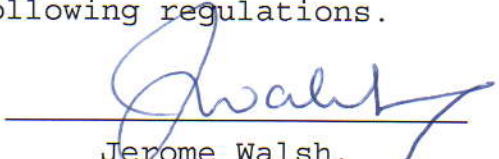


# TOWN OF MARYSTOWN

Pursuant to the authority conferred by Section 239 of The Municipalities Act, Chapter M-23, the Town Council of Marystown has made the following regulations.

  
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Jerome Walsh,  
Mayor

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## R E G U L A T I O N S

1. These regulations may be cited as the Town of Marystown (Animal Control - Impounding) Regulations 1995.
2. Interpretations: In these regulations unless the context otherwise requires:
  - (a) "Act" means the Municipalities Act.
  - (b) "Animal" means any domestic animal except a dog or cat.
  - (c) "Clerk" means the Town Clerk of The Town of Marystown.
  - (d) "Council" means the Town Council of The Town of Marystown.
  - (e) "Impounder" means any person appointed as such by the Council.
  - (f) "Municipality" means the Town of Marystown.
3. No person shall permit any animal of which he is the owner to roam at large in any public area within the Municipality or in any open field or common from which free access can be had to such area.
4. The Impounder may seize and impound any animal found roaming at large and to enter any premises for the purpose of recapturing any such animal which may escape from his control.

5. When an animal 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 animal has been impounded.
6. The owner may recover an impounded animal on such proof of his ownership of the animal as the Impounder may require and upon payment of all fees and expenses in connection with the impounding and keep of the animal.
7. The following fees shall be paid by the owner of any animals seized or impounded or deducted from the proceeds of any sales of such animals:
  - a) First Offence:
    - \$25.00 for the first day
    - 50.00 for the second day
    - 75.00 for the third day
  - b) Second Offence:
    - \$30.00 for the first day
    - 60.00 for the second day
    - 90.00 for the third day
  - c) Third Offence:
    - The animal shall be sold for the amount of fines owing or destroyed.

All actual expenses for necessary food and veterinary treatment, if any, for an animal impounded.

8. The Impounder shall keep any unclaimed animal in the pound for not more than two (2) weeks having regard to all the circumstances, and after the expiration of such period shall offer such animal for public or private sale, and if the animal is sold, shall deduct from the price, fees and expenses payable under these regulations and pay over the balance, if any, to the Clerk for the use of the owner.
9. At any time within the twelve (12) months after an unclaimed animal has been sold, the owner, upon giving such proof or ownership as the Clerk may require, shall be paid any balance deposited with the Clerk in respect of such animal and if any balance has not been claimed by the owner within the prescribed period, it shall be paid into the general revenue of the Municipality.

10. Should there be no purchaser of any animal offered for sale under these regulations, the Impounder may forthwith destroy the animal in a humane manner.

The Impounder or any person authorized by the Council for the purpose, shall dispose of the carcass of any ~~cat~~ <sup>cat</sup> animal <sup>ok</sup> destroyed under the provision of Regulation 9 and 10 hereof by:

- a. burying the carcass in the earth at a place that meets the approval of the Council and the Provincial Department of Health;

or

- b. cremation of the carcass by placement thereof in the local municipal waste disposal incinerator;

or

- c. any other method that meets the approval of the Council and the Provincial Department of Health

11. The Impounder may destroy any animal found at large within the Municipality if, in his opinion, such animal is so diseased, injured or vicious or in such other condition that it ought to be destroyed or is of a value less than the probable fees and expenses of its impounding, keeping and sale, and may so dispose of the carcass or hide as outlined in Section 10 except such carcass or hide shall not be placed in the sea, or in any pond, lake, river or stream or any water which flows into the sea.

12. In accordance with Section 443 of the Act, every person who contravenes or fails to comply with any of the provisions of these regulations is guilty of an offence and liable on summary conviction to a fine not exceeding One thousand dollars (\$1,000.00) or in default of payment to a period of imprisonment not exceeding ninety (90) days or to both such fines and period of imprisonment.

13. These regulations were adopted by resolution of Council at a meeting held on the 16<sup>th</sup> day of MAY 1995 and will come into effect on the 17<sup>th</sup> day of MAY 1995.

14. All previously adopted (Animal Control) regulations for the Municipalities are hereby repealed.



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Dennis Kelly  
Clerk