

## BY-LAW NO. 89-2004

### A BY-LAW OF THE CORPORATION OF THE TOWN OF CARLETON PLACE TO REQUIRE AN OWNER OF A DOG TO REMOVE FORTHWITH THE EXCREMENT LEFT BY THE DOG ANYWHERE IN THE MUNICIPALITY

**WHEREAS** Section 11 (2) of the Municipal Act, S.O. 2001 authorizes a municipality to adopt a by-law respecting matters within the sphere of jurisdiction as detailed in the said Section; and

**WHEREAS** the Sphere of Animals is included for lower tier municipalities to adopt by-laws; and

**WHEREAS** it is deemed desirable and necessary to adopt a by-law for requiring the owner of a dog to remove forthwith excrement left by the dog anywhere in the municipality; and

**WHEREAS** Section 130 of the Municipal Act, S.O. 2001 permits a municipality to regulate matters not specifically provided for by this Act for the purposes related to health safety and well-being of the inhabitants of the municipality;

**NOW THEREFORE** the Council of the Town of Carleton Place Enacts as follows:

#### SECTION I - GENERAL PROVISIONS

1. **THAT** in this By-law, " dog" means a male or female dog.
2. **THAT** the dog owner shall remove forthwith, or cause to have removed forthwith by the person having control of the dog, any feces left by the dog in any area, as follows, within the Town of Carleton Place:
  - (a) on a highway, as defined in the Highway Traffic Act
  - (b) in a public park
  - (c) on any public property other than a public park, or
  - (d) on any private property other than the property of,
    - i) the owner of the dog, or
    - ii) the person having care, custody or control of the dog
3. **THAT** the provisions of this By-law do not apply to a blind person accompanied by a dog serving as a guide or leader.

#### SECTION II - ENFORCEMENT

1. Any person who contravenes any of the provisions of this by-law and the procedures with respect thereto is guilty of an offence and the enforcement and the penalty imposed thereunder shall be subject to the provisions of *The Provincial Offences Act*, R.S.O. 1990, chapter P.53 and any amendments thereto, and the penalty for the commission of any such offence shall be as provided for in the said *Provincial Offences Act*.

2. This by-law shall be enforced by the Municipal By-law Enforcement Officer and/or by an Officer of the Carleton Place Detachment of the Ontario Provincial Police

### SECTION ID - SEVERABILITY

1. Should any section, subsection, clause or provision of this by-law be declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of this by-law as a whole or any part thereof, other than the part so declared to be invalid.

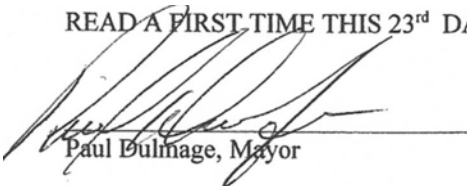
### SECTION IV - REPEAL

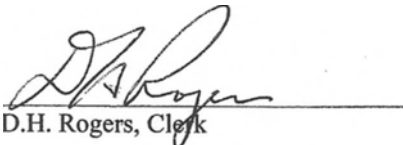
1. By-law 62-92 and amendments thereto are hereby repealed in their entirety.

### SECTION V - SHORT TITLE

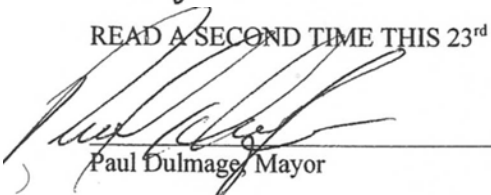
1. This by-law may be cited as The Stoop and Scoop By-law.

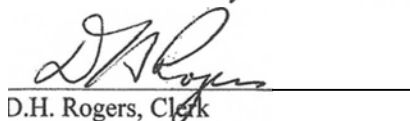
READ A FIRST TIME THIS 23<sup>rd</sup> DAY OF NOVEMBER 2004

  
Paul Dulmage, Mayor

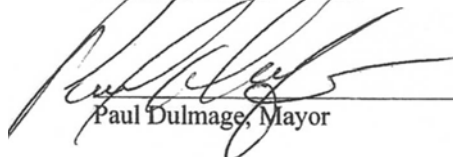
  
D.H. Rogers, Clerk

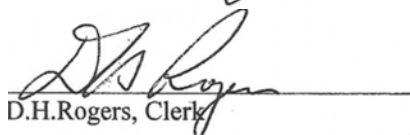
READ A SECOND TIME THIS 23<sup>rd</sup> DAY OF NOVEMBER 2004

  
Paul Dulmage, Mayor

  
D.H. Rogers, Clerk

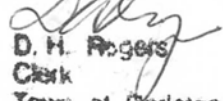
READ A THIRD TIME

  
Paul Dulmage, Mayor

  
D.H. Rogers, Clerk

AND FINALLY PASSED THIS 23<sup>rd</sup> DAY OF NOVEMBER 2004

Certified True Copy of Bylaw No. *87-2004* as adopted  
by the Council of the Town of Carleton Place on  
the *23<sup>rd</sup>* day of *November*, *2004*

  
D. H. Rogers  
Clerk  
Town of Carleton Place