



# **TOWNSHIP OF WILMOT**

## **Council Meeting Agenda**

**Monday, September 11, 2017**

**Regular Council Meeting**

**Council Chambers**

**7:00 P.M.**

- 1. MOTION TO CONVENE INTO CLOSED SESSION (IF NECESSARY)**
- 2. MOTION TO RECONVENE IN OPEN SESSION (IF NECESSARY)**
- 3. MOMENT OF SILENCE**
- 4. ADDITIONS TO THE AGENDA**
- 5. DISCLOSURE OF PECUNIARY INTEREST UNDER THE MUNICIPAL CONFLICT OF INTEREST ACT**
- 6. MINUTES OF PREVIOUS MEETINGS**

### **6.1 Council Meeting Minutes August 28, 2017.**

#### **Recommendation**

THAT the minutes of the following meetings be adopted as presented:

Council Meeting August 28, 2017; and,

Special Council Meeting August 28, 2017.

- 7. PUBLIC MEETINGS**
- 8. PRESENTATIONS/DELEGATIONS**

**9. REPORTS****9.1 CAO****9.2 CLERK'S SERVICES****9.2.1 ADDENDUM TO REPORT NO. CL2017-10****Recommendation**

THAT Report No. CL2017-10, dated June 26, 2017, and Addendum dated September 11, 2017 prepared by the Director of Clerk's Services and the Senior MLEO, outlining the proposed inclusion of Dog Designations and the establishment of an Appeal Committee/Process be endorsed;

AND FURTHER that By-law No. 2017-14, Being a By-law to Regulate Dogs and License Dog Kennels, be adopted.

**9.2.2 REPORT NO. CL2017- 20****Proposed Council Meeting Schedule – 2018****Recommendation**

THAT the following schedule for Regular Council Meetings be adopted:

January 15, 2018

February 12, 2018

February 26, 2018

March 5, 2018

April 9, 2018

March 26, 2018

April 23, 2018

May 7, 2018

June 4, 2018

May 28, 2018

June 25, 2018

July 23, 2018

August 27, 2018

September 10, 2018

October 1, 2018

September 24, 2018

November 5, 2018

December 3, 2018 (Inaugural).

November 19, 2018

**9.3 FINANCE****9.3.1 REPORT NO. FIN-2017-32****Recommendation**

That the Township of Wilmot enter into a Transfer Payment Agreement (TPA) with the Minister of Infrastructure under the Clean Water and Wastewater Fund (CWWF); and further,

That the Mayor and Clerk be authorized to execute said Transfer Payment Agreement, for a funding allocation of up to \$820,035, towards community infrastructure projects.

**9.4 PUBLIC WORKS****9.4.1 REPORT NO. PW-2017- 17****Reforestation Program – Quotation Award**

That RFQ 2017-21 Reforestation Program quotation be awarded to Mar-John's Nursery Ltd. to complete the 2017 Reforestation Program at an estimated cost of \$43,159.00 plus HST.

**9.5 DEVELOPMENT SERVICES – no reports****9.6 FACILITIES AND RECREATION SERVICES – no reports****9.7 FIRE – no reports****9.8 CASTLE KILBRIDE – no reports**

**10. CORRESPONDENCE**

**11. BY-LAWS**

- 11.1 By-law No. 2017-14, Being a By-law of The Corporation of The Township of Wilmot to Regulate Dogs and License Dog Kennels and to Repeal By-law No. 2008-01**
- 11.2 By-law No. 2017-43, Being a By-law to Authorize the Execution of the Clean Water and Wastewater Fund – Transfer Payment Agreement**

**Recommendation**

THAT By-law No.'s 2017-14 and 2017-43 be read a first, second and third time and finally passed in Open Council.

**12. NOTICE OF MOTIONS**

**13. QUESTIONS/NEW BUSINESS/ANNOUNCEMENTS**

**14. BUSINESS ARISING FROM CLOSED SESSION**

**15. CONFIRMATORY BY-LAW**

**15.1 By-law No. 2017-44**

**Recommendation**

THAT By-law No. 2017-44 to Confirm the Proceedings of Council at its Meeting held on September 11, 2017 be introduced, read a first, second, and third time and finally passed in Open Council.

**16. ADJOURNMENT**

**Recommendation**

THAT we do now adjourn to meet again at the call of the Mayor.



# **TOWNSHIP OF WILMOT**

## **Council Meeting Minutes**

**Monday, August 28, 2017**

**Regular Council Meeting**

**Council Chambers**

**7:00 P.M.**

**Special Council Meeting**

**Council Chambers**

**8:00 P.M.**

Members Present: Mayor L. Armstrong, Councillors A. Junker, P. Roe, B. Fisher, J. Gerber and M. Murray

Staff Present: Chief Administrative Officer G. Whittington, Director Clerk's Services B. McLeod, Deputy Clerk D. Mittelholtz, Director of Public Works J. Molenhuis, Director of Development Services H. O'Krafka, Fire Chief R. Leeson, Director of Finance P. Kelly, Manager of Accounting A. Romany

- 1. MOTION TO CONVENE INTO CLOSED SESSION (IF NECESSARY)**
- 2. MOTION TO RECONVENE IN OPEN SESSION (IF NECESSARY)**
- 3. MOMENT OF SILENCE**
- 4. ADDITIONS TO THE AGENDA**
- 5. DISCLOSURE OF PECUNIARY INTEREST UNDER THE MUNICIPAL CONFLICT OF INTEREST ACT**

None disclosed.

**6. MINUTES OF PREVIOUS MEETINGS**

**6.1 Council Meeting Minutes July 17, 2017.**

**Resolution No. 2017-130**

**Moved by: P. Roe**

**Seconded by: M. Murray**

THAT the minutes of the following meetings be adopted as presented:

Council Meeting July 17, 2017.

CARRIED.

**7. PUBLIC MEETINGS**

**8. PRESENTATIONS/DELEGATIONS**

**9. REPORTS**

**9.1 CAO**

**9.1.1 REPORT NO. CAO 2017-02**

**Updated 2017 Municipal Work Program**

**Resolution No. 2017-131**

**Moved by: A. Junker**

**Seconded by: B. Fisher**

THAT the updated 2017 Municipal Work Program, as per the report dated August 28, 2017, prepared by the Chief Administrative Officer, be endorsed.

CARRIED.

The CAO highlighted the report.

**9.2 CLERK'S SERVICES**

**9.2.1 REPORT NO. CL2017-19****Lottery Licence Request****Optimist Club of New Hamburg****Moparfest Car Raffle****Resolution No. 2017-132****Moved by: M. Murray****Seconded by: J. Gerber**

THAT the application from the Optimist Club of New Hamburg be authorized for a raffle lottery licence for an automobile to be awarded at the annual Moparfest event on August 19, 2018 in addition to two early bird prizes with a total value of \$48,516.30;

AND FURTHER THAT the authorization to grant this raffle licence be conditional that the lottery be conducted in accordance with the Ministry of Consumer and Commercial Relations, the Lottery Licensing Policy Manual Guidelines on lotteries and raffles and Township of Wilmot Lottery Licensing Policies.

CARRIED.

The Deputy Clerk highlighted the report.

**9.3 FINANCE****9.3.1 REPORT NO. FIN 2017-30****Kitchener-Wilmot Hydro Inc. Water Meter Reading Agreement****Resolution No. 2017-133****Moved by: A. Junker****Seconded by: M. Murray**

THAT Report FIN 2017-30, prepared by the Manager of Accounting, regarding the agreement between Kitchener-Wilmot Hydro Inc. and the Corporation of the Township of Wilmot pertaining to water meter reading services be approved;

AND FURTHER, THAT the Mayor and Clerk be authorized to execute the Service Agreement with Kitchener-Wilmot Hydro Inc. for water meter reading services.

CARRIED.

The Manager of Accounting highlighted the report.

**9.3.2 REPORT NO. FIN 2017-31**

**Ontario Municipal Commuter Cycling (OMCC) Program**

**Resolution No. 2017-134**

**Moved by: M. Murray**

**Seconded by: A. Junker**

THAT Report FIN 2017-31, regarding the Ontario Municipal Commuter Cycling Program (OMCC) be received for information purposes; and further

THAT the Mayor and Clerk be authorized to declare the Township of Wilmot's interest in participation in the OMCC for 2017.

CARRIED.

The Director of Finance highlighted the report.

The Director of Finance confirmed for Councillor J. Gerber that this funding is available for all municipalities in Ontario. He noted that the OMCC program will be using census data collected concerning commuter cycling to determine the funding model in combination with the number of municipalities who apply. He suggested that the Township would use the Ten Year Capital Plan to determine which projects the funding would be used for.

**9.4 PUBLIC WORKS**

**9.4.1 REPORT NO. PW-2017-16**

**Lewis & Hannah Street Reconstruction, New Hamburg  
Consulting Engineering Services**

**Resolution No. 2017-135**

**Moved by: B. Fisher**

**Seconded by: A. Junker**

THAT RFP 2017-22 be awarded to AECOM Canada Ltd. to provide consulting engineering services for the reconstruction of Lewis & Hannah Street in New Hamburg as per their proposal dated August 15, 2017 for the fee of \$91,537.00, plus HST.



CARRIED.

The Director of Public Works highlighted the report.

## **9.5 DEVELOPMENT SERVICES**

### **9.5.1 REPORT NO. DS 2017-14**

**Zone Change Application 06/17**

**Dryden, Smith & Head Planning Consultants / CN**

**Part of Lot 15 and 16, Concession South of Snyder's Road**

**Charlotta Street, Baden**

### **Resolution No. 2017-136**

**Moved by: B. Fisher**

**Seconded by: M. Murray**

THAT Council approve Zone Change Application 06/17 to refine the existing zoning of the property as follows:

1. prohibiting the following uses:
  - a. automotive repair facilities, such as maintenance garages, muffler/suspension repair facilities and body shops;
  - b. outdoor storage, except within a rear yard between a building and the property line abutting the railway
    - i. outdoor storage shall include the storage of large construction equipment, diesel generators and heavy trucks
    - ii. outdoor storage shall not include a storage facility catering to the storage of personal items, recreational trailers, boats, motor homes etc. normally associated with a self-storage facility;
2. decreasing the maximum building height to two storeys;
3. increasing the rear yard setback from 0m to 1.0m;

and,

to place a holding symbol on the subject property until such time as the property is fully serviced to the satisfaction of the Township of Wilmot.

CARRIED.

The Director of Development Services highlighted the report.

Councillor J. Gerber suggested that this is a good example of working with area residents to find a compromise that will work for the local area and the developers.

**9.5.2 REPORT NO. DS 2017-15**

**By-law to deem a lot not to be part of a plan of subdivision**

**Emanuel Stefan Branda**

**Lot 31, Plan 628**

**33 Water Street, New Dundee**

**Resolution No. 2017-137**

**Moved by: A. Junker**

**Seconded by: B. Fisher**

THAT Township of Wilmot Council, by by-law, designate Registered Plan 628, as it applies to Lot 31, not to be a registered plan of subdivision.

CARRIED.

The Director of Development Services highlighted the report.

**9.5.3 REPORT NO. DS 2017-16**

**Lifting of 1ft Reserve**

**1519 Christner Road**

**PAB Holdings / Ryan Carey**

**Resolution No. 2017-138**

**Moved by: P. Roe**

**Seconded by: A. Junker**

That Council approve the request of PAB Holdings / Ryan Carey to lift a portion of the 1ft Reserve along Christner Road to provide driveway access to 1519 Christner Road subject to the following:

1. That the applicant be responsible for all costs in preparing and registering the reference plan and the registration of the by-law lifting the 1ft Reserve; and,
2. That the donation of a portion of Part 3, Plan 58R-16672 to expand the Townships growing trails network be accepted and acknowledged as a credit towards future parkland dedication should additional development potential of the lands be realized in the future.

CARRIED.

The Director of Development Services highlighted the report.

**9.6 FACILITIES AND RECREATION SERVICES – no reports**

**9.7 FIRE – no reports**

**9.8 CASTLE KILBRIDE – no reports**

**10. CORRESPONDENCE**

**10.1 Grand River Conservation Authority – Grand Actions, July 2017**

**Resolution No. 2017-139**

**Moved by: P. Roe**

**Seconded by: B. Fisher**

THAT Correspondence Item 10.1 be received for information.

CARRIED.

**10.2 City of Owen Sound – Support Resolution – Request for Economic Impact Analysis**

**Resolution No. 2017-140**

**Moved by: M. Murray**

**Seconded by: B. Fisher**

WHEREAS the Province of Ontario has recommended changes to the Employment Standards Act; and

WHEREAS the Province of Ontario has many municipalities with differing and unique economic circumstances; and

WHEREAS to protect jobs against unintended consequences that may come about as a result of implementing these changes;

BE IT THEREFORE resolved that the Council of the Corporation of the Township of Wilmot supports the Ontario Chamber of Commerce's request that an Economic Impact Analysis be done of the proposed reforms prior to implementation.

CARRIED.

Councillor A. Junker advised that he cannot support this resolution as the opinions expressed by the Ontario Chamber of Commerce seem to be focused on opposition to an increase in minimum wage, which he does not agree with. He expressed his approval of an increase in minimum wage.

Councillor J. Gerber noted that he is also aware of the issues surrounding this topic and had recently read a report from the University of Waterloo as a less biased analysis. He suggested that the Resolution supports an impact analysis of the issue which Council can the use as a basis for future decisions.

Mayor L. Armstrong commented that he did tend to agree and that it was good to have analysis before implementation but that it should not be delayed.

Councillor J. Gerber noted that the process may result in a longer transition but that the analysis was worth looking at.

## **11. BY-LAWS**

- 11.1 By-law No. 2017-36 – Zone Change Application 06/17, Dryden, Smith & Head Planning Consultants / CN, Part of Lot 15 and 16, Concession South of Snyder's Road, Charlotta Street, Baden**
- 11.2 By-law No. 2017-37 – Authorization to Execute Agreement with Kitchener Wilmot Hydro for Smart Meter Reading**
- 11.3 By-law No. 2017-38 – By-law to Appoint Erin Merritt as a Municipal Law Enforcement Officer for the Township of Wilmot**
- 11.4 By-law No. 2017-39 – Application to Deregister Lots from a Plan of Subdivision, New Dundee**

**11.5 By-law No. 2017-40 – Authorization to Execute the Application Declaration for the Ontario Municipal Commuter Cycling (OMCC) Program**

**Resolution No. 2017-141**

**Moved by: M. Murray**

**Seconded by: A. Junker**

THAT By-law No.'s 2017-36, 2017-37, 2017-38, 2017-39 and 2017-40 be read a first, second and third time and finally passed in Open Council.

CARRIED.

**12. NOTICE OF MOTIONS**

**13. QUESTIONS/NEW BUSINESS/ANNOUNCEMENTS**

13.1 Councillor P. Roe advised that he will be unable to attend the December 6<sup>th</sup> meeting and therefore requested that the 2018 budget schedule be arranged around his absence if possible. The Director of Finance will follow up on the request and advise Council accordingly.

13.2 In response to Councillor B. Fisher's comments regarding a recent tornado in Woolwich area, the CAO advised that an early warning system does exist within three Area Townships and that staff are looking into the implementation of a Region-wide system which will be housed by the Region but each municipality will have access to use it in an emergency.

Councillor A. Junker added that he had heard the warning of that specific tornado on the radio that night and felt that perhaps this new system will enhance notification.

The CAO commented that the notification would be to each property owner in their home, on their phone.

Councillor P. Roe stated that he had received communication from a person near the boundary of the Township relative to the inclement weather and advised them of the system that the Township has in place, however he felt that the information was not readily accessible on the Township's website.

The CAO noted that the Fire Chief will look into Councillor P. Roe's concern.

**14. BUSINESS ARISING FROM CLOSED SESSION**

**15. CONFIRMATORY BY-LAW**

**15.1 By-law No. 2017-41**

**Resolution No. 2017-142**

**Moved by: M. Murray**

**Seconded by: J. Gerber**

THAT By-law No. 2017-41 to Confirm the Proceedings of Council at its Meeting held on August 28, 2017 be introduced, read a first, second, and third time and finally passed in Open Council.

CARRIED.

**16. ADJOURNMENT (7:34 P.M.)**

**Resolution No. 2017-143**

**Moved by: J. Gerber**

**Seconded by: P. Roe**

THAT we do now adjourn to meet again at the call of the Mayor.

CARRIED.

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Clerk



# **TOWNSHIP OF WILMOT**

## **Special Council Meeting Minutes**

**Monday, August 28, 2017**

**Special Council Meeting**

**Council Chambers**

**8:00 P.M.**

Members Present: Mayor L. Armstrong, Councillors A. Junker, P. Roe, B. Fisher, J. Gerber and M. Murray

Staff Present: Chief Administrative Officer G. Whittington, Director Clerk's Services B. McLeod, Deputy Clerk D. Mittelholtz, Director of Public Works J. Molenhuis, Director of Development Services H. O'Krafka, Fire Chief R. Leeson, Director of Finance P. Kelly, Manager of Accounting A. Romany

- 1. MOTION TO CONVENE INTO CLOSED SESSION (IF NECESSARY)**
- 2. MOTION TO RECONVENE IN OPEN SESSION (IF NECESSARY)**
- 3. DISCLOSURE OF PECUNIARY INTEREST UNDER THE MUNICIPAL CONFLICT OF INTEREST ACT**

None disclosed.

#### **4. PUBLIC MEETINGS**

##### **4.1 REPORT NO. DS 2017-17**

**Proposed OPA 9 – Conformity Review (2017)**

**Resolution No. 2017-143**

**Moved by: M. Murray      Seconded by: A. Junker**

THAT Report DS 2017-17 be received for information and, that staff be directed to proceed to hold a Public Open House and give notice of a formal Public Meeting in respect of the Official Plan Conformity Exercise.

CARRIED.

Mayor Armstrong declared the meeting open, advising that this is a Special Meeting of Council, open to the public, held in accordance with Section 26 (3) of the Planning Act to hear input on revisions which may be required to bring the Township Official Plan into conformity with the new Regional Official Plan and Provincial Planning Policies. He advised that we will hear all interested people who wish to speak.

Mayor Armstrong advised that persons attending as delegations at this meeting are required to leave their names and addresses which will become part of the public record and advised that this information may be posted on the Township's official website along with email addresses, if provided.

The Director of Development Services highlighted the report.

Mayor Armstrong asked if anyone wished to address council on this matter.

Mayor Armstrong asked Council if there were questions of a technical nature.

In response to Councillor A. Junker's question relative to housing policies and the potential of an additional unit within homes, the Director advised that with respect to detached and semi-detached units, the Province supports this approach to provide further affordable housing opportunities.

Councillor A. Junker noted that this was welcoming news, stating that it can help people make homes more affordable, and ease the beauracracy.

Mayor Armstrong asked twice if anyone wished to address Council on this matter, and in the absence of any comments, declared the public meeting to be closed.

Councillor J. Gerber enquired as to the timing of the public meeting.

The Director advised that a date has not been confirmed at this time. An open house will be held prior to the public meeting, which will be well advertised and all abutting properties affected by the rationalization will be circulated. The open house is proposed to be held at the WRC, and within a two week period the public meeting will be scheduled.



Agencies will be circulated for comments, which will come back to Council. It is possible that a second public meeting may be held and there will be a regional portion if the boundaries change. The intention is to hold the meeting in late September.

**5. CONFIRMATORY BY-LAW**

**5.1 By-law No. 2017-42**

**Resolution No. 2017-143**

**Moved by: P. Roe**

**Seconded by: A. Junker**

THAT By-law No. 2017-42 to Confirm the Proceedings of Council at its Special Meeting held on August 28, 2017 be introduced, read a first, second, and third time and finally passed in Open Council.

**6. ADJOURNMENT (8:14 P.M.)**

**Resolution No. 2017-143**

**Moved by: B. Fisher**

**Seconded by: J. Gerber**

THAT we do now adjourn to meet again at the call of the Mayor.

CARRIED.

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Mayor

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Clerk



## ***Township of Wilmot*** **REPORT**

**REPORT NO.** Addendum to CL2017-10

**TO:** Council

**PREPARED BY:** Barbara McLeod, Director of Clerk's Services  
Derek Wallace, Senior MLEO

**DATE:** September 11, 2017

**SUBJECT:** Summary of Public Feedback  
Final Recommendations  
Draft By-law to Include Dog Designations,  
Establishment of Appeal Committee and Appeal Process

### **Recommendation:**

**THAT Report No. CL2017-10, dated June 26, 2017, and Addendum dated September 11, 2017 prepared by the Director of Clerk's Services and the Senior MLEO, outlining the proposed inclusion of Dog Designations and the establishment of an Appeal Committee/Process be endorsed;**

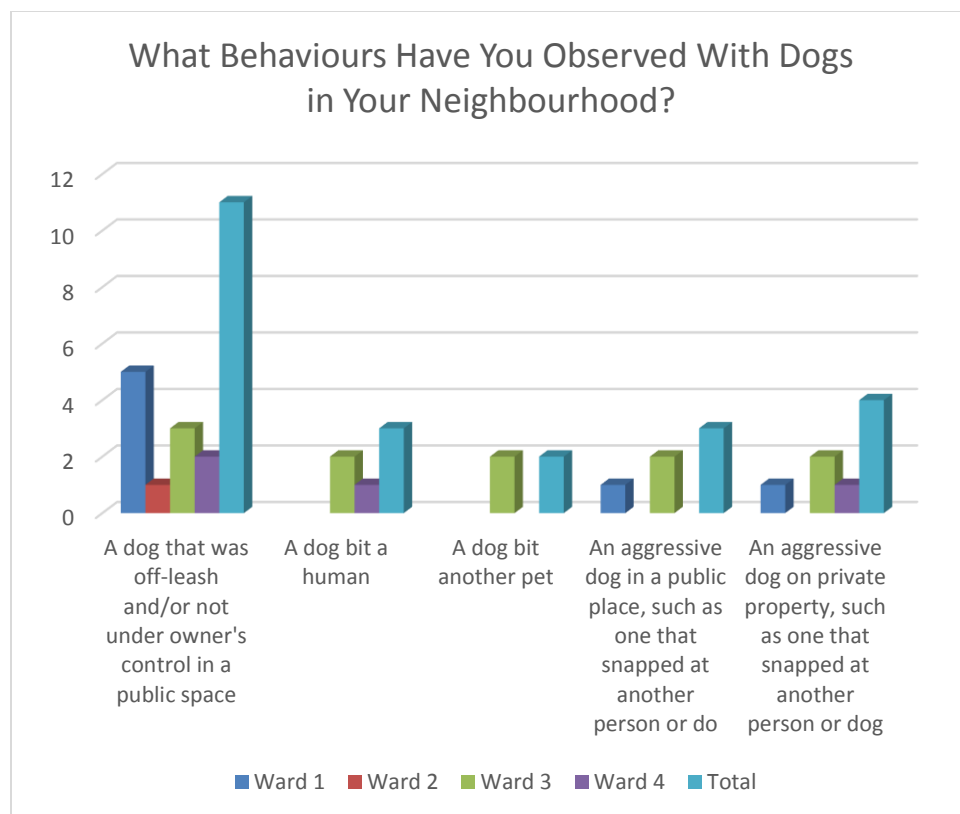
**AND FURTHER that By-law No. 2017-14, Being a By-law to Regulate Dogs and License Dog Kennels, be adopted.**

### **Background:**

Report CL2017-10 outlining the recommended inclusion of Dog Designations and an Appeal Committee was received for information by Council on June 26, 2017. The report recommended that public feedback be sought with respect to the proposed changes to the regulatory Dog Control By-law. An online survey was developed and posted to the Township's website on July 10<sup>th</sup> until August 8<sup>th</sup> and was promoted to the public via various means.

### **Discussion:**

There were sixteen respondents to the online survey and one written submission was received as well. Staff have included the input from the online survey as follows:



**Have dog behaviours in your neighbourhood affected you and/or your family members in other ways?**

Comments Received:

Ward 1

We had an owner a few doors down from us that had 3-4 dogs. Every time they would let them out they would bark like crazy every time. I often have dogs pooping on our lawn that is not cleaned up or a bag of poop left on the corner of our lawn.

\*\*\*\*\*

All positive.

\*\*\*\*\*

We have wasted personal time and effort 1) returning the animals to their owners, 2) having vehicular traffic stopped in the middle of the road to not hit these off leash animals, and 3) collecting dog excrement off of my private property. I have wasted time again and again reporting these animals to Wilmot Township on numerous occasions, however I have not known of any action as they remain off leash.

The animal is not to blame, it is the responsibility of the owner to control their animal and respect neighbouring private properties. However, as a tax paying citizen, I do believe my taxes pay Wilmot Township to enforce such by-laws to

keep the community safe and I do not believe Wilmot is NOT properly enforcing this by-law in my district.

\*\*\*\*\*

Few times I had dogs off leash running up to me or my toddler who's scared of dogs.

\*\*\*\*\*

#### Ward 3

My daughter often come inside to play when dog are loose on the street.

\*\*\*\*\*

My 9 year daughter refrains from playing outside sometimes due to the behaviour of our neighbours Doberman. The dog escaped recently and bit a child.

\*\*\*\*\*

#### Ward 4

Annoying barking all the time!!

Too many dogs unleashed and nervous walking down the street.

### **Are there other behaviours you have observed with dogs in your neighbourhood?**

#### Comments Received:

#### Ward 1

We enjoy the off-leash dogs in our neighbourhood. They are all friendly and we know who they belong to.

\*\*\*\*\*

Various dogs have been off leash without the owner being at home or physically around which has resulted in property damage and excretions on private properties. The latest of these events was yesterday (July 19<sup>th</sup>) where a neighbour's Boxer was on our property without the owner insight, peeing on the side of our house.

I often see people waking their dog off leash around the school yard where there is lots of children playing around. I think it's dangerous for the kids even though the pet owner thinks his/her dog is friendly.

#### Ward 3

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Dogs left out in the yard for prolonged periods and constantly barking.

\*\*\*\*\*

I live across the township on Livingston Blvd. The green space has become a dog haven for owners and dogs. I'm very concerned. A few things:

1) While I was on the other side of Livingston Blvd (across from the green space) a young teen girl was playing with her very large dog. It saw us and charged at us. I put myself around my son and told him not to look at the dog. The girl was screaming at her dog to come back but he didn't listen. I was scared out of my mind for myself & child. The dog came up and sniffed. The girl caught up to the dog and yanked it's collar and yanked it back over to the field where she put a

leash on and walked away.

\*\*\*\*\*

#### Ward 4

Lots of dogs off of leash and running up to people walking on the street.

Not picking up after dog.

Letting dogs roam all over people's property although leashed.

Dogs on school property during school hours when they aren't allowed.

Dogs outside barking for long periods of time into the late night.

\*\*\*\*\*

Left in backyard howling all day.

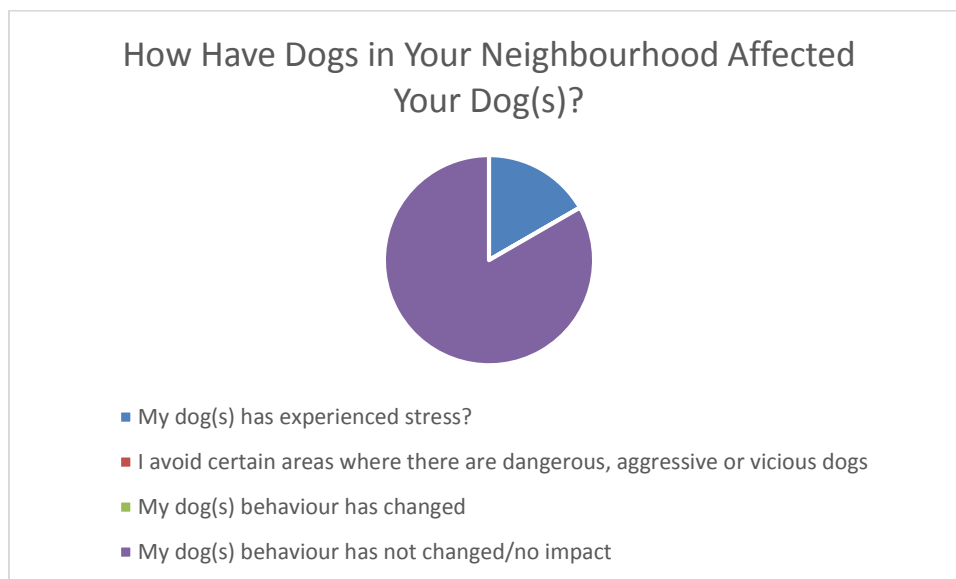
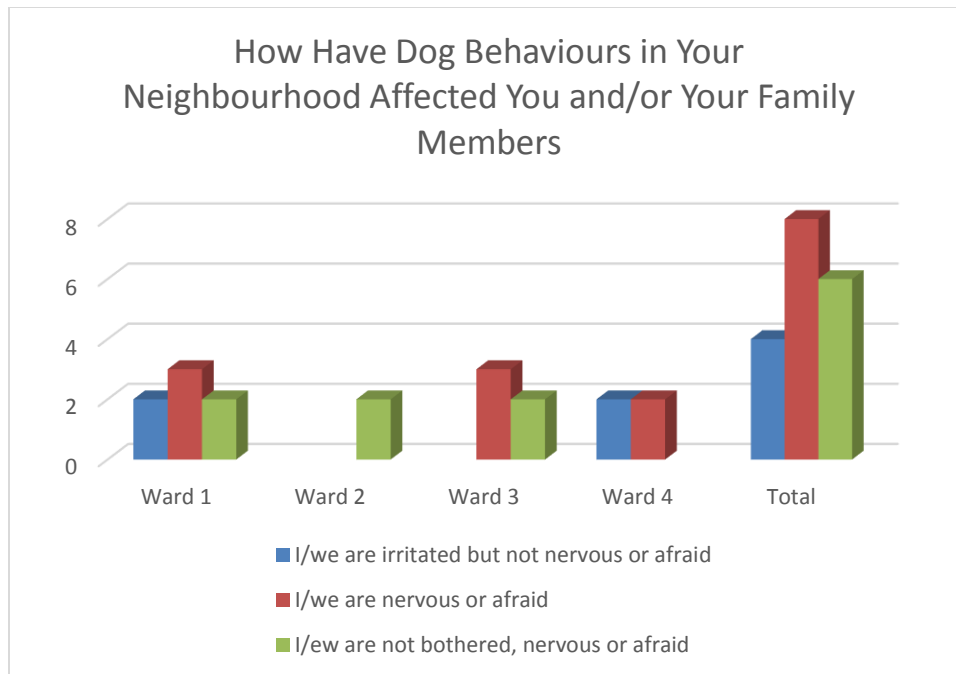
#### Staff Response:

When the Township is made aware of dogs running at large, staff follow up by returning the dog to the owner (if identifiable with dog tag) with a warning for the first offence. A repeat offence will result in the dog being taken to the pound and released back to the owner, subject to the payment of the set fine within the By-law.

With respect to dogs defecating on property other than the premises of the owner, there is a set fine within the By-law against owners of dogs that allow them to do so. With sufficient backup evidence (photos, dates, location) that supports the complaint, the Township can communicate with the owner who is in violation and provide a warning for the first offence and/or lay a charge.

Due to the rise in the number of complaints regarding dogs off leash, staff have been increasing talks with dog owners that are witnessed with their dogs off leash, including added monitoring of the green space adjacent to the Township office. Signage reflecting that dogs must be leashed and owners must stoop and scoop will be installed in this area to help alleviate the problem.

Complaints regarding barking of dogs are handled through the Township's Noise By-law. The public is advised by staff to record excessive barking by means of diarizing the occurrences to back up their concerns - with dates, times, locations. Staff will then follow up with communication to known owners of dogs, to provide a warning or lay a charge.



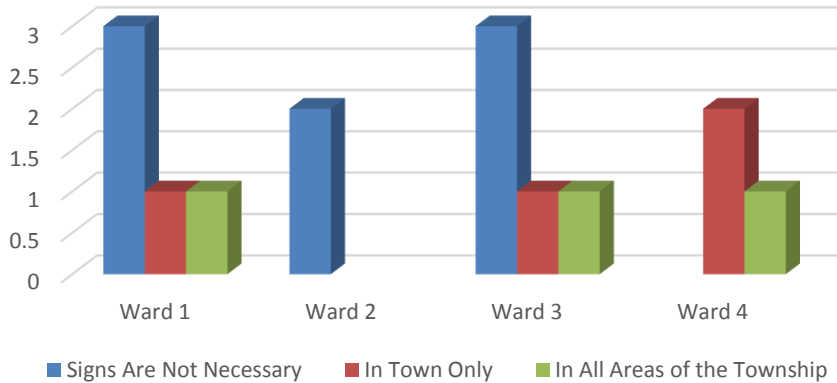
**Have dogs in your neighbourhood affected you or your dog(s) in other ways?**

### Comments

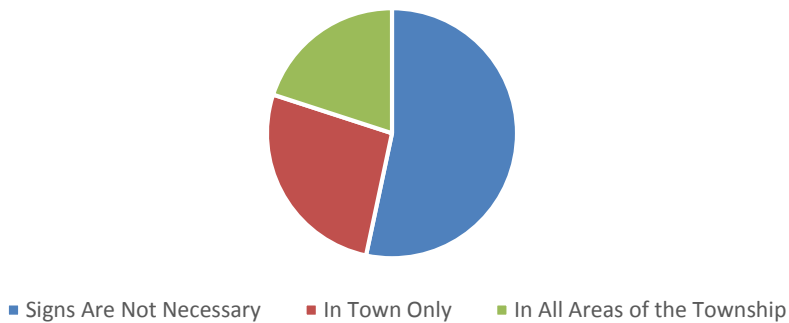
#### Ward 3:

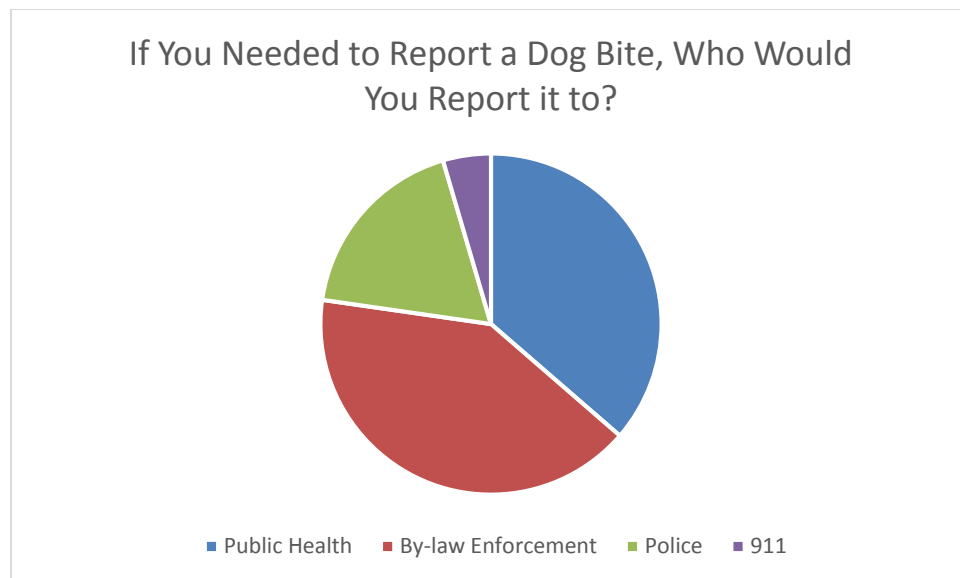
Yes. I don't feel comfortable letting my children play very often in the grass area by the township. There are so many dogs there now throughout the day running around without a leash. I never once have seen by law checking on the dogs or owners.

Do You Feel the Township Should Require Dog Owners Who Use Electronic Containment Devices (Invisible Fences) to Erect Signs Stating They are in Use?



Do You Feel the Township Should Require Dog Owners Who Use Electronic Containment Devices (Invisible Fences) to Erect Signs Stating They are in Use?





**Is there someone else you would report a dog bite to?**

Comments Received:

Ward 1

The owner.

\*\*\*\*\*

If another dog bit my dog I would report it to my veterinarian to see if any action is required on my part to ensure my dog's health

\*\*\*\*\*

Ward 2

Family doctor (if treatment was needed)

\*\*\*\*\*

**Was there someone else you contacted to make your complaint?**

Comments Received:

Ward 1

No – we are dog-friendly and welcoming.

**Was your dog related complaint different than those listed previously?**

Comments Received:

Ward 3

German Shephard in my backyard .....constantly.

\*\*\*\*\*



Ward 4

Neglected dog left in backyard howling all day and night.

**Please share any comments or suggestions about how the Township might more effectively manage, respond to and address the behavior of potentially dangerous and dangerous dogs.**

Comments Received:

Ward 1

We have not seen a problem in Ward 1 of Wilmot. The owners all seem responsible. In previous cities in which we have lived (far outside of Wilmot), we would have welcomed a dangerous-breed ban to eliminate pit bulls and Rottweilers. We do not want pit bulls and Rottweilers as neighbourhood dogs.

\*\*\*\*\*

It appears that some people follow specific by-laws to ensure their animal is under control, however others are not willing to ensure public safety by leashing their dogs when they are not on their own properties. If a situation occurs where an animal is aggressive and leads to a bite, or worse- I do believe that Wilmot Township is partly responsible for not following up with the many complains about the off leash dogs in my neighbourhood. I would like to see more action from the township, meaning less warning and more fines to the dog owners. People will often change their actions when it begins to cost them. For reference the neighbourhood I am referring to is along Cottage Lane in New Dundee. To my knowledge there are 3 dogs running off leash at various times of the day 1) Boxer, 2) Black Lab mix, 3) Sheppard. One property owner with dogs has been following the by-law and keeps their Beagle and Golden Lab Mix gated which I appreciate, however it is not fair for them to be the only ones to follow the by-law while others are unwillingly not.

\*\*\*\*\*

Ward 2

Use common sense.

\*\*\*\*\*

Less intrusive is better. Dog cops are a bad idea (and probably a waste of resources).

Do an occasional serge of dog licensing blitzing. Once people are 'on the list' you have them caught (to pay for licenses) forever.

Make it easy and non-shaming for people to give up their dogs. There is a paucity of dogs at the KWHS so homes are available. It is not true anymore that all surrendered dogs are euthanized.

\*\*\*\*\*

Ward 3

Every day I walk at the ball parks/grandstand area and there is always a dog unleashed by its owner. I change or don't finish my walk.

\*\*\*\*\*

Not related to dogs but I feel related to the topic...We should expand the by law to include cat tags as well. Although cats typically are not aggressive (in my limited experience :) they do create more property damage than dogs...I realize dogs have the potential to create more personal harm. The township should look at expanding the "dog tags" to include "cat tags". Its extremely frustrating to have cats digging up flower and vegetable gardens and jumping onto vehicles and owners don't seem to care..if my dog did that I'm sure we'd hear about it!! We have lived in NH for 15 years and have never seen a dog out of control / bite someone / bite another dog/ etc. I 'm thankful we have a lot of responsible dog owners here!

#### Ward 4

This has been on my mind a lot. Especially with the growing population of dogs in our community. I think the Township is on the right track and needs to make sure to follow through. There needs to be someone from the Township watching what's happening in the green space near the Township. I thought all dogs were to be leashed. Why has the township allowed that space to become an unofficial dog park? Thank you for your time & consideration.

\*\*\*\*\*

There should be laws about cats! They are constantly roaming the streets and in my yard... Leaving messes in my grass and on my front stairs and driveway. They are digging in my garden and climbing on my fence and porch!! Hate them. They need to be contained!!!

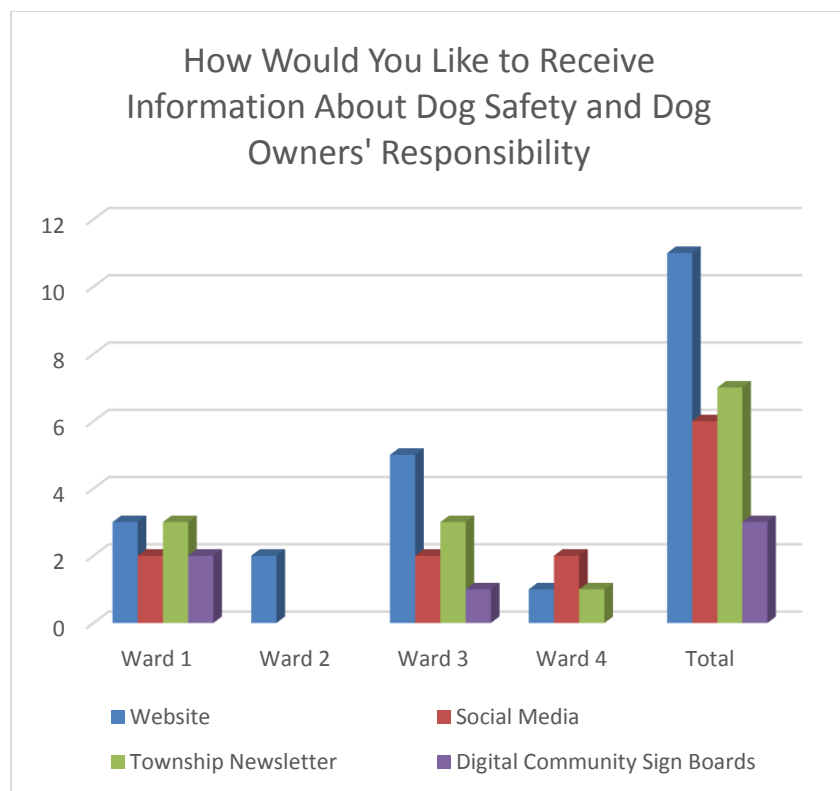
#### Staff Response:

The existing By-law and the proposed By-law are not breed-specific.

The response regarding dogs running at large has been answered earlier in this report. The Township asks that when the public notice dogs running at large, to contact staff at the time of the occurrence.

The multi-year dog licensing system has been in place for some time now and annual invoicing for the tags occurs to all dog owners on the database. Dog canvassing cards are sent out approximately every three years to include dogs that are not recorded on the Township's index. Failure to purchase an annual tag for a dog is a ticketable offence and staff do follow up with enforcement on any violations.

There is no staff initiative at this time to regulate cats, however the Township can include information on its website to encourage cat owners to be as responsible as dog owners and to be a good corporate neighbour.



**Are there other methods you would like to receive information about dog safety and dog owners' responsibility through?**

Comments Received:

Ward 1

Email.

\*\*\*\*\*

Mail outs of the by-law concerning dogs off leash and the responsibilities required as a dog owner.

Aside of the online survey, staff also received written comments from one person. The comments are indented below, accompanied by a staff response to address each comment:

Suggestion to remove all reference to pit bulls from the Township By-law and instead refer to the provincial, *Dog Owners Liability Act*.

Staff Response:

Since 2005 when the province passed *The Public Safety Related to Dogs Statue Law Amendment Act, 2005* which related to pit bulls, the Township had included reference to pit bulls in its existing by-law and established a registry of the location of any pit bulls throughout the Township. The proposed by-law adds some additional definitions relative

to pit bulls, however the new by-law is not breed specific. The by-law emulates the provincial act which continues to ban pit bulls in Ontario. The neighbouring municipalities within the Region are continuing to include wording relative to pit bulls within their Dangerous Dog By-laws. Based on this reasoning, staff are of the opinion that the Township sustain the wording within its by-law.

Suggestion to include any dog incidents on the premises of the owner and to identify separately, dog incidents with children.

Staff Response:

The proposed by-law does not include incidents with dogs on private property. Such incidents are handled through household insurance. This is based on legal advice and other municipal by-law wording that consistently reflects the enforcement of incidents with dogs on property other than the premises of the owner.

With respect to dog bites on children, staff do not see the rationale to single out children. Dogs shouldn't bite anyone, children or adults. The wording in the proposed by-law refers to a dog bite on a 'person' which would include a child.

Suggestion that only dog bite incidents wherein a medical practitioner is involved be acted upon, excluding 'puppy nips and love bites'

Staff Response:

The Township Officers would review each situation as it occurs, utilizing the Staff Operating Guidelines to take under consideration: the history of incidents; levels and seriousness of the bite/injury; any mitigating factors; behavior of the dog; whether any suggested remedial advice to dog owner after one incident has been adhered to, etc. before making a determination of action.

Suggestion that the maximum length of a leash at 1.8 metres (6 feet) is unreasonable given the common use of extended leashes used by many dog owners

Staff Response:

As a point of clarification, the 1.8 metres (6 feet) leash length referred to in the By-law is proposed as a Requirement for Designated Dogs only. Extended leashes are quite acceptable for Non Designated Dogs.

Suggestion that the seven (7) day time period in which to file an appeal against a dog designation is not reasonable and should be expanded considerably

Staff Response:

Staff concur to extend the time period for a dog owner to request an appeal to a Dog Designation Notice to fourteen (14) days.

The fourteen (14) day notice would be sent in three ways: by registered mail, hand delivery and via regular mail to the Owner of the Dog. The fourteen (14) day notice is acceptable considering the public safety element. Email notice to the Township from the owner of the dog, is an acceptable form of written request to the Clerk for an appeal hearing.

Comment that from the time an Owner of a Dog receives a Notice of Designation, that the Requirement to Muzzle and Leash the Dog until the hearing is held, is not fair or justified.

Staff Response:

The Requirement to Muzzle and Leash is in effect to ensure public safety until a determination following the appeal hearing can be made by the Committee.

Comment that the Requirement to inoculate the Dog against rabies and to provide proof satisfactory to the Animal Control Officer that such procedures have been performed, be amended to state that the immunization has not expired.

Staff Response:

Agree with additional wording.

Comment that the provision for a Designated Dog to wear a tag is not pertinent to anyone.

Staff Response:

The Designated Dog tag is pertinent to Officers of the Township who may come across a Designated Dog that, although required to meet specific Requirements, is found to be running At Large, or not muzzled/leashed, thereby alerting them that the Dog may be dangerous to approach. As the public become more aware of the significance of the special tags, (which will be red in colour), they also can exercise additional caution and report any violations of those requirements to the Township.

Comment that an Owner of the dog provide proof to the Township that he or she holds and maintains a valid policy of liability insurance in the amount of two million dollars for injuries caused by the Owner's Designated Dog and that the Township be named as additionally insured, is not attainable or justified.

Staff Response:

From a legal and staff perspective, people who choose to keep a dog that has been Designated as a Dangerous Dog or a Potentially Dangerous Dog should pay the insurance premiums appropriate to cover the potential consequences of that decision to

keep a high risk dog. Staff have confirmed that this type of clause would be attainable through an insurance provider. The wording is consistent with many municipal by-laws.

Comment that a hearing for the Dog Designation Appeal Committee, ... *within thirty (30) business days of the Clerk's receipt of the request for a hearing or as soon thereafter as practicable*,... is an ambitious goal and that the assembly of volunteers and preparation time for the Dog Owner and Committee is not adequate.

**Staff Response:**

Staff feel that the wording of this section is adequate given that if it is determined that the assembly of the Committee members is not feasible within the 30 business days or the Owner of the Dog has legitimate reasons to delay the hearing period, then the hearing would occur when practicable. The appointment of the Committee will include 5 members to compensate for any difficulties in scheduling 3 people to a hearing. This is similar to the process for a property standards appeal. The public notice for a hearing of the Dog Designation Appeal Committee will be the same notice for a meeting of Council, which is that the agenda will be posted to the website of the Township.

**Key Findings:**

The analysis of the community input is as follows:

- There are concerns of dogs off leash and running at large in the Township;
- There are concerns regarding Dog bites on humans and Dog bites on other pets ;
- there are concerns of aggressive dogs in public places and aggressive dogs on private property;
- There are concerns noted that neighbourhood dog behaviours have affected the respondents and/or their family members, with the majority noting that they are nervous or afraid;
- Neighbourhood Dog behaviours have not had an impact on the respondents' dogs;
- The majority of the respondents do not feel that the Township should require Owners of Dogs who use electronic containment devices (invisible fences), to erect signage stating the fences are in use;
- The majority of the respondents do know to report a Dog bite to the Public Health department of the Region and to Township By-law Enforcement;
- The respondents would like to receive information about Dog safety and Dog Owners' responsibility mainly via the Township website but also through the Township Newsletter, Social Media and Digital Signs;
- As well in general, additional comments on the online survey appear to support staff's proposed changes that will promote responsible Dog ownership, help to prevent Dog bites and mitigate risks associated with Dangerous Dogs.

**SUMMARY:**

Based on the abovementioned feedback, previous communications from parties involved in Dog incidents, and in keeping with best practices of municipalities within the Region, staff are of the opinion that the Township can more effectively respond to incidents of dog bites and dangerous or potentially dangerous dogs with Council's approval of the proposed By-law. All revisions to the By-law as proposed in the June 26<sup>th</sup> staff report and the addendum based on public feedback, have been incorporated into the new By-law accordingly.

With the passing of the By-law and approval of the updated set fines by the Attorney General, the Township will proceed to achieve this goal with preventive actions such as educating the public on mitigating risks associated with dangerous dogs and making the public aware of the new By-law, through the production of an awareness brochure, and by posting said brochure and By-law on the Township website, in the Newsletter, via social media and via our community digital signage.

Following the approval of the set fines, staff will commence the process to invite the public to submit their interest in becoming a member of the Dog Designation Appeal Committee and return to Council to appoint said members.

**Strategic Plan Conformity:**

The actions identified in the Report and addendum are in conformity with the Township's Strategic Plan by ensuring people's safety, thereby continuing to allow for an enjoyable quality of life, as well as engaging the community through the communication of municipal matters and the strengthening of customer service.

**Financial Considerations:**

Upon Council approval of the proposed changes to the By-law, the set fine schedule forms part of the By-law, and will come into force and effect upon approval by the Attorney General's Office.

In order to recover the administrative costs associated with Designated Dogs, the annual licence rate will be twice the prescribed rate of a standard Dog Licence as outlined in by-law 2012-04 (Fees and Charges). The number of Designated Dogs within the municipality will be reviewed annually, and subsequently incorporated into budget estimates.

Any other costs incurred to be in compliance with Designated Dog Requirements, shall be borne by the dog owner.

**Conclusion:**

That Report No. CL2017-10 and Addendum, prepared by the Director of Clerk's Services and the Senior Municipal Law Enforcement Officer/Animal Control Officer, be endorsed and that By-law No. 2017-14, Being a By-law to Regulate Dogs and License Dog Kennels, be adopted.

Barbara McLeod, Director of Clerk's Services   Derek Wallace, Senior MLEO

Reviewed by Grant Whittington, CAO





# ***Township of Wilmot***

## **REPORT**

**REPORT NO.** CL2017-20

**TO:** Council

**PREPARED BY:** Dawn Mittelholtz, Deputy Clerk

**DATE:** September 11, 2017

**SUBJECT:** Proposed 2018 Council Meeting Schedule

### **Recommendation:**

**THAT the following schedule for Regular Council Meetings be adopted:**

<b>January 15, 2018</b>	<b>February 12, 2018</b> <b>February 26, 2018</b>
<b>March 5, 2018</b> <b>March 26, 2018</b>	<b>April 9, 2018</b> <b>April 23, 2018</b>
<b>May 7, 2018</b> <b>May 28, 2018</b>	<b>June 4, 2018</b> <b>June 25, 2018</b>
<b>July 23, 2018</b>	<b>August 27, 2018</b>
<b>September 10, 2018</b> <b>September 24, 2018</b>	<b>October 1, 2018</b>
<b>November 5, 2018</b> <b>November 19, 2018</b>	<b>December 3, 2018 (Inaugural).</b>

### **Background:**

Annually, Council adopts by resolution a Regular Council Meeting schedule in accordance with the Procedural By-law.

### **Discussion**

As in previous years, the members of the Senior Management Team review the proposed schedule before recommendation to Council. The schedule is reviewed for potential conflicts with various events that would affect the availability of Council and/or staff. Such events would include

the 2018 Budget process, the Municipal Election, statutory holidays, municipal conferences and spring break.

**Strategic Plan Conformity:**

Upon approval, the schedule is subsequently posted on the Township website thereby communicating current municipal matters and further facilitating future communications for residents and other interested parties.

**Financial Considerations:**

None.

**Conclusion:**

Staff recommends that the above schedule for Regular Council Meetings be adopted.

Dawn Mittelholtz  
Deputy Clerk

Barbara McLeod  
Director of Clerk's Services

Grant Whittington  
Reviewed by CAO



## ***Township of Wilmot*** **REPORT**

<b>REPORT NO.</b>	<b>FIN 2017-32</b>
<b>TO:</b>	<b>Council</b>
<b>PREPARED BY:</b>	<b>Patrick Kelly CPA, CMA Director of Finance</b>
<b>DATE:</b>	<b>September 11, 2017</b>
<b>SUBJECT:</b>	<b>Clean Water and Wastewater Fund – Transfer Payment Agreement</b>

### **Recommendation:**

**That the Township of Wilmot enter into a Transfer Payment Agreement (TPA) with the Ministry of Infrastructure under the Clean Water and Wastewater Fund (CWWF); and further**

**That the Mayor and Clerk be authorized to execute said Transfer Payment Agreement, for a funding allocation of up to \$820,035, towards community infrastructure projects.**

### **Background:**

The 2016 Federal Budget announced the establishment of the CWWF that proposed to invest up to \$570 million in federal funding and up to \$270 million in provincial funding for the province of Ontario.

The CWWF will provide Ontario communities with vital infrastructure funding to help accelerate short-term investments to support the rehabilitation and modernization of drinking water, wastewater and stormwater infrastructure, and the planning and design of future facilities and upgrades to existing systems.

In May 2017, the Township was advised of an approved funding allocation of \$820,035 to support projects within the municipality.

### **Discussion:**

Under the program requirements for CWWF funding, the Township is required to authorize and execute a Transfer Payment Agreement (TPA) with the Ministry. The agreement outlines project specific information, contact information for reporting and transfer of funds, as well as estimated project cost breakdowns.

As per the application for funding, and Sub-Schedule C.1 of the attached agreement, the Township will be utilizing funding to support the costs associated with four (4) exiting capital initiatives:

- WIL-001 – Preliminary Design, Engineering and Construction of Storm Sewer Infrastructure on the Wilmot Employment Lands Site;
- WIL-002 – Preliminary Design, Engineering and Construction of Sanitary Collection Mains on the Wilmot Employment Lands Site;
- WIL-003 – Upgrade Municipal Water Meter reading infrastructure to a wireless FlexNet solution; and
- WIL-004 – Final Engineering, Design and Construction of Watermain underground at King Street (Webster Street to George Street)

Each of these projects were included within the 2017 Capital Budget, approved by Council, and have already initiated works.

This Transfer Payment Agreement will allow for the flow of funds from CWWF to the Township in support of project costs incurred.

**Strategic Plan Conformity:**

This report is aligned with the Strategic Plan goal of creating a prosperous economy through maintaining our infrastructure.

**Financial Considerations:**

The Council approved 2017 Capital Budget was funded in part through an \$820,035 allocation from the Clean Water and Wastewater Fund. The remainder of funding for the projects outlined in this report will come from development charges and infrastructure reserve funds, as outlined within the 10-Year Capital forecast.

**Conclusion:**

Upon approval of Report FIN 2017-32 and By-Law 2017-43, the Mayor and Clerk will execute the Transfer Payment agreement with the Ministry.

Patrick Kelly CPA, CMA  
Director of Finance

Grant Whittington  
Reviewed by Chief Administrative Officer



## ***Township of Wilmot*** **REPORT**

**REPORT NO.** PW-2017-17

**TO:** Council

**PREPARED BY:** Alastair Duncan, Engineering Technician

**DATE:** September 11, 2017

**SUBJECT:** Reforestation Program – Quotation Award

### **Recommendation:**

**That RFQ 2017-21 Reforestation Program quotation be awarded to Mar-John's Nursery Ltd. to complete the 2017 Reforestation Program at an estimated cost of \$43,159.00 plus HST.**

### **Background:**

The Reforestation Program is an annual program that is funded from the Kitchener/Wilmot Hydro grant for tree canopy restoration. The program is focused on re-establishing treed canopy within the Township boulevards and streetscapes. Staff work with residents over the course of the year to log and track requested locations for boulevard trees.

### **Discussion:**

The Township requested quotations for supply and installation of trees throughout the Township as part of the Reforestation Program. The request for quotation was posted online through the Township Online Bids and Tenders website, with the following quotations received (excluding HST):

<u>Bidder</u>	<u>Location</u>	<u>Price</u>
Mar-John's Nursery Ltd.	Waterloo, ON	\$43,159.00
Klomp's Landscaping Inc,	St. Marys, ON	\$51,969.00
Euro Landscape Construction & Grounds Inc.	Etobicoke, ON	\$60,006.39

The work is anticipated to commence late this summer into fall of 2017. A portion of the work may fall into spring of 2018 if the program cannot be completed before winter.

**Strategic Plan Conformity:**

We have a prosperous community through maintaining our infrastructure. We are an engaged community through communicating municipal matters.

**Financial Considerations:**

The approved 2017 Capital Budget includes \$45,000 from the annual hydro grant for the replacement or establishment of tree canopy within the boulevard and streetscape throughout the Township. The estimated work and cost net of HST included in this RFQ falls within the approved budget.

**Conclusion:**

That the quote submitted by Mar-John Nursery Ltd. be approved by Council.

Alastair Duncan  
\_\_\_\_\_  
Prepared by Engineering Technician

Jeff Molenhuis  
\_\_\_\_\_  
Reviewed by Director of Public Works

Grant Whittington  
\_\_\_\_\_  
Reviewed by CAO

**THE CORPORATION OF THE TOWNSHIP OF WILMOT**

**BY-LAW NO. 2017 - 14**

**BEING A BY-LAW OF THE CORPORATION OF THE TOWNSHIP OF WILMOT  
TO REGULATE DOGS AND LICENSE DOG KENNELS  
AND TO REPEAL BY-LAW NO. 2008-01.**

**WHEREAS** Section 11(3) of the *Municipal Act, 2001*, S.O. 2001, Chapter 25, provides for the authority for lower tier municipalities to pass by-laws to regulate animals;

**AND WHEREAS** Section 8(3) of the *Municipal Act, 2001*, S.O. 2001, Chapter 25, provides that a by-law under Section 11 respecting a matter may:

- (a) regulate or prohibit respecting the matter;
- (b) require persons to do things respecting the matter; and,
- (c) provide for a system of licences respecting the matter.

**AND WHEREAS** the *Animals for Research Act*, R.S.O. 1990, Chapter A.22, Section 20, provides for rules and regulations that must be followed for the keeping of Dogs in a municipal pound;

**AND WHEREAS** Regulation 557 of the *Health Protection and Promotion Act*, R.S.O. 1990, Chapter H.7, provides for the isolation of animals suspected of being carriers of rabies, at municipal expense;

**AND WHEREAS** the *Ontario Society for the Prevention of Cruelty to Animals Act*, R.S.O., 1990, Chapter O.36, provides special powers to help animals in distress;

**AND WHEREAS** Section 103 (1), of the *Municipal Act, 2001*, S.O. 2001, Chapter 25, provides that municipalities may pass by-laws with respect to the being at large or trespassing of animals and the seizure, impounding and sale of such at large or trespassing animals within the municipality;

**AND WHEREAS** Section 11 of the *Dog Owners' Liability Act*, R.S.O. 1990, Chapter D.16, provides for rules and regulations that must be followed for the keeping of Dogs;

**AND WHEREAS** Section 12 of the *Dog Owners' Liability Act*, R.S.O. 1990, Chapter D.16, names municipal law enforcement officers as Peace Officers under the Act;

**AND WHEREAS** it is considered desirable to pass a by-law relating to animal control within the Township of Wilmot.

**NOW THEREFORE THE MUNICIPAL COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF WILMOT ENACTS AS FOLLOWS:**

**1. DEFINITIONS**

- 1.1 **Animal Control Officer** - means a Municipal Law Enforcement Officer, a Provincial Offences Officer, or persons appointed by the Township to carry out the provisions of this By-law;
- 1.2 **At Large** - means that an animal shall be deemed at large when found in any place other than the premises at which they are habitually kept, if Not Under the Control of Any Person, and an animal shall not be deemed to be under the control of any person unless accompanied by an attendant who is exercising control over the animal at all times;

- 1.3 **Boarding Kennel** – means a place or facility licensed by the Township where more than three (3) and up to a maximum of fifty (50) Dogs are housed, groomed, kept or boarded for purposes other than breeding;
- 1.4 **Body Length** – means the length of the Dog measured from the point of the nose to the tip of the fully extended tail when the Dog is fully stretched out;
- 1.5 **Breeding Kennel** – means a place or facility licensed by the Township where more than three (3) and up to a maximum of fifty (50) Dogs that are registered or eligible for registration with an association incorporated under the *Animal Pedigree Act* (Canada), R.S. 1985, c.8 (4<sup>th</sup> Supp.), or any successor legislation are bred or raised;
- 1.6 **Containment of Dog on Property** – means that a Dog shall be contained on a property by means of one of the following:
- (i) an enclosure or fenced area that prevents the Dog from leaving the property;
  - (ii) a physical restraint such as a chain or other similar means;
  - (iii) an Electronic Containment Device; or,
  - (iv) where such property is located within an area zoned for agricultural use, any reasonable means that prevents the Dog from being At Large.
- 1.7 **Council** – means the Council of The Corporation of the Township of Wilmot;
- 1.8 **Crossbred** – means a Dog whose sire and dam are of two different breeds;
- 1.9 **Dangerous Dog** – means:
- (i) a Dog that, in the absence of any Mitigating Factor, has attacked, bitten, or caused injury to a person, anywhere other than on the premises of the Owner, or has demonstrated a propensity, tendency or disposition to do so;
  - (ii) a Dog that, in the absence of any Mitigating Factor, has injured a domestic animal, anywhere other than on the premises of the Owner; or;
  - (iii) a Dog, previously designated as a Potentially Dangerous Dog, that is kept, or permitted to be kept, by its Owner in violation of the requirements for such Dog.
- 1.10 **Designation** – means that an Animal Control Officer has determined that a Dog is a Potentially Dangerous Dog, Dangerous Dog, Restricted Dog or Prohibited Dog under this By-law;
- 1.11 **Designation Notice** – means a written notice to an Owner of a Dog advising them as to any Designation or Requirements in relation to their Dog;
- 1.12 **Dog Designation Appeal Committee** – means a committee appointed by Township Council to hear any appeals arising from the Designation of a Dog or any Requirements imposed on a Dog;
- 1.13 **Dispose** – means to sell, adopt out or destroy;
- 1.14 **Dog** - means any member of the species *canis familiaris*, greater than twelve (12) weeks of age, but does not include a Guide Dog, Service Dog or Police Work Dog;



- 1.15 **Dwelling** – means a room or group of rooms occupied as a home or residence;
- 1.16 **Electronic Containment Device** – means an electronic system whereby an underground cable placed around the perimeter of an area transmits an electric shock to the Owner’s Dog if the Dog attempts to leave such area, such system not to be located or used within four hundred (400) metres of a school property;
- 1.17 **Fees and Charges By-Law** – means the current by-law of the Township to establish fees and charges pursuant to the *Municipal Act, 2001*, S. O. 2001, Chapter 25, as amended;
- 1.18 **Guide Dog** or **Service Dog** - means a Dog **required** as a guide for a blind person and having the qualifications prescribed by the regulations under the *Blind Persons’ Rights Act* or a Dog **required** by the person for reasons relating to his or her disability – as defined under *Ontario Regulation 429/07* under the *Accessibility for Ontarians with Disabilities Act, 2005*;
- 1.19 **Leash** – means a lead or tether that is designed to keep a Dog safely restrained and under the control of an accompanying person;
- 1.20 **Mitigating Factor** – means a circumstance which excuses aggressive behaviour of a Dog and, without limiting the generality of the foregoing, may include circumstances where:
- (i) the Dog was, at the time of the aggressive behaviour, acting in defence to an attack by a person or animal;
  - (ii) the Dog was, at the time of the aggressive behaviour, acting in defence of its young;
  - (iii) the Dog was, at the time of the aggressive behaviour, acting in defence to a person or animal trespassing on the property of its Owner; or
  - (iv) the Dog was, at the time of the aggressive behaviour, being teased, provoked or tormented.
- 1.21 **Multiple Unit Dwelling** – means all Dwellings other than single-detached or semi-detached Dwellings, and includes Dwellings where rooms are leased to a party that is unrelated to the owner or primary tenant;
- 1.22 **Muzzle** – means a humane fastening or covering device placed over a Dog’s mouth to prevent it from biting;
- 1.23 **Not Under the Control of Any Person** – means not held on a Leash by the Owner or any other person or not tied up or contained;
- 1.24 **Officer** – means an Animal Control Officer;
- 1.25 **Owner** - means any person, group of persons, partnership or corporation who possesses or harbours Dogs; “owns” or “owned”, shall have a corresponding meaning, and shall include a person or persons who are temporarily the keeper of animals and where the Owner is a minor, the person responsible for the custody of the minor;
- 1.26 **Person** or **Persons** - means any individual or firm, incorporated group, business entity, or club to whom the context can apply;
- 1.27 **Pit Bull Dog** – means a Dog of any age which can be identified by the Animal Control Officer as a Dog of one or more of the following breeds or mixed breeds, namely:
- (i) an American Pit Bull Terrier;

- (ii) a Staffordshire Bull Terrier;
  - (iii) an American Staffordshire Terrier; or
  - (iv) a Dog that has an appearance and physical characteristics that are substantially similar to those of Dogs referred to in any clauses (i) to (iii).
- 1.28 **Police Work Dog** - means a Dog trained to aid law enforcement Officers and which Dog is actually being used for law enforcement purposes; for the protection of the public, including the investigation of crime and the apprehension of criminals;
- 1.29 **Potentially Dangerous Dog** – means a Dog that, in the absence of any Mitigating Factor, chases or approaches any person or domestic animal, anywhere other than on the property of its Owner, in a menacing fashion or apparent attitude of attack, including, but not limited to behaviour such as growling or snarling;
- 1.30 **Pound** - means such premises and facilities designated by the Township for the purposes of impounding and caring for animals taken up by the Township in violation of this By-law;
- 1.31 **Poundkeeper** - means a person or agency designated for the Township to administer the Pound;
- 1.32 **Prohibited Dog** – means
- (i) A Pit Bull Dog which is not a Restricted Dog;
  - (ii) A Pit Bull Dog previously Designated as a Restricted Dog, that is kept or permitted to be kept by its Owner in violation of the Requirements for such Dog; or,
  - (iii) A Dog, previously designated as a Dangerous Dog, that is kept or permitted to be kept by its Owner in violation of the Requirements for such Dog.
- 1.33 **Restricted Dog** – means a Pit Bull Dog that:
- (i) was owned by a resident of Ontario on the day subsection 1(16) of the *Public Safety Related to Dogs Statute Law Amendment Act, 2005* came into force, namely August 29, 2005; or,
  - (ii) was born in Ontario before the end of the 90-day period beginning on the day subsection 1(16) of the *Public Safety Related to Dogs Statute Law Amendment Act, 2005* came into force, namely November 29, 2005.
- 1.34 **Requirements**- means any conditions that may apply to a Dog under this By-law, including any conditions prescribed by an Animal Control Officer;
- 1.35 **Purebred** - means a Dog registered or eligible for registration with an Association incorporated under the *Animal Pedigree Act* (Canada).
- 1.36 **Restraint** - means a Dog is on a Leash or otherwise restrained and under the control of a responsible person.
- 1.37 **Township** – means The Corporation of the Township of Wilmot.
- 1.38 **Zoning By-law** – means the current comprehensive Zoning By-law 83-38, as amended, of the Township.

## **2. ANIMAL CONTROL OFFICERS**

2.1 Council may appoint an Animal Control Officer(s) whose duty it shall be to:

- (i) issue fines in the manner set forth in this By-law, attached as **Schedule 'A'**;
- (ii) maintain accurate records, of all licences issued pursuant to this By-law and such records must include the Dog Owner's name, address, the serial number of the Dog tag licence and copies of documents produced showing proof of rabies vaccination and proof of breed;
- (iii) provide to Council quarterly reports outlining the activities such as complaints and fines issued;
- (iv) inspect licensed kennels once per year, as a minimum or more frequently as required;
- (v) seize and impound Dogs found to be running At Large;
- (vi) prescribe Designations of Dogs as necessary, and prescribe any Requirements that shall apply to a Dog that is subject to a Designation; and,
- (vii) carry out any other provisions of this By-law as required.

## **3. OWNER REQUIREMENTS**

3.1 **No Running At Large:** No person shall allow a Dog to run At Large within the Township.

3.2 **Exemptions:** A Dog shall not be considered running At Large if it is:

- (i) a Guide Dog;
- (ii) a Service Dog; or,
- (iii) a Police Work Dog;

providing it is actively engaged in the performance of its trained duties.

3.3 **Maximum Length of Leash – Designated Dog:** In the case where a Dog is subject to a Designation under this By-law, no person shall use a Leash on said Dog if the Leash exceeds 1.8 metres (6 feet), regardless of whether such Requirement is explicitly stated.

3.4 **Removal and Disposal of Dog Excrement:** Every person who owns, harbors, possesses or is in control of any Dog within the Township, shall remove forthwith and dispose of, in a sanitary manner, any excrement left by said Dog on any property in the Township other than the premises of the Owner of the Dog.

3.5 **Exception:** Vision impaired persons with a Guide Dog or special needs persons with a Service Dog are exempt from the provisions of subsection 3.4 when not on the premises of the Owner of the Dog.

3.6 **Containment of Dog:** An Owner of a Dog shall fulfill all requirements of this By-law relating to Containment of Dog on Property.

3.7 **Electronic Containment Device:** An Owner may use an Electronic Containment Device to keep a Dog contained if:

- (i) The Dog is not a Potentially Dangerous Dog, Dangerous Dog or Restricted Dog; and
- (ii) The Electronic Containment Device is not located or used within three metres (3m) of the boundary of the property.

3.8 **Dog Bites:** No Owner of a Dog shall permit the dog to bite or attack a person or domestic animal in the absence of any Mitigating Factors.

3.9 **Agricultural Property:** No Owner of a Dog shall cause or permit his or her Dog to become a public nuisance by:

- (i) persistently barking at or chasing persons, vehicles, domestic animals, livestock, poultry, or other animals kept on an agricultural property;

#### 4. **RABID DOGS**

4.1 **Immediately Destroyed:** The Owner of a rabid Dog shall immediately have the Dog destroyed and delivered to the Pound.

4.2 **Costs:** If the Pound destroys the rabid Dog, any costs associated with this action are to be borne by the animal Owner.

#### 5. **DOG DESIGNATIONS: GENERAL**

5.1 **Designation:** An Animal Control Officer shall have the authority to designate a Dog as a Dangerous Dog, a Potentially Dangerous Dog, a Restricted Dog or a Prohibited Dog if the Animal Control Officer has reason to believe that the Dog falls within the definitions as set forth in Section 1.

- (i) The Designation may be based upon:
  - (a) The written complaint of a citizen who is willing to testify that the Dog has acted in a manner which causes it to fall within the definition of a Dangerous Dog or Potentially Dangerous Dog, as set forth in Section 1;
  - (b) A Dog bite report filed with the Animal Control Officer/Authority; or
  - (c) Actions of the Dog witnessed by any Animal Control Officer; or
  - (d) Other relevant evidence.

5.2 **Notice Requirements:** Any Owner whose Dog is designated as a Potentially Dangerous Dog, Dangerous Dog, Restricted Dog or Prohibited Dog shall be served with a Designation Notice by an Animal Control Officer. Such Designation Notice is to include:

- (i) A statement that the Animal Control Officer has reason to believe that the Dog is a Potentially Dangerous Dog, a Dangerous Dog, a Restricted Dog or a Prohibited Dog, as the case may be;
- (ii) The Requirements that the Owner must comply with in accordance with this By-Law and when such Requirements take effect; and
- (iii) A statement that the Owner of the Dog who has received the Designation Notice has the right to a request for appeal, provided that such request for appeal is made within fourteen (14) days of receiving the Designation Notice.

5.3 **Service of Notice:** Any Designation Notices served by the Animal Control Officer may be provided by hand delivery or prepaid registered mail and, in the event of service by prepaid registered mail to the Owner's last known address, shall be deemed received on the fifth (5<sup>th</sup>) business day after the date of mailing.

5.4 **Compliance with Designation:** Every Owner and subsequent Owner of a Dog that is subject to a Designation shall comply with each of the Requirements of such Designation and any other Requirements pursuant to this By-law.

- 5.5 **Multiple Requirements within Designation:** If an Owner fails to comply with more than one Requirement under this By-law or under any Designation Notice, failure to comply with each such Requirement constitutes a separate offence under section 21.1
- 5.6 **Request for Appeal:** Any Owner of a Dog who has received a Designation Notice under Section 5, may submit a written request for an appeal to the Dog Designation Appeal Committee. No fee shall be charged for the appeal.
- 5.7 **Appeal Deadline:** Any request for appeal under Section 5.6 shall be submitted to the Township Clerk within fourteen (14) days of the date the Owner received the Designation Notice.
- 5.8 **Requirements In Effect:** A request of the Owner of a Dog for an appeal hearing under this subsection does not act as a stay of any Requirement.
6. **DOG DESIGNATIONS: POTENTIALLY DANGEROUS DOG, DANGEROUS DOG OR RESTRICTED DOG**
- 6.1 **Requirements:** Where the Animal Control Officer designates a Dog as a Potentially Dangerous Dog, a Dangerous Dog or a Restricted Dog and serves the Owner with a Designation Notice stating such Designation, the Designation Notice may require any or all of the following Requirements be fulfilled by the Owner:
- (i) to keep the Dog, when it is on the lands and premises of the Owner, confined;
  - (ii) to keep the Dog within the Owner's Dwelling and under the effective control of an adult;
  - (iii) to keep the Dog in an enclosed pen constructed with a secure top and sides and either a secure bottom effectively attached to the sides or sides embedded in the ground to a minimum depth of 30 centimeters (1 foot), or as otherwise approved by the Animal Control Officer. The pen shall provide humane shelter for the Dog while preventing it from escaping and preventing entry therein of unsupervised children;
  - (iv) to keep the Dog under effective Restraint or under effective Restraint with a Leash, at all times when it is not confined in accordance with subsection 6.1(i), or when it is off the Owner's lands and premises;
  - (v) to keep the Dog caged, penned or otherwise under Restraint, or under the control of an adult, when children under the age of 16 are in the Owner's Dwelling;
  - (vi) to securely attach a Muzzle to the Dog at all times when it is not confined on the Owner's lands and premises, or when it is off the Owner's lands and premises;
  - (vii) to provide the Animal Control Officer with the new address and telephone of the Owner within two (2) business days of moving the Dog;
  - (viii) to provide the Animal Control Officer with the name, address and telephone number of the new Owner within two (2) business days of selling or giving away the Dog;
  - (ix) to advise the Animal Control Officer within two (2) business days of the death of the Dog; to advise the Animal Control Office forthwith if the Dog has run At Large or has bitten or attacked any person or animal;
  - (x) to purchase and display, at the entrance to the Owner's Dwelling which a person would normally approach, or at any other place on the property as directed by the Animal Control Officer, a warning sign or warning signs provided by the Animal Control Officer. The sign(s) shall be posted as approved by the Animal Control Officer

and in such a manner that it/they cannot be easily removed. The sign posted at the entrance which a person would normally approach must be clearly visible to a person approaching the entrance;

- (xi) to have the Dog inoculated to provide immunization against rabies and to provide proof satisfactory to the Animal Control Officer that such procedures have been performed and has not expired;
- (xii) to provide a copy of the Designation Notice to any person who keeps or harbors the Dog;
- (xiii) to cause the Dog to wear the tag or tag(s) provided by the Animal Control Officer at all times. The fee for such Designated Dog tag shall be at twice the rate of a regular tag as stated in the Township's Fees and Charges By-law;
- (xiv) to provide, to the Animal Control Officer, within the timeframe specified by the Animal Control Officer, proof that the Owner holds and maintains a policy of liability insurance in the amount of two million dollars, for injuries caused by the Owner's designated Dog. The Township shall be named as additionally insured. It is the responsibility of the Owner to inform the Township for any cancellation, termination or expiration of the policy. The policy shall be in force at all times during the Dog's life; and
- (xv) to satisfy any other Requirements that the Animal Control Officer may prescribe.

## 6.2 **Dangerous Dogs:**

- (i) **Additional Requirements:** In addition to the Requirements set out in section 6.1, the Designation Notice for a Dangerous Dog may also prohibit the Owner from keeping or harbouring the Dog in a Multiple Unit Dwelling.
- (ii) **Exception:** Notwithstanding subsection 6.2. (i), where the Owner's Dwelling is a Multiple Unit Dwelling, the Designation Notice may permit, at the discretion of the Animal Control Officer, the Dog to be kept or harboured at another location approved by the Animal Control Officer.

## 6.3 **Additional Requirements for Restricted Dogs:** In addition to the Requirements set out in section 6.1, the Designation Notice for a Restricted Dog may also:

- (i) prohibit the Owner from keeping or harbouring the Dog in a Multiple Unit Dwelling;
- (ii) if the Restricted Dog has a litter of puppies, require the Owner to notify the Animal Control Officer, within two (2) business days of the birth of the puppies; and
- (iii) if the Restricted Dog has a litter of puppies, require the Owner to deliver the offspring to the Pound within seven (7) days of the birth of the puppies and the Poundkeeper may take action with respect to the Dog as permitted by the *Animals for Research Act*, R.S.O. 1990, c. A.22, as amended, or any regulations thereunder.

## 6.4 **Restricted Dog – Requirement to Register Dog:** Every person who is the Owner of a Restricted Dog shall cause said Dog to be registered with an Animal Control Officer within two (2) days of owning the Restricted Dog. Registration of a Restricted Dog is in addition to the annual licensing of said Dog.

## 6.5 **Failure to Register Restricted Dog:** Every Owner of a Restricted Dog who fails to register said Dog with an Animal Control Officer will be required to pay a fine in accordance with the set fine Schedule of this By-law.

## **7. DOG DESIGNATION - PROHIBITED DOGS**

- 7.1 No person shall keep or harbor, or permit a person to keep or harbor, a Prohibited Dog.

## **8. IMPOUNDMENT OF DOGS**

- 8.1 **Impoundment by Animal Control Officer:** Any Dog may be seized and impounded by an Animal Control Officer if it is:

- (i) At Large;
- (ii) a Prohibited Dog;
- (iii) an unregistered Restricted Dog;
- (iv) a Dangerous Dog or Potentially Dangerous Dog if it is determined by the Animal Control Officer to be in violation of any Requirements under this By-law;
- (v) alleged to have bitten any person, and is ordered impounded by the Regional Medical Officer of Health in accordance with the *Health Protection and Promotion Act*, R.S.O., 1990, C. h. 7;
- (vi) suspected of being rabid, and is ordered impounded by the Regional Medical Officer of Health in accordance with the *Health Protection and Promotion Act*, R.S.O. 1990, C.h.7; or,
- (vii) behaving, or have behaved in a manner that is in contravention of any Township By-law.

- 8.2 **Impoundment by Any Person:** Any person may capture a Dog running At Large or trespassing on his or her property and deliver it to the Animal Control Officer or Pound.

### **8.3 Length of Impoundment:**

- (i) The Pound shall keep any impounded Dog for, at a minimum, the redemption period established by the *Animals for Research Act*, R.S.O. 1990, c. A.22, as amended, or any regulations thereunder.
- (ii) **Female Dog in Heat:** any female Dog found to be running At Large who is in heat may be held by the Animal Control Officer until no longer in heat, up to a maximum of twenty-one (21) days with the costs of such impoundment to be borne by the Owner of such Dog.
- (iii) **Potentially Dangerous Dog, Dangerous Dog, or Restricted Dog:** the Animal Control Officer may refuse to release an impounded Potentially Dangerous Dog, Dangerous Dog or Restricted Dog to its Owner or to any other adult person if the Animal Control Officer is not satisfied that the Owner or other person is aware of and will comply with the Requirements for keeping the Dog.
- (iv) **Prohibited Dog:** the Animal Control Officer may Dispose of an impounded Prohibited Dog in a humane manner as soon as practicable.
- (v) **Suspected Rabid Dog:** the Animal Control Officer may keep an impounded Dog that is suspected of being rabid under supervised quarantine for a period as set out in an order of the Regional Medical Officer of Health and in accordance with the *Health Protection and Promotion Act*, R.S.O., 1990, c.H.7, or any successor legislation.

- 8.4 **Power to Immunize Against Rabies:** Any impounded Dog that is not wearing a tag for the current year may be given an inoculation by the Poundkeeper to provide immunization against rabies.

- 8.5 **Release of Dog:** An Animal Control Officer may release an impounded Dog to an Owner at any time unless otherwise directed by this By-law.

8.6 **Conditions for Release:** An Animal Control Officer may require any of the following of the Owner prior to releasing the Dog, and may refuse to release the Dog until such conditions are met:

- (i) That the Dog be licensed for the current year;
- (ii) Payment of any Pound and maintenance fees;
- (iii) Payment for the cost of any vaccination or medical treatment administered; or
- (iv) Reimbursement of any costs incurred by the Pound during impoundment of the Dog.

## 9. **SALE AND DESTRUCTION OF DOGS**

### 9.1 **Power to Dispose or Sell:**

- (i) **General:** Unless otherwise directed in this By-law, if a Dog has been impounded and has not been restored to its Owner, where the Owner is known to the Township and has received notification of such impoundment, within the redemption period established by the *Animals for Research Act, c. A.22*, as amended, or any regulations thereunder, and in accordance with Section 9, the Dog may be:
  - (a) Disposed of by the Pound in a humane manner; or
  - (b) Sold by the Pound.
- (ii) **Proceeds of Sale:** The proceeds from the sale of any Dog by the Pound shall belong to the Pound.
- (iii) **Notice of Designation:** when selling or disposing of a Dog pursuant to this By-law, the Animal Control Officer shall give any known Designation Notice and resulting Requirements relating to that Dog to a person prior to transferring Ownership of the Dog to that person.

9.2 **Power to Destroy:** Notwithstanding subsection 9.1, an Animal Control Officer may cause a Dog to be destroyed at any time:

- (i) if the Dog is injured, and in a licensed veterinarian's opinion it would be inhumane to wait for the Dog to be reclaimed or sold;
- (ii) if the Dog has not been claimed within the redemption period established by the *Animals for Research Act, R.S.O. 1990, c. A.22*, as amended, or any regulations thereunder, in which case the dog may be destroyed upon the expiry of the redemption period;
- (iii) if the Dog is a Potentially Dangerous Dog, Dangerous Dog, or Restricted Dog and after fourteen (14) days, if the Animal Control Officer is not satisfied that the Owner or any other person claiming the Dog will comply with the Requirements for keeping the Dog;
- (iv) if the Dog is a Prohibited Dog; or
- (v) if the Dog is rabid.

9.3 **Impoundment Costs:** The Owner of every Dog impounded, if known, whether or not the Dog is claimed by the Owner from the Pound, shall be liable for the payment of the Pound fee, the boarding fee, and any euthanasia and disposal fees applicable, and shall pay all fees on demand to the Pound.

## 10. **DOG DESIGNATION APPEAL COMMITTEE**

10.1 A Dog Designation Appeal Committee is hereby established to hear appeals of Designations and Requirements.

10.2 The Dog Designation Appeal Committee shall be composed of such persons, not fewer than three (3), as Township Council considers advisable.



- 10.3 The members of the Dog Designation Appeal Committee shall generally hold office for the term of Township Council. Township Council shall have the full power and discretion to appoint or remove members from the Dog Designation Appeal Committee.
- 10.4 The remuneration rate for the members of the Dog Designation Appeal Committee shall be \$50.00 per meeting plus the standard municipal mileage rate.
- 10.5 The members of the Dog Designation Appeal Committee shall select a Chair from among themselves. When the Chair is absent through illness or otherwise, the Dog Designation Appeal Committee may appoint another member as Acting Chair.
- 10.6 A majority of the members of the Dog Designation Appeal Committee constitutes a quorum for transacting the Dog Designation Appeal Committee's business.
- 10.7 Township Clerk's Services shall provide a staff liaison for the Dog Designation Appeal Committee who shall keep on file, the records of all official business of the Dog Designation Appeal Committee, including records of appeals and minutes of all decisions respecting those appeals.
- 10.8 The Dog Designation Appeal Committee shall give notice or direct that notice be given of the hearing of an appeal to such persons as the Dog Designation Appeal Committee considers advisable.
- 10.9 The Owner of a Dog who received a Designation Notice from an Animal Control Officer or other duly appointed officer, designating such Dog as a Potentially Dangerous Dog, Dangerous Dog, Restricted Dog or Prohibited Dog, may request an appeal of such Designation, or any of the Requirements imposed, by making a request in writing to the Township Clerk within fourteen (14) days of receipt of such Designation Notice.
- 10.10 The Dog Designation Appeal Committee shall hold a hearing pursuant to the *Statutory Powers Procedure Act*, R.S.O. 1990, c. S. 22, as amended, which shall be open to the public, within thirty (30) business days of the Clerk's receipt of the request for a hearing or as soon thereafter as practicable.
- 10.11 When a Dog has been designated by the Animal Control Officer or other duly appointed officer as a Potentially Dangerous Dog, a Dangerous Dog, a Restricted Dog or a Prohibited Dog, and when a hearing has been requested, the Dog Designation Appeal Committee may do any of the following:
- (i) confirm or rescind the Designation;
  - (ii) substitute its own Designation of the Dog as a Potentially Dangerous Dog, Dangerous Dog, Restricted Dog or Prohibited Dog; and/or
  - (iii) substitute its own Requirements, including any Requirements the Dog Designation Appeal Committee may tailor to the specific circumstances before it, or uphold or vary the Requirements imposed by the Animal Control Officer.
- 10.12 Any decision of the Dog Designation Appeal Committee is final.
- 10.13 Where a person has requested a hearing and does not appear at the appointed time, the Dog Designation Appeal Committee may dismiss the hearing as abandoned or, where it has cause to believe it would be beneficial, may adjourn the hearing to allow the Dog Owner an opportunity to be present.

- 10.14 If the hearing is dismissed as abandoned by the Dog Designation Appeal Committee, the Designation and Requirements set out by the Animal Control Officer in the Designation Notice shall be considered confirmed by the Dog Designation Appeal Committee and there shall be no further right to appeal.

## **11. LICENSING OF DOGS (TAGS)**

- 11.1 Every person who is the Owner of a Dog shall:
- (i) within ten (10) days after the Dog comes into his or her possession; or,
  - (ii) after the Dog has reached the age of 12 weeks,
- whichever is the later, cause the Dog to be licenced for a period which will expire on the 31st day of December in each year in which the same was issued.
- 11.2 Every person residing within the limits of the Township, being the Owner of a Dog shall, on or before the 31st day of March in each and every year cause such Dog to be registered with an Animal Control Officer or Treasurer, or designate, and shall procure a licence therefor, which license shall expire on the 31st day of December in each year in which the same was issued.
- 11.3 Every Owner of a Dog shall cause a Dog tag to be securely affixed on the Dog at all times (until the tag is renewed or replaced) bearing figures or marks indicating that the licence fee as hereinafter set out has been paid for the current year. Said tag shall be supplied by an Animal Control Officer, or designate, upon the payment of the licence fee.
- 11.4 A record shall be kept by the Township showing the name and address of the Owner and the serial number of the Dog tag.
- 11.5 Upon application for a licence, the Township may require the Owner to produce a certificate signed by a practicing veterinarian that the Dog has been inoculated with an anti-rabies vaccine within a period of twenty-four (24) or thirty-six (36) months, dependent on the type of vaccination received, immediately preceding the date of the application for the licence.
- 11.6 The Dog tag shall bear the serial number and the year in which it was issued and no person shall remove the tag from a licensed Dog; however, said Dog tag may be removed while the Dog is being lawfully used for hunting.
- 11.7 No Dog licence shall be transferable within the corporate limits of the Township provided said licence was issued by the Township in the first instance.
- 11.8 In the event a Dog tag is lost, an Owner shall apply for a replacement Dog tag and shall pay the fee as set out more particularly in the Fees and Charges By-law.
- 11.9 At such time the Township deems necessary, a Dog canvasser(s) may be employed to issue and collect fees for Dog licences and collect data for the continued maintenance of the Dog database.
- 11.10 That it is hereby imposed and shall be collected by an Animal Control Officer or Treasurer, or designate, from the Owner of every Dog or the Owner of a kennel in the Township, an annual license fee.

- 11.11 Notwithstanding the provisions of this By-law, the Treasurer of the Township, or designate, is authorized and directed to have Dog and kennel licences for sale in his/her office and the Treasurer, or designate, shall have the same authority as an Animal Control Officer to collect licence fees, issue licences and supply tags. All licence fees collected by an Animal Control Officer, Dog canvasser or designate shall be paid to the Treasurer within one (1) month of the receipt thereof together with an appropriate explanatory statement.
- 11.12 An Owner of a Guide Dog, Service Dog or Police Dog, upon providing proof that the Dog has been trained and certified as such, shall be granted an exemption to the licence fee.

## **12. LICENSING OF DESIGNATED DOGS**

- 12.1 Every Owner of a Dog that is subject to a Designation and that resides within the Township shall comply with the following Requirements:
- (i) **Five-Day Period**: Every Owner of a Dog subject to a Designation shall cause the Dog to be registered and licensed annually on or before the 31<sup>st</sup> day of March or within five (5) days of becoming an Owner of such Dog; and
  - (ii) **Proof of Liability Insurance**: Upon application for a licence, if the Owner of a Dog subject to a Designation has been required by the Animal Control Officer to maintain a policy of liability insurance under subsection 6.1 (xiv), the Owner shall not be granted a licence unless he or she has provided, with the licence application, proof of said liability insurance, which must cover the twelve month period during which the licence will apply.

## **13. NUMBER OF DOGS**

- 13.1 **Maximum Number of Dogs Per Dwelling**: Subject to the provisions of this By-law, no person shall keep or permit to be kept, more than three (3) Dogs on his or her property. For the purpose of this paragraph, puppies that have not been weaned shall not be counted in determining the number of Dogs on the premises.
- 13.2 **Exceptions**: Section 13.1 of this By-law shall not apply to:
- (i) an animal hospital owned and operated by a veterinarian licensed by the Ontario Veterinary Association;
  - (ii) a pet store;
  - (iii) an Ontario Humane Society Shelter or the Pound which complies with this By-law;
  - (iv) a licenced kennel;
  - (v) circuses; or
  - (vi) educational facilities

## **14. LICENSING OF KENNELS**

- 14.1 Council shall issue licences for all new and expanded kennels, which may be subject to certain conditions, as determined and imposed by Council. The aforesaid conditions imposed by Council shall remain in full force and effect until Council agrees to rescind said conditions.
- 14.2 New kennel licences shall only be issued by Council once Council is satisfied that the site plan required in Section 8.7 has been completed in accordance with the specific standards for kennels contained in this By-law.

- 14.3 Notwithstanding any other provision of this By-law, if a kennel existed before this By-law came into effect, and Council approved said kennel subject to certain conditions, which may have included specifying a set number of Dogs allowed in said kennel, all of those conditions shall remain in full force and effect, unless Council rescinds those conditions.
- 14.4 Every Owner of a kennel shall apply for and pay a licence fee in accordance with the provisions of the Fees and Charges By-Law.
- 14.5 Conditional kennel licences may be granted by the Clerk when a change of Ownership occurs, within the corporate limits of the Township, subject to the following process:
- (i) an application fee shall be established under the Fees and Charges by-law;
  - (ii) a written request shall be submitted to the Clerk along with the appropriate application fee; and
  - (iii) the conditional licence shall be subject to the closing transaction of the property
- 14.6 Each kennel must conform to the provisions of the Township's Zoning By-law and no kennel, shall be erected contrary to the provisions of such Zoning By-law.
- 14.7 An application for a kennel licence shall be submitted in the proper form, including a detailed site plan and the appropriate fee to the Township.
- 14.8 Applications for a new kennel in the Township will only be permitted where purebred/registered/recognized/Crossbred breeds are being maintained.
- 14.9 No kennel shall be located within a minimum of one hundred fifty (150) metres (492 feet) of any adjacent habitable building, building used for the keeping of livestock (as defined in Zoning By-law) or any road allowance excluding buildings of the Owner of the property on which the kennel is located. The kennel facility must be separate from all other facilities.
- Separate from all other facilities shall mean:
- (i) a separate entrance way;
  - (ii) a solid wall, of impermeable material, separating the kennel facility from habitable facilities or facilities used for the keeping of livestock; and,
  - (iii) separate ventilation and duct work.
- 14.10 Any applications for a new and expanded kennel shall be subject to circulation within one hundred fifty (150) metres of all property boundaries upon which a kennel is located and a public meeting for a decision by Council as to whether or not a licence shall be granted.
- 14.11 The Owner/operator of a kennel shall erect and install a fence, minimum height of four (4) feet, around every pen, run or exercise yard. Such fence is to be constructed to prevent visibility from the exterior and to provide acoustical barriers where necessary, as determined by the Township.
- 14.12 No person shall operate a kennel except in accordance with the terms and conditions of the kennel licence issued by the Township.
- 14.13 After having given notice in writing, the Township may, at any time, cancel a kennel licence when it is of Council's opinion that the continued operation of the kennel is not in the best interest of the Township. Such grounds for cancellation shall include unresolved problems of noise, sanitation, care of Dogs, or uses other than permitted by the kennel

licence.

14.14 The written notice described in Subsection 8.13 shall be delivered in person or mailed by prepaid registered mail to the registered Owner of the kennel.

14.15 No person shall operate or continue to operate a kennel without a valid licence.

14.16 All kennel licences shall be valid for a one-year period commencing on the date of issuance (typically January 1<sup>st</sup>) and expiring on December 31 of the same year.

14.17 Breeding kennels:

- (i) may only license, keep or raise purebred/registered or recognized breeds of Dogs;
- (ii) may contain only a maximum number of fifty (50) Dogs, subject to compliance with the requirements contained in this By-law.

14.18 Boarding kennels:

- (i) may contain only a maximum number of fifty (50) Dogs, subject to compliance with the requirements contained in this By-law.

14.19 Unsold puppies will be counted towards the total number of Dogs kept at a kennel upon reaching four (4) months of age.

14.20 No licence will be issued to any kennel operator that does not comply with the by-law.

## **15. KENNEL CONDITIONS**

15.1 Every person who owns and operates a kennel shall construct the kennel facilities in accordance with the following regulations:

- (i) No animal shall be kept in unsanitary conditions including an accumulation of feces, odour, insect or rodent infestation.
- (ii) The kennel building shall have floors and walls made of sealed concrete or other impermeable material (including rigid plastic); wire floors will not be permitted.
- (iii) The floor of the kennel building shall be self-draining with a maximum five (5) minute drain time.
- (iv) The yards and runways associated with kennel operation shall be completely enclosed with a fence as required in Subsection 8.11 of this By-law.
- (v) Every kennel shall be properly equipped with accessible fresh water and adequate feed both in clean, properly sized containers to maintain animals in a healthy condition.
- (vi) Every kennel shall be provided with adequate natural or artificial light, proper ventilation and sufficient heat to maintain healthy conditions.
- (vii) Every kennel shall be provided with adequately shaded, open air runs, properly fenced to maintain control of the Dogs and with adequate space to accommodate the breed of Dog being housed.
- (viii) Every kennel shall be constructed to provide the following individual pen minimum space per Dog:
  - (a) less than 12 kgs - 0.75 sq.m. per Dog
  - (b) 12 - 30 kgs - 1.20 sq.m. per Dog
  - (c) 31 - 50 kgs - 2.23 sq.m. per Dog

- (d) more than 50 kgs - sufficient space for the animal to stretch or stand to its full body height and full body length (minimum 2.0 sq.m. per Dog)

## **16. BREEDING KENNEL CONDITIONS**

- 16.1 Every kennel Owner/operator shall maintain the whelping bitch in separate accommodation from the balance of the Dogs in the kennel and shall provide 2 ½ times the size of the whelping bitch.
- 16.2 The whelping box shall be constructed with four sides and floor made from impermeable materials. Within the box, breed specific measures should be taken to prevent accidental suffocation of the puppies by the bitch.
- 16.3 Adequate supplemental heat shall be provided.
- 16.4 All breeding kennels shall provide sufficient designated space for the proper enrichment and socialization of puppies to be offered for sale.
- 16.5 Every kennel Owner/operator shall provide a separate outdoor run for the whelping bitch to prevent transfer of diseases from other adult Dogs to the puppies.

## **17. RECORDS**

- 17.1 Every person who operates a kennel shall maintain records of the following minimum information:
  - (i) The names and addresses of the Owners of all Dogs cared for at the kennels;
  - (ii) The dates of arrivals and departures of the individual Dogs from the kennels;
  - (iii) Breeding and identification records of all whelping bitches and stud Dogs and the resulting litters;
  - (iv) The names and addresses of the purchasers of the individual puppies; and,
  - (v) Veterinarian records on individual Dogs maintained in the kennel.

## **18. KENNEL INSPECTIONS/POSTING OF LICENCE**

- 18.1 Every person who holds a kennel licence or the Owner/operator of the kennel shall, at all reasonable hours, be open to inspection by an Animal Control Officer, an agent or inspector from the Ontario Society for the Prevention of Cruelty to Animals or other such person trained in the area of disease control and sanitation as may be appointed by the Council. Routine inspections will be conducted annually, with sufficient notice being given to the kennel Owner/operator.
- 18.2 Every person who holds a kennel licence or the Owner/operator of the kennel shall keep the licence posted in a conspicuous place on the premises and shall, when so requested by any person authorized by the Township, produce such licence for inspection.

## **19. EXEMPTION PROCESS BEYOND FIFTY (50) DOG RESTRICTION**

- 19.1 An exemption granted to expand the number of Dogs permitted in a kennel operation beyond the fifty (50) maximum capacity shall be subject to the following process:
  - (i) an application fee shall be established under the Fees and Charges By-law;

- (ii) the application fee to expand shall be in addition to the initial fee for approval of a kennel operation;
- (iii) the applicant shall provide a written request and submit the appropriate application fee to the Clerk;
- (iv) notice of the application shall be circulated by personal service or prepaid first class mail to every Owner of land within 150 metres of all property boundaries upon which a kennel is located;
- (v) notice of the application including an explanation of the proposed expansion of Dogs, the date, time and location of the public meeting to consider the application shall be given by publication in a newspaper that is of sufficient circulation in the area to which the application applies; and,
- (vi) the application shall be subject to an inspection prior to Council approval.

## **20. ADMINISTRATION AND ENFORCEMENT**

20.1 **Power:** Any Animal Control Officer may enter on land at any reasonable time for the purpose of enforcing this By-law.

20.2 **Inspection Powers of Animal Control Officer:** For the purpose of an inspection under this By-law, the Animal Control Officer may:

- (i) require the production for inspection of documents or things relevant to the inspection;
- (ii) inspect and remove documents or things relevant to the inspection for the purpose of making copies or extracts;
- (iii) require information from any person concerning a matter related to the inspection; and,
- (iv) alone, or in conjunction with a person possessing special or expert knowledge, make examinations or take tests, samples or photographs necessary for the purposes of the inspection.

20.3 **Remedial Powers:** Where any act or thing required to be done in accordance with this By-law is not done, the Township and/or its agent(s) may cause the matter or thing to be done and recover the costs of doing so by adding the costs to the tax roll of the property and collecting them in the same manner and with the same priority as municipal taxes.

20.4 **Prohibition on Obstruction:** No person or persons shall obstruct, hinder, delay or prevent the Animal Control Officer, or Medical Officer of Health, or any person acting under his or her direction or instructions, in the exercise of any power conferred or the performance of any duty imposed by this By-law.

## **21. OFFENCE**

21.1 **Contravention:** Every person or Owner who contravenes any provision of this By-law is, upon conviction, guilty of an offence and is liable to a fine recoverable under the Provincial Offences Act, R.S.O., 1990, c.P.33, as amended, or any successor legislation.

## **22. LIABILITY**

22.1 **No Liability:** The Township, its agents and servants, and the Animal Control Officer/designate shall not be liable for damages or compensation for any Dog destroyed or sold under the provisions of this By-law and no such damages or compensation shall be paid to any person.

## **23. SEVERABILITY**

23.1 **Continued Force and Effect:** Should any part of this By-law be declared by a court to be invalid, the remaining provisions shall remain in full force and effect, and the by-law shall be read as if the offending section has been struck out.

**24. SHORT TITLE**

24.1 This by-law may be cited as the Dog Control By-law.

**25. PASSING**

25.1 This by-law shall come into effect and By-law No. 2008-01 will be rescinded upon final approval of the Set Fine Schedule by the Ministry of the Attorney General.

**READ** a First and Second time this 11<sup>th</sup> day of September, 2017.

**READ** a Third time and finally passed in Open Council this 11<sup>th</sup> day of September, 2017.

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Mayor

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Clerk



**THE CORPORATION OF THE TOWNSHIP OF WILMOT**

**BY-LAW NO. 2017-14**

**PART I PROVINCIAL OFFENCES ACT**

**TITLE: DOG CONTROL BY-LAW**

	<b>COLUMN 1</b>	<b>COLUMN 2</b>	<b>COLUMN 3</b>	<b>COLUMN 4</b>
	<b>SHORT FORM WORDING</b>	<b>PROVISION CREATING OR DEFINING OFFENCE</b>	<b>SET FINE</b>	
	Allowing dog to run at large	3.1	\$85.00	
	Failing to remove dog waste	3.4	\$85.00	
	Failing to prevent dog from chasing or barking at persons, vehicles, domestic animals, livestock, poultry or other animals kept on agricultural property	3.9	\$85.00	
	Failing to comply with muzzle order	6.1 vi	\$200.00	
	Failing to licence designated dog for current year	6.1 xiii	\$200.00	
	Failure to confine potentially dangerous dog	6.1 i	\$200.00	
	Failure to keep potentially dangerous dog within dog owner's dwelling and under effective control	6.1 ii	\$200.00	
	Failure to keep potentially dangerous dog under control and under leash	6.1 iv	\$200.00	
	Failure to advise Township of moving potentially dangerous dog	6.1 vii	\$200.00	
	Failure to advise Township of information of new owner of potentially dangerous dog	6.1 viii	\$155.00	
	Failure to advise Township of death of potentially dangerous dog	6.1 ix	\$155.00	
	Failure to advise Township that potentially dangerous or dangerous dog has bitten or attacked a person or domestic animal	6.1 ix	\$200.00	
	Failure to display warning sign for potentially dangerous dog	6.1 x	\$155.00	
	Failure to vaccinate potentially dangerous dog against rabies	6.1 xi	\$155.00	
	Failure to provide a copy of potentially dangerous dog designation to a person who is keeping or harbouring the dog	6.1 xii	\$155.00	
	Failure to cause potentially dangerous dog to wear potentially dangerous dog tag	6.1 xiii	\$155.00	
	Failure to provide Township with proof of liability insurance for potentially dangerous dog	6.1 xiv	\$155.00	
	Failure to confine dangerous dog	6.1 i	\$200.00	
	Failure to keep dangerous dog within dog owner's dwelling and under effective control	6.1 ii	\$200.00	
	Failure to keep dangerous dog under control and under leash	6.1 iv	\$200.00	
	Failure to confine and control a dangerous dog in the presence of children in the dog owner's dwelling	6.1 v	\$200.00	

	COLUMN 1	COLUMN 2	COLUMN 3	COLUMN 4
	SHORT FORM WORDING	PROVISION CREATING OR DEFINING OFFENCE	SET FINE	
	Failure to advise Township of moving dangerous dog	6.1 vii	\$200.00	
	Failure to advise Township of information of new owner of dangerous dog	6.1 viii	\$200.00	
	Failure to advise Township of death of potentially dangerous dog	6.1 ix	\$200.00	
	Failure to advise Township that dangerous dog has bitten or attacked a person or domestic animal	6.1 ix	\$200.00	
	Failure to display warning sign for dangerous dog	6.1 x	\$200.00	
	Failure to vaccinate dangerous dog against rabies	6.1 xi	\$200.00	
	Failure to provide a copy of dangerous dog designation to a person who is keeping or harbouring the dog	6.1 xii	\$200.00	
	Failure to cause potentially dangerous dog to wear dangerous dog tag	6.1 xiii	\$200.00	
	Failure to provide Township with proof of liability insurance for dangerous dog	6.1 xiv	\$200.00	
	Failure to confine restricted dog	6.1 i	\$200.00	
	Failure to keep restricted dog within dog owner's dwelling and under effective control	6.1 ii	\$200.00	
	Failure to keep restricted dog under control and under leash	6.1 iv	\$200.00	
	Failure to confine and control a restricted dog in the presence of children in the dog owner's dwelling	6.1 v	\$200.00	
	Failure to advise Township of moving restricted dog	6.1 vii	\$200.00	
	Failure to advise Township of information of new owner of restricted dog	6.1 viii	\$200.00	
	Failure to advise Township of death of restricted dog	6.1 ix	\$200.00	
	Failure to advise Township that restricted dog has bitten or attacked a person or domestic animal	6.1 ix	\$200.00	
	Failure to display warning sign for restricted dog	6.1 x	\$200.00	
	Failure to vaccinate restricted dog against rabies	6.1 xi	\$200.00	
	Failure to provide a copy of restricted dog designation to a person who is keeping or harbouring the dog	6.1 xii	\$200.00	
	Failure to cause restricted dog to wear dog tag	6.1 xiii	\$200.00	
	Failure to provide Township with proof of liability insurance for restricted dog	6.1 xiv	\$200.00	
	Failure to confine prohibited dog	6.1 i	\$200.00	
	Failure to keep prohibited dog within dog owner's dwelling and under effective control	6.1 ii	\$200.00	
	Failure to keep prohibited dog under control and under leash	6.1 iv	\$200.00	
	Failure to confine and control a prohibited dog in the presence of children in the dog owner's dwelling	6.1 v	\$200.00	
	Failure to advise Township of moving prohibited dog	6.1 vii	\$200.00	
	Failure to advise Township of information of new owner of prohibited dog	6.1 viii	\$200.00	
	Failure to advise Township of death of prohibited dog	6.1 ix	\$200.00	
	Failure to advise Township that prohibited dog has bitten or attacked a person or domestic animal	6.1 ix	\$200.00	
	Failure to display warning sign for prohibited dog	6.1 x	\$200.00	

	COLUMN 1	COLUMN 2	COLUMN 3	COLUMN 4
	SHORT FORM WORDING	PROVISION CREATING OR DEFINING OFFENCE	SET FINE	
	Failure to vaccinate prohibited dog against rabies	6.1 xi	\$200.00	
	Failure to provide a copy of prohibited dog designation to a person who is keeping or harbouring the dog	6.1 xii	\$200.00	
	Failure to cause prohibited dog to wear dog tag	6.1 xiii	\$200.00	
	Failure to provide Township with proof of liability insurance for prohibited dog	6.1 xiv	\$200.00	
	Keeping dangerous dog in a multiple unit dwelling or a lodging house	6.2 i	\$200.00	
	Keeping restricted dog in a multiple unit dwelling or a lodging house	6.3 i a	\$200.00	
	Failure to advise Township within two working days of birth of puppies from a restricted dog	6.3 i b	\$200.00	
	Failure to deliver offspring to restricted dog to the Township Pound Facility within seven days of birth of offspring	6.3 i c	\$200.00	
	Failing to register restricted pit bull	6.4	\$350.00	
	Keeping a prohibited dog	7.1	\$200.00	
	Failing to procure a dog licence	11.1	\$85.00	
	Failing to register dog within ten (10) days of ownership of dog	11.1	\$85.00	
	Failing to attach dog tag at all times	11.3	\$85.00	
	Failing to advise Township of change of address	11.4	\$85.00	
	Keeping more than three (3) dogs on premises	13.1	\$170.00	
	Operating kennel – fail to pay licence fee	14.4	\$300.00	
	Failing to keep an animal in a sanitary condition	15.1 i	\$150.00	
	Failing to provide floors and walls made of sealed concrete or other impermeable material	15.1 ii	\$150.00	
	Failing to provide self-draining floor	15.1 iii	\$150.00	
	Failing to keep yards and runways completely enclosed in kennel	15.1 iv	\$150.00	
	Failing to equip kennel with accessible fresh water and/or adequate feed	15.1 v	\$495.00	
	Failing to provide kennel with adequate natural or artificial light	15.1 vi	\$150.00	
	Failing to provide kennel with proper ventilation	15.1 vi	\$150.00	
	Failing to provide kennel with sufficient heat	15.1 vi	\$495.00	
	Failing to provide adequate shaded open air runs	15.1 vii	\$495.00	
	Failing to provide adequate space to accommodate the breed of dog being housed	15.1 vii	\$150.00	
	Failing to provide a kennel having individual pen minimum space per dog	15.1 viii	\$150.00	
	Failing to maintain the whelping bitch in a kennel in separate accommodation	16.1	\$495.00	
	Failing to provide a 2-1/2 times the size of the whelping bitch space	16.1	\$495.00	
	Failing to construct a whelping box with four sides and a floor made of impermeable materials	16.2	\$495.00	
	Failing to provide adequate supplemental heat for the whelping bitch space	16.3	\$495.00	

	COLUMN 1	COLUMN 2	COLUMN 3	COLUMN 4
	SHORT FORM WORDING	PROVISION CREATING OR DEFINING OFFENCE	SET FINE	
	Failing to provide sufficient designated space for puppies	16.4	\$495.00	
	Failing to maintain records	17.1	\$300.00	
	Failing to permit an inspection	18.1	\$150.00	

Note: the general penalty provision for the offences listed above is section 17.1 of bylaw 2017-14, a certified copy of which has been filed.

**THE CORPORATION OF THE TOWNSHIP OF WILMOT**

**BY-LAW NUMBER 2017-43**

**BEING A BY-LAW TO AUTHORIZE THE MAYOR AND CLERK TO ENTER INTO A  
TRANSFER PAYMENT AGREEMENT BETWEEN THE CORPORATION OF THE TOWNSHIP  
OF WILMOT AND HER MAJESTY THE QUEEN IN RIGHT OF ONTARIO AS REPRESENTED  
BY THE MINISTER OF INFRASTRUCTURE**

**WHEREAS** the Municipal Council of the Corporation of the Township of Wilmot is desirous of entering into an Agreement, a copy of which is attached as Schedule "A" to the By-law.

**NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF  
WILMOT ENACTS AS FOLLOWS:**

1. That the Transfer Payment Agreement for the Clean Water and Wastewater Fund (CWWF) between the Corporation of the Township of Wilmot and Her Majesty the Queen in the right of Ontario, as represented by the Minister of Infrastructure, and as more particularly set forth in Schedule "A" attached to this By-law be hereby accepted and approved.
2. That the Mayor, Les Armstrong and Director of Clerk's Services, Barbara McLeod are hereby authorized to execute under seal the said Agreement and all other documents and papers relating to this transaction.

**READ** a first, second and third time this 11<sup>th</sup> day of September, 2017.

**READ** a third time and finally passed in Open Council this 11<sup>th</sup> day of September, 2017.

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Mayor

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Director of Clerk's Services

**TOWNSHIP OF WILMOT  
2017 PROPOSED AGENDA PLANNER**

<b>SEPTEMBER 25, 2017 7:00 PM</b>	<b>COUNCIL</b>
PRESENTATIONS/ DELEGATIONS	
PUBLIC MEETINGS	
REPORTS	
CAO	
CLERK	
FINANCE	Policy for Transfer of Unclaimed Holdback Payments
PUBLIC WORKS	Holland Mills Final Report
DEVELOPMENT SERVICES	
RECREATION SERVICES	RFP Award Kirkpatrick Park/Wilmot Street Parking Lot Consultant Services
FIRE	
CASTLE KILBRIDE	
CORRESPONDENCE	
BY-LAWS	
<b>OCTOBER 2, 2017 7:00 PM</b>	<b>COUNCIL (TELEVISED)</b>
PRESENTATIONS/ DELEGATIONS	Heritage Wilmot Update; Sustainability (Tentative); Food Fest in the Burg; Baden Optimist / Baden Chamber of Commerce Christmas Parade Update;
PUBLIC MEETINGS	
REPORTS	
CAO	
CLERK	
FINANCE	
PUBLIC WORKS	Award of Contract Parking Lot Snow Removal
DEVELOPMENT SERVICES	
RECREATION SERVICES	
FIRE	
CASTLE KILBRIDE	
CORRESPONDENCE	
BY-LAWS	