

## **The City of Corner Brook Animal Regulations**

PURSUANT to the powers vested in it under section 263, 264, 280.1, 280.2 and 280.4 of the City of Corner Brook Act, R.S.N.L. 1990, c. C-15, as amended, the Newfoundland and Labrador Animal Health and Protection Act SNL 2010 Chapter A 9.1, and all other powers it enabling, the Corner Brook City Council, in a session convened on the \_\_\_\_\_ day of \_\_\_\_\_, 2016, hereby passes and enacts the following regulations relating the control of dogs and other animals in the City of Corner Brook.

These Regulations may be cited as the City of Corner Brook Animal Regulations.

### **1. PURPOSE**

The purpose of these Regulations is to promote the safety, health, and well-being of people and their animals in the City of Corner Brook and to protect people, properties, and promote the humane treatment of animals.

### **2. DEFINITIONS**

In these Regulations:

- a) "Animal" means any and all types of animals, both domesticated and wild, including, but not limited to dogs, cats and other pets, fowl, livestock as defined by the Livestock Act and wild animals which customarily live independently of people in natural conditions including any reptile or amphibian;
- b) "Animal Control Officer" means the person or persons appointed and authorized by Council to impound animals pursuant to the City of Corner Brook Act and these Regulations and to carry out such other acts as are prescribed by these Regulations and includes Municipal Enforcement Officers and the Director;
- c) "Animal Shelter" means the facility designated by the Director as the facility where surrendered, relinquished or abandoned animals; animals apprehended by Animal Control Officers; and animals requiring impoundment may be taken and kennelled;
- d) "Cat" means a male or female cat of any age and includes those that are domesticated and those that breed and/or live in the wild;
- e) "City" means the City of Corner Brook;
- f) "Companion Animal" means a dog or a cat or any animal normally kept for companionship or bred or rose for companionship. Companion Animals do not include animals kept for an agricultural purpose such as livestock, nor wildlife and fish as defined in the province of Newfoundland and Labrador Wildlife Act or any other animal prescribed by the provincial regulations as being excluded.

- g) "Council" means the Corner Brook City Council as continued by section 12 of the City of Corner Brook Act;
- h) "Director" means the Director designated by Council to manage and oversee the operation of the Animal Shelter and the carrying out of the provisions of these Regulations.
- i) "Dog" means a male or female domesticated dog of any age and includes an animal which is a cross between a wolf or coyote and a dog;
- j) "Licensing Officer" means a person appointed pursuant to section 264(d) of the City of Corner Brook Act and includes the Director, Animal Control Officers, Municipal Enforcement Officers and or a City designated agency;
- k) "Municipal Enforcement Officer" means any Municipal Enforcement Officer appointed pursuant to s.211 of the City of Corner Brook Act;
- l) "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);
- m) "SPCA" means The Bay of Islands Society for the Prevention of Cruelty to Animals Corporation.

### **3. LICENSING OF DOGS**

- a) A valid dog licence is one that has been issued by the City, a Licensing Officer or, other municipality or City designated agency in combination with a registration tag or plate indicating that the registration is in force for the current year.
- b) No person, shall own, keep or have a dog in the City that is older than three (3) months, without having a valid licence for that dog and having the licence registration tag or plate affixed to the dog's collar.
- c) An application for a dog licence shall be made in writing on the prescribed form to the City or Licencing Officer and shall include:
  - i. The name and contact information of the Owner;
  - ii. Name of the dog;
  - iii. Sex and breed of the dog or combinations thereof;
  - iv. Means of identification of the dog such as physical description, photo, or microchip; and
  - v. Whether the dog is spayed or neutered;
- d) The licence fee to licence a dog shall be as set out in Schedule A of these Regulations and shall not be remitted for any cause including the death, loss or removal of the dog from the City after the date of issuance;

- e) Upon completion of the application and payment of applicable fees, the City or Licencing Officer will issue the Owner a numbered tag for the current year registered, which the dog Owner shall attach and display on the collar of the dog.
- f) Information and fees collected by a Licencing Officer shall be forwarded to the City within 2 business days of receipt.
- g) Every dog licence issued pursuant to these Regulations shall expire on the third 31<sup>st</sup> day of December after the date of issuance.
- h) Dog licences issued pursuant to these Regulations are non-transferrable between dogs and/or Owners and licence fees are non-refundable.

#### **4. CONTROL OF ANIMALS**

- a) No Owner shall permit or allow an animal to stray, roam, or run at large in the City.
- b) No person shall permit an animal upon the streets or other public place within the City without written permission from Council save and except for a licenced dog provided such dog is held by a competent person able to restrain the dog on a leash that is of not more than three (3) metres in length.
- c) Every Owner shall immediately remove excrement deposited by the Owner's animal 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. All animal excrement must be held and disposed of in compliance with the City's Garbage and Refuse Regulations and Anti-Litter Regulations;
- d) No Owner shall permit their animal to make repetitive sounds including but not limited to barking, howling, crowing, meowing or screeching, that constitute a nuisance or disturb the peace and enjoyment of another property and an Animal Control Officer may impound an animal of an Owner that is in breach of this provision;
- e) Notwithstanding subsection (a), where a dog is on public property that has been designated "Off Leash Dog Park", the dog will not be considered to be at large as long as the Owner meets all of the following requirements:
  - i. the dog is accompanied by the Owner at all times;
  - ii. the Owner has control of the dog by either physical or verbal means at all times; and

- iii. the dog has not been designated in accordance with these Regulations as a Dangerous animal and does not display any signs of aggressive behaviour.

## **5. LIMIT ON NUMBER OF ANIMALS**

- a) No person or persons shall be the Owner of more than five animals of which a maximum of three (3), can be dogs, on any single property in the City without first obtaining a written permit from the City.
- b) Where in the opinion of an Animal Control Officer conditions do not sufficiently allow for the humane habitation of a property of 5 animals, or the condition of the property and/or animals thereon create a nuisance to neighbouring properties, the Owner shall reduce his quantity of animals accordingly upon receipt of a notice to reduce from the Animal Control Officer.

## **6. DANGEROUS AND NUISANCE ANIMALS**

- a) An Animal Control Officer may designate an animal to be Dangerous and/or a Nuisance where it is proven to the satisfaction of the Animal Control Officer that:
  - i. the animal or species thereof has a known propensity or predisposition to attack persons or other domestic animals to cause injury or otherwise threaten the safety of persons or domestic animals;
  - ii. the animal behaves in a vicious or menacing manner and approaches and/or chases persons in an attempt to cause injury or otherwise threaten the safety of persons or domestic animals;
  - iii. the animal has and without provocation, bitten, inflicted injury, assaulted or otherwise attacked a person or domestic animal; or
  - iv. the animal exhibits symptoms or behaviour of illness that threatens the health and safety of persons or other animals.
- b) For the purposes of this section, an animal is presumed not to have been provoked in the absence of evidence to the contrary.
- c) A dog shall not be designated as a Dangerous animal if the dog:
  - i. is acting in defence to an attack from a person or animal;
  - ii. is acting in defence to an attack of its young; or

- iii. is a professionally trained dog for law enforcement or guard duties and in the process of conducting its duties as is trained.
- d) Once an Animal Control Officer has designated an Animal to be a Dangerous or Nuisance Animal the animal Control Officer may take any one or more of the following actions:
  - i. make application to a Provincial Court in accordance with Sections 34, 35, and 36 of the Newfoundland & Labrador Animal Health and Protection Act (2010 cA-9.1 s34-36) or any similar or successor legislation;
  - ii. Direct the Owner to keep the animal securely enclosed on the Owner's property in a manner that ensures the prevention of injury to people, other animals or to the animal itself;
  - iii. Direct the Owner to muzzle and leash the animal and to keep it under constant control and supervision if the Owner removes the animal from the Owner's property;
  - iv. Direct the Owner to display a sign, on the Owner's property warning of the presence of the animal and to continue to display that sign in good condition so long as the animal is present on the property;
  - v. Direct the Owner to report the sale or other disposition of the animal to the Director no more than 72 hours after the Owner has given up possession of the animal and provide the name, address and telephone number of any new Owner of the animal;
- e) In the case of an animal that is exhibiting behaviour or symptoms of illness that threaten the health and safety of persons or other animals, impound and/or immediately destroy the animal.

## **7. IMPOUNDMENT AND RELEASE OF ANIMALS**

- a) An Animal Control Officer or any person may seize an animal found at large and convey the animal to the City's designated animal shelter for impoundment or alternatively convey the animal to the SPCA or similar or successor organization. The person who conveys the animal shall provide the name of the Owner of the animal, if known, and the place and time of restraint.
- b) Where an Animal Control Officer has seized or received an animal whose Owner is known, the Animal Control Officer or designate shall within 24 hours, provide notice to the Owner of the fact of the animal's impoundment and the amount required to be paid in order for the animal to be released.
- c) Notice provided in accordance with subsection (b) may be given by telephone or in writing.

- d) At a scheduled time no longer than 48 hours following the date the animal has been seized by the Animal Control Officer or designate, the Owner or Owner's agent may attend the animal shelter and upon providing proof of ownership or entitlement for a detained animal and payment of all fees, the Animal Control Officer or designate may release the detained animal to the custody of the Owner or Owner's agent. Such fees may include costs of veterinarian services rendered to minimize pain and distress being experienced by the animal.
- e) Where an animal's Owner is unknown, and the animal remains unclaimed after 72 hours in the animal shelter, the Director may sell, give away, place for adoption or arrange for the animal to be destroyed by humane means.
- f) Where an animal's Owner is known by way of license or other means of identification on the animal, and the animal is not claimed after 48 hours in the animal shelter, the Director may sell, give away, place for adoption, or arrange for the animal to be destroyed by humane means.

#### **8. OBSTRUCTION**

No person shall interfere and/or obstruct an Animal Control Officer in the execution of his or her duties under these Regulations.

#### **9. UNCOMMON PET / COMPANION ANIMAL**

Where any person owns or wishes to own and keep an animal in the City of Corner Brook as a pet or companion animal that is not normally kept as a pet or companion animal, as described in these regulations, the person shall make application to the City to house such an animal within the City.

The City will evaluate such applications on a discretionary and case by case basis considering:

- a) whether the animal poses a danger to the public;
- b) manner in which the animal must be kept including sanitation and whether indoor or outdoor;
- c) and impact to neighbour's peaceful enjoyment of their property including noise and odours.

#### **10. PENALTIES**

Where any person contravenes any provision of these Regulations:

- a) Such person is guilty of an offence and liable on summary conviction to a fine or to a period of imprisonment or both in accordance with the City of Corner Brook Act; and such person may be issued a violation notice pursuant to section 280.1 of the City of Corner Brook Act.
- b) The Director, the Animal Control Officer and all Municipal Enforcement Officers are designated persons employed by Council who may issue a violation notice pursuant to section 280.1 of the City of Corner Brook Act for any contravention or failure to comply with these Regulations.
- c) Fees and penalties are defined in "Schedule A " of these regulations.

**11. REPEAL**

These Regulations shall come into force as of the date enacted by Council and the City of Corner Brook Animal Regulations, 2008 and the City of Corner Brook Dog Regulations, 2008 and all amendments thereto, are hereby repealed upon the coming into force of these Regulations.

IN WITNESS WHEREOF this Regulation is sealed with the Common Seal of the City of Corner Brook and subscribed by and on behalf of Council by Mayor and City Clerk at the City of Corner Brook, in the Province of Newfoundland and Labrador, this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

\_\_\_\_\_

Mayor

\_\_\_\_\_

City Clerk

Published in the Western Star: \_\_\_\_\_

First Reading: \_\_\_\_\_

Second Reading: \_\_\_\_\_

**Schedule A**

SECTION	PENALTY DESCRIPTION	PENALTY AMOUNT	
3. (b)	Failure to licence dog	\$30.00	
3. (b)	Failure to display license tag	\$25.00	
4. (a)	Animal at Large	1st Offense	\$50.00
		2nd Offense	\$75.00
		3rd Offense	\$100.00
4. (c)	Failure to remove animal excrement	\$25.00	
4. (d)	Animal causing a disturbance	\$25.00	
5. (a)	Person having more than five animals without permit	\$50.00	
6. (d)(v)	Failure to report sale or transfer to another owner of dangerous animal	\$50.00	
8.	Obstruction	\$100.00	
9.	Failure to apply for permit for uncommon pet	\$50.00	

SECTION	FEE DESCRIPTION	PENALTY AMOUNT	
3. (a)	Licencing of a dog	Regular Fee	\$25.00
		If dog is spaded or neutered, amount to be deducted from Regular Licencing fee.	-\$10.00
		If dog has implanted owner identity chip, amount to be deducted from Regular Licencing Fee	-\$5.00
7.	Daily Impoundment Fee	\$10.00	