

**The Corporation of the Municipality of the
Township of Brooke-Alvinston**

By-law Number 39 of 2006

Being a By-law to regulate or prohibit animals from running at large and to provide for impounding all animals not permitted to run at large.

SECTION 1 – DEFINITIONS

In this by-law:

“Animal: - shall mean any horse, swine, horned or other cattle, sheep, goat, poultry, chicken, geese, or other fowl or any other animal or bird kept as a pet or for any other purpose.

“Animal Control Officer” – shall mean a person duly appointed by the Corporation of the Municipality of the Township of Brooke-Alvinston for the purpose of carrying out the provisions of the municipal by-law.

“Council” – shall mean the Council of the Municipality of the Township of Brooke-Alvinston.

“Municipality” – shall mean the Corporation of the Municipality of the Township of Brooke-Alvinston.

“Owner” – includes any person who possesses or harbors any animal.

“Owns or Owned” – shall have a corresponding meaning.

“Police Officer” – shall be a police officer including a police officer within the meaning of the Police Services Act.

“Pound” – shall be the location or locations designated from time to time for the keeping of the stray animals.

“Pound Keeper” – shall be a person appointed by the Municipality for the purpose of carrying out the provisions of the municipal by-law and the Pounds Act R.S.O.

SECTION 2

2 – POUNDS

The Council of the Municipality shall appoint a Pounds Keeper to carry out the provisions of the Pounds Act R.S.O.

**SECTION 3
PROHIBITED MATTERS**

3 – PROHIBITED MATTERS RELATED TO ANIMALS

No person shall suffer or permit any animal of which he or she is the owner or custodian to run at large or trespass on any property in the Township of Brooke-Alvinston

4 – ANIMALS AT LARGE

For the purpose of this by-law, an animal shall be deemed at large when found on any highway or other public place or on any property without the consent of the owner of the property and not in the charge of any person.

5 – MEASURES TO PROHIBIT FROM RUNNING AT LARGE

Every person who is the owner or custodian of any animal(s) deemed to be running at large, shall take immediate measures to prohibit the said animals from running at large

6 – SEIZURE

6.1 The Animal Control Officer, the Pound Keeper or any Police Officer may seize any animal found at large contrary to any provisions contained in this by-law.

6.2 It shall be the duty of the Pound Keeper to impound any animal seized by him or a person mentioned in 5.1 or delivered to him in accordance with the Pounds Act R.S.O. 1990.

7 – PENALTY SECTION

7.1 Every Person who contravenes any provision of this by-law is guilty of an offence and on conviction is liable to a fine as provided in the Provincial Offences Act.

7.2 The Court in which the conviction has been entered, and any court of competent jurisdiction thereafter, may make an order prohibiting the continuation or repetition of the offence by the person convicted, and such order shall be in addition to any other penalty imposed on the person convicted.

8 – TARIFF OF FEES AND CHARGES - Pounds - Schedule "A"

Fees and charges in Schedule "A" hereto annexed, is established by this by-law.

9 – TARIFF OF FEES AND CHARGES – Rounding Up – Schedule "B"

Fees and charges in Schedule "B" hereto annexed, is established by this by-law.

10 – FORCE AND EFFECT

This by-law comes into force and effect on the date of final passing.

11 – PREVIOUS BY-LAWS REPEALED

By-law No. 38 of 2001 is hereby repealed.

By-law No. 14 of 2006 is hereby repealed.

Read a first and second time this 23rd day of November, 2006.

Donald M. King
Mayor
Cathy Case
Clerk

Read a third time and finally passed this 11th day of January, 2007.

Donald M. King
Mayor
Cathy Case
Clerk

CLERK'S CERTIFICATE

Certified a true copy of By-law No. 39 of 2006 passed by the Council of the Township of Brooke-Alvinston the 11th day of January, 2007.

Cathy Case
Clerk

Animals Running At Large By-law 39 of 2006

Schedule "A"

Schedule of Charges on Animals Impounded or Otherwise

Description	Feeding Each Animal/day	Admitting or Letting Each Animal Out Of Pound	Each Notice To Owner	For Each Notice Posted	For Sale Of Each Animal
Stallion over 12 Months	\$20.00	\$20.00	\$10.00	\$10.00	\$10.00
All other Horses, mules, Donkeys	\$20.00	\$20.00	\$10.00	\$10.00	\$10.00
Bulls over 12 Months	\$20.00	\$20.00	\$10.00	\$10.00	\$10.00
All other Cattle	\$20.00	\$20.00	\$10.00	\$10.00	\$10.00
Ram over 12 Months	\$10.00	\$20.00	\$10.00	\$10.00	\$10.00
Sheep and goats	\$10.00	\$20.00	\$10.00	\$10.00	\$10.00
Boar or other Pigs	\$10.00	\$20.00	\$10.00	\$10.00	\$10.00
Breachy or Unruly Animals	\$20.00	\$40.00	\$10.00	\$10.00	\$10.00
Geese or Other Poultry	\$ 5.00	\$ 5.00	\$20.00	\$10.00	\$10.00

Animals Running At Large By-law 39 of 2006

Schedule "B"

Fees and Charges for Rounding Up Animals

Description

**Fee for Rounding Up
Animals at Large**

All animals listed in Schedule "A"

\$100.00 per animal for the first (5) animals
Rounded up – fees for additional animals to
be negotiated by Service Provider and Council.

TOWNSHIP OF BROOKE-ALVINSTON
SCHEDULE "C" to
BY-LAW No. 39 of 2006
TITLE: Animals Running at Large By-law

PART 1 – Provincial Offences Act

SET FINE SCHEDULE:

ITEM	COLUMN 1 Short Form Wording	COLUMN 2 Offence Creating Provision or Defining Offence	COLUMN 3 Set Fine
1.	Animals Running at large or Trespass on any property	Section 3	\$305.00
2.	Poultry Running at large or Trespass on any property	Section 3	\$105.00

NOTE: The penalty provision for the offences indicated above is Section 7.1 of By-law No. 39 of 2006, a certified copy of which has been filed.


ONTARIO COURT OF JUSTICE

PROVINCIAL OFFENCES ACT

PART I

IT IS ORDERED pursuant to the provisions of the Provincial Offences Act and the rules for the Ontario Court of Justice that the amount set opposite each of the offences in the schedule of offences under the Provincial Statutes and Regulations thereunder and Municipal By-law No. 39 of 2006, of the Township of Brooke-Alvinston, attached hereto are the set fines for those offences. This Order is to take effect February 23, 2007.

Dated at London this 23rd day of February, 2007.



Alexander M. Graham
Regional Senior Justice
West Region

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SCHEDULE "C" to
BY-LAW No. 39 of 2006
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