

**By-Law # S-1**  
**A By-Law Respecting Animal Control**

The council of the Town of Woodstock, under authority vested in it by Section 96(1) of the Municipalities Act, R.S.N.B., 1973, Chapter M-22, enacts as follows:

1. The purpose of this by-law is to enact a by-law respecting animal control.
2. For the purpose of this by-law a person is deemed to be the owner who:
  - (a) is in possession of an animal;
  - (b) harbours an animal;
  - (c) suffers an animal to remain about his house or premises, or
  - (d) registers a dog as herein provided.
3. Every owner of a dog shall register such dog with the Town on or before the 2<sup>nd</sup> day of January in each year. At the time of registration shall pay a licence fee therefor of \$5.00 if such dog is male or has been spayed and \$15.00 if such dog is female. The licence shall expire on December 31<sup>st</sup>, of each year.
4. Every person who, after the 2<sup>nd</sup> day of January in any year, becomes the owner of a dog that is not registered under this by-law shall forthwith register the same and shall pay the licence fee therefor of \$5.00 if such dog is male or has been spayed and \$15.00 if such dog is female. The licence shall expire on December 31<sup>st</sup> of each year.
5.
  - (1) every person who keeps a dog or dogs for breeding purposes shall obtain from the Town a licence known as a "kennel licence".
  - (2) the fee for a kennel licence shall be twenty-five dollars.
  - (3) a kennel licence shall be in lieu of any other licence or registration under this by-law and shall be valid so long as such dog or dogs are owned by the holder of such kennel licence.
  - (4) a kennel licence shall be valid until the second Tuesday of January of the year next succeeding the date of issue and shall be renewed on the second Tuesday of January in each and every year thereafter.
6.
  - (1) the Town shall cause to be kept a record of the registration of all dogs which shall show the date and number of registration, the description of each dog and the name of the owner.

- (2) the Town shall cause to be delivered to the owner at the time of registration a tag on which shall be inscribed the year of registration together with a number corresponding to the number under which the dog is registered.
  - (3) any person who loses a tag may obtain a tag to replace such lost tag from the Town upon payment of the sum of one dollar.
7. Every owner of a dog shall cause any dog registered by him to wear a collar to which shall be attached the tag issued under section 6.
  8. The owner of a dog registered under this by-law shall not allow or permit the tag issued for such dog to be worn by another dog.
  9. Every owner of a dog who fails to register it under this by-law is guilty of an offence.
  10. (1) No owner of an animal shall allow such animal to run at large except upon his own property.
  - (2) Every owner of a dog is guilty of an offence who allows such dog to be on any street or in a public park unless such dog is held in leash by a responsible and competent person.
  11. (1) The animal control officer or any peace officer may seize and impound any dog found
    - (a) running at large;
    - (b) not licensed, not wearing a collar and tag;
    - (c) has attempted to bite or has bitten a person (s) ;
    - (d) persistently disturbing any neighbourhood by barking, howling or in any other manner, or
    - (e) persistently annoying pedestrians or drivers of horses, automobiles, bicycles or other vehicles by running or barking at the same,

And if the owner of such dog is known, notify him that his dog is impounded, or if the owner of such dog is not known or being known after the requirements of section (2) are satisfied, may sell or destroy such dog which has not been claimed by the owner or anyone on his behalf.

- (2) Before the animal control officer sells or destroys a dog which is impounded, he/she:
  - (a) shall post a notice at the Town Hall stating that such dog has been impounded and will be sold or destroyed within seventy-two (72) hours of

the posting unless the owner, or anyone on his behalf, claims the dog and pays the costs set out in section (3).

- (b) may sell or destroy such dog after seventy-two (72) hours have expired from the time of posting
- (3) The animal control officer shall collect from the owner or the purchaser:
- (a) the applicable license fee if the dog is not licensed,
  - (b) fifteen dollars for each day or part thereof that the dog has been impounded;
  - (c) a fee of twenty-five dollars for the first impounding of the dog;
  - (d) a fee of fifty dollars for the second impounding of the dog
  - (e) a fee of one hundred dollars for the third and subsequent impounding of the same animal in a twelve-month period;
12. The council may establish one or more animal pounds in addition to any general pound now or hereafter established.
13. No person authorized under this by-law to capture and impound an animal shall be liable in damages for any injury or damage caused to such animal while the same is being captured or impounded.
14. Every person who removes a collar or tag from any registered dog, not being the owner thereof, is guilty of an offence.
15. (1) the owner of a dog or cat which has not been vaccinated against rabies shall cause the dog or cat to be so vaccinated;
- (a) within 10 days of acquiring such dog or cat, if it is more than 4 months of age; or
  - (b) within 10 days after it has reached the age of 4 months.
  - (c) when a dog or cat is more than 4 months of age on the coming into force of this by-law, and it has not been vaccinated against rabies within 30 days thereof.
- (2) any owner who neglects or refuses to have his dog or cat vaccinated against rabies under the provisions of this by-law is guilty of an offence, and is liable upon summary conviction to a fine of not less than \$25.00 and not more than \$200.00.
- (3) any police constable or animal control officer shall immediately seize and impound and report to proper legal authorities any dog or cat which is known to be or suspected of being rabid.

- (4) any owner of a dog or cat who knows or suspects that his dog or cat is rabid and neglects or refuses to report it to the proper legal authorities shall be guilty of an offence and liable on summary conviction to a fine of not less than \$25.00 and not more than \$200.00.
16. Every owner of a female dog who suffers or permits such a female dog to be upon a street while in heat, is guilty of an offence.
17. When upon complaint of any person that a dog has bitten or has attempted to bite any person, it appears to a judge of the provincial court that the dog is dangerous, the judge, may make an order directing the owner or keeper of the dog to keep it under control or directing the owner or keeper of the dog or some other person to destroy the dog.
18. Every person who violates any provision of this by-law, other than a provision for which a penalty has herein been prescribed, is guilty of an offence and is liable on summary conviction to a fine of not less than \$70.00 and not more than \$200.00.
19. (1) notwithstanding anything herein contained, a peace officer may, either before or after the institution of proceedings against a person for any alleged violation of this by-law, accept from the person alleged to have committed such violation, the payment of a sum equal to the minimum fine prescribed by section 18 of this by-law for such violation together with legal costs of proceedings to that date, if any; and thereupon the peace officer shall issue a receipt therefor and shall forthwith forward to the Town the amount so received.
- (2) a payment made under section (1) shall constitute a full satisfaction, release and discharge of all penalties and imprisonments incurred by such person for such violation.
20. (1) subject to subsection (2), By-Law no. 54 of the Town of Woodstock, a law respecting animal control is repealed.
- (2) the repeal of By-Law no. 54 of the Town of Woodstock, shall not affect any penalty, forfeiture or any proceeding for enforcing the same, completed or pending at the time of repeal; nor shall it repeal, defeat, disturb, invalidate or prejudicially affect any matter or thin whatsoever completed, existing or pending at the time of repeal.

Read a first time this 23<sup>rd</sup> day of July , 2001.

Read a second time this 23<sup>rd</sup> day of July , 2001.

Read a third time and enacted this 24<sup>th</sup> day of September , 2001.

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George Leonard, Mayor

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E. L. Dickinson, Director of Administrative Services