

TENDER No. 2018-03 – ANIMAL CONTROL SERVICES

TOWNSHIP OF ASSIGNACK

CONTRACT DETAILS: Day to day enactment and enforcement of the Township of Assignack's Animal Control By-law # 02-05, as amended by By-law # 07-03, which provides for the licensing and regulating of dogs. Copies attached.

CLOSING: 4:30 PM (EST), Friday April 27, 2018

RECEIVED BY: Jeremy Rody, Clerk
156 Arthur Street
P.O. Box 238
Manitowaning, Ontario P0P 1N0

TERM OF CONTRACT: May 2, 2018 – December 31, 2019

CONTRACT CONDITIONS

- The successful bidder will be referred to as the Animal Control Officer for the Township of Assignack. The following terms and conditions will apply to the Animal Control contract.
- Ownership and/or legal access to a Provincially approved pound for the impounding and keeping of dogs in accordance with Provincial Acts and regulations. Proof of the approved pound is to be submitted with the quotation.
- Valid driver's license and use of personal vehicle suitable for transporting dogs.
- The Contractor will be responsible for all expenses of operation, including supply of own vehicles, equipment, operators and staff.
Note: - dog tags, registers, license forms and order to pay forms are supplied by the municipality.
- The Contractor will be responsible for all applicable licenses, vehicle and liability insurance, and workplace safety requirements; proof of liability insurance and WSIB coverage to be submitted with tender.
- The Animal Control Officer will be responsible for animal control functions including but not limited to the following:
 - Accepting and responding to calls on a 24/7 basis;
 - Collecting and impounding dogs in accordance with municipal by-laws;
 - Maintaining a record of all activities related to animal control services and enforcement of by-laws;
 - Providing written monthly reports to the Municipal Council;
 - Issuing kennel licenses;
 - Issuing tickets, laying of charges and attending court when required; and,

- Maintaining the pound in accordance with provincial regulations and guidelines.
- The annual contract fee will be paid on a monthly basis upon receipt and acceptance of a monthly activity report.
- Pound fees will be in accordance with municipal by-laws.
- Acceptance of the quotation will be subject to negotiation of an acceptable contract.
- The lowest or any quote will not necessarily be accepted.

TENDER SUBMISSION:

Are you registered for HST? Y__N__. If yes please provide HST NO. _____

If you are an HST registrant, tender prices must include HST.

I, _____, hereby submit the following quotation price for the Contract for Animal Control services in the Township of Assignack

	Monthly Retainer
May 2, 2018 – December 31, 2018	
January 1, 2019 – December 31, 2019	

Contractor: _____

Address: _____

Telephone: _____

Signature: _____

Submission Checklist:

- Proof of Provincially approved pound for the impounding and keeping of dogs in accordance with Provincial Acts and regulations
- Proof of liability insurance and WSIB coverage
- Page 2 of the Tender Document signed and free from errors
- Enclosed in a sealed envelope clearly marked, "Animal Control Services Tender," addressed to the Clerk

CORPORATION OF THE TOWNSHIP OF ASSIGINACK

BY-LAW 02 - 05

BEING A BY-LAW for the Licensing and Requiring the Registration of Dogs and for the Control and keeping of Dogs within the Municipality of the Township of Assiginack.

WHEREAS Section 210 of the Municipal Act RSO 1990, as amended provides that by-laws may be passed by the councils of local municipalities for licensing, keeping and prohibiting or regulating the running at large of dogs within the Municipality;

AND WHEREAS Council deems it desirable to licence and regulate dogs within the Municipality;

NOW THEREFORE the Council of the Corporation of the Township of Assiginack enacts as follows:

1. Short Title: The short title of the By-law is "Animal Control By-law".
2. Enforcement of By-law: The By-law shall be enforced by the "Animal Control Officer".
3. (1) "Animal Control Officer" includes the person or Association who has entered into a contract with the Municipality to control dogs and to operate a dog pound and any servants of such person or association and all servants thereof are hereby appointed Municipal Law Enforcement Officers pursuant to Section 15, Subsection 1 and 2 of the Police Services Act, 1990, Chapter 10, and pursuant to Bill 74 the Provincial Offences Act, who shall be Peace Officers for the purpose of enforcing the animal control and dog licensing by-law and related legal process serving
 - (2) " Dog" means a male or female dog;
 - (3) "License Issuer" means the Clerk of the Municipality;
 - (4) "License Agent" means the person or Association who has entered into a contract as per Schedule "A";
 - (5) "Owner" of a dog includes a person who possesses or harbours a dog and "owns" and "owner" have corresponding meaning, and where the owner is a minor, the person responsible for the custody of the minor.
 - (6) "Pure-bred" means
 - (i) Registered or eligible for registration with an associaton incorporated under the Animal Pedigree Act (Canada) or,
 - (ii) Registered or eligible for registration in the register of the Canadian Kennel Club, Incorporated.
 - (7) "Treasurer" means the Treasurer of the Municipality.
 - (8) " Leash" means a chain, rope or other restraining device of not more than 2 metres.
 - (9) "Kennel" means the ownership of three or more dogs.

Part 1 - LICENSING

4. No person in the Municipality shall own, harbour or possess a dog unless or until they have procured a license so to do as herein provided and every owner of a dog shall be subject to the provisions of this by-law.
5. The contractor as per Schedule "A" is hereby appointed Licence Agent and authorized to issue licenses under this by-law, and every such license shall be issued for and on behalf of the Municipality and on behalf of the License Issuer by the License Agent.
6. A license shall be procured and renewed pursuant to this by-law by applying to the Municipality for said license or renewed license as the case may be and by paying the fee to the Municipality.
7. Any license procured, issued or renewed pursuant to this by-law shall be in the form of a dog tag.
8.
 - (1) Every dog tag must bear a serial number, year of issue and the name of the License Issuer.
 - (2) A record shall be kept the by Licence Agent showing the name and address of the owner and the serial number of the tag.
9.
 - (1) The owner shall keep the dog tag securely fixed to the dog at all times until the tag is renewed or replaced, but the tag may be removed while the dog is within the premises of the owner. Failure to do so constitutes a breach of this by-law.
 - (2) No owner of a dog shall use a tag on a dog other than that for which it was issued unless it has been transferred as provided for in subsection (2) of Section
10.
 - (1) In the event the tag issued for a dog is lost, the owner may obtain a second tag upon the payment of a fee.
 - (2) If there is a change of ownership of a dog during the license year, the license holder shall notify the License Agent immediately of the change of ownership and the new owner must pay a license transfer fee for this service. Failure to do so constitutes a breach of this by-law.
 - (3) Where a certificate is produced from the Canadian National institute f or the Blind or a certificate from a recognized dog guide training school stating that a dog is being used as a guide for a blind person, no fee shall be charged for a license and a tag under this by-law.
 - (4) Where a certificate is produced from Hearing Ear Dogs of Canada stating that a dog is being used for the assistance of a deaf person, no fee shall be charged for a license or tag under this by-law.
11.
 - (1) Every license issued pursuant to this by-law shall expire on the 31st day of December of the year in respect of which it was issued.
 - (2) Every license shall be renewed yearly on or before 15th day of February.
12. The license fees to be paid to the License Issuer at the time of the issuing of the License shall be as specified in Schedule "A", which Schedule is hereby incorporated as part of this by-law.

Part 2 - KENNELS

13. (1) Notwithstanding the provisions of Section 11 and 12 above, no person in the municipality shall own, harbour or possess a kennel of dogs that are pure-bred until they have paid an annual license fee of twenty five (\$25.00) dollars to the Treasurer as a license fee for the kennel and they are not liable to pay in respect of such pure-bred dogs any license fee under this by-law.
- (2) Owners and operators of kennels shall comply with the following regulations:
- a) The license shall expire on the 31st day of December.
 - b) Every license shall be renewed yearly between the 1st day of January and the 15th day of February of the next year, inclusive.
 - c) A kennel shall be permitted only in premises zoned for the purpose of the boarding and breeding of dogs.
 - d) The floors off each room in which dogs are kept shall be:
 - i) constructed of an impermeable material and,
 - ii) flushed with water and deodorized with a suitable disinfectant daily or more often if necessary and that the animals should be removed when this is being done and,
 - iii) if such room is physically attached to a building used for human habitation, graded to an adequate drain which shall be connected to a municipal sewage system or sewage disposal system.
 - e) Each room that is used for the housing of dogs shall be equipped with a lighting system that is so designed, constructed and maintained that:
 - i) it distributes light as evenly and with as little glare as possible;
 - ii) it provides adequate light for the proper observation of every animal in the room, and
 - iii) it is adequately lighted for a continuous period of at least eight hours in every twenty four hour period.
 - f) Each room that is used for the housing of dogs shall provide ventilation for the health, welfare and comfort of every dog by either:
 - i) having an opening or openings for natural ventilation with a minimum aggregate unobstructed free flow area of one percent (1%) of the floor area of the room, or
 - ii) having a mechanical ventilation device in working order which changes the air at least two times each hour.
 - g) each room that is used for the housing of dogs shall at all times, be maintained at a minimum temperature of nine (9) degrees celsius for the health, welfare and comfort of every dog therein.

h) Each cage or pen used for the housing of dogs shall be so constructed and maintained that:

i) every dog in the cage or pen may comfortably extend its legs to their full extent, stand, sit, turn around and lie down in a fully extended position;

ii) it is not likely to harm any dog therein;

iii) any dog therein cannot readily escape there from and

iv) it may be readily cleaned;

i) Each doorway, window and outside openings shall be screened during the period of May 1st to October 1st of each year.

j) The yards and runways shall be:

i) fenced, and

ii) if within thirty (30) metres of an occupied building
(i) paved with concrete, asphalt or other impermeable material,

(ii) graded to an adequate drain or gutter, and

(iii) cleaned at least once daily when in use;

k) Each area in which dogs are kept shall, at all times be maintained in a clean and sanitary condition.

l) Excreta, dead animals and other waste resulting from the keeping of dogs shall be removed daily from the premises.

m) The Medical Officer of Health for the District of Manitoulin shall enter any building and order the removal of any matter or thing which is dangerous or injurious to the public health including any or all the above mentioned dogs, whenever it appears to the Medical Officer of Health that it is necessary for the preservation of the public health or for the abatement of anything dangerous or injurious to the public health.

Part 3 - RUNNING AT LARGE

14. (1) No person shall suffer, allow or permit any dog of which they are the owner to run at large within the limits of the Municipality.

(2) For the purpose of this by-law, a dog shall be deemed to be running at large when found in any place other than the property of the owner of the dog and not under the control of any person.

(3) For the purpose of this by-law, a dog shall be deemed not to be under the control of any person when the dog is not on a leash of a maximum length of two (2) metres held by a person or is not on a leash which is securely affixed to some permanent structure from which the dog cannot escape.

(4) No person shall suffer, allow or permit a dog under their control or of which they are the registered owner to trespass on private property whether on a leash or not unless permission for said trespass is first obtained from the property owner.

15. Every person who is the owner of a dog at a time when the dog fouls property other than that of the owner, shall forthwith remove or cause the removal of the excrement from such property. Failure to do so constitutes a breach of this by-law.
16. (1) Subject to subsection (5) of this section a Peace Officer or Animal Control Officer may:
- a) Seize and impound any dog found running at large, and
 - b) restore possession of the dog to the owner thereof where:
 - the owner claims possession of the dog within three (3) days (exclusive of the day of its impounding and of statutory holidays) after the date of seizure, and
 - the owner pays to the Peace Officer or Animal Control Officer a pound fee for a dog seized and a maintenance fee for each day subsequent to the day of seizure that the dog remains impounded.
- (2) Where a dog is seized and impounded under subsection (1) of this section, the owner if known and whether the dog is claimed from the pound or not, shall be liable for the pound and maintenance fees prescribed and shall pay all fees on demand by the Animal Control Officer or License Agent, which fees may be recoverable under the Provincial Offences Act.
- (3) Where at the end of three (3) days mentioned in subsection (1) (b) of this section the dog has not been restored to the owner, the Animal Control Officer may sell the dog for such price as they deem reasonable.
- (4) Where the owner of a dog, has not claimed the dog within three (3) days after its seizure under subsection (1) above, and where the dog has not been sold the Animal control Officer may kill the dog in a humane manner or otherwise dispose of the dog as they see fit in accordance with the provisions of the Province of Ontario Animals for Research Act as it related to pounds and no damages or compensation shall be recovered by the dog owner on account of its killing or other disposition.
- (5) Where a dog seized under subsection (1) of this section is injured or should be destroyed without delay for humane reasons or for reasons of safety to persons or animals, the Peace Officer or Animal Control Officer may kill the dog in a humane manner as soon after seizure as they think fit without permitting any person to reclaim the dog or without offering it for sale and no damages or compensation shall be recovered by the owner on account of its killing.
17. Dogs shall be accepted by the contractor as per Schedule "A".
18. Fees for the services outlined in Part 3 are as specified in Schedule "A", which schedule is hereby incorporated as part of this by-law.

Part 4 - KEEPING OF DOGS

19. Every person who owns a dog in the Township of Assiginack shall provide such dog or cause it to be provided with such food, potable water, exercise and attention as may be required from time to time to keep it in good health.
20. If a dog is customarily kept out of doors, the person who owns such dog shall, at all times, provide for its use a structurally sound, weather-proof enclosure with off the ground flooring.
21. No person shall in the Township of Assiginack keep a dog tethered on a chain, rope or similar restraining device of less than 2.4 metres in length.

22. If any part, section, subsection, clause or paragraph of this by-law is, for any reasons, held invalid, such portion shall be deemed separate, distinct and independent and such holding shall not affect the validity of this by-law as a whole or any part thereof, other than the provisions so declared to be invalid.
23. Every person who contravenes any of the provisions of this by-law is guilty of an offence.
24. All former relative by-laws are hereby rescinded.
25. The terms and conditions of employment as contained in Schedule "A" attached hereto be accepted.
26. This by-law shall come into force and effect on the 23rd day of January 2002.

Read a First, Second and Third time
and Finally Passed this
23 day of January, 2002



L. Fields, Deputy Reeve



A. Robinson, Deputy Clerk Treasurer

SCHEDULE "A"

Fees

Dog License Fee	\$15.00
Renewals of Dog License after March 31 st	\$25.00
Senior Citizens over 65 years of age	\$10.00
Renewals for Seniors after March 31 st	\$20.00
Seeing eye dog	No charge
Hearing eye dog	No charge
Replacement tag	\$7.00
Dog Redemption Impound	\$20.00
Per Diem Animal Care Fee	\$10.00
Animal Surrender Fee	\$20.00

Fines

Failure to procure a license - Section 4	\$35.00
Failure to affix the dog license - Section 9(1)	\$35.00
Misuse of a dog license - Section 9(2)	\$35.00
Failure to notify change of ownership - Section 10(2)	\$35.00
Failure to register a kennel - Section 13(1)	\$35.00
Permit dog to run at large - Section 14	\$35.00
Fail to clean up and dispose of dog excrement - Section 15	\$35.00
Fail to keep dog in good health - Section 19	\$35.00
Fail to provide outside enclosure - Section 20	\$35.00
Keep dog on improper chain or rope - Section 21	\$35.00

Contract

This contract enacts the Wikwemikong Animal Control Unit to provide animal control coverage as requested by the municipality and abiding by Assiginack Municipal Council By-law 02-05.

Contract Fee

Contract Fee of \$3,500.00 set for a period of one year. The contract fee to be paid to the provider upon acceptance by the recipient.

Responsibilities

The Wikwemikong Animal Control Program will respond to calls only in the Township of Assiginack as requested by Town Officials and Assiginack residents concerning nuisance dogs, including barking dogs, dogs running at large, dogs posing a threat to livestock or where by-law 02-05 is not being adhered to.

Office Hours

Office hours for Animal Control are between 8:00 A.M. and 4:00 P.M. Monday to Friday. Availability will be made during weekends and evenings for emergency situations. Periodic patrolling during weekdays and off-hours will be carried out to ensure proper adherence to By-law 02-05.

Impounded Animals

Animals captured will be kept for a period of 3 days as per section 16(1)(b) of By-law 02-05 in the Animal Control pound located at 169 Monument Hill Road. Contact will be made between the Animal Control Unit and the owner of each impounded dog if a dog tag is present and the dog owner can be identified. All animals not claimed in the specified time period will be either farmed out to other homes or be destroyed utilizing humane practices as set out in the Animals for Research Act R.S.O. 1990 Chapter A-22.

Revenues

A fee of \$15.00 per day or part thereof shall be charged.

Fees for the redemption, care and surrender of captured animals, as per Schedule "A", will be revenue for the provider of service, the Wikwemikong Animal Control Program.

All fines as per Schedule "A" shall also be revenue for the provider of service, the Wikwemikong Animal Control Program.

Dog Tags

Annual dog tags will be supplied by the Municipality of Assiginack. The Municipality will keep a log/record of every tag sold and this information will be provided to Wikwemikong on an "as needed" basis. The log will identify the dog and address and telephone number of the owner. All revenues from the sale of tags will remain with the municipality.

Termination

This contract may be terminated by either party upon providing no less than sixty (60) days written notice to the other party. Any such notice shall be addressed as follows:

To the service provider at:

Wikwemikong Health Centre
16 Complex Drive, P.O. Box 101
Wikwemikong ON P0P 2J0

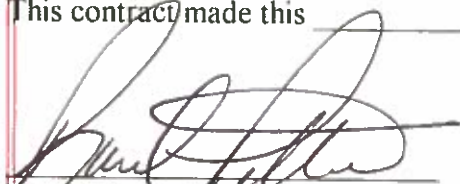
Attention: Environmental Health Coordinator

To the Service Recipient at:

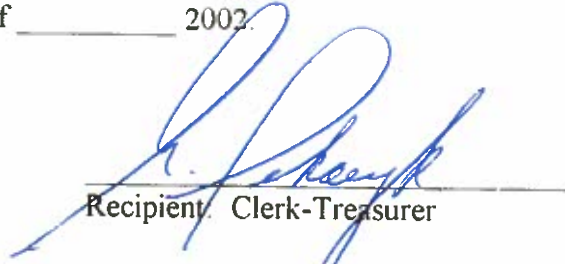
Township of Assiginack
Box 238
Manitowaning ON P0P 1N0

Attention: Clerk Treasurer


This contract made this _____ day of _____ 2002.




Provider: Health Director



Recipient: Clerk-Treasurer



Chief:
Wikwemikong Unceded Indian Reserve



Reeve: Assiginack Township

**THE CORPORATION OF THE TOWNSHIP
OF ASSIGINACK**

BY-LAW # 07-03

BEING A BY-LAW of the Corporation of the Township of Assiginack to amend By-law # 02-05, being the Registration Licensing and Keeping of Dogs By-law of the Corporation.

WHEREAS the necessary authority is found in Section 210 of the Municipal Act, 1990 S.O., as amended;

AND WHEREAS the Council of the Corporation of the Township of Assiginack deems it beneficial to the community to amend the by-law;

NOW THEREFORE THAT the Council of the Corporation of the Township of Assiginack ENACTS AS FOLLOWS:

1.
THAT Section 16 of the By-law be amended by adding the following:
"c) the owner of any animal in the possession of the Animal Control Officer shall purchase a current license prior to having the animal released."

2.
THAT Schedule 'A' of the by-law be amended to read as follows:


FINES:

Failure to Procure a license- section 4	\$ 50.00
Failure to affix license	50.00
Misuse of license	50.00
Failure to Notify /change of Ownership	50.00
Failure to Register Kennel	50.00
Permit Running at Large	50.00
Failure to Clean Excrement	50.00
Failure to Keep Dog in Good Health	50.00
Failure to Provide Outdoor Enclosure	50.00
Keep Dog on improper chain or tether	50.00 "

3.
THAT this by-law shall come into force and take effect upon the third and final reading.

Read a First and Second Time, this 16th day of January, 2007

Read a Third and Final Time and Enacted in Open Council, this 16th day of January, 2007.


L. Fields: REEVE


A. Hobbs: CLERK