

ANIMAL

Chapter 232 ANIMAL - KEEPING

CHAPTER INDEX

Article 1

GENERAL PROVISIONS

- 232.1.1 Prohibited animals - Schedule 'A'
- 232.1.2 Prohibited animals - exemptions - Schedule 'B'
- 232.1.3 Animal - kept - prior to enactment - permitted

Article 2

ENFORCEMENT

- 232.2.1 Fine - for contravention

Article 3

ENACTMENT

- 232.3.1 Effective date

SCHEDULE

Schedule 'A' - Prohibited animals

Schedule 'B' - Prohibited animals - exemptions

Article 1 GENERAL PROVISIONS

232.1.1 Prohibited animals - Schedule 'A'

Except as hereinafter provided, the keeping of any animal of the kind listed in Schedule 'A' of this Chapter for sale, for exhibition, as a pet or for any other purpose is hereby prohibited in the City.

232.1.2 Prohibited animals - exemptions - Schedule 'B'

This Chapter does not apply to prohibit the keeping of an animal of the kind listed in Schedule 'A' in the places or circumstances provided for in Schedule 'B' of this Chapter.

232.1.3 Animal - kept - prior to enactment - permitted

The provisions of this Chapter shall not be construed as prohibiting the keeping of any of the animals referred to in Section 232.1.2 if such animal was actually kept within the corporate limits of the City as at the date of enactment of the enabling by-law, the onus of proof of which shall be upon the person keeping such animal. By-law 120-1983, 14 June, 1983.

**Article 2
ENFORCEMENT****232.2.1 Fine - for contravention**

Every person who contravenes any of the provisions of this Chapter is guilty of an offence and upon conviction is liable to a fine or penalty as provided for in the *Provincial Offences Act*. By-law 226-1996, 28 October, 1996.

**Article 3
ENACTMENT****232.3.1 Effective date**

This Chapter shall come into force and take effect on the final passing of the enabling by-law. By-law 120-1983, 14 June, 1983.

ANIMAL - KEEPING

SCHEDULE

Schedule 'A' - Prohibited animals

The keeping of the following animals in the City is prohibited except as otherwise specifically provided in this Chapter.

- All Marsupials (such as Kangaroos and Opossums)
- All Non-Human Primates (such as Gorillas and Monkeys)
- All Felids, except the domestic cat
- All Canids, except the domestic dog
- All Viverrids (such as Mongooses, Civets and Genets)
- All Mustelids (such as Skunks, Weasels, Otters, Badgers except the domestic Ferret)
- All Ursids (Bears)
- All Artiodactylus Ungulates
- All Procyonids (such as Racoons, Coatis and Cacomistles)
- All Hyaenas
- All Perissodactylous Ungulates
- All Elephants
- All Pinnipeds (such as Seals, Fur Seals and Walruses)
- All Snakes of the Families Pythonidae and Boidae
- All Venomous Reptiles
- All Ratite Birds (such as Ostriches, Rheas, Cassowaries)
- All Diurnal and Nocturnal Raptors (such as Eagles, Hawks and Owls)
- All Edentates (such as Anteaters, Sloths and Armadillos)
- All Bats

ANIMAL - KEEPING

- All Crocodylians (such as Alligators and Crocodiles)
- All Venomous Arachnids

Examples of animals of a particular prohibited group are given in parentheses. They are examples only and shall not be construed as limiting the generality of the class.

Despite the foregoing, this Chapter does not prohibit the keeping of domestic goats, sheep, pigs, cattle, horses, asses, chickens, geese, turkeys and ducks in those areas of the City in which either agriculture or personal farming, both as defined in the Zoning By-law of the City applicable to the area, is either a use expressly permitted by such Zoning By-law or a use which by virtue of legal non-conforming status is not permitted by such Zoning By-law.

Nothing in this Chapter derogates from any requirements of any such Zoning By-law. By-law 278-1995, 18 December, 1995; Exhibit '1'; By-law 195-2000, 23 October, 2000.

ANIMAL - KEEPING

Schedule 'B' - Prohibited animals - exemptions

Places or circumstances which are exempt from the application of this Chapter:

- (a) on the premises of a park, zoo or animal display operated by, or on behalf of the City;
- (b) on the premises of the Ontario Humane Society;
- (c) in a veterinary hospital under the care of a licensed veterinarian;
- (d) on the premises of a university or community college where such animals are being kept for research, study or teaching purposes, or on premises registered as research facilities under the *Animals for Research Act*;
- (e) by anyone holding a licence under any statute of the Legislature of Ontario or the Government of Canada, which permits the keeping of animals under stated conditions;
- (f) on the premises of any television studio where such animals are being kept temporarily for the purpose of a television production;
- (g) during the transportation of such animals between the places or circumstances listed herein;
- (h) premises which are temporarily used for travelling shows such as a circus or other like shows;
- (i) premises of the municipal animal shelter/pound, or any other premises operated by, or on behalf of the City, for the purpose of housing animals.

By-law 120-1983, 14 June, 1983; Schedule 'B'; By-law 195-2000, 23 October, 2000.

ANIMAL

Chapter 237 ANIMAL - REGULATION

CHAPTER INDEX

Article 1 INTERPRETATION

- 237.1.1 Blind person - defined
- 237.1.2 Cat - defined
- 237.1.3 City park - defined
- 237.1.4 Corporation - defined
- 237.1.5 Dog - defined
- 237.1.6 Guide dog - defined
- 237.1.7 Kennel - defined
- 237.1.8 Owner - defined
- 237.1.9 Public highway - defined
- 237.1.10 School property - defined
- 237.1.11 Hobby breeder - defined

Article 2 DOG

- 237.2.1 Registered - licenced - requirement
- 237.2.2 Licence required - upon ownership - annually
- 237.2.3 Application - to Corporation
- 237.2.4 Tag - issued - for each dog
- 237.2.5 Tag - securely fixed - to dog - at all times
- 237.2.6 Tag - information requirements
- 237.2.7 Fee - annual - each dog
- 237.2.8 Fee - replacement - lost tag

ANIMAL - REGULATION

237.2.9 Fee - guide dog - exemption

Article 3 RUNNING AT LARGE

237.3.1 When deemed to be

237.3.2 Prevention - owner responsibility

237.3.3 Impounding - for violation - by authorized officer

237.3.4 Impounding - fees - conditions

Article 4 KENNEL - REGULATION

237.4.1 Registered - fee - annual

237.4.2 Inspection - report - upon application

237.4.3 Licence issued - two dog tags included

237.4.4 Owner - compliance - all regulations

237.4.5 Building - compliance with Ontario Building Code

237.4.6 Separate - from human habitation

237.4.7 Floor - hard - durable - impervious

237.4.8 Floor drain - required

237.4.9 Environment - clean - dry - safe

237.4.10 Housing - maintained clean - comfortable - safe

237.4.11 Lighting - adequate - minimum illumination period

237.4.12 Ventilation - adequate - healthy

237.4.13 Temperature - maintained - healthy comfortable

237.4.14 Outside area - enclosed - fenced in area - provided

237.4.15 Clipping - grooming - in kennel building - only

237.4.16 Cage - pen - minimum requirements

237.4.17 Food - type - amount - nutritionally adequate

237.4.18 Water - fresh - adequate supply

ANIMAL - REGULATION

Article 5 CAT - OTHER ANIMAL BEING AT LARGE - TRESPASSING

- 237.5.1 When deemed to be
- 237.5.2 Prevention - owner responsibility
- 237.5.3 Impounding - seizure - authority
- 237.5.4 Registered - requirement
- 237.5.5 Registration required - upon ownership - annually
- 237.5.6 Tag - issued - for each cat
- 237.5.7 Tag - securely fixed - to cat - at all times
- 237.5.8 Tag - information - requirements
- 237.5.9 Fee - annual - each cat
- 237.5.10 Fee - replacement - lost tag

Article 6 FOULING - PUBLIC PARK HIGHWAY - MUNICIPAL PROPERTY

- 237.6.1 Defecation - removal by owner - immediately
- 237.6.2 Defecation - removal - exception - blind person
- 237.6.3 Entry - on public land - leash requirement

Article 7 FOULING - SCHOOL PROPERTY

- 237.7.1 School property - within City - applicable
- 237.7.2 Defecation - removal by owner - immediately

Article 8 HUMANE CARE

- 237.8.1 Provision of needs - animal
- 237.8.2 Unsanitary conditions - prohibited
- 237.8.3 Shelter requirements
- 237.8.4 Length of tether

Article 9**HOBBY BREEDER - REGULATION**

- 237.9.1 Registered - fee - annual
- 237.9.2 Inspection - report - upon application
- 237.9.3 Authority - Council - revoke
- 237.9.4 Hobby breeders - compliance - regulations

Article 10**ENFORCEMENT**

- 237.10.1 Fine - for contravention

Article 11**REPEAL - ENACTMENT**

- 237.11.1 By-law - previous
- 237.11.2 Effective date

Article 1
INTERPRETATION

237.1.1 Blind person - defined

“blind person” means a blind person within the meaning of the *Blind Persons’ Rights Act*.

237.1.2 Cat - defined

“cat” means a male or female cat.

237.1.3 City park - defined

“City park” means a property owned by or made available by lease, agreement or otherwise to the Corporation that is dedicated, set apart or made available for use as a public park, garden, athletic field, or playground, including any and all avenues, boulevards and drives therein, the approaches thereto and streets connecting the same and all buildings, structures, facilities, erections, and improvements located in or on such property, so long as such property is so established, dedicated, set apart or made available, for the aforementioned purposes.

237.1.4 Corporation - defined

“Corporation” means The Corporation of the City of Thunder Bay.

237.1.5 Dog - defined

“dog” means a male or female dog. By-law 22-1995, 23 January, 1995.

237.1.6 Guide dog - defined

“guide dog” includes any dog specifically trained for and actually used by any person whose sight is impaired or is blind, or whose hearing is impaired or who is deaf, or who, that because of a handicap (within the meaning of the Human Rights Code) relies upon a dog as a guide. By-law 195-2000, 23 October, 2000.

237.1.7 Kennel - defined

“kennel” includes any building, part of a building or area used for breeding, raising, boarding or the keeping of animals for compensation or for selling animals.

237.1.8 Owner - defined

“owner” of a dog, cat or other animal includes a person who possesses or harbours a dog, cat or other animal and, where the owner is a minor, includes the person responsible for the custody of the minor, and “owns” and “owned” have corresponding meanings.

237.1.9 Public highway - defined

“public highway” includes a public lane, public sidewalk, public pedestrian walkway, public boulevard and a public highway within the meaning of the *Municipal Act* and includes the travelled and untravelled portions thereof.

237.1.10 School property - defined

“school property” means any land in the City of Thunder Bay owned by a Board of Education established under the *Education Act*. By-law 22-1995, 23 January, 1995.

237.1.11 Hobby breeder - defined

“hobby breeder includes any person who keeps more than three unaltered registered animals or animals eligible for registration with an association incorporated under the *Animal Pedigree Act*, (Canada) at his or her principal residence for the purpose of breeding to produce animals for personal use to show and/or train and/or further the bloodline and who may sell excess stock. By-law 195-2000, 23 October, 2000.

Article 2

DOG

237.2.1 Registered - licenced - requirement

No person shall own a dog without causing the dog to be registered and licenced by the Corporation in accordance with the provisions of this Chapter.

237.2.2 Licence required - upon ownership - annually

Every owner of a dog shall annually and not later than the last day of February in each year, or within fourteen days of becoming the owner of a dog at any later date, cause the dog to be registered with the Corporation and to be licenced by the Corporation.

237.2.3 Application - to Corporation

All applications for licences under this Chapter shall be made to the Corporation.

237.2.4 Tag - issued - for each dog

The owner of every dog shall procure from the Corporation a tag for each dog required to be licenced under this Chapter.

237.2.5 Tag - securely fixed - to dog - at all times

The owner of every dog shall keep the tag securely fixed on the dog at all times until the tag is renewed or replaced. By-law 22-1995, 23 January, 1995.

237.2.6 Tag - information requirements

The dog tag shall consist of a plate with included thereon:

- (a) the words "Thunder Bay";
- (b) the year for which the licence has been issued; and
- (c) a number corresponding with the number under which the dog is registered. By-law 195-2000, 23 October, 2000.

237.2.7 Fee - annual - each dog

The annual licence fee for each dog required to be licenced under this Chapter shall be prescribed by Council, from time to time, by by-law and shall be remitted to the Corporation.

237.2.8 Fee - replacement - lost tag

A tag which has been lost may be replaced upon payment of a fee in the amount prescribed by Council, from time to time, by by-law upon application therefor and upon proof that the licence fee for the current year has been paid. By-law 105-1998, 15 June, 1998.

237.2.9 Fee - guide dog - exemption

Every person who owns a dog as a guide dog shall not be required to pay the licensing fee upon presentation of a certificate from a recognized institution stating the dog is a certified working dog. Despite exemption from the payment of fees, all guide dogs must be registered pursuant to Section 237.2.1. By-law 195-2000, 23 October, 2000.

Article 3**RUNNING AT LARGE****237.3.1 When deemed to be**

For the purposes of this Chapter, a dog shall be deemed to be running at large when found in any place other than the premises of the owner of the dog and not under the control of any person.

237.3.2 Prevention - owner responsibility

Every owner of a dog shall prevent such dog from running at large.

237.3.3 Impounding - for violation - by authorized officer

A provincial offences officer or peace officer may impound any dog found to be running at large. By-law 22-1995, 23 January, 1995.

237.3.4 Impounding - fees - conditions

Subject to the rights of the Corporation to retain possession of any dog or cat, any dog or cat impounded pursuant to the provisions of this Chapter may be redeemed by the owner during the minimum redemption period provided for in the *Animals for Research Act* or during any greater period provided for in any by-law passed by the Council of the Corporation pursuant to section 20 of the *Animals for Research Act*, R.S.O. 1990, c. A.22 upon payment of the sums prescribed by Council, from time to time, by by-law. By-law 105-1998, 15 June, 1995; By-law 195-2000, 23 October, 2000.

Article 4**KENNEL - REGULATION****237.4.1 Registered - fee - annual**

The owner of a kennel of dogs that are registered or eligible for registration with an association incorporated under the *Animal Pedigree Act*, (Canada), shall pay an annual licence fee as prescribed by Council from time to time, by by-law to the Corporation as a licence fee for the kennel licence. By-law 105-1998, 15 June, 1998.

237.4.2 Inspection - report - upon application

Every application for a licence under this Article shall be accompanied by a report from an inspector of the Corporation as to the adequacy of the kennel premises for the keeping and raising of dogs.

237.4.3 Licence issued - two dog tags included

Every person obtaining a licence for a kennel under this Article shall be entitled to be supplied with two dog tags at no additional charge.

237.4.4 Owner - compliance - all regulations

All persons owning or operating a kennel shall comply with the regulations of this Article.

237.4.5 Building - compliance with Ontario Building Code

The kennel building shall conform to the Ontario Building Code and shall be maintained in such a manner as to be safe.

237.4.6 Separate - from human habitation

The kennel shall be in a separate building or shall be a building or part thereof not directly connected to a building which is or can be used for human habitation.

237.4.7 Floor - hard - durable - impervious

A kennel building shall be such that the area housing the animals shall have a floor soundly constructed of hard, durable material which is impervious to water.

237.4.8 Floor drain - required

A kennel building shall be such that the area housing the animals shall have a floor drain.

237.4.9 Environment - clean - dry - safe

A kennel building shall be such that every cage or pen used for the housing of animals shall be constructed so as to provide each animal with a clean, dry, and safe environment.

237.4.10 Housing - maintained clean - comfortable - safe

A kennel building shall be such that the area housing the animals shall be maintained in a clean condition suitable for the health, welfare, and comfort of every animal therein.

237.4.11 Lighting - adequate - minimum illumination period

A kennel building shall be such that the area housing the animals shall be adequately lighted for a continuous period of at least eight hours in every twenty-four-hour period.

237.4.12 Ventilation - adequate - healthy

A kennel building shall be such that the area housing the animals shall be adequately ventilated for the health, welfare and comfort of every animal therein.

237.4.13 Temperature - maintained - healthy comfortable

A kennel building shall be such that the area housing the animals shall at all times be maintained at a temperature suitable for the welfare and comfort of every animal therein.

237.4.14 Outside area - enclosed - fenced in area - provided

Where animals are permitted to be in an outside area from a kennel, there shall be placed around such area a solidly constructed fence having a height of at least 1.2 metres (four feet), provided that the wall of an adjacent building may be included as part of such fenced in area, and further provided that such fenced in area shall not be required where the outside area is restricted to more than sixty metres from all property lines.

237.4.15 Clipping - grooming - in kennel building - only

Where a clipping and grooming service is performed, such clipping and grooming shall be carried out in the kennel building only.

237.4.16 Cage - pen - minimum requirements

Every animal shall be maintained in a cage or pen which enables the animal to:

- (a) extend its legs to their full extent;
- (b) stand;
- (c) sit;
- (d) turn around; and
- (e) lie down in a fully extended position.

237.4.17 Food - type - amount - nutritionally adequate

Every animal shall be supplied with food of a type and in amounts nutritionally adequate for the animal.

237.4.18 Water - fresh - adequate supply

Every animal shall be supplied with adequate amounts of fresh water.

Article 5
CAT - OTHER ANIMAL
BEING AT LARGE - TRESPASSING

237.5.1 When deemed to be

For the purposes of this Article, a cat or any other animal other than a dog shall be deemed to be at large or trespassing when found in any place other than the premises of the owner and not under the control of any person.

237.5.2 Prevention - owner responsibility

An owner of a cat or any other animal other than a dog shall prevent such animal from being at large or trespassing within the City.

237.5.3 Impounding - seizure - authority

The provisions of Article 3 respecting impounding, seizure and redemption apply *mutatis mutandis* to the impounding, seizure and redemption of cats and other animals other than dogs. By-law 22-1995, 23 January, 1995.

237.5.4 Registered - requirement

No person shall own a cat without causing the cat to be registered by the Corporation in accordance with the provisions of this Chapter.

237.5.5 Registration required - upon ownership - annually

Every owner of a cat shall annually and not later than the last day of February in each year, or within fourteen days of becoming the owner of a cat at any later date, cause the cat to be registered with the Corporation

237.5.6 Tag - issued - for each cat

The owner of every cat shall procure from the Corporation a tag for each cat required to be registered under this Chapter.

237.5.7 Tag - securely fixed - to cat - at all times

The owner of every cat shall keep the tag securely fixed on the cat at all times until the tag is renewed or replaced.

237.5.8 Tag - information - requirements

The cat tag shall consist of a plate with included thereon:

- (a) the words "Thunder Bay";
- (b) the year for which the registration has been issued; and
- (c) a number corresponding with the number under which the cat is registered.

237.5.9 Fee - annual - each cat

The annual registration fee for each cat required to be registered under this Chapter shall be the amount prescribed by Council, from time to time, by by-law and shall be remitted to the Corporation.

237.5.10 Fee - replacement - lost tag

A tag which has been lost may be replaced upon payment of a fee in the amount prescribed by Council, from time to time, by by-law upon application therefor and upon proof that the registration fee for the current year has been paid. By-law 196-2000, 23 October, 2000.

Article 6**FOULING - PUBLIC PARK
HIGHWAY - MUNICIPAL PROPERTY****237.6.1 Defecation - removal by owner - immediately**

Any owner or any person harbouring, or having control or supervision over any animal which defecates in or upon any City park, public highway, or any land of which the Corporation is the owner shall immediately cause such excrement to be removed and deposited in a lawful place.

237.6.2 Defecation - removal - exception - blind person

Section 237.6.1 shall not apply to a blind person who is with a guide dog. By-law 22-1995, 23 January, 1995.

237.6.3 Entry - on public land - leash requirement

No person who owns, harbours or has control or supervision over any animal shall bring or permit such animal to enter or be in or upon any City park or upon any public highway or upon any other land owned by The Corporation of the City of Thunder Bay unless such animal is connected to the person by a leash or similar apparatus no longer than 3.66 metres in length. By-law 195-2000, 23 October, 2000.

Article 7**FOULING - SCHOOL PROPERTY****237.7.1 School property - within City - applicable**

Section 237.7.2 applies to those areas of the City which are school property.

237.7.2 Defecation - removal by owner - immediately

Any owner or person having control or supervision over any animal which defecates in or upon any school property shall immediately cause such excrement to be removed and deposited in a lawful place. By-law 22-1995, 23 January, 1995.

Article 8 HUMANE CARE

237.8.1 Provision of needs - animals

Every person who keeps an animal within the City's boundaries shall provide the animal or cause it to be provided with appropriate care, food, water, shelter, exercise, attention and veterinary care as may be required to meet the needs of the species.

237.8.2 Unsanitary conditions - prohibited

No person shall keep an animal within the City's boundaries in unsanitary conditions. An animal is kept in unsanitary conditions where the keeping of the animal results in an accumulation of fecal matter, an odour, insect infestation or rodent attractants which endanger the health of any person or animal, or which disturbs or is likely to disturb the enjoyment, comfort or convenience of any person.

237.8.3 Shelter requirements

If an animal is customarily kept out-of-doors, the person having custody or control of the animal shall provide for its use at all times, a structurally sound, weatherproof, insulated enclosure with off-the-ground flooring. The enclosure shall enable the animal to:

- (a) extend its legs to their full extent;
- (b) stand;
- (c) sit;
- (d) turn around; and
- (e) lie down in a fully extended position.

237.8.4 Length of tether

No person shall keep any animal within the City's boundaries tethered on a chain, rope or similar restraining device, of less than three metres in length.

Article 9 HOBBY BREEDER - REGULATION

237.9.1 Registered - fee - annual

All hobby breeders shall be required to purchase an annual licence to operate as a hobby breeder and shall pay an annual licence fee as prescribed by Council, from time to time, by by-law to the Corporation as a licence fee for the hobby breeders licence.

237.9.2 Inspection - report - upon application

Every application for a licence under this Article shall be accompanied by a report from an Animal Control Officer of the Corporation as to the adequacy of the hobby breeder's premises for the keeping and raising of animals.

237.9.3 Authority - Council - revocation

Council may revoke any hobby breeder's licence issued under this Chapter where the premises of the licensee cease, in the opinion of an Animal Control Officer of the Corporation, to be adequate for keeping and raising of animals, or if the licensee is guilty of repeated violations of this Chapter.

237.9.4 Hobby breeders - compliance - regulations

All hobby breeders shall ensure that:

- (a) animals are kept in a clean, sanitary environment, both inside and outside;
- (b) outside facilities include an exercise area for dogs/cats that is fenced or adequately secured so as not to allow animals to run at large and the surface should be easy to clean and free of animal waste; and
- (c) pregnant females have a heated, dry area, free of disturbances to whelp their litter. By-law 195-2000, 23 October, 2000.

**Article 10
ENFORCEMENT****237.10.1 Fine - for contravention**

Every person who contravenes any of the provisions of this Chapter is guilty of an offence and upon conviction is liable to a fine or penalty as provided for in the *Provincial Offences Act*.

**Article 11
REPEAL - ENACTMENT****237.11.1 By-law - previous**

By-law 196-1989, as amended, is hereby repealed.

237.11.2 Effective date

This Chapter shall come into force and take effect upon the final passing of the enabling by-law. By-law 22-1995, 23 January, 1995.

ANIMAL

Chapter 248 PIGEON - KEEPING

CHAPTER INDEX

Article 1

PIGEON - KEEPING

- 248.1.1 Maximum - 30 adults - 20 young birds
- 248.1.2 Permit - required - from Medical Officer of Health
- 248.1.3 Permit - expiry - annual

Article 2

COOP - PEN - LOFT

- 248.2.1 Building - structure - plans - material - approval
- 248.2.2 Building - structure - requirements - set out
- 248.2.3 Escape - prevented - location - restrictions
- 248.2.4 Location - distance from street
- 248.2.5 Wall - smooth - painted - washed - every six months
- 248.2.6 Construction - rodent proof
- 248.2.7 Floor - concrete - wooden - height above ground
- 248.2.8 Floor - washed - weekly
- 248.2.9 Floor - minimum area - per bird
- 248.2.10 Exercise cage - running pen - construction
- 248.2.11 Escape - pigeon - owner in violation
- 248.2.12 Height - minimum - requirement
- 248.2.13 Building - outside appearance - clean - painted
- 248.2.14 Ventilation - adequate - disinfected weekly
- 248.2.15 Window - opened - screened
- 248.2.16 Exercise pen - frame - clean - durable

- | | | |
|----------|---|---------|
| 248.1.1 | PIGEON - KEEPING | 248.1.1 |
| 248.2.17 | Yard - floor - concrete - earth | |
| 248.2.18 | Earth run - dug - sanitary - prevention odour | |
| 248.2.19 | Floor - concrete - cleaned - three times weekly | |

Article 3
GENERAL PROVISIONS

- | | |
|---------|--|
| 248.3.1 | Keeping - causing health nuisance - prohibited |
| 248.3.2 | Waste - disposal - storage - minimum requirement |
| 248.3.3 | Inspection - land - premises - at all times |
| 248.3.4 | Revocation - permit - unclean - unsanitary condition |
| 248.3.5 | Release - for homing - exercise - times permitted |

Article 4
ENFORCEMENT

- | | |
|---------|--------------------------|
| 248.4.1 | Fine - for contravention |
|---------|--------------------------|

Article 5
REPEAL - ENACTMENT

- | | |
|---------|-------------------|
| 248.5.1 | By-law - previous |
| 248.5.2 | Effective date |

Article 1
PIGEON - KEEPING

248.1.1 Maximum - 30 adults - 20 young birds

No person shall keep or permit to be kept on any land or premises owned or occupied by him or her and situate within the area of the City to which this Chapter applies more than thirty adult pigeons and during the period commencing on April 1 and ending on November 30, the population of any pigeon loft situate in that area of the City to which this Chapter applies shall not be increased by more than twenty young pigeons.

248.1.2 Permit - required - from Medical Officer of Health

Any person keeping pigeons shall first obtain a permit from the Medical Officer of Health and the Medical Officer of Health shall grant such a permit if the applicant's premises for keeping pigeons meet the standards as set forth in this Chapter.

248.1.3 Permit - expiry - annual

All permits shall expire on the 31st day of December in each year and a new permit must be obtained on or before the beginning of the succeeding year.

**Article 2
COOP - PEN - LOFT****248.2.1 Building - structure - plans - material - approval**

Each applicant for a permit shall submit to the Medical Officer of Health a plan of the proposed building or buildings, and details as to the type of materials to be used for the said building or buildings which are to house the pigeons.

248.2.2 Building - structure - requirements - set out

No building or structure used or intended to be used as a coop, pen, run or loft shall be deemed to be suitable unless the same meets the requirements set out in Sections 248.2.3 through 248.2.14 inclusive.

248.2.3 Escape - prevented - location - restrictions

Any such pigeons shall be kept and confined in a pigeon loft which shall be constructed of such material or materials to prevent the escape of the pigeons therefrom and such pigeon loft shall be located a distance of not less than 7.6 metres (25 feet) from any store, shop, dwelling house, apartment building or other premises used for human habitation or occupancy, nor located a distance of not less than 328 metres (100 feet) from any school, church, museum, library, park, playground, community centre, or other public building or property used for public purposes, nor shall such loft be closer than two feet from the boundary line of any adjoining land.

248.2.4 Location - distance from street

In the case of a lot having frontage on two streets, the minimum distance of such pigeon loft shall be 246 metres (75 feet) from the street on which the occupied building on the lot fronts and 7.6 metres (25 feet) from any street at the side or rear of the lot.

248.2.5 Wall - smooth - painted - washed - every six months

Every building which is erected or maintained as a pigeon loft for the housing of pigeons shall have the interior walls thereof smoothly finished and kept painted and shall be washed, cleaned or lime-washed, every six months.

248.2.6 Construction - rodent proof

Every pigeon loft shall be constructed in such a manner that it will be rodent-proof and shall be kept free from rodents.

248.2.7 Floor - concrete - wooden - height above ground

The floor of every building used as a pigeon loft shall be of concrete or wooden construction and shall be at least 45.7 centimetres (18 inches) above ground level.

248.2.8 Floor - washed - weekly

The floor of a loft whether wooden or of concrete construction shall be properly washed each week with water and soap or detergent.

248.2.9 Floor - minimum area - per bird

The minimum floor area of a building used as a pigeon loft shall be 0.24 m² (2½ square feet) per bird.

248.2.10 Exercise cage - running pen - construction

The exercise cage or running pen of the pigeon loft shall be constructed of wire or mesh of a size which will contain the pigeons.

248.2.11 Escape - pigeon - owner in violation

The owner of any pigeon or pigeons shall be in violation of this Chapter should any pigeon or pigeons escape from or leave his or her loft.

248.2.12 Height - minimum - requirement

The minimum height of such building used as a pigeon loft shall be six feet from the floor level up.

248.2.13 Building - outside appearance - clean - painted

The outside of the building shall be kept clean and shall be painted when materials other than brick or similar impervious materials are used.

248.2.14 Ventilation - adequate - disinfected weekly

The pigeon loft shall be so constructed as to provide for adequate ventilation, and shall be thoroughly cleaned and disinfected once a week.

248.2.15 Window - opened - screened

Windows shall be constructed so that they can be opened and shall have screens attached.

248.2.16 Exercise pen - frame - clean - durable

The frame of the exercise pen shall be kept clean and shall be constructed of a durable material.

248.2.17 Yard - floor - concrete - earth

The floor of the yard shall be either concrete or earth.

248.2.18 Earth run - dug - sanitary - prevention odour

All earthen runs and outside areas of confinement shall be dug in such a manner as to be sanitary and to prevent odour.

248.2.19 Floor - concrete - cleaned - three times weekly

Concrete floors shall be cleaned at least three times a week.

Article 3**GENERAL PROVISIONS****248.3.1 Keeping - causing health nuisance - prohibited**

No person may keep pigeons in such a manner as to constitute a public health nuisance.

248.3.2 Waste - disposal - storage - minimum requirement

All refuse and waste matter from any pigeon loft shall be disposed of at least three times a week in a proper and sanitary manner by being kept in substantial air-tight containers until it is removed from the premises or is dug into the earth in such a manner as to prevent odours arising therefrom. No such refuse or waste matter shall be burned. Every pigeon loft shall be kept free of rodents.

248.3.3 Inspection - land - premises - at all times

The land and premises upon which pigeons are to be kept shall be kept clean and sanitary and the Medical Officer of Health or one of his or her inspectors may inspect the land and premises at any time.

248.3.4 Revocation - permit - unclean - unsanitary condition

If the land and premises are not kept in a clean and sanitary condition, the Medical Officer of Health may revoke the permit of the holder.

248.3.5 Release - for homing - exercise - times permitted

All persons keeping pigeons shall keep them securely penned at all times except when homing or when being exercised; pigeons may be released for homing or exercising purposes between the hours of 6 a.m. and 8 a.m. and between the hours of 6 p.m. and 8 p.m. only. By-law 188-1971, 26 October, 1971.

**Article 4
ENFORCEMENT****248.4.1 Fine - for contravention**

Every person who contravenes any of the provisions of this Chapter is guilty of an offence and upon conviction is liable to a fine or penalty as provided for in the *Provincial Offences Act*. By-law 226-1996, 28 October, 1996.

**Article 5
REPEAL - ENACTMENT****248.5.1 By-law - previous**

This Chapter shall apply to that portion of the City comprising the area which, on the 31st day of December, 1969, comprised the Cities of Port Arthur and Fort William. By-law 5194 of The Corporation of the City of Port Arthur and By-law 20-1967 of The Corporation of the City of Fort William are hereby repealed.

248.5.2 Effective date

This Chapter shall come into force and take effect upon the final passing of the enabling by-law. By-law 188-1971, 26 October, 1971.