

Published by Authority

Pursuant to the power conferred by Section 414 of the MUNICIPALITIES ACT, SNL 1999 CHAPTER M-24 as amended, the Town Council of the Town of North West River has made the following regulations.

Art Williams, Mayor

Ken Nelson, Town Manager/Clerk



Town of North West River Animal Control Regulations 2009

- 1) These regulations may be cited as the Town of North West River Animal Control Regulations 2009
 - a) "Act" means the Municipalities Act.
 - b) "Animal Control Officer" means any person empowered by Council to enforce these regulations, including the capture and impounding of animals, and shall include any Town employee and any member of the Royal Canadian Mounted Police.
 - c) "Town Manager/Clerk" means any person appointed as such by Council.
 - d) "Council" means the Town Council of North West River.
 - e) "Town" means the Town of North West River as defined by Order-in-Council dated 1958, A.D. and any amendments thereto, and made under provisions of the said Act.
 - f) "At Large" means to be off the premises of an owner or not under the physical control of a person by means of a leash.
 - g) "Impound" means to seize and hold in custody.
 - h) "Animal" means dogs, cats or any domestic animal, male or female, of any age.
 - i) "Licensing Officer" means any person appointed by Council to issue licenses pursuant to these regulations.
- 2) From and after the date of passing these regulations, no person shall keep any animal within the boundary of the Town, unless the animal in question has been registered and licensed.
- 3) The Council may appoint licensing officers who shall keep a register of all animals licensed by them. The Town Manager/Clerk or their designate may act as licensing officer.
 - a) License tags will be issued and supplied by the Council and be valid for the life of the animal.
 - b) The owner of every licensed animal shall immediately on receiving the license, attach it to a strong and durable collar, which collar shall be kept on the animal's neck at all times when it is outside the premises of the owner.
 - c) A fee shall be charged for each license tag. Such fee will be set annually in the Town Budget.
 - d) No person shall place a license tag on an animal other than the license tag issued with respect to that animal.
 - e) Should the original tag get lost, up to a maximum of two license tags per animal will be replaced at no charge to the owner.

- 4) Every dog within the Town shall, while on its owners property, be kept tethered or penned or fenced in at all times, or shall be under the effective control of a person, and every cat shall be kept on its owners property at all times.
- 5) Any unleashed animal which cannot be effectively controlled by its owner or other authorized person, or if the person fails to exercise effective control over the animal, shall be deemed to be running at large and subject to collection and impounding by the Animal Control Officer.
- 6) Any animal found off the property of the owner and not under effective control of any person, or found in the street, or if the person fails to exercise effective control, such animal shall be deemed to be running at large and subject to collection and impounding.
 - a) No unleashed animals are allowed on the beach, or in any public areas.
 - b) Council may designate times or areas where no animals are permitted.
- 7) Any animal that bites, menaces, or intimidates any person, shall be seized and impounded by the Animal Control Officer.
- 8) The Animal Control Officer may seize and impound any animal found at large and may enter premises for the purpose of capturing any animal that the Animal Control Officer was pursuing or had escaped from his control.
- 9) The Animal Control Officer may collect and impound any animal found at large without the use of tranquilizing darts or firearms, except in cases where the animal cannot be impounded by other means, or constitutes an immediate threat to persons or property.
- 10) Any animal causing damage to any lawn, grass plot, garden, flowerbed, flower, shrub or plant, shall be deemed to be a nuisance, and the owner thereof shall be deemed to have committed an offense in terms of these regulations.
- 11) Any animal found damaging or destroying private property may be seized by the injuriously affected person or persons and held for collection by the Animal Control Officer.
- 12) If any animal creates a vocal disturbance in such a manner as to disturb the peace or to constitute an annoyance to residents in the neighborhood, such animal shall be deemed to be a nuisance and the owner therefore shall be deemed to have committed an offence in terms of these regulations.
- 13) When an animal has been impounded, the Animal Control Officer shall make a record of such impounding in a book kept for that purpose and the owner of a licensed and tagged animal will be notified if possible.
 - a) The Animal Control Officer shall keep any licensed and tagged animal in the pound and care for it for a period of twenty-four hours, and after expiration of such period, the animal shall be humanely destroyed.
 - b) When an animal is impounded and is not licensed the animal shall be destroyed.
 - c) When an animal is impounded and is not wearing a tag the animal shall be destroyed.
 - d) Notwithstanding section 13) b) and c), when in the case of an animal known to the Animal Control Officer or an animal whose ownership may be identified by means of a clearly visible tattoo or other markings or tags, the Animal Control Officer shall make reasonable efforts to

notify the owners.

- 14) The owner of an animal may recover the animal on sufficient proof of ownership as the Council may require, and upon payment of all fees in connection with the impounding and keep of the animal.
- 15) All payment of fees in connection with the impounding and keep of the animal must be made at the Town Office.
 - a) The following fees shall be paid by the owners of licensed and tagged animals seized or impounded:
 - i) First instance in a twelve-month period - \$100.00
 - ii) Second instance in a twelve-month period - \$250.00
 - b) Third and subsequent instance in a twelve-month period – animal shall be destroyed.
 - c) When an animal has been impounded and/or destroyed, the Animal Control Officer shall make a record of such impounding or destruction in a book kept for that purpose.
- 16) Any person who has custody, charge or possession of any animal, or who is the principle resident of any house or premises whereby an animal is kept or permitted to live or remain shall be deemed to be the owner of the animal for the purpose of these regulations unless they prove they are not the owner of the animal.
- 17) Every person requested by the Animal Control Officer shall, on request, forthwith give their proper name and address.
- 18) Where, in the opinion of the Animal Control Officer, an animal seized under these regulations is injured, or should be destroyed for humane reasons or for safety reasons, the Animal Control Officer may destroy the animal after seizure as they see fit without permitting any person to reclaim the animal. The Animal Control Officer shall, whenever possible, confirm this procedure with the Town Manager/Clerk.
- 19) Any person who:
 - a) interferes with or attempts to interfere with a municipal employee or Animal Control Officer, or their agents, in the exercise of their duties,
 - b) damages town property,
 - c) without the authority of the Animal Control Officer releases any animal that has been impounded,shall be deemed to have committed an offense in terms of these regulations.
- 20) Any court of summary jurisdiction may take cognizance of a complaint that an animal is dangerous and not kept under control, or has caused injury, or has bitten or attempted to bite any person, and if it appears to the court that such an animal is dangerous or has done any of the said things, the court may make an order directing the owner to destroy the animal.
- 21) Any animal known to have a contagious or dangerous disease shall be collected by the Animal Control Officer.
- 22) Where any person is authorized to capture or destroy an animal under these regulations, they shall do so in a humane fashion.
 - a) The carcass of any animal destroyed shall be disposed of by burning or by burying; it shall not be

placed in the sea, or in any pond, lake, river, or stream or in any water which flows into the sea.

- b) Any Animal Control Officer shall keep a daily record of all his activities and a report shall be passed in once a week to their supervisor.
- 23) No action lies against any person acting in good faith for anything done or proposing to be done under these regulations.
- 24) All previous Animal Control Regulations or amendments thereto are hereby rescinded.
- 25) Any person who contravenes any of the provisions of these regulations is guilty of an offense and is liable on summary conviction to a fine not exceeding one thousand dollars (\$1000.00) or in default of payment of such penalty to imprisonment for a period not exceeding ninety (90) days, or to both such fine and imprisonment in accordance with Section 420 of the Municipalities Act.
- 26) These regulations were adopted and passed by Council at a meeting held on the 4th day of May, 2009 and may be cited as the Town of North West River Animal Control Regulations 2009.