the municipality.
4.20 No one is permitted to feed the ducks or gulls along shores and banks on the territory of the municipality.	4.20 It is prohibited to feed the ducks or gulls along the shores of rivers, lakes or ponds within the territory of the municipality.
4.21 Except in areas intended for riding, no one may ride a horse in the parks of the municipality.	4.21 Except for areas specifically intended for this purpose, it is prohibited to ride horses in municipal parks.
4.22 No one may bring an animal to a public place during a festivity, a special event or a public gathering. This article does not apply to seeing-eye dogs or any occasion or event which is authorised by the municipality.	4.22 It is prohibited for anyone to bring an animal on public property or in a public park at all times. The present article does not apply to guide dogs or to any occasion where the presence of animals is authorized by the municipality.
4.23 It is prohibited for anyone to bring an animal to swim in public pools or ponds, in lakes or rivers within the municipality, except in areas where it is special authorized.	4.23 It is prohibited to bring an animal swimming in public pools within the municipality.
	4.24 It is permitted to bring an animal swimming in the lakes and rivers within the municipality, except in designated areas where signs are installed banning such activity.

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4.24 In the case where a complaint pursuant to this section is received, the relevant authority may investigate, and if the complaint is proved and warranted, the relevant authority will notify the animal keeper to correct the situation within 5 days, otherwise the animal keeper will be obliged to dispose of the animal or animals in question.

In the event that a second complaint has been received against the same keeper and that it proves to be valid and justified, the keeper is ordered to dispose of his animal(s) within the following seven (7) days, without prejudice to the municipality's rights to sue for infraction to the present by-law.

4.25 At any time, for reasonable cause, the relevant authority may order the confinement or isolation of an animal for a period of time, impose animal care measures, including neutering or putting the animal to sleep.

An offence is committed when the keeper of an animal does not comply with this order.

4.26 An animal considered a nuisance may be destroyed immediately if its capture constitutes a danger.

#### Powers of the competent authority

1.25 The competent authority may, at any given time, carry out an investigation on an animal.

This investigation must be done exclusively for the purpose of evaluating the animal, following a behaviour and/or a situation that is contrary to the present bylaw. Following the investigation, the competent authority may issue a notice to the animal's owner.

The animal's owner who has received a notice will have five (5) days from the said notice to conform to the by-law. In the event that the owner does not comply to the said notice, or if a second investigation has been deemed necessary for the same animal, and that this new investigation has concluded with the same recommendations as the first one, the owner will be ordered to dispose of his animal(s) within seven (7) days of the notice, without prejudice to the municipality's rights to sue for any offence to the present by-law.

Any animal owner who does not abide by the given recommendations and/or notice given by the competent authority, commits an offence.

4.26 At any given time and for reasonable cause, the competent authority may order the confinement or isolation of an animal for a determined period of time, and may impose standards of care, including neutering the animal, or euthanasia.

The animal owner who fails to comply with this order commits an offence.

4.27 An animal that is considered as a nuisance may immediately be destroyed if its capture constitutes a danger to someone's safety.

4.28	For the purpose of implementing
	the present by-law, any civil
	servant or officer authorized to
	implement the said by-law, may
	enter onto any private property.

Anyone who hinders to a civil servant or an officer authorized to implement this by-law, or who refuses them access to a property, commits an offence.

# **SECTION 5 – DOG LICENCES**

READS AS FOLLOWS:		SHALL NOW READ AS FOLLOWS:	
5.1	No keeper may own or keep a dog within the limits of the municipality without having obtained a dog licence from the Animal protection service in accordance with this section.  A request for a licence must be	5.1	No one may own or keep a dog within the limits of the municipality without having obtained a dog licence from the Animal protection services in accordance with this section.
	filed within fifteen (15) days of taking possession of a dog or within fifteen (15) days of moving into the municipality.	5.2	A request for a licence must be filed within fifteen (15) days of taking possession of a dog or within fifteen (15) days of moving into the municipality.
	It must be requested immediately upon adopting an animal from the Animal protection service.		A licence must be requested immediately upon the adoption of an animal from the Animal protection services.
5.3	The licence issued in accordance with this section is valid for a one year period, beginning January 1 <sup>st</sup> and ending December 31 <sup>st</sup> of each year.	5.3	The licence is issued in accordance with this section is valid for a one year period, beginning January 1 <sup>st</sup> and ending December 31 <sup>st</sup> of each year.
5.4	When a dog licence is requested by a minor, who must be 14 years of age or more, the father, mother, guardian or sponsor of this person, according to circumstances, must consent to the request, in a written statement to be submitted with the request.	5.4	When a dog licence is requested by a minor, who must be at least fourteen (14) years of age, the father, mother, owner or, if relevant, the person standing as guarantor for the minor, must consent to the request in writing and include it with the request.
5.5	A dog keeper may not bring within the limits of the municipality a dog that normally lives outside the municipal territory, unless he has a dog licence, in accordance with this section, or valid licence issued by the municipality where the dog usually lives.	5.5	It is prohibited for an owner to bring a dog within the limits of the municipality that usually lives outside the municipality's jurisdiction, unless being in possession of a licence issued in virtue of the present section, or that of a valid licence issued by the municipality in which the dog usually lives.

However, when the municipality However, when the municipality where the dog normally lives where the dog normally lives does does not issue dog licences, the not require the necessity of having dog must wear a medallion on a dog licence, the dog must wear a which is inscribed the dog licence tag on which are inscribed the owner's identification, address and for this animal, in accordance with this section, commits an telephone number where he can be offence. reached. Commits an offence, anyone who Anyone who keeps a dog for a keeps a dog for a period of fifteen period of fifteen (15) days or more (15) days or more on the territory on the territory of the municipality of the municipality that does not that does not normally live here, normally live here, without without having obtained a dog having obtained a dog licence for licence for this animal, commits an this animal, in accordance with offence in accordance with this this section, section. This article does not apply to an This article does not apply to an animal who, for the duration of animal that participates in a show an event, participates in a show or or a contest, for the duration of the a contest. event. 5.6 A keeper who settles in the 5.6 An animal owner who settles in the municipality must abide by all of municipality must abide by the provisions of this section even if the provisions within this section, he has a dog licence issued by even if he possesses a dog licence another municipality. that has been issued by another municipality. The keeper who settles in the 5.7 The owner of a dog living within municipality must obtain in the limits of the municipality must January of each year, a new dog obtain a new dog licence for the said dog each year in January. licence for this dog. To obtain a licence, the keeper 5.8 To obtain a licence, the owner must provide the following provide the following information: information: 1) His surname, name, address 1) His first and last name, his date and date of birth of birth and his address: 2) Type of dog and color 2) The type and color of the dog; 3) Date of last rabies shot given 3) The date the animal received to the animal the last vaccination against 4) The number of animals in his rabies; 4) The number of animals in his care 5) Proof of sterilisation, where care: 5) Proof that the animal was relevant 6) Proof of animal's age, if spayed or neutered, if required applicable; 7) Any marking on the animal 6) Proof of the animal's age, if 8) A photograph of the animal needed; 7) Any distinctive marks on the animal. The price of the licence is set in The cost of the licence is article 9.1 of this by-law and established in article 9.1 of the applies to each dog. The licence present by-law and applies for is indivisible and non-refundable. each dog. The cost of the licence is indivisible and non-refundable. The Animal protection services 5.10 The Animal protection service 5.10 gives the licence applicant a gives a dog tag to the person applying for a licence and a medallion and certificate certificate which includes indicating the medallion number and the information provided in number of the tag and the accordance with article 58 of this information that was provided, in section. accordance with article 5.8 of the present section.

5.11 A medallion cannot be transferred A tag that was issued for one dog from one dog to another. To do so cannot be transferred to another. constitutes an offence. Doing so constitutes an offence under the present by-law. 5.12 5.12 The keeper must insure that the The owner must ensure that the dog is wearing at all times the dog wears at all times, the tag that medallions corresponding to that corresponds to the said dog, failing dog, short if which constitutes an to do so constitutes a violation of this by-law. offence. 5.13 No one may notify, change or 5.13 It is prohibited for anyone to remove a medallion from an modify, change or remove the tag animal in such a way as to from an animal so as to prevent it prevent it from being identified. from being identified. 5.14 A dog keeper must show the 5.14 owner must An show certificate received from the certificate received from the Animal protection service to any Animal protection services to any representative of said Service or representative of said service or to the Police service upon request. the Police department upon its request. 5.15 Duplicates of lost or destroyed A duplicate of any dog tag or medallions and certificates are certificate that has been lost or available at a cost of two dollars destroyed may be obtained at a (\$ 2.00).cost of two dollars (\$2.00). 5.16 This section does not apply to pet 5.16 This section does not apply to pet shop owners. shop owners. 5.17 An animal protection service 5.17 The animal protection services keeps a record with respect to dog keeps a record of dog licences that licences that have been issued. have been issued. 5.18 The animal's owner must notify 5.18 The animal keeper must notify the Animal protection service, no the Animal protection services in later that upon receipt of the writing within sixty (60) days of licence renewal notice, that the reception of the licence renewal animal in his care has died, notice, of the death, disappearance, sale or disposal of the animal of disappeared or been disposed of. which he was the owner. Proof of reception of the said notice is necessary in order to be in compliance with this article.

#### SECTION 6 – PROVISIONS APPLICABLE TO FARM ANIMALS

READS AS FOLLOWS:	SHALL NOW READ AS FOLLOWS:
6.1 Anyone who wishes to keep one or more farm animals within the limits of the municipality must be located in an agriculture zone or authorised sector where the usage is approved by the municipality.	6.1 Anyone who wishes to keep one or more farm animals within the limits of the municipality must be located in an agriculture zone or a designated area, notably where this use is recognized as such by the municipality.
An animal keeper or person in charge of farm animals who has the animals crossing a public roadway must ensure it is done safely.	6.2 An owner or person responsible for farm animals, who must have the animals cross a public road, must ensure that this is done in a safe manner.

### **SECTION 7 – SPECIFIC PROVISIONS APPLICABLE TO DOGS**

READS AS FOLLOWS:	SHALL NOW READ AS FOLLOWS
	<u>:</u>

Additional standards of ownership and control		Additional standards of ownership and control	
7.1	Its not permitted to have a dog at large outside the keeper's building, dwelling or property.	7.1	It is prohibited to have a dog on the loose outside the boundaries of the building, dwelling or the property of its owner.
	Beyond these limits, the dog keeper must have the dog on a leash or otherwise control and supervise the animal at all times. A dog s deemed not to be controlled by his keeper when it is on a leash.		Beyond these boundaries, the dog's owner must have the dog on a leash or otherwise assume instant control and supervise the animal at all times. A dog that is not on a leash is not considered to be under his owner's control.
7.2	On public grounds, a dog must kept on a chain, leather, or flat braided nylon leash which is no longer that 1.85 metres or 6 feet, including the handle.	7.2	The leash used to control a dog in a public area must be a chain or a leash made of leather or a flat braided nylon, and must not exceed 1.85 metres or 6 feet, including the handle.
	The dog collar must be made of leather of flat braided nylon and equipped with a welded ring or choker to which the leash attaches.		The dog collar must be made of leather or a flat braided nylon and equipped with a welded ring or a choker to which the leash is attached.
	The use of an extendable leash is forbidden in a public place, and authorized in parks or other public areas that does not restrict dogs subject to the other provisions of this by-law.		Subject to the other provisions in this by-law, the use of an extendable leash is prohibited in public areas; it is however authorized in parks or public areas where dogs are not restricted.
7.3	No dog may be on a public area unless it is kept on a leash by its keeper. At no time may the dog be left unattended, tied up or not; otherwise, the dog keeper commits an offence.	7.3	It is prohibited to have a dog in a public area unless it is kept on a leash by its owner. At no time may the dog be left unattended, whether it is tied up or not.
7.4	A keeper may not allow hid dog to lie down in public areas in such a way as to obstruct passage.	7.4	An owner may not allow his dog to lie down in a public area so as to impede on anyone's passage.
7.5	A keeper who is transporting one or several dogs in a road vehicle must insure that the animal(s) cannot leave the vehicle or attack a person nearby.	7.5	Any owner transporting a dog or dogs in a vehicle must ensure that the said dogs are not able to leave the vehicle or to attack any person passing by the vehicle.
	A keeper who is transporting one or several dogs in the open flat bed of a road vehicle must cage or tie up the animal(s) in an effective manner, so as to restrict any part of the animal(s) within the rear box.		
7.6	In order to hold and be in charge of a dog, an underage person must have the maturity and capability of keeping a dog on a leash and preventing it from running away or taking control of this person's motions.	7.6	For the control or restraint of a dog, any underage owner must have achieved a certain level of maturity and be able to keep a dog on a leash, without the dog being able to escape or control the owner.

- 7.7 Whether it is on a property where the building occupied by the keeper is located or on any other private property where the owner or occupant has given his permission, any dog must be kept, as the case may be:
- 1) In a building from which it cannot escape;
- 2) In a completely fenced in, the dog must be high enough, considering the animal's height, to prevent it from leaving the grounds where it is kept.
- 3) Where the property is not completely fenced in, the dog must be tied to a metal post or similar, be means of a chain or metal or plastic coaled rope. The post, chain or rope and the clip must be large and strong enough to prevent the dog from escaping.

The length of the chain or rope must not allow the dog to come within less than one metre of the boundary of an adjacent property, which is not separated by a sufficiently high fence, considering the dog's height, to prevent it from leaving the property where it is kept.

• In a dog pen, consisting of an enclosure surrounded by galvanised wire mesh fencing, or fine meshed alternative, to prevent children or anyone from reaching in, 1.2 metres in height and ending in a 60 cm Y shape on the inside, at the top.

Furthermore, this enclosure must be surrounded by an underground fence, at least 30 cm deep, and the ground area must be covered with wiring or material preventing the dog from digging out. The pen area must, measure at least 4 square metres.

 On land where he has direct authority, the keeper must have the animal consistently under his control.

For the purpose of enforcing this provision, when a dos is kept in accordance with the stipulations given in subsections 2) or 4), any accumulation of snow or other

- 7.7 Whichever the case may be, be it on the property where the owner is living or any other private property where the dog is being kept, with the approval of the owner or occupant of the said property, every dog must be kept:
- 1) In a building from which it cannot escape;
- 2) In an area that is completely fenced in, the fence must be high enough considering the animal's height, in order to prevent it from leaving the property where it is being kept.
- 3) On a property that is not completely fenced in, the dog must be tied to a metal post or its equivalent, by means of a chain or a metal or synthetic rope. The post, chain or rope and the clip must be large and strong enough to prevent the dog from escaping.

The length of the chain or rope must not allow the dog to come within one metre of the limits of an adjacent property that is not separated by a sufficiently high fence, taking into consideration the dog's height, in order to prevent it from leaving the property on which it is being kept.

4) In a dog pen consisting of an enclosure surrounded by galvanized wire mesh fencing, or an equivalent fine mesh, in order to prevent children or anyone from reaching in, that is 1.2 metres high, is finished in a Y-shape of at least 60 cm at the top towards the inside.

Furthermore, this enclosure must be surrounded by a fence buried at least 30 cm deep, and the ground must be covered with wire or any other material that will prevent the dog from digging. The pen must measure at least 4 square metres.

5) On a property without a fence, the owner or occupant of the said property must install a recognized electronic fence system surrounding all sides of the land on which is located the animal. The dog must wear a receiver in good working condition on his neck when he is outside the building. A dog that is found outside the field

element must be cleared away from the fence, in order to maintain the prescribed height requirements.	equipped with such a system is presumed to be a stray dog, and contravenes to article 7.1.
	For the purpose of implementing this provision, when a dog is being kept, in accordance with the stipulations given in paragraphs 2) or 4), the fence must be clear of any accumulation of snow or other elements in order to maintain the stipulated height.
7.8 Whether it is on a property where the building occupied by the keeper is located or on any private property where the owner or occupant has given his permission, any guard dog and any dog described in article 7.13 must be kept, as the case may be:	7.8 The property on which is located the building occupied by the dog's owner or on any private property where the dog is found, with the owner's or occupant's authorization, any dog to which article 7.13 and 7.14 refers to, must be kept according to the following:
In a building from which it cannot escape;	1) In a building from which it cannot escape;
In a dog pen, consisting of an enclosure locked with a key or padlock, of a minimum area of 4 square metres per dog and 2 metres in height, ending in a 60 cm Y shape at the top and buried at least 30 cm underground.	2) In a dog pen, consisting of an enclosure locked with a key or padlock, of a minimum surface area of 4 square metres per dog and a minimum of 2 metres in height, is finished in a Y-shape at the top towards the inside, of at least 60 cm. and buried at least 30 cm underground.
The fence must be made of galvanized wire mesh, or sufficiently fine meshed alternative to prevent anyone from reaching through. The ground area must be covered with wiring or any other material capable of preventing the dog from digging out.	This fence must consist of galvanized wire mesh or an equivalent fine mesh, in order to prevent anyone from reaching through, and the ground must be covered with wire or any other material that will prevent the dog from digging.
Kept on a leash no longer than 2 metres. The leash and clip must be made of material sufficiently resistant, considering the dog's size, to allow hi keeper to have the animal consistently under control.	3) Kept on a leash no longer than 2 metres. The leash and clip must consist of a material that is resistant enough, considering the dog's size, in order to allow the owner to have complete control over the animal.
For the purpose of enforcing this provision, when a dog is kept in accordance with the stipulations given in subsection 2) any accumulation of snow or other element must be cleared away from the pen, in order to maintain the prescribed height requirements.  7.9 A keeper may walk about with only	For the purpose of enforcing this provision, when a dog is kept, in accordance with the stipulations given in paragraph 2), the pen must be clear of any accumulation of snow or other elements in order to respect the stipulated dimensions.  7.9 When the owner walks a dog to
one guard dog at a time.	which article 7.13 and 7.14 refers to, it is prohibited to walk more than one dog at once.

- 7.10 A keeper may not order his guard dog to attack a person or an animal unless he his physically at risk or they present a threat to his safety, family or property.
- 7.11 The keeper of a guard dog, security dog or attack dog, whose animal is on such private property, must disclose to anyone wishing to come onto this property that they may encounter such a dog, by means of a written notice which may be easily seen from a public place with the following mention: "Caution Watchdog" or "Caution dangerous dog" or a recognizable pictogram showing that such a dog is on the premises.

#### Nuisances due to dogs

- 7.12 The following events, circumstances, deeds, and acts are considered nuisances or offences and the keeper is liable to fines as prescribed in this by-law:
- 1) The fact that a dog barks or howls in such a way as to disturb the peace and quiet or bother a person or persons;
- 2) The fact that a dog disturbs or goes through household garbage;
- 3) The fact that a dog is on private property without express consent from the owner or occupier of the property. This provision does not apply to a guide dog;
- 4) The fact that a dog barks or howls in such a way as to disturb the peace and quiet or bother a person or persons;
- 5) The fact that a dog disturbs or goes through household garbage;
- 6) The fact that a dog is on private property without express consent from the owner or occupier of the property. This provision does not apply to a guide dog;
- 7) The fact that a dog causes damage to a lawn, patio, garden or flower bed, shrubs or other plants;
- 8) The fact that a dog bites or attempts to bite an animal behaving peacefully;

- 7.10 It is prohibited for any owner to order his dog to attack a person or an animal, unless his physical integrity was endangered, or his safety or that of his family, or his property has been threatened.
- 7.11 The owner of a guard dog, watchdog or an « attack dog », whose dog is on a private property, must inform anyone who wishes to enter onto his property, that they may be in the presence of such a dog, by posting a written notice where it can easily be seen from the public area, with one of the following mentions: « Caution guard dog » or « Caution dangerous dog », or by displaying a pictogram indicating the presence of said dog.

#### Nuisance caused by dogs

- 7.12 The facts, circumstances, and acts stated hereinafter constitute a nuisance or an offence and the owner is liable to the fines stipulated in the present by-law:
- 1) The fact that a dog barks or howls in such a way as to disturb the peace and quiet and bothers a person or persons;
- The fact that a dog disturbs or rummages through household garbage;
- 3) The fact that a dog is on private property without the express consent of the owner or occupant of said property. This provision does not apply to a guide dog;
- 4) The fact that a dog causes damage to a lawn, patio, garden or flower bed, shrubs or other plants;
- 5) The fact that a dog bites or attempts to bite an animal that is behaving peacefully;
- 6) The fact that a dog bites or attempts to bite a person that is behaving peacefully;
- 7) The fact that a dog is in a public place where a sign indicates that dogs are not allowed. This provision does not apply to a guide dog;
- B) The fact that the owner of a dog fails to pick up the excrement on his property on a regular basis and fails to maintain the area in an adequately sanitary state;

- 9) The fact that a dog bites or attempts to bite a person behaving peacefully;
- 10) The fact that a dog is on public property where a sign indicates that dogs are not allowed. This provision does not apply to a guide dog;
- 11) The fact that a dog keeper fails to pick up the excrement on his property regularly and to keep the premises adequately sanitary;
- 12) The fact that a dog keeper is in a public place with a dog he is unable to keep under control at all times;
- 13) The fact that a dog keeper leaves the animal unattended;
- 14) The fact that a dog keeper is in a playing field with his dog. This provision does not apply to a guide dog;

#### Dangerous dog

7.13 Keeping any of the following dogs is considered a nuisance and is forbidden at all times:

Bull terrier, Staffordshire bull terrier, American pit bull or American Staffordshire terrier breeds:

Hybrids resulting from the crossbreeding of any of the breeds listed in subsection a) of this article and another breed;

Crossbred dogs bearing a significant number of features similar to the breeds listed in subsection a) if this article;

A dog which has been declared dangerous by the Animal protection service following an assessment of the animal's character and general state.

7.14 Any dog described in article 7.13 for which the keeper has obtained a dog licence in accordance with this by-law prior to January 1st 2002

- 9) The fact that the owner of a dog who is in a public place with a dog, is unable to keep it under control at all times;
- 10) The fact that the owner leaves his dog alone or without appropriate care and unattended for more than 24 hours;
- 11) The owner's refusal to let anyone of competent authority inspect any area or building in order to verify the compliance with this by-law;
- 12) The fact that an owner does not put a muzzle on a dog, referred to in article 7.13, or a guard dog, when the said dog is not on the property where the owner resides;
- 13) The fact that the owner of a dog is at a playground with his dog. This provision does not apply to a guide dog;
- 14) The fact that the animal is a stray, within the municipality's territory;

#### Dangerous dog

- 7.13 Keeping any of the following breeds of dogs constitutes a nuisance and is prohibited at all times:
  - a) Bull terrier, Staffordshire bull terrier, American pit bull, American Staffordshire terrier, Mastiff or Bull Mastiff breeds;
  - b) Mixed breeds resulting from the cross-breeding of one of the breeds listed in paragraph a) of this article with another breed;
  - c) A dog of mixed-breed that has significant characteristics of one of the breeds listed in paragraph a) of this article.
  - d) A dog that is declared dangerous by the Animal protection services following an analysis of the animal's character and general state.
- 7.14 Any dog referred to in article 7.13 of this by-law may be kept in the Municipality of Pontiac if the following conditions are met:

- and after January 1st 1998 is allowed on the territory of the Municipality as long as the keeper has fulfilled the following conditions before (July 31<sup>st</sup> 2003);
- 1) Produce a certificate from a veterinarian stating that the animals been neutered;
- 2) Deposit a certificate of public liability insurance coverage of \$ 250,000. The insurance policy must include an endorsement which states that if the policy is cancelled the insurer will inform the Municipality at the following address: 2024, Route 148, Pontiac Qc J0X 2G0.
- 3) Deposit a certificate stating that the keeper and his dog have successfully completed a dog obedience course given by an institute recognized by the Canadian Canine Association;
- 4) In order to obtain a dog licence, the keeper:
- i) of a dog of the Mastiff breed, Bull Mastiff:
- ii) of a hybrid resulting from the crossbreeding of a clog from the breed listed in subsection i) if this article and another breed;
- iii)of crossbred dogs bearing a significant number of features similar to the breed listed in subsection i) of this article;
- iv) must produce a certificate stating that said dog has passed the "good dog test" administered by the competent authority.
- 7.15 Any dog described in article 7.13 for which the keeper has obtained a dog licence in accordance with this by-law prior to or after January 1st 1998 is allowed on the territory of the Municipality as long as the keeper has fulfilled the following conditions
- 1) Submit a certificate obtained from a veterary to the effect that the dog is at least eight (8) years old.
- 2) Deposit a certificate of public liability insurance coverage of \$ 250,000. The insurance policy must include an endorsement which states that if the policy is cancelled the insurer will inform the Municipality at the

- a) That the dog has been living within the limits of the MRC des Collines-de-l'Outaouais on December 31st, 2011;
- b) That a dog licence has been issued for the dog each year, previous to December 31st, 2011;
- c) That the dog owner has obtained a certificate from a veterinary to the effect that the dog has been neutered or spayed.
- d) That and insurance certificate be issued to the Municipality of Pontiac each year. That the insurance coverage is for a minimum \$250,000 (two hundred and fifty thousand dollars) civil liability; and that an endorsement to the insurance policy is established so that the insurance company notify the municipality if and when this policy ceases to be in force.
- e) That the dog owner provides a certificate to the municipality stating that his dog has followed an obedience course given by a school that is recognized by the SPCA.

Article withdrawn for Pontiac.

- 7.15 Any dangerous dog constitutes a nuisance. For the purpose of this by-law, a dog is considered dangerous when:
- 1) without malice or provocation, it has bitten or attacked a person who is behaving peacefully, or another animal, whose owner is in compliance with this by-law, causing an injury requiring medical attention, such as a wound, a fracture, internal injury or other injury;
- Without malice or provocation, and being off the property where his owner lives, or outside his vehicle, it bites or attacks a person or another animal or is otherwise aggressive towards a person by growling,

following address: 2024, Route 148, Pontiac Qc J0X 2G0.

- 3) The keeper of:
- i) of a dog of the Mastiff breed, Bull Mastiff;
- ii) of a hybrid resulting from the crossbreeding of a clog from the breed listed in subsection i) if this article and another breed:
- iii)of crossbred dogs bearing a significant number of features similar to the breed listed in subsection i) of this article must produce a certificate stating that said dog has passed the "good dog test" administered by the competent authority.

animal could bite or attack a person who is behaving peacefully;

A breed specified in article 7.13 and for which the owner has not obtained a dog licence as required in

displaying aggression or behaving in

any other way, indicating that the

A breed specified in article 7.13 and for which the owner has not obtained a dog licence as required in article 5.1, or no longer has the required insurance coverage, in accordance with article 7.14.

7.16 Any dog described in article 7.13 for which the keeper has obtained a dog licence in accordance with this by-law prior to or after January 1st 1998 is allowed on the territory of the Municipality as long as the keeper has fulfilled the following conditions:

Without malice or provocation, it has bitten or attacked a law abiding person who is behaving peacefully, or another animal, whose keeper is in compliance with this by-law, causing an injury requiring medical intervention, such as deep or multiple wounds, a fracture, internal injury or other;

Without malice or provocation, and being off the property where the building occupied by his keeper is located or outside his keeper's vehicle, it bites or attacks a person or another animal or is otherwise aggressive towards a person by growling, showing its fangs or behaving in any other way indicating that the animal could bite or attack a law abiding person who is behaving peacefully;

Specified in article 7.13 and the keeper has not obtained a dog licence, as required in article 5.1, or does not have the required insurance coverage in accordance with article 7.14.

7.17 Any person responsible for enforcing this by-law may immediately capture, euthanize or have euthanized a dog considered a nuisance as detailed in article 7.13 and 7.15;

7.16 Anyone responsible for implementing the present by-law, may capture or euthanize a dog that represents a nuisance, or have it euthanized on-site, in accordance with articles 7.13 and 7.15 of this by-law;

7.17 The owner of a dog or anyone who keeps, owns or is in the possession of a dog considered as a nuisance, as defined in article 7.13 and 7.15, commits an offence.

When a person who is charged with contravening to paragraphs a), b) or c) of article 7.13, the mere fact of issuing a ticket is proof that there was an offence. It remains the defender's responsibility to prove that the dog in question is not one included in paragraphs a), b) or c) of article 7.13.

Anyone responsible for implementing the present by-law, may capture or euthanize a dog that represents a nuisance, or have it euthanized on-site, in accordance with articles 7.13 and 7.15 of this by-law;

Anyone who keeps, owns or is in possession of a dog considered a nuisance, as defined in article 7.13 and 7.15, commits an offence.

Paragraphs 1) and 2) of article 7.15 do not apply to a dog that causes injury to persons or animals while trespassing on the property owned, leased or occupied by the owner of the said dog.

- 7.18 The owner of a dog or anyone who keeps, owns or is in the possession of a dog considered as a nuisance, as defined in article 7.13 and 7.15, commits an offence.
- 7.19 Subsections 1) and 2) of article 7.15 do not apply to a dog causes an injury to persons or animals trespassing on the property owned, leased or occupied by the keeper of said dog.

When a person who is charged with contravening to paragraphs a), b) or c) of article 7.13, the mere fact of issuing a ticket is proof that there was an offence. It remains the defender's responsibility to prove that the dog in question is not one included in paragraphs a), b) or c) of article 7.13.

- 7.18 Paragraphs 1) and 2) of article 7.15 do not apply to a dog that causes injury to persons or animals while trespassing on the property owned, leased or occupied by the owner of the said dog.
- 7.19 The competent authority may, at any given time, and on reasonable grounds, order the detention or isolation of a dog for a specific period of time, require behavioural testing, impose standards of care, including spaying or neutering, impose the obligation of wearing a muzzle in public areas, to attend dog obedience courses, or to have the dog euthanized.

The owner of a dog who does not comply to this ruling, commits an offence.

7.20 At any time, the competent authority may on reasonable grounds order a dog to be seized or confined for a specific period of time, require an assessment of the dog's behaviour, impose animal measures, care including, obligatory muzzling of the animal in public places, dog obedience course or putting a dog to sleep.

A dog keeper who does not comply with an order commits an offence.

#### **SECTION 8 – DOG POUND**

- 8.1 Anyone may a have a domestic animal impounded if it's in violation of, or whose owner is in violation of any of the provisions of this by-lay. In the case where a duly licensed dog has been brought to the dog pound, the Animal protection services must without delay inform the owner of the said dog that it has been impounded.
- 8.2 A police officer or an official of the Animal protection services is authorized to use a tranquilizer or a net to capture a dog.
- 8.3 The Animal protection services official may enter any area where there is an injured, sick, or mistreated animal. He may capture the animal and place it in a pound, or bring it to a veterinarian until it has recovered or until the appropriate location for the well-being and care of the animal is available. Costs are payable by the owner.
- 8.4 The Animal protection services official may enter any area where an animal is believed to have a contagious disease. He may capture the animal and impound it. If the animal does have a contagious disease, it must be quarantined until it is completely cured and, if not cured of the disease, it must be euthanized. If the disease is not confirmed, the dog is returned to its owner. Costs are payable by the owner.
- 8.5 In a case where the municipal authorities have been notified of a rabies case, they may order, by public notice, that all dog owners in the municipality or of the area in question, lock up their animals so as to avoid contact with any other animal. This order will be effective for a period not exceeding 60 days, beginning on the date that the public notice is given and, is subject to an extension for another 60 days, for as long as there are cases or the risk of rabies. The owner of an animal who fails to comply with this order is liable to penalties under this by-law.
- 8.6 Any animal found in a public place or on public property following the publication of the notice mentioned in article 8.5 may be seized by the animal control officer and euthanized, at the expense of the animal's owner.
- 8.7 Any animal believed to be infected with rabies may be seized by the animal control officer and placed under observation by the competent authorities for a period of 15 days, at the expense of the animal's owner. If the animal cannot be cured, it may be euthanized at the expense of the animal's owner.
- 8.8 Any unclaimed and unidentified dog brought to be pound is kept for a minimum period of 5 days, unless its physical state warrants euthanizing it.
- 8.9 If a dog is wearing the required tag on its collar, in accordance with this by-law, or if a micro-chip is detected or any other item which will allow, with reasonable efforts, to contact its owner, the animal can be kept up to 5 days at the pound. If the owner has not claimed the animal within this time limit, the competent authority may dispose of it.
- 8.10 After the time limits prescribed in article 8.8 and 8.9, the dog mat be euthanized or sold for adoption, all subject to the other provisions of this by-law.
- 8.11 The owner can retrieve his animal, unless he does not wish to do so, by paying to the competent authority the boarding costs which were established, pursuant to the contract between the competent authority and the Municipality, all without prejudice to the rights of the Municipality to sue for the breach of any provisions of the present by-law, if needed.
- 8.12 In accordance with this by-law, if no licence was issued for the dog in question, for the current year, in order to retrieve his dog, the owner must obtain the said licence, all without prejudice to the rights of the Municipality to sue for the breach of any provisions of the present by-law, if needed.
- 8.13 Anyone who wishes to have a dog euthanized may personally ask a veterinarian of his choice or the competent authority to do so, in which case he must pay the competent authority the amount determined in the present by-law.
- 8.14 The competent authority may immediately dispose of an animal that has died at the pound or has been euthanized in accordance with this by-law.

- 8.15 The competent authority that, in accordance with this by-law, has euthanized a dog, cannot be held liable for taking such action.
- 8.16 Any animal which is the cause of a breach of this by-law may be impounded, or confined in any other area designated by the competent authority and, its owner must be notified of this as soon as possible.
- 8.17 The owner must claim the animal within 5 days; all transportation and boarding fees are payable by the owner, failing which, the competent authority may dispose of the animal by putting it up for adoption or by euthanizing it.
- 8.18 The owner of an animal that has been impounded must pay the fees for transportation, boarding, euthanasia and other fees, even if he does no retrieve his animal.
- 8.19 Neither the Municipality nor the Animal protection services can be held liable for damages or injuries to a dog, due to its capture and being placed in a pound.

# SECTION 9 – RATES

READS AS FOLLOWS:		SHALL NOW READ AS
		FOLLOWS:
9.1	The cost for dog licences are as follows:	9.1 The cost for dog licences are as follows:
	1) dog \$20.00 2) guide dog free 3) farm dog free	1) dog \$20.00 2) guide dog free 3) farm dog free
9.2	Fees to board a dog is \$ 12 per day and \$6 per day for any other animal.  Fees for transporting an animal is	9.2 Fees for boarding a dog is \$ 12 per day.  Fees for transporting an animal is \$20 during the Animal protection
	\$20 during the Animal protection services business hours and \$40 after hours.	services business hours and \$40 after hours.
9.3	Fees for euthanizing an animal is as follows:	9.3 Fees for euthanizing an animal are those pertaining to the rates in effect at the time of the offence.
	1) dog or other animal:	
	0 to 20 pounds \$ 10.00 21 to 40 pounds \$ 20.00 41 to 70 pounds \$ 30.00 71 pounds and over \$ 40.00	
9.4	Veterinarian fees if necessary are chargeable to the keeper.	9.4 Veterinarian fees if necessary, are payable by the owner.
9.5	The fees for administering the "good dog" test is \$ 10.00	9.5 Fees for the good « Canine citizen test » are those pertaining to the rates in effect at the time of the offence.

#### **SECTION 10 – Kennels and others**

READS AS FOLLOWS:	SHALL NOW READ AS FOLLOWS:
10.1 Anyone wishing to operate a	10.1 Anyone who wishes to operate a
kennel, pet shop or veterinarian clinic must have a permit to do so within zones where such activities are permitted. The cost of said permit is determined according to the current municipal by-law.	kennel, pet shop or veterinarian clinic must have a permit to do so within the zones where such activities are permitted. The cost of the said permit is determined according to the current municipal by-law.
10.2 The owner of a kennel must operate his business in such a way as to avoid noise and foul odors and, in sanitary conditions that meet the requirements of municipal authorities.	10.2 Any owner of a kennel must operate his business in such a way as to avoid noise and foul odors and, ensure that sanitary conditions meet the requirements of municipal authorities.

#### **SECTION 11 – LEGAL PROVISIONS**

- 11. Anyone who contravenes to any of the provisions of this by-law commits an offence and is liable to:
  - a) a minimum fine of \$ 200 and a maximum fine of \$ 1000;
  - b) if this is a continued offence, each day it is considered as a separate and distinct offence, and the offender is liable to a fine each day, and that is for the duration of the offence.

# **SECTION 12 – INTERPRETATION**

- 12.1 Nothing in this by-law must be interpreted as restraining in any way, the rights and powers of the Council of the Municipality to collect by all means provided by the law, the cost of the licence payable, or the expense of care costs, in accordance with the present by-law.
- 12.2 The masculine and the singular have been used indiscriminately in this by-law and include both the feminine and the plural, in order to reduce the text.
- 12.3 The preamble herein is an integral part of this by-law.
- 12.4 In case of divergence, the French version of the text shall prevail for the purposes of implementing this by-law.

# **SECTION 13 – CRIMINAL PROSECUTION**

In general, the council authorizes the animal control officer as well as peace officers and other persons designated in section 2, to initiate criminal proceedings against any offender with respect to any provisions of this by-law, and consequently generally authorizes the animal control officer to issue the citations for such purpose.

#### SECTION 14 – REPEAL AND ENTRY INTO FORCE

READS AS FOLLOWS:	SHALL NOW READ AS
	FOLLOWS:
14.1 This by-law repeals for all legal purposes by-law number 00 RM 02 and all previous by-laws to the contrary.	14.1 This by-law repeals for legal purposes, by-laws under number 02-RM-02 pertaining to animals within the limits of the Municipality of Pontiac and all previous by-laws to the contrary.
14.2 This by-law will come into force following the observance of formalities required by law.	14.2 This by-law will come into force according to the Law.

Carried

# 13-01-1411 ESTIMATION OF PHOTOCOPY PAPER

WHEREAS the Municipality is registered with « Fournitures et Ameublement du Québec » for office supplies;

It is

Moved by: Inès Pontiroli Seconded by: Thomas Howard

AND RESOLVED to approve the quantity estimated of photocopy paper from March 2013 to February 2015 as indicated on the F.A.Q form.

Carried

# 13-01-1412 AGREEMENT- ACCESS TO THE GYM

WHEREAS the person in charge of Groupe Action Jeunesse must go out a minimum of 9 times per week to lock or unlock the gymnasium;

It is

Moved by: Lynne Beaton Seconded by: Inès Pontiroli

AND RESOLVED THAT the municipality hereby accepts the offer from Groupe Action Jeunesse for giving access to the school gymnasium at the Notre-Dame-de-la-Joie establishment for the sum of \$170.00 per week on a 50-week period from January 1<sup>st</sup> to December 31, 2013, that is a total of \$8,500.00.

Carried

# 13-01-1413 ALLOCATIONS TO PERSONS IN CHARGE OF THE LIBRARIES

It is

Moved by: Lynne Beaton Seconded by: Roger Larose

AND RESOLVED that the allocation to the persons in charge of the libraries is increased to \$3,400.00 per year, starting January 1<sup>st</sup> 2013. Payments will be done on a quarterly basis.

Carried

#### 13-01-1414

# INTENT OF DECLARATION OF COMPETENCE OF THE RCM OF DES COLLINES-DE L'OUTAOUAIS REGARDING PART OF THE FIELD OF FIRE PREVENTION

WHEREAS the Council of the RCM des Collines - de - l'Outaouais adopted the resolution 12-12-370 regarding its intention to declare its jurisdiction with respect to part of the field of fire prevention, the inspection of high and very high risks;

WHEREAS it is urgent and essential for the protection of people and property in our municipality to implement prevention measures provided for in the RCM des Collines-de-l'Outaouais fire safety cover plan;

Whereas consensus has been reached between all municipalities to have the Coordinator and fire prevention technician of the RCM perform an inspection pertaining to the high and very high risk, effective January 3, 2013;

WHEREAS the Council of the municipality of Pontiac is ready to agree to the RCM's declaration of competence and to waive the 90 days given by law;

It is

Moved by: Inès Pontiroli Seconded by: Thomas Howard

AND RESOLVED THAT the Council of the municipality of Pontiac notify the Council of the RCM des Collines-de-l'Outaouais that it has no objection to the notice of intent of declaration of competence with respect to a part of the field of fire prevention, the inspection of high and very high risks.

FURTHERMORE, IT IS RESOLVED THAT the Council of the municipality of Pontiac notify the RCM des Collines-de-l'Outaouais of its waiver of the 90-day time limit given law.

Carried

# 13-01-1415 <u>RESERVE – ASPHALT</u>

WHEREAS council has adopted resolution no. 06-04-109 on April 11, 2006 concerning the creation of a reserve fund for the preparation of asphalt;

WHEREAS at the time of preparing the 2013 budget, no monies were budgeted specifically for this purpose;

WHEREAS asphalting to be done on various roads within the municipality;

WHEREAS the available surplus;

It is

Moved by: Thomas Howard Seconded by Lynne Beaton

AND RESOLVED THAT the Municipality of Pontiac increase the reserve fund for asphalt in the amount of \$15 000.00 for repairing asphalted roads. The monies for this purpose shall be transferred from the surplus.

Carried

# INVESTIGATION REPORT – LEAK DETECTION IN THE DRINKING WATER SYSTEM

The Director General proceeds to the tabling of the investigation report regarding the leak detection of the drinking water system in the village of Quyon.

### **NOTICE OF MOTION**

I, the undersigned, **Inès Pontiroli**, Councillor of the electoral district number **4**, at the Municipality of Pontiac, give notice of the presentation of a by-law for the pricing of the permits cited in by-law 12-RM-04

# 13-01-1416 <u>PARKING/CONSTRUCTION – QUYON FERRY</u>

It is

Moved by: Edward McCann Seconded by: Lynne Beaton

AND RESOLVED THAT the Municipality authorizes Magnalum Company Ltd. of Shawville, (Quebec), to construct the new ferry on municipal property at 2, Ferry Street. Magnalum Company Ltd. will be responsible to return this property to pre-construction status, as well as liability insurances, security fencing and is also required to respect environmental laws during construction.

Carried

# 13-01-1417 <u>MAINTENANCE CONTRACT LUSKVILLE PARK</u>

It is

Moved by: Inès Pontiroli Seconded by: Roger Larose

AND RESOLVED THAT the Municipality accepts the offer of Mr. Brent Mainville for the summer and winter maintenance of Luskville Park for 2013, at the cost of \$ 11 200.00

Carried

# 13-01-1418 <u>MAINTENANCE CONTRACT DAVIS PARK</u>

It is

Moved by: Roger Larose Seconded by: Lynne Beaton

AND RESOLVED THAT the Municipality accepts the offer of Mr. Christian Lauzon for the winter maintenance of Davis Park for 2013, at the cost of \$ 5 500.00

Carried

# 13-01-1419

# FINANCIAL ASSISTANCE RECREATIONAL ORGANIZATIONS

WHEREAS the requests from the organizations were received on time;

WHEREAS the recommendations from the councilor responsible for recreation;

Moved by: Lynne Beaton Seconded by: Inès Pontiroli

AND RESOLVED THAT the Municipality accepts to give financial assistance to the different organizations as follows:

Beechgrove Recreation: \$2 000.00 Les Blés d'Or de Luskville: \$1 000.00 Quyon Sports and Recreation: \$7 500.00 Municipality of Shawville: \$5 529.00 Groupe Action Jeunesse \$8 500.00 Total: \$24 529.00

IT IS FURTHERMORE RESOLVED THAT all administrative conditions will have to be respected before a payment is done.

Councilor Roger Larose votes against the motion.

Carried on a divided vote

# 13-01-1420 SAINT-VINCENT-DE-PAUL, LUSKVILLE COUNTER

WHEREAS donations of clothing and other items deposited in certain donation boxes installed within the municipality of Pontiac are not redistributed amongst the population of the municipality;

WHEREAS the Luskville counter of Saint-Vincent de Paul and the Quyon Family Center have noticed an important drop in donations since the arrival of these boxes; WHEREAS the Council of the Municipality of Pontiac takes the well-being of its population at heart; It is

Proposed by: Inès Pontiroli Seconded by: Thomas Howard

AND RESOLVED that the Municipality of Pontiac inform and encourage its residents to leave their donations at the Luskville counter of Saint-Vincent de Paul and the Quyon Family Center in order for these donations to benefit the population of the Municipality of Pontiac.

Carried

#### **QUESTION PERIOD FROM THE PUBLIC**

Bill Twolan - Animals (Cats)

Jean-Claude Carisse - Time needed for the construction of the ferry

Mary Theresa Murdock -Groupe Action Jeunesse - Opening of

gymnasium

Denis Dubé - Checking with legal advisor- Loan of land-

ferry

- Notice of motion 5.4 – Adding title of by-laws

in the agenda

- Document – Drinkable water

		- Water and sewer for the East of the Municipality		
James Eggleton		- Deposit of resolution-associations- Why vote for it?		
Mo Laidlaw		- Limits - Wards		
13-01-1421 CLOSING OF	THE MEETING			
Moved by: Seconded by:	Thomas Howard Roger Larose			
AND RESOLVE	ED to close the meeting	at 10:00 p.m. having gone through the agenda.		
		Carried		
MA	YOR	DIRECTOR GENERAL		

- Blue box

Nancy Maxsom

<sup>«</sup> I, mayor Edward McCann, hereby certify that the signature on the present minutes is equivalent to my signature on each and every resolution herein, as specified in article 142 (2) of the Municipal Code».