CORPORATION OF THE TOWNSHIP OF MELANCTHON

BY-LAW NO. 47-2026

Being a By-law to amend By-law No. 17-2003, and By-law 17-2015, as amended and passed in Open Council on June 5, 2003 and April 16, 2015.

WHEREAS the Council of the Corporation of the Township of Melancthon pursuant to the provisions of the Municipal Act, 2001, and amendments thereto has authority to enact this bylaw.

AND WHEREAS the additional related powers are granted in the Dog Owners' Liability Act, R.S.O. 1990, c.D.16, the Livestock, Poultry and Honey Bee Protection Act, R.S.O. 1990, c.L.24 and the Pounds Act, R.S.O. 1990, c. P. 17.

AND WHEREAS the Council of the Corporation of the Township of Melancthon deems it expedient to amend By-law No.17-2003 which is a By-law to Provide for the licencing, registration and regulation of dogs and kennels to strengthen and clarify, among other things, the enforcement, offence, penalty and compliance provisions of the Canine By-law.

NOW THEREFORE the Council of the Corporation of the Township of Melancthon enacts as follows:

PART I: Definitions, will be amended to include the following definitions:

1. **DEFINITIONS**

1.1 "At Large" means a dog that is not restrained by a leash or otherwise under a person's physical control and is located anywhere other than private property where the owner has consented to the dog being off-leash or within the boundaries of a designated off-leash area.

1.2 "Off Leash Area" means a geographic area designated by the Township wherein dogs are not required to be leashed.

PART II: The following is added as a new Section 2 of the By-law:

2. **INTERPRETATION**

2.1 Headings, titles, and preambles are included for reference only.

2.2 Each provision of this by-law is severable. If a court declares any provision invalid, the remaining provisions continue in full force and effect.

2.3 Offences under this by-law are strict liability offences.

2.4 Nothing in this by-law relieves any person from complying with any other applicable by-law, order, policy, or other legal requirement.

PART III: The following is added as a new Section 7 of the By-law:

7. ORDERS TO DISCONTINUE ACTIVITY

7.1 Council delegates to a Canine Control Officer the authority to issue an Order to Discontinue Activity on behalf of the Township under subsection 444(1) of the *Municipal Act, 2001* for a contravention of this By-law.

7.2 A Canine Control Officer exercising the authority delegated under subsection 7.1 who is satisfied that this By-law has been contravened may issue an Order to Discontinue Activity to the person who contravened the By-law or caused or

permitted the contravention, or to the owner or occupier of the land where the contravention occurred.

7.3 An Order to Discontinue Activity shall provide reasonable particulars of the contravention, identify where it occurred, and state the deadline for compliance.

7.4 Failure to comply with an Order to Discontinue Activity constitutes an offence.

PART IV: The following is added as a new Section 8 of the By-law:

8. PENALTY PROVISIONS

8.1 Any individual, or director or officer of a corporation, who violates this By-law, including by failing to comply with an Order issued under it, is considered guilty of an offence and is liable to a fine for each day or part of a day on which the offence occurs or continues of:

(i) not less than $300.00 and not more than $10,000.00, as determined at the discretion of the Township, together with any penalty prescribed for under the *Provincial Offences Act,* R.S.O. 1990, c. P.33, for a first conviction of an offence;

(ii) not less than $400.00 and not more than $15,000.00, as determined at the discretion of the Township, together with any penalty prescribed for under the *Provincial Offences Act,* R.S.O. 1990, c. P.33, for a second conviction of the same offence; and

(iii) not less than $500.00 and not more than $25,000.00, as determined at the discretion of the Township, together with any penalty prescribed for under the *Provincial Offences Act,* R.S.O. 1990, c. P.33, for a third or subsequent conviction of the same offence.

8.2 Every person shall comply with each Order or Notice issued under this By-law.

8.3 Every person who interferes with or obstructs a Canine Control Officer in the performance of duties under this By-law is guilty of an offence.

8.4 Every person alleged to have contravened this By-law shall, upon request, identify themselves to a Canine Control Officer. Failure to do so constitutes an offence under section 8.4.

8.5 Upon conviction, any penalty imposed under this By-law may be collected in accordance with the *Provincial Offences Act*, R.S.O. 1990, c. P.33, as amended.

8.6 Where a person is convicted of an offence under this By-law, the court entering the conviction, or any court of competent jurisdiction thereafter, may, in addition to any other remedy or penalty, order the person to cease or refrain from repeating the offence or to correct the contravention in accordance with section 431 of the *Municipal Act, 2001*.

8.7 If an offence continues, each day or part of a day during which the person fails to comply with this By-law constitutes a separate and new offence.

PART VII: The following general provisions are added to this By-law.

9.1 This By-Law shall form part of By-Law 17-2003 known as "The Canine By-Law of the Township of Melancthon.

9.2 All existing sections of By-law No. 17-2003 are renumbered as necessary to accommodate the amendments set out in this By-law.

9.3 Except as expressly amended by this By-law, all provisions of By-law No. 17-2003 and 17-2015 shall remain in full force and effect.

9.4 This By-law shall come into force and take effect on the date of its final passing.

By-law read a first and second time this 5th day of November, 2026.

By-law read a third time and finally passed this 5th day of November, 2026.

MAYOR

CLERK