



Memorandum

Licensing & Enforcement

Corporate By-law Number: 289-2023-Corporate Services-

TO:	Office of the City Clerk	FILE:	xxxxxxx
FROM:	Doug Vincent, Manager Licensing & Enforcement – Corporate Services		
DATE PREPARED:	September 6, 2023		
SUBJECT:	Nuisance Animal Amendment By-law DRAFT.docx		
MEETING DATE:	City Council - September 25, 2023		

By-law Description: A By-law amend By-law 22-1995, being a By-law respecting the owners of animals.

Authorization: 287-2023-Corporate Services-Licensing & Enforcement – Committee of the Whole – September 18, 2023

By-law Explanation: A By-law amend By-law 22-1995, being a By-law respecting the owners of animals.

Schedules and Attachments:

Amended/Repealed By-law Number(s):



THE CORPORATION OF THE CITY OF THUNDER BAY
BY-LAW NUMBER 289-2023

A By-law amend By-law 22-1995, being a By-law
respecting the owners of animals.

Recitals

1. Section 10(2)(6) of the *Municipal Act*, 2001, S.O. 2001, c.25, as amended, provides that a municipality may pass by-laws respecting the health, safety and well-being of persons;
2. Section 10 (2) (9) of the *Municipal Act*, 2001, S.O. 2001, c.25, as amended, provides that a single-tier municipality may pass by-laws respecting the animals;
3. Section 128 of the *Municipal Act*, 2001, S.O. 2001, c.25, as amended, provides that a municipality may prohibit and regulate with respect to public nuisances, including matters that, in the opinion of council, are or could become or cause public nuisances;
4. These amendments are in support Council's December 14, 2020 direction to restructure the Licensing & Enforcement Division (Report R149/2020 Dec 14/20) and that, policies, procedures and by-laws be reviewed and amended so as to streamline enforcement efforts and improve overall efficiency and effectiveness and any necessary by-laws be presented to City Council for ratification;
5. Council deems it expedient to deal with owners of animals, who's pets repeatedly run-at-large or trespass and create significant issues in the community, by deeming such behavior a public nuisance;

ACCORDINGLY, THE COUNCIL OF THE CORPORATION OF THE CITY OF THUNDER BAY ENACTS AS FOLLOWS:

1. SHORT TITLE

That this amending By-law may be cited as the Nuisance Animal Amendment By-law.

2. That Part 1 – "Definitions" of By-law 22-1995 is hereby amended by adding the following definition to the By-law in its place alphabetically and reordering the remainder of that section such that the list remains in alphabetical order:

1 "Nuisance Animal" shall mean any animal, that has an owner and engages in any of the following nuisance activities as the result of leaving the owners property and running-at-large or trespassing onto private lands on more than one occasion, including but not limited to:

- i) Unreasonably interfering with use and enjoyment of another person's land, or
- ii) Being found on any school property lands at a time that the school is open for teaching and students are present in the external yards of the property, or

- iii) Defecating on lands, other than on property of the owner, or
- iv) Chasing, biting, threatening to or attacking any person or another animal, or
- v) Acting in an aggressive and targeted manner, that caused that person(s) to fear for the personal safety and well-being of themselves or another person accompanying them, or

3. That the following section be added to By-law 22-1995

Part IV.5 – ANIMALS BEHAVIOUR DEEMED A PUBLIC NUISANCE

20.5 Every owner of an animal, including owners of cats or dogs, shall not allow or permit the animal to become a Nuisance Animal.

This By-law shall come into force and take effect upon the date it is final passing thereof.

Enacted and passed this 25th day of September, A.D. 2023 as witnessed by the Seal of the Corporation and the hands of its proper Officers.

Mayor

City Clerk