

**ADMINISTRATIVE COMPILATION
STANDARDIZED BYLAW NUMBER 21-RM-02**

**PERTAINING TO ANIMALS WITHIN THE LIMITS
OF THE MUNICIPALITY OF PONTIAC**

Adopted by the Municipal Council on June 8, 2021
Entry into force on June 16, 2021

Name and/or number of bylaw, policy, resolution	Date of approval by Council	Date of coming into force	Status
Bylaw 13-RM-02	Sept. 10, 2013	Sept. 13, 2013	Amended

PREFACE

The reader is hereby advised that any errors or omissions that may be identified in the text below do not affect the enforceability of the regulations and amendments referred to therein, as sanctioned in their original version.

CANADA
PROVINCE OF QUEBEC
MUNICIPALITY OF PONTIAC

**STANDARDIZED BYLAW 21-RM-02 PERTAINING TO ANIMALS WITHIN THE
LIMITS OF THE MUNICIPALITY OF PONTIAC**

REGULAR meeting of the Council of the Municipality of Pontiac, held on June 8, 2021, by videoconference, at which meeting were present:

The Mayor, Mrs. Joanne Labadie

The Council Members:

Leslie-Anne Barber
Susan McKay
Nancy Draper-Maxsom
Thomas Howard
Scott McDonald
Isabelle Patry

All Council members and being a quorum.

WHEREAS Council deems it necessary and in the public interest, to regulate the presence of animals on its territory;

WHEREAS an update of the standardized bylaw is necessary following the adoption by the government of Bill #128, *An Act to promote the protection of persons by establishing a framework concerning dogs* (dangerous dogs' bylaw), which came into force on Tuesday, March 3, 2020;

WHEREAS all the municipalities of the MRC des Collines-de-L'Outaouais have adopted or will adopt the same bylaw in order to standardize its application on the territory of the MRC;

WHEREAS a notice of motion was given at the regular Council meeting of May 11, 2021, to the effect that the present bylaw would be submitted for approval;

WHEREAS a draft bylaw was tabled at the public meeting of May 11, 2021;

THEREFORE, it is moved by Councillor Leslie-Anne Barber and seconded by Councillor Isabelle Patry.

AND RESOLVED THAT THE COUNCIL RULES AND DECREES WITH THIS PRESENT BYLAW THE FOLLOWING:

SECTION 1 - PREAMBLE

The preamble is an integral part of this bylaw.

SECTION 2 - OBJECTIVE

The purpose of this bylaw is to promote the protection of people through the establishment of regulations concerning animals, to establish standards pertaining to the management and possession of dogs, and to establish the powers that the Municipality may exercise with respect to animal owners.

SECTION 3 - TERMINOLOGY

Unless otherwise specified, either expressly or because of the context of the provision, the following expressions, terms, and words shall have the meaning and application ascribed to them in this section:

3.1. Farmer :

Refers to any person engaged in agricultural activities and recognized as such.

3.2. Animal :

Refers to any animal of any species and from any source.

3.3. Agricultural Animal:

Means any animal reserved for breeding on a farm such as sheep, cattle, swine, horses, wild boar, bison, llamas, and any other animal used for agriculture, except dogs.

3.4. Companion animal :

Refers to any domestic or wild animal that lives with humans, more specifically in their homes, as a companion and for recreational purposes.

3.5. Domestic pet :

Refers to any animal of a species or breed that has been selected by humans to meet their needs and without limiting the scope are, among others, cat, dog, rabbit, ox, horse, pig, sheep, goat, hen, and their hybrids.

3.6. Unconfined animal:

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.

3.7. Stray animal :

Refers to any animal that is lost or misplaced and without a known owner or guardian.

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.

3.8. Exotic animal :

Refers to any animal of species or subspecies that are not naturally found in Quebec, apart from birds, fish and miniature turtles.

3.9. Wild animal :

Refers to any animal that typically lives in water, woods, deserts, or forests that are not generally domesticated by humans.

3.10. Competent authority :

Refers to the « Animal Protection Services » staff and all members of the Public Security Department of the MRC des Collines-de- l’Outaouais’

3.11. 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.

3.12. Kennel :

Refers to any area set up in such a way as to board, shelter or breed more than three (3) dogs.

3.13. Dog :

Refers to all males, females, or pups.

3.14. Watch dog:

Refers to a dog trained or used to guard against trespassers and will attack an intruder on sight or command.

3.15. Guide dog:

Refers to a dog trained and recognized as a guide dog to assist the blind or any other physically disabled person.

3.16. Outbuilding:

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.

3.17. Public building :

Refers to any public buildings, or private buildings to which people have access.

3.18. Breeder :

Refers to any individual 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.

3.19. Public area :

Refers to any public property, public road, public land and municipal park.

3.20. Foster family :

Refers to any individual or group of individuals authorized to have temporary guardianship of an animal. It is the responsibility of the SPCA or the organization designated by the Municipality, or one of its representatives, to designate these foster families.

3.21. Pound :

Refers to « Animal Protection Services » shelter.

3.22. Guardian :

Refers to an individual 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 housing where the animal lives.

3.23. Municipality :

Refers to the Municipality of Pontiac.

3.24. Organization :

Refers to the organization that has entered into an agreement with the Municipality to collect the cost of licences and to enforce this bylaw.

3.25. Park :

Refers to parks located on the territory of the Municipality and also 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.

3.26. Animal boarding :

Refers to any location used for boarding animals, with or without remuneration, for a specific period. The term “owner” associated with the terms “animal boarding” refers to a person who carries on this type of activity.

3.27. Individual :

Refers to an individual as well as a corporation.

3.28. Disabled person :

Refers to a person recognized as such by *l'Office des personnes handicapées du Québec* or any similar government authority

3.29. Kennel owner :

Refers to an individual who is paid or not, be it part-time or full-time, to board, care for or breed more than 3 dogs.

3.30. Property :

Includes any privately owned property or building that is not accessible to the public.

3.31. Shelter :

Refers to a place where several animals can be received. The place, its operation and living conditions of the animals of the shelter must be recognized by the or the organization designated by the Municipality.

3.32. 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)

3.33. Agricultural sector :

Refers to a sector designated for farming activities permitted by the Municipality.

3.34. 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 the present bylaw.

3.35. Playground :

Refers to a public area designed primarily for sports or recreational activities.

3.36. Private property :

Refers to privately owned property, which is not accessible to the public, save for the building on said property.

3.37. Housing unit :

Refers to one or several rooms in a building that are mainly used for residential, institutional, commercial, or industrial purposes.

3.38. Traffic area :

Refers to a street, alley, public road, private road with public access, parking space or lot, sidewalks, or others.

SECTION 4 – IMPLEMENTATION OF THIS BYLAW

- 4.1 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 bylaw.
- 4.2 For the purpose of this bylaw, any person or organization entrusted with the authority to collect licence fees and enforce this bylaw, in part or completely, is designated as the Animal Protection Services.
- 4.3 Notwithstanding the provisions given in articles 4.1 and 4.2 of this bylaw, police officers of the MRC des Collines-de-l’Outaouais are also authorized to enforce this bylaw.
- 4.4 Any person authorized to enforce this bylaw must have identification provided by the appropriate authority.

SECTION 5 – PROVISION APPLICABLE TO FARM ANIMALS

- 5.1 Anyone who wishes to keep one or more farm animals within the limits of the municipality must be in an agriculture zone or a designated area, notably where this use is recognized as such by the Municipality.

- 5.2 Land where farm animals are kept shall be fenced and the fences shall be maintained in good condition and constructed to contain the animals.
- 5.3 Every owner of a farm shall keep his animals on his property in such a manner as to prevent them from roaming unattended on public roads or any other public place within the Municipality.
- 5.4 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.
- 5.5 It is prohibited for anyone to have more than one farm animal crossing a road unless escorted by a person carrying and holding in full view a red flag as a warning signal.

SECTION 6 – KENNELS AND OTHERS

- 6.1 Anyone who wishes to operate a 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 bylaw.
- 6.2 Any owner of a kennel must operate his business in such a way as to avoid noise and foul odours and, ensure that sanitary conditions meet the requirements of municipal authorities.

SECTION 7 – GENERAL PROVISIONS FOR THE KEEPING OF ANIMALS - PERMITTED ANIMALS

- 7.1 It is prohibited for anyone 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 (selected mice and rats) pet rabbits as well as ferrets (*mustela putorius 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 fairy bluebird), 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), zosteropidae (silveryeye or

white-eyes);

- iv) all the following mammals: chinchillas, guinea pigs, degus, gerbils, jerboas, hamsters.

Chickens and small agricultural animals are also permitted in non-agricultural areas in accordance with the terms and conditions set out in the Municipality's Urban Planning bylaw(s).

Standards and minimum conditions for keeping animals

- 7.2 No one shall keep, in a dwelling where such dwelling is located or in the outbuildings of such dwelling, more than three (3) dogs, for a maximum permitted total of five (5) animals.

The maximum number of animals permitted on the territory of the Municipality does not apply to farmers.

- 7.3 In order to conform to this bylaw, the owner of a dog that gives birth must dispose of the puppies within three months of their birth.

Section 4.2 does not apply prior to this period.

- 7.4 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.
- 7.5 The owner must maintain the area where the animal is kept in a sanitary condition.
- 7.6 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:

- a) It must not be exposed to too much sun or wind, to snow or rain;
- b) It must be waterproof and insulated from the ground and be constructed of an insulated material.

- 7.7 A rope or leash used to tie up an animal outside must have a minimum length of three (3) metres.
- 7.8 It is prohibited for anyone to transport an animal in the trunk of a vehicle or in an open vehicle, commonly called a pick-up truck.

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.

- 7.9 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 bylaw.
- 7.10 An owner may not dispose of an animal by abandoning it. He must hand over the animal or animals to a competent authority that will have it or them put up for adoption or euthanized. In the event of euthanasia, the owner is responsible for costs incurred.
- 7.11 Following a complaint in which an animal or several animals were abandoned by their

owner, the competent authority will proceed with an investigation and, if necessary, will dispose of the animal(s) through adoption or by euthanasia.

If the animal's owner is found, he will be held liable for the costs incurred and is subject to legal proceedings in accordance with this section.

- 7.12 Within 24 hours following an animal's death, the owner must deliver it to the Animal Protection Services or dispose of it in accordance with the standards of the MDDEFP (Quebec Ministry of Environment).

Nuisances

- 7.13 It is prohibited for anyone to organize, participate in, promote or attend animal fights.
- 7.14 It is prohibited for anyone to be cruel, to mistreat, molest, harass or to provoke an animal.
- 7.15 An owner must immediately clean up, in an appropriate manner, any public place or private property which has been soiled by the animal's faeces and must dispose of said faeces in a sanitary manner. The owner must have all the required material in his possession for these purposes. This provision does not apply to guide dogs.
- 7.16 Any person who finds a stray animal must report it or deliver it at once to the Animal Protection Services.
- 7.17 It is prohibited for anyone to use or to allow the use of poison or traps to capture animals, except for a cage equipped with a trap door.
- 7.18 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.
- 7.19 It is prohibited to take or destroy any birds' eggs or nests found in parks or other locations within the Municipality.
- 7.20 It is prohibited to feed the ducks or gulls along the shores of rivers, lakes or ponds within the territory of the Municipality.
- 7.21 Except for areas specifically intended for this purpose, it is prohibited to ride horses in municipal parks.
- 7.22 It is prohibited at all times for anyone to bring an animal on public property or in a public park. The present section does not apply to guide dogs or to any occasion where the presence of animals is authorized by the Municipality.
- 7.23 It is prohibited for anyone to bathe an animal in the Municipality's swimming pools.
- 7.24 It is permitted to bathe an animal in the Municipality's lakes and rivers, except in designated areas where signs are installed banning such activity.

SECTION 8 – SPECIFIC PROVISIONS APPLICABLE TO DOGS

8.1 Exempted dogs

The following dogs are not subjected to this bylaw:

- 1) A dog that is required by a person to assist him and with a valid certificate stating that it has been trained for that purpose by a professional service dog training organization;
- 2) a dog in a police dog team;
- 3) a dog used in the course of the activities of the holder of a permit issued under the Private Security Act (chapter S-3.5);
- 4) a dog used in connection with the activities of a wildlife officer.

Report of injuries inflicted by a dog

- 8.2 A veterinarian shall promptly report to the appropriate authority the fact that he has reasonable grounds to believe that a dog who poses a risk to public health or safety has inflicted a bite wound on a person or domestic animal by providing, when known, the following information:

- a) the name and contact information of the owner or custodian of the dog;
- b) any information, including the breed or type, that allows the dog to be identified;
- c) the name and contact information of the injured person or the owner or guardian of the injured domestic animal and the nature and severity of the injury that was inflicted.

- 8.3 A medical practitioner shall promptly report to the Municipality the fact that a dog has inflicted a bite wound on a person by communicating to the Municipality the nature and severity of such wound and, where known, the information set out in paragraphs (a) and (b) of section 8.2.

The guardian of a dog that has inflicted an injury on a person or other animal shall promptly contact the appropriate authority and provide the information set out in section 8.2.

- 8.4 For the purposes of sections 8.2 and 8.3, the relevant jurisdiction shall be the jurisdiction of the principal residence of the owner or guardian of the dog that inflicted the injury or, where this information is not known, the jurisdiction where the event took place.

Declarations of potentially dangerous dogs and orders against dog owners or guardians

- 8.5 When there are reasonable grounds to believe that a dog constitutes a risk to public health or safety, an authority having jurisdiction may require the owner or guardian of the dog to submit the dog for examination by a veterinarian of the authority's choice for the purpose of assessing the condition and dangerousness of the dog.
- 8.6 The competent authority shall notify the owner or guardian of the dog, when known,

of the date, time and place where he must present himself with the dog for the examination and of the costs he will have to pay for the examination.

- 8.7 The veterinarian shall forward his report to the appropriate authority as soon as possible. The report shall contain the opinion of the veterinarian regarding the health or safety risk posed by the dog.

The report may also contain recommendations for action to be taken with respect to the dog or its owner or guardian.

- 8.8 A dog may be declared potentially dangerous by an authority having jurisdiction who is of the opinion, after considering the report of the veterinarian who has examined the dog and assessed its condition and dangerousness, that it constitutes a risk to public health or safety.

- 8.9 A dog that has bitten or attacked a person or domestic animal and inflicted an injury upon that person or domestic animal may also be declared potentially dangerous by a competent authority.

- 8.10 A competent authority shall order the owner or guardian of a dog that has bitten or attacked a person and caused death or serious injury to that person to have the dog euthanized. A competent authority shall also euthanize any such dog whose owner or guardian is unknown or cannot be found.

Until euthanized, a dog referred to in the first subparagraph must always be muzzled by means of a muzzle box when it is outside the residence of its owner or guardian.

For the purposes of this section, a serious injury is any physical injury that may result in death or in significant physical consequences.

- 8.11 A competent authority may, when circumstances warrant, order the owner or guardian of a dog to comply with one or more of the following measures:

- 1) subject the dog to one or more of the standards set forth in this bylaw, at sections 8.17, 8.18, 8.19, 8.20, 8.30, 8.31, 8.39, 8.40, 8.41, 8.42, or any other measure that is designed to reduce the risk posed by the dog to public health or safety;
- 2) have the dog euthanized;
- 3) dispose of the dog or any other dog or prohibit the person from owning, acquiring, keeping or breeding a dog for a determined period.

The order must be proportionate to the risk to public health or safety posed by the dog or the owner or guardian.

Procedures for the exercise of power by the competent authority

- 8.12 The competent authority shall, prior to declaring a dog potentially dangerous under sections 8.8 or 8.9 or making an order under sections 8.10 or 8.11, inform the owner or guardian of the dog of its intention and the grounds on which it is based and shall advise the owner or guardian of the period within which he or she may make representations and, if necessary, produce documents to complete his file.

During the decision process, the competent authority may impose any conditions it deems necessary on the owner or guardian of the dog to preserve the safety of people and animals. In a non-limitative manner, the competent authority may impose any temporary conditions, until the competent authority has rendered its decision on the potentially dangerous nature of the dog.

Any owner or guardian who fails to comply with the temporary conditions for the decision period is in violation of this bylaw.

- 8.13 Any decision made by the competent authority shall be communicated in writing to the owner or guardian of the dog. When the competent authority declares a dog to be potentially dangerous or issues an order, the decision shall state the reasons for the decision in writing and shall refer to any documents or information that the competent authority has considered.

The owner or guardian of the dog shall be notified of the declaration or order and shall be given a period within which to comply with it. Before the expiration of the time limit, the owner or guardian of the dog shall, upon request of the competent authority, demonstrate to the competent authority that he or she has complied with the order. If the owner or guardian fails to do so, the owner or guardian shall be presumed not to have complied with the order. In such a case, the authority having jurisdiction shall give notice to the owner or guardian to comply within a specified period and shall indicate the consequences of the failure to comply.

Any owner or guardian who fails to comply with the order or who fails to demonstrate compliance with the order is in violation of this bylaw.

- 8.14 A competent authority may designate an officer or employee of the Municipality to be responsible for the exercise of the power.
- 8.15 The powers of a competent authority to declare a dog potentially dangerous and to issue orders under this bylaw are exercised with respect to dogs whose owner or guardian has his principal residence on its territory.

However, a declaration or order made by a competent authority applies throughout the territory of Quebec.

Standards for the management and possession of dogs

- 8.16 No one may own or keep a dog within the limits of the Municipality without having obtained a dog licence from a competent authority.
- 8.17 The owner or guardian of a dog must register the dog with the competent authority of his principal residence within 30 days of acquiring the dog or at the moment the dog reaches the age of 3 months.

Despite the first subparagraph, the obligation to register a dog:

- a) Applies from the day the dog reaches the age of 6 months when a dog breeder owns or keeps the dog;
- b) does not apply to a pet shop, being a business where pets are kept and offered for sale to the public, a veterinary establishment, an educational

establishment, or an establishment that carries out research activities, or to a pound, an animal service, a shelter or any person or organization dedicated to the protection of animals that holds a permit referred to in section 8.20 of the Act respecting the welfare and safety of animals (chapter B-3.1);

- c) the owner or guardian of a dog shall pay the annual registration fee set by the competent authority.

8.18 The owner or guardian of the dog must provide the following information and documents for the registration of the dog:

- a) its name and contact information;
- b) breed or type, sex, colour, year of birth, name, distinguishing marks, origin of the dog and whether it weighs 20 kg or more;
- c) if applicable, proof that the dog's rabies vaccination status is up to date, that it is spayed or neutered or microchipped and the microchip number, or a written opinion from a veterinarian stating that vaccination, spaying, or microchipping is contraindicated for the dog
- d) if applicable, the names of the municipalities in which the dog has been previously registered, and any decision made in respect of the dog by a competent authority under this bylaw or a municipal dog bylaw.

8.19 The registration of a dog in a jurisdiction shall continue as long as the dog and its owner or guardian remain the same.

The owner or guardian of a dog shall notify the competent authority in which the dog is registered of any change in the information provided pursuant to section 8.18.

8.20 The competent authority shall issue to the owner or guardian of a registered dog a tag bearing the registration number of the dog.

A dog must wear the tag issued by the competent authority to be identifiable at all times.

8.21 The licence issued under this bylaw is valid for a one-year period, beginning January 1st and ending December 31st of each year.

8.22 The guardian of a dog within the limits of the Municipality must obtain a new licence for this dog in January of each year.

8.23 No dog guardian shall bring within the limits of the Municipality a dog that normally lives outside the territory of the Municipality, unless he or she is the holder of a licence issued by the Municipality where the dog normally lives.

However, when the Municipality where the dog usually lives does not impose the obligation to obtain a licence, the dog must wear a tag on which is inscribed the identity of its guardian, the address of the latter and a telephone number where he or she can be reached.

Any owner or guardian who keeps on the territory of the competent authority, for a period of fifteen (15) days or more, a dog that does not usually live there and who does not have a licence

from the Municipality where the dog usually lives, must obtain a licence from the competent authority, failing which he/she commits an infraction.

For the purposes of this section, any dog referred to in this bylaw, which is in the jurisdiction for a period of fifteen (15) days or more, and for which the owner or guardian has not obtained a licence from the jurisdiction, shall be presumed not to be licenced in the Municipality in which the dog ordinarily lives. It is the responsibility of the owner or guardian to prove that the dog has a valid licence in the Municipality in which the dog ordinarily lives.

This section does not apply to an animal that is participating in a show or competition for the duration of the event.

- 8.24 An animal owner who settles in the municipality must abide by all of the provisions within this section, even if he possesses a dog licence that has been issued by another municipality.
- 8.25 The cost of the licence is set out in **section 11.1** of this bylaw and applies to each dog. The cost of the licence is indivisible and non-refundable.
- 8.26 A tag issued to one dog may not be worn by another dog.
- 8.27 It is forbidden for anyone to modify, alter or remove the tag of an animal in such a way as to prevent its identification.
- 8.28 An owner must show the certificate received from the Animal Protection Services to any representative of said service or to the Police Department upon its request.

Additional standards of ownership and control

- 8.29 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 boundaries, the dog's owner must have the dog on a leash or otherwise assume instant control and always supervise the animal. A dog that is not on a leash is not considered to be under his owner's control.

- 8.30 In a public area, a dog must be under the control of someone capable of controlling it at all times, except in a dog exercise area or when participating in a dog activity, including hunting, exhibition, competition or training.

A dog must also be held on a leash not exceeding 1.85 metres (6 feet) in length.

A dog weighing 20 kg (44.1 lb) or more must also wear a halter or harness attached to its leash, at all times. For the purposes of this section, the guardian or owner shall be responsible for demonstrating to the proper authority that the dog weighs less than 20 kg (44.1 lb).

Subject to the other provisions of this bylaw, the use of an extendible leash is prohibited in a public place but is permitted in public parks or places where dogs are not prohibited.

- 8.31 A dog shall not be on property owned by anyone other than the owner or guardian of the dog unless the presence of the dog has been specifically authorized.
- 8.32 No guardian shall allow his dog to lie down in a public place in such a manner as to

obstruct the passage of people.

- 8.33 Any guardian transporting a dog or dogs in a road vehicle must ensure that the dog or dogs cannot leave the vehicle or attack a person passing by the vehicle.
- 8.34 Any guardian of minor age must, in order to control and hold a dog, have attained the maturity and ability to hold the dog on a leash, without the dog escaping or controlling its movements.
- 8.35 Every dog, whether on the property of the building occupied by the guardian or on any other private property where the dog is located with the permission of the owner or occupant of such property, shall be kept:
- a) in a building from which it cannot get out;
 - b) on land that is fenced on all sides. The fence shall be of sufficient height, with respect to the size of the animal, to prevent the animal from leaving the land where it is kept;
 - c) on land that is not fenced, the owner or occupant of such land shall install a recognized electronic fence system.

The dog must wear a receiver in good working condition on its neck while outside the building. A dog that is found outside the premises equipped with such a system is presumed to be an unrestrained dog and therefore in violation of section 8.29.

The dog may be tied to a metal post or its equivalent, by means of a chain or a rope of metal or synthetic fibre. The post, chain or rope and clip must be of sufficient size and strength to prevent the dog from being released.

The length of the chain or rope shall not permit the dog to come within one metre of a property line that is not separated from the adjacent property by a fence of sufficient height, taking into consideration the size of the animal, to prevent it from leaving the property on which it is being kept.

- d) In a dog park consisting of an enclosure surrounded by a galvanized mesh fence, or its equivalent, made of tightly woven wire mesh to prevent children or anyone from reaching through, 1.2 metres (3.28 feet) in height and finished, at the top, inwardly, in the shape of a "Y" not less than 60 cm (23.62 inches).

In addition, this enclosure must be surrounded by a fence with a base of at least 30 cm (11.81 inches) in the ground and the bottom of the enclosure must be made of wire or material such that it prevents the dog from digging. The area must be equivalent to at least 4 m² (43.1 ft²).

For the purposes of this provision, when a dog is kept in accordance with paragraph (a) or (b), the fence shall be kept clear of any snow accumulation or other matter so that the prescribed heights are maintained.

- 8.36 No guardian may order his dog to attack a person or an animal unless his physical integrity is compromised or his safety, family or property is threatened.
- 8.37 Any guardian of a guard, protection or attack dog, whose dog is on his private property, must indicate to any person wishing to enter his property, that he may be in the presence

of such a dog and this, by posting a written notice that can be easily seen from the public place bearing one of the following words: "Caution - guard dog" or "Caution - dangerous dog" or by posting a recognized pictogram indicating the presence of such a dog.

Nuisances caused by dogs

8.38 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 bylaw:

- a) the fact that a dog barks or howls in such a way as to disturb the peace and quiet and bothers a person or people;
- b) the fact that a dog disturbs or rummages through household garbage;
- c) the fact that a dog is on private property without the express consent of the owner or occupant of said property;
- d) the fact that a dog causes damage to a lawn, patio, garden or flower bed, shrubs, or other plants;
- e) the fact that a dog bites or attempts to bite an animal that is behaving peacefully;
- f) the fact that a dog bites or attempts to bite a person that is behaving peacefully;
- g) the fact that a dog is in a public place where a sign indicates that dogs are not allowed;
- h) 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;
- i) 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;
- j) the fact that the owner leaves his dog alone or without appropriate care and unattended for more than 24 hours;
- k) the owner's refusal to let any one of competent authority inspect any area or building to verify the compliance with this bylaw;
- m) the fact that the owner of a dog is at a playground with his dog;
- n) the fact that the animal is a stray, within the Municipality's territory.

§ 2. - Standards for dogs declared potentially dangerous

8.39 A dog declared potentially dangerous shall at all times have a current rabies vaccination status, be neutered and microchipped, unless it is contraindicated by a veterinarian.

8.40 A dog declared potentially dangerous shall not be kept in the presence of a child 10 years of age or younger unless it is under the constant supervision of a person 18 years of age or older.

- 8.41 A dog declared to be potentially dangerous shall be kept by means of a device that prevents the dog from leaving the boundaries of private property that is not fenced or if it is not fenced in. In addition, a sign shall also be posted in a place that will announce to a person coming onto the property the presence of a dog declared potentially dangerous.
- 8.42 In a public place, a dog declared potentially dangerous must wear a muzzle at all times. In addition, the dog must be kept on a leash not exceeding 1.25 m in length, except in a dog exercise area.

SECTION 9 – POWERS OF THE COMPETENT AUTHORITY

- 9.1 For the purpose of enforcing the provisions of this bylaw, a competent authority who has reasonable grounds to believe that a dog or animal is in a place or vehicle may, in the course of his duties:
- 1) enter at any reasonable time and inspect such premises;
 - 2) inspect or order the stopping of such vehicle for inspection;
 - 3) conduct an examination of such dog;
 - 4) take pictures or recordings;
 - 5) require anyone to produce for examination, copies or abstractions from book, account, record, file or other document, if he or she has reasonable grounds to believe that it contains information relating to the enforcement of this bylaw;
 - 6) require anyone to provide any information relating to the enforcement of this bylaw.

Where the place or vehicle is unoccupied, the competent authority shall leave a notice on the place or vehicle stating the name of the competent authority, the time of the inspection and the reasons for the inspection.

- 9.2. When an authority having jurisdiction believes on reasonable grounds that a dog is in a housing unit, the authority may require the owner or occupant of the premises to show the dog to the authority. The owner or occupant shall comply immediately.

The competent authority may enter the housing unit only with the authorization of the occupant or, failing that, pursuant to a search warrant issued by a judge, on the basis of an affidavit made by the competent authority stating that he has reasonable grounds to believe that a dog constituting a risk to public health or safety is in the housing unit, authorizing, under the conditions indicated in the affidavit, the competent authority to enter the housing unit, seize the dog and dispose of it in accordance with the provisions of the bylaw. Such warrant may be obtained in accordance with the procedure set out in the Code of Penal Procedure (chapter C-25.1) with the necessary modifications.

Any judge of the Court of Quebec or of a municipal court, or any presiding justice of the peace has jurisdiction to issue a search warrant under the second subparagraph.

- 9.3 The competent authority may require the owner, guardian or person in charge of a

vehicle or premises being inspected, and any person in the vehicle or premises, to assist him in the performance of his duties.

9.4 An authority having jurisdiction may seize a dog for the following purposes:

- 1) submit the dog to a veterinarian for examination in accordance with **section 8.5** when the authority has reasonable grounds to believe that it constitutes a risk to public health or safety;
- 2) submit the dog to an examination required by the competent authority when its owner or guardian fails to appear for the examination, in accordance with the notice sent pursuant to **section 8.6**;
- 3) enforce an order made by the competent authority under **section 8.10 or 8.11** when the time limit for compliance under the second subparagraph of **section 8.13** has expired.

9.5 The competent authority has custody of the seized dog. The authority may hold the seized dog or may give custody of the seized dog to a person at a veterinary facility or shelter, animal service, pound or to a place maintained by a licenced animal welfare person or organization.

9.6 The custody of the seized dog shall continue until it is returned to its owner or guardian.

Unless the dog was seized to enforce an order made under the first paragraph of **section 8.10** or **subparagraph 2 or 3** of the first paragraph of **section 8.11** or if the Municipality orders, under any of those provisions, it shall be released to its owner or guardian upon the occurrence of any of the following situations:

- 1) as soon as the examination of the dog has been completed, when the veterinarian is of the opinion that the dog does not pose a risk to public health or safety, or as soon as the sentence has been filled;
- 2) when 90 days have elapsed from the date of seizure without the dog having been declared potentially dangerous or before the expiration of that period, if the competent authority is notified that the dog is not required to be declared potentially dangerous or if the dog has been declared potentially dangerous.

9.7 Guardian fees incurred as a result of a seizure are the responsibility of the owner or guardian of the dog, including, but not limited to, veterinary care, treatment, surgery and medication required during the seizure, as well as examination by a veterinarian, transportation, euthanasia or disposal of the dog.

SECTION 10 - POUND

10.1 Anyone may 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-law. In the case where a duly licenced dog has been brought to the dog pound, the Animal Protection Services must without

delay inform the owner or the guardian of the said dog that it has been impounded.

- 10.2 A police officer or an official of the Animal Protection Services is authorized to use a tranquillizer or a net to capture a dog.
- 10.3 The competent authority's representant 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.

In case of emergency and a serious concern for the health or if the life of the animal is jeopardized by the delay in obtaining a warrant under this bylaw, the Animal Protection Services representative may enter any private property without a warrant for the sole purpose of seizing the animal to preserve its health and life. The authority having jurisdiction is not responsible for damage to private property.

- 10.4 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.
- 10.5 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 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 bylaw.
- 10.6 Any animal found in a public place or on public property following the publication of the notice mentioned in section 11.5 may be seized by the animal control officer and euthanized, at the expense of the animal's owner.
- 10.7 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 fifteen (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.
- 10.8 Any unclaimed and unidentified dog brought to the pound is kept for a minimum period of five (5) days, unless its physical state warrants euthanizing it.
- 10.9 If a dog is wearing the required tag on its collar, in accordance with this bylaw, or if a microchip is detected or any other item which will allow, with reasonable efforts, to contact its owner, the animal can be kept up to five (5) days at the pound. If the owner has not claimed the animal within this time limit, the competent authority may dispose of it.
- 10.10 After the time limits prescribed in articles 10.7 and 10.8, the dog may be euthanized or sold for adoption, all subject to the other provisions of this bylaw.
- 10.11 The owner can retrieve his animal, unless it has been disposed of, 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 bylaw, if needed.

- 10.12 In accordance with this bylaw, if no licence was issued for the current year, for the dog in question, 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 bylaw, if needed.
- 10.13 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 or she must pay the competent authority the amount determined in the present bylaw.
- 10.14 The competent authority may immediately dispose of an animal that has died at the pound or has been euthanized in accordance with this bylaw.
- 10.15 The competent authority that, in accordance with this bylaw, has euthanized a dog, cannot be held liable for taking such action.
- 10.16 Any animal which is the cause of a breach of this bylaw 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.

The owner must claim the animal within five (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.

The owner of an animal that has been impounded must pay the fees for transportation, boarding, euthanasia, and other fees, even if he does not retrieve his animal.

- 10.17 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 11 – RATES

- 11.1 The cost of a licence for each dog (or cat) shall be determined by the applicable pricing bylaw.
- 11.2 The cost of custody shall be determined by the applicable pricing bylaw.
- 11.3 The cost of transporting an animal shall be determined by the applicable pricing bylaw.
- 11.4 The actual cost of euthanizing an animal shall be as applicable at the time of the infraction.
- 11.5 The cost of veterinary medicine, when necessary, is at the expense of the guardian.

SECTION 12 - LEGAL PROVISIONS

- 12.1. The owner or guardian of a dog who contravenes **section 8.6** or who fails to comply with an order made under **section 8.10 or 8.11** is liable to a minimum fine of no less

than \$1,000 and no more than \$10,000 in the case of an individual, and of no less than \$2,000 and no more than \$20,000 in all other cases.

- 12.2 The owner or guardian of a dog who contravenes to either of the **sections 8.17, 8.19 and 8.20** is liable to a fine of no less than \$250 and no more than \$750 if the owner or guardian is a natural person and of no less than \$500 and no more than \$1,500 in all other cases.
- 12.3 The owner or guardian of a dog who contravenes to either of **the sections 8.31 and 8.32** is liable to a fine of no less than \$500 and no more than \$1, 500, if the owner or guardian is a natural person and of no less than \$1, 000 and no more than \$3, 000 in all other cases.
- 12.4 The minimum and maximum fines provided for in **sections 12.1 and 12.3** are doubled when the offence concerns a dog which is declared to be potentially dangerous.
- 12.5 The owner or guardian of a dog who contravenes any of the provisions of **sections 8.39 to 8.42** is liable to a fine of no less than \$1,000 and no more than \$2,500 in the case of a natural person, and of no less than \$2,000 and no more than \$5,000 in all other cases.
- 12.6 The owner or guardian of a dog who provides false or misleading information, or information that the owner or guardian ought to have known was false or misleading in connection with the registration of a dog, is liable to a fine of no less than \$250 and no more than \$750 if the owner or guardian is a natural person and of no less than \$500 and no more than \$1,500 in any other case.
- 12.7 Anyone who contravenes any of the provisions of this bylaw **except sections 8.6, 8.10, 8.11, 8.17, 8.19, 8.20, 8.31, 8.32, 8.39 and 8.42** is guilty of an offence and is liable to a fine of no less than \$500 and of no more than \$1,500 in the case of a natural person and of no less than \$1,000 and of no more than \$3,000 in any other case.
- 12.8 Anyone who, in any way, interferes with the performance of the duties of any law enforcement officer, misleads the officer by withholding or misrepresenting information, or refuses to provide information to which the officer is entitled, under this bylaw, is liable to a fine of no less than \$500 and of not more than \$5,000.
- 12.9 In the event of a subsequent offence, the minimum and maximum fines provided for in this bylaw shall be doubled.

SECTION 13 – INTERPRETATION

- 13.1 Nothing in this bylaw 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 bylaw.
- 13.2 The masculine and the singular have been used indiscriminately in this bylaw and include both the feminine and the plural, to reduce the text.
- 13.3 The preamble herein is an integral part of this bylaw.
- 13.4 In case of divergence, the French version of the text shall prevail for the purposes of

implementing this bylaw.

SECTION 14 – CRIMINAL PROSECUTION

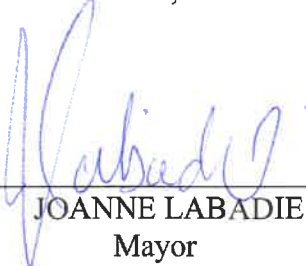
Generally, the Council authorizes the animal control officer as well as peace officers and other individuals designated in section 2, to initiate criminal proceedings against any offender with respect to any provisions of this bylaw, and consequently generally authorizes the animal control officer to issue the citations for such purpose.

All costs incurred for the purpose of criminal prosecution shall be borne by the owner or guardian of the animal, including costs provided for in this bylaw or in any other law or regulation, as well as any necessary expertise or any other costs that may be incurred by the competent authority in the establishment of the criminal proceedings.


SECTION 15 – REPEAL AND ENTRY INTO FORCE

- 15.1 This bylaw repeals for legal purposes, bylaws under number 13-RM-02 pertaining to animals within the limits of the Municipality of Pontiac and all previous bylaws to the contrary.
- 15.2 This bylaw will come into force according to the Law.

Adopted at Pontiac, this June 8, 2021.



JOANNE LABADIE
Mayor



PIERRE SAID
Director General and Secretary-treasurer

Notice of motion :	May 11, 2021
Presentation of the draft bylaw :	May 11, 2021
Adoption of the bylaw :	June 8, 2021
Notice of promulgation/coming into force :	June 16, 2021

