

Town of Portugal Cove-St. Philip's

Dog Control Policy and Regulations

Pursuant to the authority conferred by Section 414 of the Municipalities Act, 1999, The Town of Portugal Cove-St. Philip's has made the following Dog Control Policy and Regulations on the 14th day of November, 2000.

1. Title

This document shall be known and cited as the *Dog Control Policy and Regulations*.

2. Interpretation

(a) *Act*- shall mean the Municipalities Act, Chapter M-24, 1999.

(b) *Council*- shall mean the Town Council of Portugal Cove-St. Philip's.

(c) *Town*-means the Town of Portugal Cove-St. Philip's.

(d) *Impounder*- means any person appointed as such by Council.

(e) *Licensing Officer*- means any person appointed as such by Council.

(f) *Kenel*- means a commercial establishment where dogs are boarded and/or bred for sale and where four or more dogs over four months old are kept from time to time.

(g) *Licensing Area*- means all that area contained within the boundaries of the Town of Portugal Cove-St. Philip's

3. Policy Statement

The purpose of this policy is to address the issue of dog control in the Town and these regulations are for the benefit of both the animal and society as a whole and are to be interpreted for those purposes.

4. Regulations

- i. From and after the date of passing of these regulations no person shall keep any dog other than a puppy, not more than four (4) months old, within the limits of the Town, unless such dog has been registered and licensed.
- ii. The Council may appoint licensing officers who shall keep registers of all dogs licensed by them.
- iii. The Town shall supply the licensing officer with a supply of license tags and the officer shall issue a license tag to every dog over four months old in the licensing area.

- iv. A permit from the Town is required for individuals to operate a kennel and a license tag is required for each dog over four (4) months old in the kennel.
- v. The owner of every licensed dog shall immediately on receiving the license tag from the licensing officer attach it to a strong durable collar, and the collar shall be kept upon the dogs neck at all times when it is outside the enclosed premises.
- vi. (a) Every owner of a dog shall keep it safely tethered or penned up at all times.

(b) A dog need not be tethered or penned up if it is held on a leash by a person capable of restraining the dog's movements.
- vii. Dog owners are required to clean up their pet's feces from any public or private property.
- viii. The cost, if any, of each license tag issued in accordance with the foregoing shall be set by the Council at the beginning of each fiscal year in the tax structure for that taxation year.
- ix. The Impounder may seize and impound any dog found at large.
- x. The Impounder may enter any premises with permission of the owner of said premises for the purpose of recapturing any dog that may escape from the Impounder's control.
- xi. Any dog found damaging or destroying private property may be seized by the injuriously affected person(s) and held for collection by the Impounder.
- xii. When a dog has been impounded, the Impounder shall make a record of such impounding in a book kept for that purpose and the owner, if registered, will be contacted if possible.
- xiii. The owner may recover an impounded dog upon payment of all fees in connection with the impounding and keep of the dog.
- xiv. The Impounder shall keep any such unclaimed dogs in the pound for a period of 48 hrs and after the expiration of such a period the dog will be brought to the veterinary clinic for appropriate euthanasia procedures and the dog will be disposed of as humanely as possible. Euthanasia and associated fees will be charged to the owner.
- xv. In any proceedings under these regulations, the proof that a dog was under the age of four months shall be upon the owner of the dog or the person having possession.
- xvi. Any person who has custody, charge or possession of any dog or who is the owner of any house or premises where a dog is kept or permitted to live or remains shall be deemed to be the owner of the dog for the purpose of these regulations.

- xvii. Prosecution under these regulations may be taken summarily by any member of the Council or any Police Constable or by any person authorized by Council.
- xviii. In the event that the Impounder is called to an injured animal, he shall abide by the provisions of the Animal Protection Act.

5. Penalties

Pursuant to Sections 419 and 420 of the Act, a person who commits an offence under these sections is liable on summary conviction:

- (a) For a first offence to a fine of not less than \$100 and not more than \$500; or to a term of imprisonment of not more than one month; or both a fine and imprisonment.
- (b) For subsequent offences to a fine of not less than \$500 and not more than \$1000; or to a term of imprisonment not more than three months; or to both a fine and imprisonment.

6. Date Effective

November 14th, 2000, Motion # 00-481

7. Repeals

This policy rescinds all previous policies and regulations on this subject matter.