

**PROVINCE OF QUÉBEC
MUNICIPALITÉ RÉGIONALE DE COMTÉ DE MEMPHRÉMAGOG
MUNICIPALITY OF AYER'S CLIFF**

REGULATION RU-2021-04 ON THE CONTROL AND RESPONSIBLE CARE OF ANIMALS

WHEREAS the provincial regulations to enforce the Law to promote the protection of persons through the introduction of dog management give municipalities new responsibilities in this area;

WHEREAS the Estrie SPA must adjust some of its practices to comply with provincial regulations and, therefore, proposes to its member municipalities a model of regulations regarding the control and responsible care of animals;

WHEREAS a committee arising from the CSP of the MRC Memphrémagog has identified certain sections of the regulatory model proposed by the Estrie SPA for application by the Sûreté du Québec;

WHEREAS the municipalities served by the Sûreté du Québec Station of the MRC of Memphrémagog agree to adopt uniform regulations to facilitate their application by the Sûreté du Québec;

WHEREAS in order to maintain this uniformity, the following municipalities: Ayer's Cliff, Bolton Est, Eastman, Canton de Hatley, Hatley, Ogden, North Hatley, Canton de Potton, Saint-Étienne-de-Bolton, Stukely-Sud, Ville de Stanstead, Canton de Stanstead and Saint-Benoît-de-Lac, all served by the Sûreté du Québec, Memphrémagog Station, should not amend the articles of this regulation without consultation of the whole;

- Article 2.3.1 Dog left on its own*
- Article 2.3.9 Restraint*
- Article 2.3.10 Collar*
- Article 2.3.11 Muzzle*
- Article 2.3.12 Transport of animals*
- Article 2.4.1 Animal care standards*
- Article 2.4.2 Stray Animals*
- Article 2.4.4 Animals kept on a leash outside the limits of its property*
- Article 2.4.5 Animals obstructing the passage of people*
- Article 2.4.6 Transport of an animal*
- Article 2.4.7 Guardian of minor age*
- Article 3.12 Event*
- Article 3.16 Special nuisances caused by dogs*

CONSEQUENTLY,

**IT IS PROPOSED BY Councillor Michael Crook
SECONDED BY Councillor Patrick Proulx
AND RESOLVED**

THAT this regulation be adopted

CONTROL AND RESPONSIBLE CARE OF ANIMALS

Section 1 - Declaratory and Interpretive Provisions

Article 1.1 Preamble and definitions

The preamble is an integral part of these regulations.

Unless the following expressions, terms and words are made to the contrary, express or resulting from the context of the provision, they have the meaning and application attributed to them in this section:

- 1) the term "playground" refers to the part of a field, accessible to the public, occupied by equipment intended for children's amusement, such as swing, slide, trapeze, sand square, swimming pool or wading pool;
- 2) The term "farm animal" refers to an animal usually found on a farm;
- 3) the term "wild animal" refers to an animal excluded from the list of animals authorized in this chapter;
- 4) the term "competent authority" refers to the Estrie Society for the Protection of Animals and its staff, any member of the Municipal Police Service and any authorized official;
- 5) the term "main building" refers to a building used for one or more main uses on the land on which it is erected;
- 6) the word "cattery" refers to the building in which cats are kept;
- 7) the word "kennel" refers to the building in which dogs are kept;
- 8) the term "service dog" refers to a trained or in training dog, including the initial period when it is entrusted to a family for socialization purposes, which a person needs to assist with and which is the subject of a valid certificate certifying that it has been trained, or is in training for this purpose, by a professional service dog training organization;
- 9) the term "outdoor enclosure" refers to a closed enclosure in which one or more animals can be released and designed so that the animal cannot leave;
- 10) "behavioural assessment" refers to a veterinary physician's examination of the condition and dangerousness of a dog in accordance with the Regulations of the Law to promote the protection of persons by setting up a dog-related framework (c. P-38.002, a. 1, 2nd al.);
- 11) the term "host family" refers to a place where animals authorized in this chapter are temporarily kept in convalescent or weaning for adoption. Only animals entrusted by the Estrie SPA or a shelter are covered by this expression. Animals belonging to the host family are also covered by the provisions of this regulation;
- 12) the word "impound" refers to a place where stray cats or dogs are collected or abandoned by their keeper. The aim is to encourage the owner to take over the animal by its keeper or, failing that, adoption, i.e. transfer to another place of care, or euthanasia by the operator or by a third party
- 13) the word "guardian" refers to a person who owns or has custody of an animal. The person who provides shelter, feeds or maintains an animal is presumed to have custody of it. Where the competent authority has custody of the animal, the word "guardian" refers to its usual owner or keeper for any obligation, measure or standard of care as well as for the payment of fees;
- 14) the term "place of breeding" is defined as the place where an animal is bred for sale. Breeding an animal may include training an animal;

- 15) the word "park" means any land managed or owned by the Municipality on which is developed a park, a dog park, an island of greenery, an ecological zone, a multifunctional trail, whether it is developed or not;
- 16) the term "dog park" means any land belonging to the Municipality where a pen is set up to allow dogs to move freely without being kept on a leash and identified for this purpose;
- 17) the word "pension" refers to an establishment where cats and dogs are temporarily fed and housed, for a fee;
- 18) the term "public space" refers to any path, street, alley, driveway, walkway, sidewalk, staircase, garden, park, dog park, promenade, playground, multifunctional trail, platform, parking for public use, any outdoor gathering place where the public has access;
- 19) the term "chicken coop" refers to the closed building where laying hens are kept;
- 20) the word "refuge" refers to a place supervised by a non-profit organization where authorized, stray or abandoned animals are temporarily abandoned by their keeper. The aim is to encourage the owner to reclaim the animal by its or, failing that, the adoption, i.e. the transfer to another place of care, or euthanasia by the operator or by a third party. A refuge permit must be issued by MAPAQ;
- 21) the word "shed" refers to an incidental, dependent, detached building intended to enhance the utility and convenience of the main building located on the same land and used primarily to store things. A shed should not be used for parking or storage of motor vehicles;
- 22) the acronym "SPA de l'Estrie" refers to the Estrie Animal Protective Society as a non-profit organization whose primary role is the protection of animals where animals are collected, temporarily housed, cared for and given up for adoption, if necessary. Otherwise, animals may also be transferred to a new adoption center or euthanized if they are sick, injured, banned from the territory, too many, or have behavioural problems. The premises where the animals are kept are designated as the refuge of the Estrie SPA;
- 23) the term "unit of occupancy" means a room consisting of a room or a group of complementary and communicative rooms, including its outbuildings and the land where the unit is located, owned, rented or occupied by the animal's custodian;
- 24) the term "permanent agricultural zone" refers to the part of the municipality's territory recognized by the Government's Decree or by inclusion in accordance with the Land and Agricultural Activities Protection Act (RLRQ v. P-41.1);
- 25) the term "white zone" refers to the part of the Municipality's territory that is located outside the permanent agricultural zone.

Article 1.2 Agreement and designated official

In accordance with section 63 of the Municipal Skills Act (RLRQ, (c.C 47.1) and section 6 of the Act to promote the protection of persons through the introduction of a dog-related framework (RLRQ, c. P.38.002), the Municipality may enter into an agreement with any person to authorize him to enforce a Municipal regulation on animals and to ensure compliance with the Regulations of the Law to promote the protection of people by setting up a framework for dogs.

The Estrie SPA is the authorized person for the purposes of the first paragraph of this article.

The Estrie SPA and its employees have the powers of municipal employees solely for the purposes of the application of this chapter and the Regulations of the Law to promote the protection of persons by the establishment of a framework for dogs.

Under section 14 of the Regulations to promote the protection of persons by setting up a framework for dogs, the Municipality will appoint, by resolution, a person responsible for the exercise of the powers devolved to the Municipality and provided for section III of that regulation and Section 4 - Dog constituting a risk to the health or public safety of this regulation.

Article 1.3 Legislation to promote the protection of people by setting up guidance for dogs

In accordance with section 7 of the Law to promote the protection of persons by the establishment of a dog-related framework, any provision in this chapter that is incompatible or less severe than those provided for by a regulation made by the Quebec government under that Law is deemed to have been amended and replaced by that established by that regulation.

Section 2 - General animal care provisions

Sous-section 1 - Authorized animals

Article 2.1.1 Authorized animals

Only ownership in captivity in an occupation unit of the following animals is permitted within the municipality's boundaries unless one of them is or becomes listed in Schedule 1 of the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES):

- 1) animals born in captivity of the following species:
 - a) mammals and fish: dogs, cats, small pet rodents (human-selected mice and rats), guinea pigs, rabbits, gerbils, hamsters, chinchillas, ferrets, degus, jerboa and aquarium fish;
 - b) birds: parrot, parakeets (cockatiels), corrugated parakeets, inseparable, finches, canaries (serins), doves, psittacidae, reeds and other known cage birds.
- 2) All reptiles except:
 - a) crocodilians;
 - b) venomous lizards and those with a maturity length of more than 1 meter;
 - c) sea turtles and red-eared green turtles;

(d) venomous snakes and those with a maturity length of more than 1 met.

- 3) all amphibians, with the exception of venomous or toxic amphibians;
- 4) agricultural animals located in a permanent agricultural zone or in a white zone, in places authorized by planning regulations or during an exhibition, competition or agricultural fair;

Despite the first paragraph of this article, it is also permissible to keep animals other than those specifically permitted in captivity in any of the following locations:

- 1) a veterinary facility, provided the animal is in the care of a veterinarian;
- 2) an educational institution or research centre where the animal is kept for research, study or teaching purposes;
- 3) a zoo properly licensed by AZAC (Aquariums and Accredited Zoos of Canada) or a place authorized by planning regulations where captive animals are kept for conservation only for educational, educational or exhibition purposes;
- 4) the refuge of the Estrie SPA.

Article 2.1.2 Infraction

It is forbidden for any person to keep, give, sell or offer for sale on the territory of the Municipality an animal other than those listed in section 2.1.1 of this section.

This prohibition does not apply to pet shops or other commercial establishments whose use for these purposes is authorized by planning regulations as long as the merchant clearly and visibly displays on the unit in which the animal is located that the animal is an animal not authorized to be kept in captivity on the territory of the Municipality. It is an offence for a merchant not to comply with this paragraph.

Subsection 2 - Number of cats and dogs allowed and sterilization

Article 2.2.1 Number of cats and dogs allowed in an occupancy unit

It is forbidden to keep a total number of dogs or cats in an occupancy unit that exceeds the quantities shown in the following table according to the categories mentioned:

Guardian category	Number of cats	Number of dogs
Any custodian other than those mentioned in the other categories of this table	Combined total number of cats and dogs = 4	
Breeding location for breed cats registered with the Canadian Feline Association	1 à 4 cats Refer to the first category of guardian	
	5 to 14 at the locations authorized by planning regulations	2
Breeding location for breed dogs registered with the Canadian Dog Club	1 à 4 dogs Refer to the first category of guardian	
	2	5 à 14 in white zone at places authorized by planning regulations
Agricultural enterprise	Unlimited	4

Article 2.2.2 Exception

The keeper of a cat or dog that gives birth must within 120 days of calving dispose of kittens or puppies to comply with this regulation. Article 2.2.1 does not apply before this time.

Article 2.2.3 Sterilization

To prevent and reduce the nuisance or euthanasia associated with the overpopulation and wandering of cats and dogs on the territory of the Municipality, the custodian of an animal covered by one of the categories mentioned in the following table must have it sterilized:

Guardian category	Stérilisation
Domestic cats covered by the first category of the article 2.2.1	All but one cat
Pet shop, Estrie SPA, breeder and shelter holding a special permit (cats and dogs for adoption)	All cats and dogs

Article 2.2.4 Exception to sterilization

Despite section 2.2.3, the custodian of an animal covered by this section is not subject to the requirement to have the animal sterilized if it is in any of the following situations.:

- 1) the animal is less than 4 months old or 10 years old or older;
- 2) sterilization is prohibited by a veterinarian for animal health reasons;
- 3) The cat is registered with the Canadian Feline Association;
- 4) The dog is registered with the Canadian Dog Club.

The exceptions in paragraphs 3) and 4) of the first paragraph do not apply to animals entrusted to the adoption by the Estrie SPA or a shelter.

Subsection 3 - Minimum Animal Care Conditions

Article 2.3.1 Dog left alone

It is forbidden to leave a dog alone and unattended for a period of more than 24 hours. After this time, the custodian must mandate a responsible person to provide the animal with water, food and all the care required for its age and species.

Article 2.3.2 Vital needs

The custodian must provide the animal in its care with safe, fresh and contaminant-free drinking water and food, including faeces, urine or litter, and all care proper to its biological imperatives or necessary for its survival, health, safety and well-being.

Snow and ice are not a source of drinking water that meets the biological requirements of the animal. The biological imperatives of the animal are those related, in particular to its species, age, stage of growth, size, level of physical activity, health status, whether it is pregnant or breastfeeding, as well as those related to its degree of adaptation to cold and heat.

Article 2.3.3 Health

The building, cage, enclosure, park, niche or shelter in place, the immediate environment of the animal, as well as the equipment and accessories found there, must be clean and free of waste, including accumulation of faeces and urine.

Article 2.3.4 Safety

The cage, pen, park, niche or shelter in place, as well as the immediate environment of the animal must be free of any product, object or material that could harm its safety.

Article 2.3.5 Rest area

The animal must have access at all times to a dry, clean, full, comfortable and sufficiently sized rest area to allow it to lie on its side, the limbs in full extension.

This area should be protected from elements that can cause stress or health to the animal, such as bad weather, sun, drafts, excessive noise or harmful gas.

Article 2.3.6 Outdoor shelter

It is forbidden to house outdoors any animal whose morphology, coat, age, state of health or degree of adaptation to cold or heat are not suitable for the climatic conditions to which it is subjected.

All animals housed primarily outdoors must have access to shelter that meets the following requirements:

- 1) it is made of non-toxic, durable and corrosion-resistant materials;
- 2) it is built of insulating material so that the animal is protected from the weather and the cold;
- 3) its roof and walls are waterproof, its floor is raised, its entrance is accessible at all times;
- 4) it is in good condition, free of protrusions, sharp edges or other sources that can cause injury;
- 5) it's solid and stable;

- 6) its size allows the animal to turn around and maintain its body temperature in cold weather;
- 7) it is located in a shady area with little exposure to wind, snow and rain.

Article 2.3.7 Location of the outdoor shelter

The exterior shelter must not be located in the front yard of the keeper's field and must be located at a minimum distance of one metre from any field line.

Article 2.3.8 Outdoor cat or dog enclosure

An outdoor cat or dog enclosure must comply with the following requirements:

- 1) its construction is designed to prevent the escape of the animal as well as injury or stress by another animal that is not kept there;
- 2) its soil drains easily;
- 3) floor area must be equivalent to or greater in square metres to the result of the following equation:

$$9 \times L^2$$

L : length of the animal measured from the snout at the base of its tail

- 4) the area covered must be large enough to protect the animal from the weather and adverse effects of the sun in it;
- 5) the stakes and fences forming its fence, if any, or any other of its components, are in good condition, free of protrusions, sharp edges or other sources that could cause injury;
- 6) it is located at a minimum distance of one metre from any land line.

Article 2.3.9 Restraint

Any restraint device, such as a chain or rope, used to attach an animal to the outside must comply with the following requirements:

- 1) it has a minimum length of 3 metres and is installed so that the animal cannot leave its keeper's field;
- 2) it is strong enough to hold back the animal according to its size and weight;
- 3) it is not likely to get stuck or shorten, especially by wrapping itself around an obstacle;
- 4) it does not cause discomfort for the animal, especially because of its weight;
- 5) it allows the animal to move safely or unconstrained;
- 6) it allows the animal to have access to its water and food.

In addition, the restraint period must not exceed 12 consecutive hours per 24-hour period.

Article 2.3.10 Collar

An animal's collar should not interfere with breathing or cause pain or injury. In particular but not in a limited way, spiked collars and electric collars are prohibited.

It is also forbidden to attach an animal to a fixed object if it is wearing a strangling collar or if a rope or chain also serves as a collar.

Article 2.3.11 Muzzle

The keeper of an animal wearing a muzzle is prohibited from leaving it unattended.

Article 2.3.12 Transporting animals

It is forbidden for anyone to carry an animal in the trunk of a vehicle or in the box of an open air truck.

During transport or stopping of a vehicle, the keeper must protect the animal from the weather, sun or heat and ensure that there is no danger of the animal falling out of the vehicle

.

Article 2.3.13 Injured or sick animal

A caretaker who knows that his pet is injured or has an illness must immediately take the means to have his animal treated or to be subjected to euthanasia by a veterinarian.

Article 2.3.14 Disposal of an animal

A caretaker can only dispose of an animal by entrusting it to the adoption of a new custodian, by submitting it to euthanasia by a veterinarian or by handing it over to the Estrie SPA or to a shelter that disposes of it by adoption or euthanasia. In any case, the costs are at the expense of the caretaker.

Despite the first paragraph, no one can dispose of a dangerous dog within the meaning of Article 4.1 of this chapter other than by subjecting it to euthanasia by a veterinarian.

The costs incurred for the application of this article during the care of the animal by the shelter or the Estrie SPA are at the expense of the custodian, including those relating to the adoption or euthanasia of the animal, if any.

.

Article 2.3.15 Abandoned animal

It is forbidden for the keeper of an animal to abandon it

.

Article 2.3.16 Dead animal

The custodian of a dead animal must dispose of it within 24 hours of its death, at its own expense, depending on any of the following options:

- 1) hand it over to a veterinarian;
- 2) dispose of it at any place legally authorized to receive dead animals;
- 3) If it is a dog, a cat or an animal under 5 kilograms, the animal can be handed over to the Estrie SPA.

Sous-section 4 - Animal care and control standards

Article 2.4.1 Animal care standards

On the land on which the caretaker's occupancy unit is located or on any other private land where it is located with the permission of the owner or occupant of that land, any animal, with the exception of cats that can move freely, must be kept, as the case may be:

- 1) in a building from which he cannot get out;
- 2) on land under the direct control of the keeper. This must have constant control of the animal;
- 3) fenced to contain the animal within the animal's boundaries;
- 4) in an outdoor enclosure set up in accordance with Article 2.3.8 of this regulation;
- 5) using a restraint to prevent it from exiting when the ground is not fenced.

The custodian must take all necessary measures to ensure that the standards he favours are effective and that they contain the animal in the caretaker's occupancy unit with regard to the breed, age, weight and characteristics of the animal.

Article 2.4.2 Stray animal

It is forbidden to leave an animal at liberty outside the limits of the caretaker's occupancy unit in the absence of the keeper. Outside these limits, the animal is considered a stray animal. An animal that escapes from its occupancy unit is presumed to have been left at large by the custodian.

The first paragraph does not apply to cats.

Article 2.4.3 Reporting a stray or abandoned animal

Anyone who finds a stray or abandoned animal must, without delay, report it or hand it over to the Estrie SPA.

It is forbidden for anyone to capture a stray or abandoned animal in order to abandon it or then release it at a place other than the one where it was found.

Article 2.4.4 Animal kept on a leash outside the boundaries of its land

It is forbidden for a keeper to walk with his pet outside the boundaries of his occupancy unit without keeping the animal on a leash or otherwise assuming control and monitoring at all times. In the absence of a restraint to hold the animal, it is presumed not to be under the control of its keeper.

In a public area and in a public place, the keeper must constantly keep his pet on a leash. If it is a dog, the following requirements are added:

- 1) The leash must be up to 1.85 metres long;
- 2) when its weight is 20 kilograms or more, the dog must wear a halter or harness attached to its leash.

The requirement in the second paragraph does not apply in a dog park or in a public place used as a dog exercise area or used for canine activity such as an exhibition, competition or training course.

The use of an extendable restraint device is prohibited in a public place and in a public square.

This article does not apply to cats.

Article 2.4.5 Animal obstructing people's passage

No keeper can leave his pet in a public area as to obstruct the passage of people.

Article 2.4.6 Transporting an animal

Any caretaker carrying one or more animals in a road vehicle must ensure that they cannot leave the vehicle or access a person passing near that vehicle.

Article 2.4.7 Underage Caretaker

To control and hold an animal, any minor keeper must have reached maturity and the ability to hold the animal on a leash, without the animal escaping it or controlling its movements.

Section 3 – Nuisance

Article 3.1 Animal fighting

It is forbidden for any person to organize, participate, encourage or attend an animal fight.

Article 3.2 Attack

It is forbidden for any keeper to order his dog to attack a person or animal, or to simulate the command of such an attack against a person or animal, without a legitimate excuse.

Article 3.3 Cruelty

It is forbidden for anyone to cruelly harm an animal, mistreat it, abuse it, harass or provoke it.

Article 3.4 Feces

The custodian of an animal must immediately clean, by all appropriate means, any public place or private property soiled by the fecal deposits left by the animal and must dispose of it in a hygienic manner. To this end, the custodian must have the necessary equipment in his possession. This provision does not apply to the service dog.

The custodian must also clean up his private property soiled by the deposits of fecal or urinary material left by his animal in order to keep the premises in an adequate state of health so as not to disturb one or neighbors.

Article 3.5 Household garbage

A nuisance for which the custodian is liable to the penalty imposed in this chapter for an animal to search the household garbage, move the bags or spill the containers.

Article 3.6 Damage

It is forbidden for a keeper to allow his animal to cause damage to the property of others.

Article 3.7 Poison

It is forbidden to use or allow the use of poison to capture or eliminate an animal.

Article 3.8 Pigeons, squirrels, raccoons, animals in the wild

It is forbidden for any person to feed, keep, or otherwise attract pigeons, squirrels, raccoons or any other wild animal living in freedom within the boundaries of the Municipality.

Article 3.9 Eggs, bird's nests

It is forbidden for anyone to take or destroy the eggs or nests of birds in the public squares of the Municipality.

The offence in the first paragraph does not apply to individuals and organizations acting in accordance with a licence issued by a government agency.

Article 3.10 Ducks, gulls and geese

It is forbidden for anyone to feed ducks, gulls or geese.

Article 3.11 Farm animals

Farm animals must be kept at all times on the property of the breeder or custodian except on a road where an animal crossing is expressly permitted by appropriate signage, during an agricultural exhibition, competition or agricultural fair.

The first paragraph does not apply to a horse ridden by a person riding on a road or to the horse in a show.

Article 3.12 Event

It is forbidden for anyone to bring an animal to a public area during a special activity, party, event or popular gathering.

This section does not apply to a service dog, animals in the course of an activity targeting them directly, and animals in the care of an employee of the Estrie SPA or the competent authority working in the course of its duties.

.

Article 3.13 Swimming

It is forbidden for anyone to bathe an animal in public swimming pools including water games, public ponds, in beaches designed for swimming on the edge of lakes or rivers of the Municipality and where a sign prohibits it

.

Article 3.14 Public fountain

It is forbidden for any person to allow an animal to drink from a public fountain.

Article 3.15 Nuisance caused by cats

A nuisance for which the custodian is liable to the penalty imposed in this chapter for a cat to interfere with the rest and comfort of one or more people in the neighbourhood by excessive repetitive vocalization or by the impregnation of persistent and very pronounced odors.

Article 3.16 Particular nuisances caused by dogs

The following facts, circumstances, actions and acts constitute nuisances caused by a dog for which the custodian is liable to the penalties imposed in this chapter:

- 1) the fact that a dog barks or howls in such a way as to disturb peace, tranquillity and be an annoyance for one or more people;
- 2) the fact that a keeper is in public places with a dog without being able to control it at all times;
- 3) the fact that a dog is on private land without the express consent of the owner or occupant of that land. This requirement does not apply to a service dog;

- 4) the act of a dog biting a person or an animal;
- 5) the act of a dog trying to bite a person or an animal;
- 6) the fact that a keeper lets a dog be in a public area where a sign indicates that the presence of the dog is prohibited. This requirement does not apply to the service dog;
- 7) allowing a dog to access a children's playground. This provision does not apply to a service dog.

Section 4 - Dog posing a risk to public health or safety

Article 4.1 Dangerous dog

Any dangerous dog within the meaning of this section poses a risk to public health or safety.

The Municipality may declare a dog to be dangerous in any of the following situations:

- 1) he bit or attacked a person causing death;
- 2) he bit or attacked a person inflicting a serious injury, a physical injury that could result in death or resulting in significant physical consequences;
- 3) following a behavioural assessment conducted in accordance with this section.

When the Municipality declares the dog to be dangerous, its decision must contain the order to euthanize the dog within a maximum of 48 hours. Before the end of this period, the dog's keeper must provide the Municipality with the signed written confirmation of the vet who performed the euthanasia. Failing that, he is presumed not to have complied with the order.

Until the dog declared dangerous is euthanized, its keeper must muzzle it with a muzzle-basket as soon as it is outside its residence

Article 4.2 Notice to the caretaker

Before declaring a dog dangerous under paragraphs 1) or 2) of the second paragraph of Article 4.1, the Municipality notifies the caretaker of a written notice to inform him of the following:

- 1) his intention to declare his dog dangerous;
- 2) the reasons on which it is based to reach this conclusion;
- 3) that he has 24 hours to submit his written submissions and produce documents to complete his file, if necessary.

If the dog's keeper is unknown or untraceable, the Municipality can immediately declare the dog dangerous and have it euthanized.

Article 4.3 Municipality decision

Following the time limit set out in the notice to the custodian under section 4.2 and having taken into account the observations and documents provided by the caretaker, if any, the Municipality can confirm its original decision and declare the dog to be dangerous or reverse its original decision.

In all cases, the Municipality explains its decision in writing, refers to any documents or information it has taken into consideration and notifies the dog's caretaker.

Article 4.4 Failure to comply with the decision and power to intervene

When a custodian does not comply with the order to euthanize his dog as a result of the Municipality's decision under section 4.3, the Municipality requires him to comply within 24 hours.

Following this period, the competent authority can seize the dog and euthanize it or have it euthanized.

If the caretaker of the dog objects to the seizure of the animal, the competent authority can go to court to obtain permission to capture and seize the animal at the caretaker's residence, or elsewhere.

Article 4.5 Intervention power

The competent authority may seize and detain a dog that could be declared dangerous within the meaning of section 4.1. A visiting dog is also covered by this provision.

It is an offence for any person who obstructs, in any way, the seizure of a dangerous dog by the competent authority

.

Article 4.6 Offence

It is an offence for the custodian or any person who cares, owns or is in possession of a dog declared dangerous under section 4.1, with the exception of the period of time allowed to euthanize it.

It is also forbidden to abandon, entrust to the adoption or adopt a dog declared dangerous under section 4.1. This offence also applies to dogs declared dangerous from another jurisdiction or for which a euthanasia order has been issued by another municipality

.

Article 4.7 Dog behaviour deemed unacceptable requiring assessment

Except in cases referred to in paragraphs 1) and 2) of section 4.1, a behavioural assessment is ordered by the Municipality with respect to a dog that has bitten a person or other animal when that bite has caused a laceration of the skin requiring medical intervention.

The Municipality may also order a dog's behavioural assessment as soon as it has reasonable grounds to believe that it poses a risk to public health or safety.

The custodian of a dog that is ordered to submit its pet to a behavioural assessment must comply with it on the date, time and place stipulated in the notice sent by the Municipality. The custodian is also responsible for paying the fees to be paid for the assessment as stipulated in this notice

Article 4.8 Summary review

Before requiring a behavioural assessment by a veterinarian, the Municipality may first, with the consent of the custodian, ask the Estrie SPA to conduct an examination of the dog in order to confirm or disprove its reasonable grounds to believe that it poses a risk to public health or safety.

Where summary examination overturns reasonable grounds, the Municipality does not require a behavioural assessment by a veterinarian but may make recommendations to the dog's keeper.

If the dog's keeper refuses to subject his dog to the summary examination, the Municipality then orders a behavioural assessment by a veterinarian and the keeper must submit his dog to it.

Article 4.9 Custody of the Dog

Depending on the circumstances and the dangerousness of the dog, the competent authority may seize the dog so that it can be kept at the SPA shelter in Estrie pending the conduct of the behavioural assessment. However, if the dog remains under the responsibility of its keeper, the custodian must comply with the custody standards ordered by the Municipality to ensure the safety of the persons pending the behavioural assessment and submit his animal to this assessment within the prescribed time frame.

All costs associated with the care of the animal and its assessment are the responsibility of the animal's custodian, even if he fails to attend the assessment.

Article 4.10 Behavioural assessment

The behavioural assessment is carried out by a veterinarian mandated by the Municipality.

The veterinarian prepares a report in which he or she must provide an opinion on the risk to public health or safety posed by the dog. The report may also contain recommendations on what to do about the dog or its keeper. The veterinarian sends his report to the Municipality as soon as possible.

Article 4.11 Statements and orders

Based on the analysis of the veterinarian's report, the Municipality may, taking into account the circumstances, declare that the dog is either dangerous, potentially dangerous, low-risk or normal. The declaration and related standards must be proportionate to the risk posed by the dog or keeper to public health or safety

Article 4.12 Dog declared dangerous

Where the result of the behavioural assessment reveals a high level of danger to the animal and the circumstances justify the use of a drastic measure to ensure public health or safety, the Municipality may declare the dog dangerous and order its euthanasia.

The Municipality may also order any of the following measures with respect to the keeper of such a dog:

- 1) force him to dispose of any other dog in his care:
- 2) prohibit him from owning, acquiring, keeping or raising a dog for a specified period of time.

Article 4.13 Dog declared potentially dangerous

Where the results of the behavioural assessment and the circumstances reveal certain issues that require rigorous observation of strict custody standards based on the risk that the dog poses to public health or safety, the Municipality may declare the dog potentially dangerous.

The Municipality may also declare a dog that has bitten or attacked a person or pet potentially dangerous and inflicted an injury.

When a dog is declared potentially dangerous, the following standards apply:

- 1) he must have an up-to-date vaccination status against rabies, unless a contraindication is established by a veterinarian;
- 2) it must be sterilized, unless there is a contraindication established by a veterinarian;
- 3) it must be microchipped, unless there is a contraindication established by a veterinarian;
- 4) it cannot be kept in the presence of a child 10 years of age or younger, except under the constant supervision of a person 18 years of age or older;
- 5) on private land, it must be kept within the boundaries of the land by means of a fence or other device;
- 6) on private land, the guard must place a sign in a place visible to anyone who shows up on that land announcing the presence of a dog declared potentially dangerous;
- 7) in a public place or public square, he must wear a muzzle-basket at all times;
- 8) in a public place or public square, it must be held on a leash up to 1.25 metres in length, except in a dog exercise area.

With respect to such a dog or its keeper, the Municipality may also order or recommend any of the following measures or standards :

- 1) amend any standard in the second paragraph of this section to make it more stringent;
- 2) take obedience classes;
- 3) subject the dog to behavioural therapy;
- 4) periodically subject the dog to behavioural assessment;
- 5) isolate the dog or keep it in custody;
- 6) force the keeper to dispose of the dog. In this case, the Municipality may ask the Estrie SPA to keep the dog at the shelter in order to make the choice of the next keeper itself or require that it authorize the next keeper before the transfer;
- 7) any of the measures in section 4.12;
- 8) any other standard or appropriate measure based on the risk to public health or safety posed by the dog.

Article 4.14 Dog declared low risk

Where the result of the behavioural assessment reveals a low level of animal dangerousness that may, depending on the circumstances, justify the use of certain standards or measures to ensure public health or safety, the Municipality may declare the dog low risk and may order or recommend any of the measures or standards provided for in section 4.13.

Article 4.15 Normal dog

Where the result of the behavioural assessment reveals that the animal's level of dangerousness does not require the imposition of additional standards or measures to ensure public health or safety other than those already prescribed by a provincial law or by-law, the Municipality does not order additional measures or standards of care.

Article 4.16 Notice to the caretaker

Before making its decision and ordering appropriate measures or standards under Articles 4.12, 4.13 and 4.14, the Municipality notifies the custodian of a written notice to inform him of the following:

- 1) the Municipality's intention to make its decision and the measures ordered;
- 2) reasons on which it is based to arrive at this decision:
- 3) that he has 72 hours to submit written submissions, produce documents to complete his file or request a counter-expertise in accordance with article 4.17, if necessary.

If the dog's keeper is unknown or untraceable, the Municipality can immediately make its decision and order appropriate measures, including euthanizing or euthanizing the dog when it is declared dangerous.

Article 4.17 Counter-expertise

The custodian who wishes to request a counter-expertise must, within 72 hours of receiving the notice provided for in section 4.16, notify the Municipality in writing of its reasons and the names, contact information and quality of the veterinarian that he has mandated to carry out, in conjunction with the veterinarian mandated by the Municipality, a second assessment of the dog within a maximum of 5 days in order to determine whether the level of risk to the health or safety of the and, if so, the recommendations made in the veterinarian's first report are justified in the circumstances. During this period, the custodian of the animal must comply with the custody conditions imposed in the notice under Article 4.16 or, if euthanasia is ordered, he must comply with the measures ordered by the Municipality in accordance with Article 4.9.

Once the counter-expertise has been completed, any of the following situations may arise:

- 1) the veterinarians confirm the result of the initial behavioural assessment and maintain the conclusion as to the risk and, if necessary, the recommendations of the veterinarian's report commissioned by the Municipality. The Municipality's declarations, orders, actions or recommendations remain unchanged:
- 2) veterinary doctors agree on another conclusion as to the risk and recommendations, if any, that those already provided by the veterinarian mandated by the Municipality and write and countersign a new report. The Municipality analyzes the new report and makes appropriate conclusions, orders, measures or recommendations regarding the risk of the dog based on it, in accordance with Articles 4.11 to 4.15;
- 3) veterinarians do not agree on the outcome of the behavioural assessment. The Municipality then decides on the following options:
 - a) It maintains its statements, orders, actions or recommendations arising from the initial report of the veterinarian she commissioned; or
 - b) it amends its statements, orders, measures or recommendations according to the report of the veterinarian retained by the caretaker and notifies a new notice to the keeper of the dog by giving him the order to comply within the prescribed time.

All costs related to the care of the animal and the counter-expertise are borne by the keeper of the animal.

Article 4.18 Decision based on evaluation or counter-expertise

Where no cross-examination has been requested by the custodian, the Municipality may, after taking into account the observations and documents provided by the custodian, if necessary, confirm or amend its original decision and the measures ordered in the time frame set out in the notice to the custodian under section 4.16.

When a counter-expertise has been requested by the custodian, the Municipality makes its decision and the measures ordered as soon as possible following the counter-expertise, all in accordance with Article 4.17.

In all cases, the Municipality justifies its decision and the measures ordered in writing, refers to any documents or information that have been taken into consideration and notifies the keeper of the dog.

The dog's keeper must comply with the decision and ordered measures issued by the Municipality within the prescribed time frame.

In the event that the decision requires the euthanasia of a dog still in the possession of its keeper and the custodian refuses or fails to comply with the euthanasia order within the prescribed time, the competent authority may use its intervention powers under this chapter and enforce the euthanasia order. If the keeper of the dog objects to the seizure of the animal, the competent authority may apply to a judge for permission to capture and seize the animal at the keeper's home, or elsewhere, in order to euthanize it.

Article 4.19 Confidentiality of the veterinarian's report, decision and ordered actions

The veterinary physician's report produced as a result of the behavioural assessment of a dog in accordance with this subsection belongs to the Municipality and is considered confidential unless, for health or safety reasons, it is reasonable to disclose to a person requesting it certain information contained in it.

The decision and measures ordered by the Municipality are not considered confidential and apply throughout Quebec, as provided for by section 15 of the Regulations of the Act to promote the protection of persons by the establishment of a framework for dogs.

Article 4.20 Offence

It is an offence to violate a measure or standard of custody ordered by the competent authority under this regulation.

The custodian is responsible for complying with any measure or standard of custody ordered in accordance with this regulation.

Article 4.21 Recurrence

If a dog declared potentially dangerous as a result of a behavioral assessment by a veterinarian bites a person or other animal, whether the custody standards have been met or not, the Municipality may require that the dog be transferred to the appropriate authority or that it be seized by the appropriate authority and that the keeper's licence for that dog be revoked. Depending on the circumstances, the dog may be euthanized or placed for adoption if a new custodian with the necessary skills to control the animal is ready to adopt it, without the obligation for the Municipality to require a new behavioural assessment. All costs are borne by the dog's keeper.

Article 4.22 Irresponsible guardian

No licence to care for a new dog may be issued to a caretaker when any of the following circumstances arise:

- 1) when it was issued at least 2 euthanasia orders for dogs belonging to the same guardian;

- 2) when the guardian has been convicted of at least 2 offences under any of the provisions of this section or paragraph 4) of section 3.16, or;
- 3) when it is shown that the dog of a caretaker who received a euthanasia order was trained to be aggressive without any social ability.

This prohibition is valid for a period of 3 years from the date when one of the previous paragraphs applies. After this period, a licence is conditional on the keeper submitting his dog to obedience classes and, if necessary, to annual behavioural tests for a minimum of 2 years. Failing that, the license may be revoked.

It is an offence to contravene this section.

Section 5 - Special licenses and permits

Sub-section 1 – Licenses for animals

Article 5.1.1 Licence

- a) Subject to paragraph (c) of this article, no custodian may own or keep a dog within the boundaries of the Municipality without obtaining a licence from the Estrie SPA in accordance with this section.
- b) Subject to paragraph c of this article, no custodian may own or keep a cat within the boundaries of the Municipality without obtaining a licence from the Estrie SPA in accordance with this section.
- c) The first two paragraphs do not apply to animals that are kept in a pet store, veterinary facility, educational institution or institution engaged in research activities, a pound, an animal service, a shelter or any person or organization dedicated to the protection of animals licensed under section 19 of the Animal Welfare and Safety Act (RLRQ C. B-3.1) or a foster family. It also does not apply to cats kept on a farm.

Article 5.1.2 Due

The licence must be applied for within 15 days of possession of an animal covered by section 5.1.1 or within 15 days of moving into the Municipality, even if the animal is licensed by another municipality.

It must be requested immediately when adopting an animal at the Estrie SPA.

Article 5.1.3 Duration

The licence issued under this section is annual for the period from January 1 to December 31st of each year.

Article 5.1.4 Visitor animal

No custodian shall bring within the boundaries of the Municipality an animal covered by section 5.1.1 usually living outside the territory of the Municipality, unless he holds either a licence issued under this section or a valid licence issued by the municipality where the animal usually lives.

It is an offence for any person who keeps for a period of 15 days or more in the territory of the Municipality an animal covered by section 5.1.1 who does not usually live in the Municipality without obtaining a licence for that animal under this section.

This article does not apply to the animal participating in an exhibition or contest for the duration of the event.

Article 5.1.5 Application for a licence

To obtain a licence, the custodian must be at least 16 years old and provide the following information:

- 1) his name, first name, date of birth, telephone number and address;
- 2) the name, breed or type, date of birth, weight if the animal is a dog, sex, colour and distinctive signs of the animal;
- 3) for a dog, where it comes from;
- 4) the number of animals he is the custodian of;
- 5) proof of sterilization of the animal, if applicable;
- 6) the microchip number, if applicable;
- 7) proof that the dog's vaccination status against rabies is up to date, if required;
- 8) proof of the age of the animal, if required;
- 9) the names of municipalities where the dog has already been registered;
- 10) any decision made by a municipality under the Regulations to promote the protection of persons by setting up a dog handle or under a by-law concerning dogs with respect to the dog, to the dog or to any person who resides in the same unit of occupancy as the dog.

The custodian must, within 21 days of the licence application, pay the full cost of the licence. A license is only valid when the full cost payment has been made. At the end of the 21-day period, the fees in Section 10 of this chapter are in addition to the cost of the licence.

The custodian must notify the Estrie SPA of any changes to the information provided under this section no later than 15 days after they occur. The weight of the animal can be updated during the annual renewal of the license.

Anyone who provides false or misleading information or information for the purposes covered by this section or information that he or she should have known to be false or misleading contravenes this regulation and commits an offence.

Article 5.1.6 Duration

The licence issued in the first year is valid for the current calendar year.

Article 5.1.7 Renewal

- a) The custodian of an animal referred to in paragraph (a) of Article 5.1.1, within the municipality's limits, must, in the month of January of each year, renew the licence issued pursuant to Article 5.1.5.
- b) The custodian of an animal referred to in paragraph (b) of Article 5.1.1, within the municipality's limits, must, in the month of January of each year, renew the licence issued pursuant to Article 5.1.5.
- c) The fees in Section 10 of this chapter are in addition to the cost of renewing the licence when the custodian has not renewed the licence by February 15 of each year.

Article 5.1.8 Licensing costs

Licensing costs, including renewal, are included in Section 10 of this chapter or the Tax Regulations

Article 5.1.9 Indivisible and non-refundable

The price of the licence or its renewal applies for each animal. The license is indivisible and non-refundable. However, in one of the section 5.1.16 cases, the amount paid for the current year may be applied on the application for a new licence for a new animal.

Article 5.1.10 Medal

The Estrie SPA gives the person applying for a licence a medal with the registration number of the animal. The medal is used until the animal is dead, missing, sold or otherwise disposed of by the keeper. The medal is valid only when the licence or renewal is valid.

Article 5.1.11 Transferability

A medal issued for one animal cannot be worn by another animal. This is an offence in this chapter.

Article 5.1.12 Wearing the medal

The custodian must ensure that any animal identified in section 5.1.1 carries the medal issued to him at all times, on the neck, or else he commits an offence. An animal with a microchip is not exempt from wearing a medal.

Article 5.1.13 Modification of a medal

It is forbidden for any person to modify, alter or remove an animal's medal in order to prevent identification.

Article 5.1.14 Unlicensed guardian

The custodian must present the licence issued for his pet to any representative of the competent authority who requests it. Failing to present the requested licence, the custodian is presumed not to have the required licence in section 5.1.1

Article 5.1.15 Duplicate

A custodian must apply for a duplicate of a lost or destroyed medal or license at the Estrie SPA. The cost of obtaining a duplicate is provided in Section 10 of this chapter.

Article 5.1.16 Deadline for notifying the disposition of an animal

The keeper of an animal must notify the Estrie SPA, within 30 days of the death, disappearance, transfer or disposition of this animal. It must also provide the contact details of the new guardian, if necessary.

Article 5.1.17 Register

The Estrie SPA maintains a register for licences issued.

Sous-section 2 - Breeder's licence and special permit

Intentionally omitted

Section 6 – Dog parks

Intentionally omitted

Section 7 - Keeping laying hens in urban areas **(application not included in the agreement with the SPA)**

Intentionally omitted

Section 8 – Refuge of the Estrie SPA

Article 8.1 Keeping animals

Any animal that is the cause of an offence against this chapter may be brought and kept to the Estrie SPA shelter, or any other place designated by the Estrie SPA, on the initiative of a representative of the Estrie SPA or a police officer of the Municipal Police Service or at the request of any person.

The representative of the Estrie SPA must, in the case of an animal duly dismissed and kept in the shelter, inform the owner of that animal without delay that the latter is kept in the shelter of the Estrie SPA.

Article 8.2 Using a tranquilizer

For the capture of a dog, a police officer from the Municipal Police Service or a representative of the Estrie SPA is authorized to use a tranquilizer or a net gun or any other means deemed necessary.

Article 8.3 Period of conservation of an animal kept at the refuge of the Estrie SPA

Any stray, abandoned or otherwise kept at the Estrie SPA shelter that is unclaimed and unidentified is kept for a minimum of 48 hours unless its physical condition warrants euthanasia.

However, if the animal wears an identification medal on its collar allowing to make contact with the keeper in a reasonable time, the minimum time is 5 days..

For an animal prohibited by this chapter recovered by the Estrie SPA, no minimum period of preservation is prescribed.

All costs of care, treatment, adoption or euthanasia are the responsibility of the custodian if the latter is known.

Article 8.4 Disposal of an animal kept at the Estrie SPA

When the minimum period prescribed in section 8.3 has passed and the animal kept at the shelter has still not been claimed by its owner, the Estrie SPA may dispose of it either by selling it for adoption or submitting it to euthanasia, all subject to the other provisions of this chapter..

In the case of a prohibited animal, the Estrie SPA can either entrust the animal to a specialized organization that can legally accept such an animal or submit it without delay to euthanasia.

In the case of a dog kept in the shelter under section 9.1 4) (d), the Estrie SPA may dispose of it by entrusting it to anyone who is able to meet the prescribed custody standards or by subjecting it to euthanasia, all provided that the time allowed for the guard to comply with the custody standards has elapsed.

Article 8.5 Transportation, accommodation and veterinary costs

The custodian may repossess his pet, unless it is an animal prohibited under this chapter or the Estrie SPA has already disposed of it. The costs of transport,

accommodation and veterinary care, if any, incurred for the capture and care of the animal are at the expense of the keeper.

The custodian must also pay for the licence or renewal of the licence if the license is in default to have obtained or renewed a licence.

The fees described in the first paragraph of this article are also charged to the custodian of an animal even if the animal's keeper does not claim its animal or when the Estrie SPA disposes of it in accordance with Article 8.4.

Despite the payment of the costs by the custodian of an animal, the Municipality reserves the right to prosecute it for any violation of this regulation, if necessary.

Article 8.6 Request for euthanasia

Anyone wishing to euthanize their pet should contact a veterinary doctor of their choice directly.

Article 8.7 Dead animal

The Estrie SPA can dispose of an animal which dies on its premises or is euthanized under this chapter.

Article 8.8 Responsibility - euthanasia or death

The Estrie SPA which, under this chapter, euthanizes an animal, or that an animal dies during its stay at the shelter, its capture or transport, cannot be held responsible for such an act or such event.

Article 8.9 Responsibility - damage or injury

Neither the Municipality nor the Estrie SPA can be held responsible for any damage or injury caused to a dog or cat as a result of its capture and custody at the shelter.

Section 9 - Powers of the competent authority

Article 9.1 Powers

The competent authority exercises the powers entrusted to it by this chapter and, in particular, it may:

- 1) visit and review any occupancy unit for the purposes of enforcing this regulation;
- 2) where it has reasonable grounds to believe that a dog is in a place or vehicle:
 - a) enter at any reasonable time for inspection, unless it is a dwelling house;
 - b) if it is a dwelling house, require the owner or occupant of the premises to show the dog immediately;
 - c) order the vehicle to be immobilized for inspection;
 - d) proceed to examine this dog;
 - e) take photographs or recordings;
 - f) require anyone to disclose, for review, reproduction or collection of any book, record, logbook or other document, if it has reasonable grounds to believe that it contains information relating to the application of this regulation;

- g) require anyone to have any information relating to the application of this regulation.

When the place or vehicle is unoccupied, the inspector must leave a notice with his name, the time of the inspection and the reasons for the inspection.

- 3) seize and keep at the Estrie SPA shelter any unlicensed, dangerous, stray, abandoned, nuisance animal, for which there are reasonable grounds to believe that it poses a risk to public health or safety or that is not one of the animals authorized under this chapter;
- 4) in addition to what is already provided for in paragraph 3), seize and keep a dog safe for the following purposes:
 - a) subject to a veterinary physician's examination where there are reasonable grounds to believe that he or she poses a risk to public health or safety under section 4.7;
 - b) submit it to a veterinary doctor when the custodian fails to take the examination in accordance with section 4.7;
 - c) enforce a euthanasia order under sections 4.4 or 4.18 when the deadline for complying has expired;
 - d) where it has been declared potentially dangerous or low-risk and the custody standards imposed under this Regulation are not met and this poses a risk to public health or safety. The dog is kept in the shelter until the situation is corrected. Failing to correct the situation and comply with custody standards within the prescribed time frame, section 8.4 applies.
- 5) entrust custody of any seized dog to a person in a veterinary facility or other shelter, animal service, foster home, recognized boarding centre, impoundment or place owned by a licensed animal welfare or organization under section 19 of the Animal Welfare and Safety Act;
- 6) order the obligation to have an animal undergo a medical examination by a veterinarian;
- 7) muzzling or any other standards of custody deemed necessary and the detention of any animal for a specified period of time;
- 8) isolate until complete recovery any animal suspected of having a contagious disease, with a certificate from a veterinarian;
- 9) euthanize or order the euthanasia of a dangerous, potentially dangerous, dying, seriously injured, highly contagious or non-authorized animal under this chapter;
- 10) request proof of sterilization and vaccination of any dog and cat in the territory of the Municipality.

For the purposes of the application of paragraph 1) of this article, any owner, tenant or occupant of an occupancy unit must, upon presentation of an identity document of the representatives of the competent authority, allow them access and answer their questions.

For the purposes of the application of paragraph 2) of this section, where the place is a dwelling house, the competent authority may enter it only with the permission of the owner or occupier or, failing that, under a search warrant issued by a judge, in accordance with section 27 of the Regulations of the Act to promote the protection of persons by setting up a management.

It is an offence to interfere, obstruct, insult, or in any way prohibit or prevent the competent authority from enforcing any provision in this chapter or prohibiting it from accessing or otherwise obstructing access to the second paragraph of this section, as well as refusing or failing to comply with a request made to it under this Regulation.

In cases of contagious disease covered by paragraphs 8) and 9) of this article, a veterinarian must be notified without delay in accordance with the Animal Health Protection Act.

Article 9.2 Dog posing a real and imminent danger

In addition to the euthanasia powers provided for in this chapter, the competent authority may proceed with the immediate destruction of a dog if it has reason to believe that the animal poses a real and imminent danger to one or more persons.

Article 9.3 Notice

When an offence is committed under this chapter and the guard is absent during the visit of a patroller of the Estrie SPA or could not be reached otherwise, a notice to the guard, indicating to him the reason for the visit and the fact that he must communicate without delay with the Estrie SPA, is left to him on the spot or transmitted to him by any other means.

Article 9.4 Recurrence

In the event that a custodian is found guilty of 3 identical offences in this chapter concerning his animal, the competent authority may revoke the licence granted for that animal and order the keeper to dispose of it within 15 days or to hand it over to the Estrie SPA for disposal, all without prejudice to the Rights of the Municipality to sue for violation of this regulation.

Section 10 - Rates

Article 10.1 Pet licenses

The costs and fees for issuing licenses are as follows:

- 1) costs of licences and their renewal (Réf. : 5.1.7 et 5.1.8)
 - a) sterilized cat 30,00 \$
 - b) unsterilized cat 40,00 \$
 - c) sterilized dog 40,00 \$
 - d) unsterilized dog 50,00 \$
 - e) guide dog in training free
 - f) guide dog free

- 2) late fees
 - a) non-payment of the license (Réf. : 5.1.5) 10,00 \$
 - b) non-payment of renewal (Réf. : 5.1.7) 10,00 \$

- | | | |
|----|---------------------------------------|-----------|
| 3) | <u>duplicata</u> (Réf. : 5.1.15) | |
| | a) lost or destroyed medal or license | 5,00 \$ |
| 4) | <u>special permit</u> | free |
| 5) | <u>breeder's license</u> | 200,00 \$ |

Article 10.2 Care and transportation costs

The care fee is \$18.00 per day for a dog and \$12.00 per day for a cat or other animal of the same size.

The cost of transporting an animal is \$35.00 during business hours of the Estrie SPA and \$55.00 outside of business hours.

The costs set out in this section are doubled when they relate to the care or transport of a dog for which the competent authority has reasonable grounds to believe that it poses a risk to public health or safety.

Article 10.3 Veterinarian fees

Veterinary care, when necessary, is at the caretaker's expense.

Article 10.4 Summary review fees

The summary examination fee is \$100.00 and is the responsibility of the custodian.

Article 10.5 Behavioural assessment fees

The cost of behavioural evaluation of a dog by a veterinarian is the responsibility of its keeper.

Section 11 – Penal provisions

Article 11.1 Policeman

Any police officer of the Municipal Police Service is authorized to issue a ticket for any contravention in this chapter.

Article 11.2 Estrie SPA patroller

Any patroller of the Estrie SPA and any employee of a person whose services are retained by the Municipality for the purpose of enforcing the regulations on animals is authorized to issue a statement of offence for any offence relating to this chapter as well as for any violation of the Regulations of the Act to promote the protection of persons by the establishment of a framework concerning dogs.

They also act as inspectors within the meaning of the Regulations to promote the protection of persons by setting up a framework for dogs.

Article 11.3 Lawyer

Any lawyer or official authorized for employment in the Municipality is authorized to issue a statement of offence for any offence in this chapter.

Article 11.4 Minimum fine of \$55.00

Anyone who contravenes any provisions of the sections of this chapter for which no particular penalty is provided commits an offence and is liable to a minimum fine of \$55.00 and no more than \$1,000.00 if the offender is a natural person or a minimum fine of \$110.00 and no more than \$2,000.00 if the offender is a legal person or a minimum fine of \$110.00 and no more than \$2,000.00 if the offender is a legal person..

For a repeat offence, the minimum fine is \$110.00 and no more than \$2,000.00 if the offender is a natural person or \$220.00 and no more than \$4,000.00 if he or she is a legal entity.

Article 11.5 Minimum fine of \$110.00

Anyone who contravenes some provisions of Articles 2.1.2, 2.2.1 to 2.2.3 inclusive, 2.3.1 to 2.3.16 inclusive, 2.4.1 to 2.4.2 inclusive, 2.4.6, 2.4.7, 3.4 to 3.6 inclusive, 3.8 to 3.15 inclusive, paragraphs 1), 2), 5), 6) and 7) Article 3.16 and Article 5.1.11 commits an offence and is subject to a minimum fine of 11 \$1,000.00 if the offender is a natural person or a minimum fine of \$220.00 and no more than \$2,000.00 if the offender is a legal person.

For a repeat offence, the minimum fine is \$220.00 and no more than \$2,000.00 if the offender is a natural person or \$440.00 and no more than \$4,000.00 if he or she is a legal entity.

Article 11.6 Minimum fine of \$210.00

Anyone who contravenes some provisions of Articles 3.1 to 3.3 inclusive and 3.7 of this chapter, commits an offence and is liable to a minimum fine of \$210.00 and up to \$1,000.00 if the offender is a natural person or a minimum fine of \$420.00 and a maximum of \$2,000.00 if a corporation is.

For a repeat offence, the minimum fine is \$420.00 and no more than \$2,000.00 if the offender is a natural person or \$840.00 and no more than \$4,000.00 if he or she is a legal entity.

Article 11.7 Minimum fine of \$250.00

The keeper of a dog who contravenes some provisions of paragraph (a) of Article 5.1.1 and Articles 5.1.4, 5.1.5, (a) of Article 5.1.7 and Articles 5.1.12 to 5.1.13 inclusively commits an offence and is punishable by a minimum fine of \$250.00 and no more than \$750.00 if he is a natural person and a minimum fine of \$500.00 and no more than \$1,500.00 if he is a legal entity.

Where the offence involves a dog declared potentially dangerous, the minimum and maximum amounts are doubled.

In the event of a repeat offence, the minimum and maximum amounts are doubled.

Article 11.8 Minimum fine of \$500.00

The keeper of a dog who contravenes some provisions of Section 2.4.1, 2.4.2, 2.4.4 and paragraph 3) of Article 3.16, commits an offence and is liable to a minimum fine of \$500.00 and up to \$1,500.00 if a natural person and a minimum fine of \$1,000.00 and a maximum of \$3,000.00 if he is a legal entity.

Where the offence involves a dog declared potentially dangerous, the minimum and maximum amounts are doubled.

In the event of a repeat offence, the minimum and maximum amounts are doubled.

Article 11.9 Minimum fine of \$510.00

Anyone who contravenes some provisions of paragraph 4) of Article 3.16 and Article 4.20 of this chapter, commits an offence and is liable to a minimum fine of \$510.00 and up to \$1,000.00 if he is a natural person and a minimum fine of \$1,020.00 and no more than \$2,000.00 if he is a legal entity

For a repeat offence, the maximum amount is \$2,000.00 if the offender is a natural person or \$4,000.00 if he or she is a legal entity.

Article 11.10 Minimum fine of \$1,000.00

Anyone who contravenes some provisions of sections 4.6 and 4.22 of this chapter commits an offence and is liable to a minimum fine of \$1,000.00 if the offender is a natural person or \$2,000.00 if he is a legal entity.

For a repeat offence, the maximum amount is \$2,000.00 if the offender is a natural person or \$4,000.00 if he or she is a legal entity.

Article 11.11 Minimum fine of \$1,000.00

The keeper of a dog who contravenes some provisions of the third paragraph of section 4.13 commits an offence and is liable to a minimum fine of \$1,000.00 and no more than 2500.00 \$ if he is a natural person and a minimum fine of \$2,000.00 and up to \$5,000.00 if he is a legal entity.

In the event of a repeat offence, the minimum and maximum amounts are doubled.

Article 11.12 Minimum fine of \$1,000.00

The custodian of a dog who contravenes some provisions of section 4.7 or does not comply with an order made under sections 4.1 or 4.12 commits an offence and is liable to a minimum fine of 1,000.00 and no more than \$10,000.00 if he is a natural person and a minimum fine of \$2,000.00 and no more than \$20,000.00 if he is a legal entity.

In the event of a repeat offence, the minimum and maximum amounts are doubled.

Article 11.13 Repeal

The 2010-02 regulations concerning animals and any provision contrary to the present regulation contained in any by-law or resolutions of the Municipality are hereafter repealed.

Article 11.14 Entry into force

This regulation comes into force in accordance with the law.

Bastien Lefebvre
Director-General /Secretary-Treasurer

Vincent Gérin
Mayor

Notice of motion: January 11, 2021
Adoption: February 1, 2021
Effective: February 2, 2021