

# DOG/CAT REGULATIONS

Pursuant to Power conferred by Section 414 of the Municipalities Act, M-24 S.N. 1999, the Town Council of Happy Valley-Goose Bay has made the following regulations.

ORIGINAL SIGNED BY  
Leo Abbass, Mayor

### **DOG/CAT REGULATIONS**

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1. Interpretations: In these regulations unless the context otherwise requires:
  - (a) "Act" means the Municipalities Act.
  - (b) "Animal Control Officer" means any person empowered by Council to enforce these regulations.
  - (c) "At Large" means to be off the premises of an owner or is not under physical control of a person by means of a lease.
  - (d) "Council" means the Town Council of Happy Valley-Goose Bay.
  - (e) "Dog Team" means a group of up to ten (10) dogs used primarily as work dogs.
  - (f) "Town" means the Town of Happy Valley-Goose Bay as defined by Order-in-Council dated March 15, 1955 and any amendments thereto, and made under the provisions of the said Act.
  - (g) "Town Manager" means any person appointed as such by Council.
  - (h) "Impounded" means to seize and hold in custody.
  - (i) "Impounder" means any person appointed by Council for the purpose of capturing and impounding dogs.
  - (j) "Peace Officers" means any member of the Town Municipal Enforcement Department or the R.C.M.P.
  - (k) "Veterinarian" means legally qualified veterinarian as provided in the Newfoundland Veterinary Medical Act.
2. From and after the date of the passing of these regulations, no person shall keep any dog/cat within the limits of the Town, unless such dog/cat has been registered and licensed.
3. The Council may appoint licensing officers who shall keep registers of all dogs/cats licensed by them.
4.
  - (a) Licence tags will be issued and supplied by the Council and be valid for the life of the dog or cat
  - (b) A fee of \$10.00 for each licence tag will be charged.
  - (c) When a dog/cat is impounded and is not licensed the dog/cat owner, after the impounding fee is paid, must license their dog/cat before it is returned.
5. The owner of every licensed dog/cat shall immediately on receiving the license, attach it to a strong and durable collar, which collar shall be kept upon the dog's/cat's neck at all times when it is outside the enclosed premises of the owner.
6. Every owner of a dog/cat within the Town shall keep such dog/cat safely tethered or penned up at all

times except when under the control of some person capable of controlling it at all times.

7. If any dog/cat shall bite any person other than its owner or a member of its owner's household and while not in its owner's premises, such dog/cat shall be deemed to be a nuisance and the owner thereof shall be deemed to have committed an offence in terms of these regulations.
8.
  - (a) Any dog/cat may be seized or impounded if found at large and Town staff may enter premises for the purpose of capturing any dog/cat that the officer was in pursuit of or had escaped from their control.
  - (b) Town staff may seize and impound any dog/cat found at large without the use of tranquilizing darts or firearms, except in cases where the animal cannot be impounded by other means, or constitutes an immediate threat to persons or property.
9.
  - (a) If any dog/cat shall cause damage to any lawn, grass plot, garden, or flower bed or flower, shrub or plant, such dog/cat shall be deemed to be a nuisance and the owner thereof shall be deemed to have committed an offence in terms of these regulations.
  - (b) Any dog/cat found damaging or destroying private property may be seized by the injuriously affected person or persons and held for collection by Town staff.
10. 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 neighborhood, such dog shall be deemed to be a nuisance and the owner thereof shall be deemed to have committed an offence in terms of these regulations.
11. Town staff shall make a record of such impounding in a book kept for that purpose and the owner of a dog/cat will be notified, if possible.
12. The owner of a dog/cat may recover said dog/cat on sufficient proof of ownership of the dog/cat as the Council may require, and upon payment of all fees in connection with the impounding and keep of the dog/cat.
13. The following seizing and impounding fees shall be paid by the owners of dogs/cats:
  - A. Seizing and impounding, licensed, 1st instance, \$30;
  - B. Seizing and impounding, unlicensed, 1st instance, \$50;
  - C. Seizing and impounding, 2nd instance within a 12 month period, \$100;
  - D. If a dog/cat is seized and impounded 3 times within a 12 month period, the dog/cat shall be destroyed immediately.
  - E. For dogs/cats impounded and quarantined for ten days the costs involved are to be recovered from the owner.
  - F. For call-outs to deal with dog/cat problems after regular working hours, the costs involved are to be recovered from the owner.
  - G. The Town may charge the owner additional fees where special circumstances warrant it.
14. Town staff shall keep any dog/cat in the pound and care for it for a period of 24 hours, and after expiration of such period, the dog/cat shall be humanely destroyed.
15. Any person who has custody, charge or possession of any dog/cat, or who is the principal resident of any house or premises where a dog/cat is kept or permitted to live or remain shall be deemed to be the owner of the dog/cat for the purposes of these regulations unless he proves he was not the owner of the dog/cat.

16. Where, in the opinion of the Town, a dog/cat seized under these regulations is injured, or should be destroyed for human reasons or reasons of safety, the Town may destroy the dog/cat as soon after seizure as he sees fit without permitting any person to reclaim the dog/cat.
17. Any person who interferes with or attempts to interfere with a Municipal Enforcement Officer or Animal Control Officer, or their agents, in the exercise of their duties, or damages town property, such person shall be deemed to have committed an offence in terms of these Regulations.
  - (a) Any person who, without the authority of the Municipal Enforcement Department/Animal Control Officer or their agents releases any animal which has been impounded shall be deemed to have committed an offence in terms of these regulations.
  - (b) Every person requested by the Municipal Enforcement Department/Animal Control Officer or their agents shall, on request, forthwith give his/her proper name and address.
18. The Town who intends to destroy a dog/cat under Section 14, shall, where possible, notify the owner, if know.
19. Any court of summary jurisdiction may take cognizance of a complaint that a dog/cat is dangerous and not kept under proper control, or has bitten or attempted to bite any person or injured, worried, or chased cattle or poultry, and if it appears to the court that such dog/cat is dangerous or has done any of the said things, the court may make an order directing the owner of the dog/cat to destroy the dog/cat.
20. Prosecution under these regulations may be taken summarily by any member of the Council or by any Police Constable or by any person authorized by the Council.
21. Where any person is authorized to capture or destroy a dog/cat under these regulations, he shall do so as humanely as possible.
22. The carcass of any dog/cat destroyed shall be disposed of by burning or burying; it shall not be placed in the sea or in any pond, lake, river, or stream or any water which flows into the sea.
23. Any Peace Officer or Impounder shall keep daily a record of all his activities and a report to be passed in once a week to his supervisor.
24. No action lies against any person acting in good faith for anything done or proposing to be done under these regulations.
25. All previous Municipal (Dog Control) Regulations or amendments thereto are hereby rescinded.

26. Any person who contravenes any of the provisions of these regulations is guilty of an offence and is liable on summary conviction to a fine not exceeding one thousand dollars (\$1,000.00) or in default of payment of such penalty to imprisonment for a period not exceeding ninety (90) days, or to both such fine and imprisonment in accordance with Section 420 of the Municipalities Act.
  
27. These regulations were adopted and passed by Council at a meeting held on the 25<sup>th</sup> day of, July 2006 and may be cited as the Town of Happy Valley-Goose Bay Dog/Cat Regulations.