



Office Consolidation Animal Control By-Law 261-93

**To prohibit and regulate the keeping of animals other than dogs
and to repeal By-law 165-92
(as amended by 50-97, 265-97, 37-98, 46-98, 51-2004, 149-2004,
263-2004, 249-2005, 78-2009, 340-2012)**

The Council of The Corporation of the City of Brampton ENACTS AS FOLLOWS:

DEFINITIONS

In this by-law:

1. **“animal”** means all live non-human species; and shall include birds, reptiles, fish, arachnids, and invertebrates, but shall not include a dog; **(263-2004)**

“animal control officer” means a person appointed as such by a by-law of the City or any other person directed by the Commissioner of Community Services to enforce this by-law and includes the poundkeeper; **(78-2009)**

“animal quarter” or “animal quarters” mean a place where animals are kept and includes a doghouse, hutch, pen, run, coop, pigeon coop or structure; **(78-2009)**

“dwelling unit” shall mean one or more habitable rooms designed or intended to be used together as a single and separate housekeeping unit by one person or jointly by two or more persons containing its own kitchen and sanitary facilities, with a private entrance from outside the unit itself;

“hen” means a female chicken; **(340-2012)**

“licence” means a pigeon owner’s licence or hen and rabbit owner’s licence; **(340-2012)**

“License Issuer” means the City Clerk and includes his or her designates; **(78-2009)**

“lot” means a lot in a registered plan of subdivision or a built-up urban area; **(78-2009)**

“owner” of an animal includes a person who possesses or harbours an animal, and the words “own” and “owned” have a corresponding meaning;

“poundkeeper” means the person appointed as such by Council. **(78-2009)**

“pigeon coop” means an accessory building or structure for the keeping of pigeons; **(78-2009)**

“pigeon owner” means a person who keeps pigeons; **(78-2009)**

“rabbit” means a domestic rabbit of either gender; **(340-2012)**

“Tribunal” means the Brampton Appeal Tribunal. **(78-2009)**

2. For the purposes of this by-law, an animal shall be deemed to be at large when found in any place other than the premises of the owner of the animal and not under the control of any person.

ADMINISTRATION AND ENFORCEMENT

3. This by-law shall be administered by the Commissioner of Community Services, and by such other persons as may be appointed to do so by resolution or by-law of Council **(149-2004)**.

- 3.1 (1) Council delegates to the Licence Issuer the power to issue, refuse to issue, renew, refuse to renew, cancel, revoke, or impose conditions on a Licence under this By-law. **(340-2012)**
 - (2) Council is of the opinion that the delegation under subsection 3.1(1) is minor in nature. **(340-2012)**

4. Any animal trespassing or at large may be seized by any person, who shall deliver the animal to an animal control officer or the poundkeeper and the animal will then be impounded **(249-2005)**.

- 4.1 The poundkeeper may destroy, or cause, or permit to be destroyed, any animal that has been impounded in the pound where:

- (a) The person that owned the animal before it came into the possession of the poundkeeper has requested in writing that the animal be destroyed; or
 - (b) An inspector under the *Animals for Research Act* or a veterinarian has ordered that the animal be destroyed under that Act;

- (c) During the redemption period, the animal is in the pound and, is ill or injured and in the poundkeeper's opinion incapable of being cured or healed as to live thereafter without suffering.
- 4.2 (a) Any person who adopts a cat from the City shall ensure that the cat is sterilized by a veterinarian of the owner's choice, within 42 days of adoption, or by the time the cat becomes six months of age, whichever occurs first.
- (b) Where a veterinarian is of the opinion that the surgery is detrimental to the health of the cat, which opinion is provided in writing to Animal Services, the cat is exempt from sterilization.
- (c) After sterilization, a rebate of \$40 will be provided to any person adopting a cat from the City, provided that proper documentation is furnished to the Animal Services Section, and within six months of sterilization.

5. An animal control officer may kill an animal where it is trespassing or at large and, in his opinion, should be destroyed because it is injured, or for other humane reasons, or for the reasons of safety to persons or other animals.

PROHIBITIONS AND REGULATIONS

- 6. No person, other than a veterinarian, shall keep or permit to be kept, on any land zoned residential, any animals listed in Schedule A.
- 7. No person, other than a veterinarian, shall keep or permit to be kept, in a dwelling unit, any of the animals listed in Schedule A.
- 8. Any person who owned a non-human primate on or before June 1, 1992, may continue to keep such animal until its death or demise, provided that the animal never exceeds an adult weight of 30 lbs.
- 9. Any person who owned a Vietnamese pot-bellied pig on or before June 1, 1992, may continue to keep such animal until its death or demise.
- 10. No person shall keep, or permit to be kept, more than six cats on the premises of or in a dwelling unit located on land zoned residential.
- 11. (1) Except as permitted by Sections 11(2), 14 and 14.1, no person shall keep, or permit to be kept, more than two: **(340-2012)**

pigeons,
rabbits,
domestic fowl, or

game fowl

on a lot.

- (2) The offspring of the animals permitted to be kept by section 11(1) may be kept on the same premises for up to three (3) months after their births.
- 12. Except as permitted by section 14, no person shall permit or allow any animal to trespass or to be at large.
- 13. No person shall keep, or permit to be kept, any rabbit, pigeon, game fowl, or domestic fowl, except in accordance with the following rules:
 - (1) For dwelling units on a lot, each animal shall be kept in an animal quarter and not in the dwelling unit except for up to two (2) rabbits.
 - (2) Except for pigeon coops as provided for in section 14, each animal quarter shall be at least eight (8) metres (25 feet) from any dwelling, school, store or shop, and at least two (2) metres (six feet) from each boundary of the property on which it is located.
 - (3) Each animal quarter shall be constructed so as to prevent the escape of the animals kept therein.
 - (4) The appearance of each animal quarter shall be properly maintained, by regular painting, or shall be finished with permanent siding, and in all cases shall comply with the requirements of the Zoning By-law.
 - (5) All equipment and material shall be kept within a building or structure, or under cover.
 - (6) All equipment and materials shall be screened from the view of the general public, and, where it is necessary to do so, a hedge or other such vegetation shall be planted, or a solid fence erected, to act as a screen.
 - (7) All refuse resulting from the keeping of the animals shall be contained in air tight containers in such a manner as to prevent odours and shall be disposed of in a manner that will not create a public nuisance or health hazard.
 - (8) All food for the animals shall be kept in rodent proof containers.
 - (9) Deleted **(78-2009)**
 - (10) Deleted **(78-2009)**
 - (11) Deleted **(78-2009)**

14. In addition to other requirements of this by-law and the Zoning By-law, the following are the rules for pigeon owners:

- (1) No person shall keep more than two pigeons on a lot unless a license is obtained from the License Issuer.
- (2) For the purposes of this section:
 - a) The licensing period shall be from May 1st of a calendar year to April 30th of the following calendar year, effective May 1, 2009.
 - b) The applicant shall complete a license application, file any information as may be required by the License Issuer and pay the required fee as set out in the User Fee By-law prior to a license being issued.
 - c) The coop shall be located, constructed and maintained in compliance with this by-law, the Zoning By-law and any other applicable legislation.
 - d) A license shall be issued to an owner whose application meets all the requirements of this By-law except if the License Issuer is of the opinion that:
 - i) the issuance or the holding of a license would be contrary to the public interest in respect of
 - (1) the health and safety of any person or animal; or
 - (2) a nuisance affecting any land or person in Brampton;
 - ii) any application or other document provided to the License Issuer by or on behalf of the applicant contains a false statement, or provides false information;
 - iii) the applicant does not meet all the requirements of this By-law or any other City By-law.
 - e) Where the License Issuer has refused to issue a license, the applicant may appeal to the Brampton Appeal Tribunal in accordance with procedures established by Licensing By-law 1-2002.
 - f) When it considers an appeal under this By-law, the Tribunal shall not make any decision or finding that impacts an application for a minor variance.
 - g) Any person holding a license under this section shall produce the license upon the request of the License Issuer or animal control officer.
- (3) It is an offence to keep or permit to be kept three or more pigeons on a lot without a valid license and for the purposes of this by-law, the owner of the

lot shall be deemed to be the owner of a pigeon found in or returning to a pigeon coop on the lot.

- (4) Notwithstanding Sections 14(1) and 14(3), a veterinarian who is keeping pigeons for treatment or other purposes directly related to his or her practice of veterinary medicine is not subject to pigeon owner licensing requirements, maximum numbers of pigeons, flight restrictions or banding requirements.
- (5) A maximum of 60 pigeons may be kept on a lot during racing season, which is from April 1 to October 31.
- (6) At other times (non-racing season), the maximum allowed is 40 pigeons on a lot.
- (7) All pigeons must be banded with an identifying leg band issued by one of the following:
 - Central Peel Racing Club
 - Canadian Fancy Pigeon Association
 - Canadian Racing Pigeon Union
 - Canadian Union of Racing Clubs or
 - Brampton and Peel County Poultry, Pigeon and Pet Stock Association.
- (8) All pigeons must be kept within the pigeon coop except during the permitted daily flight periods.
- (9) Each pigeon may be released for no more than two flights per day.
- (10) Only one-half of the number of pigeons kept on the lot may be released for flight at any one time.
- (11) Pigeons may be released for flight during the following day flight periods:
 - (a) from April 1 to September 30 in each calendar year, only before 7:30 a.m. and after 6:00 p.m.; and
 - (b) from October 1 to March 31 in each calendar year, only before 10:00 a.m. and after 3:00 p.m.
- (12) The release of pigeons for flights shall be under the supervision of the pigeon owner, or some other competent person.
- (13) Notwithstanding Sections 14(6), 14(7), 14(8) and 14(9), a pigeon in a race may be at flight up to one day beyond the expected duration of the race, if weather or other conditions beyond control of the owner have caused the pigeon to be overdue.

(14) Every pigeon owner shall permit entry on the lot for the purpose of enforcing this or any other City by-law and it is an offence to obstruct any City employee in the execution of his or her duties under this by-law.

14.1 **(340-2012)**

In addition to other requirements of this by-law and the Zoning By-law, the following are the rules for persons wishing to own more than two hens or rabbits: **(340-2012)**

- (1) No person shall keep more than two hens or rabbits on a lot unless a licence is obtained from the Licence Issuer.
- (2) For the purposes of this section:
 - a) The licensing period shall be for 12 months commencing on the day the licence is issued.
 - b) The applicant shall complete a licence application, file any information as may be required by the Licence Issuer and pay the required fee as set out in the User Fee By-law prior to a licence being issued.
 - c) The applicant shall provide notice to adjoining property owners that a licence for the keeping of hens and rabbits has been applied for. The notice shall include:
 - i) information regarding the numbers and types of animals to be kept; and
 - ii) information that the application may be objected to by sending an objection in writing to the Licence Issuer within 20 days of delivery of the notice.
 - d) notice under this section shall be deemed to be delivered:
 - i) in the case of mailed documents, four days following the mailing, as determined from the postmark,
 - ii) in the case of an emailed or faxed document, the day of emailing or faxing, unless the document is emailed or faxed after 4:30 p.m., in which case it will be deemed to have been delivered the following day,
 - iii) in the case of a document that is delivered in person, the date of delivery, provided the document is delivered before 4:30 p.m. If the document is delivered after 4:30 p.m., it will be deemed to have been delivered the following day.

- e) The applicant shall provide the Licence Issuer with proof of delivery of the notice to adjoining property owners, in the form of a copy of the notice and affidavit that the notice has been delivered.
- f) A licence shall not be issued for owners to keep more than two hens or rabbits on a lot of less than one acre in size.
- g) A licence shall be issued to an owner whose application meets all the requirements of this By-law except if the Licence Issuer is of the opinion that:
 - i) the issuance or the holding of a licence would be contrary to the public interest in respect of:
 - (1) the health and safety of any person or animal; or
 - (2) a nuisance affecting any land or person in Brampton;
 - ii) any application or other document provided to the Licence Issuer by or on behalf of the applicant contains a false statement, or provides false information;
 - iii) the applicant does not meet all the requirements of this By-law or any other City By-law.
- h) In making a decision under subsection 14.1(2)(g)(i)(2), the Licence Issuer shall consider any objection received from an adjoining property owner regarding the proposed issuance of a licence for the keeping of hens and rabbits.
- i) Where the Licence Issuer has refused to issue a licence, the applicant may appeal to the Brampton Appeal Tribunal in accordance with procedures established by the Licensing By-law 1-2002.
- j) When it considers an appeal under this By-law, the Tribunal shall not make any decision or finding that impacts an application for a minor variance.
- k) Any person holding a licence under this section shall produce the licence upon the request of the Licence Issuer or animal control officer.

(3) No person shall be licensed to keep more than ten hens or ten rabbits or a total of ten hens and rabbits in any combination.

(4) Notwithstanding Sections 14.1(1) and 14.1(3), a veterinarian who is keeping hens or rabbits for treatment or other purposes directly related to his or her

practice of veterinary medicine is not subject to licensing requirements or maximum numbers of hens and rabbits.

- (5) All hens and rabbits must be kept in an animal quarter located, constructed and maintained in compliance with Section 13 of this by-law, the Zoning By-law and any other applicable legislation.
- (6) In addition to the requirements in Section 13, animal quarters must be located at least eight (8) metres (25 feet) from the rear lot line and at least eight (8) metres (25 feet) from any side lot line of the lot on which the animal quarter is located.
- (7) Every owner of hens and rabbits shall permit entry on the lot for the purpose of enforcing this or any other City by-law and it is an offence to obstruct any City employee in the execution of his or her duties under this by-law.

15. A person who is a registered member in good standing of a club or organization named in Schedule C to this By-law may keep any number of rabbits, game fowl or domestic fowl, if the applicable requirements and restriction this by-law are complied with.

16. The owner of every cat which is over the age of eight (8) weeks shall have such cat identified by means of either a tag to be issued by the Corporation or a microchip implantation **(265-97)**;

17. (a) The owner of a cat to whom a tag has been issued must affix the tag to a collar and ensure that the collar is on the cat at all times **(50-97, 265-97)**.
(b) The Owner of the cat with a microchip implantation shall ensure that the implantation is registered with the poundkeeper and that the information, including the name, address and phone number of the Owner is easily accessible **(50-97, 265-97)**;

18. Any person who contravenes any of the provisions of this by-law is guilty of an offence and upon conviction is liable to a fine as provided for in the Provincial Offences Act **(265-97)**.

19. By-law 165-92 is hereby repealed **(265-97)**.

Read a First, Second and Third Time and Passed in Open Council this 22nd day of November, 1993.

THE CORPORATION OF THE CITY OF BRAMPTON
Original Signed by: Peter Robertson, Mayor
Original Signed by: Leonard J. Mikulich, City Clerk

SCHEDULE A TO BY-LAW 261-93

Animals Prohibited

1. All Anseriformes (such as Ducks, Geese, Swans)
2. All Galliformes (such as Grouse, Pheasant, Turkeys)
3. All Sciuridae (such as Prairie dogs, Giant squirrels and Flying squirrels)
4. All Marsupials (such as Kangaroos and Opossums)
5. All Non-Human Primates (such as Gorillas and Monkeys)
6. All Felids except the Domestic Cat (such as Lions and Tigers)
7. All Canids except the Domestic Dog (such as Wolves and Hybrids)
8. All Viverrids (such as Mongooses, Civets and Genets)
9. All Mustelids except the Domestic Ferret (such as Skunks and Weasels)
10. All Ursids (Bears)
11. All Artiodactylus Ungulates (such as cattle, goats, sheep and pigs)
12. All Procyonids (such as Raccoons, Coatis and Cacomistles)
13. All Hyaenas
14. All Perissodactylus Ungulates (such as Horses and Zebra)
15. All Elephants
16. All Pinnipeds (such as Seals, Fur Seals and Walruses)
17. All Snakes of the families Pythonidae and Boidae
18. All Venomous Reptiles
19. All Ratite Birds (such as Ostriches, Rheas, Cassowaries)
20. All Edentates (such as Anteaters, Sloths and Armadillos)
21. All Bats
22. All Crocodilians (such as Alligators and Crocodiles)
23. All Arachnids (such as Scorpions and Tarantulas)

SCHEDULE B TO BY-LAW 261-93
(repealed by By-law 78-2009)

SCHEDULE C TO BY-LAW 261-93

1. Ontario Poultry Confederation (Governed by the Ministry of Agriculture and Food)
2. Brampton and Peel County Poultry, Pigeon and Pet Stock Association

SCHEDULE D TO BY-LAW 261-93
(as amended by By-law 50-97, 265-97, deleted by By-law 51-2004)