

**THE MUNICIPALITIES ACT
TOWN OF MOUNT MORIAH
DOG REGULATIONS 2021**

Pursuant to the authority conferred by Section 414 of *The Municipalities Act*, these regulations may be referred to as “The Town of Mount Moriah Dog Regulations.”

DEFINITIONS

1. For the purpose of these regulations, unless indicated otherwise.
 - (a) ‘Clerk’ means the Town Clerk of Mount Moriah or designate.
 - (b) ‘Council’ means Mount Moriah Council.
 - (c) ‘Dog’ means a male or female pup or dog.
 - (d) ‘Impounder’ means the person or persons appointed by the Council and authorized to impound any animal without an owner; or not in the company of an owner; or the owner of which has infringed any provision of this regulation.
 - (e) ‘Injured’ or ‘Injuring’ include injuries caused by wounding, worrying, terrifying or pursuing.
 - (f) ‘Manager’ means the person appointed to this position by the Council in accordance with the *Municipalities Act*.
 - (g) ‘Owner’ means the person who owns, harbours, or has charge of an animal and includes the owner, tenant, or person in charge of the premises in or on which an animal is kept or permitted to live or remain.
 - (h) ‘Town’ means the -----Town of Mount Moriah
2. No person under any circumstances, for the duration of time, shall be permitted to keep an “Aggressive Dog” within the boundaries of the town.
3. No person shall keep a dog in the town of three months age or older unless a license has been issued by the Council for such a dog and such license is still in force, and unless such a dog bears a numbered tag or plate indicating that such license is in force.
4. No person shall lead, have or take a dog in or to any public place in the town unless such a dog bears a numbered tag or plate indicating that a license has been issued for such a dog.
5. Every such license from the town shall not expire.
6. Any dog found at large in the town contrary to this regulation may be destroyed by the Impounder.
7. Any court or summary jurisdiction may take cognizance of a complaint that a dog is

dangerous and not kept under proper control or has bitten or attempted to bite any person and if it appears to the court that the animal is dangerous or has done any of the things referred to herein the court may order the owner of the dog to destroy it.

8. (1) Any person authorized to destroy a dog under this regulation may destroy it or may complain to a magistrate who upon verification of the authorization may make an order directing the owner of the animal to destroy it.

(II) The owner of a dog shall be liable for damages or injury done by it to a person, goods or property and the court may order the owner of the dog to pay all costs incurred as a result of such damage or injury.

9. The owner of a dog who fails to comply with an order under Section 8 shall be deemed to have committed an offence in terms of this regulation.
10. No person shall establish or carry on any business or institution for boarding, keeping, training, or treating dogs unless the permission of the council has been obtained in writing.
11. If any dog while not in the company of its owner or a member of its owners household, is found in a public place or any private place or any private property without the consent of the owner, occupant or person having control of such property the owner of such an animal as well as the person who cause the animal to be in such a place shall be deemed to have committed an offense in terms of this regulation.

Dangerous Dog

12. If any dog shall bite or otherwise injure any person other than its owner or a member of its owners household and while not in its own premises, such dog shall be deemed to have committed an offense in terms of this regulation.
13. If any dog shall deposit excrement on any street or any property whether private or public, or otherwise cause damage to any lawn, grass plot, garden, flower bed or flowers, shrub or plant, such animal shall be deemed to be a nuisance and the owner thereof shall be deemed to have committed an offense in terms of this regulation.
14. If any dog shall bark or howl in such a manner as to disturb the peace or to constitute an annoyance to residents in the neighbourhood such dog shall be deemed to be a nuisance and the owner shall be deemed to have committed an offense in the terms of this regulations.
15. Whenever a dog is found in any public place or on private property without the consent of the owner, occupant or person having control of such private property or without a tag or plate as required by Section 4 preceding or is not accompanied by Section 12 preceding or is not held securely on a leash by a person capable of restraining its movement or confined to private property, the Impounder or any person may cause that dog to be impounded.

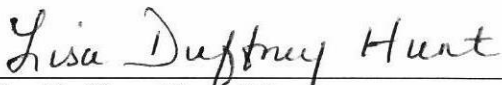
16. (I) When a dog, which bears a numbered tag or plate as required by this regulation has been impounded the Impounder shall send a written notice thereof to the licensee or owner of the dog, if the name and address of such persons are known to him and if the dog has not been redeemed by or on behalf of the licensee or owner within two days (2) after the dispatch of such a notice, or where no notice has been sent, after the time of the impounding, the Impounder shall cause the dog to be destroyed or disposed of.
 - (II) The fee, which shall be paid to the Town Clerk, for the redemption of an impounded dog shall be \$50.00 per day from the time of impounding.
 - (III) When a dog does not bear a numbered tag or plate as required by this regulation has been impounded, the Impounder may cause the dog to be disposed of or destroyed forthwith at the expiry of two (2) days after the time of impounding.
 - (IV) Where in the discretion of the Impounder, the dog liable to be impounded appears to be vicious, dangerous, diseased, or otherwise unfit for impounding; the Impounder may cause the dog to be disposed of or destroyed immediately.
 - (V) Where a person is authorized to destroy a dog under these regulations, he shall do so in a manner as humanely as possible, the carcass of which shall be disposed of by burning or burying. It shall not be placed in any body of water.
 - (VI) Upon payment of the impounding fee and of the license fee prescribed where a dog is not licensed, the Impounder may release any dog which fails to be disposed of or destroyed to any person requesting such dog, and the ownership of such dog shall then vest in the person to whom it is released and the former owner shall have no right or claim to such dog.
17. (I) No person shall keep an animal in the town unless the dog is confined to private property or kept securely on a leash by a person capable of restraining its movement.
 - (II) The council may by resolution order that any and/or all dogs within the town be muzzled, isolated or detained for such period or periods as the council deems fit and the owner of any dog who fails to comply with such order shall be deemed to have infringed on this regulation.
18. **The Impounder shall:**
 - (a) Report the name and address of any person observed or reliably to have violated any of the provisions of this regulations.
 - (b) Report the time and nature of such violation and any other circumstance relevant thereto.

- (c) Serve upon the person violating any of the provisions of this regulation a serially, instructing such person where to report in numbered notice that such person has violated a provision of this regulation and regard to such violation.
 - (d) File with the Town Clerk a duplicate copy of each serially numbered notice on the same working day of issue.
19. (I) Except for a violation of Section 13 and subject to the provisions of Section 21 hereafter, each person served with a notice in terms of Section 19 preceding may, within 48 hours of the time when such notice was served (exclusive of Saturdays, Sundays and public holidays) pay to the town clerk, who authorized to accept such payments and furnish an official receipt in the sum as indicated on the notice as a mitigated penalty for each violation.
- (II) Any person who without the authority of the Manager or the Impounder releases any dog which has been impounded or hinders or interferes with the Impounder in the execution of his duties shall be deemed to have committed an offence in terms of this regulation.
20. Every person who is served with a Notice of Violation under sections 4 or 5 of this regulation may, within 48 hours of the time when notice was served (exclusive of Saturdays, Sundays and public holidays) pay to the town clerk who is authorized to accept such payment and furnish an official receipt, the sums indicated on the notice as mitigated penalties for each such violation and shall pay the license fee for the current year.
21. (I) Any person who fails to make payment of the mitigated penalties listed in Section 23 within the time prescribed shall be prosecuted.
- (II) Any person who violates any of the provisions of this regulation shall be guilty of an offense and shall, subject to the right of such person to make payment to the mitigated Penalty, be subject to a minimum fine of \$50.00 for a first offence, a minimum of \$75.00 for a second offense and a minimum fine of \$100.00 for a third and subsequent offense.
22. Fees, license and penalties found in this regulation are deemed to be as follows and are subject to change by a resolution of council.
- (a) **License Dog** (either sex) \$ 5.00
 - (b) **Impounding Fee** (per diem) \$ 50.00
 - (c) Keeping a dog without a license tag or having a dog in a public place without a license or tag.
 - (I) Notice issued in March \$20.00
 - (II) Notice issued in April, May, June \$30.00
 - (III) Notice issued in July, Aug., Sept. \$40.00
 - (IV) Notice issued in Oct., Nov., Dec. \$50.00

- (d) **Roaming Dogs** First offense \$ 50.00
 Second offense \$ 75.00
 Third offense and Subsequent offenses \$100.00
- (e) Dog biting person. Owner to appear when summoned to answer complaint.
- (f) Dog causing damage to lawn, grass, garden flower bed, plants or shrubs \$25.00
- (h) Failure to pay fines or answer summons
- (1) First offense \$ 50.00
 (2) Second offense \$ 75.00
 (3) Third offense \$100.00

23. Any previous regulations and amendments made by Town Council of Mount Moriah are hereby revoked.

24. These regulations were adopted by resolution of Council at a meeting held on the 2 day of June 2021 and come into effect on the 2 day of June 2021.



Lisa Duffney-Hunt, Mayor