



Memorandum

Corporate By-law Number: 289-2023-Corporate Services-Licensing & Enforcement

TO: Office of the City Clerk **FILE:**

FROM: Doug Vincent
Licensing & Enforcement Division, Corporate Services

DATE PREPARED: September 6, 2023

SUBJECT: By-law 289-2023 - A By-law to amend By-law 22-1995
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: Report 287-2023-Corporate Services-Licensing & Enforcement – Committee of the Whole – September 18, 2023

By-law Explanation: The purpose of this by-law is to amend By-law 22-1995, being a By-law respecting the owners of animals with respect to Nuisance 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Amended/Repealed By-law Number(s):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 animals;
3. Section 128 of the *Municipal Act*, 2001, S.O. 2001, c.25, as amended, provides that a municipality may prohibit and regulate public nuisances, including matters that, in the opinion of council, are or could become or cause public nuisances;
4. At the December 14, 2020, Committee of the Whole meeting, Report 149/2020 was presented which recommended that Administration review and amend by-laws in order to streamline enforcement efforts and improve efficiency and effectiveness;
5. It is deemed necessary to amend By-law 22-1995 with respect to the control of citizens pets who 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:

(h) “Nuisance Animal” shall mean any animal, that has an owner and engages in 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.

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.

4. This By-law shall come into force and take effect upon the date it is passed.

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.

Ken Boshcoff

Mayor

Dana Earle

Deputy City Clerk