

## PUBLISHED BY AUTHORITY

Pursuant to the authority conferred by the City of Mount Pearl Act, RSN 1990, Chapter C-16, Section 263 and 264, the following regulations have been made by the City Council of the City of Mount Pearl and were approved on the    day of    .

Notice of Motion to adopt amendments to the regulations was given at the City's regular Public Council meeting held on the    day    of    A.D.    .

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Dave Denine, Mayor

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Gerard Lewis, CAO

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### ANIMAL CONTROL REGULATIONS

1.    Title

These Regulations shall be known and cited as the "*City of Mount Pearl Animal Regulations*".

2.    Interpretation:

In the Regulations, unless the context otherwise requires:

- (a)    "*Act*" means the City of Mount Pearl Act, Chapter C-16, R.S.N., 1990.
- (b)    "*Animal*" means dog, cat, livestock or other animal prescribed by Council from time to time.
- (c)    "*City*" shall mean the City of Mount Pearl as is defined in the City of Mount Pearl Act, Chapter C-16, RSN 1990 and amendments thereto.
- (d)    "*Chief Administrative Officer*" means the Chief Administrative Officer of the City of Mount Pearl.
- (e)    "*Control*" means under control by having the animal on a leash.
- (f)    "*Council*" means the City Council of the City of Mount Pearl.

- (g) “*Impounder*” means Animal Control Officer or any person appointed as such by the Council.
  - (h) “*Livestock*” means horses, cattle, sheep, goats, swine, fur bearing animals raised in captivity and poultry.
  - (i) “*Municipal Authority*” means the Mount Pearl City Council constituted or continued under the City of Mount Pearl Act.
  - (j) “*Nuisance*” means any obnoxious substance, animal waste or unsanitary matter or noise caused by any animal; that has an unpleasant effect on the senses.
  - (k) “*Peace Officer*” means a member of the Royal Newfoundland Constabulary, a member of the Royal Canadian Mounted Police Force stationed in the province and a municipal police officer employed by a municipal authority.
3. No person shall keep any dog, within the City, unless such dog has been registered and licensed with the City of Mount Pearl.
  4. The Council may appoint licensing officers who shall keep registers of all animals licensed by them.
  5. Fees to be paid on issue and renewal of licenses shall be as follows unless otherwise prescribed by Council:
 

Dogs.....	\$10.00
Kennel.....	\$50.00
  6. License tags will be issued by the Licensing Officers.
  7. The licensing officer shall supply the owner of each registered dog a metal tag for each dog registered, with the registration number stamped thereon, and the owner of every registered dog shall keep on such dog, a collar with the tag attached thereto.
  8. Every license in accordance with the foregoing shall become due and payable on January 1<sup>st</sup>, in each year, and shall be valid until the 31<sup>st</sup> day of December next following the date of issue.
  9. Every owner of a dog within the City shall keep such dog safely tethered or penned up at all times, saved when under the control of some responsible person.

10. The impounder may seize and impound any animal found at large contrary to these Regulations and may enter upon any property for the purpose of capturing any animal that they were in pursuit of or had escaped from their control.
11. Any animal found damaging or destroying private property may be seized by the injuriously affected person or persons and held for collection by the impounder.
12. No person shall keep or permit to be kept in any building, premises or yard or any part thereto in the City of Mount Pearl any animal which by reason of barking, howling OR OTHER MEANS BECOMES a nuisance to persons in the neighbourhood.
13. No persons shall keep livestock with the City of Mount Pearl without first obtaining a permit from Council.
14. Council may limit the number of animals kept on any residential or private property within the City of Mount Pearl.
15. 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.
16. The impounder shall keep any unclaimed licensed animal in the pound for such period not less than two days as they shall in their discretion think fit, and after the expiration of such period shall either sell such animal by public or private sale, and after deducting the fees and expenses caused by such animal to property of the City, pay the balance, if any, to the City Clerk, or shall destroy such animal with no compensation to anyone. All diseased distempered and/or rabid animals shall be destroyed immediately.
17. Any animal that has been seriously injured or diseased can be destroyed immediately, if in the opinion of the Animal Control Officer that it is the most humane thing to do.
18. (a) The animal owner shall be held responsible to provide medical assistance to an injured or diseased animal and in no way will the City be held liable.  
 (b) Where the owner is not identifiable and the animal is injured or diseased, Section 16 shall apply.
19. The following seizing and impounding fees shall be paid by the owners of animals, seized or impounded or deducted from the proceeds of any sales of such animals:

Seizing and Impounding for each occurrence .....	\$25.00
Daily fee for each animal held in pound .....	\$10.00

20. A Peace Officer, Municipal Enforcement Officer or Impounder or Council Agent who is authorized to destroy an animal under these Regulations, shall do so in a manner as humanely as possible.
21. The carcass of any animal destroyed shall be disposed of by burying or burning; it shall not be placed in the sea or any pond, lake, river or stream or any water, which flows into the sea.
22. Any person who has custody, charge or possession of any animal or who is the owner or occupant of any house or premises where an animal is kept or permitted to live or remain shall be deemed to be the owner of the animal for the purposes of the Regulations unless they prove that they are not the owner of the animal.
23. These regulations may be enforced by the RNC, RCMP, Municipal Enforcement Officer, Peace Officer or any person appointed by council.
24. Every person who is guilty of an offence under these Regulations or who acts in contravention of or fails to comply with any provision thereof, or neglects or refuses to do so, shall be liable on summary conviction to a fine in accordance with The City of Mount Pearl Act, Section 438.

25. Coming Into Effect

These Regulations shall come into effect on the      day of      A.D.      .

26. Publication

These regulations were published in The Telegram on the      day of      A.D. 2003 and were gazetted on the      day of      A.D. 2003.

27. Copy to Minister

A copy of these regulations was sent to the Minister and Provincial Affairs on the      day of      A.D. 2003.

28. Repeal of Previous Regulations and Amendments

All previous City of Mount Pearl Animal Control Regulations and amendments are repealed.

**Schedule of Fines and Penalties**  
*Animal Control Regulations*

		<b>Penalty</b>			
		A fine of not more than the dollar amounts specified		In default of payment of fine for no longer or shorter than time specified	
<b>Section</b>	<b>Offence</b>	Max	Min	Max	Min
3	Failure to register or license an animal				
9	Failure to keep animal safety tethered or penned saved when under control by some other responsible person.				
		Max	Min	Max	Min
		Max	Min	Max	Min
		Max	Min	Max	Min