

The Town of Port au Port East

**P.O. BOX 160, PORT AU PORT EAST, NEWFOUNDLAND, A0N 1T0
TEL: (709)648-2731 FAX (709) 648-9481**

THE TOWN OF PORT AU PORT EAST NOTICE PROVISIONS UNDER DOG REGULATIONS, 2015

Members of the general public are reminded of the following provisions of the Town of Port au Port East Dog Regulations, 2015 and as amended:

Section 9 (a) If a dog defecates on any public or private property other than the property of its owner, the dog owner shall remove such defecation immediately. This includes town parks, streets, sidewalks, parking lots, and other private and public lands other than the land of the owner of the dog.

Section 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.

The penalties for violation of any of the provisions of the Regulations, Section 17, are:

For a first offence, to a minimum fine of \$25.00;

For a second and each subsequent offence, to a minimum fine of \$50.00.

Joanne Ryan
TOWN CLERK

/jr

January 20th, 2015

The Town of Port au Port East

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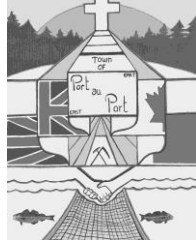
THE TOWN OF PORT AU PORT EAST AMENDMENTS TO THE TOWN OF PORT AU PORT EAST (DOG) REGULATIONS, 2015

At the Regular General Meeting on January 20, 2015, the Council of the Town of Port au Port East approved the following amendment to Regulation 4 of the Town of Port au Port East (Dog) Regulations, 2015:

Regulation 4(a): Every licence from the Town issued under this regulation shall be for the life of the animal and shall be non-transferrable.

**Joanne Ryan
TOWN CLERK**

February 02, 2015



THE TOWN OF PORT AU PORT EAST **DOG REGULATIONS**

Pursuant to authority conferred by Section 235 and 248 of the Municipalities Act S.N. 1979, c.33, and amendments, the Town Council of Port au Port East in the Province of Newfoundland, has made the following regulations:

DOG REGULATIONS

1. These Regulations shall be known and cited as the Town of Port au Port East Dog Regulations, 2015.
2. In these Regulations, the following words, unless the context otherwise requires, shall have the following meanings:
 - a) “Council” means the Port au Port East 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 Clerk 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 purposes 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 Port au Port East.**
- 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.**
- 4. (a) 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;**
- (b) The fee payable for a licence to operate a kennel within the Town shall be as determined by Council from time to time;**
- (c) The owner of every licenced dog shall immediately on receipt of the licence tag attach it to a strong and durable collar, which collar shall be kept upon the dog's 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 owner's household is found in any public place or any private property without the consent of the owner, occupant or person having control of 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 owner's household and while not in its owner's 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 of 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 a 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 licenced dogs and twelve (12) hours for unlicenced 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) hour period in which to reclaim the dog upon payment of an impounding fee as determined by Council from time to time.

(c) All unlicenced 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 an impounding fee as determined by Council from time to time.

(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.

(e) Upon payment of the impounding fee and of the licence fee described where a dog is not licenced, 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 a notice may within forty-eight (48) hours of the time when such notice was served, exclusive of Sundays and public holidays, pay to the Council a sum of money as determined by Council from time to time as a mitigated penalty for each violation.

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 Section 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 Port au Port East Dog Regulations 2015 and amendments made thereunder are hereby repealed.

20. These Regulations shall come into effect on the 20th day of January, 2015

Approved at a Meeting of the Port au Port East Town Council on January 20, 2015

BY AUTHORITY

The following regulations have been made by the Town Council of the Town of Port au Port East under the provisions of Sections 239 and 437 any other section found enabling, of the Municipalities Act, 1990 as amended.

Amended and adopted by the Town Council for the Town of Port au Port East the 01th day of January, 2015.

Mayor

Town Clerk

CAT / DOG REGULATIONS

- 1. These regulations may be cited as the Cat Regulations of the Town of Port au Port East, 2015.**
- 2. For the purpose of this Regulation the following definition shall apply:**
 - a) "Act" means the Municipalities Act, Statutes of Newfoundland, Chapter M-23 (as amended).**
 - b) "Animal Pound" means the facility operated by the Town of Stephenville for the keeping and disposition of strays and admitted animals.**
 - c) "Cat" means a member of any breed of domesticated feline or cross-breed of domesticated feline whether spayed or neutered.**
 - d) "Council" means the Town Council of the Town of Port au Port East.**

- e) **“Control”** means having at all times, the ability to manage, direct, restrict and restrain the movement of the cat.
 - f) **“Kitten”** means any breed of domesticated feline or cross-breed of domesticated feline, which has yet to be weaned and /or are under the age of sixteen weeks.
 - g) **“Live Trap”** means a cage-like device, specifically designed for use in the capture of Cats, without injury to the animal, thus enabling the Municipal Enforcement Officer or their agents to remove the animals humanely.
 - h) **“Municipal Enforcement Officer”** means a person employed by the Town of Port au Port East, and / or a person appointed by the Town Clerk and authorized to enforce the Town of Port au Port Cat Regulations.
 - i) **“Owner”** means and includes any person who possesses or harbors a cat(s) and shall include a person who in temporarily the keeper or in control of an animal, and where the owner is under the age of 18 years of age, the person responsible for custody of the minor.
 - j) **“Premises”** means any property within the boundaries of the Town.
 - k) **“Running at Large”** means to be unleashed:
 - i) In a public place, or
 - ii) On premises not owned by or in the possession of the owner of the animal, and,
 - iii) Not under the control of any person when the cat is not on a leash held by a person or is not otherwise physically restrained.
 - l) **“Town”** means the Town of Port au Port East as defined by the Order-in-Council dated the 16th day of December, 1952, and any amendments thereto, according to the Municipalities Act.
 - m) **“Town Clerk”** means the Town Clerk of the Town of Port au Port East.
3. No owner of a cat shall allow such cat to cause damage or otherwise create a disturbance to another person or another person’s property.
 4. Where a person makes a complaint to the Town Council that a cat is causing or has caused damage to said person or person’s property or is creating or has created a disturbance, a Municipal Enforcement Officer or an agent of same may seize and cause such cat to be delivered to the animal pound.
 5. No owner shall allow his or her cat to be running at large in the town of Port au Port East and any cats running at large shall be liable to be captured as provided herein.
 6. The Municipal Enforcement Officer or an agent of same may seize, capture or impound any cat/dog found running at large contrary to these regulations and enter onto any premises for the purposes of capturing such cat.

7. The Municipal Enforcement Officer or an agent of same shall keep a cat in the animal pound in Stephenville for a 72 hour period and after the expiration of such period, the cat/dog may be sold or destroyed.
8. The owner may recover a seized or impounded cat on such proof of ownership of the cat as the Council may require.
9. Any person who interferes with or attempts to interfere with a Municipal Enforcement Officer or their agents, in the exercise of their duties, shall be deemed to have committed an offence in terms of these Regulations.
10. Any person who without the authority of the Municipal Enforcement Officer or their agents releases any animal which has been impounded, shall be deemed to have committed an offence in terms of these regulations.
11. Every person on the request of the Municipal Enforcement Officer or their agents, shall forthwith give his / her proper name and address.
12. (1) No person shall:
 - a) Tease a cat caught in a live trap; or
 - b) Throw or poke any object into a live trap when a cat is caught therein.
- (2) Any person who contravenes section 18(1) is guilty of an offence and upon conviction, shall be liable for a fine of \$500.00
13. Where any person who contravenes section 18(1) is a person who has obtained a live trap from the Municipal Enforcement Officer or their agent, such person is guilty of an offence and upon conviction is liable to a fine of \$1,000.00.
14. Any person who violates any of the provisions of these regulations shall be guilty of an offence and shall be liable on summary conviction to a penalty as prescribed in these regulations.
15. The penalty for an offence under this Regulation is a minimum fine of \$20.00 for a first offence and a minimum fine of \$40.00 for a second and each subsequent offence.
16. These regulations were passed and adopted by Council on the 23th day of January 20th, 2015 and will come into effect on the 23th day of January 20th, 2015 and may be cited as the Town of Port au Port East (Cat) Regulations, 2014