



TOWN OF SHELBURNE

DOG BY-LAW

THIS BY-LAW SHALL REPEAL AND SUPERCEDE ANY AND ALL PREVIOUS REGULATIONS AND/OR BY-LAWS HELD BY THE TOWN OF SHELBURNE REGARDING DOGS WITHIN THE TOWN OF SHELBURNE.

Short Title

1. This by-law shall be known as and may be cited as the **“Dog By-Law”**.

Interpretation

2. In this by-law unless the context otherwise indicates:
 - (a) **“constable”** means any person appointed by the Town Council as a By-Law enforcement officer under the provisions of the Police Act for the Province of Nova Scotia;
 - (b) **“dog”** means any dog male or female;
 - (c) **“owner”** of a dog includes any person who keeps, harbors or possesses a dog and any person on or about whose premises or in whose possession, company or charge the dog is usually found.
 - (d) **“dog control officer”** means any person appointed by this by-law who is responsible for locating, retaining and impounding dogs at large

Registration

3. On or before the first day of May in each and every year the owner of each dog within the Town shall ensure that such dog is registered. Any person who is the owner of a dog shall:
 - a) register such dog with the Finance Department; and
 - b) pay the registration fee; and
 - c) obtain from the Finance Department an identification tag for such dog; and
 - d) securely attach such identification tag to that same dog.
- 3.1 A dog that is trained to assist and assists a person with a disability is exempt from paying a registration fee but not from registration.
- 3.2 Any person who becomes the owner of a dog shall, within thirty (30) days of so becoming, comply with this by-law.

Identification Tag

4. Upon registration of a dog(s) the owner shall procure from the Town Office a tag for each dog owned, keep the tag securely affixed to the dog at all times during the year.
- 4.1 The tag shall bear a serial number and the year in which it was issued and a record shall be kept by the Town Office showing the number and address of the owner and also a description of the said dog and the date of the payment of the fee in each year.
- 4.2 An identification tag is non-transferrable; thus, a new owner of a dog shall re-register the dog, pay the registration fee and obtain a new identification tag pursuant to this by-law.
- 4.3 In the event that an identification tag has been lost, a replacement tag must be purchased.

Dog Control Responsibilities

5. Any dog which is off the premises of its owner and is not under the effective control or restraint of some person is deemed to be running at large, with the exception of dogs running off-leash within designated areas.
- 5.1 The owner of a dog:
 - a) which is deemed to be, or have been, running at large;
 - b) which is fierce or dangerous, or
 - c) which, without provocation, has attacked or injured a person, animal, or property, or;
 - d) has not paid for the registration of the animal;is an offence against this by-law.
- 5.2 If a dog, other than a dog that is trained to assist and is assisting a person with a disability, defecates on any public or private property, other than the property of its owner, the owner of the dog shall remove such defecation immediately or cause such defecation to be removed immediately. The failure of such owner to remove such defecation immediately or to cause to be removed such defecation immediately is in offence against this by-law.

The Pound

6. The Dog Control Officer shall receive all dogs delivered to him/her, or seized by him/her, and shall detain the same and furnish them with food, water and shelter as outlined in the Nova Scotia SPCA's Standards of Care, as are in effect from time to time.
- 6.1 Upon any dog being impounded, the Dog Control Officer shall check for a tag and if a tag is found, shall make at least three attempts to contact the registered owner of the dog using the tag number on the records of Town staff; provided however, that if a dog is missing, the onus is on the owner of the dog to ascertain within the time period provided for impounding under this by-law, whether the dog has been impounded, and neither the Dog Control Officer nor the Town shall incur liability in the event of failure to give notice to the owner, if the owner has not made inquiry of the Dog Control Officer to determine whether the dog was impounded.
- 6.2 All dogs shall be kept for a minimum period of seventy-two (72) hours from the time of impounding, or, in the case of notice, seventy-two (72) hours after the posting of such a notice, excluding Saturdays, Sundays and holidays. If after the that time, the dog is not claimed or not registered according to this by-law, the Dog Control Officer may make arrangements to relieve the Municipality of the dog in the most humane manner, including, but not limited to, an adoption process.

Pound Fees

7. In the case of dogs which are eligible to be redeemed from the pound by an owner, the owner may redeem the said dog upon payment of any registration fee required by this by-law as well as all fees and for any veterinary services necessary to preserve the life or prevent the undue suffering of the dog or to protect the health or safety of other dogs in the pound.
- 7.1 The following fees apply in the Town of Shelburne:
 - a) first impoundment, a fee of \$50.00 per dog in any calendar year;
 - b) subsequent impoundment, a fee of \$100.00 per dog in any calendar year;
 - c) boarding fee at the commercial rate for each dog for each twenty-four (24) hour period, or any portion thereof, of retention at the pound;
 - d) a fee of \$10.00 for travel associated with the capture and impounding of the said dog; and
 - e) a fee of \$500.00 for any dog deemed to be fierce and dangerous;

- f) any other expenses incurred in relation to the capture, impounding, maintenance or care of the said dog, including, but not limited to, all veterinary bills.

7.2 It shall be an offence against this by-law for any person to take any dog from the pound in the absence of the pound fees and any other fees required by the by-law having been properly paid.

Dog Census

- 8.** The Constable of the Town of Shelburne shall annually in the month of March take a census of the dogs in the Town and report the same to the Town Chief Administrative Officer (CAO).

Constables' Duty to Report

- 9.** Where the Town Office is informed of the name of an owner, or the owner is known to the Town Office, of a dog deemed at large the Town Office will contact the owner(s) to inform them of the violation of the by-law.

Penalties

- 10.** Any person found to be in violation of this By-Law shall be guilty of a Summary Offence and is liable upon conviction of the corresponding fines laid in the By-Law Infraction Ticket Information.

THIS IS TO CERTIFY that the By-Law of which the foregoing is a true copy and was duly passed at duly called meeting of the Council of the Town of Shelburne, held on the day of ,2015.

GIVEN under the hand of the Clerk and the corporate seal of the said Town this day of , 2015.

Mayor, Karen Mattatall

Town Clerk, Lauren Robinson