

DRAFT BY-LAW NUMBER 372-2025

CONCERNING THE CONTROL AND OWNERSHIP OF DOGS

Resolution #2025-07-R155

Adoption of DRAFT BY-LAW NUMBER 372-2025 concerning the control and ownership of dogs

IT IS MOVED BY: _Councillor Gerry Clark_____

AND CARRIED TO adopt Draft By-law No. 372-2025 concerning the control and ownership of dogs.

ADOPTED UNANIMOUSLY

PROVINCE OF QUEBEC
MUNICIPALITY OF THE TOWNSHIP OF HARRINGTON
MRC OF ARGENTEUIL

<u>DRAFT BY-LAW NUMBER 372-2025 concerning the control and ownership of dogs</u>

WHEREAS the By-law to implement the Act to promote the protection of persons by establishing a framework for the control of dogs (RLRQ chapter P-38.002) has come into force.

WHEREAS the regulations currently in force need to be completely overhauled in order to bring them into line with the *By-law to give effect* to the Act to promote the protection of persons by establishing a framework for the control of dogs (RLRQ chapter P-38.002).

WHEREAS the Council wishes to regulate dog ownership within the Municipality, in particular by requiring all dog owners to obtain a tag and pay an annual fee.

WHEREAS the Council also wishes to declare that certain animals and certain situations or acts constitute a nuisance and wishes to prohibit them.

WHEREAS a notice of motion for this Draft By-law was given at the regular sitting of the municipal council held on July 21, 2025, and the Draft By-law was tabled at that same sitting.

WHEREAS the Draft By-law is presented in accordance with the Municipal Code of Québec.

WHEREAS a copy of this By-law has been given to the members of the Municipal Council in accordance with the provisions of the Municipal Code of Québec (RLRQ, c. C-27.1).

WHEREAS a copy of the By-law is made available for public consultation at the beginning of the meeting.

WHEREAS the members of the Council declare that they have read the said By-law and waive its reading.

CONSEQUENTLY, the Municipality of the Township of Harrington decrees as follows:

ARTICLE 1

The preamble and appendices form an integral part of this By-law.

CHAPTER 1 INTERPRETATIVE AND ADMINISTRATIVE PROVISIONS

ARTICLE 2 - REPLACEMENT

This By-law repeals and replaces By-law No. RM 410-2019 and its amendments.

ARTICLE 3 - APPLICATION

This By-law applies to the entire territory of the Municipality of the Township of Harrington.

ARTICLE 4 - DEFINITIONS

For the purposes of this By-law, the following words shall have the following meanings:

Competent authority:

Any person, company or organization designated by the Municipality Council by resolution to enforce the provisions of this By-law.

Service dog:

A dog trained by a specialized institution to guide a person with a visual or physical disability or for which that person has obtained a certificate attesting that it has been trained for that purpose.

Designated official:

Any person, business or organization designated by the Municipality's Council by resolution to enforce the provisions of this By-law.

Keeper:

A keeper is defined as the owner of a dog or a person who shelters, feeds, or accompanies an animal, or who acts as if they were the owner, or a person who applies for a license. The owner, occupant, or tenant of the dwelling unit where the animal lives is also considered a keeper. If this person is a minor, the father, mother, guardian, or legal representative of the minor is considered the keeper.

Tag

Refers to the identification tag issued by the municipality when the license is obtained, which allows the dog and its owner or keeper to be identified.

Municipality:

Refers to the Municipality of Harrington Township.

Muzzle:

Refers to the act of placing a basket muzzle on a domestic animal, i.e., a device designed to restrain an animal by means of a strap or other means that surrounds the animal's muzzle and is strong enough to prevent it from biting without causing injury.

Park:

Parks located within the territory of the Municipality and under its jurisdiction, including all public spaces, grassed or otherwise, where the public has access for rest or recreation, play or sport, or for any other similar purpose.

Occupancy unit:

One or more rooms located in a building and used primarily for residential, commercial, or industrial purposes.

ARTICLE 5 – **EXEMPT DOGS**

The following dogs are not subject to this By-law:

- 1° A dog that is required to assist a person and is accompanied by a valid certificate attesting that it has been trained for that purpose by a professional assistance dog training organization.
- 2° A dog belonging to a police dog team.
- 3° A dog used in the course of the activities of the holder of a permit issued under the *Private Security Act* (chapter S-3.5).
- 4° A dog used in the course of the activities of a wildlife protection officer.

ARTICLE 6 – AGREEMENTS AND DELEGATION OF POWERS

The Municipality may enter into agreements with any person, business or organization to apply this By-law in whole or in part. For the purposes of this By-law, such person, business or organization shall be designated as the "competent authority."

Notwithstanding the first paragraph, any official designated by resolution of the municipal council shall see to the collection of dog licence fees and the reporting of potentially dangerous dogs and orders with respect to dog owners or keepers.

CHAPTER 2 PROVISIONS APPLICABLE TO THE WELFARE OF DOGS

ARTICLE 7 – WELFARE AND SAFETY

The owner or keeper of a dog must ensure that its safety and welfare are not compromised. The safety and welfare of a dog are compromised in particular when it:

- 1º Does not have access to drinking water or food in sufficient quantity and quality compatible with the biological requirements of its species.
- 2º Is not kept in a shelter that is suitable, sanitary, and adapted to its biological requirements and whose facilities are not likely to affect its safety or well-being.
- Does not receive the health care required by its condition when seriously injured, ill, or in pain.
- 4° Is subjected to abuse or mistreatment that may affect its health, safety, or well-being.

<u>ARTICLE 8</u> – DOG FIGHTING

No one may organize, participate in, encourage, or attend a dog fight or animal fight, or allow their dog or animal to participate in such an event.

ARTICLE 9 – ABANDONMENT

It is prohibited for the owner or keeper of a dog to abandon it. They must entrust it to the competent authority, a veterinary clinic or hospital.

CHAPTER 3 REPORTING INJURIES CAUSED BY A DOG

ARTICLE 10

A veterinarian must immediately report to the Municipality that a dog that he or she has reasonable grounds to believe constitutes a risk to public health or safety has inflicted a bite injury on a person or domestic animal, providing the Municipality with the following information, if known:

- 1° The name and contact information of the owner or keeper of the dog.
- 2° Any information, including the breed or type, that allows the dog to be identified.
- 3° The name and contact information of the injured person or the owner or keeper of the injured animal, as well as the nature and severity of the injury inflicted.

ARTICLE 11

A veterinarian must immediately report to the Municipality that a dog has inflicted a bite wound on a person, providing the Municipality with the nature and severity of the wound and, where known, the information specified in paragraphs 1 and 2 of Article 10.

ARTICLE 12

For the purposes of Articles 10 and 11, if the principal residence of the owner or keeper of the dog that inflicted the injury is not in the Municipality of Harrington Township, the veterinarian must contact the Municipality where the owner or keeper resides or, if this information is not known, the Municipality where the incident occurred.

CHAPTER 4 DECLARATIONS OF POTENTIALLY DANGEROUS DOGS AND ORDERS AGAINST DOG OWNERS OR KEEPERS

POWERS OF THE MUNICIPALITY

ARTICLE 13 – ASSESSMENT

Where there are reasonable grounds to believe that a dog is a risk to public health or safety, the Municipality may require its owner or keeper to submit it to an examination by a veterinarian of its choice to assess its condition and dangerousness.

ARTICLE 14 - PROVISIONS APPLICABLE TO AN EXAMINATION

When the Municipality wishes to have a dog examined by a veterinarian under section 13, the following provisions apply:

- 1° The Municipality shall notify the owner or keeper of the dog of the date, time, and place where they must present the dog for examination, as well as the costs they will have to pay for the examination.
- 2° The veterinarian shall send their report to the Municipality as soon as possible. It must contain their opinion on the risk that the dog poses to public health or safety.
- 3° The report may also contain recommendations on measures to be taken with respect to the dog or its owner or keeper.

ARTICLE 15 – ASSESSMENT OF DANGEROUSNESS

A dog may be declared potentially dangerous by the Municipality if, after reviewing the report of the veterinarian who examined the dog and assessed its condition and dangerousness, it is deemed to pose a risk to public health or safety.

A dog that has bitten or attacked a person or domestic animal and caused injury may also be declared potentially dangerous by the Municipality.

ORDINANCES

ARTICLE 16

The Municipality may, when circumstances warrant, order the owner or keeper of a dog to comply with one or more of the following measures:

- 1° Subject the dog to one or more standards or any other measure intended to reduce the risk that the dog poses to public health or safety.
- 2° Have the dog euthanized.
- 3° Surrender the dog or any other dog or prohibit the owner or keeper from owning, acquiring, keeping, or breeding a dog for a period of time determined by the municipality.

The ordinance must be proportionate to the risk posed by the dog or the owner or keeper to public health or safety.

ARTICLE 17

The Municipality shall order the owner or keeper of a dog that has bitten or attacked a person and caused death or serious injury to have the dog euthanized. The Municipality shall also have a dog euthanized if the owner or keeper is unknown or cannot be found.

Until euthanasia, a dog referred to in the first paragraph must at all times be muzzled with a basket muzzle when outside the residence of its owner or keeper.

For the purposes of this section, a serious injury is any physical injury that could result in death or significant physical consequences.

TERMS AND CONDITIONS FOR EXERCISING THE POWERS OF THE MUNICIPALITY

ARTICLE 18

Before declaring a dog potentially dangerous under section 15 or issuing an order under sections 16 and 17 of this By-law, the Municipality must inform the owner or keeper of the dog in writing, clearly stating:

- 1° Its intention.
- 2° The reasons on which it is based.
- 3° The time limit within which the owner or keeper may submit comments and, if applicable, produce documents to supplement the file.

Any decision by the Municipality shall be sent in writing to the owner or keeper of the dog. When declaring a dog potentially dangerous or issuing an order, the decision shall be justified in writing and refer to any document or information that the Municipality has taken into consideration.

The declaration or order shall be notified to the owner or keeper of the dog and shall specify the time limit within which they must comply. Before the expiry of the time limit, the owner or keeper must demonstrate to the Municipality that he has complied with the order. Failing this, he shall be presumed not to have complied with it. In this case, the Municipality shall give him formal notice to comply within a specified time limit and shall inform him of the consequences of his failure to do so.

ARTICLE 20

The powers of the Municipality to declare a dog potentially dangerous and to issue ordinances under this By-law shall be exercised in respect to dogs whose owner or keeper has his or her principal residence within the Municipality.

However, a legal declaration or ordinance issued by the Municipality shall apply throughout the territory of Québec.

CHAPTER 5 KENNELING AND CONTROL OF DOGS

ARTICLE 21 – NUMBER OF DOGS ALLOWED

The maximum number of dogs per dwelling unit is four (4).

The first paragraph does not apply to a pet store, a training school, a kennel, a veterinary clinic, or to an owner or keeper of a female dog that is in heat for up to 120 days. After this period, the owner or keeper must comply with the maximum number of dogs allowed.

ARTICLE 22 – OUTDOOR CARE

The owner or keeper of a dog must ensure that it remains within the boundaries of their property.

Access to the main entrance of the building must not be obstructed by a dog under any circumstances.

It is prohibited to allow an animal to roam at any time in a street, alley, public place, or on private property other than the occupancy unit and outbuildings of the owner or keeper of the animal.

ARTICLE 23 – REGISTRY, MANDATORY REGISTRATION

All owners or keepers of dogs living in the territory must register them with the Municipality within 30 days of acquiring the dog or on the day the dog reaches the age of 3 months.

Notwithstanding the first paragraph, the obligation to register a dog:

- 1° Applies from the day the dog reaches the age of 6 months when a dog breeder is the owner or keeper of the dog.
- 2° Does not apply to a pet shop, i.e., a business where pets are kept and offered for sale to the public, a veterinary establishment, an educational establishment or an establishment that carries out research activities, or to a pound, animal service, shelter or any person or organization dedicated to the protection of animals that holds a permit referred to in section 19 of the *Animal Welfare and Safety Act* (chapter B-3.1).

The registration of a dog remains valid as long as the dog and its owner/keeper remain the same.

ARTICLE 25 – REGISTRATION FORM

For registration purposes, the form attached in the appendix must be completed by the owner or keeper of the dog and indicate:

- 1º Name and contact details of the owner or keeper.
- 2° Breed, sex, color, year of birth, name, distinguishing features, origin of the dog and whether its weight is 20 kg or more.
- 3° If applicable, proof that the dog's rabies vaccination is up to date, that it has been neutered or microchipped, and the microchip number, or a written statement from a veterinarian indicating that vaccination, neutering, or microchipping is contraindicated for the dog.
- 4° If applicable, the names of the Municipalities where the dog has previously been registered and any decision regarding the dog made by a local Municipality under the By-law implementing the Act to promote the protection of persons by establishing a framework for dogs (RLRQ, c P-38.002) or a Municipal By-law concerning dogs.

The Municipality shall keep this register up to date and every owner or keeper of a dog shall notify it as soon as possible of any move or change of address.

ARTICLE 26 – LICENSE

Following registration, the Municipality shall issue the dog owner or keeper a tag as a license, indicating the year and registration number.

The dog must wear this tag at all times. Failure to wear the tag constitutes a violation of this By-law and is punishable by a fine.

<u>ARTICLE 27</u> – COST

The cost of this license is \$15.00. This license is non-refundable and non-transferable.

However, the license for an assistance dog is free upon presentation of proof to that effect.

In the event of loss or destruction of the license, the owner or keeper to whom it was issued must obtain another one at the cost indicated in the first paragraph.

VALIDITY

ARTICLE 28

The license is valid for the lifetime of the dog and if the information received in Article 25 of this By-law is identical.

ARTICLE 29

The registration of a dog with the Municipality shall remain in effect as long as the dog and its owner or keeper remain the same.

The owner or keeper of a dog must inform the Municipality of any changes to the information provided under section 25.

There is no longer an annual renewal, as the cost of the tag is only required once.

CONDITIONS FOR KEEPING DOGS

ARTICLE 30

In a public place, a dog must at all times be under the control of a person capable of controlling it.

Except in a dog exercise area or when participating in a dog activity, such as hunting, a show, a competition, or a training class, a dog must also be kept on a leash no longer than 1.85 m. A dog weighing 20 kg or more must also wear a halter or harness attached to its leash at all times.

ARTICLE 31

A dog may not be on a property belonging to a person other than its owner or keeper, unless the dog's presence has been expressly authorized.

CHAPTER 6 SPECIFIC CONDITIONS FOR KEEPING DOGS DECLARED POTENTIALLY DANGEROUS

ARTICLE 32

A dog declared potentially dangerous must at all times be up to date with its rabies vaccinations, be neutered, and microchipped, unless contraindicated for the dog by a veterinarian.

ARTICLE 33

A dog declared potentially dangerous may not be kept in the presence of a child aged 10 or under unless it is under the constant supervision of a person aged 18 or over.

ARTICLE 34

A dog declared potentially dangerous must be kept by means of a device that prevents it from leaving the boundaries of private property that is not fenced or whose fence is not sufficient to contain it. In addition, a sign must also be posted in a location that allows anyone entering the property to be aware of the presence of a potentially dangerous dog.

In a public place, a dog declared potentially dangerous must wear a muzzle at all times. In addition, it must be kept on a leash no longer than 1.25 meters, except in a dog exercise area.

CHAPTER 7 NUISANCES - OFFENSES

ARTICLE 36

The following acts constitute a nuisance and are prohibited:

- 1° For a dog not to wear the tag required under this By-law when outside the dwelling unit.
- 2° For a dog to be on another person's property without consent of the occupant and to cause damage to another person's property
- 3° For a dog to move, dig up, scatter or destroy waste material.
- 4° For a dog to make noises that disturb the peace and quiet of a person or cause a nuisance to the neighborhood.
- 5° For the owner or keeper to keep one or more dogs whose presence emits a foul odor that disturbs the neighborhood or causes damage to property.
- 6° For the owner or keeper of a dog declared dangerous by the Municipality to fail to comply with the requirements contained in this By-law.
- 7° For the owner or keeper of a dog to allow it to become a stray dog.
- 8° For the owner or keeper of a dog to fail to clean, by all appropriate means, any public or private place, including their property, soiled by the feces or urine of said dog and to pick it up for disposal in an authorized waste container.
- 9° For the owner or keeper of a dog to fail to respect or comply with any section of this By-law.
- 10° For the owner or keeper of a dog to willfully provide false information to the competent authority.
- 11° For any person to attempt to harm or hinder the work of the Municipality or the inspector in the application of this By-law.
- 12° For the owner or keeper of a dog to refuse the Municipality or the competent authority access to any place, building, dwelling unit or occupancy unit in order to verify compliance with this By-law.

CHAPTER 8 INSPECTION AND SEIZURE

INSPECTION

ARTICLE 37

For the purposes of this By-law, the competent authority who has reasonable grounds to believe that a dog is in a place or vehicle may, in the performance of their duties:

- 1° Enter that place at any reasonable time and inspect it
- 2° Inspect that vehicle or order it to be immobilized for inspection.
- 3° Examine the dog.
- 4° Take photographs or make recordings.
- 5° Require any person to produce, for examination, reproduction or extraction, any book, account, record, file or other document, if the officer has reasonable grounds to believe that it contains information

- relating to the administration of this By-law.
- 6° Require any person to provide any information relating to the administration of this By-law.

When the place or vehicle is unoccupied, the competent authority shall leave a notice indicating his name, the time of the inspection, and the reasons for it.

ARTICLE 38

The competent authority who has reasonable grounds to believe that a dog is in a dwelling may require the owner or occupier of the premises to show the dog to him. The owner or occupier shall comply immediately.

The competent authority may only enter the dwelling with the consent of the occupier or, failing that, with a search warrant issued by a judge, on the basis of an affidavit made by the competent authority stating that it has reasonable grounds to believe that a dog that constitutes a risk to public health or safety is in the dwelling, authorizing, on the conditions specified therein, the competent authority to enter the dwelling, seize the dog and dispose of it in accordance with the provisions of this By-law. This warrant may be obtained in accordance with the procedure provided for in the Code of Criminal Procedure (chapter C-25.1), with the necessary modifications.

Any judge of the Court of Québec or of a Municipal court or any justice of the peace has jurisdiction to issue a search warrant under the second paragraph.

ARTICLE 39

The competent authority may require the owner, keeper, or person in charge of a vehicle or place that is subject to inspection, as well as any person present there, to assist it in the performance of its duties.

The competent authority is authorized to issue statements of offence for the purposes of enforcing this By-law and to initiate criminal proceedings against anyone who contravenes this By-law.

SEIZURE

ARTICLE 40

The competent authority may seize a dog for the following purposes:

- 1º To have it examined by a veterinarian in accordance with Article 13 when it has reasonable grounds to believe that it poses a risk to public health or safety.
- 2° To have it examined as required by the Municipality when its owner or keeper fails to appear for the examination in accordance with the notice given under section 14, paragraph 1.
- 3° Have an ordinance made by a competent authority under sections 16 or 17 enforced when the time limit for compliance set out in the second paragraph of section 19 has expired.

The competent authority shall take custody of the dog it has seized. The competent authority may keep the seized dog or entrust its custody to a person in a veterinary establishment or shelter, an animal service, in a pound or in a place maintained by a person or organization dedicated to the protection of animals and holding a permit referred to in section 19 of the Animal Welfare and Safety Act (chapter B-3.1).

ARTICLE 42

The seized dog shall remain in custody until it is returned to its owner or keeper.

Unless the dog was seized to enforce an ordinance made under the first paragraph of section 17 or paragraph 2 or 3 of the first paragraph of section 16, or unless the Municipality makes an ordinance under one of those provisions, it shall be returned to its owner or keeper when one of the following situations arises:

- 1° As soon as the dog has been examined, when the veterinarian is of the opinion that it does not pose a risk to public health or safety, or as soon as the order has been executed.
- 2° When a period of 90 days has elapsed since the date of seizure without the dog having been declared potentially dangerous or, before the expiry of that period, if the inspector is advised that there are no grounds for declaring the dog potentially dangerous or that the dog has been declared potentially dangerous.

ARTICLE 43

The costs incurred for the care of a seized dog shall be borne by the owner or keeper of the dog, including, in particular, veterinary care, treatment, surgery, and medication necessary during the seizure, as well as examination by a veterinarian, transportation, euthanasia, or disposal of the dog.

CHAPTER 10 CAPTURE AND DISPOSAL OF A STRAY DOG PRESUMED TO BE ABANDONED

ARTICLE 44

The competent authority may capture and take charge of a stray dog or a dog presumed to be abandoned, whether or not it is wearing a license.

ARTICLE 45

A notice shall be issued without delay to the owner or keeper of the dog, if known, indicating that they may reclaim their animal within a maximum period of three (3) working days.

ARTICLE 46

If the dog is not wearing a license, the inspector shall keep the animal for a maximum period of five (5) working days and shall take reasonable steps to contact the owner or keeper of the dog.

At the end of the periods specified in Articles 45 and 46 of this By-law, any dog that has not been claimed by its owner or keeper shall be handed over to the competent authority, which shall become its legal guardian.

ARTICLE 48

The owner or keeper claiming their dog must pay the costs of intervention, capture, custody, care, and, where applicable, the fees and treatment of a veterinarian.

CHAPTER 11 PENAL PROVISIONS

Article	Infraction	Fines for individuals	Fines for other cases
49	The owner or keeper of a dog contravenes the first paragraph of the first subsection of section 14, or fails to comply with an order made under sections 16 or 17.	\$1,000 to \$10,000	\$2,000 to \$20,000
50	The owner or keeper of a dog contravenes any of sections 23, 24, or 26.	\$250 to \$750 Double penalty for a potentially dangerous dog (Article 52)	\$500 to \$1,500 Double penalty for a potentially dangerous dog (Article 52)
51	The owner or keeper of a dog contravenes any of the provisions of sections 30 and 31.	\$500 to \$1,500 Double penalty for a potentially dangerous dog (Article 45)	\$1,000 to \$3,000 Double penalty for a potentially dangerous dog (Article 45)
52	The owner or guardian of a dog contravenes any of the provisions of sections 32 to 35.	\$1,000 to \$ 2,500	\$2,000 to \$5,000
53	The owner or keeper of a dog provides false or misleading information, or information that they should have known to be false or misleading, in connection with the registration of a dog.	\$250 to \$750	\$500 to \$1,500

In the event of a repeat offense, the minimum and maximum fines provided for in this chapter shall be doubled.

ARTICLE 56

The Municipal Council generally authorizes the competent authority and/or any official designated by resolution to initiate criminal proceedings against any person who contravenes any provision of this By-law and generally authorizes the competent authority and/or any other official designated by resolution to issue statements of offence for this purpose.

ARTICLE 57 – ENTRY INTO FORCE

This By-law shall come into force in accordance with the law.

Gabrielle Parr	Steve Deschênes
Mairesse	Directeur général

Notice of motion:	July 21, 2025
Adoption of draft by-law:	July 21, 2025
Public consultation meeting:	
Adoption of by-law:	
Entry into force of by-law:	

ANNEX



DOG REGISTRATION FORM

IDENTIFICAT	ION OF DOG OWNER OR KEEP	ER		
Last Name	First Name			
Address	City	Postal Code		
Telephone	Cellular			
Name of applicant	First Name			
Address	City	Postal Code		
Telephone	Cellular			
Email address				
ID	ENTIFICATION OF DOG			
Breed:	Sex: ☐ masculine ☐ feminine	□ masculine		
Color:	Year of birth:			
Weight: ☐ 20 kg or less ☐ 20 kg or more	Up-to-date rabies vac	cination status:		
Microchipped:	Spayed :			
□ yes	□ yes			
□ no	□ no			
ndicate, if applicable, the names of the munic nd any decision regarding the dog made by a ct to promote the protection of persons by es r a municipal by-law concerning dogs:	local municipality under the by-law	v implementing the		
or check if not applicable: □				
Signature :	Signature :			



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Date :

Date: