



Town of Niagara-on-the-Lake

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REPORT #: FES-25-003 **COMMITTEE DATE:** 2025-02-11
DUE IN COUNCIL: 2025-02-25
REPORT TO: COTW-General
SUBJECT: Updates to Animal Care and Control By-law

1. RECOMMENDATION

It is respectfully recommended that:

- 1.1 Council approve the adoption of the Animal Care and Control By-law **2025-XXX** when presented at the next Council Meeting on February 25, 2025 and rescind the existing Animal Care and Control By-law 5543-23;
- 1.2 Council additionally approve the adoption of the proposed Short-Form Wording attached as Schedule B to the proposed by-law, including increased fines, when presented at Council.

2. EXECUTIVE SUMMARY

- The Town's By-law Division and Humane Society of Greater Niagara staff have identified improvement opportunities within the Animal Care and Control By-law 5543-23 and are proposing a new By-law as a continuous improvement initiative.
- This report outlines the proposed changes to the By-law that will provide better clarity and assist Staff with enforcement efforts. The proposed changes include the addition of a nuisance clause, outlining a muzzle appeal process, and fine changes, along with minor administrative changes.
- The draft of the By-law has been attached to this report (**Appendix I**) for information only. The final copy of the by-law for approval will be presented at the February 25, 2025, Council meeting.

3. PURPOSE

The proposed new By-law incorporates necessary wording updates identified by Town staff and the Humane Society of Greater Niagara. These updates ensure fines are properly applied, include minor adjustments to fine amounts, and establish a formal muzzle appeal process.

4. BACKGROUND

With Council's support for additional By-law staff, the Division is now able to focus on reviewing and updating By-laws to enhance clarity and comprehensiveness. As part of this effort, Staff have conducted a thorough review of the current Animal Care and Control By-law in collaboration with the Humane Society of Greater Niagara, which provides animal control services for the Town. This review has ensured that the revised By-law is both appropriate and effective in meeting the community's needs. As a result, Staff are bringing forward a new

Animal Care and Control By-law for Council's approval and recommending the replacement of the existing By-law.

5. DISCUSSION / ANALYSIS

The proposed By-law introduces several improvements to enhance enforcement effectiveness and provide greater clarity.

Section 80 of Animal Care and Control By-law 5543-23 notes that *"No Person shall Keep any Animal or Animals, in such manner that results in trespassing by such Animal or Animals upon neighbouring properties."* To address the ambiguity in this provision, the wording has been revised in the new By-law to specify that the animal must also be creating a nuisance. This change will provide clarity and efficient allocation of resources.

Currently, the By-law references the Lincoln County Humane Society as the designated local pound. The proposed By-law reflects the organization's current name, the Humane Society of Greater Niagara. This revision ensures accuracy and eliminates the potential for confusion.

In consultation with the Humane Society of Greater Niagara, it was determined that the addition of a muzzle appeal process would be beneficial. This addition aligns with the Town's modernization initiative.

The Humane Society of Greater Niagara has proposed minor revisions to the existing fines to enhance enforcement efforts. By-law Staff agree that these adjustments will effectively address animal care and control concerns. Adjustments include revisions to formatting for clarity and a few minor increases as proposed to align with neighbouring municipalities. Fines will continue to be collected and regulated by the Administrative Monetary Penalty System for Non-Parking Offences.

6. STRATEGIC PLAN

The content of this report supports the following Strategic Plan initiatives:

Pillar

4. Optimize Organizational Excellence

Priority

4.1 Streamline & Modernize

Action

4.1 b) Modernization Initiatives
- Update Enforcement Plans

7. OPTIONS

- 7.1 Option 1: Council receive and approve the updated Animal Care and Control By-law. (**Recommended**)
- 7.2 Option 2: Council choose not to approve the updated Animal Care and Control By-law and provide alternate direction. (*Not Recommended*)

8. FINANCIAL IMPLICATIONS

While fines are discussed in this report the majority of changes are in formatting for clarity when enforcing. There are a few minor fine increases included in the updated Animal Care and Control By-law that may result in a nominal increase in funds raised that are used to offset the cost of enforcement.

9. ENVIRONMENTAL IMPLICATIONS

There are no direct environmental implications from approving the updated Animal Care and Control By-law.

10. COMMUNICATIONS

If approved, the updated Animal Care and Control By-law will be made available on the Town's website and enforced accordingly.

11. CONCLUSION

Staff believe that the approval and passing of the updated Animal Care and Control By-law will contribute to the Town's ongoing effort to modernize while enhancing animal care and control safety measures.

12. PREVIOUS REPORTS

N/A

13. APPENDICES

- Appendix I – By-law No. 2025-XXXX - Animal Care and Control Draft

Respectfully submitted:

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Submitted by:



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