

CITY OF MONTREAL

XXX REGULATION

REGULATIONS ANIMAL CONTROL

Having regard to Articles 6, 59, 62 and 63 of the Municipal Powers Act (RLRQ, chapter C-47.1);

Having regard to Articles 369 and 411 of the Cities and Towns Act (RLRQ, chapter C-19);

Having regard to Article 136.1 of the Charter of the City of Montreal (RLRQ, chapter C-11.4) and sections 47 and 185.1 of Schedule C to the Charter;

Considering resolution CMXX XXXX by which the city council has jurisdiction for a period of 2 years for the adoption of a Regulation concerning dogs and other domestic animals;

At the meeting of the council of the City of Montreal enacted:

CHAPTER I

DEFINITIONS AND ADMINISTRATION

1. In this Regulation, the following words mean:

"Dog run" means a fenced land designated by signs affixed by the City indicating that this is a place where dogs can be let loose without a leash;

"Stray animal" means any animal that is not on a leash, not accompanied by a person able to control it and not on the land of his guardian, with the exception of a community cat;

"Competent authority" means any officer or employee responsible for the implementation of this regulation, a peace officer and any representative of an external company whose services are retained by the City to enforce the provisions of this regulation;

"Negative search certificate of criminal record": document certifying the absence of a criminal record issued by a Canadian police force or an accredited agency or certified by the Royal Canadian Mounted Police;

"Positive search certificate of criminal record": document attesting to the existence of a criminal record issued by a Canadian police force or an accredited agency or certified by the Royal Canadian Mounted Police;

"Community Cat": cat enrolled in a capture - sterilization - vaccination – release program, meaning a program to sterilize, vaccinate and mark feral cats or cats living in a semi-wild state and that cannot be confined within a housing unit, and to return them to the place where they were captured and where at least one person comes to them as a guardian;

"kennel" or "cattery" or "hutch": place where at least three unsterilized dogs, cats or rabbits are kept under custody of where are advertised or offered for sale or for free an unsterilized dog, cat or rabbit;

"Service dog": means a dog trained to assist a person with a disability and for which he has obtained a permit from the City upon presentation of proof attesting the need for a support of such a dog;

"Dangerous dog":

1) dog that caused the death of a person or an animal of a species permitted under Section 3;

2) potentially dangerous dog having been declared dangerous by the competent authority;

"Pit bull type dog":

1) a purebred American Pit bull terrier American Staffordshire Terrier or Staffordshire bull terrier;

2) a dog from a cross between one of the breeds listed in paragraph 1 and another dog;

3) a dog that has several morphological characteristics of the breeds and the crosses listed in paragraphs 1 and 2;

"Hybrid dog" means a dog from a cross between a dog and a canid other than the dog;

"Prohibited dog":

1) a dangerous dog;

2) a Pit bull type dog whose guardian has no special guard permit for a Pit bull type dog accordance with this Regulation;

3) a hybrid dog;

4) a dog unsterilized at 31 December 2019, except a dog that cannot be sterilized upon a veterinarian written opinion, or a breeding dog whose guardian has proof of pedigree with a recognized breed association;

5) a dog not microchipped at December 31, 2019;

"Potentially dangerous dog": a dog that tries to bite or attack, that bites or attacks, that commits an act likely to prejudice the safety of a person or an animal of a species permitted in accordance with Section 3;

"City Expert": a veterinarian appointed by the City or a competent person appointed by a veterinarian and by the City;

"Guardian" means any person who has ownership, possession or custody of an animal. In the case of a natural person under the age of 14, the father, mother, guardian or guarantor thereof is deemed the guardian;

"Microchip": encoded electronic device inserted under the skin of an animal by a veterinarian or under his supervision, which contains a unique code linked to a central database recognized by the city, used to identify and classify pets;

"Muzzle": put a muzzle on an animal, here a device surrounding the snout of the animal with sufficient force to prevent it from biting;

"Public place" means particularly a street, lane, a pedestrian promenade, a park, a public playground, a public pool, a school playground, a median strip, a bike path, a green space, a public garden;

"Shelter" institution designated by the agent of the city or any place determined by order pursuant to subsection 1 of section 54;

"housing unit": land or private property and its outbuildings of which the animal's guardian is the owner, tenant or occupier;

"City" means the City of Montreal.

2. The competent authority shall exercise the powers entrusted to it by this Regulation and in particular, it may:

- 1) visit and examine any housing unit for the purposes of applying this Regulation;
- 2) have euthanized or order euthanasia of an animal that is dangerous, potentially dangerous, prohibited, wandering, dying, seriously injured or highly contagious;
- 3) request proof of sterilization of any dog and cat;
- 4) require the guardian any document relevant to the application of this Regulation;
- 5) apply to a judge for permission to capture and seize, where it is kept, any animal that contravenes these regulations or whose guardian refuses or neglects to comply with an order issued by the competent authority.

For the purposes of applying sub-section 1), any owner, lessee or occupier of a housing unit must, upon presentation of proper identification by the competent authority, allow him access.

No person may hinder, in any way, the capture of an animal by the competent authority.

Constitutes a breach of this Regulation inconvenience, abuse, prohibit or impede in any way the access referred to in sub-section 1) of paragraph 1 or to otherwise obstruct it and refusing or neglecting to comply with a request that is made under this Regulation.

CHAPTER II

ANIMAL CONTROL AND NUISANCE

SECTION I

ALLOWED PETS

3. It is prohibited for anyone to own, possess or keep in captivity for any purpose an animal that is not of the following species:

- 1 dogs, except a prohibited dog;
- 2 cats;
- 3 rabbits;
4. ferrets;
5. domestic rodents less than 1.5 kg;
6. sugar gliders born in captivity;
7. hedgehogs born in captivity, except that of the genus *Erinaceus*;
8. birds born in captivity, except duck, goose, canarioie, swan, screamer and other anseriform, hen, guinea fowl, turkey, pheasant, and tetra and other gallinacean, ostrich, rhea, kiwi, emu, cassowary, ratites and other struthioniforme birds;
- 9° reptiles born in captivity, with the exception of snakes whose length, in adulthood, reaches over 3 meters, poisonous snakes, lizards whose length, in adulthood, reaches over 2 meters, venomous lizards, marine turtles, tortoises of the Tryonychidae family and alligators, crocodiles, gharials and other crocodilians;
- 10° American toad (*Bufo americanus*), wood frog (*Rana sylvatica*), North frog (*Rana septentrionalis*), leopard frog (*Rana pipiens*), green frog (*Rana clamitans*), mudpuppies (*Necturus maculosus*), bullfrog (*Rana catesbeiana*), green newt (eastern newt) and all the exotic amphibians, except the poisonous amphibians.

4. Notwithstanding section 3, it is possible to keep in one or other of the following locations, an animal that is not part of a species permitted under this regulation:

1. a veterinary facility, provided that the animal is under the care of a veterinarian;
- 2 ° an institution affiliated with a university or research center when the animal is kept for research, study or teaching purposes;
3. a shelter.

SECTION II

PERMITS

5. No one shall be the guardian of a dog or cat without obtaining the required permit under the provisions of this Regulation.
6. The permit applicant must be aged 16 or over.
7. The permit provided for in Article 5 must be obtained within 15 days of acquiring the dog or cat or after the day the dog or cat reaches the age of 3 months, the longer delay applying.

Section 5 does not apply in the case of a dog or a cat kept by a veterinary facility or shelter for sale purposes by an operator exerting this use in accordance with applicable regulatory requirements.

8. Notwithstanding section 5, a dog or a cat normally kept in the territory of another municipality can be brought inside the city limits without obtaining the permit required under the following conditions:

- 1) the dog or cat is brought into the City's territory for a maximum period of 30 days;
- 2) the animal must be with a valid permit issued by the municipality where it is normally kept to the extent that the municipality requires it under its regulations. The guardian shall, upon request of the City, show the valid permit issued by the municipality;
- 3) it is not a prohibited dog.

9. A license is issued to any person who submits an application that complies with this Regulation and that pays the amount stipulated in the Regulation on tariffs.

This permit is valid for the period determined by order of the executive committee. It is not assignable or transferable.

10. The owner of a dog or cat has to renew the license before its expiration date. Failing to do so within the time limit, additional fees will be added to the cost of the permit, as established by the Regulation on tariffs.

11. A permit application must indicate the last name, first name address and telephone number of the person requesting the permit and, except for the dog walker license, the breed, sex, colour, birth year and name of the animal. In addition, a proof of sterilization must be provided when the dog or cat is sterilized and the microchip number when the animal has one.

Commits an offense anyone who, for the purposes described in the first paragraph, provides false, inaccurate or incomplete information.

12. Following the payment of the fees, the City shall give the guardian a medal and a permit on which the medal number is indicated. The medal is valid for the period determined by order of the executive committee.

13. The guardian of the dog or cat for which a medal was issued must notify the City of any change of address as well as the death, loss, giving or selling of this animal within 15 days of one of these events.

The guardian of a microchipped dog or cat must notify the microchip provider of any change in contact information within 15 days of such a change.

The guardian of a potentially dangerous dog shall notify the city in writing 48 hours before changing the location of the animal.

14. The owner of a dog or cat must ensure that it bears the medal it was issued, with the exception of a microchipped cat which information on the microchip allows to check the number of the permit issued for the cat.

SECTION III

NUMBER OF ANIMALS AND KENNEL

15. It is forbidden:

- 1) to keep more than 2 dogs in a housing unit;
- 2) to keep in a housing unit more than 4 animals, all species permitted taken together;
- 3) to operate a kennel, a cattery, a hutch, a barn, an aviary, a henhouse or any other form of animal husbandry.

Notwithstanding paragraphs 1 and 2, when a dog, a cat or a rabbit delivers, the puppies, kittens and rabbits can be kept for a period not exceeding 3 months.

This section does not apply in the case of a shelter or an institution specialized in the sale, custody, maintenance and care of animals carrying this or these purposes in accordance with applicable regulatory requirements.

SECTION IV

SPECIAL KEEPING PERMIT

SUB-SECTION 1

SPECIAL PIT BULL TYPE DOG KEEPING PERMIT

16. It is allowed to own a Pit bull type dog if the animal's guardian holds a special license to keep a Pit bull type dog issued by the City.

Subject to the third paragraph, the City issues a special permit to keep a Pit bull type dog if the following conditions are met:

- 1) the first application is made before 31 December 2016;
- 2) the applicant provides evidence of dog sterilization or provides a written notice from the veterinarian to the effect that the animal cannot be sterilized;
- 3) the applicant provides a proof of the dog's vaccination against rabies and proof of renewal, if any, at the request of the City;
- 4) the applicant provides a proof that the dog is microchipped;
- 5) The applicant provide a negative search of criminal record certificate or, in the case of a positive certificate of criminal record search, a certificate issued by the Police Department of the City of Montreal to the effect that the applicant has not been convicted in the five years preceding the date of the license application or renewal, of a violation of a provision in Schedule 1 hereto;
- 6) the applicant is 18 years old or more;
- 7) The applicant provides a document to the effect that:
 - a) he was the owner of the dog who is the subject of the request before the effective date of this regulation;
 - b) he is the resident of a borough where, according to that borough's regulations prior to the date of this Regulation, it was possible to obtain a licence for a pit bull type dog.
- 8) The applicant has paid the fees payable under the Regulation on tariffs.

The guardian who makes a first application under the second paragraph should provide the City the documents referred to in paragraphs 2) to 5) by 1 March 2017.

The special license to keep a Pit bull type dog is renewed if the conditions on the permit are still met at the time of renewal, if the animal's guardian holds the license issued by the City for the previous validity period and if it has not been revoked.

The special license to keep a Pit bull type dog is for the dog identified in the application, it is not assignable or transferable. This license is revoked in case of death of the animal that is the subject of the license.

Despite this section, upon the death of the guardian of a Pit bull type dog holding a special Pit bull license, the license can be transferred to a person who so requests if :

1. The transferee lived at the same address as the guardian at the time of death or the transferee is related to the guardian, according to Article 655 of the Civil Code of Québec, or the transferee is the guardian's spouse, according to Article 2.2.1 of the Taxation Act;
2. AND the transferee meets the requirements in paragraphs 3, 5, 6 and 7 b) of this section.

17. The guardian of a Pit bull type dog holding a special license must meet the following special keeping conditions when the animal is outside of a building:

- 1) the animal is muzzled at all times;
- 2) the animal is kept on a leash with a maximum length of 1.25 meters, except in dog runs or in a place enclosed by a fence with a minimum height of 2 meters, which mesh is tight enough to keep anyone from introducing his hand or foot;
- 3) the animal is under the supervision of a person 18 years old or older;
- 4) the animal carries the medal issued by the City with the special guard license.

The special license for a Pit bull type dog is revoked if the holder is convicted of an offense under this section. If so, the guardian has to have the dog euthanized following the euthanasia order issued by the competent authority.

18. Commits a violation:

- 1) the guardian of a dog who contravenes a special keeping condition under Section 17;
- 2) the guardian of a dog referred to in Section 17 which has not, at the latest within 48 hours after a euthanasia order is issued by the competent authority, brought the dog to a veterinarian or a refuge so that it is euthanized;
- 3) the guardian of a dog, who, within 72 hours of the death of the dog, failed to report to the competent authority a written statement from the person who performed euthanasia.

SUB-SECTION 2

SPECIAL PERMIT TO KEEP 3 DOGS

19. Notwithstanding sub-paragraph 1 of the first paragraph of Section 15, 3 dogs can be kept in the same housing unit if the guardian gets a special license to keep 3 dogs issued by the City.

The City issues a special permit to keep 3 dogs if the following conditions are met:

- 1) the applicant provides a proof of sterilization of the dogs or a written notice from the veterinarian to the effect that the animal cannot be sterilized;
- 2) the applicant provides proof that the dogs are microchipped;
- 3) The applicant shall provide a proof of vaccination of the dogs against rabies and a proof of renewal, if any, at the request of the City;
- 4) The applicant does not reside in a building of 3 housing units or more;
- 5) the applicant does not have custody of a potentially dangerous dog or type of dog Pit bull;
- 6) the applicant has not been convicted of a nuisance under this Regulation;
- 7) the applicant has paid the fees payable under the Regulation on tariffs.

SECTION V

BEHAVIOUR TOWARDS AN ANIMAL

20. The guardian must at all times maintain control of the dog so that it does not escape him.

21. All dogs must be kept on a leash with a maximum length of 1.85 meters. In addition, any dog of 20 kg and more must wear a halter or harness which is attached said leash.

The first paragraph does not apply when the dog:

- 1) is inside a building;
- 2) is kept on a private land or building and its dependencies using a restraining device preventing it from getting outside the boundaries thereof if the land is not fenced;
- 3) is on private land or a building and its dependencies, which is fenced to contain it within the boundaries thereof;
- 4)° is in a dog run appointed for this purpose in a place designated by the city.

22. It is forbidden to walk more than two animals at a time on the territory of the city, outside of a housing unit, unless holding a special permit to keep 3 dogs issued under this Regulation.

Despite the first paragraph, a person whose job is to walk dogs can walk more than 2 animals on the condition of obtaining a dog walker permit issued by the City on payment of fees payable under the Regulation on tariffs in force, and presenting a proof to that effect.

The holder of a special permit to guard 3 dogs or of a dog walker permit must at all times be in possession of the permit when walking more than two animals at a time, to show it at the request of the competent authority.

23. The guardian who, with his animal, is elsewhere than on the land on which is located the housing unit he occupies, must be provided at all times, of tools allowing him to immediately remove feces of the animal and to dispose of it in an authorized container for disposal.

24. The guardian must ensure that his dependencies, his gallery or balcony is free of urine or feces produced by a pet.

25. No one may end the life of an animal except a veterinarian or any person duly authorized by law.

26. No person shall dispose of a dead animal other than by remitting it to a veterinarian, to a shelter or any other place authorized by law to receive dead animals.

27. No person shall dispose of a pet other than by entrusting it to a new guardian, to a shelter or a veterinarian.

Despite the first paragraph, no one can dispose of a potentially dangerous dog or a Pit Bull type dog other than by entrusting it to a shelter or a veterinarian.

SECTION VI

NUISANCE

28. Constitutes a nuisance and is prohibited the fact:

1) for an animal to not be wearing the mandatory medal under this Regulation, with the exception of a microchipped cat which microchip include information allowing to verify the license number of the cat;

2) for an animal to cause damage to the property of others;

3) that the owner, lessee or occupant of a housing unit and its dependencies keeps pets whose presence exudes an odor that disturbs the neighborhood or causes damage to property;

4) for a dog to bark, whine or howl or for a cat to meow in order to disturb the peace or tranquility of a person;

5) for an animal to bite or attack or to try to bite or attack a person or another animal of a species permitted under Section 3;

6) for an animal to be wandering;

7) for an animal to be on a private property without the consent of the owner or occupant of this land;

8) for the guardian of an animal to omit cleaning by all appropriate means any public or private place soiled with feces from said animal and disposing of it in an authorized container for disposal, with the exception of those accompanied by a service dog;

9) to attach an animal so that it has access to a public place and to leave it unattended;

10) for a dog or a cat to dig in household waste, displace, tear bags or reverse containers;

11) to feed on the territory of the City wild animals such as seagulls, gulls, pigeons, crows, squirrels, raccoons, ducks or fish, and stray animals. Notwithstanding the foregoing, the owner, tenant or occupant of a housing unit can feed the birds using a bird feeder on his housing unit;

12) of keeping an animal that is of a kind permitted under Section 3;

13) of using a trap or a snare to capture an animal outside of a building except when permitted by the competent authority;

14) of letting a dog drink from a fountain or pond located in a public place or swim in it;

15) of being on a fenced playground of the City, or on a city lot where a sign indicates that the presence of dogs is prohibited.

29. The owner of an animal whose acts constitute a nuisance contravenes this regulation.

SECTION VII

SPECIAL PROVISIONS ON A POTENTIALLY DANGEROUS DOG

30. The guardian of a dog that bit and killed a person or another animal of a species permitted under Section 3 shall:

1) notify the competent authority within 72 hours of this event;

2) have the animal euthanized following a euthanasia order issued by the competent authority;

3) muzzle the animal at all times when outside the guardian housing unit until the animal is euthanized.

31. The guardian of a dog that has bitten a person or, by biting, caused a skin laceration to another animal of a species permitted under Section 3 shall:

1) notify the competent authority within 72 hours of this event;

2) muzzle the animal at all times while outside the guardian housing unit until further notice issued by the competent authority;

3) comply, where applicable, with the written notice sent by the competent authority and bring the animal to the place and time indicated so that the expert of the City makes its assessment.

32. When the potentially dangerous dog referred to in Section 31 is declared dangerous for the public safety by the competent authority, the guardian of the dog should have the animal euthanized following the euthanasia order issued by the competent authority.

When the animal under the first paragraph is not declared dangerous for the public safety by the competent authority, the competent authority may require the guardian to obtain a special permit to keep a potentially dangerous dog and to conform to the specific keeping conditions of a potentially dangerous dog issued pursuant to this Regulation.

33. Commits a violation a guardian of a potentially dangerous dog who fails or neglects to obtain a special license to keep a potentially dangerous dog as required by the competent authority.

34. The City shall issue a special permit to keep a potentially dangerous dog if the following conditions are met:

- 1) the applicant provides evidence of dog sterilization or provides a written notice from the veterinarian to the effect that the animal cannot be sterilized;
- 2) the applicant provides a proof of the dog's vaccination against rabies and proof of renewal, if any, at the request of the City;
- 3) the applicant provides a proof that the dog is microchipped;
- 4) the applicant is aged 18 or more.

35. When the animal with a special permit for a potentially dangerous dog has bitten again an animal or a person, the guardian of the dog has to have the animal euthanized following a euthanasia order issued by the competent authority.

36. The guardian of a dog holding a special license to keep must meet the following special keeping conditions when the animal is on the outside of a building:

- 1) the animal is muzzled at all times;
- 2) the animal is kept on a leash with a length of maximum 1.25 meters, except in a dog run;
- 3) the animal is under the supervision of a person 18 years or older;
- 4) the animal carries the medal issued by the City when obtaining the special license to keep.

In addition to the conditions in the first paragraph, the competent authority may impose other special keeping conditions, such as:

- 1) the dog's guardian must announce by means of a poster visible from the public way, the presence of a potentially dangerous dog on his property. This poster is provided by the City at the expense of guardian and must be maintained in good condition, without alteration;
- 2) the dog's guardian must have the dog follow a behavioral therapy;
- 3) the dog's guardian must ensure to keep the animal in an area enclosed by a fence with a minimum height of 2 meters, which mesh is tight enough to prevent anyone from introducing his hand or foot;

4) the dog must be kept at a distance greater than 2 meters from a child under the age of 16, except children of the animal's guardian.

The special permit to keep a potentially dangerous dog is revoked if the holder is convicted of an offense under this section. If applicable, the guardian has to have the animal euthanized following a euthanasia order issued by the competent authority.

37. The potentially dangerous dog must remain at a location determined in the written notice by the competent authority until special keeping conditions are imposed with respect to the animal, if issued.

38. All expenses incurred by the City under this section are at the costs of the animal's guardian.

39. Commits a violation:

1) The guardian of a dog who contravenes a special keeping condition imposed under Section 36.

2) The guardian of a dog under this section who has not, at the latest within 48 hours after a euthanasia order is issued by the competent authority, brought the dog to a veterinarian or a shelter so that it is euthanized;

3) The guardian of a dog, who, within 72 hours of the death of his dog, failed to report to the competent authority a written statement from the person who performed the euthanasia.

SECTION VIII

DOG EXERCISE AREAS

40. The dog runs are for dogs and their guardians.

41. In a dog run, the guardian of a dog must always supervise the dog and have control of it.

42. It is forbidden:

1) to bring more than 2 dogs at a time in the dog run;

2) to feed one's dog inside the dog run;

3) to use a ball, a stick or any other object in order to exercise one's dog when the dog of another guardian is in the dog run;

4) to bring in the dog run a dog that shows symptoms of disease or, in the case of a female, who is in heat.

SECTION IX

SHELTER

43. The competent authority can capture and keep in a shelter any animal that is potentially dangerous, dangerous, a stray, a nuisance or is not part of a species permitted under Section 3.

44. After 72 hours following the issuance of a notice to the guardian after putting an animal in a shelter, the competent authority may order that the animal be euthanized or put up for adoption to its profit. When the guardian is unknown or untraceable, the competent authority may order that the animal be euthanized or put up for adoption to its profit within 72 hours of putting the animal in shelter.

Despite the first paragraph, a stray cat who carries no identification and that is not sterilized can be placed for adoption after a delay of 24 hours of being put in a shelter.

Despite the first paragraph, a dog that is potentially dangerous, dangerous, a Pit Bull type dog or a hybrid dog cannot be put up for adoption.

Despite the first paragraph, an animal that is dying, seriously injured or highly contagious can, on the advice of a veterinarian, be euthanized immediately following its arrival to a shelter.

45. The guardian of the animal, with the exception of a dog that is potentially dangerous, dangerous, of a Pit Bull or hybrid type can repossess his dog unless the shelter has divested it in accordance with section 44, by fulfilling the following conditions:

- 1) establishing that he is the owner of the animal;
- 2) presenting the compulsory license under this Regulation, or upon failing to hold it, by getting it in advance of the repossession;
- 3) by paying the shelter the daily accommodation costs and, where applicable, the costs of treatment, sterilization, vaccination and microchipping.

SECTION X DISEASES

46. The competent authority may isolate until complete recovery any animal suspected of suffering from a contagious disease to humans (zoonosis), a certificate of a veterinarian. In the absence of such a recovery, it must be euthanized.

47. A guardian who knows or suspects that the animal is suffering from a contagious disease to humans (zoonosis) shall immediately take all necessary means to seek treatment or euthanasia.

48. Everyone is obliged to comply with a measure prescribed by ordinance adopted in accordance with paragraph 2 of Section 54.

CHAPTER III PENAL DISPOSITIONS

49. Anyone who contravenes to this regulation or an ordinance adopted under this regulation commits an offense and is liable:

- 1) if it is a natural person:
 - a) for a first offense, to a fine of \$ 300 to \$ 600;
 - b) for a subsequent offense, to a fine of \$ 600 to \$ 1,200;

c) for any subsequent conviction, to a fine of \$ 1,200 to \$ 2,000;

2. if it is a legal person:

a) for a first offense, to a fine of \$ 500 to \$ 1,000;

b) for a subsequent offense, to a fine of \$ 1,000 to \$ 2,500;

c) for any subsequent offense, to a fine of \$ 2,500 to 4,000 \$.

50. Notwithstanding section 49, any person who contravenes to any of sections 11, 17, paragraphs 1 and 2 of Section 18, 21, 29, by a nuisance mentioned in paragraph 5 of Section 28, 36, and paragraphs 1 and 2 of section 39 commits an offense and is liable:

1) if it is a natural person:

a) for a first offense, to a fine of \$ 500 to \$ 750;

b) for a subsequent offense, to a fine of \$ 750 to \$ 1,500;

c) for any subsequent conviction, to a fine of \$1,500 to \$ 2,000;

2) if it is a legal person:

a) for a first offense, to a fine of \$ 800 to \$ 1,500;

b) for a subsequent offense, to a fine of \$ 1,500 to 2,500 \$;

c) for any subsequent offense, to a fine of \$ 2,500 to 4,000 \$.

51. Notwithstanding section 49, contravenes to subsection 1 of section 3 of this regulation commits an offense and is liable:

1) if it is a natural person:

a) for a first offense, to a fine of \$ 750 to \$ 1,000;

b) for a subsequent offense, to a fine of \$ 1,000 to \$ 1,500;

c) for any subsequent conviction, to a fine of \$ 1,500 to \$ 2,000;

2. if it is a legal person:

a) for a first offense, to a fine of \$ 1,000 to \$ 1,500;

b) for a subsequent offense, to a fine of \$ 1,500 to 2,500 \$;

c) for any subsequent offense, to a fine of \$ 2,500 to 4,000 \$.

52. No permit may be issued or renewed towards a guardian declared guilty of three violations of section 29 by a nuisance mentioned in paragraph 5 of section 28.

53. The owner of an animal remains responsible for any violation of this Regulation even if the animal is not in his custody unless he proves that at the time of the offense a third party other than a member his family aged under 18 accompanied the animal without his knowledge and consent or implied consent.

CHAPTER IV ORDINANCES

54. The executive committee may by order:

- 1) determine a refuge for the application of this Regulation;
- 2) provide for a specific period, the necessary measures to prevent or reduce the spread of a contagious disease that could endanger public health, where there are reasonable grounds to believe such a spread, quarantine stations and vaccination clinics designated for the implementation of the measures;
- 3) determine the validity period of permits and medals;
- 4) modify the list of animals permitted and not permitted and, if necessary, determine transitional measures;
- 5) modify the definition of "dog prohibited" and, where appropriate, determine transitional measures;
- 6) determine the poster announcing the presence of a potentially dangerous dog;
- 7) determine where the presence of dogs is prohibited;
- 8) determine where hen keeping is authorized and keeping conditions applicable, if any;
- 9) modify the list of offenses specified in Schedule 1 hereto.

CHAPTER V FINAL AND TRANSITIONAL PROVISIONS

55. The owner of a Pit bull type dog must, upon entry into force of this Regulation and until the license to keep a Pit bull type dog is obtained, comply with the following conditions:

- 1) the animal is muzzled at all times;
- 2) the animal is kept on a leash with a length of maximum 1.25 meters, except in dog runs and in an area enclosed by a fence with a minimum height of 2 meters, which mesh is tight enough to keep anyone from introducing a hand or foot;
- 3) the animal is under the supervision of a person 18 years or older.

56. This Regulation repeals and replaces any provision of a regulation applicable in the territory of the City of Montreal on the control of animals.

57. Subject to the second paragraph, the permits issued by a borough in application of a regulation on animal control remain valid and are deemed to have been issued under this Regulation.

The dangerous dog license issued by a borough pursuant to a regulation on the control of animal remains valid and is considered a special license to keep a potentially dangerous dog as defined in this Regulation and the specific keeping conditions relating to the dangerous dog license remain in force until license renewal.

This law was the public notice posted at city hall and published in Le Devoir on
XXXXXXXXXX.

GDD: 1165086003

APPENDIX 1
TABLE OF OFFENCES

Articles 76, 77 and 78.1 of the Criminal Code (R.S.C. (1985), c. C-46) (CC): Offences against Air or Maritime Safety
Article 81 CC Using explosives
Articles 83.18 CC, 83,181 CC, CC 83.19, 83 191 CC, CC 83.2, C.cr 83 201, 83 202 CC, 83.21 CC, 83.22 CC, CC 83 221, 83 231 CC Offenses related to terrorism
Article 85 CC: Use of a firearm or imitation firearm in the commission of an offense
Article 87 CC Pointing a firearm
Article 88 CC possession of weapon for dangerous purpose
Article 160 CC : Bestiality
Article 182 b) CC Outrage, indecency or indignity to a dead body
Article 215 CC Duty to provide the necessaries
Articles 220 and 221 CC Criminal negligence
Articles 231 and 235 CC Murder
Article 233 CC Infanticide
Articles 234 and 236 CC Manslaughter
Article 239 CC Attempted Murder
Article 244 CC Discharging a firearm with intent
Article 244.1 CC Discharging air gun or air pistol or a wind or air
Article 244.2 CC Discharging a firearm carelessly
Article 245 CC Administering a noxious substance
Article 246 CC Made of overcoming resistance to commission of offense
Article 247 CC Traps likely to cause bodily harm
Article 248 CC Interfering with transportation
Article 264 CC Stalking
Article 264.1 CC Threats
Article 267 a) CC Assault with a weapon
Article 267 b) CC Assault causing bodily harm
Article 268 CC aggravated assault
Article 269 CC Unlawfully causing bodily harm
Article 269.1 CC Torture
Article 270.01 a) CC Assault causing bodily harm to a peace officer or public officer
Article 270.01 b) CC Assault with a weapon against a peace officer or public officer
Article 272 CC sexual assault, threats to a third party or causing bodily harm
Article 273 CC Aggravated sexual assault
Article 279 (1) CC Kidnapping
Article 279.1 CC hostage
Article 280 CC Abduction of a person under 16 years
Article 279 (2) CC Sequestration
Article 279.01 CC Trafficking
Article 279 011 CC Trafficking of persons under 18 years

Article 318 CC Advocating genocide
Article 319 CC public incitement to hatred and willful promotion of hatred
Articles 343 and 344 CC Robbery
Article 423 CC Intimidation
Article 423.1 CC Intimidation of a justice system participant or journalist
Article 424 CC Threats to commit an offense against a person enjoying international protection
Article 424.1 CC Threats against United Nations staff or related personnel.
Articles 431 and 431.1 CC Attack with violence
Articles 433 and 434.1 CC Arson
Article 445 CC Kill or injure animals
Article 445.01 CC Kill or injure some animals, including service animals
Article 445.1 CC Causing unnecessary suffering animal
Article 446 CC Cause damage or injury to animals or birds
Article 465 CC Conspiracy
Articles 467.11, 467.12 and 467.13 CC Participation in activities of a criminal organization
Article 5 of the Controlled Drugs and Substances Act (C. L. 1996, c. 19) Drug trafficking