



# Canadian Kennel Club

## Your Legal Responsibilities as a Dog Owner Within The Community

As a dog owner or a person controlling a dog, you are responsible and accountable for the actions of your dog. These actions can include barking, howling, defecating, running at large, biting, damaging property, injuring a person by means other than a bite, chasing wildlife, etc.

Incidents involving dogs are typically handled at the municipal level by police, bylaw officers, animal control officers or the SPCA. Failure to abide by the municipal bylaws will result in the dog owner or person controlling the dog being issued with a fine as a penalty. This person then has the option of paying the fine out of court, or disputing the fine and going to court.

Every Canadian municipality has their own bylaws to regulate companion animals in their jurisdiction, and these bylaws vary from area to area. It is important for dog owners to find out what their municipal bylaws are, and abide by them. Typically, the bylaws can be found by doing an Internet search for “(municipality name)” + “animal bylaws” or by calling your local Animal Services office.

### **All Pet Owners Should:**

- Have their animals permanently identified;
- Spayed or neutered;
- Kept under control;
- Properly trained;
- Well-socialized; and
- Cared for

### **Dog Control Bylaws**

Listed below are common dog bylaws found in most municipal legislation. Refer to your municipal bylaws for more specific information on your legal responsibilities as a dog owner.

### **Licensing/Identification**

All dogs three months of age and older should be licensed by the municipality. Tags should also be worn all the time so that lost dogs may be returned to owners faster, and without incurring impounding fees. Permanent identification, such as microchipping and tattooing, is encouraged by municipalities.

### **Neutering**

Dog overpopulation is a major factor in the euthanasia of a significant number of dogs in animal shelters across Canada every year. Bylaws encourage and reward responsible pet owners who neuter their pets through lower licensing fees for altered pets.

Neutering your dog not only prevents overpopulation, but it also makes for happier pets. Neutering can improve your dog's disposition and may prevent offensive mating behaviours. It can also decrease your dog's urge to run away and lower your dog's tendency to bite.

### **Number of Dogs Permitted**

Some urban municipalities have established a limit on the number of dogs permitted in one dwelling, though this does not address concerns about irresponsible pet ownership.

### **Responsibilities of Owner**

Dog bylaws are in place to encourage responsible dog ownership. These responsibilities are for the benefit of the dog and society.

### **Dog at Large**

A dog must be on its owner's property. If it is not on its owner's property, it must be on a leash and under the control of a person responsible. This is to ensure the safety of the public, other animals and the dog itself.

The exception to this rule is in designated off-leash areas where dogs may be off leash but must still be under the complete control of a responsible person.

### **Providing Care**

Dog owners must care for their pets in such a way that their physical, social and behavioural needs are met. This should include clean water and food, proper housing, exercise, healthcare and companionship.

### **Stoop and Scoop**

Dog owners must clean up their pets' faeces both on and off their property.

### **Nuisance**

Owners must prevent their dogs from chasing, biting, attacking or bothering a person or other animal. Owners must also prevent their dog from damaging private property.



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### Transportation

Some municipalities have bylaws regarding the safe and humane transport of animals. Dogs transported loose in the back of pick-up trucks pose a risk to public safety if they fall out; it also poses a risk of injury to the dog itself.

Animals should be carried in the passenger compartment of a car or truck, or securely confined and adequately sheltered if in the back of a truck.

### Dangerous Dogs

Most municipalities have bylaws about dangerous dogs and potentially dangerous dogs. Criteria for identifying dangerous or potentially dogs could include:

- Dogs that have killed, bitten or injured a person or domestic animal;
- Dogs that display aggressive tendencies; and
- Trained attack dogs.

Dangerous dogs are generally the result of irresponsible ownership due to inadequate socialization and training, mistreatment, or deliberate breeding or encouragement to attack people or animals. Dogs should be evaluated individually on their behaviour rather than their breed.

Dangerous dogs should be licensed, and spayed or neutered to reduce aggressive behaviour and to prevent owners from profiting from the sale of offspring that are also likely to be dangerous. These dogs should be muzzled and leashed when off the owner's property, and strictly confined when on the owner's property. If the owner is unwilling or unable to meet these requirements, euthanasia would typically take place.

The CKC states: "Now more than ever, the work and support of the CKC and the canine community is needed in order to defeat breed specific legislation in favour of dangerous dog legislation. To this day, the CKC continues to support dangerous and/or vicious dog legislation that serves to protect the public from dangerous dogs. CKC stresses that dangerous temperament is a product of many factors, and not determined by breed alone. Banning a particular type of dog as a reactionary measure with little effect, and one that will only serve to push the indiscriminate breeders and/or owners underground, or punish another breed not included in the legislation. Like many interested parties, CKC believes that public education; stronger enforcement of existing by-laws, and stiffer penalties for owners is more effective than breed specific legislation."

### Licensing

Some municipalities have implemented dangerous dog licences, where the owner pays a significantly higher fee than for a regular license. The license would also have strict requirements for housing and care of the dog.

### Confinement

Dangerous dogs must be kept indoors or in a secured, fenced yard. A secured, fenced yard prevents the dog from escaping and also prevents access by the public. Using simply a chain or a tether is not adequate confinement for dangerous dogs.

### Other Requirements

For example, Ontario's Dog Owner's Liability Act states: "The owner of a dog is liable for damages resulting from a bite or attack by the dog on another person or domestic animal." According to this Act, "the person who suffered the damage does not have to prove that the dog's owner was negligent or that the dog's behaviour was in any way caused by the owner. Nor does the owner have to have any knowledge of the dog's propensity for biting people, which he or she required under the previous "one bite" rule (a dog allowed one bite before an owner could be accused of negligence in preventing their dog from biting). The only thing that must be proven under this new legislation is that the dog bit or attacked someone, and the owner is automatically liable for the dog's actions." (from CKC Your Responsibilities in Case of a Bite Incident)

"The amount of the 'liability' (i.e., damages paid) may be determined by a number of factors, one of which would be whether or not the dog was provoked. The judge may lower the damages paid if s/he deems that the victim teased or irritated the dog to the point that it became aggressive. To review further details of this legislation, please go to <http://www.attorneygeneral.jus.gov.on.ca/english/about/pubs/dola-pubsfty/dola-pubsfty.asp>." (CKC Your Responsibilities in Case of a Bite Accident)

You may want to consider contacting your lawyer if your dog has bitten someone and you believe they may sue for damages.



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### From the Canadian Kennel Club Policy Statements

"The Canadian Kennel Club fully supports and encourages the adoption of reasonable, enforceable and non-discriminatory laws governing the ownership of dogs. The Canadian Kennel Club believes that dog owners should be responsible for their dogs and that laws should: impose penalties on irresponsible owners; and establish a well-defined procedure for dealing with dogs proven to be dangerous, which includes, if necessary, the destruction of such animals."

"In addition, The Canadian Kennel Club encourages the adoption and enforcement of, among other things:

- Leash laws
- "Running at Large" laws
- Laws against dogs fighting
- Laws governing unsanitary conditions caused by irresponsible dog owners
- Vaccination and quarantine laws
- Maintenance and care laws
- Laws governing the local licensing of dogs"

### Cruelty

#### What is Animal Cruelty?

Animal cruelty can take two forms: **intentional cruelty and neglect**.

Intentional cruelty involves harming or injuring an animal deliberately. Neglect is the failure to provide enough food and water, proper shelter, or necessary care for your pet.

### Warning Signs

Unfortunately, anyone is capable of animal abuse. By being aware of the common signs of intentional cruelty and neglect, you can help make a difference in the life of an animal.

Here are some common signs to watch out for:

- Wounds on the body
- Extremely thin, starving animals
- Infected eyes left untreated
- Limping
- Severely overgrown nails
- Patches of missing hair
- Severe flea and tick infestations left untreated
- Animals kept outside without shelter
- Animals left in a car on a hot or cold day
- Someone hitting, kicking or physically abusing an animal
- Animals who cower fearfully or act aggressively when their owners approach
- Abandonment
- Animals kept in dirty conditions, or kept in tiny or overcrowded cages



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### Report Animal Cruelty

If you see or hear about animal cruelty, it is your responsibility to report it to your local SPCA, affiliated Humane Society or police. You'll be asked to provide information such as the type of animal, location of the animal and details of what you saw. These animals will be glad you made the call.

How do we want to deal with this info on Pet stores and Puppy Mills? Do we just want to print your position on it? The CFHS also has a position on it...

**Pet Store** – The CKC prohibits CKC Member breeders from selling to pet stores. “Most puppies sold in pet stores are alone from their litter mates and not with their mother – often for several weeks prior to being sold. We (the CKC) encourage new owners to purchase their puppies from breeders who raise their puppies on their own premises, where they can share the important first few weeks of life with their littermates and parents.” The CKC also discourages “impulse” purchasing of dogs and as such cannot support the merchandising of live dogs in a retail environment.

**Puppy Mill** – “Puppy mill generally refers to a high-volume, sub-standard dog breeding operation, which sells purebred or mixed breed dogs, directly or indirectly to unsuspecting buyers.”

Often there is sub-standard health and/or environmental issues/ sub-standard animal care, treatment and/or socialization, sub-standard breeding practices which lead to genetic defects or hereditary disorders; erroneous or falsified certificates of registration, pedigrees, and/or genetic background.”(CKC)

### List of Resources

National Companion Animal Coalition

Dog Legislation Council of Canada

Canadian Kennel Club

Canadian Federation of Humane Societies

Halifax Regional Municipality

The City of Calgary

The City of Vancouver

The City of Toronto

Ontario SPCA

BC SPCA

Ontario Ministry of the Attorney General

**Bill Bruce**

Director of Animal & Bylaw Services,  
City of Calgary

**Robert Meerburg**

Canine Safety Officer, City of Toronto

**Shelagh McDonald**

Program Director, Canadian Federation of Humane Societies