

The Town of Stephenville Crossing

Dog Regulations

Pursuant to authority conferred by Sections 235 and 248 of The Municipalities Act S.N. 1979, c.33, and amendments, the Town Council of Stephenville Crossing, Province of Newfoundland, has made the following regulations:

DOG REGULATIONS

1. These Regulations shall be known and cited as The Town of Stephenville Crossing Dog Regulations, 1989.
2. In these Regulations, the following words, unless the context otherwise requires, shall have the following meanings:
 - a. "Council" means the Stephenville Crossing Town Council;
 - b. "Dog" means a male or female dog or pup and includes an animal which is a cross between a dog and a wolf;
 - c. "Destroy" means to kill in a humane manner;
 - d. "Impounder" means a person or persons appointed by the Council or the Town Manager 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 provisions of these Regulations;
 - e. "Injured" and "Injury" includes, but is not limited to, injuries caused by wounding, worrying, terrifying, or pursuing;
 - f. "Kennel" means an establishment for the keeping, breeding, or boarding of dogs;
 - g. "Municipal Enforcement Officer" means for the purpose of these Regulations, a peace officer with powers as outlined in The Municipalities Act, S.N. 1979, c.33, s. 185 and amendments;
 - h. "Owner" when used with reference to the ownership of a dog, includes any person who owns, harbours, has custody, has possession or has charge of a dog and includes the owner, tenant or person in charge of a house or premises or part of premises where any dog is kept or permitted to live or remain;

i. "Obstruct" means to hinder, impede, hamper, stop, or get in the way of;

j. "Town" means the Town of Stephenville Crossing.

3. No person shall be the owner of a dog in the Town unless a dog licence has been issued by the Council for such dog, such licence is still in force. The dog bears a numbered tag or plate indicating that such licence is in force for the current year.

4. a. Every dog licence issued by the Council shall expire on the 31st day of December next after the date of issuance and shall be non-transferable;

b. The fee payable for a dog licence shall be as determined by Council from time to time and shall not be reduced or remitted by reason of the date, loss, or removal of any dog after the date of issuance of the licence;

c. The fee payable for a licence to operate a kennel within the Town shall be as determined by Council from time to time;

d. The owner of every licensed dog shall immediately on receipt of the licence tag attach it to a strong and durable collar, which collar shall be kept upon the dogs neck at all times.

5. Any Court of 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(s); and if it appears to the Court that the dog is dangerous or has done any of the things referred to herein, the Court may order that the dog be destroyed.

6. No person shall establish a kennel or carry on any business or institution for boarding, keeping, training, or treating dogs unless a valid and subsisting licence has been issued by the Council to do so.

7. If any dog while not in the company of its owner or a member of its owners household is found in any public place or any private property without the consent of the owner, occupant or person having control of such property, the owner of such dog as well as the person who caused the dog to be in such a place shall be deemed to have committed an offence under these Regulations.

8. If any dog shall bite any person other than its owner or a member of its owners household and while not in its owners premises, the owner thereof shall be deemed to have committed an offence under these Regulations.

9. a. If any dog shall cause damage to any lawn, grass plot, garden or flower bed or flower, shrub or plant, the owner thereof shall be deemed to have committed an offence under these Regulations.

b. Any dog found damaging or destroying private property may be seized by the owner of the property and held for collection by the impounder.

10. If any dog shall bark or howl in such a manner as to disturb the peace or to constitute an annoyance to any person, the owner thereof shall be deemed to have committed an offence under these Regulations.

11. Whenever a dog is found in any public place or on any 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 3 preceding or is not accompanied as required by Section 7 preceding or is not held securely on leash by a person capable of restraining its movements or confined to private property, the impounder or any person may cause the dog to be impounded.

12. a. Any dog found at large in the Town contrary to these Regulations may be destroyed by the impounder at the expiration of twenty-four (24) hours for licensed dogs and twelve (12) hours for unlicensed dogs.

b. A dog found at large within the Town and the owner identified by means of a licence number attached to the dog, the owner shall be notified and given twenty-four (24) hours in which to reclaim the dog upon payment of an impounding fee as determined by Council from time to time.

c. All unlicensed dogs impounded pursuant to Section 14 (a) shall be impounded for a twelve (12) hour period and may be reclaimed within the period upon payment of a impounding fee as determined by Council from time to time and annual licence fee.

d. Where, in the sole 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 destroyed forthwith.

e. Upon payment of the impounding fee and of the licence fee described where a dog is not licensed, the Impounder may release any dog 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 a dog.

13. a. No person shall keep a dog in the Town unless the dog is safely tethered or penned up at all times or kept securely on a leash by a person capable of restraining its movement.

b. A dog which is tethered or penned up pursuant to these Regulations shall be tethered or penned up in a manner which does not impose undue hardship or cruelty to the dog.

14. No person shall obstruct an impounder or any person working in any capacity under these Regulations in the execution of their duties.

15. Except for violations of Section 8 and subject to the provisions of Section 16 of these Regulations, each person served with notice may within forty-eight (48) hours of the time when such notice is served, exclusive of Sundays and public holidays, pay to the Council a sum of money as determined by the Council from time to time as mitigated penalty for each violation; and shall pay the licence fee for the current year.

16. Any person who is served with a notice of violation under Section 3 of these Regulations may within forty-eight (48) hours of the time when such notice is served, exclusive of Sundays and public holidays, pay to the Council a sum of money as determined by the Council from time to time as a mitigated penalty for each violation; and shall pay the licence fee for the current year.

17. a. Any person who fails to make payment of the mitigated penalties provided for in Sections 15 and 16 preceding within the time prescribed shall be prosecuted;

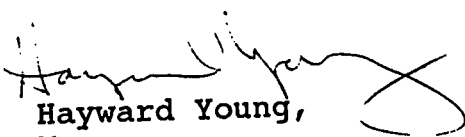
b. Any person who violates any of the provisions of these Regulations shall be guilty of an offence and shall, subject to the rights of such person to make payment of the mitigated penalty in terms of Sections 15 and 16 preceding, be liable on summary conviction, to a minimum fine of twenty-five dollars (\$25.00) for a first offence and a minimum fine of fifty dollars (\$50.00) for a second and each subsequent offence.

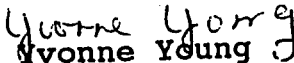
18. Prosecution under these Regulations may be taken summarily by a representative of the Council, including a Municipal Enforcement Officer.

19. The Town of Stephenville Crossing Dog Regulations 1976 and amendments made thereunder are hereby repealed.

20. These Regulations shall come into effect on the 5 day of FEB. 1992.

Approved at a Meeting of the Stephenville Crossing Town Council
on


Hayward Young,
Mayor


Yvonne Young
Clerk