

WABUSH

TOWN OF WABUSH

ANIMAL REGULATIONS

Pursuant to the powers vested in it under and by virtue of Section 414(1)(9) of the Municipalities Act, 1999, and all other powers it enables the Town Council of the Town of Wabush in the regular session convened on the 20th day of October 2022, hereby passes and enacts the following Animal Regulations.

1. These Regulations may be cited as the Town of Wabush (Animal Regulations) 2022.
2. Interpretations in these regulations unless the context otherwise requires:
 - a) "Act" means the Municipalities Act, 1999.
 - b) "Council" means the Town Council of the Town of Wabush constituted under the provisions of the Municipalities Act, 1999.
 - c) "Town" means the Town of Wabush as defined by paragraph 2 of Order-In-Council dated the 11th day of April 1967 and made under the provisions of the said Act.
 - d) "Dangerous dog" means any individual dog,
 - i that has killed a domestic animal without provocation while off the owner's property.
 - ii that has bitten or injured a human being or domestic animal without provocation, on public or private property.
 - iii that is attack trained.
 - iv that is kept for the purpose of security or protection, whether residential, commercial, or industrial, of persons or property.
 - v that has shown the disposition or tendency to be threatening or aggressive.
 - e) "Dog" means a male or female domesticated dog.
 - f) "Cat" means a male or female domesticated cat.
 - g) "Animal Control Officer" means a person designated by the municipality to be responsible for enforcing these bylaws.
 - h) "Kennel" means an establishment for the breeding and/or boarding of dogs.

- i) "Muzzle" means a humane fastening or covering device of adequate strength over the mouth of an animal to prevent it from biting.
- j) "Owner" means any person, partnership, association, or corporation that owns, possesses, or has control, care, or custody over an animal.
- k) "Running at Large" means an animal that is not on the property of the owner and not on a leash and/or under the control of a person responsible.

3. Provision of Needs

1) Every person who keeps an animal within the municipality shall provide the animal or cause it to be provided with:

- a) clean, fresh drinking water available and suitable food of sufficient quantity and quality to allow for normal, healthy growth and the maintenance of normal, healthy body weight.
- b) food and water receptacles kept clean and disinfected and located to avoid contamination by excreta.
- c) the opportunity for periodic exercise sufficient to maintain good health, including the opportunity to be unfettered from a fixed area and exercised regularly under appropriate control; and
- d) necessary veterinary medical care when the animal exhibits signs of pain, illness, or suffering.

2) Every person who keeps an animal which normally resides outside, or which is kept outside unsupervised for extended periods of time, shall ensure the animal is provided with an enclosure that meets the following criteria:

- a) a total area that is at least twice the length of the animal in all directions.
- b) contains a house or shelter that will provide protection from heat, cold and wet that is appropriate to the animal's weight and type of coat. Such shelter must provide sufficient space to allow the animal the ability to turn around freely and lie in a normal position.
- c) in an area providing sufficient shade to always protect the animal from the direct rays of the sun; and
- d) pens and run areas must be regularly cleaned and sanitized and excreta removed and properly disposed of daily.

3) No person may cause an animal to be hitched, tied, or fastened to a fixed object where a choke collar or choke chain forms part of the securing apparatus, or where a rope or cord is tied directly around the animal's neck.

4) No person may cause an animal to be hitched, tied, or fastened to a fixed object as the primary means of confinement for an extended period.

5) No person may cause an animal to be confined in an enclosed space, including a car, without adequate ventilation.

6) No person may transport an animal in a vehicle outside the passenger compartment unless it is adequately confined or unless it is secured in a body harness or other manner of fastening which is adequate to prevent it from falling off the vehicle or otherwise injuring itself.

Penalty - \$ 75.00

4. Unsanitary Conditions Prohibited

1) Animals must be kept in a sanitary condition within the municipality. Conditions shall be considered unsanitary where the keeping of the animal results in an accumulation of faecal matter, an odor, insect infestation or rodent attractants which endanger the health of the animal or any person, or which disturb or are likely to disturb the enjoyment, comfort, or convenience of any person in or about any dwelling, or commercial establishment.

Penalty - \$ 75.00

5. Dogs and Cats

1) Owners' Responsibilities

- a) If a dog or cat defecates on any public or private property other than the property of its owner, the owner shall cause such feces to be removed immediately.
(Penalty - \$50.00)
- b) No owner shall permit, allow or for any reason have his or her animal, bark, or howl, excessively or in any other manner disturb the quiet of any person.
(Penalty - \$ 50.00)
- c) No owner of a dog shall permit his or her dog to, without provocation:
 - i chase, bite, or attack any person
 - ii chase, bite or attack any domestic animal
 - iii damage public or private property

Penalty - \$ 50.00

- d) The running at large of dogs or cats is prohibited within the municipality.
Penalty - \$ 75.00 - 1st Offence
\$150.00 - 2nd Offence
\$225.00 - 3rd Offence
\$300.00 - 4th Offence
\$375.00 - 5th Offence & beyond

2) Licensing

- a) The owner of any dog or cat shall obtain a license for the animal by registering the dog or cat with the municipality and paying a one-time fee as determined by the municipality.

Dangerous Dog - \$ 250.00; One Time Only

Other Dogs and Cats - \$ 20.00 (spayed/neutered); One Time Only

- \$ 100.00 (not spayed/neutered); Yearly

- b) When a dog 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 issued for that dog or cat by the municipality.

Penalty - \$25.00 - If Not Wearing a Current License Tag

- c) The municipality shall keep a record of all dogs and cats registered and licensed, showing the date and number of registration and license, and the name and description of the dog and cat with the name and address of the owner.

3) Impoundment

- a) The Animal Control Officer may seize and impound:
- i. every dog or cat found at large
 - ii every dog or cat not wearing a collar and tag while off the premises of the owner and not accompanied by a person responsible
- b) The Animal Control Officer shall make all reasonable efforts to identify and contact the owner of every stray animal received, whether the animal is living or dead.
- c) Every dog or cat impounded shall be provided with clean food and water and sheltered in sanitary conditions. The animal shall remain impounded for three days unless the animal is claimed by its rightful owners. If not claimed within that time, the animal shall become the property of the Town.
- d) Where in the opinion of the Animal Control Officer, in consultation with a veterinarian, a dog, or cat seized and impounded is injured or ill and should be destroyed without delay for humane reasons or for reasons of safety to person, the dog or cat may be euthanized humanely if reasonable efforts to locate the owner of the animal have failed.

- e) Where an animal seized and impounded is injured or ill and is treated by a veterinarian, the municipality shall, in addition to any impoundment fees, be entitled to charge the person claiming the animal for the cost of the treatment.
- f) During the impoundment period, the owner may claim the dog or cat upon proof of ownership of the animal, and payment to the municipality of:
 - i the appropriate fine where applicable
 - ii the appropriate license fee where a dog or cat is not licensed
 - iii maintenance fees
 - iv veterinary fees where applicable
- g) Where the owner of a dog or cat does not claim the animal, he shall, when known to the Animal Control Officer, pay a daily impounding fee of forty dollars \$40.00 or applicable kennel fee rates.
- h) A dog or cat that is impounded and not claimed by the owner within the time provided in Section 5.3 (c) may,
 - i. be adopted

6. Dangerous Dogs

1) The owner of a dangerous dog shall ensure that:

- a) such dog is licensed with the municipality as a dangerous dog, (fee - \$ 250.00)
- b) such dog is spayed or neutered
- c) they comply with the owners' responsibilities as outlined in Section 5
- d) at all times when off the owners' property, the dog shall be muzzled
- e) at all times when off the owners' property, the dog shall be on a leash not longer than one metre and under the control of a responsible person over the age of eighteen
- f) when such dog is on the property of the owner, it shall be either securely confined indoors or in a securely enclosed and locked pen or structure, suitable to prevent the escape of the dangerous dog and capable of preventing the entry of any person or other animal not in control of the dog. Such pen or structure must have minimum dimensions of two metres by four metres and must have secure sides and a secure top. If it has no bottom secured to the sides, the sides must be embedded into the ground no less than thirty centimeters deep. The enclosure must also provide protection from the elements for the dog. The pen or structure shall not be within one metre of the property line or within three metres of a neighboring dwelling unit. Such dog may not be chained as a means of confinement.

- g) a sign is displayed at each entrance to the property and building in which the dog is kept warning in writing, as well as with a symbol, that there is a dangerous dog on the property. This sign shall be visible and legible from the nearest road or thoroughfare.
- h) the municipality shall have the authority to make whatever inquiry is deemed necessary to ensure compliance with the provisions outlined in this section.
- i) if the owner of a dog that has been designated as dangerous is unwilling or unable to comply with the requirements of this section, said dog shall then be humanely euthanized by an animal shelter, animal control agency or licensed veterinarian, after a fourteen-day holding period. Any dog that has been designated as dangerous under this bylaw may not be offered for adoption.
- j) if a dangerous dog chases, bites, or attacks another animal or person without being provoked, the dog must be humanely destroyed.

7. Kennels

- a) Every person who owns or operates a kennel shall, upon application and the approval of the municipality, obtain, no later than the date established by the municipality in each year, a license to operate such kennel.
- b) Every person who owns or operates a kennel shall comply with the requirements set out in *A Code of Practice for Canadian Kennel Operations* (Canadian Veterinary Medical Association, September 1994).
- c) Every person who owns or operates a kennel shall comply with the bylaws of the municipality.
- d) Where an owner or operator of a kennel fails to comply with a bylaw of the municipality, the license may be suspended or revoked.
- e) Every person who owns or operates a kennel shall permit an inspector to enter and inspect the kennel at all reasonable times, upon production of proper identification, for the purpose of determining compliance with this bylaw.
- f) Where an inspector finds that the owner or operator of a kennel does not comply with any regulation in this section, he may direct that the animals be seized and impounded.

8. Traps

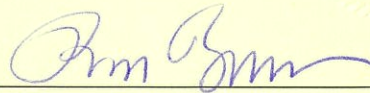
- a) No person shall use, set, or maintain a leghold trap, a killing trap, or a snare within 1000 feet of a residential area.

Penalty - \$ 75.00

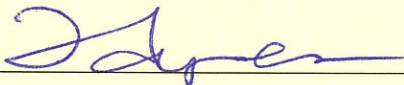
9. Penalties

- a) Any person who contravenes any provision of this bylaw is guilty of an offence and liable to the penalties prescribed.
- b) Each day of violation of any provision of this bylaw shall constitute a separate offence.
- c) The levying and payment of any fines shall not relieve a person from the necessity of paying any fees, charges, or costs from which he or she is liable under the provision of this bylaw.
- d) A provincial Court Judge, in addition to the penalties provided in this bylaw, may, if he considers the offence sufficiently serious, direct or order the owner of a dog to prevent such dog from doing mischief or causing the disturbance or nuisance complained of, or have the animal removed from the Town, or order the animal destroyed.
- e) Where any person contravenes the same provision of this bylaw twice within one twelve-month period, the specified penalty payable in respect of the second contravention is double the amount specified in respect of that provision.
- f) Where any person contravenes the same provision of this bylaw three or more times within one twelve-month period, the specified penalty payable in respect of the third or subsequent contravention is triple the amount specified in respect of that provision, excluding section 5.1 (d).
- g) The Town of Wabush Dog Regulations 2002 are hereby repealed.

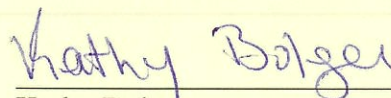
In Witness Whereof the seal of the
Town of Wabush has been affixed herewith
and the Mayor and the Town Clerk have
signed these Regulations on behalf of the
Wabush Town Council this ____th day of
October 2022



Ron Barron
Mayor



Witness



Kathy Bolger
Town Clerk/Director of Finance