

This By-law is a consolidated version and includes amendments made by the amending by-laws listed on the following page. This consolidation is prepared for purposes of convenience only and is not the official or legal version of the By-law. For accurate reference to the By-law, certified copies should be obtained through the City Clerk's Office.

Consolidation Update: June 16, 2022

CITY OF HAMILTON

By-law No. 12-031

A By-law To Regulate Responsible Animal Ownership

OFFICE CONSOLIDATION

A By-law To Regulate Responsible Animal Ownership

Consolidated by-law No. 12-031

Incorporating amendments made by:

By-Law No	Effective Date	
12-220	October 10, 2012	Addition of Leash Free Park – Strachan Street General Open Space
13-217	September 11, 2013	Addition of Leash Free Park – Borer’s Falls Leash Free Park
14-067	March 26, 2014	Amendments with respect to the keeping of Pigeons
14-121	May 14, 2014	Amendments, including an amendment with respect to accreditation by Canada’s Accredited Zoos and Aquariums
14-191	August 15, 2014	Addition of a Leash Free Park – Cathedral Park Amendment to hours of Little John Park
15-004	January 21, 2015	Amendment to Leash Free Park Hours for Borer’s Falls Leash Free Park
15-177	August 14, 2015	Addition of a Leash Free Park – Heritage Green Community Trust
15-261	November 11, 2015	Addition of a Leash Free Park – Corporal Nathan Cirillo Leash Free Area
17-079	May 10, 2017	Removal of a Leash Free Park - Little John Park (Ward 13)
17-080	May 10, 2017	Exempt in-training service dogs from licence fees
18-008	January 24, 2018	Unreasonable Animal Noise
20-219	October 28, 2020	Addition of a Leash Free Park – Joe Sams Leisure Park
22-108	May 11, 2022	Addition of the following to the list of locations where a dog may be unleashed: - Globe Park Dog Park - Rail Trail Dog Park - Ward 2 Temporary Free Running Area Removal of Map F from Appendix 2 Addition of Maps F, G & H to Appendix 2

**CITY OF HAMILTON
BY-LAW NO. 12-031**

For Responsible Animal Ownership in the City of Hamilton

WHEREAS sections 8, 9 and 10 of the *Municipal Act, 2001* authorize the City of Hamilton to pass by-laws necessary or desirable for municipal purposes, and in particular paragraphs 5, 8 and 9 of subsection 10(2) authorize by-laws respecting: the economic, social and environmental well-being of the municipality; the protection of persons and property; and animals;

AND WHEREAS subsection 8(3) of the *Municipal Act, 2001* provides that a by-law under section 10 of that Act respecting a matter may regulate or prohibit and, as part of the power to regulate or prohibit respecting the matter, may require a person to do things respecting the matter, or may provide for a system of licences respecting the matter;

AND WHEREAS subsection 103(1) of the *Municipal Act, 2001* provides that if a by-law is passed regulating or prohibiting with respect to the being at large of animals, the by-law may provide for the seizure and impounding of animals being at large and the sale of impounded animals;

AND WHEREAS section 425 of the *Municipal Act, 2001* authorizes the City of Hamilton to pass by-laws providing that a person who contravenes a by-law of the City of Hamilton passed under that Act is guilty of an offence;

AND WHEREAS the *Municipal Act, 2001* further authorizes the City of Hamilton, amongst other things, to delegate its authority, to impose fees or charges, to provide for inspections, and to make orders to discontinue activity or to do work;

AND WHEREAS the *City of Hamilton Act, 1999* did incorporate, as of January 1, 2001, the municipality "City of Hamilton";

AND WHEREAS the City of Hamilton is successor to the following former area municipalities: The Corporation of the Town of Ancaster, The Corporation of the Town of Dundas, The Corporation of the Town of Flamborough, The Corporation of the Township of Glanbrook, The Corporation of the City of Hamilton, and The Corporation of the City of Stoney Creek; and the successor to the former Regional Municipality of Hamilton Wentworth;

AND WHEREAS the *City of Hamilton Act, 1999* provides that the by-laws of the former area municipalities and the former Regional Municipality of Hamilton Wentworth remain in force, in respect of the part of the municipal area to which they applied on December 31, 2000, until they expire or are repealed or amended to provide otherwise;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

PART 1.0 - Definitions

1.1 In this By-law:

“**animal**” means any member of the animal kingdom, other than a human;

“**at large**” means not on a **leash** and **under the control of some person**;

“**bees**” means the insects known as *Apis mellifera*;

“**bite**” in all of its forms means the breaking, puncturing or bruising of the skin of a person or domestic animal caused by the tooth or teeth of a **dog**;

“**cat**” means a male or female of the species *felis catus* and does not include any hybrid of *felis catus*;

“**City**” means the municipality of the City of Hamilton or the geographic area of the City of Hamilton as the context requires;

“**Council**” means the council of the City of Hamilton;

“**dog**” means a male or female of the species *canis familiaris* and does not include any hybrid of *canis familiaris*;

“**farm**” means an agricultural operation as defined in the *Farming and Food Production Protection Act, 1998* and includes such an operation that is not carried on with the expectation of gain but otherwise meets the definition in that Act;

“**keep**” in all its forms, includes care, control or possession whether temporary or permanent;

“**kennel**” means a commercial establishment, licensed or required to be licensed under Schedule 7 of the Licensing By-law No. 07-170, for the keeping or boarding for more than 16 consecutive hours or the breeding of animals that are used or are intended to be used as pets;

“**leash**” means a restraint not exceeding 2.4 metres in length;

“**livestock**” means cattle, goats, horses, sheep, swine, poultry, fur-bearing animals, **bees**, cultured fish, deer, elk, game animals or birds grown, produced or raised as part or all of a farm on **premises** zoned under a **City** zoning by-law permitting such a use;

“**microchip**” means an approved Canadian Standard encoded identification device implanted into an **animal** which is programmed to store a unique and permanent identification number that permits access to owner information which is stored in a central database;

“**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 or reacting to a person or a 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;

“**muzzle**” in all of its forms means a humane fastening placed over a **dog**’s mouth of adequate strength to prevent it from biting;

“**Officer**” means a person appointed by the City of Hamilton or assigned by the Poundkeeper to enforce this By-law;

“**owner**” in all of its forms, when used in relation to an **animal**, includes a person who **keeps** an **animal** and, where the person is under the age of 18, the person responsible for the custody of the person under the age of 18;

“**pet shop**” means a commercial establishment, licensed or required to be licensed under Schedule 7 of the Licensing By-law No. 07-170, for the selling or offering for sale of **animals** that are used or are intended to be used as pets;

“**pit bull**” has the same meaning for the purposes of this By-law as it has for the purposes of the *Dog Owners’ Liability Act*;

“**police animal**” means an **animal** trained to aid police officers and used by police officers when carrying out their duties;

“**pound**” means premises that are operated by the **City** used for the detention, maintenance or disposal of **animals**, namely the premises located at 247 Dartnall Road, Hamilton and any additional premises used for the detention, maintenance or disposal of **animals** that may be operated by the **City** or its contractors from time to time;

“**Poundkeeper**” means the **City**’s Senior Director of Parking and By-law Services and his or her designate or successor;

“**premises**” means a building or a part of a building and any land appurtenant to the building or part of the building and includes a vacant lot;

“**prohibited pit bull**” has the same meaning for the purposes of this By-law as it has for the purposes of the *Dog Owners’ Liability Act*;

“**redemption period**” means that period of time within which the owner of an **animal** that has been impounded in the **pound** has the right to redeem it;

“**restricted pit bull**” has the same meaning for the purposes of this By-law as it has for the purposes of the *Dog Owners’ Liability Act*;

“**rural or agricultural premises**” means:

- (a) premises located in a rural or an agricultural zone permitted under the City's zoning by-laws;
- (b) premises located in a Rural Settlement Area as shown on Map A to Map S attached as Appendix 1 that are 0.2 hectare (.5 acre) or more in area; or
- (c) a farm;

“**service animal**” means an **animal** that:

- (a) (i) is being trained by a recognized organization for service as a guide **animal** for the visually or hearing impaired or a special skills **animal** for other disabled persons; and
(ii) is performing the training for the service; or
- (b) (i) has successfully completed training by a recognized organization for service as a guide **animal** for the visually or hearing impaired or a special skills **animal** for other disabled persons; and
(ii) is performing the service for which it was trained.⁽¹⁷⁻⁰⁸⁰⁾

“**sterilized**” means spayed or neutered;

“**under the control of some person**” includes capable of immediate custody or restraint; and

“**Vietnamese pot-bellied pig**” means a Vietnamese pot-bellied pig lawfully **kept** on February 8, 2012.

PART 2.0 – Interpretation

2.1 For the purpose of this By-law, a use permitted under a City zoning by-law is deemed to include a use excepted from a City zoning by-law under paragraph 34(9)(a) of the Planning Act.

- 2.2 The requirements of this By-law are in addition to requirements contained in any other applicable by-laws of the **City** or applicable provincial or federal statutes or regulations.
- 2.3 If there is a conflict between a provision of this By-law and any other by-law of the **City** or a provincial or federal statute or regulation, the most restrictive in relation to the regulation of **animals** prevails.

PART 3.0 - Scope

- 3.1 The provisions of this By-law apply to the entire geographic area of the **City**.
- 3.2 Despite section 3.1, the provisions of this By-law do not apply to:
- (a) the **premises** of a pound;
 - (b) **premises** used by the Ontario Society for the Prevention of Cruelty to Animals or an affiliated society;
 - (c) a supply facility licensed in accordance with the *Animals for Research Act*;
 - (d) a research facility registered in accordance with the *Animals for Research Act*;
 - (e) an animal hospital or clinic operated and supervised by a veterinarian who has a licence to practise veterinary medicine issued under the *Veterinarians Act*;
 - (f) a university or college;
 - (g) **livestock**, except where **livestock** is **at large** as set out in sections 7.1 and 7.3;
 - (h) a horse boarded or trained as part or all of an agricultural use on **premises** zoned under a **City** zoning by-law permitting such a use, except where a horse is at large as set out in sections 7.1 and 7.3;
 - (i) **bees**;
 - (j) any display held by an agricultural or horticultural organization incorporated under the Agricultural and Horticultural Organizations Act including but not limited to a fair, exhibition or competition held by the Binbrook Agricultural Society, Rockton Agricultural Society or Ancaster Agricultural Society;
 - (k) a temporary public display of **animals** including a circus, carnival or classroom display;
 - (l) the aviary located at 85 Oak Knoll Drive in Churchill Park or as it may be re-located to other **City premises**;
 - (m) the African Lion Safari located at 1386 Cooper Road;
 - (n) Flamboro Downs located at 967 Highway #5 West; or

- (o) the Mountsberg Wildlife Centre located at 2259 Milborough Line.

PART 4.0 – Licensing of Dogs and Vietnamese Pot-Bellied Pigs

- 4.1 No person shall **own** a **dog** or a **Vietnamese pot-bellied pig** without a current, valid licence for the **dog** or the **Vietnamese pot-bellied pig**.
- 4.2 The **owner** of a **dog** or a **Vietnamese pot-bellied pig** applying for a licence shall submit to the **Poundkeeper** a properly completed application together with the applicable licence fee. The application shall include the following:
- (a) the name, address and telephone number of the **dog** or the **Vietnamese pot-bellied pig owner**;
 - (b) the name, colour and sex of the **dog** or the **Vietnamese pot-bellied pig**;
 - (c) if the **animal** is a **dog**, its breed;
 - (d) the address of the **premises** where the **dog** or the **Vietnamese pot-bellied pig** is to be **kept** in the **City**;
 - (e) the date of the **dog** or the **Vietnamese pot-bellied pig**'s most recent rabies vaccination;
 - (f) if the **animal** is a **Vietnamese pot-bellied pig**, the date of its most recent erysipelas vaccination;
 - (g) if applicable, the details of the **dog** or the **Vietnamese pot-bellied pig**'s **microchip** identification;
 - (h) if the **animal** is a **Vietnamese pot-bellied pig**, proof satisfactory to the **Poundkeeper** that it has been detusked;
 - (i) if the **dog** is a **pit bull**, proof satisfactory to the **Poundkeeper** that it is a **restricted pit bull**; and
 - (j) such additional information as may be required by the **Poundkeeper**.
- 4.3 Every **owner** of a **dog** or a **Vietnamese pot-bellied pig** shall notify the **Poundkeeper** immediately of any change in:
- (a) the name, address or telephone number of the **dog** or the **Vietnamese pot-bellied pig owner**;
 - (b) the address of the **premises** where the **dog** or the **Vietnamese pot-bellied pig** is to be **kept** in the **City**;
 - (c) the **ownership** of the **dog** or the **Vietnamese pot-bellied pig**.

- 4.4 A licence issued under this By-law shall expire one year from the date of issuance as shown on the licence.
- 4.5 No licence issued under this By-law shall be valid unless the applicable licence fee has been paid in full.
- 4.6 Every person who **owns** a licensed **dog** or a licensed **Vietnamese pot-bellied pig** shall ensure that they renew the licence before it expires.
- 4.7 In the event the **owner** of a licensed **dog** or a licensed **Vietnamese pot-bellied pig** fails to renew the licence before it expires, they shall pay, in addition to the applicable licence fee, the applicable late payment fee.
- 4.8 Where a licence is renewed, before or after its date of expiry, the date of issuance as shown on the renewed licence shall be one year from the date of issuance as shown on the expired licence.
- 4.9 Despite any other provision under this By-law, no owner, upon the owner providing proof satisfactory to the Poundkeeper, shall pay the fee for:
- (a) up to two consecutive licences (being a maximum period of two consecutive years) for a **dog** that is a **service animal** as defined under subsection (a) of the “**service animal**” definition;
 - (b) a licence issued for a dog that is a **service animal** as defined under subsection (b) of the “**service animal**” definition or for a **police animal**. ⁽¹⁷⁻⁰⁸⁰⁾
- 4.10 An application for a licence for:
- (a) a Vietnamese pot-bellied pig, except for a Vietnamese pot-bellied pig lawfully **kept** on February 8, 2012; or
 - (b) a **prohibited pit bull**,
- shall not be processed and shall be returned to the applicant.
- 4.11 Despite section 4.1, no licence shall be required under this By-law for:
- (a) a **dog** which has not been weaned and which is under the age of 12 weeks; or
 - (b) a **dog** which is temporarily **kept** at a **kennel**, if the **dog**, when not being **kept** at the **kennel**, is kept at **premises** located outside of the **City**.
- 4.12 Where a licence is issued under this By-law, the **owner** of the **dog** or the **Vietnamese pot-bellied pig** shall be given a licence number and an identification tag.
- 4.13 Every **owner** shall ensure that the identification tag corresponding to the licence issued for their **dog** or their **Vietnamese pot-bellied pig** is attached to the **dog** or the Vietnamese pot-bellied pig at all times.

- 4.14 Despite section 4.13, the identification tag is not required to be attached to a **dog** that is being lawfully used for hunting.
- 4.15 No person shall attach an identification tag to a **dog** or a **Vietnamese pot-bellied pig** for which the corresponding licence was not issued.
- 4.16 Every **owner** of a **dog** or a **Vietnamese pot-bellied pig** shall ensure that a lost identification tag is replaced immediately.
- 4.17 The **owner** of a **dog** or a **Vietnamese pot-bellied pig** applying for a replacement identification tag shall submit to the **Poundkeeper** a properly completed application together with the applicable fee. The application shall include proof satisfactory to the **Poundkeeper** that a current, valid licence has been issued for the **dog** or the **Vietnamese pot-bellied pig**.
- 4.18 Part 4, with all necessary modifications, applies to any **owner** with a current, valid multiple **dog** licence, referred to as a “Flat rate licence” in the User Fees and Charges By-law, on February 8, 2012 until the **dogs** licensed under the multiple **dog** licence have died or are otherwise disposed of.
- 4.19 The **Poundkeeper** may revoke any licence issued in error.

PART 5.0 – Number of Animals

- 5.1 For the purposes of Part 5.0, “**animal**” does not include a pigeon.
- 5.2 For the purposes of section 5.3, “**premises**” does not include **rural or agricultural premises**.
- 5.3 No person shall **keep** or permit to be **kept** on any one **premises** owned or occupied by them more than any combination of four animals.
- 5.4(1) Despite section 5.3, a person:
- (a) who is lawfully **keeping** more than the maximum number of **animals** may continue to **keep** the **animals** until the **animals** have died or are otherwise disposed of if the person otherwise complies with this By-law;
 - (b) may **keep** an **animal**:
 - (i) following the birth of the **animal** until the age of 12 weeks;
 - (ii) on premises licensed as a **kennel** or a **pet shop** under the **City’s** Licensing By-law No. 07-170;

- (iii) if the premises where they keep the **animal** has been approved by the **Poundkeeper** in advance as an animal foster home.
- (2)(a) Approval of an animal foster home under subparagraph 5.4(1)(b)(iii) may be given by the **Poundkeeper** after submission of a properly completed certification, accompanied by the applicable fee.
- (b) The person submitting the certification under paragraph 5.4(2)(a) shall certify that:
- he or she will at all times operate and be responsible for the animal foster home
 - he or she will comply with this By-law and all other applicable statutes, regulations and by-laws when operating the animal foster home
 - the animal foster home will operate on a not-for-profit basis
 - the animal foster home will provide temporary care for the animals
 - the animals will be adopted out to appropriately screened owners
 - the Poundkeeper will be informed immediately of any change in the operation of the animal foster home
 - such additional information as may be required by the **Poundkeeper**

PART 6.0 – Keeping Pigeons

- 6.1 No person shall keep a pigeon unless they are a member in good standing of the Canadian Racing Pigeon Union Inc. or the Canadian Pigeon Fanciers' Association.⁽¹⁴⁻⁰⁶⁷⁾
- 6.2 Every **owner** of a pigeon shall ensure that the pigeon is banded with an identifying leg band issued by the Canadian Racing Pigeon Union Inc. or the Canadian Pigeon Fanciers' Association.
- 6.3 Every **owner** of a pigeon shall **keep** it in a pigeon enclosure located in a rear yard that, in addition to complying with sections 7.10 and 7.11:
- (a) is adequate for the size and breed of pigeon;
 - (b) has an unobstructed space between the ground and the underside of the floor of not less than 30 centimetres;
 - (c) is located not less than:

- (i) 3 metres from the boundary line of adjacent premises that contain a school, church, public hall, store or dwelling; and⁽¹⁴⁻⁰⁶⁷⁾
 - (ii) 10 metres from a building on adjacent premises that contains a school, church public hall, store or dwelling;⁽¹⁴⁻⁰⁶⁷⁾ and, any **premises** containing a school, church, public hall, store, dwelling or **premises** used for human habitation, other than **premises** used exclusively by the owner of the pigeon; and
 - (d) has its inside walls and ceilings, except walls and ceilings constructed of wire, lime-washed, painted or disinfected at least twice yearly.
- 6.4 Every **owner** of a pigeon shall ensure that all food for the pigeon is kept in air-tight, rodent-proof containers.
- 6.5 No owner of a pigeon shall feed or shall permit a person to feed their pigeon when the pigeon is outside a pigeon enclosure.
- 6.6 Every **owner** of a pigeon shall ensure that all pigeon droppings, refuse and dropped or scattered feed on the **owner's premises** are removed and disposed of at least twice each week.
- 6.7 Despite section 7.3, every **owner** of a pigeon shall ensure that the pigeon is **kept** in the pigeon enclosure at all times except during:
- (a) a maximum of two flights daily before 10:00 a.m. or after 3:00 p.m.;⁽¹⁴⁻⁰⁶⁷⁾ or
 - (b) a flight conducted by the Canadian Racing Pigeon Union Inc. or the Canadian Pigeon Fanciers' Association.
- 6.8 Each flight under subsection 6.7(a) shall:
- (a) include no more than one half of the total number of pigeons being kept by the **owner**; and
 - (b) be supervised by the **owner** or by a competent person on the **owner's** behalf.
- 6.9 ⁽¹⁴⁻⁰⁶⁷⁾No person shall keep or permit to be kept on any one premises owned or occupied by them, more than:
- (a) 80 pigeons from April 1 to October 31 in any one year; and
 - (b) 60 pigeons from November 1 in any one year to March 31 in the following year.⁽¹⁴⁻⁰⁶⁷⁾

PART 7.0 – Prohibiting Animals at Large, etc.

- 7.1 For the purposes of section 7.3, “**animal**” includes **livestock** or a horse.
- 7.2 For the purposes of subsection 7.3(b), “**premises**” does not include any part of:
- (a) non-residential or residential **premises** that serve as common areas for occupiers or owners; or
 - (b) non-residential **premises** that are open to the public.
- 7.3 No owner of a **dog, cat** or other **animal** shall permit that the **dog, cat** or other **animal** to be **at large**, except when the **dog, cat** or other **animal** is:
- (a) on **premises** owned or occupied by the **owner**; or
 - (b) on **premises** owned or occupied by a person who has given prior consent.
- 7.4 Despite section 7.3, a **dog**, except a **restricted pit bull** or a **dog** designated as potentially dangerous or dangerous, may be unleashed if:
- (a) the **dog** is under the control of the **owner** or a competent person on the **owner’s** behalf and both the **dog** and the person are within:
 - Birch Avenue Dog Park** (Ward 3 - South East Corner of 330 Wentworth Street), as shown in the attached Appendix 2 on Map A, from 5 p.m. to 11 p.m. Monday to Friday and from 6 a.m. to 11 p.m. Saturday and Sunday;
 - Borer’s Falls** (00 Valley Road, Dundas, being Part of Lot 22, Concession 2, being Parts 1 and 2 on 62R-19536, City of Hamilton, formerly Town of Dundas), as shown in the attached Appendix 2 on Map A-1, from ⁽¹⁵⁻⁰⁰⁴⁾ 7:00 a.m. to 9:00 p.m., April 1 through October 31, and 7:00 a.m. to 6:00 p.m. from November 1 through March 31;^{(15-004); (13-217)}
 - Cathedral Park** (Ward 1 – 707 King Street West) as shown in the Appendix 2 on Map A-2, from 6:00 a.m. to 11:00 p.m. every day;⁽¹⁴⁻¹⁹¹⁾
 - Chegwin Park** (Ward 13 – 27 Chegwin Street), as shown in the attached Appendix 2 on Map B, from 6 a.m. to 11 p.m. every day;
 - Corporal Nathan Cirillo Leash Free Area** (Ward 12 – 799 Golf Links Road), as shown in the attached Appendix 2 on Map B-1, from 6:00 a.m. to 11:00 p.m. every day;⁽¹⁵⁻²⁶¹⁾
 - Globe Park Dog Park** (2199 Brampton Street, Hamilton), as shown in Appendix 2 on Map F, from 6:00 a.m. to 11:00 p.m. every day; ⁽²²⁻¹⁰⁸⁾

Hannon South Open Space (Ward 6 – Part of 1450 Rymal Road East, South Portion), as shown in the attached Appendix 2 on the Map C, from 6 a.m. to 11 p.m. every day;

Heritage Green Community Trust (Ward 9 – 297 First road West, Stoney Creek), as shown in the attached Appendix 2 on Map C-1, from 6:00 a.m. to 11:00 p.m. everyday;⁽¹⁵⁻¹⁷⁷⁾

Hill Street Park (Ward 1 – 13 Hill Street), as shown in the attached Appendix 2 on Map D, from 6 a.m. to 11 p.m. every day;

Joe Sams Leisure Park (Ward 15 - 752 Centre Road, Waterdown); as shown in Schedule 1, Appendix 2 on Map E ⁽²⁰⁻²¹⁹⁾

~~**Little John Park** (Ward 13 – 110 Little John Road), as shown in the attached Appendix 2 on Map E, ⁽¹⁴⁻¹⁹¹⁾ to 6:00 a.m. to 9:00 a.m. and 7:00 p.m. to 11:00 p.m. every day;^{(14-191) (17-079)}~~

Rail Trail Dog Park (Escarpment Rail Trail off Corktown Park, 180 Victoria Avenue South, Hamilton), as shown in Appendix 2, Map G, from 7:00 a.m. to 9:00 p.m. every day;⁽²²⁻¹⁰⁸⁾

~~**Strachan Street General Open Space** (Ward 2 – a portion of the East end of 51-134 Strachan Street), as shown in the attached Appendix 2 on Map F, from 6:00 a.m. to 11:00 p.m. every day;^{(12-220) (22-108)}~~

Ward 2 Temporary Free Running Area (371 Wellington Street North), as shown in Appendix 2, Map H, from 6:00 a.m. to 11:00 p.m. every day; ⁽²²⁻¹⁰⁸⁾

- (b) the **owner** or the competent person on the **owner's** behalf complies with the Rules and Regulations for Leash Free Parks set out in section 7 of the **City's** Leash Free Parks Policy, as amended or replaced from time to time and posted in the Leash Free Parks.

7.5 Despite section 7.3,

- (a) a **dog**, except a **restricted pit bull** or a **dog** designated as potentially dangerous or dangerous, is deemed not to be **at large** if it is lawfully being used for hunting;
- (b) a pigeon is deemed not to be at large if it is participating in a flight permitted under section 6.7;
- (c) a raptor is deemed not to be at large if it is lawfully being used for hunting or bird control.

- 7.6 No **owner** of a **dog** shall permit the **dog** to be outdoors on **premises** as described under subsections 7.3(a) and 7.3(b) except where the **dog** is:
- (a) contained in an enclosure or fenced area, including an area enclosed by electronic fencing known as invisible fencing;
 - (b) restrained by a chain or other restraint no less than 3 metres in length; or
 - (c) **under the control of some person**,
- sufficient to prevent the **dog** from leaving the **premises**.
- 7.7 Despite section 7.6, a **dog** may be outdoors on **rural or agricultural premises** or on **premises** 0.5 hectare (1.2 acre) or more in area if the **dog** is sufficiently trained so as to remain on the **premises**.
- 7.8 No **owner** of a **dog** shall permit the **dog** to:
- (a) behave in a manner that poses a menace to the safety of a person or domestic animal; or
 - (b) to **bite** or attack a person or domestic animal.
- 7.9 No **owner** of a **dog** shall **keep** the **dog** from dusk to dawn on **premises** that are not used primarily for residential purposes unless clearly visible signs are posted sufficient to give notice of the **dog** to persons entering the **premises**.
- 7.10 Every **owner** of an **animal** shall ensure that the place where the **animal** is **kept** is such that:
- (a) the **animal** may extend its legs, wings or body to their full natural extent;
 - (b) the **animal** may stand, sit or perch, or the place is otherwise adequate for the needs of the **animal**;
 - (c) the **animal** may be readily observed, unless the natural habits of the **animal** require otherwise; and
 - (d) the place is in a clean and sanitary condition.
- 7.11 In addition to complying with section 7.10, every **owner** of an **animal** shall ensure that any structure located in a yard where the **animal** is **kept** is:
- (a) in the rear yard;
 - (b) located not less than 1 metre from the boundary line between the **owner's premises** and any abutting **premises**;
 - (c) soundly constructed of hard, durable materials;
 - (d) impervious to water;

- (e) constructed of materials that may be readily sanitized;
- (f) maintained in a good state of repair free from cracks, holes, rust and other damage;
- (g) kept in a way that minimizes as nearly as practicable the transfer of pathogenic agents; and
- (h) adequately ventilated for the health and comfort of the **animal** enclosed.

(18-008) 7.12 No person who is the owner of an animal shall permit the animal to make noise that is:

- (a) unreasonably loud; or
- (b) likely to disturb the inhabitants of the City of Hamilton; or
- (c) both,
 - (i) persistent in nature; and
 - (ii) clearly audible at a point of reception.

This section does not apply to noise from an animal on a farm.

PART 8.0 – Poop and Scoop for Animals

- 8.1 Every owner of an **animal**, except the **owner** of a **service animal** or a **police animal**, shall immediately remove and dispose of any feces left by the **animal** on any **premises** except **premises** owned or occupied by the **owner**.
- 8.2 Every **owner** of an **animal** shall, in a timely manner, remove and dispose of any feces left by the **animal** on **premises** owned or occupied by the **owner**.

PART 9.0 – Designating Dogs as Potentially Dangerous or Dangerous

- 9.1 Where an **Officer** is satisfied that, in the absence of any **mitigating factor**, a **dog** has approached a person or domestic animal in a menacing fashion or apparent attitude of attack, including, but not limited to, behaviour such as growling or snarling, the Officer may issue a designation in writing to the **owner** designating the **dog** as potentially dangerous.
- 9.2 Where an **Officer** is satisfied that a **dog**:
- (a) has, in the absence of any **mitigating factor**, attacked, **bitten** or caused injury to a person or has demonstrated a propensity, tendency or disposition to do so;

- (b) has, in the absence of a **mitigating factor**, significantly injured a domestic animal; or
- (c) having been previously designated as potentially dangerous, is **kept** or permitted to be **kept** in violation of the requirements for a potentially dangerous **dog**, the **Officer** may issue a designation in writing to the **owner** designating the **dog** as dangerous.

9.3 No **owner** of a **dog** designated as potentially dangerous or dangerous shall transfer **ownership** of the **dog** without first having obtained the written consent of the **Poundkeeper**. In granting or refusing consent, the **Poundkeeper** shall consider the likelihood that all the applicable provisions of this By-law and the *Dog Owners' Liability Act*, including any orders under that Act, will be met.

9.4 In addition to complying with all of the applicable provisions of this By-law, every **owner** of a **dog** designated as potentially dangerous or dangerous shall ensure that:

- (a) the **dog** is implanted with a **microchip**; and
- (b) the **dog** is **sterilized** before reaching the age of six months or within 30 days of being designated.
- (c) when not on **premises** owned or occupied by the **owner**, the **dog** is equipped with a **muzzle** and secured with a **leash** in accordance with the following:
 - (i) a **muzzle** shall be securely placed over the mouth of the **dog** at all times so that the **dog** cannot **bite** any person or domestic animal;
 - (ii) a collar or harness shall be securely placed on the **dog** at all times so that the **dog** cannot detach the collar or harness;
 - (iii) a **leash** shall be securely attached to a collar or harness at all times so that the **dog** cannot detach the **leash** from the collar or harness; and
 - (iv) the **dog** shall be **under the control of some person** by means of the **leash** at all times; and
- (d) when the **dog** is on **premises** owned or occupied by the **owner**, the **dog** is:
 - (i) securely contained indoors; or
 - (ii) 1. where a **dog** designated as potentially dangerous is outdoors, contained in an enclosure or fenced area or restrained by a chain or other restraint sufficient to prevent the **dog** from leaving the **premises**; and

2. where a **dog** designated as dangerous is outdoors, contained in a six-sided pen which includes a top and bottom and which is located at least 2 metres from any property line or in a yard enclosed by a fence that is at least 2 metres in height, is securely locked and is constructed so as to prevent the **dog** from leaving the yard.

- 9.5 Every owner of a **dog** designated as potentially dangerous or dangerous shall:
- (a) provide proof, on demand, satisfactory to an **Officer**, that the **dog** has been implanted with a **microchip** or **sterilized** or both; and
 - (b) post in a conspicuous place at the entrance to the **owner's premises** a clearly visible sign warning of the presence of a potentially dangerous or dangerous **dog**.
- 9.6 The **owner** of a **dog** which has been designated as potentially dangerous or dangerous may request a hearing by the **Poundkeeper**.
- 9.7 A request by the **owner** of a **dog** for a hearing under section 9.6 shall be made in writing, accompanied by the applicable fee and delivered to the **Poundkeeper** within 15 days of issuance of the designation.
- 9.8 Notice of a hearing date to the **owner** of a **dog** who has made a request under section 9.7 shall include:
- (a) a statement of the time, date and purpose of the hearing; and
 - (b) a statement that if the **owner** of the **dog** does not attend the hearing, the **Poundkeeper** may proceed in their absence without notice to them.
- 9.9 The notice of hearing under section 9.8 may be given by delivering it personally or by sending it by prepaid registered mail to the last known address of the **owner** of the **dog** on file with the **City**. When notice is given by registered mail, it shall be deemed to have been given on the 5th day after the day of mailing.
- 9.10 The **Poundkeeper** shall hold a hearing pursuant to the *Statutory Powers Procedure Act* at the time, date and place set out in the notice of hearing and the **Poundkeeper** may:
- (a) confirm or rescind the designation;
 - (b) substitute his or her own designation of the **dog** as potentially dangerous or dangerous;
 - (c) confirm, rescind or vary the requirements of the **owner** imposed by the designation including substituting the **Poundkeeper's** own requirements that may be tailored to the specific circumstances before the **Poundkeeper**.

- 9.11 The decision of the **Poundkeeper** is final and binding and the designation of a **dog** as potentially dangerous or dangerous, including all of the requirements of the **owner** imposed by the designation, remains in effect until that decision is made.
- 9.12 Despite subsections 9.4(a) and 9.4(b) and section 9.11, the **owner** of a **dog** who has requested a hearing in compliance with sections 9.6 and 9.7 shall not be required to have their **dog** implanted with a **microchip** or **sterilized** until 30 days after a decision of the **Poundkeeper** confirming these requirements.
- 9.13 Sections 9.1 to 9.12 shall not apply to a **dog** while it is used as a **police animal**.

PART 10.0 – Prohibited Animals

- 10.1 No person shall **keep animals** belonging to the following orders:
- Anseriformes** (e.g. ducks, geese, swans and screamers), except located on **rural or agricultural premises** zoned under a **City** zoning by-law permitting such a use;
- Artiodactyla** (e.g. cattle, goats, sheep, pigs, deer, elk, alpacas and llamas), except:
- (a) a Vietnamese pot-bellied pig with a current, valid licence on February 8, 2012; or
 - (b) located on **rural or agricultural premises** zoned under a **City** zoning by-law permitting such a use;
- Carnivora** (e.g. otters, wolves, bears, coyotes, foxes, tigers, leopards, cougars, lions, lynx, mink, skunks, weasels, badgers, mongooses and racoons), except **dogs, cats** and ferrets;
- Chiroptera** (e.g. bats, myotis and flying foxes);
- Crocodylia** (e.g. alligators, crocodiles, gavials and caimans);
- Edentates** (e.g. anteaters, sloths and armadillos);
- Galliformes** (e.g. pheasants, grouse, guinea fowls, turkeys, chickens and peafowls), except located on **rural or agricultural premises** zoned under a **City** zoning by-law permitting such a use;
- Lagomorpha** (e.g. hares and pikas), except domestic rabbits;
- Marsupialia** (e.g. koalas, kangaroos, opossums and wallabies), except sugar gliders derived from self-sustaining captive populations;

Perissodactyla (e.g. horses, donkeys, jackasses, mules, zebras and ponies), except located on **rural or agricultural premises** zoned under a **City** zoning by-law permitting such a use;

Primates (e.g. chimpanzees, gorillas, monkeys and lemurs);

Proboscidea (e.g. elephants, rhinoceros, hippopotamuses);

Raptors (e.g. eagles, hawks, falcons and owls), except as permitted under a provincial falconry licence;

Rodentia (e.g. porcupines, prairie dogs, nutria and chinchillas) except Rodentia:

- (a) where neither the female nor the male of the species exceeds or will exceed 1,500 grams in weight before or at maturity; and
- (b) that are derived from a self sustaining captive population;

Squamata (e.g. lizards and snakes) except:

- (a) non-venomous snakes where neither the female nor the male of species exceeds or will exceed 3 metres in length from nose to tip of tail before or at maturity; and
- (b) non-venomous lizards (not including Iguana iguana) where neither the female nor the male of the species exceeds or will exceed 2 metres in length from nose to tip of tail before or at maturity; or

Struthioniformes (e.g. ostriches, rheas, cassowaries, emus and kiwis), except ostriches, emus or kiwis located on **rural or agricultural premises** zoned under a **City** zoning by-law permitting such a use.

- 10.2 No person shall **keep** or permit to be **kept** an **animal** that produces any poison, venom or toxin, except *Grammostola rosea* (Chilean Rose), *Brachypelma smithi* (Mexican Red-Knee) and *Avicularia avicularia* (Pink-Toe) Tarantulas.
- 10.3 Despite sections 10.1 and 10.2, a provincially authorized wildlife custodian may **keep** an **animal** prohibited under this By-law in accordance with the authorization.
- 10.4 No person shall **keep** or permit to be **kept** any insect, spider or squamata permitted under this By-law except in an escape-proof enclosure.
- 10.5 No person shall **keep** or permit to be **kept** any lagomorph, marsupial or rodent permitted under this By-law except in a suitable enclosure.
- 10.6 (14-121)Part 10 of By-law No. 12-031 is amended by adding the following new Section 10.6:

- 10.6(1) For the purposes of sub-section 10.6(2) “Institution and Facility” have the meaning given to those words by Canada’s Accredited Zoos and Aquariums.
- (2) Despite Section 10.1, an institution whose facility is accredited by Canada’s Accredited Zoos and Aquarium may keep an animal prohibited under Section 10.1 if:
- (a) the institution maintains its Canada’s Accredited Zoos and Aquairums accreditation;
 - (b) neither the institution or the facility sells or offers for sale, animals;
 - (c) the facility is on premises zoned under a City zoning by-law permitting the use;
 - (d) the facility is on a premises where there is no residential use;
 - (e) the facility:
 - (i) shares no common wall with any other use or is self-contained in accordance with its Canada’s Accredited Zoos and Aquariums accreditation;
 - (ii) shares no NVAC system and no plumbing system with any other use and
 - (f) signs are posted in the facility at all public entrances/exits and in each room where animals are displayed that:
 - (i) include the statements:
 - caution: the animals on display are unpredictable and may be dangerous;
 - after touching the animals or their living areas, wash your hands; and
- (3) Despite Sections 10.4 and 10.5, animals kept on premises that meet the requirements of sub-section 10.6(2) may be kept outside of an escape-proof enclosure or a suitable enclosure for educational purposes.⁽¹⁴⁻¹²¹⁾

PART 11.0 – Impounding Animals

11.1 The **Poundkeeper**, an **Officer** or a police officer may seize any **animal** found **at large** and deliver it to the **pound**.

- 11.2 An **animal** seized under section 11.1 shall be considered impounded at the time and place it is seized by the **Poundkeeper**, an **Officer** or a police officer.
- 11.3 The **Poundkeeper** may impound, at the **pound**, any **dog** or **cat** delivered to the **pound** by the **Poundkeeper**, an **Officer**, a police officer or its **owner**.
- 11.4 The **Poundkeeper** may impound, at any enclosed place in the **City**, any **animal** other than a **dog** or **cat** delivered to the **pound** by the **Poundkeeper**, an **Officer**, a police officer or its **owner**.

Dogs and Cats

- 11.5 The **Poundkeeper** shall **keep** any impounded **dog** or **cat** for a **redemption period** of three days, excluding:
- (a) the day on which the **dog** or **cat** is impounded;
 - (b) statutory holidays; and
 - (c) days on which the **pound** is not open.
- 11.6 During the **redemption period**, the **Poundkeeper**:
- (a) may inoculate the impounded **dog** or **cat** to provide immunization against distemper or any other contagious or infectious disease;
 - (b) shall provide such veterinary care of an injured or ill impounded **dog** or **cat** as may be necessary to sustain its life.
- 11.7 Despite section 11.6, during the **redemption period**, the **Poundkeeper** may euthanize a **dog** or **cat** without delay where, in the opinion of the **Poundkeeper**, this is warranted for humane reasons.
- 11.8 The **Poundkeeper** shall be entitled to recover from the **owner** of the **dog** or **cat** the cost of inoculating or providing veterinary care during the **redemption period** in addition to any other applicable fees for the redemption of the **dog** or **cat**.
- 11.9 During the **redemption period**, the **owner** of an impounded **dog** or **cat** may redeem it if the **owner**:
- (a) pays the applicable fees for redemption of the **dog** or **cat**;
 - (b) provides evidence satisfactory to the **Poundkeeper** that they **own** the **dog** or **cat**;
 - (c) provides evidence satisfactory to the **Poundkeeper** that the **dog** is licensed under this By-law or, if not, licenses the **dog** in accordance with this By-law; and

- (d) if an impounded **dog** is designated as potentially dangerous or dangerous, satisfies the **Poundkeeper** that they are aware of and in compliance with requirements for **keeping the dog**.

11.10 After the expiration of the **redemption period**, the **Poundkeeper** may:

- (a) release the impounded **dog** or **cat** to its **owner** in accordance with section 11.9; or
- (b) **keep**, sell or dispose of, including euthanize, the **dog** or **cat**, subject to applicable provisions of the *Animals for Research Act*.

Animals other than Dogs and Cats

11.11 For the purposes of sections 11.12 to 11.16 “**animal**” means an **animal** other than a **dog**, a **cat** or an **animal** that is prohibited under section 10.1 or 10.2.

11.12 Where an **animal** is impounded, the **Poundkeeper** shall **keep** the impounded **animal** for a **redemption period** of three days, excluding:

- (a) the day on which the **animal** is impounded;
- (b) statutory holidays; and
- (c) days on which the **pound** is not open.

11.13 Despite section 11.12, during the **redemption period**, the **Poundkeeper** may euthanize an **animal** without delay where, in the opinion of the **Poundkeeper**, this is warranted for humane reasons.

11.14 During the **redemption period**, the **Poundkeeper** may:

- (a) inoculate the impounded **animal** to provide immunization against any contagious or infectious disease;
- (b) provide veterinary care for an injured or ill impounded **animal**;
- (c) release the impounded **animal** to its **owner**, if the **owner**:
 - (i) provides evidence satisfactory to the **Poundkeeper** that they **own** the **animal**; and
 - (ii) pays the applicable fees.

11.15 The **Poundkeeper** shall be entitled to recover from the **owner** of the **animal** the cost of inoculating or providing veterinary care during the **redemption period** in addition to any other applicable fees for the redemption of the **animal**.

11.16 After the expiration of the **redemption period**, the **Poundkeeper** may **keep**, sell or dispose of, including euthanize, the impounded **animal**.

Prohibited Animals

- 11.17 Where an **animal** that is prohibited under sections 10.1 or 10.2 is impounded, the **Poundkeeper** may, at any time, **keep**, sell or dispose of, including euthanize, the impounded **animal**.
- 11.18 The **owner** of an **animal** is liable to pay the applicable fees for impounding an **animal** regardless of whether or not they claim the **animal** from the **pound**.
- 11.19 Where an **animal** cannot be seized and where the safety of persons or **animals** is endangered, the **Poundkeeper**, an **Officer** or a police officer may euthanize the **animal** immediately.
- 11.20 No compensation, damages, fees or any other amount of money on account of or by reason of the seizure, impounding, euthanizing, sale or disposal of an **animal** shall be recovered by the **owner** or paid by the **Poundkeeper** or the **City**.

PART 12.0 – Administration and Enforcement

- 12.1 The **Poundkeeper** is authorized to administer and enforce this By-law including but not limited to:
- (a) arranging for:
 - (i) the assistance or work of **City** staff, **City** agents or the assistance of police officers;
 - (ii) the making of designations, orders or other requirements and the imposition of conditions as authorized under this By-law;
 - (iii) the obtaining of court orders or warrants as may be required; or
 - (iv) the commencement of such actions on behalf of the **City** to recover costs or restrain contravention of this By-law as deemed necessary; or
 - (b) prescribing the format and content of any forms or other documents required under this By-law.
- 12.2 The **Poundkeeper** may assign **Officers** to enforce this By-law and **Officers** so assigned or appointed by **Council** to enforce this By-law shall have the authority to:
- (a) carry out inspections;
 - (b) make designations, orders or other requirements and impose conditions as authorized under this By-law;

- (c) give immediate effect to any order or other requirement made under sections 12.6, 12.9 or 12.11;

12.3 The **Poundkeeper** may assign duties or delegate tasks under this By-law to be carried out in the **Poundkeeper's** absence or otherwise.

12.4 Licence fees and other fees under this By-law, including fees for services provided by the **Poundkeeper**, shall be as set and approved by **Council** from time to time.

12.5 The **Poundkeeper** or an **Officer** may enter on land at any reasonable time and in accordance with the conditions set out in sections 435 and 437 of the *Municipal Act, 2001* for the purpose of carrying out an inspection to determine whether or not the following are being complied with:

- (a) this By-law;
- (b) a designation, order or other requirement made under this By-law, including a designation of a **dog** as potentially dangerous or dangerous;
- (c) a condition of a licence issued under this By-law; or
- (d) an order made under section 431 of the *Municipal Act, 2001*.

12.6 The **Poundkeeper** or an **Officer**, for the purposes of the inspection under section 12.5 and in accordance with the conditions set out in section 436 of the *Municipal Act, 2001*, may:

- (a) require the production for inspection of documents or things relevant to the inspection;
- (b) inspect and remove documents or things relevant to the inspection for the purpose of making copies or extracts;
- (c) require information in writing or otherwise as required by the **Poundkeeper** or an **Officer** from any person concerning a matter related to the inspection; or
- (d) alone or in conjunction with a person possessing special or expert knowledge, make examinations or take tests, samples or photographs necessary for the purposes of the inspection.

12.7 The **Poundkeeper** may require an **owner** to pay any costs incurred by the **City** in exercising its authority to inspect under section 12.6, including but not limited to the cost of any examination, test, sample or photograph necessary for the purposes of the inspection.

- 12.8 The **Poundkeeper** or an **Officer** may undertake an inspection pursuant to an order issued by a provincial judge or justice of the peace under section 438 of the *Municipal Act, 2001* where he or she has been prevented or is likely to be prevented from carrying out an inspection under sections 12.5 and 12.6, if, in the case of an order authorizing an inspection of a room or place actually being used as a dwelling, the occupier is given notice concerning the inspection in accordance with subsection 438(5) of the *Municipal Act, 2001*.
- 12.9 If an **Officer** is satisfied that a contravention of this By-law has occurred, he or she may make an order requiring the person who contravened the By-law or who caused or permitted the contravention or the owner or occupier of the **premises** on which the contravention occurred to discontinue the contravening activity.
- 12.10 An order under section 12.9 shall set out:
- (a) reasonable particulars of the contravention adequate to identify the contravention and the location of the **premises** on which the contravention occurred; and
 - (b) the date or dates by which there must be compliance with the order.
- 12.11 If an **Officer** is satisfied that a contravention of this By-law has occurred, he or she may make an order requiring the person who contravened the By-law or who caused or permitted the contravention or the owner or occupier of the **premises** on which the contravention occurred to do work to correct the contravention.
- 12.12 An order under section 12.11 shall set out:
- (a) reasonable particulars of the contravention adequate to identify the contravention and the location of the **premises** on which the contravention occurred;
 - (b) the work to be completed; and
 - (c) the date or dates by which the work must be complete.
- 12.13 An order to discontinue contravening activity made under section 12.9 or an order to do work made under section 12.11 may be served personally or by registered mail to the last known address of:
- (a) the **owner** of the **animal**; and
 - (b) such other persons affected by it, including the owner or occupier of the **premises** where the contravention occurred, as the **Officer** making the order determines.
- Service by registered mail shall be deemed to have taken place five business days after the date of mailing.

- 12.14 In addition to service given in accordance with section 12.13, an order to discontinue contravening activity made under section 12.9 or an order to do work made under section 12.11 may be served by an **Officer** placing a placard containing the order in a conspicuous place on the **premises** of the **owner** responsible for the contravention.
- 12.15 Where service cannot be given in accordance with section 12.13, sufficient service is deemed to have taken place when given in accordance with section 12.14.
- 12.16(1) Where a person does not comply with a designation, order or other requirement made under this By-law to do a matter or thing, the **Poundkeeper**, with such assistance by others as may be required, may carry out such designation, order or other requirement at the person's expense.
- (2) Where the costs of doing a matter or thing under subsection 12.16(1) are estimated to be:
- (a) \$20,000 or less, the **Poundkeeper** may proceed without further approval; or
 - (b) more than \$20,000, the **Poundkeeper** may proceed with approval of an authorized person or of **Council**.
- 12.17 The **City** may recover the costs of doing a matter or thing under section 12.16 by action or by adding the costs to the tax roll and collecting them in the same manner as property taxes and such costs shall include an annual interest rate of 15 per cent commencing on the day the **City** incurs the costs and ending on the day the costs, including the interest, are paid in full.
- 12.18 No person shall hinder or obstruct, or attempt to hinder or obstruct, any person who is exercising a power or performing a duty under this By-law.
- 12.19(1) Every person who fails to comply with any provision of this By-law or a designation, order or other requirement made under this By-law, or an officer or director of a corporation who knowingly concurs in such a failure to comply by the corporation, is guilty of an offence and is liable:
- (a) on a first conviction, to a maximum fine of not more than \$10,000; and
 - (b) on any subsequent conviction, to a maximum fine of not more than \$25,000.
- (2) Despite subsection 12.19(1), where the person convicted is a corporation:
- (a) the maximum fine in paragraph 12.19(1)(a) is \$50,000; and
 - (b) the maximum fine in paragraph 12.19(1)(b) is \$100,000.

12.20 Where a person has been convicted of an offence, the court in which the conviction has been entered and any court of competent jurisdiction thereafter may, in addition to any other remedy and to any penalty imposed by this By-law, make an order prohibiting the continuation or repetition of the offence by the person convicted.

13.0 – General Provisions

13.1 The Appendices attached to this By-law form part of it.

13.2 This By-law may be referred to as the Hamilton Responsible Animal Ownership By-law or the Responsible Animal Ownership By-law.

13.3 If a court of competent jurisdiction declares any provision or part of a provision of this By-law invalid, the provision or part of a provision is deemed severable from this By-law and it is the intention of **Council** that the remainder of the By-law shall continue to be in force.

14.0 – Repeals, Amendments, Transition and Enactment

14.1 The following By-Laws, all as amended, are repealed;

- (a) City of Hamilton By-law No. 01-169 Respecting the Control and Licensing of Dogs and Kennels;
- (b) City of Hamilton By-law No. 04-298 Respecting Animal Control Services;
- (c) The Corporation of the City of Hamilton By-Law No. 84-191 Respecting the Keeping of Animals;
- (d) The Corporation of the City of Hamilton By-Law No. 86-343 To Regulate and Control Cats;
- (e) The Corporation of The Town of Dundas By-law No. 3612-86 Being a By-law To Regulate the Keeping of Various Kinds of Animals in The Town of Dundas;
- (f) The Corporation of The Township of Glanbrook By-law No. 575-99 A By-law Respecting The Regulating, Prohibiting, Controlling and Keeping of Cats, Dogs and Other Animals;
- (g) The Corporation of The Town of Flamborough By-law No. 93-56-L The Dog Control By-law for The Town of Flamborough;

- (h) The Corporation of The City of Stoney Creek By-law No. 3912-93 To Prohibit The Keeping of Certain Classes of Animals and To Regulate The Keeping of Certain Classes of Other Animals in The City of Stoney Creek; and
- (i) The Corporation of The City of Stoney Creek By-law No. 4319-95 To Provide For The Operation of The Stoney Creek Animal Control Centre and For The Control and Keeping Dogs, Cats and Other Animals; and
- (j) The Corporation of The City of Stoney Creek By-law No. 4320-95 To Provide for the Licensing of Dogs and Kennels in The City of Stoney Creek.

14.2 Despite the repeal of a by-law under section 14.1:

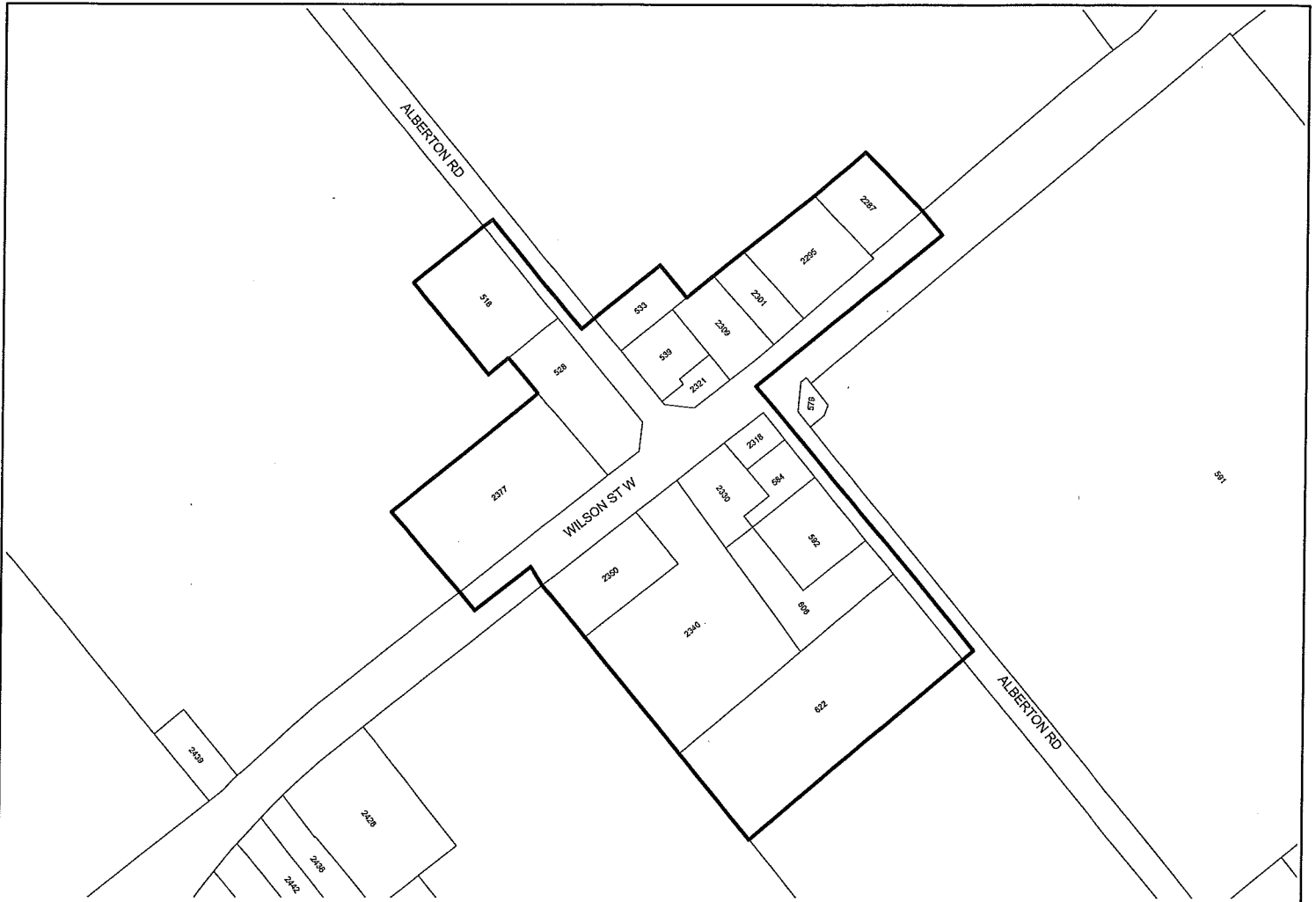
- (a) the by-law shall continue to apply to proceedings in respect of offences that occurred before its repeal; and
- (b) all licences issued under the by-law that are in effect at the time of the repeal shall be deemed to be licences as issued under this By-law, with all necessary modifications, and all the rules, requirements and regulations of this By-law shall apply.

14.3 This By-Law shall come into force on the date of its passing.

PASSED this 8th day of February, 2012.


R. Bratina
Mayor

R. Caterini
City Clerk



Alberton Rural Settlement Area

Legend

 Rural Settlement Area

Date:
July 11, 2011




PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT



Copetown Rural Settlement Area

Legend

 Rural Settlement Area

Date:
July 11, 2011



Hamilton


PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT

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Jerseyville Rural Settlement Area

Legend

 Rural Settlement Area

Date:
July 11, 2011




Hamilton

PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT



Carlisle Rural Settlement Area

Legend

 Rural Settlement Area

Date:
July 11, 2011




PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT



Concession 5 and Centre Road Rural Settlement Area

Legend

 Rural Settlement Area

Date:
July 11, 2011




Hamilton

PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT



Flamborough Centre Rural Settlement Area

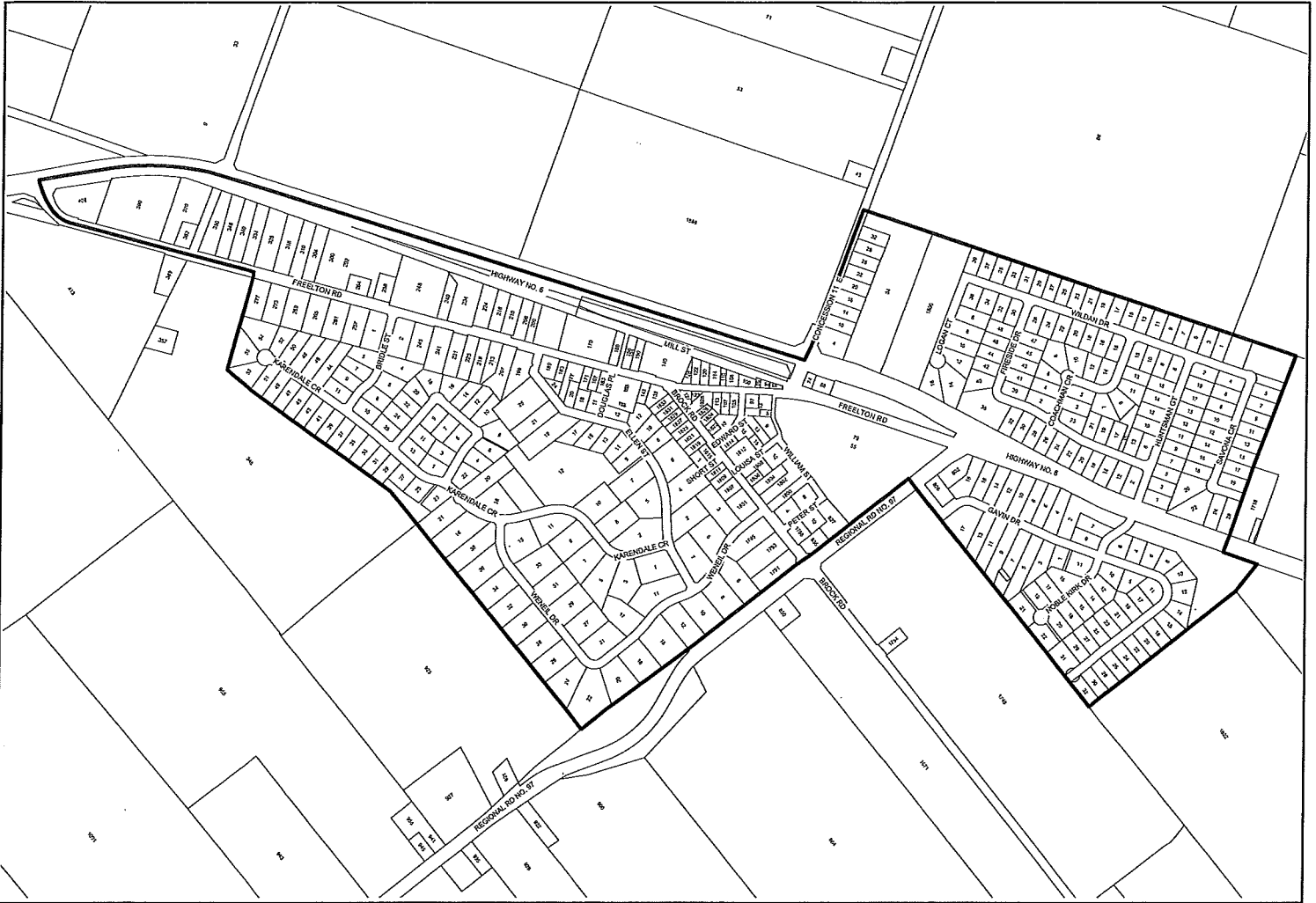
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 Rural Settlement Area

Date:
July 11, 2011




PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT



Freilton Rural Settlement Area

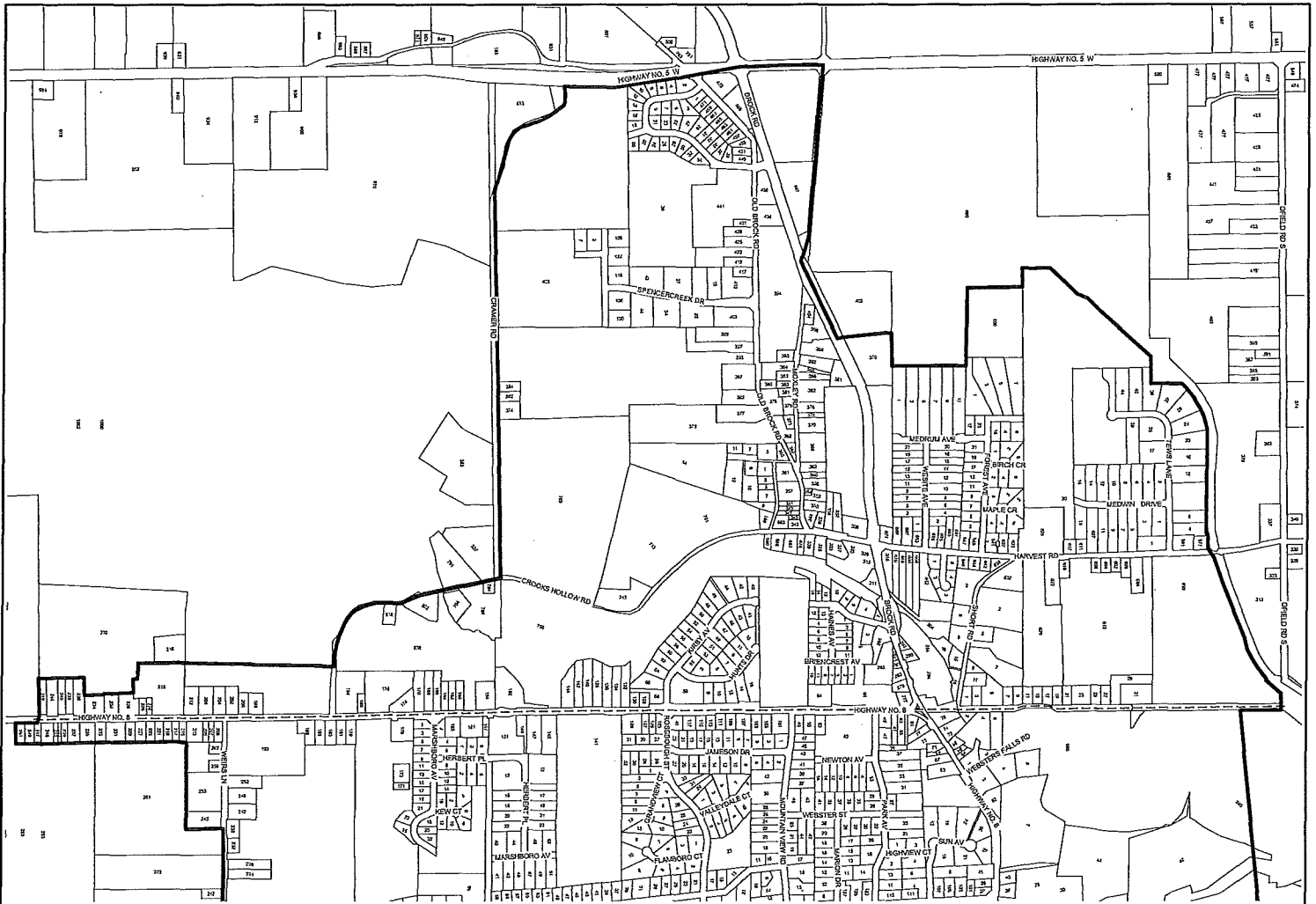
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



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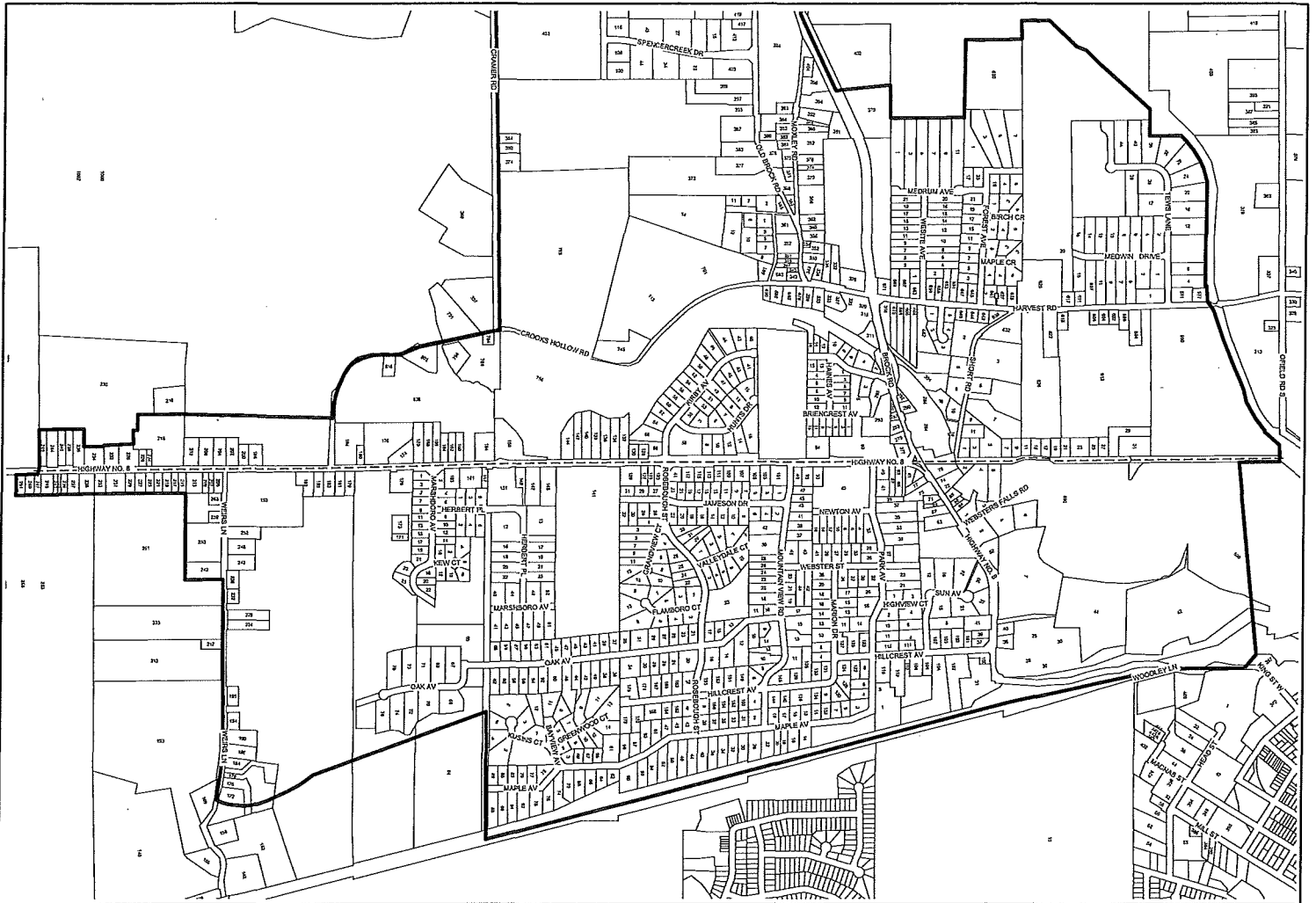


Northerly Portion of Greenville Rural Settlement Area
Map 2 of 2

Legend



-  Rural Settlement Area
-  Northerly Portion Boundary
(See Map H-2 for Southerly Portion)

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 Not To Scale	



**Southerly Portion of Greenville Rural Settlement Area
Map 2 of 2**

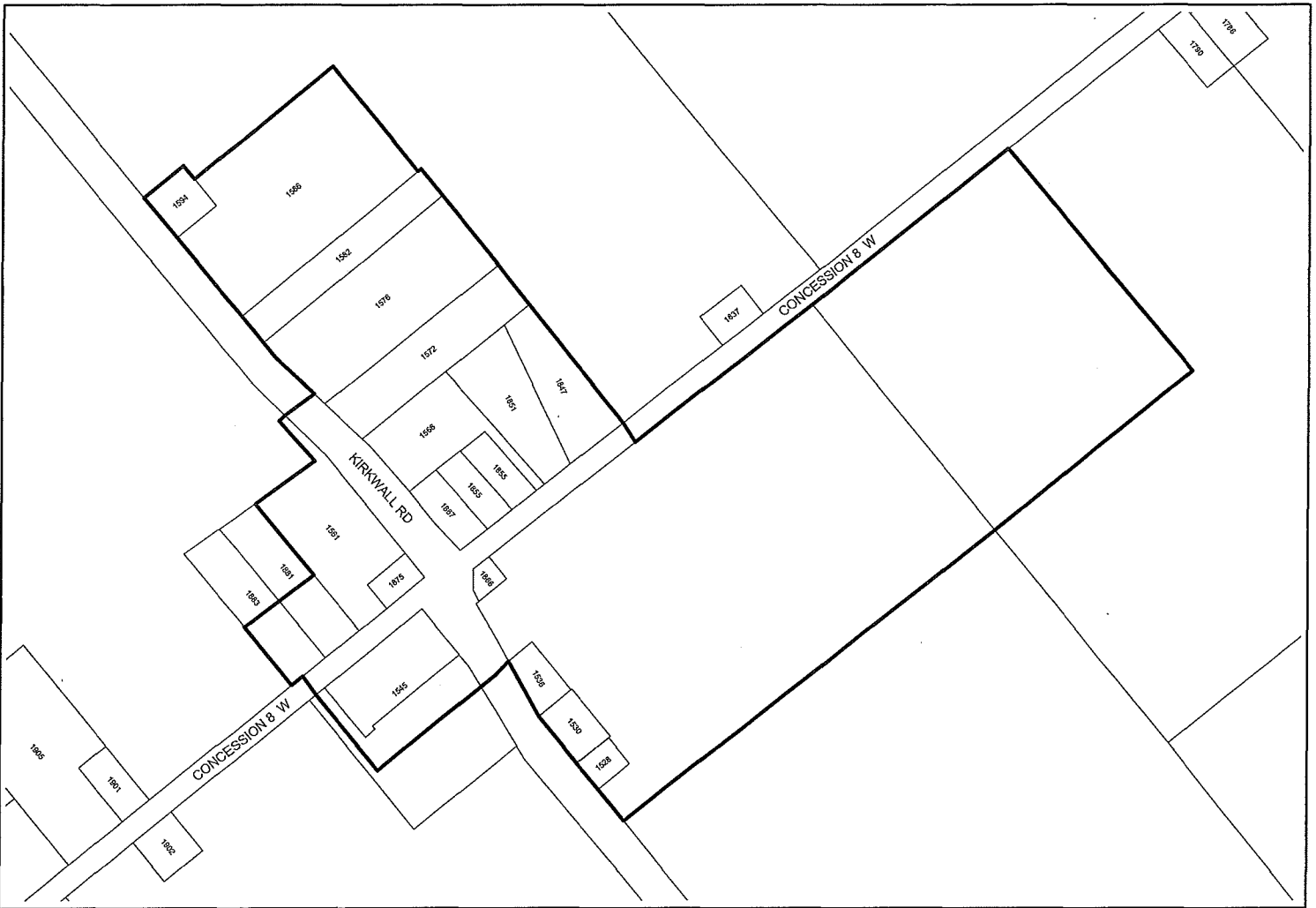
Legend

-  Rural Settlement Area
-  Southerly Portion Boundary
(See Map H-1 for Northerly Portion)

Date:
July 11, 2011



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Kirkwall Rural Settlement Area

Legend
[Outline] Rural Settlement Area


Date: July 11, 2011
[North Arrow] Not To Scale
Hamilton
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Lynden Rural Settlement Area

Legend

 Rural Settlement Area

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Millgrove Rural Settlement Area

Legend

 Rural Settlement Area

Date:
July 11, 2011




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Orkney Rural Settlement Area

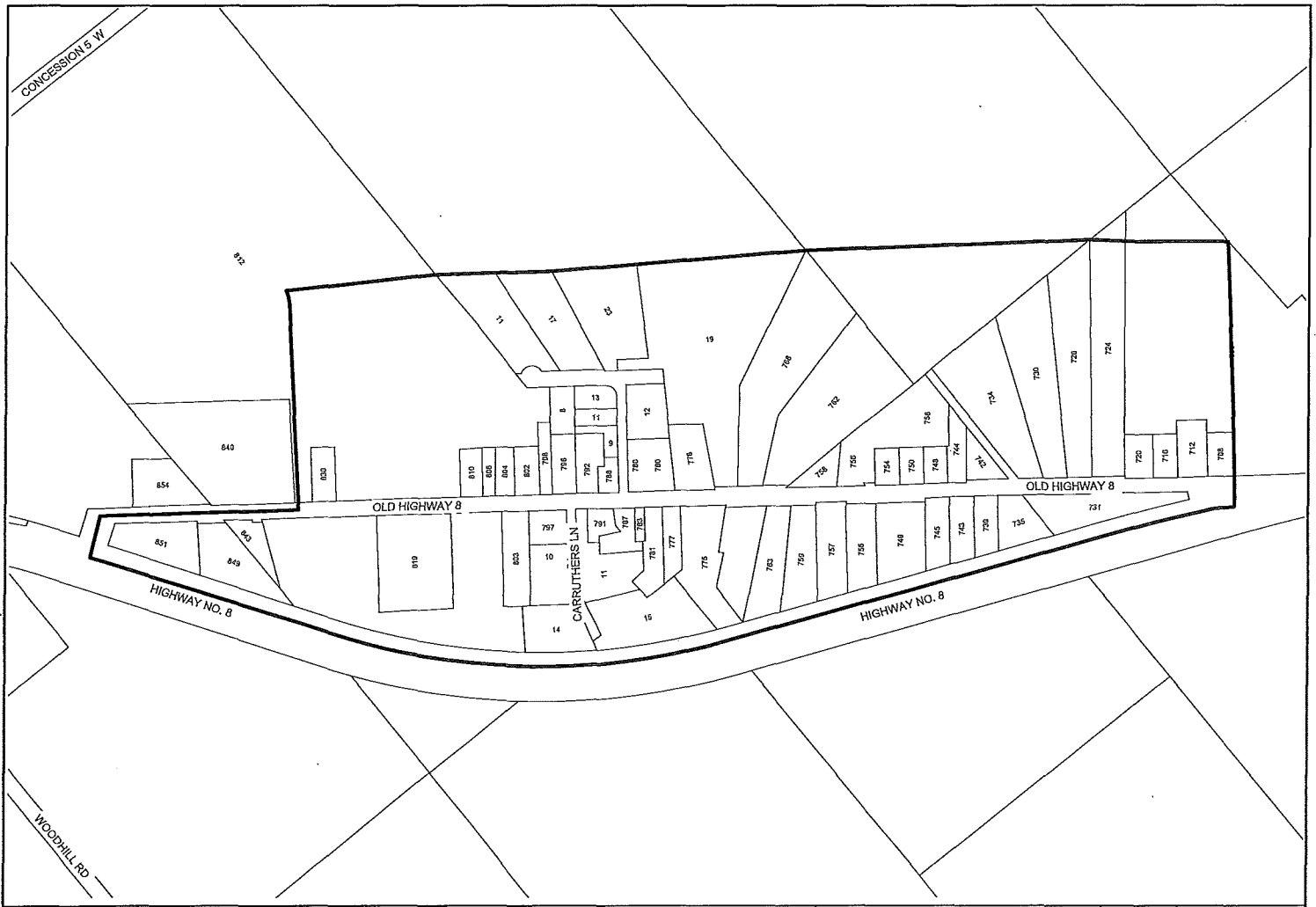
Legend

 Rural Settlement Area

Date:
July 11, 2011




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Rockton Rural Settlement Area

Legend

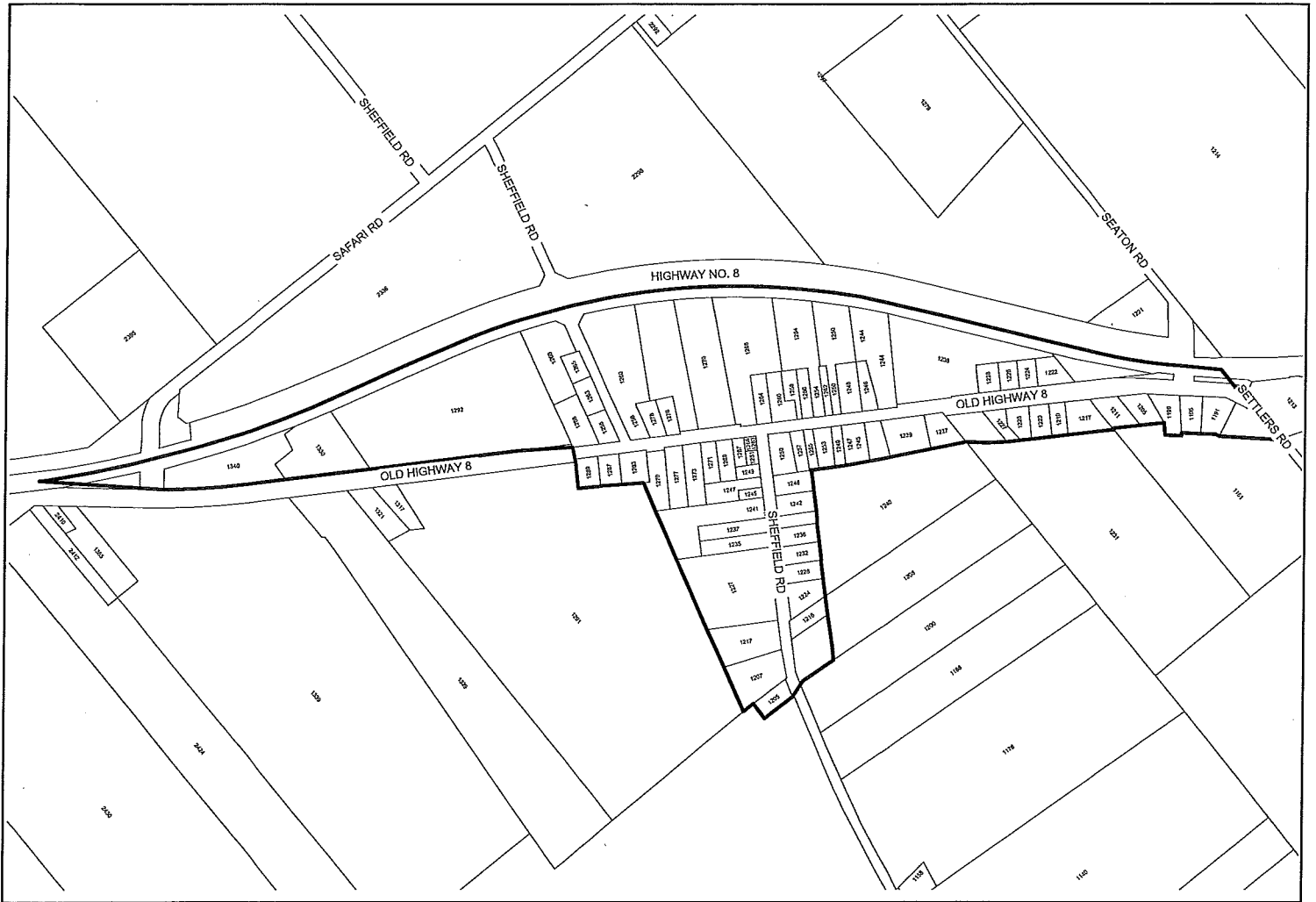
 Rural Settlement Area

Date:
July 11, 2011




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Sheffield Rural Settlement Area

Legend

 Rural Settlement Area

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Strabane Rural Settlement Area

Legend

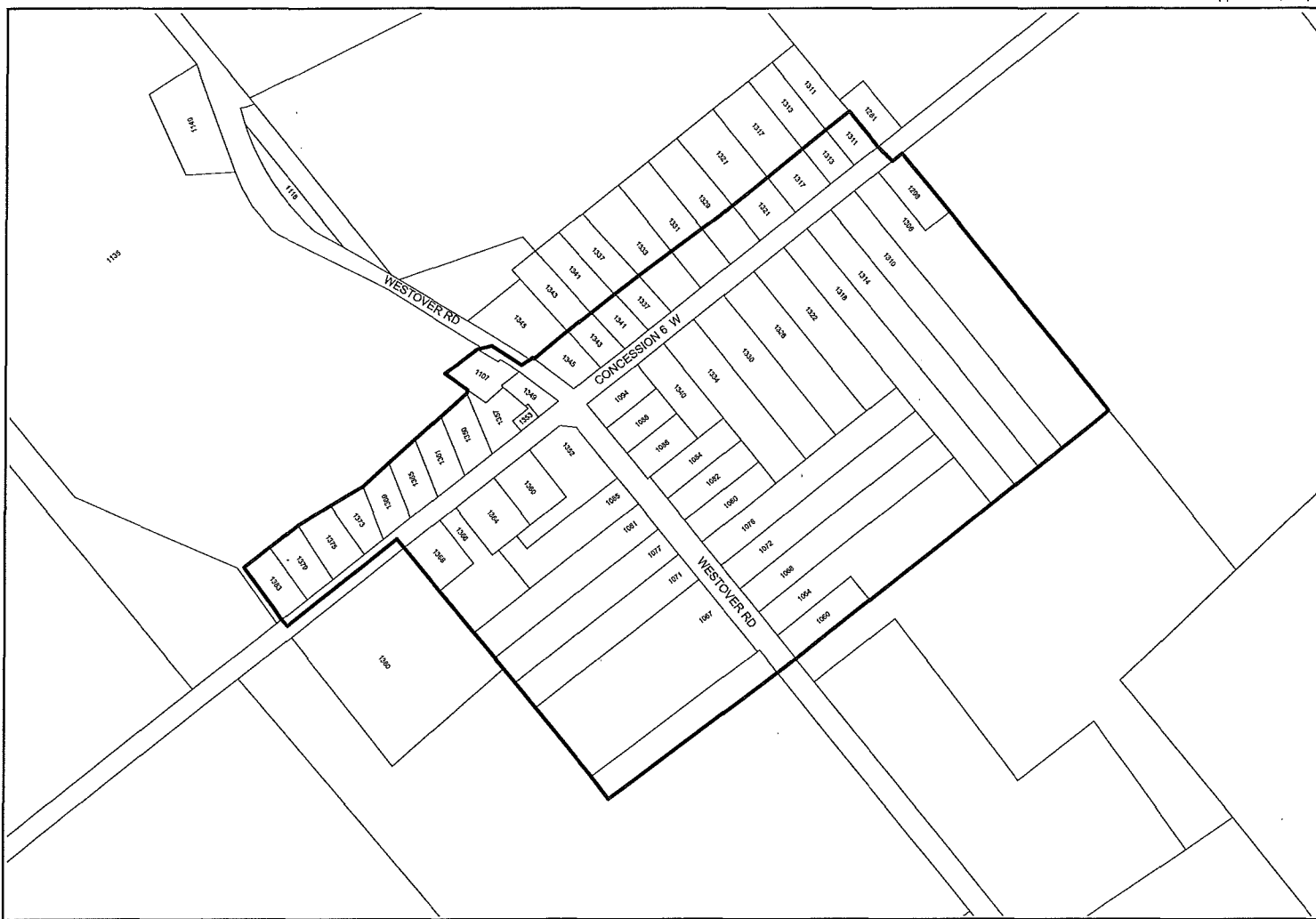
 Rural Settlement Area

Date:
July 11, 2011




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Westover Rural Settlement Area

Legend

 Rural Settlement Area

Date:
July 11, 2011


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Woodburn Rural Settlement Area

Legend

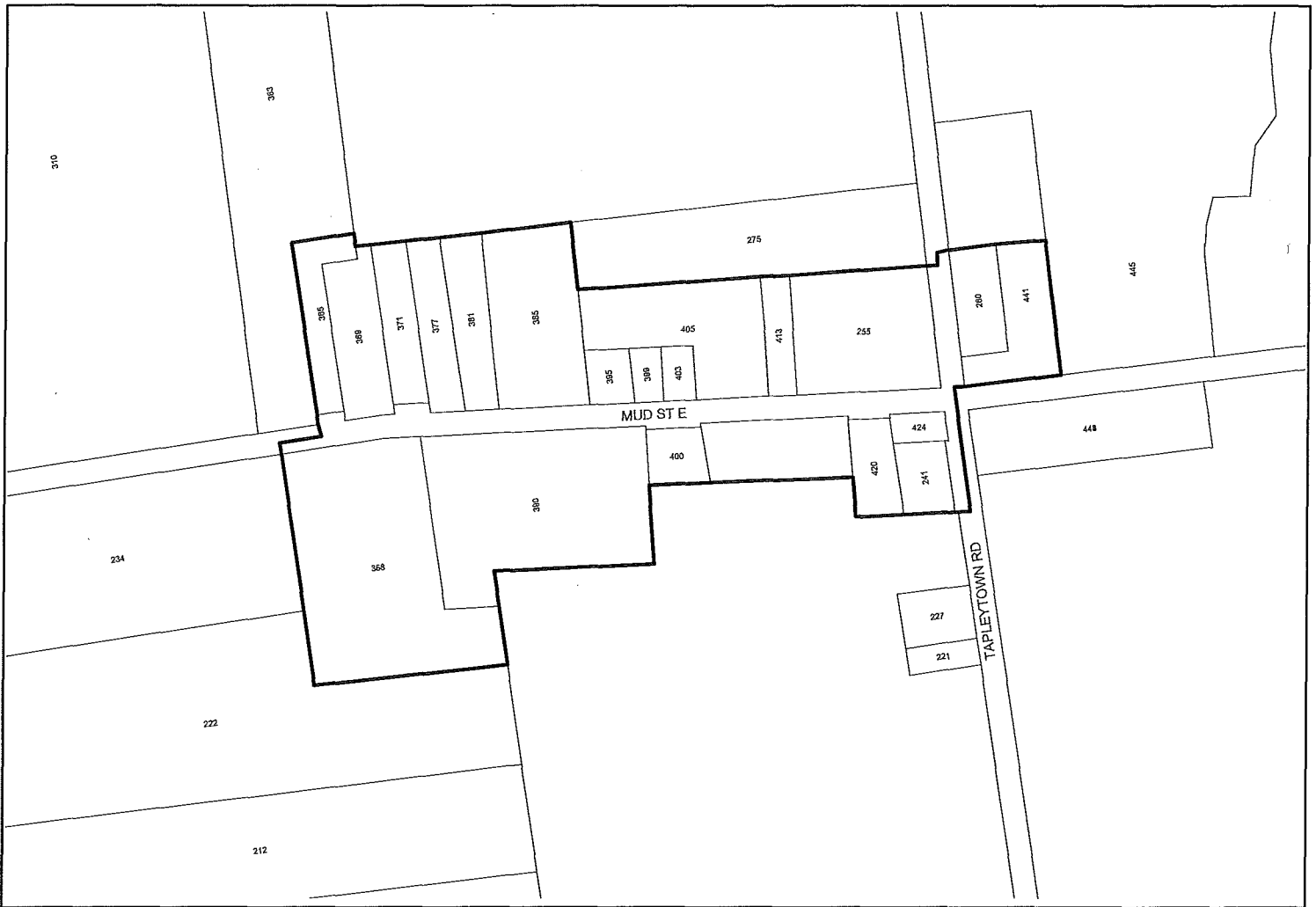
 Rural Settlement Area

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Tapleystown Rural Settlement Area

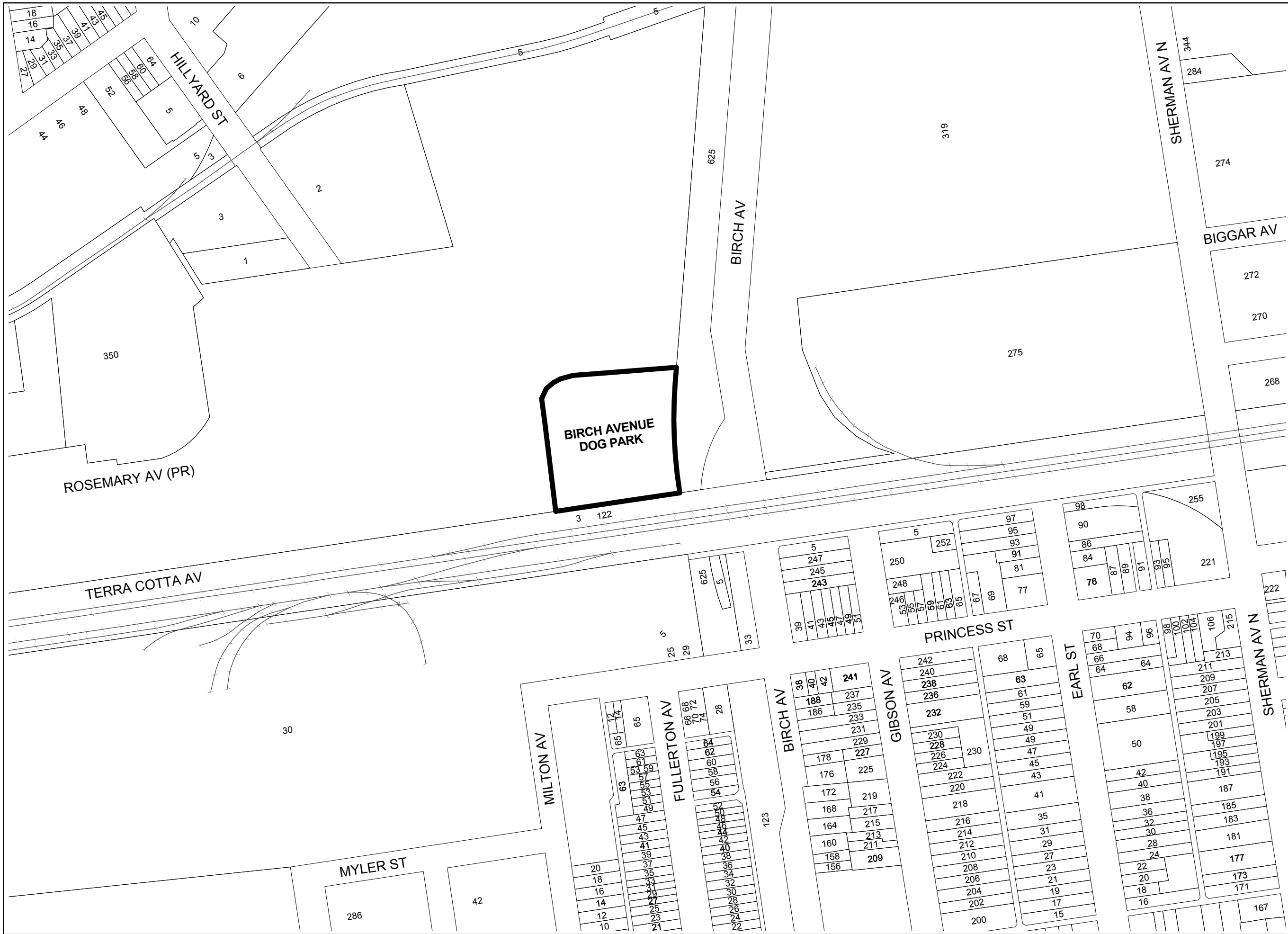
Legend

 Rural Settlement Area

Date:
July 11, 2011




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**BIRCH AVENUE
DOG PARK**

LEGEND

 Leash Free Park

**BIRCH AVENUE
DOG PARK**

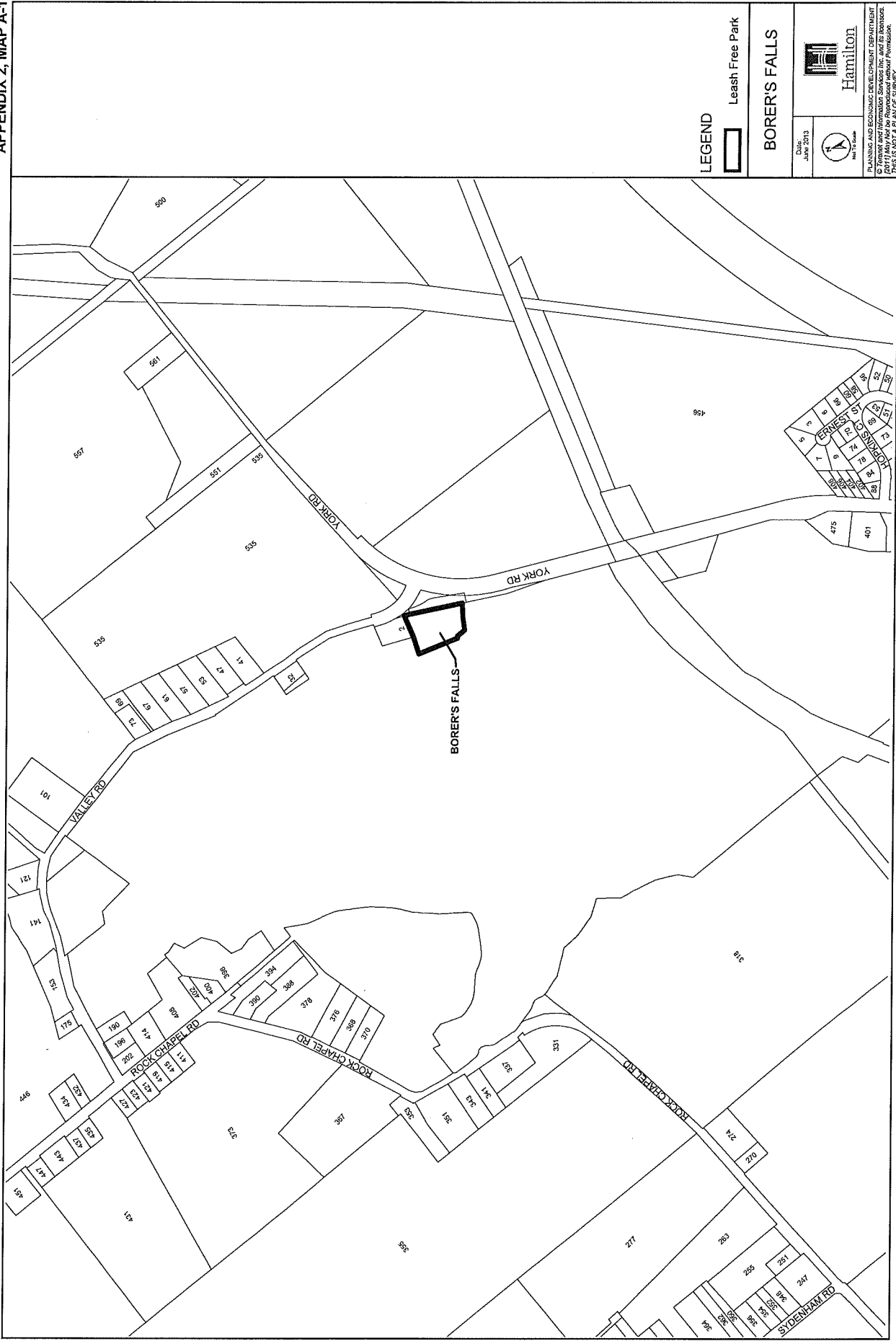
Date: June 29, 2011



Not To Scale



Hamilton



LEGEND
 [Thick black border symbol] Leash Free Park

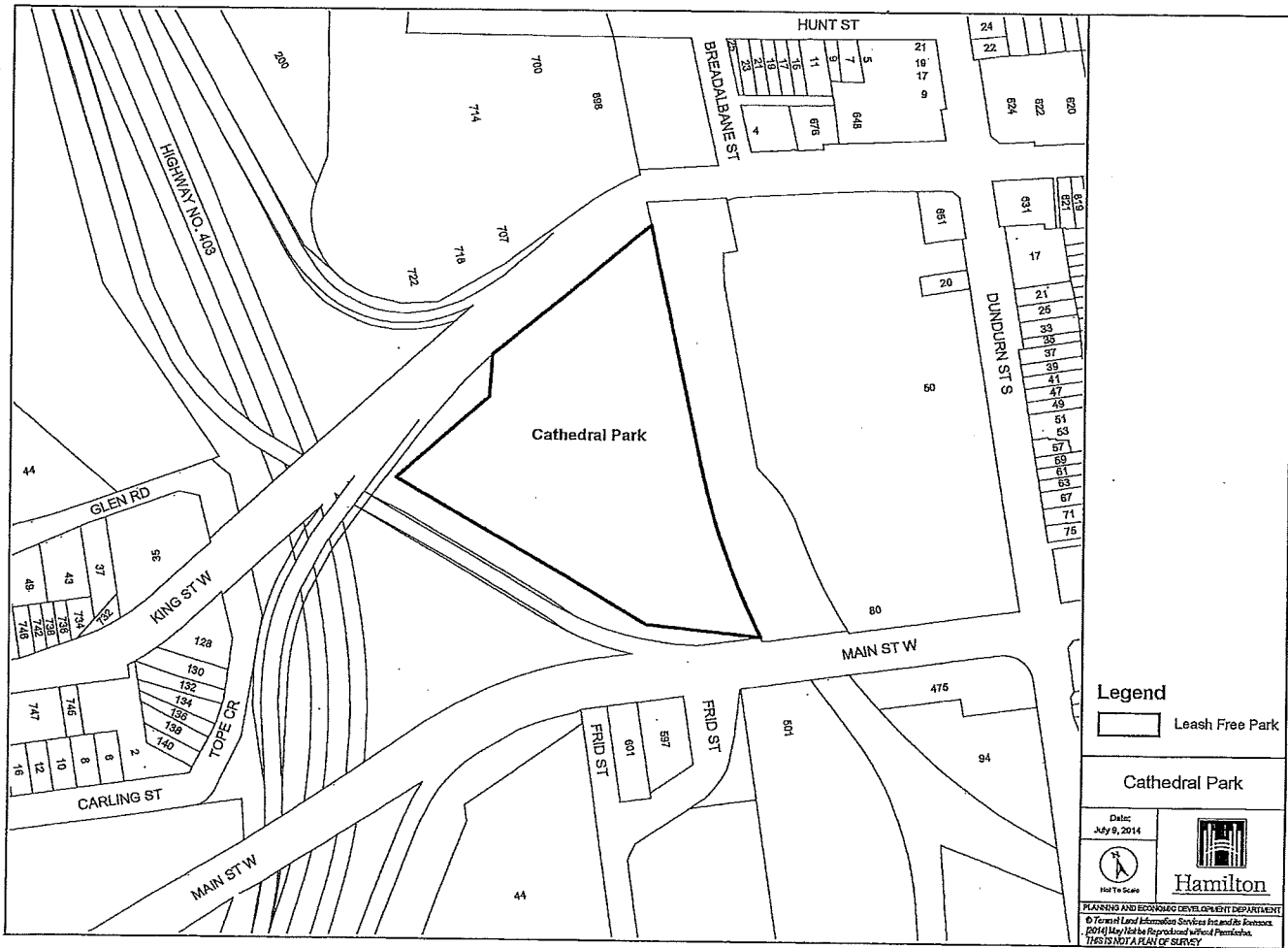
BORER'S FALLS

Date: June 2013




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Appendix 2, Map A-2



Legend

 Leash Free Park

Cathedral Park

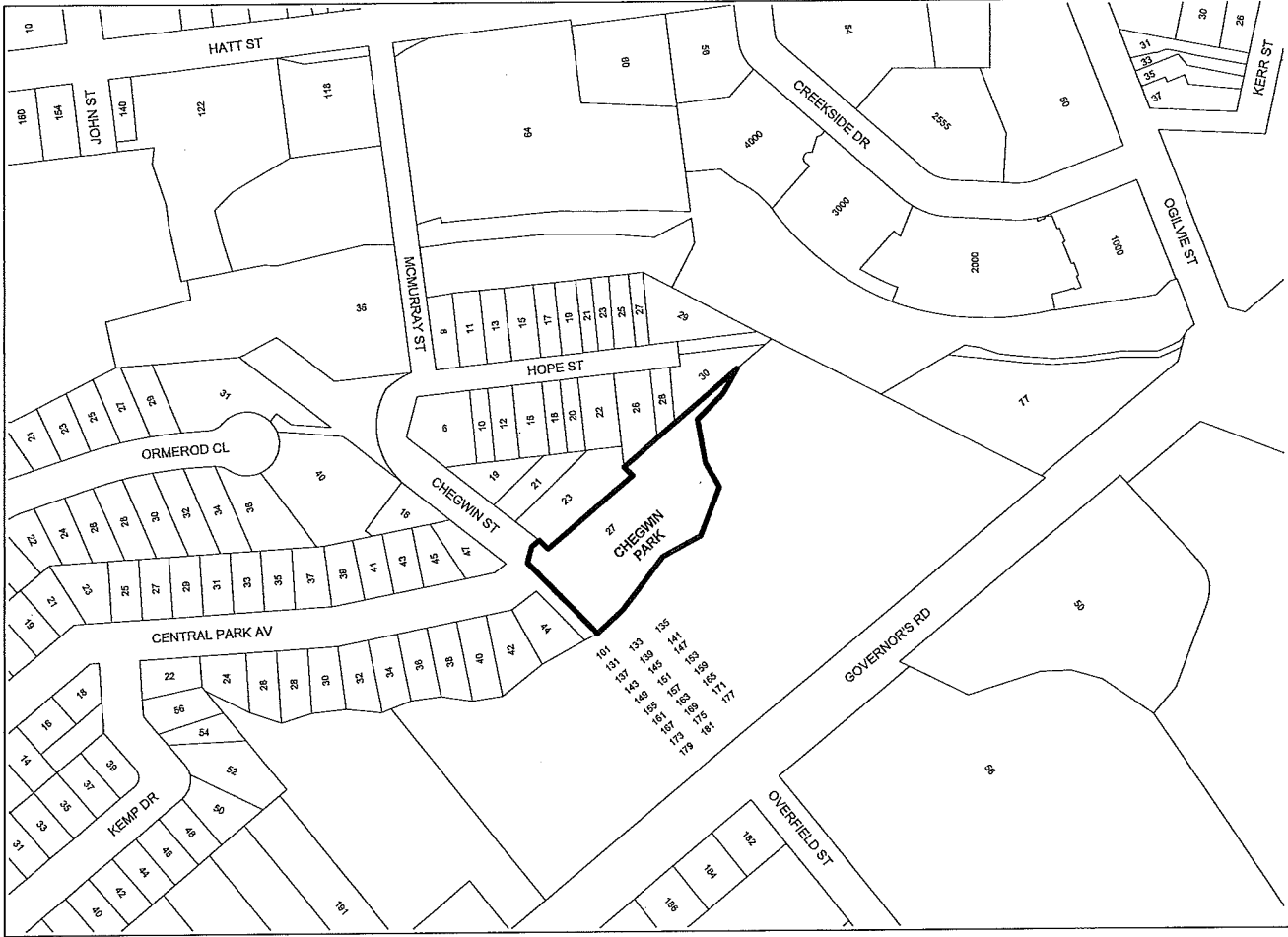
Date:
July 9, 2014



1:500 Scale



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LEGEND

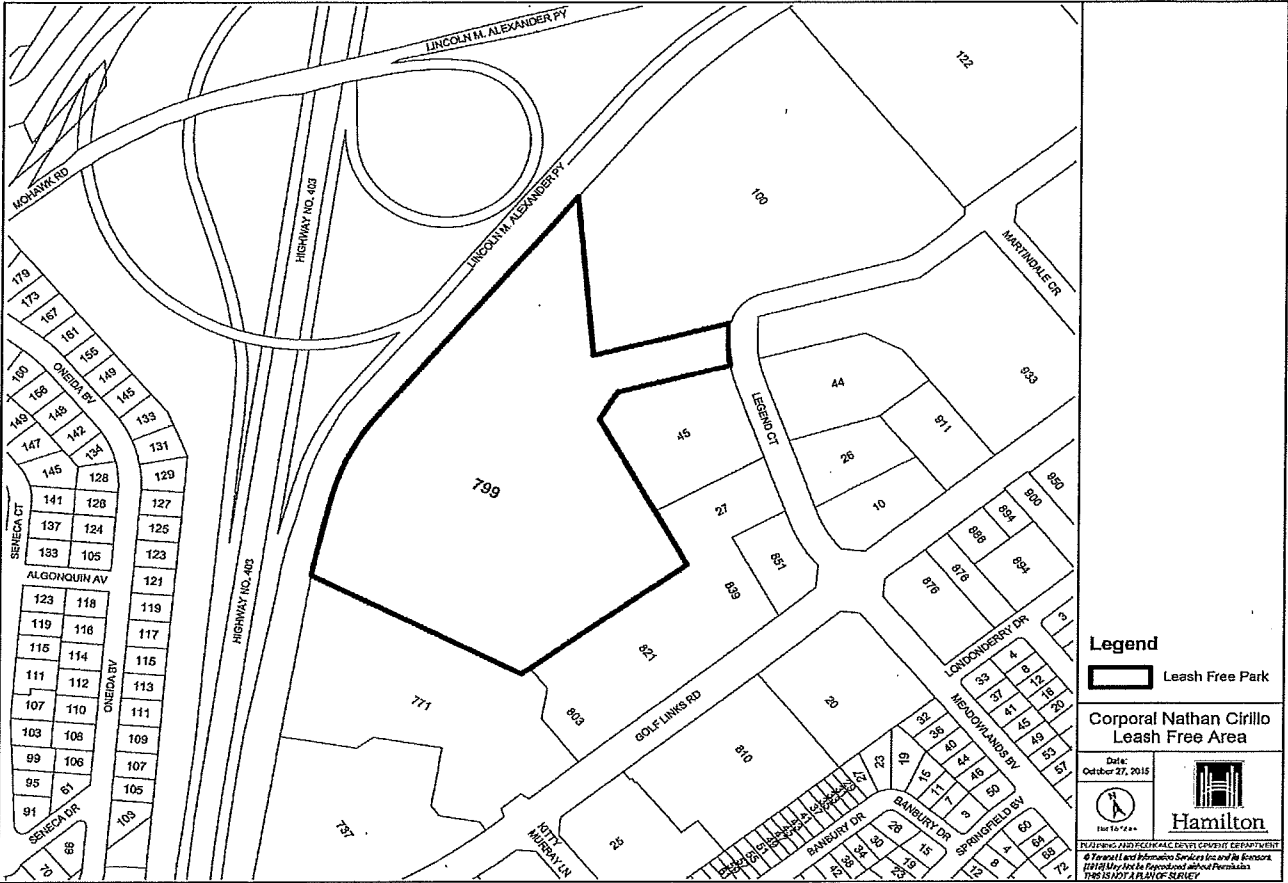
 Leash Free Park

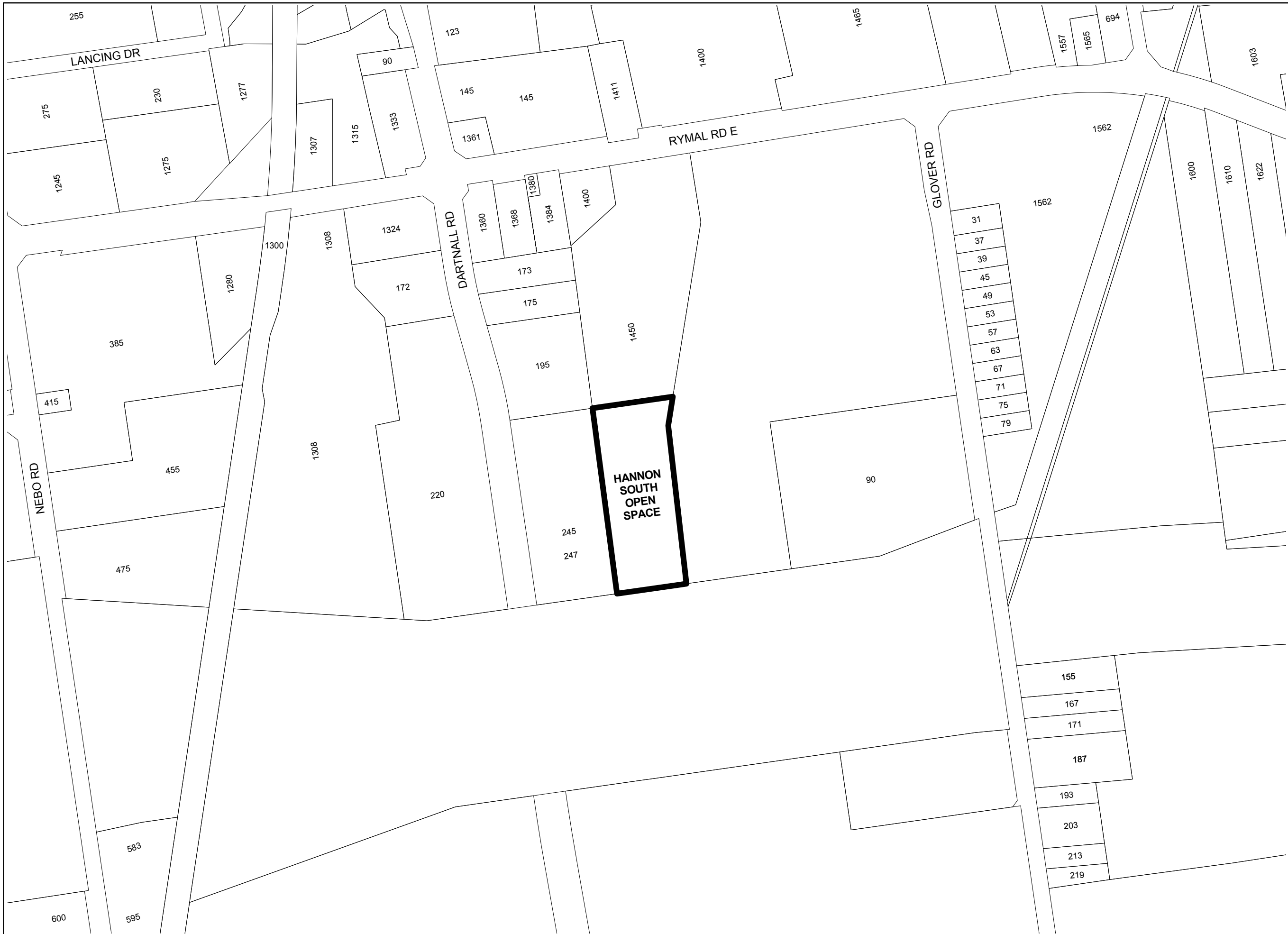
CHEGWIN PARK

Date: June 29, 2011


 Hamilton

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**HANNON
SOUTH
OPEN
SPACE**

LEGEND
 Leash Free Park

**HANNON SOUTH
OPEN SPACE**

Date:
June 29, 2011



Not To Scale

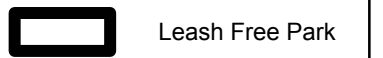


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LEGEND



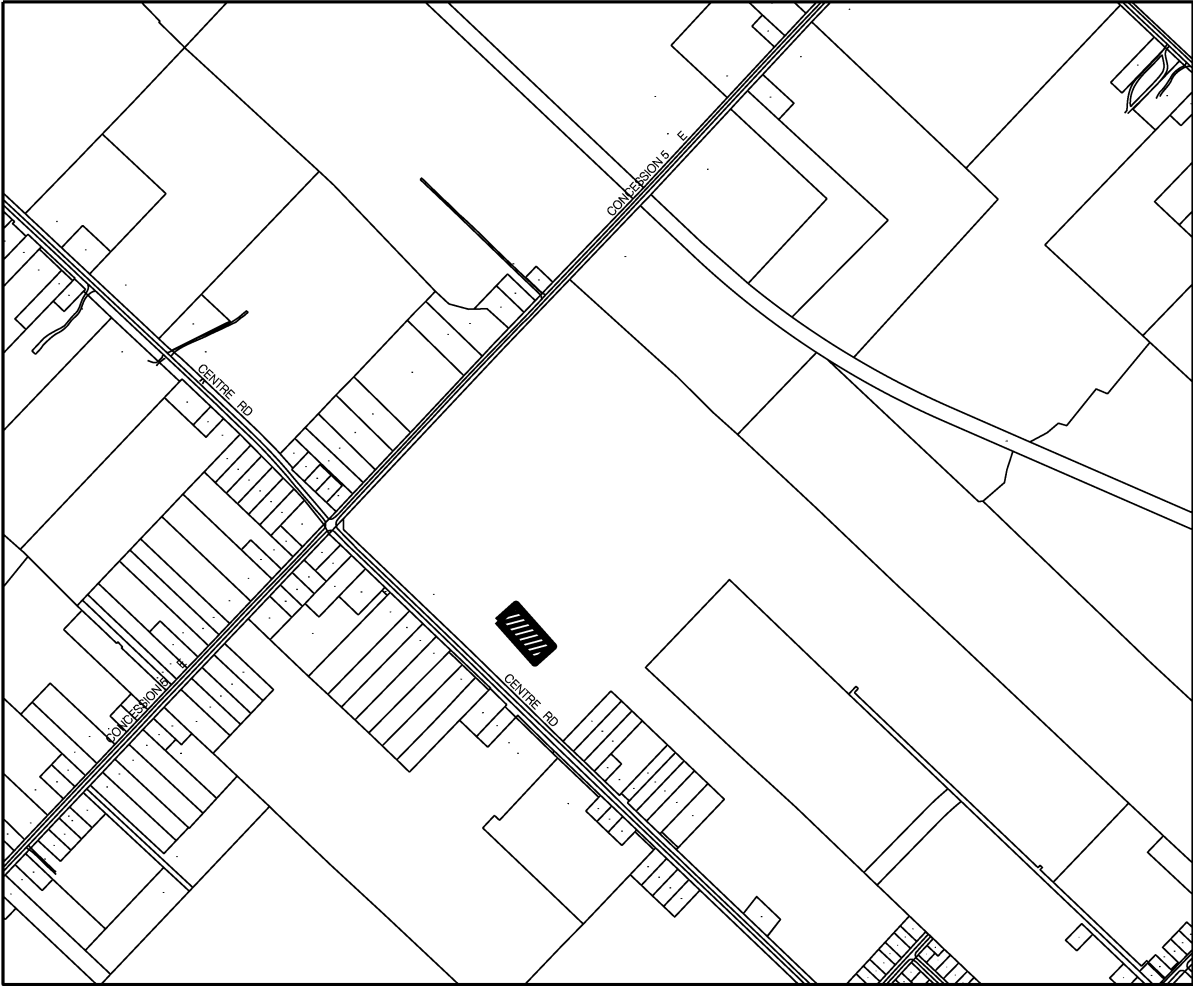
HILL STREET PARK

Date:
June 29, 2011



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 Dog Park Property

City of Hamilton

Joe Sams Leisure Dog Park

CITY OF HAMILTON

Public Works Department
General Manager, Dan McKinnon

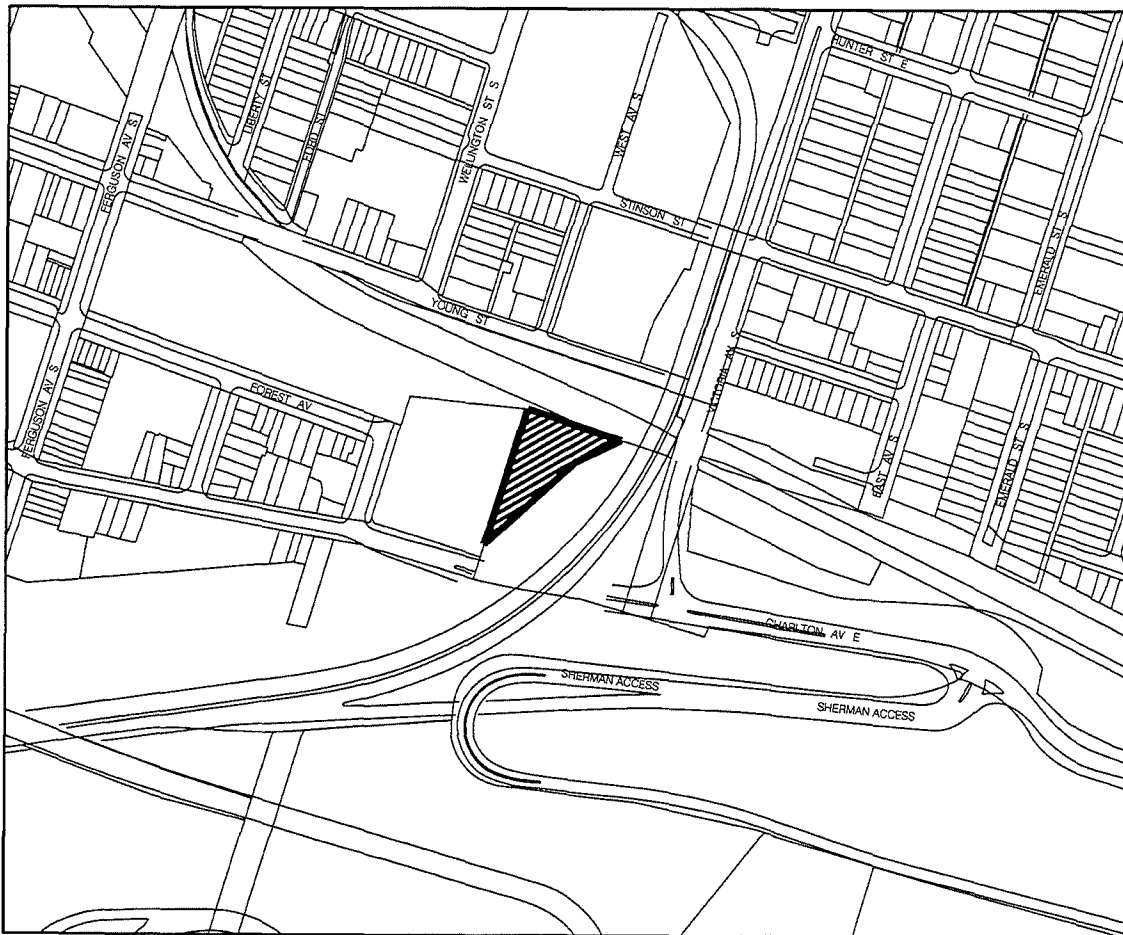
September 2020



City of Hamilton
Ward 4
Globe Leash Free Dog Park

CITY OF HAMILTON
Public Works Department
Acting General Manager, Craig Murdoch

April 2022



City of Hamilton
Ward 2
Rail Trail Leash Free Dog Park

CITY OF HAMILTON
Public Works Department Acting
General Manager, Craig Murdoch

April, 2022



Leash Free - Free Running Area

City of Hamilton

**Ward 2 Temporary Leash Free - Free Running Area
In Jackie Washington Rotary Park**

**CITY OF
HAMILTON**

Public Works Department
General Manager, Craig Murdoch

March 2022