

BE IT RESOLVED by the Municipal Council of the Municipality of the County of Inverness that By-law No. 14, Dogs, be repealed and re-enacted as follows:

BY-LAW 13

DOGS

1. In this By-Law,
 - (a) "Clerk" means Municipal Clerk of the Municipality;
 - (b) "Dog" means any dog, male or female;
 - (c) "Owner" of a dog includes any person who possesses, has the care of, has the control of or harbours a dog and, where the person is a minor, includes a person with the custody of the minor;
 - (d) "Municipality" means the Municipality of the County of Inverness.
 - (e) "Dog Control Officer" means the by-law enforcement officer appointed by the Council of the Municipality of the County of Inverness to enforce this by-law.
2.
 - (1) On or before the first day of April in each year, the owner of any dog shall register such dog with the Clerk, shall pay the tax provided therefore by this by-law, and shall obtain from the Clerk a tag for such dog.
 - (2) A dog shall be exempt from registration and from tax if the owner proves that the dog is under the age of three months.
3.
 - (1) The owner of a dog who has become owner thereof after the first day of April and which dog is not registered in his/her name with the Clerk, shall within two days after he/she has become owner, register the dog and pay the tax, obtain a tag and attach it to the collar of the dog.
 - (2) The owner of a dog not registered with the Clerk, which dog at any time has become or is over the age of three months shall immediately register the dog and pay the tax.

(3) A tax paid at any time after the first day of April shall be the same amount of tax required to be paid on or before the first day of April notwithstanding that it is for only part of a year; but where the owner acquires ownership of the dog after the expiration of six months of the registration year, he/she shall only be charged one-half of the dog tax.

(4) Registration made and tax paid after the first day of April shall be effective until the last day of March next following the making and payment thereof.

4. The tax shall be annually as follows:

(a) For each neutered male or spayed female dog, the annual tax shall be - \$10.00
Proof of a neutered male or spayed female shall be provided prior to paying the fee for such dog.

(b) For each dog not neutered or spayed, the annual tax shall be - \$25.00.
It shall be the obligation of the owner or harbourer of a dog to prove to the satisfaction of the dog control officer that a dog is spayed or neutered.

5. The owner of a kennel of pure-bred dogs which is registered in the Canada Kennel Register may, in any year, pay to the treasurer of the Municipality, twenty-five dollars (\$25.00) as a tax upon the kennel for that year, and upon the production of the Treasurer's certificate of payment, the owner of such kennel shall be exempt from assessment and any further tax in respect of such dogs for that year.
6. The Clerk shall keep a record of every dog registered, showing the date and number of registration, and the name and description of the dog with the name and address of the owner. The owner shall furnish this information to the Clerk at or before the time of registration.
7. The Clerk shall supply the owner with a metal tag for each dog registered, with the number and year of registration stamped thereon, and the owner of every registered dog shall keep on such dog a collar with the tag attached thereto.

8. If an owner files with the Clerk a Statutory Declaration that a tag has been lost, the Clerk may replace the tag that has been lost upon payment by the owner of one dollar.
9. Any owner within the Municipality who sells or transfers any licensed dog shall report to the Clerk the sale or transfer, the name and address of the person to whom it was sold or transferred, a description of the dog and the number of the registration as shown on the tag issued by the Clerk.
10. The Clerk shall transfer the registration of such dog to the new owner thereof on payment of the amount by which the tax on the dog to the new owner would exceed any tax paid on the dog that year by the previous owner, or in any other case, without charge.
11. No dog shall be permitted to leave the premises of the owner or be at large within the Municipality unless the said dog is under the effective restraint or control of some person in charge thereof, and the fact that any dog is running at large shall be an offence against this by-law.
12. The owner of a dog:
 - (a) Which runs at large contrary to this by-law; or
 - (b) In respect of which the tax imposed by this by-law is not paid; or
 - (c) Which is fierce or dangerous; or
 - (d) Which, without provocation, has attacked or injured any person or property; or
 - (e) Persistently disturbs the quiet of the neighbourhood by howling, barking or in any other manner;is guilty of an offence against this by-law whether or not such dog is chained, muzzled or otherwise restrained, and is subject on conviction to the penalty described by Section 25.
13. (1) The dog control officer, without notice to or complaint against the owner of any such dog, may impound and kill or may kill on sight without impounding, any dog:
 - (a) Found running at large contrary to this by-law, or

(b) In respect of which the tax imposed by this by-law has not been paid;

or

(c) Which is fierce or dangerous or

(d) Which, without provocation, has attacked or injured any person or property.

(2) It shall be the duty of the dog control officer of the Municipality to take and impound at the pound provided by the Council for such purpose any dog found at large within the Municipality and it shall be the duty of the Dog Control Officer to receive and impound such dog and to furnish it with food and water.

(3) Any dog rabid or at large and known to be rabid shall be immediately killed.

14. The Council shall appoint a dog control officer who shall keep all dogs caught or taken by him/her or delivered to him/her under this by-law and shall furnish them with food and water.

15. (1) If, at the expiration of 96 hours following the impounding of any dog, no claim of ownership for such dog is made, it shall be the duty of the Dog Control Officer to make all reasonable efforts to notify the owner of such dog and if unable to notify the owner, the Dog Control Officer shall dispose of the dog, either by selling it for the best price obtainable or if the dog cannot be sold by destroying it in a humane manner.

(2) A person resident within the Municipality purchasing an unregistered dog from a Dog Control Officer shall register the dog before taking him/her from the pound.

16. The proceeds of any sale shall be paid over to the Clerk.

17. If the owner appears and claims his/her dog before the time fixed by the Dog Control Officer, the dog shall be released to him/her on payment of any tax required by this by-law and on payment on the fees set out in Section 18.

18. The Dog Control Officer shall be entitled to receive the following fees:

(a) For board of each dog impounded;

\$20.00 for the first 24 hour period or any portion thereof,

\$10.00 for the second 24 hour period or any portion thereof.

(b) for disposing of a dog \$10.00 plus mileage fees for pick up.

19. The Clerk shall immediately notify every person reported to him/her as the owner of an unregistered dog in the Municipality by letter, by ordinary mail, postage paid and addressed to the owners address, requesting such owner forthwith to register the dog, and comply with this by-law.

20. The Clerk shall keep a record of every dog and its owner so reported to him/her by a peace officer, together with a description of the dog, if available, and the name of the reporting officer.

21. The owner of any dog may be required by the Clerk to deliver to the Clerk, in writing, a statement of the number of dogs owned or harboured by him/her or which are habitually kept upon the premises and for neglect or refusal to do so, and for every false statement made in respect thereof, he/she shall be liable to a penalty not exceeding \$200.00.

22. Every owner who neglects to obtain a tag for each dog owned by him/her and to keep it securely fixed on his/her dog excepting while the dog is being lawfully used for hunting purposes, or who uses a tag upon a dog other than that for which it was issued, shall be liable for a penalty not exceeding one hundred (\$100.00) dollars.

23. Every owner of a dog shall pay to the Municipality a fee of \$10.00 for each dog destroyed by the Municipality at the request of the owner plus mileage at the provincial rate of mileage paid its employees.

24. The Clerk is hereby authorized to issue, give or sign any and all permissions or authorizations required to be given in order to permit the Dog Control Officer to carry out his/her duties.

25. Any person who violates any provision of this by-law, except as set out in Sections 21 and 22 hereof, shall be liable on conviction to a penalty not exceeding One Thousand (\$1,000) Dollars and in default of payment to imprisonment for a period not exceeding thirty (30) days.

THIS IS TO CERTIFY that the foregoing bylaw is a true copy of a bylaw duly passed at a duly called meeting of the Municipal Council of the Municipality of the County of Inverness duly held on the 7th day of July A.D., 1997.

Kate Beaton

Deputy Clerk

DEPARTMENT OF HOUSING
& MUNICIPAL AFFAIRS

Recommended for
approval of the Minister

Cathleen O'Grady
.....
Department Solicitor

APPROVED this *21*.....day
of *August*.....19*97*

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Minister of Housing & Municipal Affairs