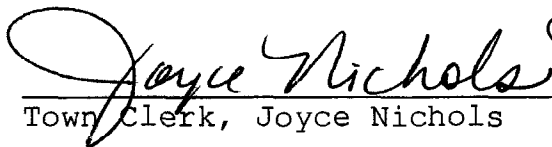
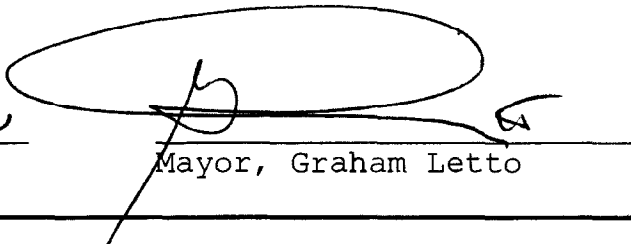


PUBLISHED BY AUTHORITY

Pursuant to the power, conferred by Section 414 of The Municipalities Act, the Town Council of Labrador City, Province of Newfoundland and Labrador has made the following Regulations:


Town Clerk, Joyce Nichols


Mayor, Graham Letto

1. These Regulations may be cited as the Dog Regulations of the Town of Labrador City, 2005.

DOG REGULATIONS

2. Interpretations:

For the Purpose of these Regulations, unless the context otherwise requires:

- (a) "Act" means The Municipalities Act, Statutes of Newfoundland, 1999, Chapter M-24 (as amended from time to time).
- (b) "Council" means the Town Council of the Town of Labrador City.
- (c) "Dangerous Dog" means any individual dog that;
 - i) the dog, without provocation, in a vicious or menacing manner, chased or approached a person or domestic animal in an apparent attitude of attack;
 - ii) the dog has a known propensity, tendency or disposition to attack without provocation, to cause injury or to otherwise threaten the safety of persons or domestic animals;
 - iii) the dog has, without provocation, bitten, inflicted injury, assaulted or otherwise attacked a person or domestic animal;

- iv) the dog is owned primarily or in part for the purpose of dog fighting or is trained for dog fighting.
- (d) "Dog" means a male or female dog or pup and includes an animal which is a cross between a dog and a wolf.
- (e) "Enclosure" means a fence or structure of at least six (6) feet in height and four (4) feet in width, forming or causing an enclosure suitable to prevent the entry of young children, and suitable to confine a dangerous dog in conjunction with the other measures which may be taken by the owner or keeper, such as tethering of the dangerous dog. The enclosure must be securely enclosed and locked and designed with secure sides, top and bottom and must be designed to prevent the animal from escaping from the enclosure.
- (f) "Injuriously" or "Injury" includes but are not limited to injuries caused by wounding, worrying, terrifying or pursuing.
- (g) "Impounder" means a person, including a Municipal Enforcement Officer, or persons appointed by the Council or the Town Manager and authorized to impound any animal without an owner or not in the company of an owner of which has infringed any provisions of the Regulations.
- (h) "Judge" means a judge of the Provincial Court of Newfoundland and Labrador
- (i) "Lease" means a rope, chain, cord, leather strip or other device attached to the collar of a dog capable of controlling and restraining the activity of the dog in a manner which conforms to requirement of this regulation.
- (j) "Muzzle" means a humane fastening or covering device of adequate strength over the mouth of dog to prevent it from biting.
- (k) "Owner" means a natural person or body corporate who has legal title to the dog, and includes any

person who has custody of the dog, either temporarily or permanently, or harbours the dog, or allows the dog to remain on his or her premises.

(l) "Premises" shall mean any property within the boundaries of the Town.

(m) "Town" shall mean the Town of Labrador City as defined by Order-in-Council dated the 27th day of June, 1961, and any amendments thereto, according to the Municipalities Act.

(n) "Town Clerk" means the Town Clerk of the Town of Labrador City.

3. From and after the date of passing of these Regulations, no person shall keep any dog other than a puppy not more than six (6) months old, within the Town, unless such dog has been registered and licensed.

4. The Council may keep registers of all dogs licensed to them.

5. Fees to be paid on issues:

Male Dogs, Neutered:	\$ 5.00
Male Dogs:	\$100.00
Female Dogs, Spayed:	\$ 5.00
Female Dogs:	\$100.00
Dangerous Dog	\$250.00

Note: Certification of dog spayed or neutered will be required.

6. License tags will be issued by the Town of Labrador City and supplied by the Town.

7. The owner of every licensed dog shall be immediately upon receiving the license tag referred to in Regulation (6) herein attach it to a strong and durable collar, which collar shall be kept upon the dogs neck at all times when it is outside the enclosed premises of the owner, a license tag to be furnished by the Town issuing the license.

8. (1) Every license issued under these Regulations is valid for the life of the dog and is not transferable.
 - (2) If a dog licensed under Section 8(1) is later deemed to be a dangerous dog, a new license shall be purchased at the fee prescribed for a dangerous dog in Section 5.
 - (3) Where the ownership of a dog which is registered under Section 8(1) passes from the owner to another owner, notification of the change in ownership shall be made to the Town Clerk.
 - (4) If a license becomes lost or damaged, a new license shall be purchased at a cost of \$5.00 each.
9. Every owner of a dog within the Town shall keep such dog safely tethered or penned up at all times, safe when under the control of some person capable of controlling it at all times.
 10. Any dog in respect of which a license has not been issued, and any dog found at large in Town, with or without a license tag, may be destroyed by a person generally or specifically authorized by the Council in that behalf.
 11. In any proceedings under these Regulations, the onus of proof that a dog was under the age of six (6) months shall be upon the owner of the dog or person having possession thereof.
 12. The Impounder may seize and impound any dog found at large contrary to Regulation (9) of these Regulations, and enter onto any premises for the purpose of capturing any dog.
 13. Any dog found damaging or destroying private property or being a nuisance due to roaming on private property may be seized by the injuriously affected person or persons and held for collection until the Impounder arrives and the owner thereto shall be deemed guilty of an offence in terms of this Regulation.

14.1 If a complaint is made that a dog is dangerous, a judge shall on hearing the complaint declare the dog to be dangerous where it proved that:

- a) the dog, without provocation, in a vicious or menacing manner, chased or approached a person or domestic animal in an apparent attitude of attack;
 - b) the dog has a known propensity, tendency or disposition to attack without provocation, to cause injury or to otherwise threaten the safety of person or domestic animals;
 - c) the dog has, without provocation, bitten, inflicted injury, assaulted or otherwise attacked a person or domestic animal;
 - d) the dog is owned primarily or in part for the purpose of dog fighting or is trained for dog fighting.
- 2 For the purposes of proceedings pursuant to this section a dog is presumed not to have been provoked, in the absence of evidence to the contrary.
- 3 Where a judge declares a dog to be dangerous, the judge may make an order that the owner or impounder of the dog have the dog destroyed in a humane fashion and thereafter notify the Town Clerk of having done so.
- 4 Where a judge declares a dog to be dangerous but does not make an order pursuant to section 14.3 hereof, the judge shall make an order embodying all of the following:
- a) that the owner shall keep the dog in an enclosure which complies with prescribed criteria;
 - b) that if the owner removes the dog from the enclosure, he/she shall muzzle and leash it in accordance with prescribed criteria and keep it under his/her direct control and supervision;
 - c) that the owner shall display a sign, in the prescribed form and manner, on his or her property warning of the presence of the dog and shall

continue to display that sign in good condition so long as the dog is present on the property;

d) that the owner shall report a sale or other disposition of the dog to the Town Clerk.

e) that where the dog is moved to a different municipality, the owner shall notify the clerk of that municipality.

15 (1) The owner or any other person having care or control of a dog shall forthwith remove any defecation left by it on public property or private property other than that of the owner.

2) The owner or any other person having care or control of a dog shall ensure that defecation apparently left by it on the property of the owner does not accumulate to such an extent that it is reasonably likely to annoy or pose a health risk to others.

3) It shall be the duty of the owner of any dog to ensure that his/her dog does not become a nuisance to persons in any neighbourhood by reason of barking or howling. If any dog shall bark or howl in such a manner as to constitute a nuisance to any person, the owner thereof shall be deemed to have committed an offence under these Regulations.

16. Prosecution under these Regulations may be taken summarily by any police constable, including a municipal enforcement officer or by any other person authorized by Council.

17. A person authorized by Council to enforce these Regulations may in his discretion issue a warning notice to a person who may have been in violation of these Regulations provided that such a person has not been previously convicted of an offence under the Dog Regulations of the Town of Labrador City.

18. The owner may recover an impounded dog on such proof of his ownership of the dog as the Council may require, and upon payment of all fees in connection with the impounding and keep of the dog and upon

payment of licensing costs where the dog has not been licensed.

19. The following seizing and impounding fees shall be paid by the owners of the dog seized or impounded, or deducted from the proceeds of any sales of such dogs:

Seizing & Impounding: 1st offence: \$ 75.00

Seizing & Impounding: 2nd offence
and thereafter: \$ 150.00

Seizing & Impounding-Dangerous Dog-1st offence \$1,000.00

Seizing & Impounding-Dangerous Dog-2nd offence
and thereafter: \$2,000.00

Daily fee for each day dog is held in pound: \$ 10.00

20. The Impounder shall keep any unclaimed dog which is licensed in the pound for a period of forty-eight (48) hours, and after the expiration of such period the dog may be sold or destroyed; however, the Impounder may destroy immediately any dog which is found not to be licensed, unattended or has been untethered or impounded three times or more within a period of twelve consecutive months, or the owner of which is unknown.

21. Where any person is authorized to destroy a dog under these Regulations, he shall do so in a manner as humanely as possible.

22. The Impounder shall destroy any dog found at large within the Town if in his opinion such dog is so diseased or injured or vicious or in such condition that it ought to be destroyed. The diseased dog shall be quarantined for a period of fourteen (14) days.

23. 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.

24. The Impounder who reports to the Town Clerk or immediate supervisor shall:

- (1) report the name and address of any person observed or reliably reported to have violated any of the provisions of these Regulations;
 - (2) report the time and nature of such violation and any other circumstance relevant thereto;
 - (3) serve upon the person violating any of the provisions of these Regulations a serially numbered notice that such person has violated a provision of these Regulations and instructing such person where a report in regard to such violations;
 - (4) file with the Town Clerk a duplicate of each serially numbered notice served as aforesaid;
25. (1) Any person who violates any of the provisions of these Regulations shall be guilty of an offence and shall be liable to minimum fine of Seventy-Five Dollars(\$75.00) for a first offence, a minimum fine of One Hundred & Fifty Dollars (\$150.00) for a second and each subsequent offence.
- (2) The Town Clerk or a person authorized by the Town Clerk in writing may, either before or after the institution of proceedings against a person for a violation of these Regulations, accept from the person alleged to have been guilty of the violation a payment of a sum not less than the minimum fine prescribed for the violation.
 - (3) A payment made under subsection (2) constitutes a full satisfaction, release and discharge of all penalties and imprisonments incurred by the person charged for the violation.
 - (4) The payment of any amount under subsection (2) has for the purpose of these Regulations the same effect as if the person paying the amount had been convicted for the violation in respect of which the amount was paid and a certificate or a copy of a receipt signed by the Town Clerk or the person authorized by the Town Clerk under

Appendix

WARNING



DANGEROUS DOG ON PREMISES