

The Municipalities Act  
Town of Steady Brook  
Animal Regulations 2004 (May 10, 2004)

Pursuant to the authority conferred by Section 240 of "The Municipalities Act", these regulations may be referred to as The Town of Steady Brook Animal Regulations.

## DEFINITIONS

1. For the purpose of these regulations, unless indicated otherwise;
  - (a) "Clerk" means the Town Clerk of Steady Brook or designate.
  - (b) "Council" means Steady Brook Town Council.
  - (c) "Dog" means a male or female pup or dog.
  - (d) "Cat" means a male or female kitten or cat
  - (e) "Impounder" means the person or persons appointed by the Council and authorized to impound any animal without an owner; or not in the company of an owner; or the owner of which has infringed any provision of this regulation.
  - (f) "Injured" or "Injuring" include injuries caused by wounding, worrying, terrifying or pursuing.
  - (g) "Manager" means the person appointed to this position by Council in accordance with the "Municipalities Act".
  - (h) "Owner" means the person who owns, harbours, or has charge of an animal and includes the owner, tenant, or person in charge of the premises in or on which an animal is kept or permitted to live or remain.
  - (i) "Town" means the Town of Steady Brook.
2. No person under any circumstances, for the duration of time, shall be permitted to keep a "Bull Terrier" within the boundaries of the Town.

## LICENCE REGULATIONS

3. No person shall keep a dog / cat in the Town of three months of age or older unless a license has been issued by the Council for such a dog or cat and such license is still in force, and unless such a dog / cat bears a numbered tag or **plate** indicating that such a license is in force for the current year.
4. No person shall lead, have or take a dog / cat in or to any public place in the Town unless such a dog / cat bears a numbered tag or plate indicating that a license has been issued for such a dog / cat for the current year by the Town or any other municipality.

## **LICENSE EXPIRY DATE**

5. Every such license from the Town shall expire on the thirty first day of December next, after the date of issue, and shall be non-transferable.
6. Any dog / cat found at large in the Town contrary to this regulation may be destroyed by the Impounder.
7. Any court of summary jurisdiction may take cognizance of a complaint that dog / cat is dangerous and not kept under proper control or has bitten or attempted to bite any person and if it appears to the court that the animal is dangerous or has done any of the things referred to herein, the court may order the owner of the dog / cat to destroy it.
8. (1) Any person authorized to destroy a dog / cat under this regulation may destroy it or may complain to a magistrate who upon verification of the authorization may make an order directing the owner of the animal to destroy it.  
  
(2) The owner of a dog / cat shall be liable for damages or injury done by it to a person, goods or property and the court may order the owner of the dog / cat to pay all costs incurred as a result of such damage or injury.
9. The owner of a dog / cat who fails to comply with an order under Section 8 shall be deemed to have committed an offence in terms of this regulation.
10. No person shall establish or carry on any business or institution for boarding, keeping, training, or treating dogs or cats unless the permission of the Council has been obtained in writing.
11. If any dog / cat while not in the company of its owner or a member of its owners household, is found in a public place or any private place or any private property without the consent of the owner, occupant or person having control of such property the owner of such an animal as well as the person who causes the animal to be in such a place shall be deemed to have committed an offense in terms of this regulation.

## **ANIMAL REGULATIONS**

12. If any dog / cat shall bite or otherwise injure any person other than its owner or a member of its owner's household and while not in its own premises, such dog / cat shall be deemed to have committed an offence in terms of this regulation.
13. If any dog / cat shall deposit excrement on any street or any property whether private or public, or otherwise cause damage to any lawn, grass plot, garden, flower bed or flowers, scrub or plant, such animal shall be deemed to be a nuisance and the owner thereof shall be deemed to have committed an offense in terms of this regulation.

14. If any dog shall bark or howl in such a manner as to disturb the peace or to constitute an annoyance to residents in the neighbourhood such dog shall be deemed to be a nuisance and the owner shall be deemed to have committed an offense in the terms of this regulation.

15. Whenever a dog / cat is found in any public place or on private property without the consent of the owner, occupant or person having control of such private property or without a tag or plate as required by Section 4 preceding, or is not accompanied by Section 12 preceding, or is not held securely on leash by a person capable of restraining its movement or confined to private property, the Impounder or any person may cause that dog / cat to be impounded.
16. (1) When a dog / cat, which bears a current numbered tag or plate as required by this regulation has been impounded, the Impounder shall contact the Town Office, who will contact the licensee or owner of the dog / cat, if the name and address of such persons are known to him and if the dog / cat has not been claimed by or on behalf of the licensee or owner within two days (2) after the dispatch of such a notice, or where no notice has been sent, after the time of the impounding, the Impounder shall cause the dog / cat to be destroyed or disposed of.
  - (2) The fee, which shall be paid to the Impounder, for the redemption of an impounded dog / cat shall be paid per day from the time of impounding. All fees must be paid to the Steady Brook Town Office, in full, before any impounded dog / cat will be released by the Impounder. The owner of any impounded dog / cat is responsible to claim their animal at the Regional Animal Control Centre, in Reidville.
  - (3) When a dog / cat does not bear a current numbered tag or plate as required by this regulation has been impounded, the Impounder may cause the dog to be disposed of or destroyed forthwith at the expiry of two (2) days after the time of impounding.
  - (4) Where in the discretion of the Impounder, any dog liable to be Impounded appears to be vicious, dangerous, or any dog / cat that appears to be diseased, or otherwise unfit for impounding, the Impounder may cause the dog / cat to be disposed of or destroyed immediately.
  - (5) Where a person is authorized to destroy a dog / cat under these regulations, he shall do so in a manner as humanely as possible, the carcass of which shall be disposed of by burning or burying. It shall not be placed in a body of water.
  - (6) Upon payment of the impounding fee and of the license fee prescribed where a dog / cat is not licensed, the Town Office will authorize the Impounder to release any dog / cat which fails to be disposed of or destroyed to any person requesting such dog / cat.
17. (1) No person shall keep an animal in the Town unless the dog / cat is confined to private property or kept securely on a leash by a person capable of restraining its movement.
  - (2) The Council may by resolution order that any and/or all dogs within the Town be muzzled, isolated or detained for such period or periods as the Council deems fit and the owner or any dog who fails to comply with such order shall be deemed to have infringed on this regulation.
  - (3) The Town Office shall serve upon the person violating any of the provisions of this regulation a notice, instructing such person where to report with the notice that such person has violated a provision of this regulation and regard to such violation.
  - (4) The Town Office will file a duplicate copy of each notice on the same working day of issue, and place a copy in the owner's file.

**THE IMPOUNDER SHALL:**

- 18. (1) Report the name and address of any person observed or reliably to have violated any of the provisions of this regulation.  
  
(2) Report the time and nature of such violation and any other circumstances relevant thereto.
  
- 19.(1) Except for a violation of Section 13, and subject to the provisions of Section 21, hereafter, each person served with a notice in terms of Section 19, preceding may, within 48 hours of the time when such notice was served (exclusive of Saturdays, Sundays and public holidays) pay to the Town Clerk, who is authorized to accept such payments and furnish an official receipt in the sum as indicated on the notice as a mitigated penalty for each violation.  
  
(2) Any person who without the authority of the Manager or the Impounder releases any dog / cat which has been impounded or hinders or interferes with the Impounder in the execution of his duties shall be deemed to have committed an offence in the terms of this regulation.
  
- 20. Every person who is served with a Notice of Violation under the Regulations may, within 48 hours of the time when the notice was served (exclusive of Saturdays, Sundays and public holidays) pay to the Town Clerk who is authorized to accept such payment and furnish an official receipt, the sums indicated on the notice as mitigated penalties for each such violation and shall pay the license fee for the current year.
  
- 21.(1) Any person who fails to make payment of the mitigated penalties within the time prescribed shall be prosecuted.  
  
(2) Any person who violates any of the provisions of this regulation shall be guilty of an offense and shall, subject to the right of such person to make payment to the mitigated penalty, be subject to the right of such person to make payment to the minimum of fine \$50.00 for the first offense, a minimum of \$75.00 for the second offense and a minimum fine of \$100.00 for a third offense, and each subsequent offence thereafter.
  
- 22. Fees, licenses and penalties found in this regulation are deemed to be as follows and are subject to change by a resolution of Council.
  - (a) **License Dog** (either sex) \$10.00 (1<sup>st</sup> year, and \$5.00 each year thereafter)
  
  - (b) **License Cat** (either sex) \$10.00 (1<sup>st</sup> year, and \$5.00 each year thereafter)
  
  - (c) **Impounding Fee** (per diem) \$5.00 (per day, payable to the Town Office, plus cost of license, if the dog / cat not previously registered.
  
  - (d) **Roaming Dogs / Cats**

First offense	(\$50.00)
Second offense	(\$75.00)
Third offense and	(\$100.00)
Subsequent offenses	(\$100.00)
  
  - (e) Dog / cat biting person. Owner to appear when summoned to answer complaint.
  
  - (f) Dog / cat causing damage to lawn, grass, garden flower bed, plants or shrubs.

(h) Failure to pay fines or answer summons

- (1) First offense (\$75.00)
- (2) Second offense (\$125.00)
- (3) Third offense (\$150.00)
- (4) Subsequent Offences (\$150.00)

23. All fees are to be paid to the Steady Brook Town Office, in full, before the Impounder is authorized to release any dog / cat, which has been impounded. The owner of any impounded dog / cat is responsible to claim their animal at the Regional Animal Control Centre, in Reidville.

24. Any disputes or complaints MUST be directed to the Town Office, not the Impounder.

25. Any previous regulations and amendment made by the Town Council of Steady Brook are hereby revoked.

# **Town of Steady Brook**

## **Animal Regulations**

In witness whereof, the regulations have been sealed with the Common Seal of the Town of Steady Brook, and subscribed by and on behalf of the Town Council by Leona Gillette, and Robert Gosse, Town Clerk / Manager, at Steady Brook this 11<sup>th</sup> day of May, 2004.

Signed: \_\_\_\_\_  
Leona Gillette, Mayor

Signed: \_\_\_\_\_  
Robert Gosse, Town Clerk / Manager

Pursuant to the Provisions of the Town of Steady Brook Municipalities Act, I hereby approve "The Town of Steady Brook Animal Regulations, 2004.

Dated this 11<sup>th</sup> day of May 2004

These Animal Regulations were adopted on MOTION (04/062) by Maidment, seconded by Huxter to adopt. (Minutes of May 10<sup>th</sup>, 2004)