

**VILLE DE MONTRÉAL**  
**BY-LAW**  
**16-060**

**BY-LAW CONCERNING ANIMAL CONTROL**

In view of sections 6, 59, 62 and 63 of the Municipal Powers Act (CQLR, chapter C-47.1);

In view of sections 369 and 411 of the Cities and Towns Act (CQLR, chapter C-19);

In view of section 136.1 of the Charter of Ville de Montréal (CQLR, chapter C-11.4) and of sections 47 and 185.1 of schedule C to the charter;

In view of resolution CM16 0964 whereby city council declares its jurisdiction for a period of 2 years in regards to the adoption of by-laws concerning dogs and other domestic animals;

At its meeting of September 26, 2016, city council enacts:

**CHAPTER I**  
**INTERPRETATION AND ADMINISTRATION**

1. In this by-law, the following words mean:

“assistance dog”: a dog trained to help a handicapped person and for which that person has obtained a permit from the city upon presentation of proof certifying the need for assistance from such a dog;

“at-risk dog”: a dog that tries to bite or attack, that bites or attacks, that acts so as to jeopardize the safety of a person or an animal of a permitted species under article 3;

“authority having jurisdiction”: any officer or employee responsible for the application of this by-law, a peace officer as well as any representative of a business whose services are retained by the city for the enforcement of this by-law;

“certificate of negative search of a criminal record”: a document certifying the absence of a criminal record issued by a Canadian police corps or a certified agency or certified by the Royal Canadian Mounted Police;

“certificate of positive search of a criminal record”: a document certifying the existence of a criminal record issued by a Canadian police corps or a certified agency or certified by the Royal Canadian Mounted Police;

“city”: means Ville de Montréal;

“city expert”: a veterinary surgeon designated by the city or a competent person designated by a veterinary surgeon and the city;

“community cat”: a cat registered in a trap-sterilization-return program, that is, a program that aims to sterilize, tag and vaccinate feral cats (cats living in a semi-wild state and that cannot be confined to the inside of a dwelling unit), and then return them to their place of capture and where at least one person acts as their guardian;

“dangerous dog”:

(1) a dog that has caused the death of a person or of an animal of a permitted species under article 3;

(2) an at-risk dog having been declared dangerous by the authority having jurisdiction;

“dog exercise area”: means a fenced-in area marked by signs affixed by the city indicating that it is an area where dogs may run free without a leash;

“guardian”: any person who owns, is in possession of or is keeping an animal. In the case of a natural person under 14 years, the father, mother, tutor or other responsible person is deemed to be the guardian;

“hybrid dog”: a dog bred from a mix between a dog and a canidae other than a dog;

“kennel” or “cattery” or “rabbit hutch”: place where no fewer than three non sterilized dogs, cats or rabbits are kept and where a non sterilized dog, cat or rabbit is advertised or offered for sale or to be given away;

“microchip”: an encoded electronic device inserted under the skin of an animal, by a veterinary surgeon or a person under the latter’s supervision, that contains a unique code linked to a central database recognized by the city, used to identify and locate domestic animals;

“muzzle”: to put a muzzle on an animal, that is, a device surrounding the nose and jaw of the animal with enough strength to prevent the animal from biting;

“occupancy unit”: a private parcel of land or immovable and its outbuildings of which the guardian of the animal is owner, tenant or occupant;

“Pit bull-type dog”:

(1) a dog belonging to the American pit bull terrier, American Staffordshire terrier or Staffordshire bull terrier race;

(2) a dog born of a crossbreeding between one of the races mentioned in paragraph (1) and another dog;

- (3) a dog showing several morphological traits of the races and types of crossbreeding listed in paragraphs (1) and (2);

“prohibited dog”:

- (1) a dangerous dog;
- (2) a Pit bull-type dog whose guardian does not hold a special licence for a Pit bull-type dog in accordance with this by-law;
- (3) a hybrid dog;
- (4) a dog that has not been sterilized by December 31, 2019, except a dog that cannot be sterilized in written opinion of a veterinary surgeon or a breeding dog whose guardian holds proof of registration as such with a recognized association;
- (5) a dog that does not have a microchip by December 31, 2019.

“public place”: designates, in particular, a street, lane, pedestrian path, park, public playground, public swimming pool, school yard, median, bike path, green space, public garden;

“shelter”: an establishment designated by the city agent or any place determined by ordinance in accordance with paragraph (1) of article 54;

“stray animal”: any animal not held by a leash, that is not accompanied by a person capable of controlling it and that is not on its guardian’s land, with the exception of a community cat.

**2.** The authority having jurisdiction exercises the powers granted under this by-law and, in particular, may:

- (1) visit and inspect any occupancy unit for the purposes of this by-law;
- (2) have or give orders to have euthanized any animal that is dangerous, at-risk, prohibited, stray, dying, gravely injured or highly contagious;
- (3) demand proof of sterilization of any dog or cat;
- (4) demand that the guardian produce any documentation relevant to the application of this by-law;
- (5) apply to a judge to obtain permission to capture and seize, at the place where it is being kept, any animal that contravenes this by-law or for which the guardian refuses or neglects to comply with an order issued by the authority having jurisdiction.

For the purposes of paragraph (1), any owner, tenant, or occupant of an occupancy unit, must, upon presentation of a piece of identification by the authority having jurisdiction, give access to the occupancy unit.

No person may hinder, in any way, the capture of an animal by the authority having jurisdiction.

It is an offence under this by-law to inconvenience, to insult, to prohibit or impede in any manner the access referred to in paragraph (1) of the first paragraph or to otherwise obstruct that access, as well to deny or neglect to comply with a request that is made under this by-law.

## **CHAPTER II**

### **ANIMAL CONTROL AND NUISANCES**

#### **SECTION I**

##### **PERMITTED ANIMALS**

**3.** It is prohibited for any person to possess, have in their possession or keep in captivity for any purpose whatsoever, animals that are not among the following species:

- (1) dogs, except prohibited dogs;
- (2) cats;
- (3) rabbits;
- (4) ferrets;
- (5) domestic rodents less than 1.5 kg;
- (6) flying possums born in captivity;
- (7) hedgehogs born in captivity, except *Erinaceus*;
- (8) birds born in captivity, except ducks, geese, canaries, swans, screamers and other anseriformes, hen, guinea fowls, turkeys, pheasants, tetras and other gallinaceous, ostriches, rheas, kiwis, emus, cassowaries, ratite birds and other struthioniformes;
- (9) reptiles born in captivity, except snakes whose length in adulthood, reaches more than 3 m, venomous snakes, lizards whose length in adulthood, reaches more than 2 m, the venomous lizards, sea turtles, turtles from Tryonychidae family and alligators, crocodiles, caimans and other crocodylians;
- (10) the American toad (*Bufo americanus*), the wood frog (*Rana sylvatica*), the mink frog (*Rana septentrionalis*), the leopard frog (*Rana pipiens*), the green frog (*Rana*

*clamitans*), the mudpuppy (*Necturus maculosus*), the bullfrog (*Rana catesbeiana*), the newt (*Notophthalmus viridescens*) and all the exotic amphibians, except poisonous amphibians.

4. Despite article 3, it is authorized to keep animals that are not among permitted species under this by-law in one or more of the following places:

- (1) a veterinary clinic, provided that the animal is under the care of a veterinary surgeon;
- (2) an institution affiliated with a university or research center where the animal is kept for research, study or teaching;
- (3) a shelter.

## **SECTION II LICENCES**

5. No one may be the guardian of a dog or a cat without obtaining the required licence in accordance with the provisions of this by-law.

6. The person applying for a licence must be 16 years of age or older.

7. The licence under article 5 must be obtained within 15 days of acquiring the dog or cat or of the day the dog or cat reaches the age of 3 months, the longest period applying.

Article 5 does not apply in the case of a dog or cat kept by a veterinary clinic or shelter or for the purposes of being sold by an operator exercising such use in accordance with applicable regulatory requirements.

8. Despite article 5, a dog or a cat usually kept on the territory of another municipality may be brought within city limits without obtaining the required licence subject to the following conditions:

- (1) the dog or cat is brought within city territory for a maximum period of 30 days;
- (2) the animal must have a valid licence issued by the municipality where it is usually kept, insofar as the municipality requires such a licence under its by-laws. The guardian of the animal must, upon the city's request, show the valid licence issued by the municipality;
- (3) it is not a prohibited dog.

9. A licence is issued to any person who submits an application in conformity with this by-law and pays the amount set in the applicable by-law concerning fees.

This licence is valid for the period of time determined by ordinance of the executive committee. It is non-assignable and non-transferable.

**10.** The guardian of a dog or cat must renew the licence before its expiry date. In case of failure to do so in the set time-frame, additional fees will be added to the cost of the licence, as established in the applicable by-law concerning fees.

**11.** The application for a licence must indicate the last name, first name, address and telephone number of the person making the application and, except for a dog walker licence application, the race, sex, color, year of birth and name of the animal. In addition, proof of sterilization must be provided when the dog or cat is sterilized as well as the microchip number when the animal has one.

Whoever, for the purposes described in the first paragraph, provides false, inaccurate or incomplete information is guilty of an offence under this by-law.

**12.** Upon payment of prescribed fees, the city shall give the guardian a tag and a licence, on which the tag number is indicated. The tag is valid for the period determined by ordinance of the executive committee.

**13.** The guardian of the dog or cat for which a tag has been issued must notify the city of any change of address as well as of the death, disappearance, the donation or the sale of the animal within 15 days of any of those events.

The guardian of the dog or cat that has a microchip must notify the microchip supplier of any change to contact information within 15 days of such a change.

The guardian of an at-risk dog must inform the city, in writing, 48 hours before changing the place where the animal is kept.

**14.** The guardian of a dog or cat must ensure that it wears the tag that was issued, except for a cat that has a microchip in which the incorporated information allows for the verification of the licence number issued for the cat.

### **SECTION III**

#### **NUMBER OF ANIMALS AND KENNEL**

**15.** It is prohibited:

- (1) to keep more than 2 dogs in an occupancy unit;
- (2) to keep more than 4 animals, all permitted species combined, in an occupancy unit;
- (3) to operate a kennel, a cattery, a hutch, a shepherd, an aviary, a henhouse or other type of animal farm.

Despite paragraphs (1) and (2), when a female dog, cat or rabbit gives birth, the puppies, kittens and bunnies may be kept for a period not exceeding three months.

This article does not apply in the case of a shelter or an establishment specialized in the sale, keeping, maintenance and care of animals, exercising such uses in accordance with applicable regulatory requirements.

## **SECTION IV**

### **SPECIAL LICENCES**

#### **SUBSECTION 1**

##### **SPECIAL LICENCE FOR A PIT BULL-TYPE DOG**

**16.** It is permitted to keep a Pit bull-type dog if the animal's guardian is the holder of a special licence for Pit bull-type dogs issued by the city.

Subject to the third paragraph, the city issues a special licence for a Pit bull-type dog if the following conditions are met:

- (1) the first application is filed before December 31, 2016;
- (2) the applicant provides proof that the dog has been sterilized or a written opinion from a veterinary surgeon establishing that the animal cannot be sterilized;
- (3) the applicant provides proof that the dog has been vaccinated against rabies and proof of follow-ups, as applicable, at the city's request;
- (4) the applicant provides proof that the dog has a microchip;
- (5) the applicant provides a certificate of negative search of a criminal record or, in the case of a certificate of positive search of a criminal record, a certificate issued by the Service de police de la Ville de Montréal confirming that the applicant has not been declared guilty, in the five years prior to the date of filing or renewal of the licence application, of an offence under a provision listed in schedule 1 of this by-law;
- (6) the applicant is 18 years of age or older;
- (7) The applicant provides a document indicating that:
  - (a) at the date of coming into force of this by-law, the applicant was the owner of the dog referred to in this application;
  - (b) the applicant is a resident of a city borough where, under the by-laws applicable up until the date of coming into force of this by-law, it was possible to obtain a licence to keep a Pit bull-type dog;

(8) the applicant has paid the fees due under the applicable by-law concerning fees.

The guardian who files a first application in accordance with the second paragraph must provide the documents listed in paragraphs (2) and (5) to the city no later than March 1, 2017.

The special licence for a Pit bull-type dog is renewed if the conditions for issuing of the licence are still met at the renewal date and the animal's guardian holds a licence issued by the city for the preceding period of validity which has not been revoked.

The special licence for a Pit bull-type dog is issued for the dog identified in the application and is non-assignable and non-transferable. This licence is revoked in case of the death of the animal concerned.

Despite this article, in the case of the death of the guardian of a Pit bull-type dog holding a special licence, this licence may be transferred to a person who so requests, if:

- (1) the person lived at the same address as the guardian on the date of their death, or is related, according the section 655 of the Civil Code of Québec, or a spouse, according to section 2.2.1 of the Income Tax Act;
- (2) the person meets the conditions set out in paragraphs (3), (5), (6) and (7) (b) of this article.

**17.** The guardian of a Pit bull-type dog who holds a special licence must comply with the following special conditions when the animal is outside a building:

- (1) the animal must be muzzled at all times;
- (2) the animal must be kept on a leash no longer than 1.25 m, except in dog exercise areas or in a area closed off by a fence at least 2 m high, with mesh tight enough to prevent anyone from introducing a hand or foot inside the area;
- (3) the animal must be under the supervision of a person 18 years of age or older;
- (4) the animal wears the tag issued by the city with the special licence.

The special licence for a Pit bull-type dog is revoked if the holder is convicted of an offence under this article. Where applicable, the guardian must have the animal euthanized following an order for euthanasia issued by the authority having jurisdiction.

**18.** The following are guilty of an offence :

- (1) the guardian of a dog who contravenes a special condition imposed under article 17;

- (2) the guardian of a dog referred to in article 17, who, within 48 hours following the order for euthanasia issued by the authority having jurisdiction, has not brought the dog to a veterinary surgeon or a shelter to have it euthanized;
- (3) the guardian who, within 72 hours of the death of their dog, fails to provide the authority having jurisdiction with a certificate signed by the person who performed the euthanasia.

## **SUBSECTION 2**

### **SPECIAL LICENCE FOR KEEPING 3 DOGS**

**19.** Despite paragraph (1) of the first paragraph of article 15, 3 dogs may be kept in the same occupancy unit if the guardian obtains a special licence issued by the city for that purpose.

The city issues a special licence for keeping 3 dogs under the following conditions:

- (1) the applicant provides proof that the dogs have been sterilized or a written opinion of a veterinary surgeon establishing that the animal may not be sterilized;
- (2) the applicant provides proof that the dogs have microchips;
- (3) the applicant provides proof that the dogs have been vaccinated against rabies and proof of follow-ups, as applicable, at the city's request;
- (4) the applicant does not reside in a building of three or more dwelling units;
- (5) the applicant does not keep an at-risk or Pitt bull-type dog;
- (6) the applicant has not been declared guilty of a nuisance under this by-law;
- (7) the applicant has paid the fees due under the applicable by-law concerning fees.

## **SECTION V**

### **BEHAVIOUR TOWARDS AN ANIMAL**

**20.** The guardian must at all times maintain control of their dog so that it does not escape.

**21.** All dogs must be led by a leash no longer than 1.85 m. In addition, all dogs weighing 20 kg or more must wear a head halter or a harness to which the leash is attached.

The first paragraph does not apply if the dog:

- (1) is inside a building;
- (2) is kept on a private parcel of land or immovable and its outbuildings with a restraining device preventing it from getting out when the land is not fenced in;

(3) is on a private parcel of land or immovable and its outbuildings, which is fenced in to contain it within its boundaries;

(4) is in a dog exercise area equipped for that purpose in any place designated by the city.

**22.** On city territory, it is prohibited, outside of an occupancy unit, to walk more than two animals at a time, unless the person holds a special licence for 3 dogs issued in accordance with this by-law.

Despite the first paragraph, a person whose job consists of walking dogs may walk more than 2 animals at a time subject to obtaining a walker licence issued by the city on payment of the fees due under the applicable by-law concerning fees in effect and the presentation of proof to that effect.

The holder of a special licence for keeping 3 dogs or of a walker licence must carry the licence with them at all times when walking more than 2 dogs at a time, and must produce the licence upon request of the authority having jurisdiction.

**23.** The guardian who, along with their animal, is elsewhere than on the land on which their occupancy unit is located, must be equipped at all times, with the tools necessary to immediately remove faeces of the animal and dispose of it in an approved container for disposal.

**24.** The guardian must ensure that their outbuildings, galleries and balconies are exempt of urine or faeces produced by a domestic animal.

**25.** No one may put an end to the life of an animal, except a veterinary surgeon or a person duly authorized by law.

**26.** No one may dispose of a dead animal other than by leaving it with a veterinary surgeon, a shelter or other place legally entitled to receive dead animals.

**27.** No one may get rid of a domestic animal other than by handing it over to a new guardian, a shelter or a veterinary surgeon.

Despite the first paragraph, no one may get rid of an at-risk or Pit bull-type dog other than by handing it over to a shelter or a veterinary surgeon.

## **SECTION VI NUISANCES**

**28.** The following constitute nuisances and are prohibited:

- (1) for an animal not to wear the tag required under this by-law, except for a cat that has a microchip in which the incorporated information allows the verification of the licence number issued for the cat;
- (2) for an animal to cause damage to the property of others;
- (3) for the owner, tenant or occupant of an occupancy unit and its outbuildings to keep domestic animals who emit odours likely to disturb the neighbourhood or damage the property;
- (4) for a dog to bark, whine or howl or for a cat to meow so as to disturb the peace and tranquility of a person;
- (5) for an animal, to bite or attack, or try to bite or attack a person or another animal of a permitted species under article 3;
- (6) for an animal to be wandering;
- (7) for an animal, to be on private property without the owner's or occupant's consent;
- (8) for the guardian of an animal to fail to clean by all appropriate means any public or private place soiled with the animal's faeces and dispose of it in an approved container for disposal, except for persons accompanied by an assistance dog;
- (9) tying an animal so that it has access to a public place and leaving it unattended;
- (10) for a dog or a cat to dig in garbage, move it, tear the bags or knock over containers;
- (11) feeding within city territory wild animals such as seagulls, gulls, pigeons, crows, squirrels, raccoons, ducks and fish, stray animals. Despite the foregoing, the owner, lessee or occupant of an occupancy unit can feed birds using a bird feeder located on their unit;
- (12) keeping an animal that does not belong to a permitted species under article 3;
- (13) using traps to catch an animal outside a building except as permitted by the authority having jurisdiction;
- (14) letting a dog drink or bathe in a fountain or basin located in a public place;
- (15) being in a fenced city playground, or on city land where a sign indicates that the presence of dogs is prohibited.

**29.** The guardian of an animal being a nuisance is guilty of an offence under this by-law.

**SECTION VII**  
**SPECIAL PROVISIONS FOR AT-RISK DOGS**

**30.** The guardian of a dog that has bitten or caused the death of a person or another animal of a permitted species under article 3 must:

- (1) inform the authority having jurisdiction within 72 hours of the event;
- (2) have the animal euthanized following the order for euthanasia issued by the authority having jurisdiction;
- (3) muzzle the dog at all times when it is outside of the guardian's occupancy unit until the animal is euthanized.

**31.** The guardian of a dog that has bitten a person or in biting, has caused a laceration of the skin to another animal of a permitted species under article 3 must:

- (1) inform the authority having jurisdiction within 72 hours of the event;
- (2) muzzle the dog at all times when it is outside of the guardian's occupancy unit unless the authority having jurisdiction issues a notice to the contrary;
- (3) comply, as the case may be, to the written notice issued by the authority having jurisdiction and bring it to the place and time indicated so that the city's expert may evaluate it.

**32.** When the at-risk dog mentioned in article 31 is declared dangerous to public safety by the authority having jurisdiction, the guardian of the dog must have the animal euthanized in accordance with the order for euthanasia issued by the authority having jurisdiction.

When the dog mentioned in first paragraph is declared not dangerous to public safety by the authority having jurisdiction, the latter may require that the guardian obtain a special licence for an at-risk dog and comply with the special conditions for at-risk dogs required under this by-law.

**33.** The guardian of an at-risk dog who omits or neglects obtaining a special licence for at-risk dogs as required by the authority having jurisdiction is guilty of an offence.

**34.** The city issues a special licence for keeping an at-risk dog if the following conditions are met:

- (1) the applicant provides proof that the dog has been sterilized or a written opinion from a veterinary surgeon establishing that the animal may not be sterilized;
- (2) the applicant provides proof that the dog has been vaccinated against rabies and proof of follow-ups, as applicable, at the city's request;

- (3) the applicant presents proof that the dog has a microchip;
- (4) the applicant is 18 years of age or older.

**35.** When the animal covered by a special licence for keeping an at-risk dog has again bitten a person or an animal, the dog's guardian must have the animal euthanized according to the order for euthanasia issued by the authority having jurisdiction.

**36.** The guardian of an at-risk dog who holds a special licence for keeping such a dog must comply with the following special conditions when the animal is outside a building:

- (1) the animal must be muzzled at all times;
- (2) the animal must be kept on a leash no longer than 1.25 m or less, except in dog exercise areas;
- (3) the animal must be under the supervision of a person 18 years of age or older;
- (4) the animal must wear the tag obtained from the city when the special licence was issued.

In addition to the conditions set out in the first paragraph, the authority having jurisdiction may impose other special conditions, such as:

- (1) the guardian of the dog must announce the presence of an at-risk dog on their property with a poster visible from the public road. This poster is provided by the city at the expense of the guardian and must be maintained in good condition, without alteration;
- (2) the guardian must have the dog taken into behavioural therapy;
- (3) the guardian of the dog must make sure to keep the animal in an area closed off by a fence at least 2 m high with mesh tight enough to prevent anyone from introducing a hand or foot inside the area;
- (4) the dog must be maintained at a distance of more 2 m from a child under 16 years of age, except those of the guardian of the animal.

The special licence for keeping an at-risk dog is revoked if the holder is declared guilty of an offence under this article. Where applicable, the guardian must have the animal euthanized according to the order for euthanasia issued by the authority having jurisdiction.

**37.** The at-risk dog must remain in the place determined in the written notice issued by the authority having jurisdiction until special conditions have been imposed in regards to the animal, as the case may be.

**38.** All expenses incurred by the city under this section shall be at the expense of the guardian of the animal.

**39.** The following are guilty of an offence:

- (1) the guardian of a dog who contravenes a special condition imposed under article 36;
- (2) the guardian of a dog covered by this section, who, within 48 hours following the order for euthanasia issued by the authority having jurisdiction, has not brought the dog to a veterinary surgeon or a shelter so that it is euthanized;
- (3) the guardian who, within 72 hours of the death of their dog, fails to provide to the authority having jurisdiction with a certificate signed by the person who performed the euthanasia.

## **SECTION VIII**

### **DOG EXERCISE AREAS**

**40.** Dog exercise areas are reserved for dogs and their guardians.

**41.** In a dog exercise area, the guardian of a dog must at all times monitor their dog and have it under control.

**42.** It is prohibited:

- (1) to bring more than 2 dogs at a time in a dog exercise area;
- (2) to feed a dog inside the exercise area;
- (3) to use a ball, a stick or any other object to make a dog exercise when another guardian's dog is in the exercise area;
- (4) to bring in a dog exercise area a dog with symptoms of disease or a female dog that is in heat.

## **SECTION IX**

### **SHELTER**

**43.** The authority having jurisdiction may capture and keep in a shelter any at-risk, dangerous or stray animal, which is a nuisance or which does not belong to a permitted species under article 3.

**44.** Following a period of 72 hours after issuing a notice to the guardian that their animal was entered in a shelter, the authority having jurisdiction may order that the animal be euthanized or put up for adoption for its own benefit. When the guardian is unknown or cannot be located, the authority having jurisdiction may order that the animal be euthanized or put up for adoption for its own benefit 72 hours after entering the animal in a shelter.

Despite the first paragraph, a stray cat that does not have any identification and that is not sterilized may be put up for adoption 24 hours after entering in a shelter.

Despite the first paragraph, an at-risk, dangerous or Pitt bull-type or hybrid dog may not be put up for adoption.

Despite the first paragraph, a dying, seriously injured or highly contagious animal may, on the advice of a veterinary surgeon, be euthanized immediately following its entering in the shelter.

**45.** The guardian of the animal, with the exception of an at-risk, dangerous, Pitt bull-type or hybrid dog, may reclaim possession of the animal, unless the shelter has already disposed of it in accordance with article 44, by fulfilling the following conditions:

- (1) by proving that they are the owner of the animal;
- (2) by presenting the required licence under this by-law, or if the guardian does not possess such a licence, by obtaining it before reclaiming repossession of the animal;
- (3) by paying the shelter the daily accommodation cost in addition to any costs for treatment, sterilization, vaccination or implanting a microchip, as the case may be.

## **SECTION X DISEASES**

**46.** The authority having jurisdiction may isolate until full recovery, any animal suspected of suffering from a disease contagious to humans (zoonosis), as certified by a veterinary surgeon. Failing such recovery, it must be euthanized.

**47.** A guardian who knows or suspects that their animal is suffering from a disease contagious to humans (zoonosis), must immediately take all necessary means to seek treatment for the animal or have it euthanized.

**48.** Every person is required to comply with the provisions set by ordinance adopted under paragraph (2) of article 54.

## **CHAPTER III PENAL PROVISIONS**

**49.** Any person who contravenes any provision of this by-law or any ordinance adopted pursuant to this by-law is guilty of an offence and is liable:

- (1) in the case of an individual:
  - (a) for a first offence, to a fine of \$300 to \$600;

- (b) for a second offence, to a fine of \$600 to \$1,200;
- (c) for any subsequent offence, to a fine of \$1,200 to \$2,000;

(2) in the case of a legal person:

- (a) for a first offence, to a fine of \$500 to \$1,000;
- (b) for a second offence, to a fine of \$1,000 to \$2,500;
- (c) for any subsequent offence, to a fine of \$2,500 to \$4,000.

**50.** Despite article 49, any person who contravenes any of the provisions of articles 11, 17, paragraphs (1) and (2) of article 18, 21, 29 by a nuisance mentioned in paragraph (5) of article 28, 36 and paragraphs (1) and (2) of article 39, is guilty of an offence and is liable:

(1) in the case of an individual:

- (a) for a first offence, to a fine of \$500 to \$750;
- (b) for a second offence, to a fine of \$750 to \$1,500;
- (c) for any subsequent offence, to a fine of \$1,500 to \$2,000;

(2) in the case of a legal person:

- (a) for a first offence, to a fine of \$800 to \$1,500;
- (b) for a second offence, to a fine of \$1,500 to \$2,500;
- (c) for any subsequent offence, to a fine of \$2,500 to \$4,000.

**51.** Despite article 49, a person who contravenes paragraph (1) of article 3 of this by-law is guilty of an offence and is liable:

(1) in the case of an individual:

- (a) for a first offence, to a fine of \$750 to \$1,000;
- (b) for a second offence, to a fine of \$1,000 to \$1,500;
- (c) for any subsequent offence, to a fine of \$1,500 to \$2,000;

(2) in the case of a legal person:

- (a) for a first offence, to a fine of \$1,000 to \$1,500;

(b) for a second offence, to a fine of \$1,500 to \$2,500;

(c) for any subsequent offence, to a fine of \$2,500 to \$4,000.

**52.** No licence may be issued or renewed to a guardian declared guilty of three offences under article 29 of this by-law with respect to a nuisance mentioned in paragraph (5) of article 28.

**53.** The owner of an animal is responsible for any offence under this by-law, even if the animal is not under their care, unless the owner proves that at the time the offence was committed, a third party other than a member of the owner's family under the age of 18 accompanied the animal, without the owner's knowledge and consent, express or implied.

#### **CHAPTER IV ORDINANCES**

**54.** The executive committee may, by ordinance:

- (1) determine any shelter for the application of this by-law;
- (2) provide, for a specific period of time, the necessary measures to prevent or reduce the spread of a contagious disease that may endanger public health, when there are reasonable grounds to suspect such a spread, as well as quarantine stations and vaccination clinics designated for the implementation of such measures;
- (3) determine the validity period of licences and tags;
- (4) amend the list of permitted and prohibited animals and determine the transitional measures, as the case may be;
- (5) amend the definition of "prohibited dog" and determine the transitional measures, as the case may be;
- (6) determine the poster indicating the presence of an at-risk dog;
- (7) determine the areas where the presence of dogs is prohibited;
- (8) determine areas where it is authorized to keep farm animals as well as their living conditions, as the case may be;
- (9) amend the list of offences mentioned in schedule 1 of this by-law.

**CHAPTER V**  
**TRANSITIONAL AND FINAL PROVISIONS**

**55.** The guardian of a Pit bull-type dog must, as of the date of coming into force of this by-law and until a special licence for a Pit bull-type dog has been issued, as the case may be, comply with the following conditions:

- (1) the animal must be muzzled at all times;
- (2) the animal must be kept on a leash no longer than 1.25 m, except in a dog exercise area or in a area closed off by a fence at least 2 m high, with mesh tight enough to prevent anyone from introducing a hand or foot inside the area;
- (3) the animal must be under the supervision of a person 18 years of age or older.

**56.** This by-law repeals and replaces any provision of a by-law in effect on city territory concerning animal control.

**57.** Subject to the second paragraph, licences issued by a borough under a by-law concerning animal control remain valid and are deemed to have been issued under this by-law.

A licence for a dangerous dog issued by a borough under a by-law concerning animal control remains valid and is deemed to be a special licence for an at-risk dog as defined in this by-law, and the special conditions imposed by the dangerous dog licence remain in effect until the licence is renewed.

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**SCHEDULE 1**  
**TABLE OF OFFENCES**

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The public notice relating to this by-law was posted at city hall and published in *The Gazette* on October 3, 2016.

**SCHEDULE 1**  
**TABLE OF OFFENCES**

Sections 76, 77 and 78.1 of the Criminal Code R.S.C. (1985), c. C-46 (CCC)	Offences against Air or Maritime Safety
Section 81 CCC	Using explosives
Sections 83.18 CCC, 83.181 CCC, 83.19 CCC, 83.191 CCC, 83.2 CCC, 83.201 CCC, 83.202 CCC, 83.21 CCC, 83.22 CCC, 83.221 CCC, 83.231 CCC	Offences related to terrorism
Section 85 CCC	Using firearm or imitation firearm in commission of offence
Section 87 CCC	Pointing a firearm
Section 88 CCC	Possession of weapon for dangerous purpose
Section 160 CCC	Bestiality
Section 182 (b) CCC	Improperly or indecently interferes with or offers any indignity to a dead human body
Section 215 CCC	Duty of persons to provide necessaries
Sections 220 and 221 CCC	Criminal negligence
Section 231	Murder
Section 233 CCC	Infanticide
Section 234	Manslaughter
Section 239 CCC	Attempt to commit murder
Section 244 CCC	Discharging firearm with intent
Section 244.1 CCC	Discharge of an air or compressed gas gun or pistol
Section 244.2 CCC	Discharging firearm — recklessness
Section 245 CCC	Administering noxious thing
Section 246 CCC	Overcoming resistance to commission of offence
Section 247 CCC	Traps likely to cause bodily harm
Section 248 CCC	Interfering with transportation facilities
Section 264 CCC	Criminal harassment
Section 264.1 CCC	Uttering threats
Section 267 (a) CCC	Assault with a weapon
Section 267(b) CCC	Assault causing bodily harm
Section 268 CCC	Aggravated assault
Section 269 CCC	Unlawfully causing bodily harm
Section 269.1 CCC	Torture
Section 270.01 (1) (a) CCC	Assaulting peace officer or public officer with weapon
Section 270.01 (1) (b) CCC	Assaulting peace officer or public officer with weapon or causing bodily harm
Section 272 CCC	Sexual assault with a weapon, threats to a third party or causing bodily harm

Section 273 CCC	Aggravated sexual assault
Section 279(1) CCC	Kidnapping
Section 279.1 CCC	Hostage taking
Section 280 CCC	Abduction of person under sixteen
Section 279(2) CCC	Forcible confinement
Section 279.01 CCC	Trafficking in persons
Section 279.011 CCC	Trafficking of a person under the age of eighteen years
Section 318 CCC	Advocating genocide
Section 319 CCC	Public incitement of hatred and wilful promotion of hatred
Section 343	Robbery
Section 423 CCC	Intimidation
Section 423.1 CCC	Intimidation of a justice system participant or a journalist
Section 424 CCC	Threat against internationally protected person
Section 424.1 CCC	Threat against United Nations or associated personnel
Sections 431 and 431.1 CCC	Attack on premises, residence or transport of internationally protected person or of United Nations or associated personnel
Sections 433 and 434.1 CCC	Arson
Section 445 CCC	Injuring or endangering other animals
Section 445.01 CCC	Killing or injuring certain animals, namely a service animal
Section 445.1 CCC	Causing unnecessary suffering
Section 446 CCC	Causing damage or injury to animals or birds
Section 465 CCC	Conspiracy
Sections 467.11, 467.12 and 467.13 CCC	Participation in activities of criminal organization
Section 5 of the Controlled Drugs and Substances Act (S.C. 1996, c. 19)	Trafficking in substance