



PROVINCE OF QUEBEC
TOWN OF KIRKLAND

BY-LAW NO. : GEN-2022-55

BY-LAW CONCERNING DOG PARKS

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.

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) any object intended or not intended to amuse 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