

THE CORPORATION OF THE TOWN OF MILTON
BY-LAW NO. 42-87

Being a By-law to provide for the keeping
of pounds and prohibiting the running at
large or trespassing of domestic farm animals,
other than dogs, in the Town of Milton.

WHEREAS pursuant to Section 210, Subsection 3, 4, 5 and 6 of The Municipal Act, R.S.O. 1980, as amended, By-laws may be passed by the Council of any municipality to provide for pounds, to prohibit the running-at-large or trespassing of animals, other than dogs, for the appraisal of damages to be paid by the owners of animals impounded for trespassing and for determining the compensation to be allowed for services rendered in the carrying out of the provisions of any Act with respect to animals impounded or distrained and detained In the possession of the distrainer.

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWN OF MILTON hereby enacts as follows:

1. In this By-law:
 - (a) 'Animal' means a domestic farm animal other than a dog or cat.
 - (b) 'Highway' has the meaning it has in the Public Transportation and Highway Improvement Act, R.S.O. 1980, as amended.
 - (c) 'Pound' means the premises used by the Poundkeeper for the impounding of animals by authority of this by-law or any other premises to which an animal is transferred by him by authority of this by-law.
 - (d) 'Pound Fees' means the fees and disbursements fixed by law for the Impounding of animals, and if none are so fixed, reasonable fees and disbursements for the purpose.
 - (e) 'Poundkeeper' means the person or one of the persons appointed as such by resolution or by-law by this Council.
 - (f) 'Running at Large' does not include the state of being driven from place to place by the owner or person in charge.
2. No person or corporation being the owner of or in control of any animal shall cause or allow the same to run at large on any highway.
3. No person or corporation being the owner of, or In control of any animal, shall cause or allow the same to trespass on the lands of any other person or corporation.
4. Any person finding an animal running at large on any Highway contrary to Section 2 of this By-law, or trespassing on the premises of which he is the owner or occupant or the agent of the owner or occupant, contrary to Section 3 of this By-law, may cause the animal so running at large or trespassing to be taken to the Pound.
5. The Poundkeeper upon being notified that an animal is running at large on a Highway, shall proceed to take such animal to the pound.
6. Section 5 does not apply if the Poundkeeper is satisfied that the animal to at large on the Highway by accident, that owner or person in charge of It has not been negligent and that the owner or person in charge of it has proceeded with proper dispatch to recover such animal and confine same according to law.
7.
 - (1) Subject to Subsection 2 of this Section, every animal Impounded shall be released to the owner upon payment of all pound fees and damages.
 - (2) Every Poundkeeper shall see that all animals are regularly and sufficiently fed and watered, for which he shall be entitled to claim and collect before delivering the said animals to the owner thereof, the sum of \$10.00 per animal per day.

8. Any poundkeeper shall forthwith upon impounding any animal or animals make diligent search to find the owner or owners thereof and shall forthwith notify such owner or owners when found, of the impounding of the said animal or animals, the cost of such impounding per day and such poundkeeper shall not deliver such animal or animals to the owner or owners thereof until he shall be paid in full for the costs charged for the Impounding, caring for and keeping of such animal or animals.
9. Every poundkeeper Impounding any animal or animals shall be authorized to offer for sale such animal or animals if the costs and charges of such impounding care and keeping and the appraised damages have not been paid within a period of eight (8) days from the date that such poundkeeper serves notice of such impounding costs, charges and damages upon the owners of such animal or animals.
10. Every poundkeeper may, if he deems it expedient, have any animal or animals running at large or trespassing impounded upon the property where the same are running at large or trespassing, or elsewhere neat to the same, and upon such impounding, any poundkeeper shall take charge thereof in the came manner as though the salt animal or animals were impounded upon the property of such poundkeeper, and the foregoing provisions as to notice, payment, sale, etc. shall apply in all details.
11. Any person or corporation, who, without the permission of the poundkeeper, or other person who has impounded any animals running at large or trespassing, removes such animal or animals from where impounded, shall be guilty of an offence under this By-law, and on summary conviction, shall be liable of a penalty of not wore than \$2,000.00, exclusive of costs.
12. Every person who contravenes any of the provisions of this By-law Is guilty of an offence and upon conviction is liable to a maximum fine of not wore than Two Thousand (\$2,000.00) Dollars, exclusive Of Costa.
13. In the event of any conflict between any provisions of a by-law heretofore passed, the provisions of this by-law shall prevail.
14. By-law Number 3-62 of the former Township of Nassagaweya, is hereby repealed in its entirety.

READ a FIRST, SECOND and THIRD TIME and FINALLY PASSED this 22nd day of June, 1987.

G.A. Krantz Mayor
William Roberts Clerk