BY-LAW NUMBER 1984-139

A BY-LAW TO REGULATE THE REMOVAL OF ANIMAL WASTE ON PUBLIC AND PRIVATE PROPERTY IN THE CITY OF PETERBOROUGH

WHEREAS Section 104 of The Municipal Act provides that every council may pass such by-laws and make such regulations for the health, safety, morality and welfare of the inhabitants of the municipality in matters not specifically provided for in this Act as may be deemed expedient and are not contrary to law, and for governing the proceedings of the council, the conduct of its members and the calling of meetings.

AND WHEREAS it is deemed expedient and in the best interest of public health, safety and welfare to pass a by-law requiring any person who owns, controls or harbours a dog to remove forthwith excrement left by the dog on public property or on private property in other than the property of the owner of a dog in the City of Peterborough.

NOW THEREFORE THE CORPORATION OF THE CITY OF PETERBOROUGH BY THE COUNCIL THEREOF ENACTS AS FOLLOWS:

1. In this by-law:
   (a) "City" means the Corporation of the City of Peterborough;
   (b) "Dog" means a male or female dog;
   (c) "Guide Dog" means a dog trained and used actively to aid blind and handicapped persons;
   (d) "Owner" of a dog includes a person who possesses or harbours a dog and "owns" and "owned" have a corresponding meaning;
   (e) "Animal" includes a dog;
   (f) "Highway" means a common or public highway and includes a street, boulevard, sidewalk and a bridge forming part of a highway, or on, over or across which a highway passes;
   (g) "control" means the person in charge of a dog at the time it drops its feces;

2. Any person who owns or controls a dog shall remove forthwith any feces left by such dog on a highway or on any public property or on any private property other than the property of the owner of such dog in the City of Peterborough.

3. Failure to promptly remove any feces shall be deemed to be a breach of this by-law.

4. The provisions of this by-law do not apply to a blind or handicapped person accompanied by a guide dog.

5. Any person convicted of a breach of any provision of this by-law shall forfeit and pay, at the discretion of the convicting Judge or Justice of the Peace, a penalty not exceeding $2,000.00 for each offence, exclusive of costs, and may be liable to imprisonment for any term not exceeding six months, or both.
6. When a person has been convicted of an offence under this by-law, the Provincial Offences Court or any Court of competent jurisdiction thereafter may, in addition to any other penalty imposed on the person convicted issue an Order prohibiting the continuation or repetition of the offence or the doing of any act or thing by the person convicted directed toward the continuation or repetition of the offence.

Read a first time this 1st day of October, 1984.

(Sgd.) Robert J. Barker
MAYOR
(SEAL)

(Sgd.) S. Hendry
CLERK

Read a second and third time and finally passed this 7th day of January, 1985.

(Sgd.) Robert J. Barker
MAYOR
(SEAL)

(Sgd.) S. Hendry
CLERK

I CERTIFY the foregoing to be a true copy of By-Law Number 1984-139 of the Corporation of the City of Peterborough which was passed through second and third and final reading by the Council thereof at its meeting held on January 7, 1985.

CITY, CLERK