



MUNICIPALITY OF **West Elgin**

Staff Report

Report To: Council Meeting
From: Jana Nethercott, Clerk
Date: 2020-10-08
Subject: Draft Animal Control By-law

Recommendation:

That West Elgin Council hereby receives the report from J. Nethercott, Clerk re: Draft Animal Control By-law; and

That West Elgin Council provide direction to staff to bring forward the Attached Draft Animal Control By-law at the October 22, 2020 meeting; and

That West Elgin Council hereby approve the Clerk to apply for Set Fines as presented, for the Animal Control by-law, once the by-law is approved.

Purpose:

The purpose of this report is to provide West Elgin Council with a draft version of a new Animal Control By-law for their consideration and input.

Background:

In early 2020 West Elgin staff and Animal Control began the research and discussions surrounding the current Animal Control by-law. Currently West Elgin has two (2) separate by-laws relating to the keeping of domestic animals, By-law 2005-74 being a By-law for the Registration of Dogs and 2011-24 being a By-law for the Care and Impoundment of Animals. Staff believe that one comprehensive by-law relating to animal control would be clearer for residents and staff.

Staff researched and compared West Elgin's two (2) Animal Control By-laws (2005-74 By-law for Registration of Dogs and 2011-24 Animal Care and Impoundment By-law) with by-laws from Town of Petrolia, Municipality of Dutton Dunwich, Municipality of Chatham-Kent and Municipality of Southwest Middlesex.

There are no changes to the number of dogs permitted per household (3), nor the licensing of dogs or kennels. There has been some general clean up of wording around kennel licensing, which provides some standards for kennels and the addition of the inspection checklist to the by-law, to clarify what an inspector is looking for during an inspection.

There has been an addition with respect to abandonment or disposal of animals and/or litters of animals. This will allow for fines to be levied against dumping of animals or abandonment of animals and can offer some protection to landlords if a tenant moves out and does not take their pet with them.

The most important part of the by-law is the designation of a dog as potentially dangerous or dangerous. This allows the Animal Control Officer the right to impose restrictions on owners and

recourse for when this is not adhered to. This provides some protection for residents against threatening dogs, before an attack happens, either to a human or domestic pet.

As with all by-laws, the enforcement of this by-law is only as good as the complaints received, which means an education campaign through the website and social media will need to be undertaken to ensure that residents know West Elgin has the means to protect them from dangerous or potentially dangerous dogs.

If this Council wishes to move forward with this by-law, set fines will need to be created and approved as part of the final by-law and then an application of the set fines to Attorney General. Staff have attached our proposal to the Attorney General for offences and set fines.

Financial Implications:

None.

Policies/Legislation:

Municipal Act, S.O. 2001

Provincial Animal Welfare Services Act, R.S.O. 2019

Animals for Research Act, R.S.O. 1990

Dog Owners Liability Act, R.S.O. 1990

Ontario Police Services Act, R.S.O. 1990