

THE CITY OF VAUGHAN

BY-LAW

BY-LAW NUMBER 272-2006

A By-law to amend the City of Vaughan's Animal Control By-law 53-2002, as amended.

WHEREAS Section 11 of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, authorizes the Council of a lower-tier municipality to pass by-laws respecting animals;

AND WHEREAS Section 105 of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, requires that Council or a Committee of Council hold hearings with respect to muzzle orders;

AND WHEREAS Section 130 of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, authorizes the regulation of matters related to the health, safety and well-being of the inhabitants of a municipality;

AND WHEREAS the *Dog Owners' Liability Act*, R.S.O. 1990, c. D.16, as amended, came into force on August 29, 2005;

NOW THEREFORE the Council of the Corporation of the City of Vaughan ENACTS AS FOLLOWS:

1. That By-law 53-2002 is hereby amended as follows:

1. By amending the DEFINITION section by repealing the term "Aggressive Breed of Dog" and replacing it with "Pit Bull" which includes,

- i) a pit bull terrier,
- ii) a Staffordshire bull terrier, except a Staffordshire bull terrier which is registered with the American Kennel Club or the Canadian Kennel Club,
- iii) an American Staffordshire terrier, except an American Staffordshire terrier which is registered with the American Kennel Club or the Canadian Kennel Club,
- iv) an American pit bull terrier, except an American pit bull terrier which is registered with the American Kennel Club or the Canadian Kennel Club,
- vii) a dog that has an appearance and physical characteristics that are substantially similar to those of dogs referred to in clauses (i) to (iv).

2. By repealing Part 5, subsection (2) and replacing it with:

PART 5 CARE OF ANIMALS

(2) Any building, structure, enclosure, pen or run, whether open or completely enclosed, used or intended to be used for the keeping of animals shall be kept in a sanitary condition and shall be not less than 1.4 metres from the property line.

3. By repealing Part 6, subsection (2) and replacing it with:

PART 6 VICIOUS DOGS

- (2) Every owner of a vicious dog shall:
- (1) keep a muzzle and a leash on the dog at all times, including when it is on the premises of the owner, with the exception of when it is kept in an enclosed pen or within the owner's dwelling unit.
4. By repealing Part 6, subsection (3) and replacing it with:
- (3) No person shall keep a vicious dog in the City if the dog has been found:
- (a) without a muzzle or leash when outside an enclosed pen or the owner's dwelling unit; or
- (b) running at large in the City.
5. By amending Part 6 by adding:
- (7) The owner of a dog that is a vicious dog may request and is entitled to a hearing by Council or a Committee thereof or the Animal Control Official of the municipality if so delegated by Council, which or who may exempt the owner, in whole or in part, from restraint requirements.
- (8) The Animal Control Official for the purposes of this paragraph shall be the Senior Manager of By-law Enforcement.
6. By repealing Part 7 and replacing it with:

PART 7 PROHIBITED DOGS

- (1) Any dog that is a Pit Bull as defined in this By-law is prohibited in accordance with the *Dog Owners' Liability Act*, R.S.O. 1990, c. D.16, as amended and any related statutes or regulations.
- (2) (a) Any dog that is a Pit Bull as defined in this By-law that was owned on August 29, 2005 or was born before the end of the 90-day period beginning August 29, 2005 is a restricted pit bull in accordance with the *Dog Owners' Liability Act*, R.S.O. 1990, c. D.16, as amended and any related statutes or regulations.
- (b) Every owner of a restricted Pit Bull shall ensure compliance with the requirements set out in the *Dog Owners' Liability Act*, R.S.O. 1990, c. D.16, as amended and any related statutes or regulations.
- (c) Every owner of a restricted Pit Bull shall comply with the provisions of Part 6 of this By-law.

READ a FIRST, SECOND and THIRD time and finally passed this 26th day of June, 2006.

Michael Di Biase, Mayor

Sybil Fernandes, Deputy City Clerk