

**TOWNSHIP OF NIPIGON**  
**AGENDA FOR COUNCIL MEETING**

Date: Thursday, August 7, 2025

Time: 6:30 p.m.

Location: Municipal Office Council Chambers – 52 Front Street



***“In the spirit of reconciliation, the Corporation of the Township of Nipigon respectfully acknowledges it is located on the traditional lands of the Red Rock Indian Band – Signatory to the Robinson-Superior Treaty of 1850, and the Township further respectfully acknowledges the historic presence of other signatories on these lands.”***

1) Addendum to Agenda (if applicable):

2) Disclosure of Pecuniary Interest:

3) Council Business & Administration

a) CAO Staff Report # 2025-08-07-01

b) Revised By-law to Regulate Animals in the Township of Nipigon

4) Closed/In-Camera Session

a) Enter In-Camera Session under section 239 of the Municipal Act to discuss:

(1) Acquisition or Disposition of Land (Township Vacant Property)

(2) Personnel Matters about an identifiable individual, including municipal or local board employees & labour relations (Matters pertaining to Senior Management Staff)

5) Motion to Adjourn – Next Meeting on August 26, 2025

# Staff Report # 2025-08-07-01

## Animal Control By-law Revisions

### **COUNCIL REPORT**

Subject: Animal Control By-law Revisions

Date: August 7, 2025

Report Number: 25-08-07-1

From: Lars Moffatt, Chief Administrative Officer

### **Recommendation:**

- That Council review and approve the amended Animal Control By-law as presented.

### **Background:**

- The final by-law with set fines to regulate the control of animals/dogs in the Township of Nipigon (By-Law No. 1991) was reviewed by representatives from the province and requires minor amendments prior to the fines being approved. As this By-law was already passed, a formal replacement and amendment of the by-law is required.
- Based on the Province's recommendations, a revised By-law is attached for consideration. Once approved, it can be sent back to the province for final approval and once accepted, fines can be laid as required based on the set fine schedule.
- A severability clause was added in the revised by-law to ensure that if any section of the by-law becomes unenforceable, that the remainder of the by-law remains unaffected and remains in legal effect until rescinded/amended.
- Given some of the by-law matters related to animals that we are issuing, timely approval is required to be able to address matters correctly.

### **Respectfully Submitted By:**

Lars Moffatt – Chief Administrative Officer

**The CORPORATION OF THE TOWNSHIP OF NIPIGON**

**By-law No. 1997**

Repeals By-law No. 1991

Being a By-law to regulate animal control and ensure responsible pet ownership in the Township of Nipigon.

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**WHEREAS** Sections 9 and 11 of the *Municipal Act*, 2001, S.O. 2001, c.25 (the “Act”) provides that a municipality may pass by-laws respecting the following matters: environmental well-being of the municipality as per Section 11(2)(5); health, safety and well-being of persons as per Section 11(2)(6); and animals as per Section 11(3)(9);

**AND WHEREAS** The Corporation of the Township of Nipigon (the “Township of Nipigon”) follows the Animals for Research Act, R.S.O. 1990, c A 22 which regulates animal research and animal supply facility operators and operations to prevent animals from suffering unnecessary pain;

**AND WHEREAS** the Township of Nipigon follows the *Dog Owners’ Liability Act*, R.S.O. 1990, c. D. 16 which states that a dog owner is liable for damages resulting from a bite or attack by the dog owner person or domestic animal;

**AND WHEREAS** the Township of Nipigon follows the *Provincial Animal Welfare Services Act*, 2019, S.O. 2019, c. 13 which covers offences including causing or permitting distress to an animal, causing harm or attempting to cause harm to a law enforcement or service animal, promoting, and arranging or receiving a financial benefit from animal fighting events;

**AND WHEREAS** the Township of Nipigon has enacted By-law 1581, as amended, a by-law to license and regulate dogs and prohibit dogs and other animals running at large, to regulate breeding and boarding establishments, to control animal waste and to provide for impounding;

**AND WHEREAS** Council of the Township of Nipigon deems it desirable to pass a By-Law providing for a system of licensing and controlling of certain animal species, regulating and prohibiting certain animal species, and prohibiting the abandonment or disposal of animals and/or a litter of animals on private or other property, including public property, within the Township of Nipigon;

**AND WHEREAS** Council of the Township of Nipigon deems that the abandonment or disposal of animals and/or a litter of animals on private and other property, including public property within the Township of Nipigon without the express permission of the property owner represents an undue burden on property owners and the municipality and is considered to be a gross mistreatment of animals;

**NOW THEREFORE** the Council of the Corporation of the Township of Nipigon **ENACTS**  
**AS FOLLOWS:**

**Part 1 - TERMINOLOGY**

1.1 In this by-law;

**“Abandon”**, for purposes of Part 7 of this By-Law means the surrender, relinquishment or cession of live animals and/or litters of animals with the intention of not reclaiming them;

**“Animal”** means a member of the animal kingdom of living beings including, but not limited to mammals, birds, and reptiles;

**“Animal shelter”** means the building, shelter, enclosure or other premises or any part thereof designated by the Township of Nipigon as a place for the safe-keeping and impounding of animals;

**"Animal sound"** means any sound emitted from an animal, which is audible at property occupied by persons other than the owner of the animal emitting the sound. Without limitation, this term shall include barking, whimpering, whining, howling, yowling and yelping, meowing, crying;

**"At large"** means where an animal found in a place other than the property of the owner of the animal and not under the control of the owner of the animal or their authorized representative, except where the owner of the property permits the animal to be on their property;

**“Bite”** (*noun*) means a wound received from the mouth and, in particular, the teeth of a dog/ cat/ animal, which may result in abrasions, cuts, punctures, tearing of the skin or bruising;

**“Bite”** (*verb*) or **“Bitten”** means to:

- i. to cut, puncture, wound, tear or bruise with teeth;
- ii. to sever with teeth; or
- iii. to grip with teeth.

**“Cat” or “Domestic Cat”** means a feline of the species *Felis catus*;

**“Choke Collar”**, **“Choke Chain”** or **“Prong Collar”** means a collar that tightens, constricts or pinches an animal’s neck when tension is applied and may inflict pain or discomfort on an animal;

**“Clerk”** means the Township Clerk of The Corporation of the Township of Nipigon or their designate;

**“Collar”** means a strap, which is placed around an animal’s neck, to which a leash, restraining device or tag may be attached;

**"Control"** includes care and custody;

**“Corporation”** means The Corporation of the Township of Nipigon;

**“Council”** means the Council of The Corporation of the Township of Nipigon;

**“Competent person”** means a person having the strength and capacity to securely control a dog so as to not permit or allow unwanted contact with another person or animal;

**“Confined space”** means a fully or partially enclosed space;

**“Dangerous dog”** means a dog, which has, without provocation, regardless of age and whether on private or public property:

- i. injured, attacked, bitten or killed a person or a domestic animal;
- ii. damaged or euthanized any public or private property;
- iii. been declared dangerous or vicious in another municipality in Ontario;

**“Dispose”** means the action or process of throwing away or getting rid of live animals and/or a litter of animals on a property without the express approval or permission of the property owner;

**“Distress”** means the state of being in need of proper care, water, food or shelter or being injured, sick or in pain, suffering, or abused, or subject to undue or unnecessary hardship, privation or neglect;

**“Dog”** or **“Domestic Dog”** means a canine of the species *Canis familiaris*;

**“Dwelling Unit”** means one or more habitable rooms designated and intended for use as the home or residence of one or more persons and has culinary and sanitary facilities;

**“Enforcement officer”** means a municipal law enforcement officer of the Corporation of the Township of Nipigon, a Police Officer or other peace officer and includes any other person authorized by council to enforce this by-law;

**“Express Approval”** or **“Express Permission”** for purposes of this By-Law means permission provided in writing by the property owner permitting an individual or person to abandon or dispose of live animals and/or a litter of animals on the property owner’s property;

**“Harbour”** means to give shelter to;

**“Highway”** includes a common and public highway, street, avenue, parkway, driveway, square, place, bridge, viaduct or trestle, any part of which is intended for or used by the general public for the passage of vehicles and includes the area between the lateral property lines thereof;

**“Highway Traffic Act”** means the Highway Traffic Act R.S.O. 1990 c. H8, as amended, and the regulations thereunder;

**“Household”** is generally defined as being composed of a person or group of persons who co-reside in, or occupy, a dwelling and may consist of a family group, two or more families sharing a dwelling, a group of unrelated persons or a person living alone;

**“Impound”** means to seize and take custody of an animal in a pound or shelter;

**“Kennel”** means a structure or shelter in which an animal is kept;

**“Keep”**, for purposes of this By-Law, means to have temporary or permanent control or possession of an animal;

**“Leash”** generally means a rope, chain or other restraining material that is attached to a collar or halter worn by an animal and that is capable of restraining the animal on which it is being used;

**“License”**, for purposes of this By-Law means a license for a dog in the form of a dog tag, or a duly signed and completed registration form in the case of Prohibited Animal Species issued by the Township of Nipigon;

**“License Plate”** means the numbered plate issued by the Ministry of Transportation, or other regulatory authority if the vehicle is registered outside of the Province of Ontario, that shows the number of the permit issued for a vehicle in accordance with the Highway Traffic Act, R.S.O. 1990, c. H8.

**“License Plate Number”** means the unique number displayed on a License Plate issued by the Ministry of Transportation, or other regulatory authority if the vehicle is registered outside of the Province of Ontario, and which may consist of numbers or letters or a combination thereof;

**“License Plate Owner”** means the person or individual registered as the owner of a vehicle license plate with the Ontario Ministry of Transportation or other regulatory authority if the

vehicle is registered outside of the Province of Ontario, who may be a different person than the person named on the Motor Vehicle Permit of the vehicle bearing a license plate;

**“Litter of Animals”** means the offspring of one birth of an animal;

**“Motor Vehicle”** includes an automobile or any other device for the transportation of persons or goods propelled or driven otherwise than by muscular power, but does not include the cars of electric or steam railways or other motor vehicles running only upon rails, or a motorized snow vehicle, traction engine, farm tractor, self-propelled implement of husbandry or road building machine within the meaning of the Highway Traffic Act;

**“Motor Vehicle Permit”** means a permit issued by the Ontario Ministry of Transportation, or other regulatory authority if the vehicle is registered outside of the Province of Ontario, which indicates the registered owner of a vehicle;

**“Municipal Act, 2001”** means the *Municipal Act*, 2001, S.O. 2001, c.25, as amended and any regulations thereunder;

**“Municipal enforcement officer”** means a person appointed under the authority of the *Police Services Act* for the purpose of enforcing by-laws;

**“Municipal Freedom of Information and Protection of Privacy Act”** means the *Municipal Freedom of Information and Protection of Privacy Act*, R.S.O. 1990, Chapter M. 56, as amended and any regulations thereunder;

**“Municipality”** includes all property located within the municipal boundaries of The Corporation of the Township of Nipigon;

**“Muzzle”** means a humane fastening or covering device made of metal, plastic, leather, or a combination of these materials that does not interfere with the breathing, panting, ability to drink or vision of the dog when fitted and fastened over the mouth of the dog, but that is of sufficient strength to prevent the dog from biting;

**“Notice to Muzzle”** means an notice issued by the Municipal Enforcement Officer or Police Officer to the owner of a dangerous dog requiring that the dangerous dog be muzzled and restrained pursuant to the provisions of this By-Law;

**“Off Leash Area”** means those areas designated and signed by the Township as an off leash area where dogs may exercise and play without a leash in a controlled environment under the supervision of their owner;

**“Offspring”** means the product of reproduction that results in animal(s) produced by one or more parents;

**“Operate”** means to perform a function;

**“Own”** means to keep, harbour, possess or have custody of an animal;

**“Owner”** means a person who keeps, harbours, possesses or has custody of an animal, and, in the case of a minor under the age of 18 years, owner means the person responsible for the custody of the minor;

**“Pound”** means those premises designated by the Township of Nipigon for the detention, maintenance or disposal of animals that have been impounded by an officer and shall include any building or buildings and enclosures maintained on behalf of the Corporation by any person or organization as is duly authorized to do so for the purpose of carrying out the provisions of this

By-law and such building or buildings and enclosure shall conform to the Animals for Research Act, 1990, as may be amended;

**“Property Owner”**, for purposes of this By-Law, means the registered owner of the real property and shall include family members or a tenant of the property owner who may be residing at such property;

**“Restrained”** means being kept inside a building or house or in an enclosed pen of sufficient dimension and strength to be humane and to prevent a dog from coming into contact with persons, other than the owner of the dog, or any other domestic animal or within a securely fenced yard where the fence is a minimum height of 1.83 metres. The enclosed pen or the fenced yard shall be equipped with a locking device and self-latching device. The self-latching device shall be designed in such a manner that the pen or gate cannot be opened from the outside;

**“Vehicle”** includes a motor vehicle, trailer, traction engine, farm tractor, road-building machine, bicycle and any vehicle drawn, propelled or driven by any kind of power, including muscular power, but does not include a motorized snow vehicle or a street car;

**“Victim”** for purposes of this By-Law means the person or domestic animal who is injured, attacked, bitten or killed as a result of dangerous dog;

**“Without Provocation”** means that the dog has not been incited or induced to behave aggressively because:

- i. the dog was acting in defense of an attack on itself by a person or domestic animal;
- ii. the dog was acting in defense of its offspring or reacting to a person or domestic animal trespassing on the property of its owner; or,
- iii. the dog was being teased, provoked or tormented.

## **PART 2 – DOGS & CATS**

### **2.1 ANIMAL LICENSING**

- (a) No person shall own a dog or cat within the Township of Nipigon, over six months of age, unless they have obtained a valid license and identification tag for the animal issued under this By-law.
- (b) A Municipal Enforcement Officer may, with the consent of the owner, enter upon any premises where a dog or cat is kept to request proof of licensing under this By-law.
- (c) An application for a license and identification tag shall be made using the form provided by the Township and shall include the name and address of the owner and a description of the dog or cat.
- (d) The applicant shall complete the application form and pay the applicable fee as set under the Township’s Fees and Charges By-law (as amended).
- (e) Every licensed animal owner shall notify the Township of the animal’s death within thirty (30) days.
- (f) Owners must notify the Township within thirty (30) days of changing addresses or transferring ownership of a licensed animal.
- (g) A license may be transferred to a new owner upon provision of the required information to the Township.

- (h) No person shall misrepresent the sex of an animal on a license application.
- (i) No person shall own a dog three months or older unless the dog is immunized against rabies.
- (j) All licenses expire on December 31st of the year they are issued.
- (k) Licenses must be renewed annually on or before January 15th.
- (l) Upon issuance of a license, the Township shall provide a tag bearing a serial number and year and maintain a record of the owner and tag number.
- (m) The tag must remain securely affixed to the animal at all times, except during lawful hunting in the bush (where applicable).
- (n) Licensing requirements do not apply to animals owned by individuals residing in the Township for less than 30 days in a year.
- (o) Personal information collected for licensing, as defined under MFIPPA, may include:
  - Owner's name, address, and telephone number;
  - Animal's breed, colour, and name;
  - Proof of spay/neuter and rabies vaccination (if available);
  - Any other relevant details as required by the Municipality.
- (p) No person shall use an identification tag on an animal other than the one for which it was issued.
- (q) Refunds may be requested within 30 days of payment if the animal has passed away or been euthanized, with proof and return of the tag. This does not apply to late renewals.

## **2.2. ANIMALS RUNNING AT LARGE**

- (a) No owner shall permit a dog, cat, or other domestic animal to run at large within the Township of Nipigon.
- (b) Every owner shall keep their animal on a leash when off their property.
- (c) Definitions:
  - i. An animal is deemed "at large" if it is in a public place or on private property without consent and not under control.
  - ii. A leash shall not exceed two (2) meters in length. An animal is not considered under control if the leash exceeds this length or if the person restraining it cannot reasonably control it.
- (d) In areas zoned Rural 'A' or designated Dog Parks, animals must remain under visual or audible command at all times. Owners are responsible for knowing the boundaries of these areas.
- (e) No owner shall allow their dog, cat, or other domestic animal to enter a municipal splash pad or be present in a community pool area.
- (f) A Municipal Enforcement Officer may take necessary actions to seize any animal running at large.

## **PART 3 - IMPOUNDMENT AND SEIZURE OF ANIMALS**

### **3.1 AUTHORITY TO SEIZE AND IMPOUND**



(a) A Municipal Enforcement Officer may seize:

- i. any Dog found At Large;
- ii. any Cat which is At Large;
- iii. any Licensed Cat which, in the opinion of the Officer, is
  - a. causing a nuisance or damaging property; or
  - b. in distress, injured, or ill;
- iv. any Feral Cat which has not been Microchipped and Altered; or
- v. any Feral Cat which has been Microchipped and Altered, if, in the opinion of the Officer, it is:
  - a. causing a nuisance or damaging property; or
  - b. in distress, injured, or ill.

(b) A Municipal Enforcement Officer may deliver a Licensed Dog or Licensed Cat directly to its Owner without impounding it, provided:

- i. the Officer is able to contact the Owner and make satisfactory arrangements for its return; and
- ii. the animal has not been previously seized within the last twelve (12) months.

(c) Except where subsection (2) applies, any Dog or Cat seized under subsection (1) shall be considered impounded at the time and place it is seized.

(d) The Municipal Enforcement Officer shall make reasonable efforts to notify the Owner of any Licensed or Microchipped Dog or Cat prior to the expiry of the Redemption Period defined in section 3.2.

### **3.2 REDEMPTION PERIOD**

(a) The standard Redemption Period shall be three (3) days, excluding:

- i. the day of impoundment;
- ii. statutory or civic holidays; and
- iii. days when the facility is closed.

(b) In the case of a female Dog in heat, the Redemption Period expires the earlier of:

- i. the day the Dog is no longer in heat; or
- ii. twenty-one (21) days.

### **3.3 HUMANE EUTHANASIA**

(a) Despite section 3.2, the Municipal Enforcement Officer may euthanize a Dog or Cat at any time if:

- i. the animal is in distress or suffering and euthanasia is warranted for humane reasons; or
- ii. it is necessary for public safety.

In such cases, the Officer is not required to notify the Owner or offer the animal for redemption, sale, or transfer.

### **3.4 CARE DURING REDEMPTION PERIOD**

(a) During the Redemption Period, the Municipal Enforcement Officer may:

- i. vaccinate the animal to prevent disease; and

- ii. provide veterinary care if necessary to sustain life, unless euthanasia has been deemed necessary under section 3.3.

(b) An impounded animal may be released to the Owner if the conditions in section 3.5 are met.

### **3.5 REDEMPTION REQUIREMENTS**

- (a) To redeem an animal, the Owner must:
  - i. pay all applicable fees for impound and board;
  - ii. pay veterinary and inoculation costs;
  - iii. provide proof of ownership; and
  - iv. provide proof of licensing or license the animal under this By-law.
- (b) Owners are liable for all fees whether or not the animal is claimed.

### **3.6 DISPOSITION AFTER REDEMPTION PERIOD**

- (a) If not redeemed within the Redemption Period, the Dog or Cat shall become the property of the Municipality. The Municipal Enforcement Officer may:
  - i. adopt, sell, or transfer the animal;
  - ii. humanely euthanize the animal; or
  - iii. otherwise dispose of the animal without liability.
- (b) No Dog or Cat shall be sold unless it has been Altered or the purchaser agrees to Alter it at their expense.

### **3.7 PROTECTIVE CARE**

- (a) The Municipal Enforcement Officer is authorized to:
  - i. receive Dogs and Cats for protective care in the case of an eviction, incarceration, fire, medical emergency, or other situation deemed appropriate;
  - ii. temporarily keep such animals in protective care for a maximum of five (5) days;
  - iii. charge the Owner applicable fees for board and any required veterinary care if the animal is redeemed; and
  - iv. treat the animal as impounded if not reclaimed within five (5) days, subject to section 3.6.

### **3.8 COLLECTION OF FEES**

- (a) Where a Dog or Cat is impounded or taken into protective care, the Owner, if known, shall be liable for all associated fees, whether or not the animal is reclaimed.
- (b) Fees are due on demand and are considered a debt to the Township.
- (c) In appropriate humanitarian circumstances, the License Issuer may, at their discretion, waive or defer fees.

### **3.9 NO RIGHT TO COMPENSATION**

- (a) Neither the Township nor the Municipal Enforcement Officer shall be liable for: the seizure, impoundment, euthanasia, adoption, or sale of any Dog or Cat; any loss of ownership or compensation related to these actions.

## **PART 4 – DANGEROUS DOGS**

### **4.1 DANGEROUS DOGS**

- (a) No Owner of a dangerous dog shall permit such dog to injure attack, bite or kill, without provocation, a person or domestic animal.
- (b) Incidents involving a Dangerous Dog shall be reported to the Police and/ or Municipal Enforcement within forty-eight (48) hours of the incident.
- (c) At the time of reporting an incident to the Police and/ or Municipal Enforcement, the individual reporting the incident shall be required to obtain the name and badge number of the investigating Police Officer(s) for purposes of completing a Declaration Regarding a Dangerous Dog (Schedule B) in accordance with subsection 7 (d) of this By-Law.
- (d) The owner of the Dangerous Dog is subject to the applicable fee as per set by the Township under its Fees and Charges By-law.

### **4.2 NOTICE TO MUZZLE**

- (a) Within two business days of receipt of a duly executed Declaration Regarding a Dangerous Dog (see schedule B), the Municipal Enforcement Officer shall serve the owner of the dog, a Notice to Muzzle of the Dangerous Dog requiring that the Dangerous Dog be muzzled and restrained pursuant to the provisions of this By-Law;
- (b) Upon serving the Notice to Muzzle, the Municipal Enforcement Officer shall attest to the date and time of serving the Notice on the Notice to Muzzle and sign the Notice confirming service. At the time of serving the Notice to Muzzle, the owner of the dog will be provided with a signed copy of the Notice to Muzzle and a copy of the relevant By-Law related to Dangerous Dogs. One original signed copy of the Notice to Muzzle will be provided to the Municipality; and
- (c) The Notice to Muzzle will be deemed to have been served on the day it was provided to the owner.

### **4.3 REQUIREMENTS OF DOG OWNER - NOTICE TO MUZZLE**

- (a) Every person who owns a dog for which a Notice to Muzzle has been served, shall Immediately upon being served a Notice to Muzzle, keep the Dangerous Dog restrained at all times when the Dangerous Dog is on the property of the owner in accordance with the definition for “restrained” as outlined in Section 1 - Terminology;
- (b) Immediately upon being served a Notice to Muzzle owner must restrain the dangerous dog and when the Dangerous Dog is off the property of the owner shall:
  - i. keep the dog securely on a leash attached to a dog collar or halter with such leash to be a maximum length of one and one-half (1-1/2) meter and of sufficient strength to restrain the dog and keep it from chasing a person or a domestic animal;
  - ii. muzzle the dog; and
  - iii. ensure the dog is under the control of a person eighteen years of age or older.

- (c) Within three business days after being served a Notice to Muzzle, every owner of a dangerous dog shall pay to the Township of Nipigon the additional license fee for dangerous dogs as outlined in the Township's Fees and Charges By-law, as amended
- (d) Every owner of a dangerous dog shall Notify the Municipal Enforcement Office in writing within forty-eight hours:
  - i. of any changes to the residency of the Dangerous Dog;
  - ii. after the ownership of the Dangerous Dog is transferred to another person;
  - iii. of the death or euthanasia of a Dangerous Dog and provide proof of such death or euthanasia;
- (e) Within three business days of being served a Notice to Muzzle, every owner of a dangerous dog shall provide proof of personal liability insurance in the amount of not less than Five Million Dollars (\$5,000,000.00) with such insurance policy being endorsed to provide that the policy will not be altered, cancelled or allowed to lapse without providing thirty (30) days written notice to the Clerk of the Township of Nipigon
- (f) Within three business days of being served a Notice to Muzzle, every owner of a dangerous dog shall place signage on the property of the dog owner's that clearly warns people of the Dangerous Dog; and
- (g) The owner of a Dangerous Dog shall not allow such Dangerous Dog to enter a designated off-leash area, which is so designated by signage and permits dogs to be kept off-leash.

## **PART 5 – HUMAN CONDITIONS AND TREATMENT OF ANIMALS**

### **5.1 KEEPING OF DOGS/ CATS**

- (a) "Treated Humanely", means that animals are treated in a manner that is characterized by tenderness, compassion and sympathy so as not cause physical injury, suffering or distress, including mental distress, to an animal.

### **5.2 RESPONSIBILITY TO CARE FOR ANIMALS**

- (a) Every person who owns or has custody of an animal within the Township of Nipigon shall ensure; that such animal is treated humanely and is provided with:
  - i. a clean and sanitary environment free from an accumulation of fecal matter;
  - ii. a shelter that is waterproof and that protects it from exposure to the elements;
  - iii. a shelter for the animal that is adequate and appropriate for its size and breed; and;
  - iv. adequate and appropriate care, food, water, shelter, exercise, attention, veterinary care and opportunity for physical activity as may be required to meet the needs of the species.
  - v. Item 5.2(a)(i) through (v) noted above are to the satisfaction of the Municipal Enforcement Officer.

### **5.3 TETHERS**

- (a) No person shall keep an animal tethered on a rope, chain, cord or similar restraining device unless:
  - i. The tether is of appropriate length for the species tethered;
  - ii. The animal has unrestricted movement within the range of such tether;
  - iii. The animal is not tethered for longer than ten (10) hours per day;
  - iv. The animal has access to water, food and shelter while tethered; and
  - v. The animal cannot injure itself as a result of the tethering.
- (b) Notwithstanding Subsection 5.3(a), in the case of animals, the tether shall be a minimum of three meters in length, provided the tether does not permit the animal to go beyond the limits of the dog owner's property; and
- (c) Notwithstanding Subsection 5.3(a), no person shall keep an animal tethered where a Choke Collar, a Choke Chain or a Prong Collar forms part of the tether or a rope, chain, cord or similar restraining device is tied directly around an animal's neck.

### **5.4 AUTHORITY TO WRITE ORDER**

- (a) Under this by-law Municipal Enforcement have the authority to issue an order to an owner of an animal who is not being treated humanely to take that animal to the vet to receive proper care.

### **5.5 RESPONSIBILITIES OF THE PUBLIC**

- (a) No person shall:
  - i. Tease, torment, annoy, or otherwise abuse any Dog or Cat;
  - ii. Untie, loosen or otherwise free any Dog or Cat which is not in distress unless such person has the express authorization of the Owner.

### **5.6 PROHIBITED USE OF DOG TO ATTACK OR MENACE**

- (a) No Owner shall use or direct a Dog to attack, bite, chase, harass or threaten a person or domestic animal.
- (b) No Owner shall permit or authorize their Dog to behave in a manner that poses a menace to the safety of any person or domestic animal.

## **PART 6 – HOUSING OF ANIMALS**

### **6.1 KEEPING ANIMALS IN UNSANITARY CONDITIONS**

- (a) No person shall keep an animal within the Township of Nipigon in an unsanitary condition.
- (b) Every person who keeps a Dog or Cat shall ensure that the animal is provided with adequate and appropriate care sufficient to preserve its health and well-being. Without limiting the generality of the foregoing, every person shall provide at all times:

- i. Open or adequate access to potable water of a drinkable temperature in sufficient quantity to satisfy the needs of the animal; and
  - ii. An adequate supply of food appropriate to the species.
- (c) No person shall keep a Dog or Cat in a condition:
  - i. Which results in an odour, insect infestation, rodent attractants, or an accumulation of fecal matter; or
  - ii. Where such conditions:
    - (a) Endanger or are likely to endanger the health of any person, Dog, Cat, or other domestic animal; or
    - (b) Disturb or are likely to disturb the enjoyment, comfort, or convenience of any person.

## **6.2 OUTDOOR ENCLOSURES FOR DOGS AND CATS**

- (a) Every person who customarily keeps a Dog or Cat outdoors shall provide a structure or other enclosure which is:
  - i. Weather-proofed;
  - ii. Insulated;
  - iii. In a good state of repair; and
  - iv. Large enough to allow the animal to extend its legs fully, stand, sit, turn around, and lie down in a fully extended position.
- (b) Every premises owner shall ensure that the structure or enclosure:
  - i. Is located no less than 1.2 metres (4 feet) from the property line; and
  - ii. Is not located in the front yard of the premises.
- (c) Any enclosed area within a yard used for exercising Dogs, Cats, or other domestic animals must also comply with subsection (2).

## **PART 7 – UNATTENDED AND ABANDONED ANIMALS**

### **7.1 ANIMALS IN VEHICLES**

- (a) No person shall allow an animal to be outside of the passenger cab of a motor vehicle on a roadway, regardless of whether the motor vehicle is moving or parked;
- (b) Notwithstanding Section 7.1, a person may allow an animal to be outside the passenger cab of a motor vehicle, including riding in the back of a pickup truck or flatbed truck if the animal is:
  - i. In a fully enclosed trailer;
  - ii. In a topper enclosing the bed area of a truck;
  - iii. Contained in a ventilated kennel or similar device securely fastened to the bed of the truck; or
  - iv. Securely tethered in such a manner that it is not standing on bare metal, cannot jump or be thrown from the vehicle, is not in danger of strangulation and cannot reach beyond the outside edges of the vehicle.
- (c) The Owner of an animal shall not leave an animal unattended in a motor vehicle if the weather conditions are not suitable for containment of an animal; and,

- (d) A Police Officer or Municipal Enforcement Officer who has reasonable grounds to believe that an animal left unattended in a motor vehicle is in imminent physical danger may take steps to remove the animal from the vehicle and shall not be held liable for any damage to the vehicle by so doing.

### **7.2 ABANDONMENT OR DISPOSAL OF LIVE ANIMALS**

Part 9 of this By-Law applies to all persons, without exception, regardless of where they reside.

### **7.3 ABANDONMENT AND DISPOSAL OF LIVE ANIMALS AND/OR LITTERS OF ANIMALS**

No person shall Abandon or Dispose of a live animal and/or a litter of live animals on any private and other property, including public property, within the Township of Nipigon without the express permission of the property owner.

### **7.4 RESPONSIBILITIES OF LICENCE PLATE OWNER**

Under this By-Law the License Plate Owner is deemed to have full and complete responsibility for the use of its vehicle for the purposes of contravening this By-Law regardless of who is operating the vehicle at the time of the offence.

## **PART 8 – ANIMAL FECES**

### **8.1 ANIMAL FECES**

- (a) A person having control of a dog shall remove forthwith any feces left by the dog in the Township of Nipigon;
- i. on a highway;
  - ii. on a public park;
  - iii. in any recreational area;
  - iv. on any private property other than the property of the owner or the person having care, custody or control of the dog.

## **PART 9 – WILD ANIMALS**

### **9.1 FEEDING OF WILD ANIMALS – PROHIBITION**

- (a) No person shall intentionally feed a Wild Animal or leave food or attractants of any type outdoors on private or public property in a manner that attracts Wild Animals or feral, abandoned, or stray domestic animals, except as permitted in subsections (2) and (3).
- (b) Subsection (1) does not apply to the feeding of songbirds provided that:
- i. Seed is placed in a bird feeding device sufficiently elevated so as not to attract Wild Animals; and
  - ii. Spilled seed is removed promptly and disposed of to avoid attracting Wild or feral animals.
- (c) Subsection (1) does not apply where food is used:

- i. As bait in a trap by a premises owner acting in accordance with the Fish and Wildlife Conservation Act, 1997;
- ii. By a licensed trapper, pest control professional, by-law officer, or OSPCA inspector in the performance of their duties; or
- iii. Under the authority of Ontario Regulation 665/98 made under the Fish and Wildlife Conservation Act, as amended.

## **PART 10 – ADMINISTRATION**

### **10.1 PENALTY**

- (a) Any person who contravenes any provision of this By-Law is guilty of an offence, and upon conviction, is liable to any penalty as provided in the *Provincial Offences Act*, R.S.O. 1990, Chapter P. 33.
- (b) Voluntary Payment of Penalty Out-Of-Court
  - i. Notwithstanding any other provisions of this by-law, when a dog or other animal has been impounded and, the owner has been identified, the Municipal Enforcement Officer may serve the owner with a notice of payment of penalty for permitting the dog or other animal to run at large.
  - ii. The notice served shall provide that the owner must voluntarily make payment of the sum set out and on so doing, no further charges will be laid for the offence as the case may be.
    - a) For the purposes of subsection (a) the penalty in the notice shall be as per schedule “C” of this By-Law.
- (c) The court in which the conviction has been entered, and any court of competent jurisdiction, thereafter, may make an order prohibiting the continuation or repetition of the offence by the person convicted, and such order shall be in addition to any other penalty imposed on the person convicted.
- (d) If any section, clause, sentence or provision or any part or parts thereof of this by-law is declared by any Court of Law to be invalid, illegal, or ultra-vires, such section, clause, sentence or provision or part or parts thereof shall be severable and shall not affect the validity of any other section, clause, sentence, provision or part of the by-law.

### **10.2 ENFORCEMENT**

- (a) No person shall hinder or obstruct an Officer in the enforcement of this By-Law.
- (b) This By-Law shall be enforced by a Municipal Enforcement Officer of the Township of Nipigon or a Police Officer, or any other person appointed by Council to enforce the By-Laws of the municipality.
- (c) A Municipal By-law Enforcement Officer may enter onto private property at all reasonable times to seize and impound a Dog or Cat for any reason provided for in this By-law.

### **10.3 SERVICE OF ORDER**



- (a) Service of an Order under this By-law shall be given to the Person by:
- i. delivering it personally; or
  - ii. posting the Order in a visible location on the Premises where the contravention occurred in a manner likely to bring it to the attention of the Person being served.
- (b) Service of the Order shall be effective upon the date that personal service is affected, or where served by posting, shall be deemed to be effective on the third day after posting, whether or not it is actually received.

## **PART 11 – GENERAL**

### **11.1 COLLECTION OF FEES AND CHARGES**

- (a) All Fees and charges payable under this By-law, including without limitation, Fees and charges incurred in the impounding and boarding of seized Dogs and Cats, are due on demand, and if unpaid, are a debt owing to the Township in the nature of fees and charges. They shall bear interest at the rate established in the Township's Miscellaneous User Fee By-law then in effect, as the rate applicable to overdue accounts, from the date of demand until payment in full. The debt may be enforced by any means open to the Township, and without limiting the generality of the foregoing, the debt in the nature of fees and charges may, if applicable, be added to the tax roll of any property for which all of the owners are responsible for payment of the debt, and thereafter collectable as property taxes. All remedies open to the Township are cumulative.
- (b) All Fees and charges incurred under this By-law are payable whether or not there is a charge laid, and whether or not any charge laid leads to a conviction and whether or not a fine has been paid as a result of a charge being laid.

### **11.2 REPEALING**

By-law No. 1991 is hereby repealed and replaced with the passing of By-law No. 1997.

### **11.3 SEVERABILITY**

If a court of competent jurisdiction should declare any section or part of a section of this by-law to be invalid, such section or part of a section shall not be construed as having persuaded or influenced the Council to pass the remainder of the by-law and it is hereby declared that the remained of the by-law shall be valid and shall remain in force.

### **11.4 EFFECT**

This by-law shall come into effect upon the date of passage.

**READ THREE TIMES PASSED** this 7<sup>th</sup> day of August, 2025.

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**MAYOR**

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**CLERK**

CERTIFICATION BY THE CLERK:

I, \_\_\_\_\_, Clerk of the Corporation of the Township of Nipigon, do hereby certify that the above is a true certified copy of By-Law-1997 which was passed in Open Council on the \_\_\_\_\_<sup>th</sup> day of \_\_\_\_\_, 2025

Schedule “A” to By-Law No. 1997  
**Pound Form**

POUND CARD FOR: _____		DATE IN: _____	POUND NO. _____
LOCATION: _____		ON ARRIVAL:	FINES CHARGEABLE _____
STRAYING AT LARGE _____ TRUCK _____ AM _____ PM _____		HEALTHY _____	SERVICES CHARGEABLE _____
TRESPASSING _____		SICK _____	OTHER _____
REALEASED BY OWNER _____ POUND _____ AM _____ PM _____		INJURED _____	TOTAL _____
DEAD _____			
BREED or TYPE OF ANIMAL: _____			DISPOSITION: RECEIPT # _____
EST. AGE _____ EST. WEIGHT _____ COLOUR _____			RESEARCH _____
DESCRIPTIVE MARKINGS: _____			REDEEMED _____
DOG	M. _____		SOLD _____
	F. _____		
CAT	M. _____		PURPOSE: (Sec. 20 - 6(b))
	F. _____		
IDENTIFICATION TAG NO., ETC. _____			DESTROYED _____ CIRCLE Sec. 20 (7) a - b - c - d
Poundkeeper's Signature _____		Owner's Signature _____	
DATE OUT: _____ 20 _____		Owner's Address _____	

  

POUND CARD FOR: _____		DATE IN: _____	POUND NO. _____
LOCATION: _____		ON ARRIVAL:	FINES CHARGEABLE _____
STRAYING AT LARGE _____ TRUCK _____ AM _____ PM _____		HEALTHY _____	SERVICES CHARGEABLE _____
TRESPASSING _____		SICK _____	OTHER _____
REALEASED BY OWNER _____ POUND _____ AM _____ PM _____		INJURED _____	TOTAL _____
DEAD _____			
BREED or TYPE OF ANIMAL: _____			DISPOSITION: RECEIPT # _____
EST. AGE _____ EST. WEIGHT _____ COLOUR _____			RESEARCH _____
DESCRIPTIVE MARKINGS: _____			REDEEMED _____
DOG	M. _____		SOLD _____
	F. _____		
CAT	M. _____		PURPOSE: (Sec. 20 - 6(b))
	F. _____		
IDENTIFICATION TAG NO., ETC. _____			DESTROYED _____ CIRCLE Sec. 20 (7) a - b - c - d
Poundkeeper's Signature _____		Owner's Signature _____	
DATE OUT: _____ 20 _____		Owner's Address _____	

Schedule “B” to By-Law No. 1997

Licence Fees

**Refer to the Municipal User Fees By-Law (as amended)**

**THE CORPORATION OF THE TOWNSHIP OF NIPIGON**

Schedule “C” to By-Law No . 1997

**PART I PROVINCIAL OFFENCES ACT**  
**BY-LAW NO. 1997: ANIMAL CONTROL AND RESPONSIBLE PET OWNERSHIP**

<b>Item</b>	<b>Column 1 Short Form Wording</b>	<b>Column 2 Provision Creating or Defining</b>	<b>Column 3 Set Fine</b>
1.	Own dog/ cat without license and identification tag	Section 2.1(a)	\$        120.00
2.	Failure to notify of death or euthanasia of licensed dog/cat	Section 2.1(e)	\$        150.00
3.	Failure to advise of changes in residency of licensed dog/cat	Section 2.1(f)	\$        100.00
4.	Failure to properly represent sex of animal on application	Section 2.1(h)	\$        100.00
5.	Own dog three (3) months or older without rabies vaccination	Section 2.1(i)	\$        250.00
6.	Failure to renew registration annually	Section 2.1 (k)	\$        120.00
7.	Failure to affix dog/ cat tag to dog/ cat	Section 2.1 (m)	\$        120.00
8.	Affix dog/cat tag to dog/ cat other than one for which tag issued	Section 2.1 (p)	\$        150.00
9.	Allow dog/ cat/ animal to run at large	Section 2.2 (a)	\$        200.00
10.	Dog not on leash when off premises of owner	Section 2.2 (b)	\$        100.00
11.	Dog on splash pad or in public pool	Section 2.2 (e)	\$        250.00
12.	Dog/ Dangerous Dog attack	Section 4.1 (a)	\$        750.00
13.	Failure to muzzle a dangerous dog on owner's property	Section 4.3 (a)	\$        250.00
14.	Failure to restrain dangerous dog on owner's property	Section 4.3 (a)	\$        250.00
15.	Dangerous dog off owner's property on leash over one and one-half meters in length	Section 4.3 (b)(i)	\$        250.00
16.	Failure to muzzle a dangerous dog off owner's property	Section 4.3 (b)(ii)	\$        250.00

17.	Dangerous dog under the control of person less than 18 years of age	Section 4.3 (b)(iii)	\$ 250.00
18.	Failure to pay additional license fee for dangerous dog	Section 4.3 (c)	\$ 150.00
19.	Failure to advise of changes in residency of dangerous dog	Section 4.3 (d)(i)	\$ 100.00
20.	Failure to notify of transfer of ownership of dangerous dog	Section 4.3 (d)(ii)	\$ 100.00
21.	Failure to notify of death or euthanasia of dangerous dog	Section 4.3 (d)(iii)	\$ 100.00
22.	Failure by owner of dangerous dog to provide proof of insurance	Section 4.3 (e)	\$ 250.00
23.	Failure to place warning signage on property of dangerous dog owner	Section 4.3 (f)	\$ 150.00
24.	Allowing a dangerous dog to enter an off-leash area	Section 4.3 (g)	\$ 250.00
25.	Failure to treat an animal humanely	Section 5.1(a)	\$ 250.00
26.	Failure to provide an animal with a clean and sanitary environment	Section 5.2(a)(i)	\$ 250.00
27.	Failure to provide an animal with a waterproof shelter that protects it from the elements	Section 5.2(a)(ii)	\$ 250.00
28.	Failure to provide an animal with a shelter that is adequate and appropriate to its size	Section 5.2(a)(iii)	\$ 250.00
29.	Failure to provide an animal with care, food, water or veterinary care	Section 5.2(a)(iv)	\$ 250.00
30.	Length of tether not appropriate for species tethered	Section 5.3(a)(i)	\$ 200.00
31.	Animal tethered for longer than ten (10) hours per day	Section 5.3(a)(iii)	\$ 250.00
32.	Length of tether allows dog to go beyond limits of owner's property	Section 5.3(b)	\$ 100.00
33.	Tether/restraint has choke collar, prong collar, rope, chain or similar unsuitable devices attached to animals' neck	Section 5.3(c)	\$ 200.00

34.	Tease, torment, annoy, or abuse any Dog or Cat	Section 5.5(a)(i)	\$ 200.00
35.	Untie, loosen or free dog or cat not in distress	Section 5.5(a)(ii)	\$ 200.00
36.	Attack, bite, chase, harass or threaten person or domestic animal	Section 5.6(a)	\$ 200.00
37.	Keeping animal in unsanitary conditions	Section 6.1(a)	\$ 200.00
38.	Failure to provide access to adequate water supply	Section 6.1(b)(i)	\$ 200.00
39.	Failure to provide access to adequate food supply	Section 6.1(b)(ii)	\$ 200.00
40.	Keeping animal in condition resulting in odour, insect infestation, rodent attractants, accumulation of fecal matter	Section 6.1(c)(i)	\$ 200.00
41.	Keeping animal in condition endangering the health of person, dog, cat, domestic animal	Section 6.1(c)(ii)(a)	\$ 150.00
42.	Keeping animal in condition that is of a disturbance to others	Section 6.1(c)(ii)(b)	\$ 150.00
43.	Failure to provide outdoor structure/enclosure that is adequate	Section 6.2(a)	\$ 150.00
44.	Structure/enclosure closer than 1.2 metres (4 feet) from the property line	Section 6.2(b)(i)	\$ 150.00
45.	Structure/enclosure located in the front yard of the premises	Section 6.2(b)(ii)	\$ 150.00
46.	Animal outside of the passenger cab of a vehicle and not appropriately restrained	Section 7.1(a)	\$ 200.00
47.	Animal left unattended in a motor vehicle when weather conditions not suitable	Section 7.1(c)	\$ 200.00
48.	Abandon or dispose of a live animal, live animals or litter of live animals without permission	Section 7.3	\$ 500.00
49.	Failure to remove feces left by an animal	Section 8.1(a)	\$ 150.00

50.	Failure to remove feces left by an animal on highway or roadway	Section 8.1(a)(i)	\$        150.00
51.	Failure to remove feces left by an animal on public park	Section 8.1(a)(ii)	\$        150.00
52.	Failure to remove feces left by an animal in recreational area	Section 8.1(a)(iii)	\$        150.00
53.	Failure to remove feces left by an animal on property of person other than owner	Section 8.1(a)(iv)	\$        150.00
54.	Feeding/attracting wild animals with food	Section 9.1	\$        200.00

Note: The general penalty provision for the offences listed above is section 10.1 (a) of By-law No. 1997, a certified copy of which has been filed.