



WEST HANTS REGIONAL MUNICIPALITY REPORT

Information <input type="checkbox"/>	Recommendation X	Decision Request <input type="checkbox"/>	Councillor Activity <input type="checkbox"/>
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To: Mayor and Council

Submitted by: Madelyn LeMay, Director, Planning and Development

Date: April 12, 2022

Subject: Dog Tags and Fees (4th Report)

1.0 LEGISLATIVE AUTHORITY

s 175 MGA

2.0 HISTORY

Discussion and recommendations based on earlier reports were made at PAC/HAC meetings held on July 8, 2021, January 13, 2022 and February 10, 2022.

3.0 RECOMMENDATIONS

... that Committee of the Whole recommends that Council approve the Dog By-law for the Region of West Hants attached as Appendix B to the report entitled Dog Tags and Fees (3rd Report) dated February 10, 2022.

...that Committee of the Whole recommends that Council replace all fees related to dog tags within the Fees policy with the fee schedule shown in Appendix C of the report entitled Dog Tags and Fees (3rd Report) dated February 10, 2022, with the change in fees being effective on the date the Regional By-law is effective.

4.0 BACKGROUND

Property <input type="checkbox"/>	Public Opinion <input type="checkbox"/>	Environment <input type="checkbox"/>	Social X	Economic <input type="checkbox"/>	Councillor Activity <input type="checkbox"/>
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At the July 8, 2021, January 2, 2022 and February 10, 2022 PAC/HAC meetings there was considerable discussion about the cost and reasons for dog tags.

5.0 DISCUSSION

5.1 Proposed Changes

The changes which are to be incorporated in the Regional Fees Policy and the draft Regional Dog By-law include:

- requirement for a lifetime registration for all dogs;
- no annual registration for individual dogs;
- reduction in registration costs to \$15.00 and the cost to be the same for all types of dogs;
- any owner purchasing a lifetime tag between January 1, 2022 and the effective date of the Regional By-law be refunded a flat \$50.

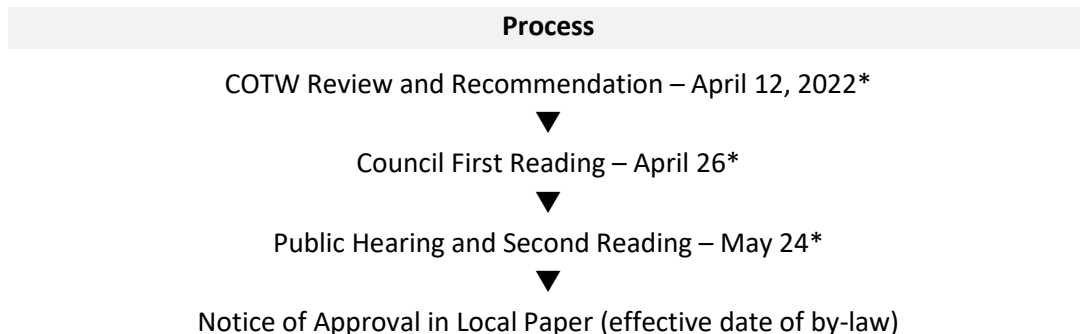
6.0 NEXT STEPS

The usual process for each of the policy and by-law is required, as follow:

Fees Policy: MGA s. 48

Recommendation from COTW to Council; consideration and decision by Council

Dog By-law: MGA s. 168 & 169



*anticipated dates; final dates set by Council

7.0 FINANCIAL IMPLICATIONS

Any of the recommended changes will have minimal financial impact on WHRM. No lifetime tags have been sold so far in 2022.

8.0 ALTERNATIVES

COTW may determine it does not wish to make recommendations regarding fees related to dogs.

APPENDICIES

Appendix A 2022-02-10 Dog Tags and Fees Report

CHIEF ADMINISTRATIVE OFFICER REVIEW

I support the recommendation.

Report Prepared by: _____
Madelyn LeMay, Director of Planning and Development

Report Approved by:  _____
Mark Phillips, Chief Administrative Officer



WEST HANTS REGIONAL MUNICIPALITY REPORT

Information <input type="checkbox"/>	Recommendation X	Decision Request <input type="checkbox"/>	Councillor Activity <input type="checkbox"/>
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To: Planning and Heritage Advisory Committee

Submitted by: Madelyn LeMay, Director, Planning and Development

Date: February 10 2022

Subject: Dog Tags and Fees (3rd Report)

1.0 LEGISLATIVE AUTHORITY

s 175 MGA

2.0 HISTORY

Discussion and recommendations based on earlier reports were made at PAC/HAC meetings held July 8, 2021 and January 13, 2022.

3.0 RECOMMENDATIONS

Should PAC/HAC wish to recommend a Dog By-law for the Region and changes related to dog tags in the Regional Fees Policy, the following motions would be in order:

...that PAC/HAC recommends that COTW recommend that Council approve the Dog By-law for the Region of West Hants attached as Appendix B to the report entitled Dog Tags and Fees (3rd Report) dated February 10, 2022.

... that PAC/HAC recommends that Committee of the Whole recommend that Council replace all fees related to dog tags within the Fees policy with the fee schedule shown in Appendix C of the report entitled Dog Tags and Fees (3rd Report) dated February 10, 2022.

4.0 BACKGROUND

Property <input type="checkbox"/>	Public Opinion <input type="checkbox"/>	Environment <input type="checkbox"/>	Social X	Economic <input type="checkbox"/>	Councillor Activity <input type="checkbox"/>
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At the July 8, 2021 and January 2, 2022 PAC/HAC meeting there was considerable discussion about the cost and reasons for dog tags.

The draft Regional Dog By-law and amendments to the Regional Fees Policy have been drafted in response to these discussions. A comparison of the present Windsor Dog By-law, West Hants Municipality By-law and the proposed draft Regional By-law appears in Appendix A.

5.0 DISCUSSION

5.1 Proposed Changes

The changes to be incorporated in the Regional Fees Policy and the draft Regional Dog By-law include:

- requirement for a lifetime registration for all dogs;
- no annual registration for individual dogs
- reduction in registration costs to \$15.00 and the cost to be the same for all types of dogs;
- where they are available, lifetime tags are now \$75 for an individual dog; By-law and Planning staff recommend that all memberships purchased from January 1, 2022 until the time the Regional By-law is in force be refunded a flat \$50 at the owners request. Between January 1, 2022 and the date of writing, no lifetime tags had been issued.

5.2 Fee Structure

The present fee structure within the Fees Policy is:

WH D-003 Dog By-law (effective April 1, 2018)	Section 2 (d) Annual Registration Fee	\$15.00 Spayed or Neutered \$30.00 Non-Spayed or Neutered
	Section 3 (a) (iii) Lifetime Registration Fee	\$75.00
	Section 4 (b) Annual Kennel Registration fee	\$45.00
	Section 2 (h) Replacement Tag Fee	\$7.50
	Section 9 (b) Fees associated with impoundment, board, food, care and veterinary	Actual costs incurred
Community of Windsor		\$10 for dogs that are spayed or neutered \$14 for dogs that are not spayed or neutered

The proposed fee structure (Appendix A) is:

Regional Dog By-law (not yet enacted)	Section 5.1 Registration Fee	\$15.00 all dogs
	Section 5.2 Annual Kennel Registration fee	\$45.00
	Section 3.5 Replacement Tag	\$7.50
	Section 9.2 Fees associated with impoundment, board, food, care and veterinary costs	Actual costs incurred

6.0 NEXT STEPS

Once a recommendation is made to Committee of the Whole, the usual process would be followed for both the policy and by-law, as follow:

Fees Policy: MGA s. 48

PAC/HAC recommendation to COTW; consideration by Council; decision by Council

Dog By-law: MGA s. 168 & 169

PAC/HAC recommendation to COTW; First Reading: 2 notices; public hearing; decision by Council; notice of adoption (effective date of by-law)

7.0 FINANCIAL IMPLICATIONS

Any of the recommended changes will have minimal financial impact on WHRM.

8.0 ALTERNATIVES

PAC/HAC may determine it does not wish to make recommendations regarding fees related to dogs.

APPENDICIES

Appendix A Comparison of Existing Dog By-laws and Draft Dog By-law for WHRM

Appendix B Draft Dog By-law for WHRM

Appendix C Proposed Fee Schedule

Material Contributed by: Ryan Parker and Shawn Levy, By-law Enforcement and Sara Poirier and Alex Dunphy, Planners

Report Reviewed by: _____
Carlee Rochon, Director, Finance

Appendix A
Comparison of Existing Dog By-laws and proposed Regional By-law

WEST HANTS	WINDSOR	PROPOSED REGION BY-LAW
<p>WHEREAS Section 172 (1) of the Nova Scotia <i>Municipal Government Act</i> (MGA) provides Municipalities with the power to make by-laws, for Municipal purposes, respecting the health, well-being, safety and protection of persons; the safety and protection of property; the regulation of businesses and respecting nuisances, activities and things that, in the opinion of Council, may be or may cause nuisances, including noise; and</p>	<p>Section 172 (1) (a), (b), and (d) of the Nova Scotia Municipal Government Act (MGA) provides municipalities with the power to make bylaws, for municipal purposes, respecting the health, well-being, safety and protection of persons; the safety and protection of property; and respecting nuisances, activities and things that, in the opinion of council, may be or may cause nuisances, including noise.</p>	
<p>WHEREAS Section 174 (f) of the MGA provides Municipalities with the power to make by-laws respecting wild and domestic animals and activities in relation to them; and</p>	<p>Section 174 (f) of the MGA provides municipalities with the power to make bylaws respecting wild and domestic animals and activities in relation to them.</p>	
<p>WHEREAS Section 175 of the MGA provides Municipalities with the power to make by-laws specifically pertaining to dogs; and</p>	<p>Section 175 of the MGA provides municipalities with the power to make bylaws specifically pertaining to Dogs.</p>	
<p>WHEREAS Section 176 of MGA provides Peace Officers with the power to make application for a warrant to search and seize a dangerous dog; and</p>		
<p>WHEREAS the Municipality of West Hants does not subscribe to nor endorse Breed Specific Legislation in relation to its Dog By-law;</p>		1. TITLE
		This By-law is made pursuant to the Municipal Government

		Act, Chapter 18 of the Acts of 1998 as amended from time to time.
-	The Town of Windsor’s Dog Bylaw works in conjunction with the <i>Nova Scotia SPCA’s Standards of Care</i> as are in effect from time to time.	This By-law shall be administered in accordance with the Municipal Government Act, R.S.N.S. 1989.
NOW THERE BE IT ENACTED AS FOLLOWS:		
DEFINITIONS		2. DEFINITIONS
In this By-law, the following words and phrases shall have the following meanings:		In this By-law, the following words and phrases shall have the following meanings:
“Apprehend” means to take an animal into custody without a warrant;		
“Attack” means to injure, scratch or bite, or to commit an assault resulting in real or perceived injury to another person or animal;		Attack means to injure, scratch or bite, or to commit an assault resulting in real or perceived injury to another person or animal;
“Bite” means wound, pierce, or penetration of the skin by a tooth or teeth;		Bite means wound, pierce, or penetration of the skin by a tooth or teeth;
	Clerk means the Clerk of the Town of Windsor;	
	Deputy” means a person named by the CAO, Clerk, and/or Council, as a Deputy Registrar of Dogs;	
“Dog” means any dog, male or female, or any animal that is the result of the breeding of a dog and any other canine animal;	Dog means any dog, male or female, or an animal that is the result of the breeding of a dog and any other animal;	Dog means any dog, male or female, or any animal that is the result of the breeding of a dog and any other canine

		animal;
<p>“Dog Control Officer” includes a person appointed as such by the Council, and in the absence of such person a temporary replacement designated by the CAO, and includes the Pound Keeper, Special Constables and, all other Peace Officers responsible for providing policing services within the Municipality when they are engaged in dog control activities in an emergency or as a support to another Dog Control Officer;</p>	<p>“Bylaw Enforcement Officer” means a person named by the CAO, Clerk, and/or Council as an Officer to enforce bylaw compliance for the Town, and may have other titles such as, but not limited to, Constable, Peace Officer or Animal Control Officer;</p>	<p>By-law Officer means a person appointed by Council, and in the absence of such person a temporary replacement designated by the CAO, including the Pound Keeper, Special Constables and all other Peace Officers responsible for providing dog control activities in an emergency or as a support to a By-law Officer;</p>
<p>“Emergency” means a present or imminent event where a Peace Officer or Dog Control Officer believes prompt action must be undertaken to protect the health, safety or welfare of people and/or animals;</p>	<p>“Emergency” means a present or imminent event where a Constable, Peace Officer or Bylaw Enforcement Officer believes prompt action must be undertaken to protect the health, safety or welfare of people and/or animals;</p>	<p>Emergency means a present or imminent event where a Peace Officer or Dog Control Officer believes prompt action must be undertaken to protect the health, safety or welfare of people and/or animals;</p>

<p>Fierce or Dangerous Dog” means any dog that, in the absence of a mitigating factor as defined herein:</p> <ul style="list-style-type: none"> • attacks, or injures a person • attacks or injures an animal other than an insect; • attacks or demonstrates a propensity, tendency or disposition to attack a person or animal either on public or private property; • has caused injury to or otherwise endangered the safety of a person or animal; • with unreasonable ferocity threatens any person or domestic animal; • is owned or harboured in whole or in part for the purpose of dog fighting, or is trained for dog fighting. <p>No dog shall be deemed a “fierce or dangerous dog” solely because it bites, attacks or menaces a trespasser on the property of its owner, harms or menaces anyone who has tormented or abused it, was at the time of its aggressive behavior acting in defense to an attack from a person or animal or acting in defense of its young provided that any such bite, attack or menacing behavior is a reasonable defensive response in the circumstances.</p>	<p>“Fierce or Dangerous” includes a dog:</p> <ol style="list-style-type: none"> i. which bites or attacks a person or domestic animal; ii. which in a vicious or terrorizing manner, approaches any person in an apparent attitude of attack; iii. known to have a propensity to attack, to cause injury to, or otherwise endanger the safety of human beings or domestic animals; iv. owned or harboured in whole or in part for the purpose of dog fighting; 	<p>Fierce or Dangerous Dog means any dog that, in the absence of a mitigating factor as defined herein:</p> <ul style="list-style-type: none"> • attacks a person • attacks an animal other than an insect; • attacks or demonstrates a propensity, tendency or disposition to attack a person or animal either on public or private property; • has caused injury to or otherwise endangered the safety of a person or animal; • with unreasonable ferocity threatens any person or domestic animal; • is owned or harboured in whole or in part for the purpose of dog fighting, or is trained for dog fighting. <p>No dog shall be deemed a “fierce or dangerous dog” solely because it bites, attacks or menaces a trespasser on the property of its owner, harms or menaces anyone who has tormented or abused it, was at the time of its aggressive behavior acting in defense to an attack from a person or animal or acting in defense of its young provided that any such bite, attack or menacing behavior is a reasonable defensive response in the circumstances.</p>
<p>“Kennel” means a building or structure where four or more dogs over the age of six month are kept, bred, boarded, trained, or groomed, but shall not include a veterinary clinic;</p>		<p>Kennel means a lot, building or structure on or within which four or more domesticated animals are housed, groomed, bred, boarded, trained or sold for monetary gain and does not include a veterinary clinic.</p>
<p>“Leash” means a device used by a person to restrict movement of a dog which is adequate for the effective control by the</p>		<p>Leash means a device adequate for the effective control of the movements of the dog which is used by a person to</p>

accompanying human of the movements of the dog;		restrict movement of a dog.
“Microchip” means an approved Canadian Standard encoded tag implanted into a dog, which contains unique code that permits or facilitates access to an owner’s name address and telephone number, which is stored in the municipal registry;		Microchip means an approved Canadian Standard encoded tag implanted into a dog which contains a unique code that permits or facilitates access to an owner’s name, address and telephone number, which is stored in the municipal registry;
“Mitigating Factor” means a circumstance that reasonably explains and excuses the aggressive behavior or actions of a dog;		Mitigating Factor means a circumstance that reasonably explains and excuses the aggressive behavior or actions of a dog;
“Municipality” means the Municipality of the District of West Hants;		
“Muzzle” means a humane covering device of sufficient strength placed over a dog’s mouth to prevent it from biting;		Muzzle means placing a humane covering device of sufficient strength over a dog’s mouth to prevent it from biting;
<p>“Owner” means any person or body corporate:</p> <ul style="list-style-type: none"> • who is the licensed Owner of the dog; and/or; • who has legal title to the dog; and/or; • who has possession or custody of the dog, either temporarily or permanently; and/or; • who has care or control of the dog; and/or; <ul style="list-style-type: none"> • who harbours the dog, or allows the dog to remain on his/her premises. <p>Where such a person is a minor, “owner” includes the parent,</p>	<p>“Owner” of a dog includes a company or any person who possesses, has the care of, has the control of, or harbours a dog and, where said person is a minor, includes a person with custody, care or control of the minor;</p>	<p>Owner means any person or body corporate:</p> <ul style="list-style-type: none"> • who is the licensed Owner of the dog; and/or; • who has legal title to the dog; and/or; • who has possession or custody of the dog, either temporarily or permanently; and/or; • who has care or control of the dog; and/or; • who harbours the dog, or allows the dog to remain on his/her premises. <p>Where such a person is a minor, “owner” includes the</p>

guardian, or custodian of such a person		parent, guardian, or custodian of such a person.
“Owner of Premises” includes a tenant, occupier, a part owner, joint owner, tenant in common or joint tenant of the whole or any part of the land or building, and in the case of the absence or incapacity of the person having title to the land or building, a trustee, personal representative, an agent, a mortgagee in possession, an attorney under a valid Power of Attorney or a person having the care or control of the land or building;	“Owner of Premises” includes a tenant, occupier, a part owner, joint owner, tenant in common or joint tenant of the whole or any part of land or building, and in the case of the absence or incapacity of the person having title to the land or building, a trustee, personal representative, an agent, a mortgagee in possession, an attorney under a valid Power of Attorney or a person having the care or control of the land or building;	Owner of Premises includes a tenant, occupier, a part owner, joint owner, tenant in common or joint tenant of the whole or any part of the land or building, and in the case of the absence or incapacity of the person having title to the land or building, a trustee, personal representative, agent, mortgagee in possession, attorney under a valid Power of Attorney or a person having the care or control of the land or building;
“Peace Officer” includes a police officer or a special constable;		Peace Officer includes a police officer or a special constable;
“Pound” means such premises and facilities designated by the Municipality as a dog pound for the keeping and disposition of impounded animals;	The Council of the Town may, by Resolution, establish one or more pounds for dogs and may appoint keepers thereof and the Council, may, from time to time, fix by Policy the remuneration of any such keepers and the amount of board to be paid by the owner for keeping a dog which has been impounded.	Pound means any premises or facilities designated by the Region as a dog pound for the keeping and disposition of impounded animals;
“Pound Keeper” means a person appointed as such by the Council, and in the absence of such person a temporary replacement designated by the CAO, and is the person responsible to care for dogs being held and to maintain the cleanliness of the pound;		Pound Keeper means a person engaged by the Region to be responsible for caring for dogs being held and for maintaining a clean environment for the dogs.
		Region means West Hants Regional Municipality
“Registration” means the recording of information regarding a dog for the purposes of issuing a tag pursuant to this By-law.		Registration means the recording of information regarding a dog for the purposes of issuing a tag pursuant to this By-law.

“Running at Large” includes any dog that is off the property of its owner without being under the effective restraint or control of a person;		Running at Large means any dog that is off the property of its owner without being under the effective restraint or control of a person;
“Service Dog” means any dog individually trained to do work or perform tasks for the benefit of an individual with a disability or which is used for search and rescue or law enforcement;		Service Dog means any dog individually trained to do work or perform tasks for the benefit of an individual with a disability or which is used for search and rescue or law enforcement;
“SPCA” means the Society for Prevention of Cruelty to Animals;		SPCA means the Society for Prevention of Cruelty to Animals;
“Seize” means to take a dog into custody pursuant to a warrant;		Seize means to take a dog into custody pursuant to a warrant;
“Tag” means a piece identification issued upon registration as defined in this By-law;		Tag means a piece identification issued upon registration as defined in this By-law;
	Town” means the Town of Windsor.	
	Treasurer” means the Treasurer of the Town of Windsor.	
ANNUAL REGISTRATION		3.0 REGISTRATION

<p>Registration of a dog is required with the Municipality:</p> <ul style="list-style-type: none"> • within ten (10) days after the person becomes the owner of the dog; • notwithstanding subsection (a)(i), a person who possesses, has the care of, and has the control of or harbours a dog for less than 20 days is not required to license the dog. • notwithstanding subsections (a)(i) and (a)(ii), a kennel used for the purposes of breeding are exempt from registering puppies under the age of twelve (12) weeks. • owners of breeding dogs with litters less than the age of twelve (12) weeks are exempt from annual registration for the puppies, but after twelve (12) weeks subsections (a)(i) and (a)(ii) apply. 	<p>Every owner of a dog shall, within ten (10) days of having become an owner, register such dog with the Town and obtain from the Town a tag for such dog.</p> <p>Where the owner of any dog sells or gives it to any other person, the new owner shall register the dog with the Clerk or Deputy and the Clerk or Deputy shall alter the registration of such dog accordingly.</p> <p>When requested to do so, the owner of a dog shall deliver to the Clerk or Deputy a statement in writing of the number of dogs owned or harboured or habitually kept on the premises of the owner, and in the event the owner neglects or refuses to provide the statement within a period of ten (10) business days after having received notice requiring the statement to be provided shall be guilty of an offence.</p>	<p>3.1 Registration of a dog with the Region is required:</p> <ul style="list-style-type: none"> (a) within ten (10) days after the person becomes the owner of the dog; (b) notwithstanding subsection (a), above, a person who possesses, has the care of, and has the control of or harbours a dog for less than 20 days is not required to license the dog; (c) notwithstanding subsections (a) and (b), a kennel used for the purposes of breeding is exempt from registering puppies under the age of twelve (12) weeks; and (d) owners of breeding dogs with litters less than the age of twelve (12) weeks are exempt from annual registration for the puppies, but after twelve (12) weeks must register the puppies; (e) service dogs must be registered but are exempt from registration fees when the owner has provided: <ul style="list-style-type: none"> (i) a certificate from the Canadian National Institute of the Blind or the Hearing Ear Dogs of Canada or other proof satisfactory to the Region of the training received by the dog as a service dog; or (ii) a certificate from a qualified health services practitioner indicating that the owner suffers from a disability and requires the use of a dog that is trained to assist persons with such disabilities; or (iii) a certificate or other proof satisfactory to the Dog Control Officer that the dog is used for search and rescue or law enforcement.
<p>Subject to section 3 of this By-law, on or before the 1st day of</p>	<p>On or before the 1st day of April in each and every year,</p>	

<p>April in each year, the owner of any dog shall register such dog and obtain a tag from the Municipality.</p>	<p>the owner of a dog shall register such dog with the Town and obtain from the Town a tag for such dog.</p>	
<p>Annual registration shall be effective until the last day of March.</p>	<p>Registration shall be effective until March 31st in the year following the year of registration.</p>	
	<p>Where registration occurs during the year, the annual registration fee shall be pro-rated for the balance of the year.</p>	
<p>2 (d) An owner shall pay the annual registration fee and shall supply the following information:</p> <ul style="list-style-type: none"> • dog owner’s name, civic address, mailing address, and telephone numbers; • the name of the dog; • the description of the dog including its sex, breed, colour, and known or approximate age, spayed or neutered. • at the discretion of the owner, any pertinent information the owner feels may help in identifying the dog such as microchip implants, tattoo, special markings, temperament, inoculations or photograph of the dog. 	<p>In order to register a dog, an owner shall pay the annual registration fee and shall supply the Town with the following:</p> <ul style="list-style-type: none"> (a) name, civic address, mailing address and telephone number of the owner; (b) name and breed of the dog; (c) a description of the dog including whether the dog is male or female, spayed or not-spayed; neutered or not-neutered as the case may be; (d) a photograph of the dog, if requested by the Clerk or Deputy; (e) identification information such as micro-chip implants, tattoos or other special markings, if available; and (f) the name of the veterinary clinic frequented by the dog and veterinary file identification number, if available. 	<p>3.2 In order to register a dog, an owner shall pay the required fee and shall supply the following information:</p> <ul style="list-style-type: none"> (a) name, civic address, mailing address and telephone number of the owner; (b) name and breed of the dog; (c) a description of the dog including whether the dog is male or female, spayed or not-spayed; neutered or not-neutered; (d) a photograph of the dog, if available; (e) identification information such as micro-chip implants, tattoos or other special markings, if available; and (f) the name of the veterinary clinic frequented by the dog and veterinary file identification number, if available.
<p>Service dogs are not exempt from registration but are exempt from annual registration fees when the owner has provided, in the case of a service dog for persons with a disability:</p>	<p>Notwithstanding the provisions of Section 38.03:</p> <ul style="list-style-type: none"> (a) a dog that is trained to assist and regularly assist a person 	

	shall be registered, but is exempt from any registration fee;	
<ul style="list-style-type: none"> • a certificate from the Canadian National Institute of the Blind or the Hearing Ear Dogs of Canada or other proof satisfactory to the Dog Control Officer of the training received by the dog as a service dog; or • a certificate from a qualified health services practitioner indicating that the owner suffers from a disability and requires the use of a dog that is trained to assist persons with such disabilities; or • a certificate or other proof satisfactory to the Dog Control Officer that the dog is used for search and rescue or law enforcement. 		
2 (f) The owner of every dog shall keep on the dog a collar with the tag issued for that dog by Municipality at the time of registration. Such tag shall be kept securely fixed on the dog at all times during the year of current registration.	The owner shall keep the tag issued for the dog securely fixed on each dog owned by him at all times during the year and until he procures a tag for the following year except that a tag may be removed from the dog when the dog is being lawfully used for hunting, herding sheep or during a supervised dog event.	3.3 The owner of every dog shall keep on the dog at all times a collar with the tag issued for that dog by the Region.
The owner shall not use the tag issued for one dog on any other dog.	The owner shall not use the tag issued for one dog on any other dog.	3.4 The owner shall not use the tag issued for one dog on any other dog.
2 (h) When the Municipality is satisfied that a tag validly issued has been lost, and upon payment of a fee, the Municipality shall issue a new tag to replace the lost one.	When the Clerk or Deputy is satisfied that a tag validly issued has been lost, and upon payment to him of a fee set by the Town by Policy, the Clerk or Deputy shall issue a new tag to replace the lost one.	3.5 When the Region is satisfied that a tag has been lost, and upon payment of a fee, the Region shall issue a replacement tag.

		3.6 Every registration and tag shall be effective during the lifetime of the registered dog.
		3.7 Registration and a tag issued under this By-law shall not be transferrable, including not being transferrable between owners or dogs.
2 (i) The Municipality shall keep a record of every dog registered, showing the date and number of the tag, the name and description of the dog with the name and address of the owner and the respective registration category.		3.8 The Region shall keep a record of every dog registered, showing the date and number of the tag, the name, description of the dog and the name and address of the owner.
2 (j) The owner shall notify the Municipality if the ownership or place of residence of the dog changes at any time.		3.9 The owner shall notify the Region if the ownership or place of residence of the dog changes at any time.
2 (k) It shall be an offence to provide false information to the Municipality when registering a dog.		3.10 It shall be an offence to provide false information to the Region when registering a dog.
LIFETIME REGISTRATION		
In order to obtain a lifetime registration tag, the owner shall provide proof microchip has been installed, and the owner shall: <ul style="list-style-type: none"> • provide the Municipality with the information required in Section 2 (d), and Section 2 (e) as required. • provide to the Municipality the identification number of the microchip attached to the dog; • pay the lifetime registration fee. 		
Once the requirements under Section 3 (a) have been provided to the Municipality, the Municipality shall issue a lifetime tag to the owner, and supply the owner with a receipt.		

Every lifetime registration and tag shall be effective during the lifetime of the registered dog.		
Lifetime registration and a tag issued under this By-law shall not be transferrable, including not being transferrable between people or dogs.		
Lifetime registration shall only apply to individual dogs and shall not apply to kennels.		
Sections 2 (f), 2 (h), 2 (i), 2 (j), and 2 (k) shall also apply to lifetime registration and tags with any necessary changes for context.		
KENNEL REGISTRATION		4.0 KENNEL REGISTRATION
	the owner of a kennel of purebred dogs that are registered with the Canadian Kennel Club shall, in each year, pay a fee set by the Town by Policy as a tax upon the kennel for that year and upon payment of such amount, the owner of the kennel is exempt from any further fee in respect to dogs for that year.	
To qualify for a kennel registration, the kennel must: <ul style="list-style-type: none"> • be registered with the Canadian Kennel Club, or • meet the definition of a Kennel herein; and • be a lawful structure and land use under any applicable land use planning laws or bylaws. 		4.1 To qualify for a kennel registration, the kennel must: <ul style="list-style-type: none"> (a) be registered with the Canadian Kennel Club, or (b) meet the definition of a Kennel herein; and (c) have obtained any required development and building permit.
To obtain a kennel registration the owner of the kennel will pay the annual kennel registration fee and provide the Municipality with the following information:		4.2 To obtain a kennel registration the owner of the kennel must pay the annual kennel registration fee and provide the region with the following information:

<ul style="list-style-type: none"> • provided information as under Section 2 (d) for each dog; • kennel’s owner’s name, civic address, mailing address, and telephone numbers; • the maximum number of dogs to be kenneled; • the registered name of the kennel; • any land use planning documents which may reasonably be requested by the Dog Control Officer; and • where applicable, a copy of the current Canadian Kennel Club license. <p>Upon receipt of this information, the Municipality shall supply the kennel owner with a receipt and sufficient number of tags which shall be kept on the dogs.</p>		<ul style="list-style-type: none"> • information required by s. 3.2 for each dog; • kennel’s owner’s name, civic address, mailing address, and telephone numbers; • the maximum number of dogs to be kenneled; • the registered name of the kennel; • copies of required development and building permits; and • where applicable, a copy of the current Canadian Kennel Club license. <p>Upon receipt of this information, the Region shall supply the kennel owner with a receipt and a tag for each dog, which shall be kept on each dog. No individual dog tag fee is required for the individual tags used by a kennel.</p>
<p>Tags issued to a kennel may be transferred within the registration year to replacement dogs upon notification to the Municipality. The Municipality shall issue additional tags during the registration year as required.</p>		<p>4.3 Tags issued to a kennel may be transferred within the registration year to replacement dogs only if the Region is notified. The Region shall issue additional tags during the registration year as required.</p>
<p>The Municipality shall keep a record of every kennel registered, showing the date and number of the tag, the kennel owner’s name and address of the owner.</p>		<p>4.4 The Region shall keep a record of every kennel registered, showing the date and number of the tags, the kennel owner’s name and address of the owner.</p>
<p>The owner shall notify the Municipality if the ownership or address of the kennel changes at any time.</p>		<p>4.5 The owner shall notify the Region if the ownership or address of the kennel changes at any time. If the location changes, the owner shall provide copies of the relevant development and building permits.</p>
<p>Sections 2 (h), 2 (i), and 2 (j) shall also apply to a kennel registration with any necessary changes for context.</p>		

It shall be an offence to provide false information to the Municipality when registering a kennel.		4.6 It shall be an offence to provide false information to the Region when registering a kennel.
FEES		5. FEES
All fees referred to in this By-law shall be set by policy and amended by Council from time to time.	The registration fee for a dog shall be determined by the Town by Policy.	5.1 All fees referred to in this By-law shall be set by policy and may be amended by Council from time to time.
The registration fee for annual dog and kennel registrations after October 1 st of that year will be equal to one-half of the otherwise applicable annual registration fee.		5.2 The registration fee for annual kennel registrations after October 1 st of any year will be one-half of the annual registration fee.
DOG CONTROL AND POUND		6. DOG CONTROL AND POUND
The Dog Control Officer shall be primarily responsible to enforce this By-law as it pertains to dog control and impounding.		6.1 The By-law Officer shall be primarily responsible to enforce this By-law as it pertains to dog control and impounding.

<p>The Pound Keeper shall:</p> <ul style="list-style-type: none"> • collect on behalf of the Municipality, any impounding fees, daily pound fees and any other additional charges, expenses or fees as are authorized in this By-law; • be responsible for the operation of the pound; and • receive all dogs duly impounded or seized and shall detain the same and furnish them with food, water and shelter in accordance with the Nova Scotia SPCA Standards of Care guidelines and as amended from time to time. 	<p>The keeper of a dog pound shall receive all dogs delivered to him/her or seized by him/her and shall detain the same and furnish them with food, water and shelter (as outlined in the <i>Nova Scotia SPCA Standards of Care as are in effect from time to time</i>).</p>	<p>6.2 The Pound Keeper shall:</p> <p>(a) be responsible for the operation of the pound; and</p> <p>(b) receive all dogs impounded or seized, detain them and provide food, water and shelter in accordance with the Nova Scotia SPCA Standards of Care guidelines as amended from time to time.</p>
<p>RESPONSIBILITIES OF THE OWNER</p>		<p>7. RESPONSIBILITIES OF THE OWNER</p>
<p>In all areas of the Municipality, the owner of a dog shall, while the dog is off the property occupied by the owner, keep the dog under control by means of a harness or leash, except in officially designated off leash parks where the dog must be under the effective control of the owner. The dog shall be deemed to be running at large where the owner fails to use such apparatus or the dog is not under effective control.</p>	<p>(1) The owner of a dog shall confine such dog to the lands and premises of the owner.</p> <p>(2) The owner of a dog, however, may permit such dog to leave the lands and premises when it is under the fully effective restraint of some responsible person.</p>	<p>7.1 The owner of a dog shall confine such dog to the lands and premises of the owner.</p> <p>7.2 Notwithstanding s. 7.1, the owner of a dog may permit such dog to leave the lands and premises when it is under the effective control of a responsible person.</p> <p>7.3 The dog shall be deemed to be running at large where the dog is not under effective control.</p>

<p>Every owner of a dog:</p> <ul style="list-style-type: none"> • whose dog runs at large; • whose dog is not wearing a tag required by this By-law; • whose dog is not licensed pursuant to this By-law; • whose dog persistently disturbs the quiet of the neighbourhood by barking, howling or otherwise; • whose dog at any time without the presence of a mitigating factor attacks or injures any person or animal, or damages any property; • who harbours, keeps, or has under care, control or direction, a dog that is fierce or dangerous; • who fails to remove the feces of such dog, other than a service dog that is trained to assist and assisting a person with a disability reasonably preventing removal of feces by that person, from public property or private property other than the owners; <p>is guilty of an offence under this By-law.</p>	<p>An owner is guilty of an offence against this bylaw and is subject to, upon conviction, the penalty prescribed in this Section if the dog:</p> <p>(a) runs at large; and/or</p> <p>(b) is not registered or has lapsed or unpaid registration; and/or</p> <p>(c) is fierce or dangerous; and/or</p> <p>(d) disturbs the quiet of any neighbourhood by barking, howling or in any manner; whether or not such dog is chained, muzzled or otherwise restrained and is subject, on conviction, to the penalty prescribed in this Section.</p> <p>The owner of a dog, other than a dog that is trained to assist and is assisting a person with a disability, shall immediately remove the dog’s feces from any public property or private property other than the property of its owner, and the failure to do so shall constitute a violation of this Bylaw.</p> <p>(2) The owner of a dog is responsible for the immediate removal of the dog’s feces from any public property or private property when the dog is running at large.</p>	<p>7.4 Every owner of a dog:</p> <p>(a) whose dog runs at large; or</p> <p>(b) whose dog is not wearing a tag required by this By-law; or</p> <p>(c) whose dog is not licensed pursuant to this By-law; or</p> <p>(d) whose dog persistently disturbs the quiet of the neighbourhood by barking, howling or otherwise; or</p> <p>(e) whose dog at any time without the presence of a mitigating factor attacks or injures any person or animal, or damages any property; or</p> <p>(f) who harbours, keeps, or has under care, control or direction, a dog that is fierce or dangerous; and</p> <p>(g) who fails to remove the feces of their dog from public property or private property other than the owners; is guilty of an offence under this By-law.</p> <p>Clause (g) does not apply to the owner of a service dog that is trained to assist and is assisting a person with a disability which reasonably prevents removal of the feces by that person.</p>
<p>When requested to do so, the owner shall deliver to the Municipality a statement in writing of the number of dogs owned or harboured or habitually kept on the premises of the owner, and in the event the owner neglects or refuses to provide the statement within a period of ten (10) business days, after having</p>		<p>7.5 At the request of the Region, the owner shall provide a written statement of the number of dogs owned or harboured or habitually kept on the premises of the owner.</p> <p>7.6 If the owner neglects or refuses to provide the</p>

received notice requiring the statement to be provided, shall be guilty of an offence under this By-law.		statement within ten (10) business days of the request of the Region, the owner shall be guilty of an offence under this By-law.
ADDITIONAL REMEDIES FOR FIERCE OR DANGEROUS DOGS		8. REMEDIES FOR FIERCE OR DANGEROUS DOGS
<p>Where a Dog Control Officer has reason to believe that a dog is a fierce or dangerous dog and the owner of the dog has been identified, the Dog Control Officer, in addition to any other remedies provided by statute or under this By-law may, after giving the owner a fair opportunity to be heard except in emergency situations:</p> <ul style="list-style-type: none"> • issue the owner a notice to muzzle the dog, which requires the dog to be muzzled at all times when outside of its owner's residence or its owner's fenced yard; and/or • issue the owner a notice to microchip the dog at the owner's expense; and/or • issue the owner a Notice of Violation or Notice to Appear; and/or • impound or seize the dog under section 9 or 10 hereof. 	A Constable, Peace Officer or Bylaw Enforcement Officer in apprehending any dog may use a tranquilizer in order to capture any dog running at large or if such dog is fierce or dangerous, and the Constable, Peace Officer or Bylaw Enforcement Officer shall not be liable for the injury or death of such dog in the use of the tranquilizer gun.	<p>8.1 Where a By-law Officer has reason to believe that a dog is fierce or dangerous and the owner has been identified, the By-law Officer, in addition to any other remedies provided by statute or under this By-law may, after giving the owner a fair opportunity to be heard, except in emergency situations may:</p> <p>(a) issue the owner a notice to muzzle the dog at all times when outside of its owner's residence or its owner's fenced yard; and/or</p> <p>(b) issue the owner a notice to microchip the dog at the owner's expense; and/or</p> <p>(c) issue the owner a Notice of Violation or Notice to Appear; and/or</p> <p>(d) impound or seize the dog under section 9, <i>Impoundment</i> or 10, <i>Seizure under Warrant</i>.</p>
Every owner who, having received a notice to muzzle under section 8(a)(i) or 9(g) (1) fails to ensure their dog is muzzled while the dog is off the property occupied by the owner is guilty of an offence under this By-law.		8.2 Every owner who, having received a notice to muzzle fails to ensure their dog is muzzled while the dog is off the property occupied by the owner is guilty of an offence under this By-law.
Every owner who, having received a notice to microchip under section 8 (a)(ii) or section 9(g)(ii),		

<p>fails to have a microchip implanted, or fails to have the microchip remain functional and effective is guilty of an offence under this Bylaw.</p>		
<p>9 IMPOUNDMENT</p>		<p>9 IMPOUNDMENT</p>
<p>Any Dog Control Officer, without notice to, or complaint against the owner of any dog, may impound a dog:</p> <ul style="list-style-type: none"> ▪ found running at large contrary to this By-law; ▪ which is rabid or appears to be rabid or exhibiting symptoms of canine madness; ▪ which is fierce and dangerous; ▪ which persistently disturbs the quiet of the neighborhood or area, by barking, howling or otherwise. 	<p>(1) Any Constable, Peace Officer or Bylaw Enforcement Officer, without notice to, or complaint against the owner of any dog, may impound a dog:</p> <ul style="list-style-type: none"> (a) found running at large contrary to this Bylaw; or (b) in respect of which the registration fee or tax imposed by this Bylaw has not been paid; or (c) which is rabid or appears to be rabid or exhibiting symptoms of canine madness; or (d) which persistently disturbs the quiet of the neighbourhood by barking, howling or otherwise. 	<p>9.1 The By-law Officer without notice to, or complaint against the owner of any dog, may impound a dog:</p> <ul style="list-style-type: none"> (a) found running at large contrary to this By-law; and/or (b) which is rabid or appears to be rabid or exhibiting symptoms of canine madness; and/or (c) which is fierce and dangerous; and/or (d) which persistently disturbs the quiet of the neighborhood or area, by barking, howling or otherwise.
	<p>Any Constable, Peace Officer or Bylaw Enforcement Officer, without notice to, or complaint against the owner of any dog, may kill on sight without impounding any dog or impound and kill any dog:</p> <ul style="list-style-type: none"> (i) which is fierce or dangerous; or (ii) which is rabid or appears to be rabid or exhibiting symptoms of canine madness 	
<p>Every owner who redeems a dog from the Pound Keeper shall be liable to the Municipality for payment of all fees, charges, and expenses incurred in impounding or seizing a dog including, but not limited to, the cost of apprehension, board, food, care, and any veterinary fees prior to reclaiming such dog. In addition, the owner must provide valid proof the impounded dog is</p>	<p>Every owner who reclaims a registered dog from the pound keeper shall be liable for payment of the cost of apprehension of the dog, board for the keeping of the dog by the pound keeper, and/or veterinary fees to reclaim such dog. In addition, the owner must pay all fines or penalties levied against the owner of the dog before it can be</p>	<p>9.2 Every owner who redeems a dog shall be liable to the Region for payment of all fees, charges, and expenses incurred in impounding or seizing a dog including, but not limited to, the cost of apprehension, board, food, care, and any veterinary fees prior to reclaiming such dog.</p>

<p>their dog, before the dog(s) can be redeemed from the pound.</p>	<p>reclaimed from the pound.</p>	<p>9.3 Every owner who redeems a dog must provide valid proof the impounded dog is their dog, before the dog(s) can be redeemed from the pound.</p>
<p>Every owner who redeems a dog from the Pound Keeper, which has not been registered or is not wearing a tag, shall also register the dog or obtain a replacement tag, before the dog(s) can be redeemed from the pound.</p>	<p>Every owner who reclaims an unregistered dog from the pound keeper shall be liable for payment of the cost of apprehension of the dog, board for the keeping of the dog by the pound keeper, veterinary fees, registration fee, plus an additional Fifteen Dollars (\$15.00) to reclaim such dog. In addition, the owner must pay all fines or penalties levied against the owner of the dog before it can be reclaimed.</p>	<p>9.4 Every owner who redeems a dog from the Pound Keeper which has not been registered or is not wearing a tag, shall also register the dog or obtain a replacement tag, before the dog(s) can be redeemed from the pound.</p>
<p>Any dog without a tag which has not been redeemed after a period of seventy-two (72) hours from seizure or impoundment, excluding Saturdays, Sundays, and Holidays, may, after the expiration of that period, become the property of the Municipality, and may be offered to the SPCA for adoption, and, if refused by the SPCA, may be humanely euthanized under the direction of the Dog Control Officer.</p>	<p>Any dog which has not been reclaimed after a period of seventy-two (72) hours, excluding Saturdays, Sundays and Holidays, may, after the expiration of that period, be offered to the local SPCA for adoption.</p>	<p>9.5 Any dog without a tag which has not been redeemed after a period of seventy-two (72) hours from seizure or impoundment, excluding Saturdays, Sundays, and Holidays, may, after the expiration of that period, become the property of the Region and may be offered to the SPCA for adoption, and, if refused by the SPCA, may be humanely euthanized at the direction of the By-law Officer.</p>
<p>Any dog seized or impounded with a valid tag shall require the Municipality to contact the owner, which may include written notice to the owner, and only after notice is given to the owner, personally or by being left at the owner's residence, shall a period of seventy-two (72) hours, excluding Saturdays, Sundays, and Holidays, commence. The registered dog may, after the expiration of that period, become the property of the Municipality, and may be offered to the SPCA for adoption, and if refused by the SPCA, may be humanely euthanized under the</p>		<p>9.6 If a dog is seized or impounded with a valid tag: (a)the Region shall contact the owner, in writing in person or by a notice left at the owner's residence; and (b)following a minimum of seventy-two (72) hours from the time the notice was provided, excluding Saturdays, Sundays, and Holidays the registered dog may become the property of the Region, and may be offered to the SPCA for adoption, and if refused by the SPCA, may be humanely euthanized under the direction of the By-law</p>

direction of the Dog Control Officer.		Officer.
<p>Impounded or seized dogs suspected of being inflicted with rabies or canine madness shall be examined by a veterinarian. Any dog reasonably requiring such veterinary examination or other veterinary care, including humane euthanasia, once in control of any Dog Control Officer or Pound Keeper will receive such care. Except in emergency situations, reasonable efforts shall be used to allow the owner a fair opportunity to be heard before a dog is euthanized. All veterinary fees must be paid by the owner before a dog shall be released to the owner, and shall also be due and payable by the owner in the event the dog is not released to the owner but is euthanized on veterinary advice.</p>		<p>9.7 Impounded or seized dogs suspected of being infected with rabies or canine madness shall be examined by a veterinarian.</p> <p>9.8 Except in emergency situations, reasonable efforts shall be used to allow the owner a fair opportunity to be heard before a dog is euthanized.</p> <p>9.9 All veterinary fees must be paid by the owner either if the dog is euthanized on veterinary advice or if the dog is being released to the owner.</p>

<p>Where an impounded or seized dog has previously been the subject of two warnings or convictions or to one warning and one conviction under this By-law to its owner and former owners, the Dog Control Officer may give notice to its owner to present himself or herself to the Dog Control Officer to show cause why the dog should not be the subject of one or more of the following remedial actions, which may be considered and acted upon by the Dog Control Officer thereafter after duly considering and balancing the health and safety of people and animals in the Municipality against the interests of the owner:</p> <ul style="list-style-type: none"> • a notice to the owner to muzzle the dog, which requires the dog to be muzzled at all times when outside of its owner’s residence or its owner’s fenced yard; • a notice to the owner to microchip the dog at the owner’s expense; • humane euthanization of the dog at the owner’s expense; • offering the dog to the SPCA for adoption, and if refused by the SPCA, humane euthanization under the direction of the Dog Control Officer at the owner’s expense. 		<p>9.10 Where an impounded or seized dog has been the subject of either two warnings or convictions or one warning and one conviction under this By-law, the By-law Officer may give notice to its owner to present themselves to the By-law Officer to show why the dog should not be the subject of one or more of the following remedial actions:</p> <ol style="list-style-type: none"> (a) a notice to muzzle the dog at all times when outside of its owner’s residence or its owner’s fenced yard; (b) a notice to the owner to microchip the dog at the owner’s expense; (c) humane euthanization of the dog at the owner’s expense; or (d) offering the dog to the SPCA for adoption, and if refused by the SPCA, humane euthanization at the direction of the By-law Officer at the owner’s expense, any of which may be considered and acted upon by the By-law Officer after considering and balancing the health and safety of people and animals in the Region against the interests of the owner.
<p>10 SEIZURE UNDER WARRANT</p>		<p>10 SEIZURE UNDER WARRANT</p>

<p>Where a Peace Officer believes, on reasonable grounds, that a person is harbouring, keeping, or has under care, control or direction, a dog that is fierce or dangerous, rabid or appears to be rabid, that exhibits symptoms of canine madness or that persistently disturbs the quiet of a neighbourhood by barking, howling or otherwise contrary to this By-law, and where the dog is located on private property to which the Peace Officer does not have consent of the occupant to enter and search a justice of the peace may, by warrant, authorize and empower the person named in the warrant to:</p> <ul style="list-style-type: none"> • enter and search the place where the dog is located; • open or remove any obstacle preventing access to the dog; and • seize and deliver the dog to the pound and for such purpose, break, remove or undo any fastening of the dog to the premises. <p>Where the person named in the warrant is unable to seize the dog in safety, the person may destroy the dog.</p>		<p>10.1 Where a By-law Officer believes on reasonable grounds, that a person is harbouring, keeping, or has under their care, control or direction a dog that is fierce or dangerous, rabid or appears to be rabid, that exhibits symptoms of canine madness or that persistently disturbs the quiet of a neighbourhood by barking, howling or otherwise, contrary to this By-law, and where the dog is located on private property to which the By-law Officer does not have consent of the occupant to enter and search, a Justice of the Peace may by warrant, authorize and empower the person named in the warrant to:</p> <ul style="list-style-type: none"> (a) enter and search the place where the dog is located; (b) open or remove any obstacle preventing access to the dog; and (c) seize and deliver the dog to the pound, and for such purpose, break, remove or undo any fastening of the dog to the premises. <p>Where the person named in the warrant is unable to seize the dog in safety, the person may have the dog destroyed.</p>
DESTRUCTION OF A DOG		11. DESTRUCTION OF A DOG
<p>Where the owner of a dog:</p> <ul style="list-style-type: none"> • which is fierce or dangerous; • which is rabid or appears to be rabid or exhibiting symptoms of canine madness; <p>has euthanized or caused to be euthanized said dog; the owner shall provide to the Municipality or the Dog Control Officer, upon request, evidence of euthanization.</p>	<p>Where the owner of a dog:</p> <ul style="list-style-type: none"> (a) which is fierce or dangerous; or (b) which is rabid or appears to be rabid or exhibiting symptoms of canine madness; or (c) has euthanized or caused to be euthanized said dog, shall before disposal or burial of the carcass of the dog, exhibit the said carcass to the Bylaw Enforcement Officer. <p>(2) Where the owner of a dog disposes of the carcass of a</p>	<p>11.1 Where the owner of a dog:</p> <ul style="list-style-type: none"> • which is fierce or dangerous; or • which is rabid or appears to be rabid or exhibiting symptoms of canine madness; <p>has euthanized or caused to be euthanized said dog, upon request from the Region the owner shall provide evidence of euthanization.</p>

	<p>dog without exhibiting it to the Bylaw Enforcement Officer, the owner shall provide to the Town or the Bylaw Enforcement Officer a Statutory Declaration which shall set forth the following information:</p> <p>(a)the date the dog was euthanized and the method of euthanization;</p> <p>(b)where the dog is euthanized by veterinarian, attaching to the Statutory Declaration, a letter from the veterinarian indicating that he or she euthanized the dog, the date of euthanization and disposal of the carcass;</p> <p>(c)where the owner disposes of the carcass of a dog, a statement of how the owner of the dog disposed of the carcass.</p> <p>(3)Where the owner of a dog fails to carry out the provisions of this Section, shall be guilty of an offence and liable on conviction to a penalty of not less than Two Hundred Dollars (\$200.00) and not more than Ten Thousand Dollars (\$10,000.00), and in default of payment, to imprisonment for a term not exceeding two (2) months.</p>	
<p>In an emergency any Dog Control Officer, without notice to the owner, may destroy or tranquilize any dog that is running at large and which he or she reasonably believes, to pose an imminent danger to a person (including the Dog Control Officer) or to a domestic animal.</p>		<p>11.2 In an emergency the By-law Officer, without notice to the owner, may destroy or tranquilize any dog that is running at large and which they reasonably believe pose an imminent danger to a person (including the By-law Officer) or to a domestic animal.</p>
<p>DUTY TO REPORT ABUSE</p>		<p>12 DUTY TO REPORT ABUSE</p>

<p>If in the course of performing his or her duties he or she reasonably believes that a dog has been abused or neglected, the Dog Control Officer must notify a peace officer having authority under the Animal Protection Act. The peace officer(s) may with the assistance of the Dog Control Officer take the dog into protective care and, if necessary, provide veterinary services to such dog. The cost of care and any veterinary services so provided shall be paid or reimbursed by the owner. These instances must be reported to the Nova Scotia SPCA's Chief Provincial Inspector.</p>	<p>In the event of an emergency, or during the course of a normal by-law response, it is suspected that a dog has been abused or neglected, the by-law enforcement officer must notify a peace officer having authority under the Animal Protection Act. The officer may with the assistance of the by-law enforcement officer take the dog into protective care and, if necessary, provide veterinary services to such dog. The cost of care and any veterinary services so provided shall be paid by the owner. These instances must be reported to the Nova Scotia SPCA's Chief Provincial Inspector.</p>	<p>12.1 If in the course of performing their duties the By-law Officer reasonably believes that a dog has been abused or neglected, they must notify a peace officer having authority under the Animal Protection Act. The peace officer(s) may with the assistance of the By-law Officer take the dog into protective care and, if necessary, provide veterinary services to such dog. The cost of care and any veterinary services so provided shall be paid or reimbursed by the owner. Any instance must be reported to the Nova Scotia SPCA's Chief Provincial Inspector.</p>
<p>PENALTIES</p>		<p>13 PENALTIES</p>
<p>A person who does anything else prohibited by this By-law or who neglects or fails to do anything required by this By-law to be done by him is guilty of an offence and except where some other penalty is provided by this By-law for the act, refusal, neglect or failure, the offence is liable on summary conviction to a penalty of not more than ten thousand dollars (\$10,000) per offence and, in default of payment, to imprisonment for a term not exceeding sixty (60) days.</p>	<p>Any person who fails to comply with Sections 38.12(1)(a) and (b) shall be guilty of an offence and liable to a penalty of not less than Two Hundred Dollars (\$200.00) and not more than Ten Thousand Dollars (\$10,000.00), and in default of payment, to imprisonment for a term not exceeding two (2) months.</p> <p>Person who is convicted of Section 38.12(1)(c) and (d) is liable to a penalty of not less than Five Hundred Dollars (\$500.00) and not more than Ten Thousand Dollars (\$10,000.00), and in default of payment, to imprisonment for a term not exceeding two (2) months.</p> <p>(4) Every day during which an offence pursuant to Section 38.12 continues shall be a separate offence.</p>	<p>13.1A person who does anything else prohibited by this By-law or who neglects or fails to do anything they are required to do by this By-law is guilty of an offence and except where some other penalty is provided by this By-law for the act, refusal, neglect or failure, the offence is liable on summary conviction to a penalty of not more than ten thousand dollars (\$10,000) per offence and, in default of payment, to imprisonment for a term not exceeding sixty (60) days.</p> <p>13.2 Every day during which an offence pursuant to Clause 13.1 continues shall be a separate offence.</p>

<p>In lieu of prosecution under this By-law, the Dog Control Officer may, in his sole and absolute discretion, issue to any person he believes upon reasonable grounds has committed an offence under this By-law a Notice of Violation, which Notice shall require the person to whom it is directed to pay to the Municipality within fourteen (14) days of the issuance of the Notice the sum of \$250.00 for an offence under section 8 (a) of this By-law and \$150.00 for all other offences. Where a Notice of Violation is issued and if that sum is paid as required therein, no prosecution shall ensue in respect to the matter or matters referred to in the Notice. For greater certainty, nothing in this bylaw requires the Municipality to issue a Notice of Violation before initiating a prosecution.</p>		<p>13.3 In lieu of prosecution under this By-law, the By-law Officer may, in their sole and absolute discretion, issue to any person they believe upon reasonable grounds has committed an offence under this By-law a Notice of Violation. This Notice shall require the person to whom it is directed to pay to the Region within fourteen (14) days of the issuance of the Notice the sum of \$250.00 for an offence under s. 8.1 of this By-law and \$150.00 for all other offences. Where a Notice of Violation is issued and the required amount is paid, no prosecution shall follow respecting the matter or matters referred to in the Notice. For greater certainty, nothing in this bylaw requires the Region to issue a Notice of Violation before initiating a prosecution.</p>
	<p>Any person who fails to comply with the provisions of this Bylaw for which no penalty is expressly provided shall be liable on conviction to a penalty of not less than Two Hundred Dollars (\$200.00) and not more than Ten Thousand Dollars (\$10,000.00), and in default of payment, to imprisonment for a term not exceeding two (2) months.</p>	
<p>REPEAL</p>		<p>14 REPEAL</p>
<p>The Dog By-law of the Municipality of the District of West Hants approved October 21, 2009, By-law 2008-3 Respecting the Registration and Regulation of Dog of the former Town of Hantsport approved July 8, 2008, and all previously enacted By-Laws of the Municipality of West Hants and the former Town of Hantsport relating to the regulation, registering and</p>		<p>The Dog By-law of the former Municipality of the District of West Hants approved July 11, 2017 Respecting the Registration and Regulation of Dogs and the Dog By-law of the former Town of Windsor approved February 22, 2011 are hereby repealed on the effective date of this By-law.</p>

<p>harbouring of dogs are hereby repealed, on the effective date of this By-law.</p>		
<p>First Reading: June 13, 2017 Notice Published: June 26, 2017 Second Reading & Approval July 11, 2017 Final Publication July 17, 2017 Notice to Municipal Affairs July 17, 2017 Description: Initial Approval of D-003 Dog By-law which includes the repeal of West Hants Dog By-law approved October 21, 2009 and Hantsport Dog By-law approved July 8, 2008.</p>	<p>Date of first reading: Tuesday, January 25, 2011 Dates of advertisement of Notice of Intent to Consider: February 03 & February 10, 2011 Date of second reading: Tuesday, February 22, 2011 *Date of advertisement of Passage of Bylaw: March 03, 2011 Date of mailing to Minister a certified copy of Bylaw: Friday, March 04, 2011</p>	

Appendix B
DRAFT DOG BY-LAW FOR WHRM

1. TITLE

This By-law is made pursuant to the Municipal Government Act, Chapter 18 of the Acts of 1998 as amended from time to time.

This By-law shall be administered in accordance with the Municipal Government Act, R.S.N.S. 1989.

2. DEFINITIONS

In this By-law, the following words and phrases shall have the following meanings:

Attack means to injure, scratch or bite, or to commit an assault resulting in real or perceived injury to another person or animal;

Bite means wound, pierce, or penetration of the skin by a tooth or teeth;

Dog means any dog, male or female, or any animal that is the result of the breeding of a dog and any other canine animal;

By-law Officer means a person appointed by Council, and in the absence of such person a temporary replacement designated by the CAO, including the Pound Keeper, Special Constables and all other Peace Officers responsible for providing dog control activities in an emergency or as a support to a By-law Officer;

Emergency means a present or imminent event where a Peace Officer or Dog Control Officer believes prompt action must be undertaken to protect the health, safety or welfare of people and/or animals;

Fierce or Dangerous Dog means any dog that, in the absence of a mitigating factor as defined herein:

- attacks a person
- attacks an animal other than an insect;
- attacks or demonstrates a propensity, tendency or disposition to attack a person or animal either on public or private property;
- has caused injury to or otherwise endangered the safety of a person or animal;
- with unreasonable ferocity threatens any person or domestic animal;
- is owned or harboured in whole or in part for the purpose of dog fighting, or is trained for dog fighting.

No dog shall be deemed a “fierce or dangerous dog” solely because it bites, attacks or menaces a trespasser on the property of its owner,

harms or menaces anyone who has tormented or abused it, was at the time of its aggressive behavior acting in defense to an attack from a person or animal or acting in defense of its young provided that any such bite, attack or menacing behavior is a reasonable defensive response in the circumstances.

Kennel	means a lot, building or structure on or within which four or more domesticated animals are housed, groomed, bred, boarded, trained or sold for monetary gain and does not include a veterinary clinic.
Leash	means a device adequate for the effective control of the movements of the dog which is used by a person to restrict movement of a dog.
Microchip	means an approved Canadian Standard encoded tag implanted into a dog which contains a unique code that permits or facilitates access to an owner's name, address and telephone number, which is stored in the municipal registry;
Mitigating Factor	means a circumstance that reasonably explains and excuses the aggressive behavior or actions of a dog;
Muzzle	means placing a humane covering device of sufficient strength over a dog's mouth to prevent it from biting;
Owner	<p>means any person or body corporate:</p> <ul style="list-style-type: none">• who is the licensed Owner of the dog; and/or;• who has legal title to the dog; and/or;• who has possession or custody of the dog, either temporarily or permanently; and/or;• who has care or control of the dog; and/or;• who harbours the dog, or allows the dog to remain on their premises. <p>Where such a person is a minor, "owner" includes the parent, guardian, or custodian of such a person.</p>
Owner of Premises	includes a tenant, occupier, a part owner, joint owner, tenant in common or joint tenant of the whole or any part of the land or building, and in the case of the absence or incapacity of the person having title to the land or building, a trustee, personal representative, agent, mortgagee in possession, attorney under a valid Power of Attorney or a person having the care or control of the land or building;

Peace Officer	includes a police officer or a special constable;
Pound	means any premises or facilities designated by the Region as a dog pound for the keeping and disposition of impounded animals;
Pound Keeper	means a person engaged by the Region to be responsible for caring for dogs being held and for maintaining a clean environment for the dogs.
Region	means West Hants Regional Municipality
Registration	means the recording of information regarding a dog for the purposes of issuing a tag pursuant to this By-law.
Running at Large	means any dog that is off the property of its owner without being under the effective restraint or control of a person;
Service Dog	means any dog individually trained to do work or perform tasks for the benefit of an individual with a disability or which is used for search and rescue or law enforcement;
SPCA	means the Society for Prevention of Cruelty to Animals;
Seize	means to take a dog into custody pursuant to a warrant;
Tag	means a piece of identification issued upon registration as defined in this By-law.

3.0 REGISTRATION

3.1 Registration of a dog with the Region is required:

- (a) within ten (10) days after the person becomes the owner of the dog;
- (b) notwithstanding subsection (a), above, a person who possesses, has the care of, and has the control of or harbours a dog for less than 20 days is not required to license the dog;
- (c) notwithstanding subsections (a) and (b), a kennel used for the purposes of breeding is exempt from registering puppies under the age of twelve (12) weeks; and
- (d) owners of breeding dogs with litters less than the age of twelve (12) weeks are exempt from annual registration for the puppies, but after twelve (12) weeks must register the puppies;
- (e) service dogs must be registered but are exempt from registration fees when the owner has provided:
 - (i) a certificate from the Canadian National Institute of the Blind or the Hearing Ear Dogs of Canada or other proof satisfactory to the Region of the training received by

the dog as a service dog; or

- (ii) a certificate from a qualified health services practitioner indicating that the owner suffers from a disability and requires the use of a dog that is trained to assist persons with such disabilities; or
- (iii) a certificate or other proof satisfactory to the Dog Control Officer that the dog is used for search and rescue or law enforcement.

3.2 In order to register a dog, an owner shall pay the required fee and shall supply the following information:

- (a) name, civic address, mailing address and telephone number of the owner;
- (b) name and breed of the dog;
- (c) a description of the dog including whether the dog is male or female, spayed or not-spayed; neutered or not-neutered;
- (d) a photograph of the dog, if available;
- (e) identification information such as micro-chip implants, tattoos or other special markings, if available; and
- (f) the name of the veterinary clinic frequented by the dog and veterinary file identification number, if available.

3.3 The owner of every dog shall keep on the dog at all times a collar with the tag issued for that dog by the Region.

3.4 The owner shall not use the tag issued for one dog on any other dog.

3.5 When the Region is satisfied that a tag has been lost, and upon payment of a fee, the Region shall issue a replacement tag.

3.6 Every registration and tag shall be effective during the lifetime of the registered dog.

3.7 Registration and a tag issued under this By-law shall not be transferrable, including not being transferrable between owners or dogs.

3.8 The Region shall keep a record of every dog registered, showing the date and number of the tag, the name, description of the dog and the name and address of the owner.

3.9 The owner shall notify the Region if the ownership or place of residence of the dog changes at any time.

3.10 It shall be an offence to provide false information to the Region when registering a dog.

4.0 KENNEL REGISTRATION

4.1 To qualify for a kennel registration, the kennel must:

- (a) be registered with the Canadian Kennel Club, or
- (b) meet the definition of a Kennel herein; and
- (c) have obtained any required development and building permit.

4.2 To obtain a kennel registration the owner of the kennel must pay the annual kennel registration fee and provide the region with the following information:

- information required by s. 3.2 for each dog;
- kennel's owner's name, civic address, mailing address, and telephone numbers;
- the maximum number of dogs to be kenneled;
- the registered name of the kennel;
- copies of required development and building permits; and
- where applicable, a copy of the current Canadian Kennel Club license.

Upon receipt of this information, the Region shall supply the kennel owner with a receipt and a tag for each dog, which shall be kept on each dog. No individual dog tag fee is required for the individual tags used by a kennel.

4.3 Tags issued to a kennel may be transferred within the registration year to replacement dogs only if the Region is notified. The Region shall issue additional tags during the registration year as required.

4.4 The Region shall keep a record of every kennel registered, showing the date and number of the tags, the kennel owner's name and address of the owner.

4.5 The owner shall notify the Region if the ownership or address of the kennel changes at any time. If the location changes, the owner shall provide copies of the relevant development and building permits.

4.6 It shall be an offence to provide false information to the Region when registering a kennel.

5. FEES

5.1 All fees referred to in this By-law shall be set by policy and may be amended by Council from time to time.

5.2 The registration fee for annual kennel registrations after October 1st of any year will be one-half of the annual registration fee.

6. DOG CONTROL AND POUND

6.1 The By-law Officer shall be primarily responsible to enforce this By-law as it pertains to dog control and impounding.

- 6.2 The Pound Keeper shall:
- (a) be responsible for the operation of the pound; and
 - (b) receive all dogs impounded or seized, detain them and provide food, water and shelter in accordance with the Nova Scotia SPCA Standards of Care guidelines as amended from time to time.

7. RESPONSIBILITIES OF THE OWNER

- 7.1 The owner of a dog shall confine such dog to the lands and premises of the owner.
- 7.2 Notwithstanding s. 7.1, the owner of a dog may permit such dog to leave the lands and premises when it is under the effective control of a responsible person.
- 7.3 The dog shall be deemed to be running at large where the dog is not under effective control.
- 7.4 Every owner of a dog:
- (a) whose dog runs at large; or
 - (b) whose dog is not wearing a tag required by this By-law; or
 - (c) whose dog is not licensed pursuant to this By-law; or
 - (d) whose dog persistently disturbs the quiet of the neighbourhood by barking, howling or otherwise; or
 - (e) whose dog at any time without the presence of a mitigating factor attacks or injures any person or animal, or damages any property; or
 - (f) who harbours, keeps, or has under care, control or direction, a dog that is fierce or dangerous; and
 - (g) who fails to remove the feces of their dog from public property or private property other than the owners;
is guilty of an offence under this By-law.

Clause (g) does not apply to the owner of a service dog that is trained to assist and is assisting a person with a disability which reasonably prevents removal of the feces by that person.

- 7.5 At the request of the Region, the owner shall provide a written statement of the number of dogs owned or harboured or habitually kept on the premises of the owner.
- 7.6 If the owner neglects or refuses to provide the statement within ten (10) business days of the request of the Region, the owner shall be guilty of an offence under this By-law.

8. REMEDIES FOR FIERCE OR DANGEROUS DOGS

- 8.1 Where a By-law Officer has reason to believe that a dog is fierce or dangerous and the owner has been identified, the By-law Officer, in addition to any other remedies provided by statute or under this By-law may, after giving the owner a fair opportunity to be heard, except in

emergency situations may:

- (a) issue the owner a notice to muzzle the dog at all times when outside of its owner's residence or its owner's fenced yard; and/or
- (b) issue the owner a notice to microchip the dog at the owner's expense; and/or
- (c) issue the owner a Notice of Violation or Notice to Appear; and/or
- (d) impound or seize the dog under section 9, *Impoundment* or 10, *Seizure under Warrant*.

8.2 Every owner who, having received a notice to muzzle fails to ensure their dog is muzzled while the dog is off the property occupied by the owner is guilty of an offence under this By-law.

9 IMPOUNDMENT

9.1 The By-law Officer without notice to, or complaint against the owner of any dog, may impound a dog:

- (a) found running at large contrary to this By-law; and/or
- (b) which is rabid or appears to be rabid or exhibiting symptoms of canine madness; and/or
- (c) which is fierce and dangerous; and/or
- (d) which persistently disturbs the quiet of the neighborhood or area, by barking, howling or otherwise.

9.2 Every owner who redeems a dog shall be liable to the Region for payment of all fees, charges, and expenses incurred in impounding or seizing a dog including, but not limited to, the cost of apprehension, board, food, care, and any veterinary fees prior to reclaiming such dog.

9.3 Every owner who redeems a dog must provide valid proof the impounded dog is their dog, before the dog(s) can be redeemed from the pound.

9.4 Every owner who redeems a dog from the Pound Keeper which has not been registered or is not wearing a tag, shall also register the dog or obtain a replacement tag, before the dog(s) can be redeemed from the pound.

9.5 Any dog without a tag which has not been redeemed after a period of seventy-two (72) hours from seizure or impoundment, excluding Saturdays, Sundays, and Holidays, may, after the expiration of that period, become the property of the Region and may be offered to the SPCA for adoption, and, if refused by the SPCA, may be humanely euthanized at the direction of the By-law Officer.

9.6 If a dog is seized or impounded with a valid tag:

- (a) the Region shall contact the owner, in writing in person or by a notice left at the owner's residence; and
- (b) following a minimum of seventy-two (72) hours from the time the notice was provided, excluding Saturdays, Sundays, and Holidays the registered dog may become the

property of the Region, and may be offered to the SPCA for adoption, and if refused by the SPCA, may be humanely euthanized under the direction of the By-law Officer.

- 9.7 Impounded or seized dogs suspected of being infected with rabies or canine madness shall be examined by a veterinarian.
- 9.8 Except in emergency situations, reasonable efforts shall be used to allow the owner a fair opportunity to be heard before a dog is euthanized.
- 9.9 All veterinary fees must be paid by the owner either if the dog is euthanized on veterinary advice or if the dog is being released to the owner.
- 9.10 Where an impounded or seized dog has been the subject of either two warnings or convictions or one warning and one conviction under this By-law, the By-law Officer may give notice to its owner to present themselves to the By-law Officer to show why the dog should not be the subject of one or more of the following remedial actions:
- (a) a notice to muzzle the dog at all times when outside of its owner's residence or its owner's fenced yard;
 - (b) a notice to the owner to microchip the dog at the owner's expense;
 - (c) humane euthanization of the dog at the owner's expense; or
 - (d) offering the dog to the SPCA for adoption, and if refused by the SPCA, humane euthanization at the direction of the By-law Officer at the owner's expense,
- any of which may be considered and acted upon by the By-law Officer after considering and balancing the health and safety of people and animals in the Region against the interests of the owner.

10 SEIZURE UNDER WARRANT

- 10.1 Where a By-law Officer believes on reasonable grounds, that a person is harbouring, keeping, or has under their care, control or direction a dog that is fierce or dangerous, rabid or appears to be rabid, that exhibits symptoms of canine madness or that persistently disturbs the quiet of a neighbourhood by barking, howling or otherwise, contrary to this By-law, and where the dog is located on private property to which the By-law Officer does not have consent of the occupant to enter and search, a Justice of the Peace may by warrant, authorize and empower the person named in the warrant to:
- (a) enter and search the place where the dog is located;
 - (b) open or remove any obstacle preventing access to the dog; and
 - (c) seize and deliver the dog to the pound,
- and for such purpose, break, remove or undo any fastening of the dog to the premises. Where the person named in the warrant is unable to seize the dog in safety, the person may have the dog destroyed.

11. DESTRUCTION OF A DOG

11.1 Where the owner of a dog:

- which is fierce or dangerous; or
- which is rabid or appears to be rabid or exhibiting symptoms of canine madness;

has euthanized or caused to be euthanized said dog, upon request from the Region the owner shall provide evidence of euthanization.

11.2 In an emergency the By-law Officer, without notice to the owner, may destroy or tranquilize any dog that is running at large and which they reasonably believe pose an imminent danger to a person (including the By-law Officer) or to a domestic animal.

12 DUTY TO REPORT ABUSE

12.1 If in the course of performing their duties the By-law Officer reasonably believes that a dog has been abused or neglected, they must notify a peace officer having authority under the Animal Protection Act. The peace officer(s) may with the assistance of the By-law Officer take the dog into protective care and, if necessary, provide veterinary services to such dog. The cost of care and any veterinary services so provided shall be paid or reimbursed by the owner. Any instance must be reported to the Nova Scotia SPCA's Chief Provincial Inspector.

13 PENALTIES

13.1 A person who does anything else prohibited by this By-law or who neglects or fails to do anything they are required to do by this By-law is guilty of an offence and except where some other penalty is provided by this By-law for the act, refusal, neglect or failure, the offence is liable on summary conviction to a penalty of not more than ten thousand dollars (\$10,000) per offence and, in default of payment, to imprisonment for a term not exceeding sixty (60) days.

13.2 Every day during which an offence pursuant to Clause 13.1 continues shall be a separate offence.

13.3 In lieu of prosecution under this By-law, the By-law Officer may, in their sole and absolute discretion, issue to any person they believe upon reasonable grounds has committed an offence under this By-law a Notice of Violation. This Notice shall require the person to whom it is directed to pay to the Region within fourteen (14) days of the issuance of the Notice the sum of \$250.00 for an offence under s. 8.1 of this By-law and \$150.00 for all other offences. Where a Notice of Violation is issued and the required amount is paid, no prosecution shall follow respecting the matter or matters referred to in the Notice. For greater certainty, nothing in this bylaw requires the Region to issue a Notice of Violation before initiating a prosecution.

14 REPEAL

The Dog By-law of the former Municipality of the District of West Hants approved July 11, 2017 Respecting the Registration and Regulation of Dogs and the Dog By-law of the former Town of Windsor approved February 22, 2011 are hereby repealed on the effective date of this By-law.

Appendix C

Proposed Fee Schedule

Regional Dog By-law (not yet enacted)	Section 5.1 Registration Fee	\$15.00 all dogs
	Section 5.2 Annual Kennel Registration fee	\$45.00
	Section 3.5 Replacement Tag	\$7.50
	Section 9.2 Fees associated with impoundment, board, food, care and veterinary costs	Actual costs incurred