



PROVINCE OF QUEBEC
TOWN OF KIRKLAND

BY-LAW NO. : GEN-2022-55

BY-LAW CONCERNING DOG PARKS

Amendments

GEN-2022-55-1

NOTICE

This consolidation has not been officially adopted by the Municipal Council. It has been compiled on September 11, 2023, in order to facilitate the reading of the texts. The official text is to be found in the text of the original by-law and each of its amendments.

ADOPTION PROCEDURE

Notice of motion:	October 3, 2022
Filing of draft by-law:	October 3, 2022
Adoption of by-law:	November 7, 2022
Publication:	November 11, 2022
Coming into effect:	November 11, 2022

- WHEREAS pursuant to section 356 of the *Cities and Towns Act* (CQLR, c. C-19), notice of motion of this by-law was given and a draft of this by-law was filed at the regular sitting of the Municipal Council held on October 3, 2022;
- WHEREAS copy of this by-law was made available to the public;
- WHEREAS the preamble forms an integral part of this by-law;

THE MUNICIPAL COUNCIL ORDERS AND DECREES AS FOLLOWS:

ARTICLE 1 APPLICATION

The purpose of this by-law is to establish rules for dog parks in the Town.

ARTICLE 2 DEFINITION

In this by-law, the following words mean:

- “**inspector**”:
any person authorized by the Municipal Council to issue a statement of offence for a violation of a municipal by-law;
- “**dog park**”:
a public park set up by the Town and reserved for dogs to walk freely, without a leash;
- “**Town**”:
Town of Kirkland.

ARTICLE 3 OPENING HOURS

The dog parks are open to the public daily from 7:00 a.m. to 11:00 p.m.

Any access to dog parks outside of these hours is prohibited.

ARTICLE 4 ADMISSION

A dog is prohibited from being admitted to a dog park if it :

- 1) is not 3 months of age or older;
- 2) is not accompanied by his or her guardian at all times;
- 3) is not licensed and wearing the tag provided by the Town;
- 4) once inside the enclosure, is wearing a leash or any other equipment that may affect the safety of persons or dogs;
- 5) does not have a current rabies vaccination status;
- 6) has been declared potentially dangerous or has an aggressive behavior;
- 7) is trained for attack or protection, is in heat or has a contagious or parasitic disease;
- 8) is over 35 cm in height, measured at the shoulders, in the small dog section.
- 9) is 35 cm or less in height, measured at the shoulders, in the medium or large dogs section.

ARTICLE 5 RESPONSIBILITY OF THE GUARDIAN

In a dog park, the guardian of a dog may not :

- 1) be under the age of 16 years;
- 2) be unable to quickly control his/her dog;
- 3) have more than 2 dogs in his/her custody;
- 4) enter and leave the premises without keeping the dog on a leash;

- 5) leave the door of the enclosure open after entering or leaving the enclosure;
- 6) leave his/her dog alone or without constant supervision;
- 7) leave his/her dog barking or howling;
- 8) leave garbage or dog excrement on the ground without immediately picking it up and disposing of it in the garbage can provided for that purpose;
- 9) let his/her dog dig holes without immediately filling them;
- 10) remain in the enclosure when the dog shows signs of aggression;
- 11) hold the Town responsible for any damage, the Town disclaims all liability.

ARTICLE 6 PROHIBITIONS

The following are prohibited inside a dog park :

- 1) children under the age of 12 not accompanied by an adult;
- 2) any person who is not a guardian of a dog and whose presence is not directly related to the purpose of the dog park;
- 3) any animal other than a dog;
- 4) balls, sticks or any other toy or object for the purpose of amusing or exercising a dog;
- 5) any object presenting a risk to the safety of persons and dogs or likely to damage the dog park facilities such as bicycles, scooters, strollers, in-line skates, skateboards, mopeds and motorized or non-motorized land vehicles, with the exception of those whose use is necessary due to a physical limitation such as mobility scooters and wheelchairs;
- 6) glass containers, food, cigarettes in any form and alcoholic beverages.

ARTICLE 7 APPLICATION

Any inspector or police officer is authorized to issue a statement of offence for any violation of this by-law.

Any inspector or police officer is authorized to capture any dog found stray or unsupervised in the dog park.

ARTICLE 8 OFFENCES AND FINES

Any person who contravenes this by-law is guilty of an offence and is liable :

- 1) for a first offence :
 - i. to a fine of \$100 to \$300, in the case of a natural person; or
 - ii. to a fine of \$300 to \$600, in the case of a legal person.
- (2) for each subsequent offence :
 - i. to a fine of \$200 to \$600, in the case of a natural person ;
 - ii. to a fine of \$600 to \$1,000, in the case of a legal person.

ARTICLE 9 REPEALING

By-law GEN-5 entitled: *By-law to order the opening of a dog run at des Bénévoles Park and to regulate its operations* is repealed.

ARTICLE 10 COMING INTO EFFECT

The present by-law comes into effect in accordance with the law.

(Michel Gibson)

Mayor

(Annie Riendeau)

Town Clerk