

**Animal
Chapter 310
Dog - Control - Regulation**

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Article 1
Interpretation

310.1.1 Adult - defined

“adult” means a person who has attained the age of eighteen years.

310.1.2 Council – defined

“Council” means the Council of the Town or if Council has delegated its powers to hold a hearing and make a decision as provided for in this by-law, the individual(s) or body to whom Council has delegated such powers.

310.1.3 Dangerous dog - defined

“dangerous dog” means a dog that, in the absence of any mitigating factor, has bitten a person or domestic animal.

310.1.4 Dog - defined

“dog” means any dog, male or female over the age of twelve weeks.

310.1.5 Mitigating factor - defined

“mitigating factor” means a circumstance which excuses aggressive behaviour of a dog and without limiting the generality of the foregoing, may include circumstances where:

- (a) the dog was, at the time of the aggressive behaviour, acting in defence to an attack by a person or domestic animal;
- (b) the dog was, at the time of the aggressive behaviour, acting in defence of its young to a person or domestic animal trespassing on the property of its owner; or
- (c) the dog was, at the time of the aggressive behaviour, being teased, provoked, or tormented.

310.1.6 Provincial Offences Officer – defined

“Provincial Offences Officer” means an individual appointed from time to time by Council of the Town, to enforce the by-laws of the Town pursuant to section 15 of the *Police Services Act*, R.S.O. 1990, c.P.15, as amended or superseded.

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310.1.7 Town – defined

“Town” means the Corporation of the Town of Richmond Hill.

**Article 2
Dangerous Dogs**

310.2.1 Dangerous dog - notice - owner requirements

Where a Provincial Offences Officer designates a dog as a dangerous dog, a Provincial Offences Officer shall serve notice upon the owner of such dog requiring the owner, upon receipt of such notice, to comply with the following requirements:

- (a) to keep the dangerous dog, when it is on the lands and premises of the owner, confined:
 - i) within the owner’s dwelling and under the effective control of an adult; or
 - ii) in an enclosed pen constructed with a secure top and sides and either a secure bottom effectively attached to the sides or sides embedded in the ground to a minimum depth of 30 centimetres, or as otherwise approved by a Provincial Offences Officer. The pen shall provide humane shelter for the dangerous dog while preventing it from escaping therefrom and preventing entry therein of unsupervised children.
- (b) to keep the dangerous dog under the effective control of an adult person and under leash, such leash not to exceed two metres in length and to be approved by a Provincial Offences Officer, at all times when it is not confined in accordance with clause (a);
- (c) to securely attach a muzzle as defined in this Chapter to the dangerous dog at all times when it is not confined in accordance with clause (a);
- (d) to provide a Provincial Offences Officer with the new address and telephone number of the owner within two working days of moving the dangerous dog;
- (e) to provide a Provincial Offences Officer with the name, address and telephone number of the new owner within two working days of selling or giving away the dangerous dog;
- (f) to advise a Provincial Offences Officer within two working days of the death of the dangerous dog; and
- (g) to advise a Provincial Offences Officer forthwith if the dangerous dog is running at large or has bitten or attacked any person or domestic animal.

310.2.2 Repealed: By-law 84-14, 26 May, 2014

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310.2.3 Notice - requirements

The notice referred to in Sections 310.2.1 shall include:

- (a) a statement that a Provincial Offences Officer has reason to believe that the dog is a dangerous dog;
- (b) the requirements that the owner must comply in accordance with this Chapter and when such requirements take effect; and
- (c) a statement that the owner may request in writing, within five working days of receipt of a Provincial Offences Officer's notice, a hearing. Upon such request the owner is entitled to a hearing by Council which may affirm or rescind the Provincial Offences Officer's designation of the dog as dangerous dog pursuant to Section 310.2.1 (a) to (g), inclusive.

310.2.4 Notice - received - hearing - requested

Where the owner of a dog who receives a notice from a Provincial Offences Officer designating such dog as a dangerous dog requests, in writing to the Clerk of The Town within five working days of receipt of such notice, Council shall hold a hearing pursuant to the provisions of the *Statutory Powers Procedure Act* and:

- (a) affirm or rescind the Provincial Offences Officer's designation of the dog; and
- (b) substitute its own requirements of the owner of a dangerous dog pursuant to Section 310.2.1 (a) to (g), inclusive

310.2.5 Complaint - inquiry by Provincial Offences Officer

A Provincial Offences Officer may, either on their own initiative or as a result of a complaint received from a resident of the Town of Richmond Hill, conduct an inquiry into whether a dog should be designated a dangerous dog.

310.2.6 Owner requirements - compliance deadline

The requirements of Sections 310.2.1 are effective immediately upon notice being received that the owner's dog is a dangerous dog.

310.2.7 Notices - how served

Any notices served by a Provincial Offences Officer shall be provided by hand delivered or prepaid registered mail service and, in the event of service by prepaid registered mail service, shall be deemed received seven days after the date of mailing.

310.2.8 Dog – return to owner - conditions

Where a dangerous dog has been impounded for any reason, a Provincial Offences Officer shall not restore the said dog to its owner or to any other person unless the Provincial Offences Officer is satisfied that the person to whom the dog is to be restored is aware of and in compliance with the provisions of Section 310.2.1, or such conditions as have been imposed on the owner by the Council of the Town after an appeal. All fees otherwise payable upon restoration of an impounded dog to its owner are payable by the

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owner of a dangerous dog for any length of time it may be impounded pursuant to this Chapter.

310.2.9 **Repealed: By-law 84-14, 26 May, 2014**

310.2.10 **Repealed: By-law 84-14, 26 May, 2014**

**Article 3
Repeal - Enactment**

310.3.1 **By-law - previous**

Municipal Code Chapter Section 314.2.15 is hereby repealed.

310.3.2 **Effective date**

This Chapter shall come into force and take effect upon third reading of the enabling by-law. By-law 260-99, 29 November, 1999.

By-law 84-14, 26 May, 2014