

South Frontenac Township By-Law 2001-13, As Amended

A BY-LAW TO PROHIBIT THE BEING AT LARGE OR TRESPASSING OF ANY ANIMAL, EXCLUDING DOGS AND CATS, WITHIN THE TOWNSHIP OF SOUTH FRONTENAC.

WHEREAS Section 210 (4) of the *Municipal Act*, R.S.O. 1990, Chap. M. 45, as amended permits councils by By-law to prohibit or regulate within any part of the municipality the being at large or trespassing of animals other than dogs and cats, and to provide for impounding them and for causing them to be sold; and

WHEREAS Section 210 (6) of the *Municipal Act*, R.S.O. 1990, Chap. M. 45, as amended permits councils to pass By-laws for appraising the damages to be paid by owners of animals impounded for trespassing.

NOW THEREFORE THE CORPORATION OF THE TOWNSHIP OF SOUTH FRONTENAC, BY ITS COUNCIL, HEREBY ENACTS AS FOLLOWS:

1. No owner of any animal shall cause or permit any such animal to be at large or trespass within any area within the jurisdiction of the Township of South Frontenac or upon any highway within the Township of South Frontenac.
2. This By-law applies to all animals other than cats and dogs.
3. Any animal which is found at large or trespassing within any area within the jurisdiction of the Township of South Frontenac, including but not limited to any highway within the Township, may be taken into custody and impounded.
4. This by-law shall be enforced by the By-law enforcement officers of the Municipality.
 - a) No person shall obstruct or hinder or attempt to obstruct or hinder a Provincial Offences Officer or other authorized employee or agent of the Township in the exercise of a power or the performance of a duty under this by-law. Without limiting the generality of the foregoing, for purposes of this By-law, any person who fails to provide proof of identification satisfactory to the Provincial Offences Officer when requested to do so by the Provincial Offences Officer is deemed to obstruct an Officer under this By-law.
 - b) At all times the By-law Enforcement Officer shall have due regard for those circumstances which are beyond the control of the person responsible for the animal including but not limited to the actions of third parties and the availability of materials and forces to contain the animal; and
 - c) Where the animal is being driven along or across a highway, in the normal course of normal agricultural and farming practices, under the control of a responsible person, the By-law Enforcement Officer shall have due regard for the circumstances with respect to the requirements of normal agricultural and farming practices and the safety of the public.
5. The pound keeper shall prepare an appraisal of damages caused by the animal while it was at large or trespassing and these damages shall be paid to the municipality prior to the release of the animal. Council may exercise its right to make grants in the amount of the damages or parts thereof to those parties who have suffered the damages.

6. The provisions of the *Pounds Act*, R.S.O. 1990, Chap. P. 17, as amended, shall apply to any animal impounded pursuant to this by-law except where those provisions have been modified by this by-law pursuant to Section 1 of the said *Act*.
7.
 - a) Any person who contravenes any provisions of this By-law shall be guilty of an offense and on conviction shall be liable to a penalty not exceeding \$5,000.00 exclusive of costs, which shall be recoverable under the Provincial Offences Act, R.S.O. 1990, Chap. P.33, as amended.
 - b) Every person who contravenes any provision of this By-law shall, upon issuance of a Penalty Notice in accordance with the By-law to Impose Administrative Monetary Penalties On Violations Of Municipal By-Laws 2022-70, be liable to pay to the Township an Administrative Monetary Penalty in accordance with By-law Number 2022-70.
8. By-law 1998-76 is hereby repealed.
9. This by-law shall come into force and take effect on the date of its passage.

Dated at Sunbury this 20th day of February, 2001

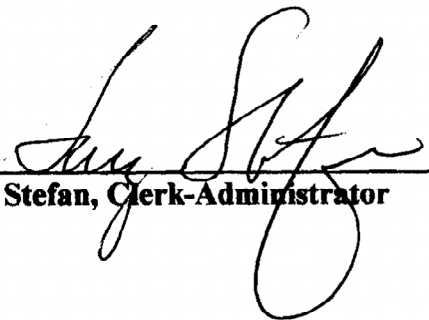
Read a first and second time this 20th day of February, 2001

Read a third time and finally passed this 20th day of February, 2001.

The Corporation of the Township of South Frontenac



Philip Leonard, Mayor



Gary Stefan, Clerk-Administrator

Amendments:

1. By-law 2001-13 was amended by By-law 2023-78 following receiving three readings by Council on October 3, 2023.