

BY-LAW No. 4 OF 1888.

A By-law to make provision for levying a tax upon dogs—to provide a method for collecting the said tax—to restrain dogs from running at large and provide for the destruction of the same—to specify the duties of the various Municipal Officials in connection with the said By-law—and to enact penalties for violating the provisions of the same.

The Corporation of the Village of Beaverton hereby enact:

1. That it shall be the duty of the Village Constable to perform the duties of Dog Commissioner, to provide and sell the tags or licenses hereinafter described, and to perform such other duties as are set forth in this or any other By-law of the said Corporation of Beaverton, relating to the taxing, regulating, restraining or destroying dogs owned, harboured, or running at large within the limits of the said Corporation.

2. That each and every inhabitant of the said Village of Beaverton, who shall own, or harbour or permit to run on or about his, her, or their premises, any dog or bitch, shall pay a yearly tax for the same of one dollar for each and every dog, and two dollars for each and every bitch by purchasing at the aforesaid rate from the Dog Commissioner a tag or license for each and every such dog or bitch, which said tag shall not be transferable and shall be attached to the neck of such dog or bitch.

3. The aforesaid tag or license shall be made of brass or some other metal—shall be stamped with the word "Beaverton" with a consecutive number and the date of the year for which the same is issued, and the said stamps shall be in letters and figures sufficiently large to be easily observed, the tags for bitches shall differ in size, shape and colour from the tags for dogs—and the shape, size and colour of the said tags shall be annually fixed and approved by a resolution of the Council of the said Corporation of Beaverton to be passed not later than the first day of February in each year.

4. The tag or license for a dog shall not be considered a license for a bitch, and any bitch found wearing a tag for a dog may be shot or otherwise destroyed anywhere within the limits of the Corporation and the owner thereof shall be subject to a penalty of five dollars with costs of conviction.

5. Persons becoming possessed of dogs or bitches after the first day of September in any year may obtain tags or licenses for the same to serve for the balance of the current year at the reduced rate of fifty cents for a dog and one dollar for a bitch and all licenses shall expire on the first day of March in the year next succeeding the one for which they are issued.

6. In case a tag shall be lost by any means the owner of the dog or bitch may upon satisfying the Dog Commissioner of such loss, obtain a second tag at the actual cost of the same, but such second tag must not be used to license any greater number of dogs or bitches than the number for which tags had been first purchased, and any person using such second tag to license a greater number than for which the tax has been paid shall be liable to a fine of five dollars with costs of conviction.

7. It shall be the duty of every person owning or harbouring any dog or bitch within the Corporation of Beaverton to report the same either verbally or in writing to the Dog Commissioner or Assessor on or before the first day of April in the year 1888, or on or before the first day of March in every subsequent year, the said report to specify the number of dogs or bitches kept by the said persons or allowed to run upon their premises and for every neglect or refusal to make the said report and for every false statement made therein, the person whose duty it shall be to make the said report, or who shall make any false statement therein shall be liable to a penalty of five dollars with costs of conviction.

8. It shall be the duty of the Assessor to set forth upon his roll in the proper column and opposite the name of the person liable, the number of dogs or bitches owned or harboured by each and every such person as shown in the aforesaid report and shall also set down in his Roll any dogs or bitches coming under his notice which may have been omitted from the said report.

9. The Assessor shall upon entering any dog or bitch upon the Roll, ascertain whether such dog or bitch has been licensed, and if so licensed shall mark the letter (L) in the proper column and if not licensed shall mark the figure (1) in the said column.

10. As soon as the Assessment Roll is returned to his keeping, it shall be the duty of the Village Clerk to furnish the Dog Commissioner with a list of all persons marked on the said Roll as having unlicensed dogs or bitches, setting forth the number and sex of the same and upon receiving such list it shall be the duty of the Dog Commissioner forthwith to notify all persons having unlicensed dogs or bitches to procure licenses for the same and all persons who shall neglect or refuse to procure the requisite licenses for thirty days after receiving the said notice shall be liable to a fine of five dollars with the costs of conviction.

11. It shall be the duty of the Dog Commissioner to record in a book kept for that purpose the names and addresses of all persons procuring tags, with the date of issue and the numbers on the tags so issued.

12. Persons who shall take out the requisite tags or licenses on or before the first day of April A. D. 1888, or on or before the first day of March in any subsequent year shall be entitled to a rebate of twenty-five cents for each dog and fifty cents for each bitch, and any person who shall prove to the satisfaction of the Dog Commissioner or the Council that the dog or bitch for which a license was obtained, had previous to the first day of September in the year for which such license was obtained, been destroyed, or lost, or was no longer owned or harboured within the limits of the Corporation, shall be entitled to a rebate of one-half the amount paid for the said tag or license, provided always that no such rebate shall be allowed or paid if the said dog or bitch was destroyed for killing or worrying sheep or for any misconduct as hereinafter set forth.

13. It shall be lawful for any person to kill or destroy any dog or bitch found running at large within the limits of the Corporation of Beaverton without the tag or license required by this By-law, and it shall be lawful to destroy any dog or bitch whether licensed or not that shall be found worrying, chasing or killing any sheep or lamb, or that shall attack or bite any person, horse or team, and further if it can be shown to the satisfaction of any Justice of the Peace for the County of Ontario that any dog or bitch owned by, harboured by, or in the possession of any person within the Municipality has bitten any person, or is dangerous, or otherwise seriously annoying to any person, it may and shall be competent for the said Justice of the Peace to make an order for the owner, harbourer or possessor of such dog or bitch to kill or destroy the same within a certain time to be set forth in the said order, and neglect or refusal to comply with the said order shall make the owner harbourer or possessor of the said dog or bitch liable to a fine of five dollars with the costs of conviction unless it can be shown to the satisfaction of the said Justice of the Peace that it was impossible to comply with the said order.

14. Persons raising pups and disposing of the same before they are three months old shall not be required to purchase tags for the said pups if they are not allowed to run at large.

15. The term "running at large" as used in this by-law shall be so construed as to extend not only to the public highways but also to any enclosure or private property other than the property of the owner, harbourer or possessor of the dog or bitch and also in any case where the said dog or bitch is not sufficiently controlled to be prevented from doing mischief or violating the provisions of this by-law.

And it is further enacted that all monies received for tags or licenses shall be paid by the commissioner to the village Treasurer and parties entitled to compensation for sheep or lambs killed by dogs under the provisions of the Revised Statutes of Ontario, Chapter 194, or under any other Statute of the Province of Ontario relating to the protection of sheep, shall be paid the said compensation from the general funds of the Corporation.

16. The Dog Commissioner shall notify the Clerk of any error or omission in the lists of dogs assessed, and if any person shall become possessed of dogs or bitches after the Roll is returned, or if any possessed of the same shall come into the village after the said return is made, such dogs or bitches shall be added to the list and the owner or harbourer thereof shall be liable to the tax as though they were returned on the Assessor's Roll.

17. That the owner, harbourer or possessor of any dog or bitch found running at large within the limits of the Corporation of the Village of Beaverton without the tag or license required by this or any other By-law of the said Corporation, shall be liable to a fine of three dollars, and the said fine, and all other fines, penalties, damages and costs incurred for violation of the provisions of this By-law, shall be recovered before any Justice of the Peace for the County of Ontario in the matter set forth in sections 421, 422 and 423 of the Consolidated Municipal Act of 1883, or according to the provisions of any other Act of the Legislature of this Province of Ontario, governing and regulating the Municipal Institutions of the said Province, and all fines and penalties collected for violation of this By-law shall be paid to the Treasurer of the said Corporation of Beaverton for the use and benefit of the said Corporation.

GEORGE F. BRUCE, Reeve. Passed on Monday the 20th day of February, A. D. 1888.

GEORGE SMITH, Village Clerk.

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County of Ontario! DIVISION COURT SITTINGS—1888.

1 WHITBY.—Clerk, D. C. Macdowell, Whitby, Jan. 3, Feb. 2, Mar. 2, April 3, May 2, June 2, July 3, Sept. 3, Oct. 2, Nov. 2, Dec. 3. 2 BROTHAM.—Clerk, M. Gleason, Greenwood, May 3, July 4, September 4. 3 PICKERING VILLAGE.—Clerk, M. Gleason, Greenwood, January 4, March 3, Nov. 3. 4 PORT PERRY.—Clerk, J. W. Burnham, Port Perry, Feb. 21, May 8, July 9, Sept. 18, Nov. 27. 5 UYBRIDGE.—Clerk, Z. Pennington, Uxbridge, Feb. 22, May 9, July 19, Sept. 19, Nov. 28. 6 CANNINGTON.—George Smith, Cannington Feb. 23, May 19, Sept. 20, Nov. 28. 7 BEAVERTON.—Clerk, Geo. F. Bruce, Beaverton, Feb. 24, May 11, Sept. 21, Nov. 30. 8 UPTON GROVE.—Clerk, F. J. Gillespie, Upton Grove, Feb. 25, May 12, Sept. 22, Dec. 1.

By Order, J. E. Farewell, Clerk of the Peace.

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Beaverton, March 1st, 1888.

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