

Best Practices for Keeping Your Livestock Contained

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INTRODUCTION

Part of the long-standing responsibility of caring for domestic animals, including farm animals, is keeping them under the supervision of the owner or caretaker. There are a number of acts and associated regulations in Ontario as well as municipal bylaws that specify livestock owners' obligations to keep their animals under their care, and to get them back under control when out of containment. It's not acceptable to allow livestock to roam unchecked in Ontario. This infosheet will outline some of the obligations of animal owners or caretakers and suggested best practices to keep or return animals to containment.

BEST PRACTICES – BE A GOOD NEIGHBOUR

It is of critical importance to respect the property, health and safety of other citizens, their animals and the environment in the rural community. Any owner of farm animals needs to ensure that their animals are good neighbours too by keeping them on their own property.

Steps to take:

- Introduce yourself. Get to know your neighbours so you are comfortable talking to them in the event your animals escape, and for other neighbourly supports. Obtain your neighbours' contact information including mobile phone numbers.
- Use proper fencing for the species. Many options are widely offered by Ontario agribusinesses. Information on fencing is available on the Ontario Ministry of

Agriculture, Food and Rural Affairs (OMAFRA) website at ontario.ca/livestock such as:

- o [Fencing Options for Predator Control](http://www.omafra.gov.on.ca/english/livestock/sheep/facts/02-053.htm) (www.omafra.gov.on.ca/english/livestock/sheep/facts/02-053.htm)
- o [Fencing for Outdoor Pig Production](http://www.ontario.ca/page/fencing-outdoor-pig-production-protecting-your-livestock-and-environment) (www.ontario.ca/page/fencing-outdoor-pig-production-protecting-your-livestock-and-environment)

- Check animals frequently. Long distance ownership of animals without local caretakers is never a good idea. Through frequent management and observation of the animals, health and hygiene problems can be avoided as well as prompt detection of escapes.
- Ensure proper maintenance of animal equipment. Walking fence-lines and housing facilities regularly will reduce the risk of enclosure failure, keeping your livestock secure at all times. Check handling facilities and loading chutes for gaps to avoid escaped animals when trying to transport livestock.
- Use animal identification. In addition to the formal identification ('I.D.') requirements that are addressed below, herd or flock management markings on ear tags on the animals themselves are helpful in describing the animals if they escape.

LEGAL REQUIREMENTS

Ontario does not have a single, concise and modern regulation that addresses obligations for livestock containment, trespass, recapture and animal destruction. Depending on the situation and location within the province there are a series of historical regulations and municipal bylaws which address the issue of livestock and pet animals out of containment.

Municipal Bylaws. Many municipalities in Ontario have animal control bylaws that are enforced by municipal staff or a contractor on a complaint basis. The issue of livestock and pet containment, regardless of species, may fall under this jurisdiction and animals at-large can be addressed by the municipal animal control service.

Pounds Act. While originally enacted in 1897 and most recently amended in 2006, this act gives authority on escaped domestic animals to any municipality that has established bylaws. The *Pounds Act* applies to all cattle, horses, sheep, goats or swine in that 'animals [are] not to run at large'. It makes owners liable for damages caused by their animals and describes seizure and sale of impounded animals.

Line Fences Act. This act provides protections for adjacent landowners with a property boundary fence, which must be maintained to successfully contain farm animals.

Provincial Animal Welfare Services Act (PAWS). While the 'PAWS' Act is primarily focused on issues around animal welfare, it gives appointees significant powers. An animal at-large could be deemed in distress on account of poor access to feed or housing or endangerment and thus its owner subject to complaint.

Farm Products Marketing Act. Some farm animals and the ownership of them in Ontario fall under the *Farm Products Marketing Act* and the various boards established under its authority. Some boards have exercised powers of seizure for animals from farms out of compliance on health or ownership matters. Other boards or their staff offer action ranging from arbitration to referral to other authorities.

Health of Animals Act. The *Health of Animals Act* is federal legislation. All cattle, sheep, pigs, and bison have regulatory requirements for animal identification before leaving the farm of origin, and movements need to be recorded for the purposes of animal disease control. Other sectors are undertaking frameworks to achieve traceability systems in the future. This means animals

typically need to be tagged or have group identification that are recognized by the 'Trace' systems before leaving the farm. The regulation does not make allowances for escaped animals as opposed to planned movements. This act has significant powers of enforcement including cooperative education, fines and prosecution.

DEALING WITH AND RECAPTURING ESCAPED ANIMALS

Animal owners need to appreciate that in the event of escaped livestock their fellow citizens are advised to take action according to the following priority list:

1. In the event of imminent danger to people or an injured animal in distress, report to police/call 911. For example, aggressive animals or livestock on a roadway. If not an immediate danger, then;
2. Report to owner. If the owner is unknown or will not respond, then;
3. Report to municipal animal control. If the animal is not subject to municipal control, then;
4. Report to OMAFRA at 1-877-424-1300 or relevant commodity organization with particulars of the animal's risk profile (health, location, damage) who can then refer the issue to the appropriate individuals. If that does not solve the problem, citizens have the right to protect their property from escaped livestock. They could
5. Remove the animal humanely by safe capture or euthanasia, and
6. Document each decision and contact in this process.

Wild Pigs

In circumstances involving an escaped pig, sightings should be reported to the Ministry of Natural Resources and Forestry (MNRF) at <mailto:wildpigs@ontario.ca>. MNRF is collecting and monitoring sightings from the public to learn more about the number and location of wild pigs in the province. For more information on wild pigs in Ontario, visit ontario.ca/wildpigs.

RECAPTURING ESCAPED LIVESTOCK

In most cases livestock that leave the property - whether onto a roadway or neighboring property - are quickly contained by responsible owners. This is the best outcome in terms of speed and resources needed.

Recapture is usually best achieved using animal behaviour, including strong motivators for the animals such as feed and the desire to be with the herd. In most cases allowing the animal to be lured with these motivators and a safety net of surrounding boundaries is more effective than chasing the animal towards the desired location. In some cases, animals will need to be captured in a secure corral or pen on their own time using feed, water and herd mate cues. Remember, domestic animals are in fact domestic, social animals, and hunger and togetherness are powerful motivators! Using these motivators to your advantage in recapture rather than using fear-based motivators such as driving the animals, is typically more humane, controlled and effective.

CONCLUSION

All Ontarians have the benefit of various regulations and ancient societal expectations to be protected from other citizens' livestock. While the application of these rules may vary based on location, it is clear that owners of livestock are expected to properly contain their livestock to prevent injury to people and other livestock and damage to property. By making sure animals are well cared for and properly housed and fenced, livestock owners can do their part to be good stewards, benefitting their community and the farm economy.

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