



**BY-LAW N° 650-2014  
CONCERNING PETS**



## **CHAPTER I – GENERALITIES**

The present by-law abrogates and replaces all previous by-laws that pertain to the same object.

The present by-law must not have the effect of diminishing any acquired right with respect to the number of dogs (see article 4.16) at the time of the adoption of the present by-law.

## **CHAPTER I - DEFINITIONS**

### **2.1 Adoption**

The expression "Adoption" means the giving of an animal to a person for the unique purpose of having it become a pet.

### **2.2 Play area**

The expression "Play area" means part of a land area, accessible to the public, occupied by equipment destined for the amusement of children, such as a swing, slide, trapeze, sand box, pool or wading pool.

### **2.3 Pet**

The expression "Pet" means an animal whose species has been domesticated who lives amongst humans for help or distraction. Without limitation the following are considered pets, dogs, cats, aquarium fish, small mammals, small reptiles that are neither venomous nor dangerous and birds excluding species forbidden by the Government of Quebec's *"Regulation respecting animals in captivity"*, or any other animal considered as a pet.

### **2.4 Stray Animal**

The expression "stray animal" means a pet which is not under the immediate control of its guardian outside the limits of this person's property.

### **2.5 Competent authority**

The expression "competent authority" means any person or legal entity appointed by Town Council resolution to apply, in whole or in part, the present by-law.

### **2.6 Building**

A building means different constructions as defined by the urbanism by-laws in effect.

### **2.7 Stray cat**

Stray cats (and/or community cats), are those cats who do not or no longer have an owner, who roam free and populate notably parks, gardens and vacant lands where humans either voluntarily or not provide a part of their food.



## 2.8 Kennel

The word 'kennel' means a place where dogs live or are sheltered more than 3 dogs for the purpose of breeding, training and/or boarding, excluding veterinary establishments, or other commercial establishments having obtained an operating permit including for the temporary care of animals.

## 2.9 Attack dog

The expression "attack dog" means a dog trained and/or used for guarding and that attacks, on sight or on command, an intruder.

## 2.10 Guard dog

The expression "guard dog" means a dog that will attack when his guardian is assaulted whether he is trained for that purpose or not.

## 2.11 Service dog

The expression "service dog" means a dog used to assist a visual handicap or any other physically handicap.

## 2.12 Council

The word "Council" means the Town Council.

## 2.13 Animal cruelty

Negligence or cruelty to an animal is defined as follows:

- Neglect or omission to furnish the animal under his care with food, water, shelter and the necessary and appropriate care for the breed and its age;
- Not keeping in a good sanitary condition the area where the animal is kept;
- Leaving an animal unattended in a vehicle on hot or cold days;
- Abandoning an animal in distress in order to be rid of it;
- Not taking the means to care for or submitting one's animal to euthanasia if the latter is wounded or sick;
- Organizing, participating, encouraging or assisting in the showing of an animal fight in any way whatsoever;
- To be cruel to an animal, mistreat it, molest it, harass it or provoke it.

## 2.14 Breeder

Breeding is the activity of reproducing pets in view of the commercialization of the reproduction.

A breeder must be registered and keep records of dogs' lineage and must comply with the instructions of the Canadian Kennel Club or the Canadian Cat Association or any other recognized national association that enacts standards and breeding recommendations.



### **2.15 Veterinary establishment**

The expression "Veterinary establishment" means a place where the services of at least one (1) veterinarian registered with a professional order is available on a regular basis.

### **2.16 Expert**

Designates the competent authority charged with the application of the present by-law.

### **2.17 Pound**

The word « Pound » means such premises identified and approved by Council resolution where animals are brought, kept and disposed of by the competent authority or any other person authorized to do so. These premises should be able to receive, feed and monitor a sufficient number of animals for the size of the territory that it has control of. Each of these animals must be kept in an individual pen whose size is three (3) meters by two (2) meters. Water must be provided on a permanent basis and it must be fed food corresponding to the breed.

### **2.18 Guardian**

The word « Guardian » means a person who is an owner, who has the guardianship of a pet or is giving shelter, feeds or cares for a pet, as well as the father, mother, tutor or the responsible person where a minor resides therewith who is the owner, has the guardianship or gives shelter, feeds or takes care of a pet.

### **2.19 Person**

The word «Person» means an individual, partnership, company, association, firm, corporation or any grouping of any nature whatsoever.

### **2.20 Public place**

The expression «Public place» means any road, street, alley, passageway, sidewalk, stair, garden, park, trail, wharf, stage for public use or other public places in the municipality including a public building.

### **2.21 Shelter**

A registered non-for-profit establishment, duly accredited by the Town of Hudson, that welcomes abandoned animals, provides animal welfare and has as its sole vocation the adoption of pets.

### **2.22 Urban area**

« Urban area » designates the entire portion of the Town's territory as shown in the zoning plan dated June 2009 and of its subsequent amendments.

### **2.23 Puppy mill**



Facility where the female is isolated and permanently confined in a cage, in an unsanitary, inhuman way for the sole purpose of mass reproduction for commercial purposes.

#### 2.24 Town

« Town » means the Town of Hudson having adopted the present by-law.

### **CHAPTER III – GENERAL PROVISIONS**

#### 3.1

The guardian has the obligation to supply the animal under his care with food, water and the necessary care which is appropriate for the breed and its age.

#### 3.2

The guardian must keep the area where the animal is kept in a good sanitary condition.

#### 3.3

It is forbidden for anyone to be cruel, mistreat, molest, harass or provoke an animal.

#### 3.4

A guardian may not abandon the animal(s) in order to be rid of it/them. He must bring them to the competent authority who may then dispose of the animal either by adoption or subjecting it to euthanasia. The charges incurred will be at the cost of the guardian.

#### 3.5

Following a complaint of one or many abandoned animals by the guardian, the appropriate authority will conduct an investigation and, if needed, will dispose of the animal(s) either by adoption or will be euthanized. If the presumed guardian of the animal is located, he will be invoiced with all costs and will be liable to a statement of offence being issued

#### 3.6

It is forbidden for anyone to organize, allow or assist in the event(s) of dog or animal fights, either to make bets or as a simple spectator.

#### 3.7

It is forbidden to use traps or poisons outside a building for the capture or to eliminate animals except for a cage trap.

#### 3.8

It is forbidden to remove or destroy eggs or bird nests in the parks or other areas within the municipality.

#### 3.9

The competent authority is authorized to undertake penal proceedings against any person who contravenes any provision of the present by-law and is therefore authorized, as a consequence, to issue statements of offence.



3.10

The competent authority is authorized to visit any immovable property, as well as the interior of the premises including dependencies, to ensure compliance with the present by-law.

3.11

For the purposes of the application of the present by-law, any owner, tenant or occupant of these premises or dependencies must allow the competent authority to enter the premises.

3.12

It is forbidden to obstruct, prevent or give false information to the competent authority in the execution of his duties.

## **CHAPTER IV – DOGS**

### **Section 1 - License**

4.1

No guardian may keep a dog within the boundaries of the Town without having obtained beforehand a license in conformity with provisions of the present by-law, such a license must be obtained within fifteen (15) days following acquisition or the day after the dog reaches the age of four (4) months, the longest delay being applicable. The annual cost of each dog license is \$20.00.

4.2

When the request for a dog license is made by a minor, the father, the mother, the tutor or, if applicable, the person responsible for this person must consent to the request, with a written note accompanying this request.

4.3

A tag issued for a dog cannot be worn by another dog. This constitutes a violation of the present by-law.

4.4

No guardian of a dog may bring within the boundaries of the Town a dog usually living outside the territory of the Town unless being in possession of:

1. A license provided for in the present by-law;
2. A license issued by the municipality where the dog usually lives if the dog is brought in the municipality for a period not exceeding 15 days, failing which the guardian must obtain a license according to the present by-law.



4.5

A guardian who establishes his permanent residence in the municipality must conform to all the provisions of the present by-law, and this, despite the fact the dog has a license issued by any other municipal corporation.

4.6

Within the boundaries of the Town, a guardian of a dog must, at the date specified by Council resolution, obtain a new license for the dog, with the exception of service dogs.

4.7

To obtain a license, the application must contain the name, surname, address and telephone number of the applicant and of the dog's owner, if a distinct person and indicate the breed, sex, colour as well as the distinguishing marks of the animal in order to complete the municipal registry.

4.8

At the time of a dog licence application, the guardian must provide, at the competent authorities' request, a certificate attesting that the dog in question has been examined and is adequately immunized against rabies or any other disease that can be transmitted to humans as determined by the competent authorities. The certificate must be issued by a duly licensed veterinarian.

4.9

The license is issued annually under the present by-law, for the period from January 1<sup>st</sup> to December 31<sup>st</sup>.

4.10

The cost of a license is established in the present by-law, by Town Council resolution, and applies for each dog. The license is indivisible and non-refundable.

The Town, without making it an obligation for a domestic animal's guardian, recommends spaying and neutering of their pets in order to:

1. reduce wandering;
2. eliminate unplanned breeding;
3. eliminate reproductive heat periods in females and visits from males;
4. reduce propensity to territoriality and aggression.



4.11

Upon presentation of a medical certificate confirming their disability, dog licenses are issued free of charge for guide dogs that assist a visually impaired person.

4.12

Upon payment as set out in the present by-law, the guardian will receive a license indicating an identification number and a receipt for payment which shall serve as the animal's identification. The receipt will provide all the information in order to identify the dog as provided for by article 4.7

4.13

The guardian must ensure that the tag that was issued to the dog is worn in a public place around the neck at all times, otherwise he commits an infraction.

4.14

Articles 4.1, 4.5 and 4.6 do not apply in the case of a dog being temporarily kept by a person or establishments having obtained permits for commercial exploitation including the temporary boarding of animals.

4.15

The competent authority shall keep a register of dog licenses issued.

Should the license be lost, the guardian of the animal must obtain a duplicate of said license from the competent authority. The cost of this replacement license is \$5.00.

#### Section 2 – Number of dogs

4.16

No one can keep in a dwelling or on a property where the dwelling is located or in a dependency of this dwelling a number of dogs exceeding three (3). ***Any competent authority will provide a license for an additional dog if the guardian meets certain criteria with the goal of reducing the risk for public health and safety as well as certain conditions according to which he can keep more than three dogs. This provision does not apply to a commercial establishment.***

List of criteria permitting to reduce the risk for health and public security:

Public health:

1. sterilisation;
2. yearly veterinary examination certificate stating the absence of any zoonotic diseases;





3. immunization against contagious diseases for the breed deemed necessary during yearly examination;
4. attestation of prevention and control of internal and external parasites.

Public security:

1. no violation to the present by-law in the past twelve months;
2. minimum interior and exterior space required with respect to the needs of the breed (see the Code of Practice recommended for Canadian Kennel Operations published by the Canadian Veterinary Medical Association).

4.17

The guardian of a female dog which gives birth must, in the following one hundred and twenty (120) days following the birth (4 months), dispose of the puppies in order to comply with the present by-law.

#### Section 3 - Kennel

#### 4.18 **Specific provisions regarding kennels or shelters**

All animals must be kept inside a building designed to accommodate them.

The building must be sound-proof so that the level of noise at a distance of 7,62 m (25 ft), does not exceed 40 adjusted decibels, at any time;

The building must be located at a minimum distance of:

- 15 m (49.3 ft) from another building;
- 300 m (984.3 ft) from a building other than the operator's building;
- 30m (98.5 ft) from a river or stream;
- 30m (98.5 ft) from a well;
- 50m (165 ft) from the property line;
- 100m (328.1 ft) from a roadway.

The owner of more than three (3) dogs and a person operating a shelter or a kennel as described in the present by-law must obtain an operating permit from the Urban Planning Department.

The applicant must pay, on or before January 1<sup>st</sup> of each year, the cost of the permit established at one hundred and fifty dollars (\$150.00), said permit being valid from January 1<sup>st</sup> to December 31<sup>st</sup> of each year.

The person operating a kennel or shelter on the municipal territory must ensure that:



- excellent hygiene and cleanliness conditions be maintained at all times at the operating site of the kennel or shelter;
- barking of dogs kept at the site of the kennel or shelter do not disturb the peace, tranquility or be a source of nuisance for the neighbourhood;
- the operation of the kennel or shelter must not be a source of odours or be in any way a source of nuisance for the neighbourhood;
- the shelter or kennel lay-out allows space for each dog to be in an individual cage or pen having a minimum of four (4) square meters and a minimum height of one meter and a half (1.5);

#### 4.19

Keeping more than three dogs or more than two non-sterilized dogs having reached sexual maturity constitutes the operation of a kennel for the purpose of this by-law, unless, in accordance with article 4.16, they have obtained additional licenses.

#### Section 4 – Control

#### 4.20

The leash used to control a dog in a public area must be a chain, a leather leash or nylon and must not exceed one meter eighty-five (1.85 m) or six (6) feet, including the handle. The collar must be made of leather, or flat braided nylon with a soldered ring, or a halter on which to attach the leash. The use of a retractable leash is authorised in public areas and in parks where dogs are allowed and where its use is appropriate.

#### 4.21

Any guardian transporting one or more dogs in a road vehicle must ensure that the dog(s) is (are) not able to leave the vehicle or attack a person passing near this vehicle. Any guardian transporting one or more dogs in an open vehicle for roads must place them in a cage, or tie them up efficiently in such a way as to fully restrain the anatomical parts of the dog or dogs within the limits of the rear compartment.

No animal shall be left unattended in a vehicle for more than 15 minutes if the outside temperature is higher than 18 degrees Celsius or lower than 0 degrees Celsius.

#### 4.22

Any guardian who is a minor in age must, for the control or restraining a dog, have attained the maturity and the physical capability to be able to keep a dog on a leash, without the dog being able to escape from him.



#### 4.23

Any guardian wanting to use public transit must control his dog by holding on directly to its collar or by transporting the dog in his arms or in an appropriate transportation crate or by putting a muzzle on the dog's nose and must keep a at least one free space between himself and other passengers. These provisions do not apply to service dogs.

#### 4.24

On the land of a building occupied by the guardian or on any private property where the dog is located with the owner's consent or the occupiers' of that properties' consent, all dogs must be kept, as the case may be:

1. in a building from which it cannot escape;
2. on a property fenced on all sides, the fence must be of sufficient height and conform to municipal by-laws, bearing in mind the size of the animal, to prevent it from escaping from the property where it is located;
3. on a property under direct control of his guardian. Said guardian must have constant control of the animal to prevent it from leaving the property where it is located;
4. on a property which is not fenced on all sides, it is prohibited to tie a dog outside for a period surpassing 3 consecutive hours;
5. in a dog park with an enclosure surrounded by a fence made of galvanized latticework, or its equivalent, made of tightened mesh to prevent children or any person from passing their hand through the fence, the enclosure must be 4 feet high and finished, at the top, inwards, in the shape of a Y of at least sixty (60) centimetres.

For the purposes of the application of this provision, when a dog is kept in accordance with the requirements of paragraphs 2 or 5, the fence must be cleared of any accumulation of snow or other substance in order that the prescribed height be maintained.

#### 4.25

On the land on which is located a building occupied by its guardian or on any private property where the dog is located with the owner's consent or of the occupier of that land's consent, any dog trained for attack or for protection must be kept, as the case may be:

1. in a building from which it cannot escape;
2. in a dog park with an enclosure, locked or padlocked, of a minimum area of 4 square meters per dog and a minimum height of two (2) meters, finished at the top, inwards, in the shape of a Y of at least 60 centimeters and buried to a depth of at least 30 centimeters in the ground. This fence must be made of galvanized latticework or its equivalent and made of mesh sufficiently tightened to prevent



children or any person from putting their hand through the fence. The base of this enclosure must be mesh wire or any clean material to prevent the dog from digging beneath it.

3. held by a leash of no more than two (2) meters. This leash and its fastening must be of a material sufficiently resistant, taking into account the size of the dog, to ensure that the guardian has constant control over the animal.

For the purposes of the application of this provision, when a dog is kept in accordance the prescriptions of paragraph 2, the enclosure must be cleared of any snow accumulation or of any other substance in order to maintain that the prescribed dimensions for the enclosure be respected.

4.26

When a guardian travels with a dog trained for guarding, for protection or is presumed aggressive, he cannot do so with more than one dog at a time. Their presence at public events or celebrations is forbidden except for canine events. Furthermore, these dogs must circulate outside peak hours and wear a muzzle in order to have access to public transit. However, they can be denied access without prejudice to the service providers.

4.27

A guardian must not allow his dog to lie down in a public area in a manner as to impede the passage of people.

4.28

No guardian can order his dog to attack a person or an animal without their physical integrity being compromised or unless their security, family or property are threatened.

4.29

Any guardian of a guard dog or of a dog who could be aggressive, whose dog is located on that private property, must indicate to every person wanting to enter on the property, that they may be in the presence of such a dog by displaying a written notice to this effect that can be easily seen in the public space.

#### Section 5 - Nuisances

4.30

The facts, circumstances, gestures and acts indicated below constitute nuisances or infractions and are thus prohibited:

- a. a dog barking or howling so as to disturb the peace, tranquility and being an annoyance for one or more persons;



- b. a dog disturbing household refuse;
- c. for a guardian to be in a public place with a dog without being able to control it at all times;
- d. a dog being on private land without the express consent of the owner or occupier of that land;
- e. a dog causing damage to a lawn, terrace, flowers or flower garden, bush or other plants;
- f. a dog biting or attempting to bite an animal whose guardian is conforming in all respects to the present by-law;
- g. a dog biting or attempting to bite a person without having been provoked in a malicious or harassed way;

EXCEPTION: However, if the animal was maliciously provoked and has defended itself and that the competent authority is that the animal is usually calm and thus not dangerous and would be unlikely to repeat the behaviour; then the person provoking the animal is at fault, and this according to article 3.3 of the present by-law and is therefore punishable by the established penalties herein;

- h. a dog to be outside the limits of the land on which is found the building or part of the building occupied by the guardian or owner, or to wander on streets and public places without being accompanied and on a leash of more than 1,85 meters or 6 feet in length by a person able to control or master the animal;
- i. a dog being in a public place where a sign indicates that the presence of dogs is forbidden. This provision does not apply to service dogs.
- j. the guardian not immediately cleaning up fecal matter left by the animal and disposing of it in a hygienic way. To this end, the guardian accompanied by the dog must, while outside the limits of his property or dwelling, have in his possession the necessary material to remove the dog's excrements and to dispose of them in a hygienic way. This stipulation does not apply to service dogs.
- k. neglecting cleaning up on a regular basis the excrements on their own property and not maintaining thereon adequate cleanliness .
- l. an owner leaving his dog alone without the presence of a guardian or under appropriate care for a period of more than twenty-four (24) hours.
- m. a guardian not providing exterior shelter that conforms to the norms of the Canadian Veterinary Medical Association in the case of a dog kept outdoors;
- n. a guardian of an animal not respecting or conforming to an article of the present by-law;
- o. letting a dog run at large at any public place;



- p. a guardian refusing permission to the competent authority to investigate any place and building to verify compliance to the present by-law or following the registration of a complaint.
- q. a guardian not paying for the costs incurred because of his dog for the purposes of the application of the present by-law.

#### Section 6 - Capture - Disposition - Pound

##### 4.31

The competent authority must, if the dog bears a licence and is impounded, contact the guardian of said dog, without delay, and advise him that his dog has been impounded. He must also inform the owner of said by-law.

##### 4.32

The competent authority is authorized to use a tranquilizer prescribed by a veterinarian to capture a dog. Any other method or tool that may help capture the animal, by avoiding to hurt it as much as possible, may be used if approved beforehand by the competent authority or general management.

##### 4.33

A guardian who knows that his animal is hurt or has an infectious disease is in contravention of the present by-law if he does not take the necessary measures to have his animal treated or to submit it to euthanasia.

##### 4.34

A representative of the competent authority may enter any place where a hurt or mistreated animal is located. He can capture it and impound it or have it undergo the necessary care by a veterinary until it recovers or until an appropriate place for the guardianship of the dog is available. In application of the present clause, observation must be under the supervision of the competent authority, who at the end of the observation period will order the animal to be euthanized if such an action is considered the only humane solution, or that the animal be returned to his guardian. All costs are to be borne by the dog's guardian.

##### 4.35

The competent authority may enter any place where it is suspected that there is an animal suspected of having an infectious disease. He may capture it and impound it. If the animal is affected with an infectious disease, it must be quarantined up until it is completely healed and, if such healing fails to be successful, it must be euthanized. Costs are borne by the dog's guardian.



4.36

Any dog placed in the pound that have not been identified and claimed shall be kept for a minimum period of five (5) working days.

4.37

If a dog bears the license on its collar as required in the present by-law, carries an identification tag, an electronic microchip (sub-cutaneous) or any other means that permits contacting, using reasonable efforts, to contact the guardian or owner, the animal shall be kept for a period of ten (10) working days following the date of expedition of the notice to the dog's owner to the effect that the competent authority has the dog in its possession and that the animal will be disposed of after five (5) working days of the date of reception of the notice should the guardian not take possession of the animal.

4.38

After a delay of five (5) to ten (10) working days, as the case may be, since the beginning of the detention, the dog will be given for adoption to a non-profit organization that does not use euthanasia and which promotes education, abandonment prevention and adoption programs. The Town will donate \$100 per dog to such organizations taking in the dog that has been handed over by the Town of Hudson.

4.39

The guardian can regain possession of his dog, unless it has been disposed of, by paying to the competent authority the boarding costs that are provided for in the contract entered into between the competent authority and the Town, all without prejudice to any of the rights of the Town to pursue any other infraction under the present by-law, if applicable.

4.40

If no license was issued for this dog for the current year in accordance with the present by-law, the guardian must also, to regain possession of his dog, obtain the license required for the current year and, if required by the competent authority, have his dog vaccinated against rabies, unless the guardian already has the necessary valid certificate attesting to the dog's vaccination, the whole without prejudice to the Town's right to take legal action for any infraction under the present by-law, if applicable.

4.41

Any person wanting to submit a dog to euthanasia can directly contact the veterinarian of their choice or contact the competent authority, in which case they must pay the amount claimed by the said competent authority.



4.42

Any dog that is the cause of an infraction contrary to articles 4.22 and 4.30, paragraphs c, l and m of the present by-law may be detained in the pound or in any other place designated by the competent authority and its guardian must be notified as soon as possible.

4.43

The guardian must claim the dog within the three (3) or five (5) days, as the case may be; all costs incurred are borne by the guardian, failing which, the competent authority may dispose of the dog as provided in article 3.38 of the present by-law.

4.44

Neither the Town nor the competent authority can be held responsible for damage or injury caused to a dog following its capture and impounding.

#### Section 7 – Dangerous dogs – Bites - Aggression

4.45

Any dangerous dog constitutes a nuisance. For the purposes of the present by-law any dog is classified as dangerous when, without malice or provocation:

1. has bitten a person or another animal whose guardian is respecting the present by-law causing the person or animal a wound requiring medical intervention, such as a deep or multiple wounds, a fracture, an internal lesion or other;
2. when outside the grounds of its guardian's building or outside of its guardian's vehicle, bites a person or another animal.

4.46

For citizens' security, the competent authority must seize and impound for a period of five (5) days a dog declared dangerous in order to subject the dog to an examination in order to evaluate its health and proceed to behavioral tests performed by a behavioral expert mandated by the Town. Recommendations on measures to be taken concerning the animal will then be transmitted to the guardian.

4.47

Following the examination described in article 4.46, the competent authority may order the application, if applicable, of one or more of the following measures:

1. should the animal's aggressive behaviour be due to a curable disease, requiring his guardian to provide treatment and to keep the animal in a building from which he cannot escape or within the limits of the property of the building he occupies, under his constant





control, until the animal is completely cured or until the animal is no longer a risk for security of persons or other animals and that he take any other measure judged necessary such as putting a muzzle on the animal;

2. if the animal has an incurable disease or is very seriously injured, eliminating the animal through euthanasia;
3. requiring from the guardian that the animal be kept in accordance to article 4.24 as if it were a guard or attack dog;
4. requiring from the guardian that the animal wear a muzzle whenever it is outside of the property on which the building occupied by his guardian or owner is located;
5. require from the guardian that the animal be sterilised;
6. requiring that the guardian with the dog follow and succeed mandatory obedience courses satisfying the requirements of one or more experts;
7. requiring from the guardian any measure judged necessary with the aim of reducing the risk that constitutes the animal to health and public security (behavioral therapy, pharmacotherapy, etc.);
8. requiring that the guardian advises of any change of address;
9. requiring that the guardian advise the competent authority should he have the dog euthanized or should he give the dog to a person living or not within the Town limits and providing the contact information of the new guardian.

#### 4.48

Any guardian of an animal for which it has been ordered the application of a measure provided for in article 4.47 that does not conform to such an ordinance commits an infraction and is subject to the minimum fine provided for herein. Also, when the animal's guardian neglects or refuses to comply with the prescribed measures, the animal may be, as the case may be, seized again.

#### 4.49

When a person or an animal has been bitten by a dog, the dog's guardian must provide to the competent authority, within two (2) hours of the incident, a certificate from a recognized veterinarian attesting that the animal has been examined and that the dog's bite can or cannot endanger the person's health or life or the life of the animal in question.



## **CHAPTER V – CATS**

### **Section 1 - License**

#### **5.1**

No guardian may keep a cat within the boundaries of the Town unless having obtained beforehand, a license in accordance with the provisions of the present by-law, such a license must be obtained within fifteen (15) days following the acquisition thereof or the day following the day the cat attains the age of four (4) months, the longest delay being applicable. The cost of each annual license is \$10.00 per cat.

#### **5.2**

To obtain a license, the application must contain the name, surname, address and telephone number of the applicant and of the animal's owner and indicate the breed, sex, colour of the cat as well as any distinguishing marks of the animal.

#### **5.3**

The Town recommends a yearly medical check-up including vaccination and anti-parasitic programs, as recommended by a veterinarian, depending on the animal's lifestyle in order to minimize the risk of disease.

### **Section 2 - Nuisance**

#### **5.4**

The facts, circumstances, gestures and acts indicated below constitute infractions to the present by-law:

- a. a cat causing damage to public or private property;
- b. the guardian omitting to clean up immediately, by any appropriate manner, any public or private property soiled by fecal matter left by his cat for which he is the guardian and to dispose of it in a hygienic manner;
- c. the guardian omitting to clean up his private property soiled by fecal or urinary matter left by his cat in a manner as to hinder one or many neighbours;
- d. a cat disturbing or searching amongst household refuse;
- e. a cat being a nuisance to the quality of life of one or more neighbours by excessive vocalisation, repetitiously and at inappropriate hours , by the impregnation of persistent and very strong odours.
- f. for a guardian to not use an adequate animal transportation cage when using a transportation service with one or more of his cats.



### Section 3 – Stray cats - sterilisation, vaccination, adoption or release program

#### 5.5

The wild lifestyle of stray cats make them likely to reproduce prolifically, which in turn may cause nuisances, especially during breeding periods: soiling, night noises, spreading of infections, parasites and diseases (such as feline leukemia (FeLV) and aids (FIV), etc.)

#### 5.6

The Town's mission is to safely and humanely neuter stray or abandoned cats without cruelty in order to reduce their numbers on our territory.

With this objective in mind, the Town Council will reserve a minimum amount of \$5000 for a stray cat sterilisation, vaccination, adoption or release program in its annual budget.

#### 5.7

Stray cats aged 12 weeks or more will be captured by the competent authority and brought to a veterinarian for neutering and vaccination. After the surgery, the cat will be boarded for five (5) days either with a foster family or with a rescue organization at the Town's expense.

Should the foster family or the rescue organization find an adoption family for the neutered cat, the competent authority may approve the adoption.

Should the cat not be adopted after its convalescence then it will be released at the same place where it was captured or in the most suitable place to ensure its security and survival.

#### 5.8

Kittens of less than 12 weeks may be captured if they have been abandoned by their mother.

They will be placed with a foster family or with an animal rescue organization at the Town's expense. Should the foster family or rescue organization find an adoption family for the kitten, the competent authority will be able to approve the adoption.

Should the kitten not be adopted before the age of 12 weeks, it will be brought to a veterinarian for neutering and vaccination. After surgery, the cat will be boarded for five (5) days either with a foster family or with a rescue organization at the Town's expense.

Should the foster family or rescue organisation find an adoption family for the neutered cat, the competent authority will be able to approve the adoption.

Should the cat not be adopted after its convalescence then it will be released at the same place where it was captured or in the suitable place to ensure his security and survival.



5.9

Neither the Municipality nor the competent authority can be held responsible for damage or injury caused to a cat in the course of its capture, hospitalization, boarding and release.

#### **CHAPTER VI – PETS (other than cats and dogs)**

6.1

There are no limits to the number of pets except for dogs.

6.2

An investigation will be carried out should there be a complaint lodged to the competent authority. If the complaint proves true and justified, the competent authority will issue a notice to the guardian asking him undertake corrective measures within five (5) days, failing which, the guardian will be ordered to surrender the animal(s) concerned. If a second complaint is made to the competent authority against the same guardian and if the complaint prove to be true and justified, the guardian will be ordered to surrender their contravening animal(s) in the seven (7) days following the order, the whole without prejudice to the Town's right to pursue recourses for an infraction to the present by-law.

#### **CHAPTER VII –PUPPY MILLS**

7.1

In addition to being cruel, puppy mills encourage canine overpopulation and animal abandonment. In order to fight this scourge the Town prohibits any puppy mill on its territory.

7.2

All animals found on a property sheltering a puppy mill will be seized and given to the SPCA or any other rescue center accredited by the Town, the whole at the property owner's cost.

#### **CHAPTER VIII- SALE OF DOGS AND CATS**

8.1

With the exception of animal rescues certified by the Town (by Council resolution), breeders who are members of the Canadian Kennel Club and the Canadian Cat Association, the sale of dogs and cats (commercial or otherwise) is strictly forbidden throughout the Town's territory.

The accredited breeders who are members of the Canadian Kennel Club or the Canadian Cat Association must supply to the Town on an annual basis proof of the renewal of their adhesion or registration with the Club or Association, as the case may be.

#### **CHAPITRE IX-ANIMAL CRUELTY**

9.1 It is strictly forbidden to:



- a) To voluntarily cause or permit to be caused to an animal pain, suffering or injury, in the absence of necessity;
- b) To encourage the combat or harassment of animals or to provide help or assistance therefor;
- c) To voluntarily, without reasonable excuse, administer a drug or allow a poisonous or dangerous substance to be given to an animal or to voluntarily permit that such a drug or poison substance be administered;
- d) Organize, prepare, direct, facilitate any meeting, competition, exposition, recreation, exercise, demonstration or event during which birds in captivity are released manually or through a trap, a device or any other method for the purpose of shooting them at the time of their release, or to participate therein or receive money in this regard;
- e) Whether being the owner or occupant or the person in charge of a locale, allow that this locale be used wholly or in part for the activity mentioned in paragraph d);
- f) Maintain or keep an arena for cockfighting or dog fights on the premises they possess or occupy, or to permit that such an arena be built, made, maintained or kept on these premises.

Should a complaint be lodged to the competent authority, an enquiry will be undertaken. If the complaint proves to be true and justified, the competent authority will seize the animal having suffered this mistreatment and surrender it to the SPCA or any Town certified rescue for rehabilitation and adoption. The whole without prejudice and according to the Town's right to pursue recourses for infraction to this by-law.

#### **CHAPTER X – OFFENCE AND PENALTIES**

##### 10.1

Whoever contravenes any provision of the present by-law commits an infraction and is liable to a fine, with or without costs and in case of default of payment of a fine or a fine and costs, as the case may be, to imprisonment; the amount of this fine and the term of imprisonment will be determined by a court of appropriate jurisdiction to hear the case.

##### 10.2

The competent authority may use any legal proceedings that are applicable against anyone who violates the present by-law.



### 10.3

In order to uphold the provisions of the present by-law, the Town can alternatively or cumulatively exercise the recourses provided for by the present by-law, as well as any appropriate civil or criminal law recourse.

### 10.4

Whoever contravenes the present by-law with regards to the obligation to obtain a dog license (Article III, Section I) is subject to a \$100 fine as well as the fees for the appropriate license.

### 10.5

Anyone who contravenes the provisions of the present by-law (Chapters III, IV, V and VI) commits an infraction which is liable to, upon a declaration of guilt:

1. for a first infraction, a fine of \$100.00 plus costs;
2. for a second infraction, a fine of \$200.00 plus costs;
3. for any subsequent infraction, a fine of \$400.00 plus costs;
4. Any guardian having accumulated more than five infractions not respecting the same article of the present by-law and thus demonstrating his bad faith with regards to correcting the problem may be sentenced by the competent authority to dispose of his animal.

### 10.6

Whoever contravenes the provisions of the present by-law (Chapters VII, VIII and IX) commits an infraction and is liable, upon a declaration of guilt:

1. for a first offence, a fine of \$2,500 plus costs of 10%;
2. for a second offence to the same provision within twelve months, a minimum fine of \$5,000 plus costs of 10%;
3. for a third offence to the same provision within twelve months, a minimum fine of \$7,500.00 plus costs of 10%.

As well as any other penalty (civil or criminal) or applicable penalties as prescribed by the *Animal Health Protection Act* (R.S.Q., c. P-42) and the *Criminal Code of Canada*.



**CHAPTER XI - ENTRY INTO FORCE**

The present by-law will come into force in accordance with legislation.

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Mr. Ed Prévost  
Mayor

Mr. Vincent Maranda  
Town Clerk