

TOWN OF MIDLAND

BY-LAW NO. 98-42

A By-law to prohibit or regulate the keeping of certain animals
within the boundaries of the Town of Midland

WHEREAS the Municipal Act, R.S.O. 1990, Chapter M.45, Section 210, authorizes the council of a local municipality to pass by-laws for prohibiting or regulating the keeping of animals or any class thereof within the municipality and for restricting the number of animals or any class thereof that may be kept by any person, or that may be kept in or about any dwelling unit;

AND WHEREAS the Council of the Corporation of the Town of Midland passed By-law 79-15 on the Thirteenth day of March, 1979, and further amended the said by-law with the passage of By-law 86-85 on the Twenty-fourth day of November, 1986, to prohibit, regulate and restrict the keeping of animals within the boundaries of the Municipality;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWN OF MIDLAND ENACTS AS FOLLOWS:

1.0 DEFINITIONS

In this By-law,

- 1.1 “Animal Control Officer” means an Animal Control Officer appointed by by-law of the Corporation of the Town of Midland;
- 1.2 “Cat” shall mean any cat, male or female, over the age of twelve (12) weeks.
- 1.3 “Council” means the Council of the Corporation of the Town of Midland;
- 1.4 “Dwelling unit” means a room or suite of two or more rooms, designed or intended for use by any person or persons, in which sanitary conveniences are provided and in which facilities are provided for cooking or the installation of cooking equipment;
- 1.5 “Harbour” does not include the provision of shelter to a dog for a period of time of less than seven days, provided that the dog is owned by someone other than the household group normally a resident in the dwelling unit in which the dog is harboured;
- 1.6 “Municipal Law Enforcement Officer” shall mean a By-law Enforcement Officer, interim or full time, as appointed by Council for the Corporation of the Town of Midland.
- 1.7 “Peace Officer” means a provincial offences officer within the meaning of the Provincial Offences Act, R.S.O. 1990, Chapter P.33;

2.0 RESTRICTIONS

- 2.1 No more than two cats shall be harboured, at any one time, in a dwelling unit located within the boundaries of the Town of Midland.
- 2.2 No person shall keep or harbour within the boundaries of the municipality, any horse, donkey, mule, cattle, sheep, goat, swine, or poultry, except upon lands assessed as farm lands.

- 2.3 No person shall keep or harbour within the boundaries of the municipality, any mink, fox, reptile, or any fur-bearing or other wild animal that may, by virtue of its origin or nature, be capable of causing bodily harm to any person.
- 2.4 No person shall keep or harbour within the boundaries of the municipality, any rabbits in excess of two in number, except upon lands assessed as farm lands.
- 2.5 No person shall keep or harbour within the boundaries of the municipality, any pigeons in excess of two in number, except upon lands assessed as farm lands.

3.0 ENFORCEMENT

This by-law shall be enforced by a Police Officer, Animal Control Officer, Municipal Law Enforcement Officer or Peace Officer, duly appointed for the purposes of enforcing the Municipality's by-laws.

4.0 PENALTIES FOR OFFENCES

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 for in the Provincial Offences Act.

5.0 GENERAL

- 5.1 By-law 79-15 and By-law 86-85 are hereby repealed.
- 5.2 This By-law shall come into force and take effect upon the third and final reading.

By-law read a first, second and third time and finally passed at a regular meeting of the Municipal Council of The Corporation of the Town of Midland held this Twenty-fifth day of May, 1998.

G. J. MacDonald (Signed)
Mayor

F. G. Flood (Signed)
Clerk