

Approved by Municipal Council on August 3, 1999
EFFECTIVE DATE OF BY-LAW – AUGUST 11, 1999

MUNICIPALITY OF THE DISTRICT
OF LUNENBURG

DOMESTIC ANIMAL BY-LAW

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| Definition | 1. In this By-Law unless the context otherwise indicates:

(a) “C.A.O.” means Chief Administrative Officer of the Municipality of the District of Lunenburg.

(b) “Municipality” means the Municipality of the District of Lunenburg.

(c) “Municipal Staff” means the C.A.O. of the Municipality or a person appointed by the C.A.O. to act on the C.A.O.’s behalf for the purposes of the By-Law.

(d) “Owner” of a domestic animal includes any person who possesses, has the care of, has the control of or harbours a domestic animal, and, where the person is a minor, includes a person with the custody of the minor.

(e) “Domestic animals” means animals other than “dogs” as that term is defined in the Municipal Dog By-law, and cats, and includes cattle, horses, ponies, mules, sheep, swine, goats, ducks, geese and domestic fowl. [<i>amended January 10, 2006</i>] |
| Animal Control | 2. The C.A.O. and Municipal Staff will be responsible for the enforcement of the By-Law. |
| Responsibility of Owner – Control | 3. (a) Any domestic animal which is off the premises of its owner without being under the apparent restraint or control of some person shall be deemed to be running at large for the purposes of this By-Law.

(b) Any person who contravenes this section is liable on summary conviction to fine of not less than One Hundred Dollars (\$100.00) and not more than Five Thousand Dollars (\$5,000.00) and in default of payment to imprisonment for a period not exceeding thirty (30) days. |

Offences

4. (1) The owner of a domestic animal:
- (a) which runs at large contrary to this By-Law; or
 - (b) which is fierce or dangerous, or
 - (c) which without provocation has attacked or injured any person;

is liable of an offence and liable on summary conviction to a fine of not less than One Hundred Dollars (\$100.00) and not more than Five Thousand Dollars (\$5,000.00) and in default of payment to imprisonment for a period not exceeding thirty (30) days.

(2) Any person who keeps or possesses a fierce or dangerous domestic animal is liable on summary conviction to a fine of not less than One Hundred Dollars (\$100.00) and not more than Five Thousand Dollars (\$5,000.00) and in default of payment to imprisonment for a period not exceeding thirty (30) days.

(3) For purposes of this By-Law, a domestic animal that is fierce or dangerous means any domestic animal:

- (a) (i) that, in the absence of a mitigating factor has attacked or injured a person;
- (ii) that, in the absence of a mitigating factor has injured a domestic animal.

Impounding

5. (a) The C.A.O. or Municipal Staff may, without notice to or complaint against the owner, impound any domestic animal that:
- (i) runs at large contrary to this By-Law, or
 - (ii) is fierce or dangerous.
- (b) The owner of a domestic animal which has been impounded, upon proof of ownership of the domestic animal, may redeem the domestic animal after payment to a Pound Keeper of those expenses incurred in impounding and boarding the domestic animal.
- (c) Any domestic animal which has not been redeemed by its owner at the expiry of a period of seventy-two (72) hours

after being impounded, may be either sold or killed by the Pound Keeper and, if sold, the proceeds shall be paid to the Municipality.

(d) Notwithstanding Section 5(c), the Pound Keeper shall not sell a domestic animal which is fierce or dangerous.

(e) Notwithstanding Section 5(c), whenever the seventy-two (72) hours of impounding time expires on a weekend, the Pound Keeper shall hold such domestic animal until the expiry of the first business day following the weekend to permit the owner to redeem the domestic animal.

(f) Upon any domestic animal being impounded, the Pound Keeper shall attempt to contact the owner of the domestic animal.

I, Doug Quinn, Clerk of the Municipality of the District of Lunenburg, do hereby certify that the foregoing is a true copy of a By-Law passed by the Municipal Council of the Municipality of the District of Lunenburg at a duly held meeting and convened on the 3rd day of August, A.D., 1999.

DATED at Bridgewater, Nova Scotia, this 3rd day of August, A.D., 1999.

DOUG QUINN
CLERK