

MUNICIPALITY OF THE COUNTY OF KINGS



For By-Law information contact the Municipal Clerk

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BY-LAW # 12A

ANIMAL CONTROL BY-LAW

DEFINITIONS

1. In this By-law:

- (a) “Animal Control Officer” means a person appointed by the Municipality of the County of Kings pursuant to the provisions of Section 44 of the Police Act, Chapter 348, R.S.N.S. 1989 and who is responsible for the enforcement of this By-law;
- (b) “Animal” shall include livestock but shall not include cats or dogs.
- (c) “Cat” shall mean a feline of any breed of domesticated cat or crossbreed domesticated cat;
- (d) “Corporate Services” means the Department of Corporate Services of the Municipality of the County of Kings located in the Municipal Administration Building on Cornwallis Street in the Town of Kentville, Province of Nova Scotia;
- (e) “Livestock” shall mean cattle, horses, ponies, mules, sheep, swine, goats, geese, turkeys, chickens, ducks and rabbits;
- (f) “Municipal Staff” means those persons assigned by the Municipality to administer the provisions of this By-law and for the purposes of this By-law shall also include individuals at locations other than the Municipal Administration Building in Kentville who are authorized to accept information and fees related to the registration of Cats;
- (g) “Owner” of an animal or a cat includes any person who possesses, has the care of, has the control of, or harbours an animal or a cat and, where the person is a minor, includes a person with the custody of the minor;
- (h) “Pound Keeper” means a person appointed by the Municipality of the County of Kings, pursuant to the provisions of Section 3 of this By-law;
- (i) “Runs at Large” means to be found in any place other than the premises of the owner and not under the apparent restraint or control of some person.

ANIMAL & CAT CONTROL

2. The Animal Control Officer or Officers employed by the Municipality of the County of Kings shall be responsible for the enforcement of this By-law.
3. The Council shall appoint a Pound Keeper who shall:
 - (a) Collect impounding fees, daily pound fees and any other additional charges as outlined in this By-law and forward such funds to Corporate Services;
 - (b) Be responsible for the operation of the pound;
 - (c) Provide adequate food and water to impounded Animals and Cats;
 - (d) Keep the pound in a reasonable state of cleanliness;
 - (e) Keep the pound premises neat and tidy in appearance.
4. The Council shall make arrangements to provide for a pound so as to provide sufficient yards and enclosures for the safe keeping of such Animals and Cats as it is the duty of the Pound Keeper to impound.
5. When a person finds a stray Animal or Cat on his premises, he may confine the Animal or Cat, as the case may be, in any suitable manner and notify the Animal Control Officer thereof, or if such person is unable to confine the animal, he may notify the Animal Control Officer of the likely whereabouts of the said animal.
6. The Animal Control Officer may, without notice to or complaint against the Owner, impound any Animal or Cat that:
 - (a) runs at large contrary to this By-law;
 - (b) is rabid or appears to be rabid or exhibits symptoms of infection or contagious disease; or
 - (c) is placed into the care of the Animal Control Officer pursuant to the provisions of Section 5 of this By-law.
7. No person shall interfere with or attempt to obstruct the Animal Control Officer when the Animal Control Officer is engaged in carrying out the duties of the Animal Control Officer, including but not limited to an Animal Control Officer who is attempting to capture, or, who has captured an Animal or a Cat, which is subject to impoundment pursuant to the provisions of this By-law.
8. (a) If the Animal Control Officer knows the name and current address of the Owner of any impounded Animal or Cat, he/she shall serve the Owner with a copy of the Notice in Schedule "A" of the By-law, either personally or by leaving or mailing it to the current address of the Owner;

- (b) An owner of an Animal or a Cat to whom a Notice is mailed pursuant to the provisions of subsection 8(a) is deemed to have received a Notice within forty-eight (48) hours of the time the Notice is mailed;
- (c) Notwithstanding subsection 8(a), if an Animal or Cat is missing, the onus is on the Owner of the animal or cat to ascertain whether the animal or cat has been impounded, by personally visiting the pound or calling the pound within the time limit provided in Section 10 of the By-law.

RECLAIMING, DISPOSITION OR EUTHANASIA

- 9. The Owner of any impounded Animal or Cat may reclaim the Animal or Cat by paying to the Pound Keeper the costs of impoundment as set out in the Policy for Fees.
- 10.
 - (a) Any Animal or Cat which has not been redeemed by its Owner at the expiry of a period of seventy-two hours after being impounded, may be either sold or euthanized by the Pound Keeper and, if sold the proceeds shall be forwarded to Corporate Services;
 - (b) Notwithstanding subsection 10(a), whenever the seventy-two (72) hours of impounding time expires on a weekend, the Pound Keeper shall hold such Animal or Cat until the expiry of the first business day following the weekend to permit the Owner to redeem the Animal or the Cat.
- 11. Notwithstanding the foregoing, where an Animal or a Cat is injured before or after being impounded and if in the opinion of the Pound Keeper the animal or the cat should be destroyed without delay for humane reasons or for reasons of safety to persons or animals, the Pound Keeper may euthanize the animal or cat in a humane manner as soon after capture or custody as the Pound Keeper may determine without giving notice to the Owner or permitting any person to reclaim the animal or cat or offering it for sale or adoption.

OFFENCES

- 12. An Animal or a Cat runs at large in the Municipality of the County of Kings when the Animal or the Cat is found in any place other than the premises of the Owner and is not under the apparent restraint or control of some person.
- 13. Every Owner of an Animal whose animal runs at large is guilty of an offence.
- 14. The Owner of an Animal shall prevent any Animal which is suffering from infection or contagious disease from heading with undiseased Animals and any Owner who fails to do so is guilty of an offence.
- 15. Every Owner of a Cat whose cats runs at large is guilty of an offence.

16. Municipal Staff shall apply to the Governor in Council pursuant to the Summary Proceedings Act, R.S.N.S. 1989, c.450, as amended, to have the offences under this By-law designated by the Summary Office Ticket Regulations to permit the use of summary offence tickets for prosecuting such offences in appropriate circumstances.

PENALTIES

17. Any Person who contravenes this By-law 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.

REPEAL

18. By-law # 12 of the Municipality of the County of Kings entitled Animal By-law is hereby repealed.

History of this By-law

Enacted - January 4, 2005

Amended - May 1, 2007

SCHEDULE "A"

You are hereby notified that an Animal or a Cat believed to be owned by you was impounded on _____, A.D. 20____ pursuant to the provisions of By-law # 12A of the Municipality of the County of Kings, and that, unless the said animal or cat is claimed and all impoundment charges are paid, on or before _____, A.D. 20____, the said animal or cat will be sold or euthanized pursuant to the said By-law.