



**Town of Antigonish
Dog Control By-law**

I certify that this is a true copy of a Dog Control By-law approved by the
Town of Antigonish on July 3, 2013

Stephen Feist
Stephen Feist, CAO

Aug 2/13
Date

Title and Purpose

1. This By-law shall be referred to as the "Dog Control By-law".
2. The purpose of this By-law is to promote the safety, health and welfare of people and the protection of people and property, to ensure the humane treatment and control of dogs, and to regulate or prohibit the keeping of fierce or dangerous dogs within the Town of Antigonish.

Definitions

3. In this By-law:
 - a. "Animal Control Officer" means the dog catcher and pound keeper for the Town of Antigonish;
 - b. "dog" means a dog, male or female, or an animal that is the result of the breeding of a dog and any other animal;
 - c. "emergency" means a present or imminent event where a Peace Officer or the Animal Control Officer believes prompt action must be undertaken to protect the health, safety or welfare of people and/or animals;
 - d. "fierce or dangerous dog" means any dog:
 - i. that, in the absence of a mitigating factor as defined herein, has attacked or injured a person or a domestic animal;
 - ii. that, in the absence of a mitigating factor as defined herein, when either unmuzzled or unleashed, in a vicious or terrorizing manner, approaches any person in an apparent attitude of attack upon streets, sidewalks, any public grounds or places, or on private property other than the property of the owner;
 - iii. owned or harboured in whole or in part for the purpose of dog fighting or is trained for dog fighting;
 - e. "mitigating factor" means a circumstance which excuses the aggressive behaviour of a dog where:
 - i. the dog, at the time of the aggressive behaviour, attacked or injured any trespasser on property occupied by its owner;
 - ii. the dog, immediately prior to the aggressive behaviour, was being abused or tormented by the person attacked or injured;
 - f. "owner" means any person who possesses, has the care or control of, or harbours a dog and, where such a person is a minor, includes a parent, guardian or custodian of such a person;
 - g. "Peace Officer" means any member of the Royal Canadian Mounted Police or a Municipal Police Force;
 - h. "pound" means the premises and facilities used by the Animal Control Officer to harbour and maintain dogs pursuant to this By-law;
 - i. "premises" means the property of the owner(s) and shall include property which an owner(s) of a dog is renting or residing in;

- j. "runs at large" means to be found any place other than the premises occupied by the owner without being under the continuous restraint and control of some person;
- k. "service dog" means a dog trained by a recognized school for service as a guide dog for the blind or visually-impaired, a guide dog for the deaf or hearing impaired, or a special skills dog for other disabled persons and includes an animal used in therapy, registered with a recognized organization for that purpose;
- l. "Town" means the Town of Antigonish.

Registration

- 4. (1) Every owner of a dog, who resides in the Town, shall register such dog with the Town of Antigonish By-law Enforcement Office.
- (2) The registration provisions in this By-law shall not apply to a dog determined by the Animal Control Officer to be a service dog.
- 5. In order to register a dog, an owner shall supply the Animal Control Officer with the following:
 - a. registration fee as set out in the Municipal User Fees Policy;
 - b. name, civic address, mailing address and telephone number(s) of the owner;
 - c. name of the dog;
 - d. description of the dog including its sex, breed, colour, and known or approximate age; and
 - e. any other relevant information that may be required by the Animal Control Officer or appointed representative.
- 6. Registration, as set out in section 5 of this By-law, shall be valid for the life of the dog.
- 7. The Animal Control Officer shall keep a record of every dog registered, issue to the owner a tag for the identification of each dog registered by the owner, and record the following information:
 - a. registration date;
 - b. registration number;
 - c. name of the dog;
 - d. description of the dog; and
 - e. name, civic address, mailing address and telephone number of the owner.

Dog Tag

- 8. The owner of every dog shall keep on the dog a collar with the tag issued for that dog by the Town at the time of registration and such tag shall be kept securely fixed on the dog at all times.
- 9. The owner must notify the Town immediately if the dog tag is lost. The Animal Control Officer will use his/her discretion as to whether a fee will be assessed when a dog owner reports that a tag has been lost.

Dog Control and Pound

- 10. (1) The Animal Control Officer shall be responsible for the enforcement of this By-law.

(2) Outside of regular By-law Enforcement Office hours, which are Monday to Friday from 8:30 AM to 4:00 PM excluding statutory holidays, the Animal Control Officer shall only respond to calls that are deemed to be an emergency.

11. The Animal Control Officer shall:

- a. collect on behalf of the Town, pound fees and any other additional charges or fees as are authorized in this By-law and as may be set by resolution of Council;
- b. be responsible for the operation of the pound;
- c. keep the pound in a reasonable state of cleanliness;
- d. provide adequate food and water to any impounded dogs;
- e. keep a record of every dog registered under this By-law; and
- f. maintain complete records of all aspects of those activities associated with enforcement of this By-law.

12. The Animal Control Officer may enter onto private land in pursuit of any dog which has been observed running at large.

13. The Council may, by resolution, enter into an agreement with any person or organization for the purpose of participation in the enforcement of this By-law or for the purpose of providing pound keeping services.

Responsibilities of Owners

14. Every owner of a dog:

- a. whose dog is not registered pursuant to this By-law;
- b. whose dog is not wearing a dog tag pursuant to this By-law;
- c. whose dog runs at large;
- d. whose dog persistently disturbs the quiet of the neighbourhood by barking, howling or otherwise;
- e. who harbours, keeps or has under care, control or direction a dog that is fierce or dangerous;
- f. who fails to remove the feces of such dog, other than a service dog, from public property or private property other than the owners; or
- g. whose dog damages public or private property

is in contravention of this By-law.

Impounding

15. The Animal Control Officer may, without notice to or complaint against the owner, impound any dog that:

- a. runs at large contrary to this By-law;
- b. is not registered pursuant to this By-law;
- c. is not wearing a tag required by this By-law;
- d. is fierce or dangerous;
- e. is rabid or appears to be rabid or exhibits symptoms of canine madness;
- f. persistently disturbs the quiet of the neighbourhood by barking, howling or otherwise.

16. When a dog has been impounded, the Animal Control Officer shall check for a dog tag and if a tag is found, the Animal Control Officer shall serve the owner with a copy of the Notice to Dog Owner in Schedule "A" of this By-law either personally or by mailing it to the current address of the owner. If a dog tag is missing, the onus is on the owner of the dog to ascertain within the time period stated in section 19 of this By-law, whether the dog has been impounded, and neither the Animal Control Officer nor the Town shall be liable for failure to give notice to the owner, if the owner has not made inquiry of the Animal Control Officer to determine whether the dog was impounded.
17. (1) Dog owners shall have the right to repossess the impounded dog, upon proof of ownership and payment of pound fee(s), as set out in the Municipal User Fees Policy, or other outstanding fees to the Animal Control Officer or appointed representative as required under this By-law.
- (2) In the case of redemption of a dog which has not been registered pursuant to this By-law, the owner shall be required to register the dog and pay the registration fee under this By-law before the dog will be released to the owner.

Destroying

18. The Animal Control Officer may, without notice to or complaint against the owner, destroy on sight or after capture, any dog that:
- a. is believed to be fierce or dangerous;
 - b. is rabid or appears to be rabid or exhibits symptoms of canine madness; or
 - c. which is running at large and attempts to capture the animal have failed.
19. (1) Any dog which has not been redeemed by its owner at the expiry of a period of seventy-two (72) hours after being impounded, may be disposed of by the Animal Control Officer without further notice in the following manner:
- a. make arrangements to give the animal to another owner; or
 - b. destroy the animal.
- (2) In those cases where an animal must be destroyed, the Animal Control Officer shall remove the animal to a veterinary clinic for euthanasia.

Penalty

20. Any person who contravenes any provision of this By-law shall be subject to a fine as set out in Schedule "B" of this By-law. If no violation has occurred over the previous twelve (12) months, a first offence fine value shall apply.

Repeal

21. The Animal Control By-law passed on April 19, 2010 and all amendments thereto are hereby repealed.

Effective Date of Bylaw

22. This By-law shall come into force and effect on the day of final passing thereof.

Date of First Reading: **May 6, 2013**

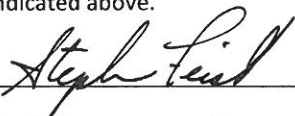
Date of Advertisement of Notice of Intent to Consider: **May 27, 2013 to May 31, 2013**

Date of Second Reading: **June 17, 2013**

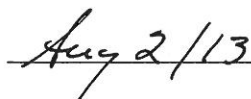
Date of Advertisement of By-law Passage and Approval: **July 3, 2013**

Date of Mailing Certified Copy to SNS & MR: **August 2, 2013**

I certify that this Trade and Licensing By-law was adopted by Council and published as indicated above.



Chief Administrative Officer


Date

Schedule "A"

NOTICE TO DOG OWNER

You are hereby notified that a dog bearing Tag No. _____ registered under the above name and address, was impounded on _____, _____ pursuant to the provisions of the Dog Control By-law of the Town of Antigonish, and that, unless said dog is claimed and all impoundment charges are paid, on or before _____, _____, the said dog will be sold, destroyed or otherwise disposed of pursuant to the said By-law.

Dated at Antigonish, Nova Scotia this _____ Day of _____,
_____.

Animal Control Officer

Schedule "B"

FINES SCHEDULE

	If payment is made within fourteen (14) days, the fine shall be:	If payment is made after fourteen (14) days, the fine shall be:
First Offence	\$135.75	\$164.50
Second Offence	\$164.50	\$222.00
Third Offence	\$193.25	\$279.50
Fourth Offence	\$394.50	\$682.00