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MAR 12 2002

COMMUNITY OF LR. MONTAGUE

BY-LAW NO. 8

DOG CONTROL

Planning & Inspection
Services

- 8.0 The term "animals" herein shall have the meaning All
DOGS. DEFINITION
- 8.1 No person shall suffer or permit any animal of which
he is the owner, or which he may have in his possession
or custody, or which he may have under his control, to
run at large within the boundaries of the Community. RUNNING AT
LARGE
- 8.2 The Community may appoint one or more Animal Control
Officers as the Council may consider necessary. The
Officer shall maintain a pound for animals running at
large which have been caught by him or delivered to him. ANIMAL
CONTROL
OFFICER
- (A) An Animal Control Officer shall on behalf of the
Community of Lr. Montague apprehend and impound, or
cause to be impounded, any dog found at large within the
municipality.
- (B) For the purposes of carrying out his duties pursuant to
Part 1, Section 2, Subsection (A), an Animal Control
Officer, when in fresh pursuit of a dog, is authorized
to enter onto private property within the municipality
to apprehend and impound the dog. This subsection does
not authorize an Animal Control Officer to enter into
any residence, or other structure located on private
property.
- (C1) An Animal Control Officer who apprehends or impounds a
dog pursuant to this section shall forthwith give notice
to the dog owner, as identified from the dog's license,
which notice shall indicate that the dog has been
apprehended or impounded, and shall specify the name of
the Animal Control Officer and the place of impounding,
if applicable.
- (C2) The dog owner may, within 4 days of the date of receipt
of the notice specified in subsection (C1), take
possession of his dog after paying to the PEI Humane
Society a call out fee of \$50.00, plus costs of \$ 15.00
per day for each day the dog was impounded.
- (C3) If the dog owner fails to take possession of his dog
pursuant to subsection (C2), within the 4 days, the
dog may be destroyed by the Animal Control Officer, or
his agent.
- (C4) Where a dog is destroyed pursuant to subsection (C3),
the dog owner is liable to the municipality for the fee
and costs referred to in subsection (C2), and for costs
incurred in destroying the dog, and for the costs of any
action that may be necessary to recover these fees and
costs.

DOGS AND THE TAXING THEREOF - PART 11

8.3 The owner or keeper of any dog over the age of six (6) months within the Community shall report in writing to the community Administrator at her office in said Community the name of such dog in order that same be registered, and here after whenever a person may become owner or keeper of any dog within the said Community, he shall report the fact in writing as hereinbefore directed in order to have the name of the owner or keeper and the name of the dog registered. DOG OWNER

8.4 (1) A tax of (\$20.) twenty dollars shall be paid for each dog and a lesser fee of (\$15.) fifteen dollars for each spayed or neutered dog within the Community of Lr. Montague, by the owner or the keeper. (2) Should the owner of any dog exhibit to the Community a certificate of a qualified veterinary practicing in Prince Edward Island stating that such dog had been properly spayed and describing such dog with sufficient certainty for identification, then the tax for such dog shall be fifteen dollars (\$15.) DOG TAX

DOGS RUNNING AT LARGE -- PART 111

8.5 Dogs causing a nuisance outside their property must be contained on their own property. The owner will be given one warning, then the dog will be picked up. RUNNING
AT
LARGE

8.6 The owner or keeper of a dog who has paid the tax mentioned in Section 4 shall affix thereon a collar with the Community Name and the registered number given said dog. No person shall permit his dog to be on any street without said collar. DOG TAGS

8.7 Every fierce, malicious or dangerous dog shall be kept muzzled and chained by the owner or keeper and not permitted to go at large. MUZZLED
OR
CHAINED

8.8 No owner or keeper of a dog shall suffer such dog to run at large on the owner's or keeper's property or anywhere during the season of her being in heat. BITCH
IN
HEAT

8.9 If any dog shall, without being provoked, bite any person on complaint before a Provincial Judge or other person authorized by law on oath, the owner or keeper shall be ordered by the Provincial Judge or other person authorized by law to destroy the dog, and in default of his so doing, he shall be liable to the penalties of this by-law and of having same destroyed on order of the Provincial Judge or other person authorized by law. BITE
DESTROYED

- 8.10 Any person in possession of any dog who shall suffer such dog to remain about his house or premises, shall be deemed the owner of such dog for all the purposes of this by-law. OWNER
- 8.11 No person shall wantonly or maliciously throw stones, sticks or any other hard substance at any dog, or lame or wound or provoke the dog. MISTREATMENT
- 8.12 No person shall keep, own or harbour a dog that barks and howls to the annoyance of neighbors, and on notice thereof being given by the Community Council or Police Officer to its keeper or Owner and said dog shall not be quietened, then said keeper or owner shall forthwith destroy the said dog or cause the same to be removed from the Community, to be kept so removed, and in default of such destruction or removal, it shall be lawful for the Animal Control Officer or a Police Officer or any authorized person to destroy the said dog on complaint to and order of the Provincial Judge or other person authorized by law. BARKING
ANNOYANCE
TO
NEIGHBOURS
- 8.13 No person or persons shall keep in or about any premises in the community more than two (2) dogs of whatever sex and over the age of six (6) months unless he has permission by special resolution from the community. TWO DOG
LIMIT
- 8.14 Any person guilty of an infraction or breach of any of the provisions of this section shall, upon summary conviction before the Provincial Judge or other person authorized by law on the oath or affirmation of any credible witness, forfeit and pay at the discretion of the said Provincial Judge or other person authorized by law a penalty not less than twenty-five dollars (\$25) for the first offence and not less than fifty dollars (\$50) for each subsequent offence, exclusive of costs and in default of payment thereof, it shall and may be lawful for the said Provincial Judge or other person authorized by law to commit the offender or offenders to the lock-up at the Kings Co. Jail for a period not less than twelve (12) days and not more than twenty-five (25) days, unless the said penalty and costs be sooner paid. INFRACTION
- 8.15 All complaints received must be received by the Community Administrator.

AMMENDED

FIRST READING THE 13rd DAY OF FEB. 2002

SECOND READING THE 6th DAY OF MAR. 2002

Gordon McKay
CHAIRMAN

Bette Nicholson
ADMINISTRATOR

