

THE CORPORATION OF THE TOWN OF ESPANOLA

BY-LAW NO. 364

BEING A BY-LAW TO PROHIBIT THE KEEPING
OF DOMESTIC FOWL AND OF CERTAIN ANIMALS
AND TO REGULATE THE KEEPING OF PIGEONS
AND CERTAIN ANIMALS WITHIN THE MUNICIPALITY
OF THE TOWN OF ESPANOLA

THE COUNCIL OF THE CORPORATION OF THE TOWN OF ESPANOLA ENACTS
AS FOLLOWS:

1. That, except as hereinafter provided, no person shall keep any domestic fowl or pigeons or cattle, goats, swine, rabbits, mink, foxes or other animals, except horses or mules, within the municipality of the Town of Espanola, for a period of more than twenty-four consecutive hours.
2. That nothing in paragraph 1 of this by-law shall be deemed to prohibit the owner, tenant or occupant of any dwelling house or apartment suite from keeping dogs or cats therein, provided that not more than two dogs and not more than two cats shall be kept or permitted in or about any dwelling house or any one suite in an apartment building.
3. That nothing in paragraph 1 of this by-law shall be deemed to prohibit keeping as pets not more than six rabbits, provided that such rabbits are kept in a properly constructed rabbit hutch, the ground floor of which is not less than eighteen (18) inches above ground level and is maintained on lands appurtenant to any one dwelling house.
4. That nothing in paragraph 1 of this by-law shall be deemed to prohibit the keeping of such domestic fowl or pigeons or cattle, goats, swine, rabbits, mink, foxes, or other animals, provided they are kept and maintained at a distance of not less than 300 feet from the nearest store, shop, dwelling house, or apartment and not less than 100 feet from any highway or street, and provided that, whenever it appears to the local board or to any of its officers that it is necessary for the preservation of the public health or for the abatement of anything dangerous or injurious to the public health or whenever a notice signed by one or more inhabitant householders of the municipality is received stating the condition of any building in the municipality to be so filthy as to be dangerous to the public health or that, upon any premises in the municipality there is any foul or offensive ditch, gutter, drain, privy, cesspool, ash-pit or cellar kept or constructed so as to be dangerous or injurious to the public health or that, upon any such premises, an accumulation of dung, manure, offal, filth, refuse, stagnant water or other matter or thing is kept so as to be dangerous or injurious to the public health, the Sanitary Inspector shall enter such building or order the removal of such matter or thing. If the occupant or owner or his lawful agent or representative having charge or control of such building or premises, after having had twenty-four hours notice from any such officer to remove or abate such matter or thing, neglects or refuses to remove or abate same, he is guilty of an offence and subject to the provisions of Section 7 of this by-law.

5. That no person shall own, keep or maintain on any lands or premises within the Town of Espanola more than twenty (20) pigeons and the keeping, maintaining of any pigeons in the Town of Espanola shall be subject to the following regulations:

(a) Any such pigeons shall be confined in a pigeon loft which shall be constructed of wire or mesh to prevent the escape of the pigeons therefrom and such pigeon loft shall be located a distance of not less than forty (40) feet from any store, shop, dwelling house, or apartment building and shall not be closer than two (2) feet from the boundary line of any adjoining lands.

(b) Every building which is erected or maintained as a pigeon loft for the housing of pigeons shall have the interior walls thereof smoothly finished and kept painted and shall be washed, cleaned or calcimined every six months. Every such pigeon loft shall be constructed in such a manner that it will be rodent proof and shall be kept free from rodents.

(c) The floor of every such building used as a pigeon loft shall be of concrete or wooden construction and shall be at least eighteen (18) inches above ground level and the floor, whether of wood or concrete construction, shall be properly washed each week with water and soap or detergent. The upper portion of the pigeon loft shall be constructed of wire or mesh of a size which will contain the pigeons and, except as hereinafter provided, no pigeons shall be permitted or allowed to escape from or leave the pigeon loft.

(d) All refuse and waste matter from any such pigeon loft shall be disposed of daily in a proper and sanitary manner and no such refuse or waste matter shall be burned.

(e) Nothing in this by-law shall be deemed to prohibit the keeping of any number of tippler, homing or racing pigeons by any person who is a member of an organized and generally recognized pigeon club; and any such pigeons so kept may be given liberty for not more than one hour in each morning and afternoon, but shall at all other times be kept confined in a properly constructed pigeon loft.

6. That the provisions of paragraph four (4) herein regulating the keeping of animals shall be applicable not only to the animals therein mentioned but also to horses and mules.

7. Any person convicted of a breach of any of the provisions of this by-law shall forfeit and pay, at the discretion of the convicting Magistrate, a penalty not exceeding (exclusive of costs) the sum of Three Hundred (\$300.00) for each offence.

8. This by-law shall come into effect on the 2nd day of July, 1968.

ENACTED AND PASSED in Open Council this 2nd day of July, 1968.

W. C. ...
MAYOR

J. Hoffecker
CLERK

