

CORPORATION OF THE VILLAGE OF MERRICKVILLE - WOLFORD**BY-LAW No. 22 - 00**

BEING a By-Law for the Licencing, Regulating and the Keeping of dogs within both Wards of the Village

WHEREAS section 210, subsections 1-13 c.M.45 R.S.O. 1990 as amended authorizes the enactment of By-Laws prohibiting or regulating the keeping of animals or any class thereof within the Municipality or defined areas thereof

AND WHEREAS section 210 (140) c. M..45 R.S.O. 1990 as amended permits municipalities to prohibit public nuisances

AND WHEREAS c. D.16 of the Dog Owner's Liability Act R.S.O. 1990 as amended outlines the liability of owners of a dog for damages resulting from a bite or an attack by the dog

AND WHEREAS Ontario Regulation 18 made under the Animals for Research Act c. A.22 R.S.O. 1990, as amended outlines the design, size and shape of kennels and cages allowed

AND WHEREAS the Fish and Wildlife Conservation Act, c.41 S.O. 1997 as amended provides for the proper care and control of Sporting Hounds

NOW THEREFORE BE IT RESOLVED that: the Council of the Corporation of the Village of Merrickville-Wolford enacts as follows that:

SECTION '1' DEFINITIONS

In this By-Law:-

- **Building:-** shall mean any structure consisting of walls, floor and a roof or any part or combination thereof, which is used for shelter, accommodation or enclosure of persons, animals, equipment, goods or materials, or a structural system serving a function thereof. **Structure and building shall have a corresponding meaning.**

1.2 **Animal Control Officer:-** shall mean a person appointed as such by the Village of Merrickville-Wolford or any other person directed by the Chief Administrative Officer to enforce this By-Law and includes the Chief Building Official and the By-Law Enforcement Officer.

1.3 **Corporation:-** shall mean the Corporation of the Village of Merrickville-Wolford.

1.4 **Disabled Person:-** shall mean a person who is blind, deaf or has any degree of permanent physical disability, which requires the physical reliance of a wheelchair, crutches, braces, canes or other remedial appliance or devices.

1.5 **Dog:-** shall mean a male dog or female bitch.

1.6 **Fence:-** shall mean any barrier or barricade that encompasses either in whole or in part any lot or tract of land and includes any gate or entrance attached to and forming part of a fence, but does not include a wall.

1.7 **Gate and Entrance:-** shall mean any part of a fence or wall through which access may be gained to a fenced in area.

1.8 **Humane Society:-** shall mean the Ontario Society for the Prevention of Cruelty to Animals (S.P.C.A.).

1.9 Injured in respect to livestock or poultry:- shall mean injured by wounding , worrying or pursuing and "injuring" has a corresponding meaning.

1.10 Kennel:- shall mean any lawful premises where 5 or more dogs, to a maximum of 15, are lodged, bred, kept or boarded. A kennel facility will be classified as one of the following:

- a) a "purebred kennel" restricted to purebred dogs, where the owners are current members of the Canadian Kennel Club and where the primary purpose of the facility is to house registered dogs for breeding purposes. Boarding is limited to dogs bred at the facility.

- b) a "hobby kennel" where dogs are housed for the primary purpose of pleasure (pets) or hunting, and where there is no boarding and little revenue derived from the sale of the pups from these dogs

- c) a "commercial kennel" used primarily for boarding dogs, where the majority of kennel space is devoted to the boarding of dogs owned by other than family members. This definition applies even if purebred dogs are being housed and bred in the same facility.

1.11 Leash:- shall mean a restraining device of sufficient strength and material for leading a dog.

1.12 Muzzled:- shall mean a human fastening or covering device of adequate strength over the mouth to prevent the dog from biting.

1.13 **Owner of a dog:-** shall mean and includes a person who possesses or harbours a dog and where the owner is a minor, the person responsible for the custody of the minor, "owns" and "owned" have corresponding meanings.

1.13 **Sanitize:-** shall mean to clean for the purpose of controlling disease producing organisms and "sanitized" has corresponding meaning.

1.14 **Restrained:-** shall mean being kept inside a building or house or in an enclosed pen or sufficient dimensions and strength to be humane and to prevent a dog from coming in contact with persons other than the owner of the dog.

1.15 **Running at Large:-** shall mean a dog found in any place other than the premises of the owner of the dog and not under the control of any person. Dogs, when used for hunting, showing or training, shall be considered under control when under the supervision of the keeper.

These or other words, importing the singular number or the masculine gender only shall include more persons, parties or things of the same kind than one, and females as well as males and vice-versa (Interpretations Act c.I.11 R.S.O. 1990)

1.16 **Waste:-** shall mean

a) a solid waste matter spent from the body (faeces).

1.17 **Vermin:-** shall mean an animal, the presence of which may be harmful to the health, comfort or welfare of an animal in a kennel.

1.18 **Vicious Dog**:- shall mean:

- a) a dog that without provocation has bitten a person or domestic animal

- b) any dog with a known propensity, tendency or disposition to attack without provocation other domestic animals or persons.

SECTION '2' LICENSING

2.1 Every owner of a dog shall annually on or before the 1st day of March of each year cause the dog to be registered, numbered, described and licensed at the Village Office

2.2 The fee payable for each license shall be set out in Schedule "A" of this By-Law.

2.3 Dog licenses shall be available on 1st business day of January of each year for that year and shall expire on 31 December of the same year.

a) every owner of a dog shall, after the dog comes into his possession or care, cause the dog to be registered with and licensed by the Village within three (3) calendar months, except where the dog is being permanently housed in a licensed kennel.

b) in order to license a dog and obtain a tag, the owner of the dog must produce, to the Village, satisfactory proof that the dog has been inoculated against rabies and that the certificate is current (as required by the

County Medical Officer of Health for the United Counties of Leeds and Grenville).

c) on payment of the license fee for a dog, the owner shall be furnished with a dog tag and shall keep the tag securely fixed on the dog at all times until the tag is renewed or replaced, but the tag may be removed while the dog is being lawfully used for hunting in the bush or for training purposes.

2.4 The owner of a kennel shall pay an annual license fee covering all dogs in the kennel, as shown in Schedule "A" attached hereto and forming part of this By-Law.

2.5 The licence fee set out in Schedule "A" of this By-Law shall not apply to a dog professionally trained to aid or assist a disabled person, or dog professionally trained to assist a law enforcement agency.

2.6 A kennel license issued under the provisions of this By-Law shall not be transferrable from one owner to another.

SECTION '3' WASTE

3.1 Every person or owner of a dog who allows waste (excrement/faeces) to be placed on private property or property of the Corporation without authorization from the owner of the property is guilty of an offence.

3.2 Notwithstanding section (3.1) hereof, if a person whose dog has deposited or allowed waste to be deposited on private property or property of the Corporation, shall immediately and entirely without leaving the scene, cause such waste to be entirely picked up and thence removed to his own property, such person shall be deemed not to have committed an offence under this section.

3.3 This section shall not apply to a seeing eye dog while on a leash and actually in use in providing

assistance to a person with impaired vision or to a disabled person as defined herein.

SECTION '4' RUNNING AT LARGE

4.1 No person shall allow a dog to run at large anywhere in the Village of Merrickville-Wolford.

4.2 No person shall keep a dog when off the property of the owner, other than on a leash which is securely held by that person. The leash shall not exceed two (2) metres in length.

a) dogs when used for hunting, showing or training shall be considered under control when under the supervision of the keeper.

4.3 Any dog seized by the Municipality may be impounded and may be returned to the owner or dealt with according to law

4.4 Any owner of a dog that has been seized or impounded shall pay an amount as set out in Schedule "A" prior to the release of the dog.

4.5 Any owner of a dog that has been seized or impounded that has not obtained a dog licence for the current year shall do so before the dog is released.

4.6 Any dog impounded shall be taken to the animal shelter, being either the Humane Society or other approved pound facility and shall remain in such custody until such time as all conditions for its release are met including those of paragraph 4 and 5 of this section.

4.7 The Animal Control Officer or anyone working under his authority may kill any dog that he finds running at large if:

- a) he reasonably believes the dog is likely to cause imminent harm to any person, livestock or animal, or
- b) the dog is injured or ill and should be destroyed without delay for public safety and humane reasons.

SECTION '5' NUMBER OF DOGS AND BARKING OF DOGS

5.1 No person or persons may keep, board or breed more than:-

- a) in the Merrickville Ward 3 dogs
- b) in the Wolford Ward 4 dogs
- c) a kennel licence shall be required for the keeping of 5 dogs or over
- d) kennels are prohibited in the Merrickville Ward

5.2 No person who owns or harbours a dog shall permit such dog to become a public nuisance

- a) A dog shall be considered a public nuisance if;
 - i it persistently barks or howls
 - ii it causes damage to public or private property, including injury to animals
 - iii it interferes with or dumps or scatters garbage or trash on a regular basis
 - iv it persistently chases pedestrians who use public or private property adjacent to the property where the dog(s) are kept or harboured

SECTION '6' KENNEL

6.1 No person shall operate a kennel in the Village unless they have obtained a licence for such kennel under the provisions of this By-Law.

- a) no kennels shall be permitted in the Merrickville Ward
- b) no kennels shall be permitted in any of the residential zones in the Wolford Ward

6.2 No person shall establish or operate a kennel except in compliance with the Municipality's Comprehensive Zoning By-Law and any other applicable By-Laws.

6.3 Application for a licence for a kennel shall be made to the Municipal Office on or before the first day of June in each year.

6.4 Each licence for a kennel, unless specifically expressed to be for a shorter period, and unless suspended or revoked, shall remain in force for a twelve month period from June 1 in the year in which it was issued and the year of issue shall be forth in the space of such licence.

- a) no kennel shall be allowed to house more than 15 dogs, excluding dogs under the age of six months..
- b) each kennel must be located on a minimum of 2 hectares (5 acres).

c) each kennel must be situated a minimum of 100 m (330 ft) including a fence from any neighbouring residence other than that of the kennel owner(s)

d) each kennel must be situated a minimum of 120 m (400 ft) away from any adjacent residence

e) not more than one kennel shall be permitted per lot of record

6.5 All fencing and runs for kennels shall be built in accordance with Schedule "B".

6.6 All kennels operated in the Village shall maintain dogs in a clean, secure and humane manner and shall comply with the standards as set out in Schedule "C" attached to and forming part of this By-Law.

6.7 Any person when applying for a licence under the provisions of paragraph 6 of this section, shall satisfy the Chief Building Official and the Animal Control Officer that the kennel or proposed kennel complies with the provisions of this By-Law and other applicable By-Laws, and such person shall furnish the Chief Building Official and the Animal Control Officer with all the information he may reasonably require and permit him to examine the premises where the kennel is located or is to be located in order for him to satisfy himself that the kennel complies with the provisions of this By-Law.

a) where, in the opinion of the Chief Building Official and the Animal Control Officer, any kennel does not comply with the provisions of this By-Law or creates or is likely to create a public health nuisance or unsanitary conditions, he shall require the owner of the kennel to abate the nuisance or rectify the conditions within a reasonable period of time after notice in writing to the owner.

b) if the owner fails to abate the nuisance or rectify the conditions specified by the Chief Building Official and the Animal Control Officer, he shall be deemed to be contravening the provisions of this By-Law.

6.8 Any kennel licence may be suspended, pending compliance, or revoked for non-compliance by the Animal Control Officer if, in the opinion, the kennel does not comply with the provisions of this By-Law.

6.9 Whenever, in this By-Law, any duty is imposed upon the Animal Control Officer related to the suspension or revocation of kennel licences or the inspection of kennel premises, if the Animal Control Officer, in his discretion, considers that professional advice is necessary or desirable, he may retain the services of a qualified veterinarian entitled to practice his profession in Ontario to advise him and to make a report to him and the kennel owner. The Animal Control Officer shall be guided by such professional advice and report. The fee of such veterinarian shall be paid by the kennel licensee within thirty days after the account is rendered, and if not so paid, shall bear interest at the same rate that applies to overdue taxes from the date of rendering, and shall be added to the tax demand for the land occupied by the licensee and collected in a like manner as Municipal Taxes. (sec 326 c.M.45 R.S.O. 1990 as amended)

SECTION '7' VICIOUS DOGS

7.1 The owner of a vicious dog shall at all times, when it is not in the owner's dwelling but otherwise within the boundaries of the owner's lands, be secured in one of the following manners so as to prevent the dog from causing injury to any person or animal entering onto the owner's land:

a) the vicious dog shall be located wholly within a fenced area and any gate in such fenced area shall be locked at all times when a vicious dog is in the fenced area;

b) when the vicious dog is kept in an enclosed run or pen, such run or pen shall be built to conform to Section 4 and Schedule "B" of this By-Law except that said run shall be enclosed on all four (4) sides and its top shall be of material of the same or greater strength than that of the sides; and

c) the dog shall be muzzled so as to prevent it from biting a person or animal and securely leashed or chained. The leash shall not exceed 2 metres in length.

7.2 The owner of a vicious dog shall, at all times when the dog is outside the boundaries of its owner's land, keep the dog muzzled so as to prevent it from biting.

7.3 No person shall operate a kennel containing a vicious dog.

7.4 A vicious dog may be temporarily kept in a kennel that has been licenced under this By-Law when the

kennel is providing any of the services listed herein:

- boarding;
- grooming;
- training; and
- medical attention

7.5 No person shall permit his dog to attack any person, domestic animal or domestic bird or to fight with another dog.

7.6 Every owner of a vicious dog shall at the time the dog is licensed inform the licensing officer that the dog is vicious.

7.7 Immediately upon the transfer of a vicious dog from one owner to another, the owners shall notify the Animal Control Officer and the Administration of the Village.

7.8 Every owner of a vicious dog shall post a sign in a conspicuous place on their property stating that there is a vicious dog on their premises.

SECTION '8' ADMINISTRATION

8.1 This By-Law shall be administered by the Chief Administrative Officer or any person working under his authority.

SECTION '9' VIOLATIONS AND PENALTIES

9.1 Every person who contravenes any provisions of this By-Law is guilty of an offence and upon conviction is liable to a fine of not more than \$5,000.00 pursuant to the Provincial Offences Act, R.S.O. 1990, Chapter P-331.

9.2 Upon registering a conviction for a contravention of any provision of this By-Law, the Ontario Court, Provincial Division, may in addition to any penalty imposed by this By-Law make an order prohibiting the continuation or repetition of the offence by the person convicted.

SECTION '10' VALIDITY

10.1 If any section, clause or provision of this By-Law, including anything contained in any schedule attached hereto, is for any reason declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of the By-Law as a whole or any part thereof, other than the section, clause or provisions so declared to be invalid and it is hereby declared to be the intention that all the remaining sections, clauses or provisions of this By-Law shall remain in full force and effect until repealed, notwithstanding that one or more provisions thereof shall have to be declared invalid.

10.2 This By-Law, save as provided in section 10.3, shall come into force and take effect immediately upon the day of final passing thereof.

10.3 The fees for licences Schedule 'A' to this By-Law shall come into effect and force on

1 January, 2001

10.4 By-Law No. 32-89 and its amendments of the former Village of Merrickville and By-Law No. 1228 and its amendments for the former Township of Wolford are hereby repealed save for schedule 'A' of By-

Law No. 32-89 and section 3 of By-Law No. 1228 which shall be repealed on 31 December, 2000

READ a first and second time this 21st day of August, 2000

READ a third and final time and passed this 21st day of August, 2000

MAYOR

CLERK

TO AMEND**SCHEDULE "A"****TO BY-LAW No. 22 - 00****LICENCE FEES FOR DOGS SHALL BE: Base Fee**

- If only one is kept \$ 15.00
- For each additional dog up to five dogs \$ 25.00
- For a spayed female dog or neutered male dog if only one is kept \$ 10.00
- For each additional spayed female or neutered male dog up to five dogs \$ 15.00

Payments are due prior to April 30th of the year. After the April 30th date the fee shall be 1.5 times the base fee.

REPLACEMENT TAG \$ 1.00

GUIDE OR LEAD DOG N/C

KENNEL (HOBBY & PUREBRED) \$ 50.00

KENNEL (COMMERCIAL) - per year for 20 runs \$100.00

- for each additional run over 20 \$ 5.00

The licence fees listed in this schedule are not to be interpreted as part of pound release fee as listed herein, in part Section 4, Paragraph 4.

Pound release fees shall be payable to the Village of Merrickville- Wolford plus disbursements.

And are payable as to the owner(s) not upon any specific dog

RELEASE FEE (FIRST TIME) \$ 25.00

RELEASE FEE (SECOND TIME) \$ 50.00

RELEASE FEE (THIRD TIME) \$100.00

SUBSEQUENT RELEASE FEE \$200.00

This schedule amends the fees and service charges of Schedule "A" of By - Law

22 - 00

SCHEDULE "B"

TO BY-LAW No. 22 - 00

REQUIRED KENNEL FENCE

B.1 A fence or its equivalent which is to form a kennel enclosure or part thereof shall be of:

- chain link construction
- vertical board construction.

B.2 A fence of chain link construction, six feet (6') (1.8m) high, shall:

- have a mesh not greater than 2" consisting of 12 ga. galvanized steel wire, or a 14 ga. steel wire covered with vinyl or other approved plastic which would yield a total thickness equivalent to 12 ga. steel wire;
- be supported by a minimum of ½" galvanized steel posts, spaced not more than ten feet (10') (3.048m) apart. Such posts must extend at least three feet (3') (14.4mm) below grade or to bed rock and be encased in concrete at least two inches (2") (50.8mm) thick all around;
- where a kennel run fence is constructed of chain link panels, the panels must rest on suitable flooring of either a concrete slab, patio stones, or equivalent;
- have top and bottom rails firmly fastened to the upright posts, made of a minimum of 30 mm (1 1/4 in) galvanized steel pipe. NOTE: Galvanized steel tension wire, 9 ga. may be substituted for the bottom rail.

B.3 A fence of wood construction six feet (6') (1.8m) high shall:

- have vertical boarding one inch (1") (25.4mm) thick nominal, attached to a top and bottom rail in such a manner as to not facilitate climbing from the outside. Such vertical boards must not be less than 1" x 4" (25.4mm x 101.6mm) nominal and must be spaced not more than 4"(101.6mm) apart;
- be supported by cedar posts at least 4" x 4" (101.6mm x 101.6mm) nominal, spaced not more than eight feet (8') (2.4m) apart. Such posts shall extend at least three feet (3') (914.4mm) into the ground or to bedrock and be securely embedded therein;
- have that portion of the post below the ground level treated with an approved wood preservative;
- have top and bottom rails at least 2" x 4" (50.8mm x 101.6mm) nominal dimensions.

B.4 A fence (or its equivalent) of any other construction which might yield an equivalent or greater degree of safety to that specified in subsection (1), (2) & (3) of this section may be approved by the authority having jurisdiction upon the receipt of completed plans and specifications for same.

GATES AND ENTRANCES TO KENNEL AREA

B.5 Gates which form a part of the kennel enclosure shall be:

- of such height and of such construction as will provide a degree of safety and rigidity equivalent to or greater than that of a required fence
- supported on substantial hinges
- self-closing, self-latching with the latching device accessible from either side of the gate

MAINTENANCE

B.6 All fences, walls, gates and entrances forming part of a kennel enclosure shall be constructed or erected and shall be maintained at all times to the standards and specifications set out in this By-Law.

SCHEDULE "C"

TO BY-LAW No. 22 - 00

KENNEL OPERATION STANDARDS

All kennels operated in the Township shall maintain dogs in a clean, secure and humane manner and shall comply with the following standards:

C.1 Dog cages and/or dog houses shall be so constructed as to be easily cleaned.

C.2 Floors shall be:

- soundly constructed of hard, durable material;
- constructed of a material that may be readily sanitized; and
- maintained in a good state of repair free from cracks, holes and other damage

C.3 Where there are floor drains:

- a floor drain and any trench installed in connection therewith that is used for waste disposal shall be flushed at such intervals as may be necessary to prevent any accumulation of waste that might impair the health or welfare of any dog in the room;
- the floor shall be so constructed and maintained that surface liquids thereon will drain into the drain; and
- the operator of the kennel shall cause the drains to be examined as often as is necessary to ensure that they are functioning properly, have an adequate water seal and are not harbouring vermin.

C.4 Walls shall be:

- soundly constructed of hard, durable material;
- impervious to water to a height adequate for sanitary maintenance;
- constructed of a material that may be readily sanitized; and
- maintained in a good state of repair free from cracks, holes and other damage.

C.5 Where there is a door:

- every frame or moulding around the door opening shall be so constructed and maintained that it has no space or spaces capable of harbouring vermin; and
- the door shall be maintained in a good state of repair free from cracks, holes and

other damage.

C.6 Where there is a window:

- every frame or moulding around the window opening shall be so constructed and maintained that it has no space or spaces capable of harbouring vermin;
- means shall be provided to prevent the effects of direct sunlight through the window;
- the window shall be so constructed and maintained as to prevent the entrance of vermin through the window; and
- the window shall be maintained in a good state of repair free from cracks, holes and other damage.

C.7 Roofs and ceilings shall be:

- soundly constructed; and
- maintained in a good state of repair free from cracks, holes and other damage.

C.8 Where any pipe, drain, conduit or other service facility is installed through any floor, wall or ceiling, the place where the pipe, drain, conduit or other service facility enters or leaves the room shall be so sealed as to prevent the entrance of vermin into the room.

C.9 Alleyways and service aisles between cages or pens shall be of sufficient width to permit the safe and efficient movement of persons and equipment and shall not be used for storage or accumulation of materials or equipment of any kind.

C.10 Every room in a kennel shall be maintained in a clean condition.

C.11 The operator of every kennel shall take all reasonable steps to prevent the spread of and to destroy vermin and invertebrates that may be harmful to the health, comfort or welfare of any dog in the kennel.

C.12 Every room that is used for the housing of dogs within a kennel shall be equipped with a lighting system that is so designed, constructed and maintained that:

- it distributes light as evenly and with as little glare as possible; and
- it provides adequate light for the proper observation of every animal in the room.

C.13 Every room that is used for the housing of dogs within a kennel shall be adequately lighted for a continuous period of at least eight hours in a twenty four hour period.

C.14 Every room that is used for the housing of dogs within a kennel shall at all times be adequately ventilated for the health, welfare and comfort of every dog therein.

C.15 Every room that is used for the housing of dogs within a kennel shall at all times be maintained at a temperature suitable for the health, welfare and comfort of every dog therein.

C.16 The operator of every kennel shall ensure that there is, in every day, on the premises on which the kennel is located, an adequate number of persons competent in the care of dogs to properly care for every dog in the kennel.

C.17 Every cage or pen used in a kennel for the housing of dogs shall be so constructed and maintained that:

a) every animal in the cage or pen may comfortably;

- extend its legs to their full extent,
- stand,
- sit,
- turn around, and
- lie down in a fully extended position;
- it is not likely to harm any animal therein;
- any animal therein cannot readily escape therefrom;
- it minimizes as nearly as practicable the transfer of pathogenic agents; and
- it may be readily sanitized.

C.18 Where a group of dogs in a kennel is housed in a communal cage, pen or dog run, no individual dog shall be placed in the cage, pen or dog run with the group of dogs where the placing of the individual dog would result in harm to any of the dogs and, where the behaviour of the dogs in the cage, pen or dog run is such that harm is likely to result, any dog whose removal will prevent the harm from occurring shall forthwith be removed.

C.19 This section applies to all pens or cages in every kennel;

- bedding material in every cage or pen shall be changed as often as is necessary to keep it dry, clean and free of noxious fumes;
- every dog that is housed in a cage or pen shall be removed from its cage or pen and changed to a freshly sanitized cage or pen as often as is necessary for its health and comfort;

c) no dog shall be placed in a cage or pen that is vacant and of which it has not been the last occupant unless the cage or pen and equipment used in connection therewith have first been sanitized; where a cage is cleaned or sanitized, the cage rack or portion thereof used in connection with the cage shall be cleaned or sanitized at the same time;

- every animal shall be protected against liquid spray while a cage or pen is being cleaned;
- every device used to supply drinking water to a dog shall be maintained in a sanitary condition and shall be so constructed and maintained as to ensure;
 - that the dog is receiving water; and
 - the device is functioning properly.
- every container for food or water shall be maintained in a sanitary condition.

C.20 a) Every dog in a kennel shall be supplied with food of a type and in amounts nutritionally adequate for the dog and that is palatable and free from contamination.

- Food and water for a dog in a kennel shall be provided in containers or devices that may be readily sanitized and food shall not be placed directly on the floor of the cage or pen in which the dog is located.
- Every dog in a kennel shall be supplied with adequate amounts of potable water.
- Where a dog is fed with perishable food, the remnants of the food shall be removed from the cage or pen every day.

C.21 In any kennel, the operator thereof shall take or cause to be taken all steps practicable to treat and prevent the spread of any disease found in any animal and to prevent distress to any animal.

C.22 Every pen used for the housing of dogs in any kennel shall be so constructed and maintained as to provide a clean, dry and safe surface adequate to permit the dogs to lie down in comfort at all times.

C.23 An outdoor dog run in a kennel may be used to provide dogs in the kennel with exercise subject to the following conditions:

- No dog shall be removed from indoor housing and placed in the outdoor dog run or

removed from the outdoor dog run and placed in indoor housing where to do so would result in a change in environment likely to cause harm to the dog.

- The surface on which the dog run is established shall be so maintained as to rapidly drain all excess surface water.
- The dog run shall be so fenced as to prevent any dog from escaping.
- The dog run shall be kept in a clean condition free from any materials or equipment likely to cause harm to a dog.
- Every dog in the dog run shall have access to individual shelters that are:
 - readily accessible to the dog;
 - large enough to comfortably accommodate the dog;
 - so constructed and maintained as to provide protection from the effect of direct sunlight, precipitation and wind; and
 - that is dry and well drained.

C.24 All surfaces of yards and runways shall be covered in concrete or other nonporous materials.

C.25 All doorways and windows and outside openings shall be screened during the period of May 1st to October 1st of each year; and provide effective barrier against the escape of any dog.

C.26 All kennels must at all times be maintained in a clean, sanitary condition.

C.27 Excretion, dead animals and other waste resulting from the operation a kennel shall be removed and disposed of daily from the premises in a sanitary manner.

C.28 Subject to the Dead Animal Disposal Act, in any kennel, the carcass of an animal shall be:

- forthwith removed from the cage or pen; and
- except for the whole or part of the carcass that is retained in a sanitary manner for research, forthwith disposed of.

C.29 Where the carcass of an animal is disposed of and the dead animal is not a dead animal as defined by the Dead Animal Disposal Act, the carcass shall be disposed of by:

- burying it with a covering of at least two feet of earth;
- incineration; or
- delivery to a rendering plant:
 - licensed under the Dead Animal Disposal Act, or
 - approved under the Meat Inspection Act (Canada) in a vehicle constructed and equipped in accordance with the Dead Animal Disposal Act.