

THE TOWN OF MASSEY DRIVE ANIMAL REGULATIONS

Pursuant to the powers conferred by the Section 414 (1)(g)(h)(i)(j)(k)(l)(m)(n)(o)(p) and (q) of the Municipalities Act, 1999, the Town of Massey Drive Council has made the following regulations 18 day of May A.D. 2010.

Gordon Davis
Mayor

Rodger Hunt
Town clerk/manager

REGULATIONS

1. These Regulations may be cited as the **Town of Massey Drive Animal Regulations**.

Definitions

2. In these Regulations:

- (a) "animal" means any and all types of animals, both domesticated Dog or Cat and wild, including, but not limited to, fowl, livestock as defined by the *Livestock Act* and wild animals which customarily live independently of people in natural conditions but excluding dogs/cats as defined by The Town of Massey Drive Council policy and *Regulations*;
- (b) "Town" means the The Town of Massey Drive;
- (c) "Council" means the The Town of Massey Drive Council.
- (d) "Impounder" means the person or persons appointed and authorized by Council to impound animals pursuant to The Town of Massey Drive Council and these Regulations and to carry out such other acts as are prescribed by these Regulations, and includes any person designated as an animal control officer.
- (e) "Owner" includes any person who has the custody, charge, possession or control of an animal, including the owner, tenant or person in charge of the premises where an animal is kept, permitted to live or remain.
- (f) "Dog" means male or female pup or dog
- (g) "Cat" means male or female kitten or cat

Control of Dogs/Cats

- 3. No Owner shall keep or allow any animal, Dog or Cat, on any property within the Town without the written approval of Council.
- 4. No Owner shall permit or allow an animal to stray or run at large.
- 5. No person shall permit an animal upon the streets or other public place within the Town without written permission from Council.

6. Licensing of Dogs and Cats

- (a) The owner of any dog and/or cat four months or more shall obtain a license for the animal by registering the dog and/or cat with the municipality and paying a fee as determined by the municipality with the exclusion of **Pit Bull Terriers**.
- (b) The owner shall renew the license annually with the Municipality (every such license shall expire on the 31st day of January next after the date of issue) and shall be Nontransferable.
- (c) When the dog and/or cat is off the property of the owner the owner shall cause the animal to wear around the neck a collar to which shall be attached the current license tag for that dog and/or cat by the municipality and shall be on a collar.
- (d) The License fee for a dog and/or cat owned by a citizen over 65 years of age shall be reduced by 50%.
- (e) The license fee for a dog and/or cat that is being registered within the Municipality between July 1st and December 31st in any year shall be 50% of the fee set out in Appendix 'A'

7. Every Owner shall remove excrement deposited by an animal in his custody, charge, possession or control on any property other than the property of the Owner, unless the Owner is a person with a disability and the animal is trained to assist and is assisting that person.

Permission to Carry on Business

8. No person shall establish or carry on any business or institution for the boarding, keeping, training or treating of animals without written permission of Council to carry out such business or institution.

Disturbance

9. No Owner shall permit an animal in his custody, charge, possession or control to make noise so as to constitute a nuisance.

10. The impounder may impound any animal that is making noise so as to constitute a nuisance.

Dangerous Animals

11. (a) No person shall keep an animal which, in the opinion of the Impounder, is exhibiting behavior or symptoms of illness that threaten the health and safety of persons or other animals.

(b) The impounder may impound and destroy an animal which, in the opinion of the Impounder, is exhibiting behavior or symptoms of illness that threaten the health and safety of persons or other animals.

Impound of Animals

12. a) The impounder may seize and impound any dog/cat found at large and enter any premises for the purpose of recapturing any dog that may escape from his/her control.

b) Any dog/cat found damaging or destroying private property may by the injuriously affected person or persons and held for collection by the impounder.

When a dog/cat 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 dog has been impounded.

c) The owner may recover an impounded dog/cat 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 the payment of licensing costs where the dog/cat has not been licensed

d) The following Seizing and impounding fees shall be paid by the owner of dogs/cats seized or impounded prior to releasing the dog or deducting from proceeds or any sales of such dogs:

(1 st Instance).....	\$100.00
(2 nd Instance).....	\$150.00
(3 rd Instance)	\$200.00
Daily fee for each day dog is held in Pound.....	\$10.00

e) The impounder shall keep any unclaimed dog/cat in the pound for a period of forty-eight (48) hours and after the expiration of such period the dog/cat may be sold or disposed of in a proper manner.

f) In any proceeding under these regulations, the proof that a dog/cat was under the age of four months shall be upon the owner of the dog/cat or the person having possession thereof.

g) Any person who has custody, charge or possession of any dog/cat or who is the owner 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 is not the owner of the dog/cat.

h) When any person is authorized to destroy a dog/cat, under these regulations, he/she shall do so in a manner as humanely as possible. The carcass of any dog/cat 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.

i) Every person who is guilty of an offense under these regulation, 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 two hundred dollars (\$200.00) and in default of payment of the fine to imprisonment for a term not exceeding three months.

These revised Regulations shall come into effect on the 18 day of May A.D. 2010 and shall supersede all previous dog regulations and be cited as the Town of Massey Drive Dog regulations, 2010.

