

PUBLISHED BY AUTHORITY

Pursuant to the power conferred by Section 414 of the Municipalities Act, 1999 SN1999 Chapter M-24 and as amended, the Town of Channel - Port aux Basques has made the following resolution and adoption on the 13th day of September, 2005.

**R. ANEITHA SHEAVES
MAYOR**

REGULATIONS

1. **Interpretation** - In these regulations unless the context otherwise requires:
 - (a) **"Act"** means the Municipalities Act, 1999, SN1999 Chapter M-24 as amended.
 - (b) **"Council"** means the Town Council of the Town of Channel - Port aux Basques.
 - (c) **"Owner"** when used with reference to the ownership of a dog, includes any person who has custody, charge or possession of a dog who is the owner of any house or premises or part of premises where any dog is kept or permitted to live or remain, except where such person proves that he/she was not, at the time in question, the owner of the dog.
 - (d) **"Town"** shall mean the Town of Channel - Port aux Basques as defined by Paragraph 2 of Order in Council dated the 12th day of December, A.D., 1950 and made under the Local Government Act.
 - (e) **"Obstruct"** means to hinder, to impede, to hamper, to stop, to get in the way of.
 - (f) **"Impounder"** means any person appointed as such by the Town for the purpose of these Regulations.
 - (g) **"Licensing Officer"** means any person appointed as such by the Town for the purpose of these Regulations.
2. From and after the date of the passing of these regulations, no person shall keep any dog, other than a puppy not more than four months old, within the town unless such dog has been registered and licensed.

3. 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 thereof.
4. The owner of every licensed dog shall immediately on receiving the license tag, attach it to a strong and durable collar, which collar shall be kept upon the dog's neck at all times when it is outside of the enclosed premises of the owner.
5. Licenses to be issued free of charge.
6. License tags will be issued by licensing officers and supplied by the Council.
7. Every owner of a dog within the Town shall keep such dog tethered or penned up at all times and under the control of some person capable controlling it at the time.
8. The owner of any dog in respect of which a license had not been issued is guilty of an offence.
9. The Impounder may seize and impound any dog found at large and may enter any premises for the purpose of recapturing any dog that may escape from his/her control.
10. Any dog found damaging or destroying private property may be seized by the injuriously affected person or persons and held for collection by the Impounder.
11. Any dog in respect of which a license has not been issued and any dog found at large in the Town, with or without a license and/or tag, may be destroyed by any police constable or any person generally or specifically authorized by the Council on that behalf.
12. The Impounder or police constable may destroy any dog found at large within the Town if, in his/her opinion, such dog is so diseased or injured or vicious or in such condition that it ought to be destroyed.
13. Any dog impounded under these regulations shall be kept as such for a period not exceeding 48 hours, after which time, if not claimed by the owner, may be either humanely destroyed, sold or otherwise disposed of, however, the Impounder may destroy immediately any dog which is found untethered, unattended and has been impounded three times or more during the calendar year.
14. When a dog has been impounded, the Impounder shall make a record of such impounding in a book kept for that purpose and may then, but shall not be bound to, advertise that such dog has been impounded.

15. Where any person is authorized to destroy a dog under these regulations, he shall do so in a manner as humanely as possible.
16. The carcass of any dog destroyed shall be disposed of by burying or burning; it shall not be placed in the sea or in any pond, lake, river or stream or any water which flows into the sea.
17. No person shall obstruct an impounder or any person working in any capacity under the act, in the execution of his/her duties.
18. The following Seizing and Impounding Fees shall be paid by the owner of dogs seized or impounded or deducted from the proceeds of any sales of such dogs:

Seizing and Impounding 1st Offence\$ 50.00

Seizing and Impounding 2nd Offence\$ 100.00

Seizing and Impounding 3rd Offence\$ 150.00

Daily Fee for each dog held in Pound \$ 10.00

Dogs impounded over the weekend can only be returned on Monday during regular working hours.

19. Every person who is guilty of an offence under these Regulations, or who acts in contravention of or fails to comply with any provisions thereof, or neglects or refuses to do so, shall be liable on summary conviction to a fine of not less than \$50.00 and not exceeding two hundred dollars (\$200.00) and in default of payment of the fine to imprisonment for a term not exceeding three months.
20. All previous Municipal Dog Control Regulations or amendments thereto are hereby rescinded.
21. These Regulations shall come into effect on the 13th day of September ,2005, and shall be cited as the Town of Channel - Port aux Basques (Dog) Regulations, 2005.