



The Corporation of the Town of Fort Erie By-law 48-2025

Being a By-law to Appoint the Fort Erie Society for the Prevention of Cruelty to Animals as Poundkeeper, to Appoint Certain Employees as Municipal Law Enforcement Officers for the Purpose of Enforcing Animal-Related By-laws, and to Authorize the entry into an Animal Control Services Agreement with the Fort Erie Society for the Prevention of Cruelty to Animals, for Animal Care and Control Services

Whereas subsection 15(1) of the *Police Services Act*, R.S.O. 1990, c. P.15, provides that a municipal council may appoint persons to enforce the by-laws of the municipality; and

Whereas subsection 15(2) of the said Act further provides that municipal law enforcement officers are peace officers for the purpose of enforcing municipal by-laws; and

Whereas subsection 1(1) of the *Provincial Offences Act*, R.S.O. 1990, c. P.33, provides that "provincial offences officer" means, inter alia, a by-law enforcement officer while in the discharge of his or her duties, and also means an agent of the municipality whose responsibilities include the enforcement of a by-law while in the discharge of his or her duties; and

Whereas the Fort Erie Society for the Prevention of Cruelty to Animals ("Fort Erie SPCA") has historically provided poundkeeper and animal control services to the Town of Fort Erie; and

Whereas By-law 61-2022 appointed the Lincoln County Humane Society as poundkeeper for the Town for a fixed term that is now concluding; and

Whereas at the Council-in-Committee meeting held on May 12, 2025, Council approved the proposal by the Fort Erie SPCA for the provision of animal care and control services for a term of three (3) years, commencing June 1, 2025, with an annual fee of \$140,500 in the first year and increasing by 2.00% per year thereafter, including the provision of a digital licence renewal service, and with the option to extend the agreement for two (2) additional two-year terms; and

Whereas it is deemed desirable to appoint the Fort Erie SPCA as poundkeeper for the Town, to appoint specific Fort Erie SPCA employees as Municipal Law Enforcement Officers for the purposes of enforcing applicable Town animal by-laws, to delegate authority to the Town Clerk to appoint and revoke such appointments as necessary when staffing changes occur, and to enter into an Animal Control Services Agreement with the Fort Erie SPCA for the provision of animal care and control services;

Now therefore the Municipal Council of The Corporation of the Town of Fort Erie enacts as follows:

- 1. That** the Fort Erie Society for the Prevention of Cruelty to Animals is hereby appointed as the poundkeeper for The Corporation of the Town of Fort Erie for the purpose of carrying out the duties of a poundkeeper to pick up and impound any animal pursuant to the Animal By-law, as amended or replaced from time to time, and any other applicable Town by-laws or legislation.
- 2. That** the entry into an Animal Control Services Agreement with the Fort Erie SPCA, for animal care and control services for a period of three (3) years commencing June 1, 2025, at an initial annual fee of \$140,500 with an annual increase of 2.00%, including the provision of a digital licence renewal service, and with the option to extend for two (2) additional two-year periods, in a form satisfactory to the Town Solicitor, is hereby authorized and approved.

3. **That** the following employees of the Fort Erie SPCA are hereby appointed as Municipal Law Enforcement Officers for the purpose of enforcing the Animal By-law, as amended or replaced from time to time, and any other Town of Fort Erie by-laws related to licensing and regulating animals and the inspection of pet shops, fosters, kennels, rescue groups and any other entity prescribed by the Animal By-law, as amended:
- a) Wendy Trombley
 - b) Mark Dickson
 - c) Marie Walker
 - d) Carlie Brennan
 - e) Natalie Izzard
 - f) Irene Mourik
4. **That** the Town Clerk is hereby delegated the authority to:
- a) appoint other employees of the Fort Erie SPCA as Municipal Law Enforcement Officers for the purposes described in section 3; and
 - b) revoke the appointment of any such employees, as may be required from time to time due to staffing changes.
5. **That** all appointments of employees of the Lincoln County Humane Society as Municipal Law Enforcement Officers made pursuant to By-law 61-2022 or otherwise are hereby revoked.
6. **That** By-law 61-2022 is hereby repealed in its entirety, effective May 31, 2025.
7. **That** the Clerk of the Town is authorized to affect any minor modifications, corrections or omissions, solely of an administrative, numerical, grammatical, semantical or descriptive nature to this by-law or its schedules after the passage of this by-law.

Read a first, second and third time and finally passed this 26th day of May 2025.

Mayor

Clerk