

DOG CONTROL BYLAW

EFFECTIVE JUNE 21, 1995
AMENDED JANUARY 10, 2011

AMENDED JULY 28, 2005

Summary of Bylaw Amendments at end of Bylaw

BEING A BYLAW OF THE CITY OF CHARLOTTETOWN RELATING TO THE REGISTRATION AND CONTROL OF DOGS WITHIN THE CITY OF CHARLOTTETOWN PURSUANT TO THE PROVISIONS OF PART I, SECTION 21 OF THE CHARLOTTETOWN AREA MUNICIPALITIES ACT, R.S.P.E.I., 1988, CAP. C-4.1.

BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTETOWN AS FOLLOWS:

PART I: DEFINITIONS

1. In this Bylaw:
 - 1.1 **“Animal”** includes but is not limited to dogs, cats, horses and other domesticated pets.
 - 1.2 **“City”** means the Corporation of the City of Charlottetown and includes the area within the boundaries of the City where the context requires;
 - 1.3 **“Clerk”** means the Chief Administrative Officer of the City or his duly appointed representative;
 - 1.4 **“Council”** means the City Council of the City of Charlottetown;
 - 1.5 **“Development Officer”** means the employee of the City charged with administering the Zoning and Development Bylaw of the City or his designee;
 - 1.6 **“Dog”** means any male or female dog and includes a spayed bitch or neutered male dog;
 - 1.7 **“Dog Control Officer”** means a Charlottetown Police Officer or Bylaw Enforcement Officer or Inspector appointed by the City or an individual(s) or organization contracted by the City of Charlottetown to enforce this Bylaw;
 - 1.8 **“Dog Owner”** means a person who:
 - (a) is in possession of or harbours a dog;
 - (b) has the care of or control of a dog;
 - (c) suffers a dog to remain about his house or premises located within the City or;
 - (d) registers a dog as herein provided;

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and where the dog owner is a minor, the owner includes the person responsible for the custody of the minor.

- 1.9 **“Domestic Animal”** means,
(a) any livestock, or
(b) any companion animal, as defined in the *Companion Animal Protection Act* RSPEI 1988, Cap. C-14.1;
- 1.10 **“Judge”** means a Judge of the Provincial Court of the Province of Prince Edward Island;
- 1.11 **“Kennel”** means a building or structure where a dog or dogs kept for commercial breeding or showing, or for commercial boarding with or without veterinary care;
- 1.12 **“Organization”** means any organization, individual, association, society, or other group composed for the purpose of controlling, impounding and/or safekeeping of dogs;
- 1.13 **“Poundkeeper”** means any person charged with the responsibility of running the organization as above defined;
- 1.14 **“Provincial Court”** means the Provincial Court as established in the *Provincial Court Act* RSPEI 1988, Cap. P-25;
- 1.15 **“Run at large”** means an unleashed dog:
(a) in a public place, or
(b) on private property other than that of the owner of the dog without the permission of the owner or occupant thereof.

PART II: GENERAL LICENSE

2. 2.1 Any dog owner residing in the City who does not register a dog with the Clerk on or before the 31st day of March in each year, and does not pay a license fee as set out in Schedule "A" annexed to this Bylaw, is guilty of an offence.
- 2.2 Subject to Section 2.3, any person who, after the 31st day of March in any year, becomes a dog owner of a dog not registered under this Bylaw and who:
(a) fails to register the same within ten (10) days after becoming a dog owner;
or
(b) fails to pay the license fee as set out in Schedule "A" annexed to this Bylaw; is guilty of an offence.
- 2.3 If a dog owner acquires a dog after September 30th of the said year, the fee shall be half the annual fee for that year.

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PART III: KENNEL LICENSE

3. 3.1 Every person who keeps a dog or dogs for commercial breeding or showing, or for commercial boarding with or without veterinary care who does not have a kennel license (as defined) an offence.
- 3.2 A kennel license shall not be issued unless:
 - (a) a kennel license fee of \$100.00 is paid by the applicant to the Clerk; and
 - (b) the Development Officer has certified that the property to be used for a kennel meets the requirements of the Zoning and Development Bylaw and any other Bylaw of the City or laws of the Province of Prince Edward Island applicable thereto; and
 - (c) the kennel is properly equipped for the sanitation, health, hygiene and comfort of the dogs.
- 3.3 (a) A kennel license shall be valid until the 31st day of March of the year next succeeding the date of issue and shall be renewed by the licensee on the 31st day of March in each and every year thereafter.
 - (b) Everyone who fails to renew a kennel license is guilty of an offence.

PART IV: GENERAL PROVISIONS

4. 4.1 The Clerk shall keep a record of the registration of all dogs which shall show the date and number of registration, the description of each dog and the name, address, and telephone number of the dog owner.
- 4.2 The Clerk shall cause to be delivered to the dog owner at the time of registration a tag on which shall be inscribed the year of registration, together with the number corresponding to the number under which the dog is registered and the word "Charlottetown".
- 4.3 The Clerk or Dog Control Officer, upon the request of the dog owner of a registered and licensed dog, shall supply such owner with a replacement dog tag for a fee of \$2.00.
- 4.4 Any dog owner who fails to ensure that any dog registered by him wears a collar to which shall be attached the tag issued under Section 4.2, is guilty of an offence.
- 4.5 Any dog owner of a dog registered under this Bylaw who permits the tag issued for such dog to be worn by another dog, is guilty of an offence.

PART V: DOG POUND

5. 5.1 The Council reserves the right and privilege to enter into any agreement with an

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organization, for the controlling, impounding and safekeeping of all dogs in the City.

- 5.2 Subject to Section 5.3, a Dog Control Officer who apprehends or impounds a dog pursuant to this section shall forthwith give notice by registered mail to the dog owner, as identified from the dog's license, where possible, and such notice shall indicate that the dog has been apprehended or impounded, and shall specify the name of the Dog Control Officer and the place of impounding, as applicable.
- 5.3 (a) Any dog found not registered or not wearing a collar and tag, or any dog found running at large, may be captured by any Dog Control Officer, and may be impounded or destroyed as provided in Section 5.4.
- (b) For the purposes of carrying out his/her duties, pursuant to sub-section 5.3 (a), a dog control officer when in fresh pursuit of a dog, is authorized to enter onto private property within the City to apprehend and impound the dog, but this sub-section does not authorize a dog control officer to enter into any building located on private property.
- 5.4 Where any dog has been captured pursuant to Section 5.3 and the Dog Control Officer believes on reasonable and probable grounds that the dog is injured or ill and should be destroyed without delay for humane reasons or for reasons of safety to persons, the Dog Control Officer may permit the dog to be humanely destroyed or disposed of.
- 5.5 (a) The dog owner of any impounded dog may have the dog released, upon establishing his ownership of the dog, and upon paying the registration fee, if such dog is not registered, and a license fee where applicable. The dog owner shall also pay the fees of the poundkeeper of the organization in contract with the City, as specified in Schedule "A".
- (b) Any dog which has not been claimed within a period of one hundred and twenty (120) hours (or 5 days) after acknowledgment of notice by the dog owner, or being impounded, where the dog owner cannot be found, may be sold by the poundkeeper of the organization, or the Dog Control Officer, for the best price obtainable and the monies derived from such sale shall be applied to the payment of the poundkeeper of the organization, in contract with the City of Charlottetown.
- (c) Any dog which is impounded and cannot be sold, within the time specified in Subsection 5.5(b) may be humanely destroyed or disposed of.
- 5.6 Any person resident within the City who purchases an unregistered or unlicensed dog from the poundkeeper and who fails to register and license (where applicable) such dog before taking possession of it, is guilty of an offence.
- 5.7 Any person authorized under this bylaw to capture and impound any dog shall not be liable to the owner of the dog for general or special damages respecting any

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injury or damages caused while capturing or impounding such dog.

PART VI: GENERAL OFFENCES

6. 6.1 Any dog owner whose dog:
- (a) bites or attacks any person, or
 - (b) disturbs the quiet of any neighbourhood by barking, howling or in any other manner; or
 - (c) annoys pedestrians, or the riders or drivers of horses, bicycles, or motor vehicles, by running at such pedestrians, horses, bicycles, or motor vehicles; or
 - (d) damages public or private property is guilty of an offence.
- 6.2 (a) Any dog owner who permits his dog to run at large within the boundaries of the City is guilty of an offence.
- (b) For the purpose of Subsection 6.2 (a), where a dog is found to be running at large, it shall be deemed to be so with the owner's consent.
- 6.3 Any dog owner who allows his dog, other than a dog trained to assist and is assisting a person with a disability, to defecate on any public or private property other than his own and does not remove the defecation immediately is guilty of a nuisance offence.
- 6.4 Any dog owner who has his dog on any public or private property other than his own and who does not have on his/her person a receptacle bag, scoop or any other item capable of removing the dog's defecation is guilty of a nuisance offence.
- 6.5 Any person who is not the dog owner of a dog wearing a collar or metal tag, and who removes a collar or metal tag from the dog, is guilty of an offence.
- 6.6 Any dog owner of a rabid dog who fails to have such dog immediately destroyed, is guilty of an offence.
- 6.7 Any dog owner of an unspayed female dog who allows such dog to be upon a street while in heat, is guilty of an offence.
- 6.8 Any Dog Control Officer may, without notice to or complaint against the dog owner, impound, kill, or may kill on sight without impounding, any dog which is fierce or dangerous to human life.
- 6.9 (a) A judge, upon complaint being made to him that a dog is alleged to have:

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- (b) bitten or attempted to bite a person; or
- (c) viciously attacked another animal; or
- (d) whose owner has violated the provisions of Sections 5.5 (a) or 6.2 (a), on a minimum of three occasions within a six month period;

may summon the owner of the dog to appear and to show cause why the dog should not be destroyed.

- 6.10 The judge may, if from the evidence produced it appears that a dog has bitten a person, make an order directing:
- (a) that the dog be destroyed; or
 - (b) that the owner of the dog keep the dog under control.

PART VII: DANGEROUS DOGS

7. 7.1 A proceeding may be commenced in the Provincial Court against an owner of a dog if it is alleged that:
- (a) the dog has bitten or attacked a person or a domestic animal; or
 - (b) the dog has behaved in a manner that poses a menace to the safety of persons or domestic animals.
- 7.2 A person who wishes to commence a proceeding referred to in Section 7 shall:
- (a) complete a statement in the prescribed form under oath attesting, on reasonable grounds, to the existence of facts that would justify the order sought;
 - (b) serve a copy of the statement on the owner or owners of the dogs; and
 - (c) file a copy of the statement with the Provincial Court.
- 7.3 When a proceeding has been commenced under Section 7, the Provincial Court may, pending a determination of whether an order should be made under Subsection 7.2, make an interim order requiring the owner to take measures specified in the interim order for more effective control of the dog.
- 7.4 If, in a proceeding under Section 7, the Provincial Court finds that the dog has bitten or attacked a person or a domestic animal or that the dog's behaviour is such that the dog is a menace to the safety of persons or other animals, and the Provincial Court is satisfied that an order is necessary for the protection of the public, the Provincial Court may order:
- (a) that the dog be destroyed in the manner specified in the order;
 - (b) that the dog be neutered or spayed, as the case may be; or

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- (c) that the owner of the dog take the measures specified in the order for the more effective control of the dog or for purposes of public safety.
- 7.5 Measures that may be ordered under Subsections 7.3 or 7.4(c) include:
- (a) confining the dog to its owner's property;
 - (b) restraining the dog by means of a leash;
 - (c) restraining the dog by means of a muzzle; and
 - (d) posting warning signs.
- 7.6 If a dog whose destruction has been ordered under Subsection 7.4(a) is not taken into custody immediately, the owner shall restrain the dog by means of a leash and muzzle and such other means as the Provincial Court may order until the dog is taken into custody.
- 7.7 In exercising its powers to make an order under Subsection 7.4, the Provincial Court may take into consideration the following factors:
- (a) the dog's past and present temperament and behaviour;
 - (b) the seriousness of the injuries caused by the biting or attack;
 - (c) unusual contributing circumstances tending to justify the dog's action;
 - (d) the improbability that a similar attack will be repeated;
 - (e) the dog's physical potential for inflicting harm;
 - (f) precautions taken by the owner to preclude similar attacks in the future; and
 - (g) any other circumstances that the Court considers to be relevant.
- 7.8 Where, in a proceeding under Section 7, the Provincial Court finds that the dog has bitten or attacked a person or another animal or the dog's behaviour is such that the dog is a menace to the safety of persons or other animals, the Provincial Court may make an order prohibiting the dog's owner from owning another dog during a specified period of time.
- 7.9 Where a Justice of the Peace is satisfied by information on oath or affirmation that there are reasonable grounds to believe that:
- (i) a dog is in any building, receptacle or place, including a private dwelling; and
 - (ii) it is not in the interests of public safety for the dog to be in that location, the Justice of the Peace may issue a warrant authorizing a

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dog control officer named in the warrant to enter any building, receptacle or place, including a private dwelling, to search for and seize the dog and any muzzle, collar or other equipment for the dog.

- (a) Without limiting the generality of Subsection 7.9(ii), it is not in the interests of public safety for a dog to be in a location if:
 - (i) the dog has on one or more occasion, bitten or attacked a person or a domestic animal; or
 - (ii) the dog has on one or more occasion, behaved in a manner that poses a menace to the safety of persons or domestic animals.
- (b) A peace officer who is executing a warrant under this section may be accompanied by one or more veterinarians or animal control personnel as are reasonably required to give effect to the safe and humane seizure of the dog, whether the accompanying persons are named in the warrant or not.
- (c) Every warrant issued under this section shall name a date on which it expires, which date shall be not later than thirty (30) days after the date of its issue.
- (d) Every warrant shall be executed between 6 a.m. and 9 p.m. unless the warrant otherwise authorizes.

7.10 Where the circumstances in Sections 7.9(i) and (ii) exist and it would be impracticable to obtain a warrant due to exigent circumstances, a dog control officer may, without a warrant:

- (a) enter any building, receptacle or place, including a private dwelling, to search for and seize the dog and any muzzle, collar or other equipment for the dog; or
- (b) be accompanied by one or more veterinarians or animal control personnel as are reasonably required to give effect to the safe and humane seizure of the dog whether the accompanying persons are named in the warrant or not.

In this section, exigent circumstances include circumstances in which the peace officer has reasonable grounds to suspect that entry into any building, vehicle, receptacle or place, including a private dwelling, is necessary to prevent imminent bodily harm or death to any person.

7.11 A peace officer may seize a dog in a public place if the peace officer believes, on reasonable grounds that:

- (a) the dog has on one (1) or more occasions bitten or attacked a person or a domestic animal;
- (b) the dog has on one (1) or more occasions behaved in a manner that poses a menace to the safety of persons or domestic animals;

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- (c) an owner of the dog has on one (1) or more occasions failed to exercise reasonable precautions to prevent the dog from,
 - (i) biting or attacking a person or a domestic animal,
 - (ii) behaving in a manner that poses a menace to the safety of persons or domestic animals; or
- (d) there is reason to believe that the dog may cause harm to a person or domestic animal.

Section 7.11 shall not be interpreted to restrict seizure of a dog in a public place if the seizure is otherwise lawful.

- 7.12 A dog control officer may use as much force as is reasonably necessary to execute a warrant issued under Section 7.8 or to exercise any authority given by Section 7.9 or Section 7.10.
- 7.13 A dog control officer who seizes a dog under Sections 7.9, 7.10 or 7.11 shall promptly deliver the seized dog to a shelter operated by the individual or organization contracted on behalf of the City to enforce this bylaw.
- 7.14 No person shall obstruct, impede or assault a dog control officer, or any person assisting a dog control officer, while the dog control officer is exercising his or her authority or performing a duty under this Bylaw, and no person shall aid or assist any person in obstructing, impeding or assaulting a dog control officer.

PART VIII: ENFORCEMENT

- 8. 8.1 Every person who commits an offence under this Bylaw is guilty of an offence punishable on summary conviction and liable to:
 - (a) a minimum fine of not less than \$100.00 and not more than \$500.00 for a first offence; or
 - (b) a minimum fine of not less than \$200.00 and not more than \$1,000.00 for a subsequent offence; or
 - (c) imprisonment for a term not exceeding ninety (90) days; or
 - (d) both;and in default of payment of any fine imposed, to imprisonment for a further term, not exceeding 90 days.
- 8.2 In this Bylaw, words of the singular import the plural and words of the masculine gender include the female gender, and vice versa.
- 8.3 All existing Dog/Animal Control Bylaws of the former municipal units amalgamated under the Charlottetown Area Municipalities Act are hereby repealed and replaced with the former City of Charlottetown Dog Control Bylaw as hereby amended.

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SCHEDULE "A"

The schedule of fees for the licensing of dogs, kennels and keeping/impounding and destroying of same shall be as follows:

- (a) dog license: \$25 for each male and each female;
\$15 for each neutered male or spayed female
- (b) kennel license: \$100
- (c) handling fee: where a dog whether licensed or not is impounded in accordance with this Bylaw, such dog may be recovered by the owner within 5 days after impoundment upon payment of a handling fee, of not less than \$6.50 for each 24 hour period or portion thereof
- (d) impounding fee: first offence \$50;
second offence within 60 days \$150;
second offence beyond 60 days \$100;
third offence \$200
- (e) fee for destruction \$15

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Amendment Summary	Previous Wording	Amendment Detail	1st Reading	2nd Reading	3rd Reading
Bylaw became effective June 21, 1995		Bylaw became effective June 21, 1995. See Bylaw.	No Reading Papers		Approved 21-Jun-95
<p>To amend the Dog Control Bylaw by:</p> <ul style="list-style-type: none"> ◆ adding new definitions and Part VII “Dangerous Dogs” to provide information and additional direction for dealing with animals deemed as dangerous; ◆ adding wording clarity to various sections throughout; and ◆ increasing the maximum penalty for subsequent offences. 	<p>1.8 “Dog Owner” means a person who:</p> <ul style="list-style-type: none"> (a) is in possession of a dog; (b) harbours a dog; (c) suffers a dog to remain about his house or premises located within the City or; (d) registers a dog as herein provided; <p><i>Nothing</i></p>	<p>Amend/add new definitions:</p> <p>1.8 “Dog Owner” means a person who:</p> <ul style="list-style-type: none"> (a) is in possession of or harbours a dog; (b) has the care of or control of a dog; (c) suffers a dog to remain about his house or premises located within the City or; (d) registers a dog as herein provided; <p>and where the dog owner is a minor, the owner includes the person responsible for the custody of the minor.</p> <p>1.9 “Domestic Animal” means:</p> <ul style="list-style-type: none"> (a) any livestock; or (b) any companion animal, as defined in the <i>Companion Animal Protection Act</i> RSPEI 1988, Cap. C-14.1; <p>1.14 “Provincial Court” means the Provincial Court as established in the <i>Provincial Court Act</i> RSPEI 1988, Cap. P-25;</p>	11-Jul-05	11-Jul-05	28-Jul-05
	<i>Nothing</i>	<p>Add new section:</p> <p><u>PART VII - DANGEROUS DOGS</u></p> <p>7.</p> <p>7.1 A proceeding may be commenced in the Provincial Court against an owner of a dog if it is alleged that:</p> <ul style="list-style-type: none"> (a) the dog has bitten or attacked a person or a domestic animal; or (b) the dog has behaved in a manner that poses a menace to the safety of persons or domestic animals. <p>7.2 A person who wishes to commence a proceeding referred to in Section 7 shall:</p> <ul style="list-style-type: none"> (a) complete a statement in the prescribed form under oath attesting, on reasonable grounds, to the existence of facts that would justify the order sought; (b) serve a copy of the statement on the owner or owners of the dogs; and (c) file a copy of the statement with the Provincial Court. 			

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	<p>7.3 When a proceeding has been commenced under Section 7, the Provincial Court may, pending a determination of whether an order should be made under Subsection 7.2, make an interim order requiring the owner to take measures specified in the interim order for more effective control of the dog.</p> <p>7.4 If, in a proceeding under Section 7, the Provincial Court finds that the dog has bitten or attacked a person or a domestic animal or that the dog's behaviour is such that the dog is a menace to the safety of persons or other animals, and the Provincial Court is satisfied that an order is necessary for the protection of the public, the Provincial Court may order:</p> <ul style="list-style-type: none">(a) that the dog be destroyed in the manner specified in the order;(b) that the dog be neutered or spayed, as the case may be; or(c) that the owner of the dog take the measures specified in the order for the more effective control of the dog or for purposes of public safety. <p>7.5 Measures that may be ordered under Subsections 7.3 or 7.4(c) include:</p> <ul style="list-style-type: none">(a) confining the dog to its owner's property;(b) restraining the dog by means of a leash;(c) restraining the dog by means of a muzzle; and(d) posting warning signs. <p>7.6 If a dog whose destruction has been ordered under Subsection 7.4(a) is not taken into custody immediately, the owner shall restrain the dog by means of a leash and muzzle and such other means as the Provincial Court may order until the dog is taken into custody.</p> <p>7.7 In exercising its powers to make an order under Subsection 7.4, the Provincial Court may take into consideration the following factors:</p> <ul style="list-style-type: none">(a) the dog's past and present temperament and behaviour;(b) the seriousness of the injuries caused by the biting or attack;
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	<ul style="list-style-type: none">(c) unusual contributing circumstances tending to justify the dog's action;(d) the improbability that a similar attack will be repeated;(e) the dog's physical potential for inflicting harm;(f) precautions taken by the owner to preclude similar attacks in the future; and(g) any other circumstances that the Court considers to be relevant. <p>7.8 Where, in a proceeding under Section 7, the Provincial Court finds that the dog has bitten or attacked a person or another animal or the dog's behaviour is such that the dog is a menace to the safety of persons or other animals, the Provincial Court may make an order prohibiting the dog's owner from owning another dog during a specified period of time.</p> <p>7.9 Where a Justice of the Peace is satisfied by information on oath or affirmation that there are reasonable grounds to believe that:</p> <ul style="list-style-type: none">(i) a dog is in any building, receptacle or place, including a private dwelling; and(ii) it is not in the interests of public safety for the dog to be in that location, the Justice of the Peace may issue a warrant authorizing a dog control officer named in the warrant to enter any building, receptacle or place, including a private dwelling, to search for and seize the dog and any muzzle, collar or other equipment for the dog. <p>(a) Without limiting the generality of Subsection 7.9(ii), it is not in the interests of public safety for a dog to be in a location if:</p> <ul style="list-style-type: none">(i) the dog has on one or more occasion, bitten or attacked a person or a domestic animal; or(ii) the dog has on one or more occasion, behaved in a manner that poses a menace to the safety of persons or domestic animals. <p>(b) A peace officer who is executing a warrant under this section may be accompanied by one or more veterinarians or animal control personnel as are reasonably required to give effect to the safe and humane seizure of the dog, whether the accompanying persons are named in the warrant or not.</p>
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	<p>(c) Every warrant issued under this section shall name a date on which it expires, which date shall be not later than thirty (30) days after the date of its issue.</p> <p>(d) Every warrant shall be executed between 6 a.m. and 9 p.m. unless the warrant otherwise authorizes.</p> <p>7.10 Where the circumstances in Sections 7.9(i) and (ii) exist and it would be impracticable to obtain a warrant due to exigent circumstances, a dog control officer may, without a warrant:</p> <p>(a) enter any building, receptacle or place, including a private dwelling, to search for and seize the dog and any muzzle, collar or other equipment for the dog; or</p> <p>(b) be accompanied by one or more veterinarians or animal control personnel as are reasonably required to give effect to the safe and humane seizure of the dog whether the accompanying persons are named in the warrant or not.</p> <p>In this section, exigent circumstances include circumstances in which the peace officer has reasonable grounds to suspect that entry into any building, vehicle, receptacle or place, including a private dwelling, is necessary to prevent imminent bodily harm or death to any person.</p> <p>7.11 A peace officer may seize a dog in a public place if the peace officer believes, on reasonable grounds that:</p> <p>(a) the dog has on one (1) or more occasions bitten or attacked a person or a domestic animal;</p> <p>(b) the dog has on one (1) or more occasions behaved in a manner that poses a menace to the safety of persons or domestic animals;</p> <p>(c) an owner of the dog has on one (1) or more occasions failed to exercise reasonable precautions to prevent the dog from,</p> <p style="padding-left: 20px;">(i) biting or attacking a person or a domestic animal,</p> <p style="padding-left: 20px;">(ii) behaving in a manner that poses a menace to the safety of persons or domestic animals; or</p> <p>(d) there is reason to believe that the dog may cause harm to a person or domestic animal.</p> <p>Section 7.11 shall not be interpreted to restrict seizure of a dog in a public place if the seizure is otherwise lawful.</p> <p>7.12 A dog control officer may use as much force as is reasonably necessary to execute a warrant issued under</p>
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	<p>Section 7.8 or to exercise any authority given by Section 7.9 or Section 7.10.</p> <p>7.13 A dog control officer who seizes a dog under Sections 7.9, 7.10 or 7.11 shall promptly deliver the seized dog to a shelter operated by the individual or organization contracted on behalf of the City to enforce this bylaw.</p> <p>7.14 No person shall obstruct, impede or assault a dog control officer, or any person assisting a dog control officer, while the dog control officer is exercising his or her authority or performing a duty under this Bylaw, and no person shall aid or assist any person in obstructing, impeding or assaulting a dog control officer.</p>
<p>2.2 Subject to Section 2.3, any person who, after the 31st day of March in any year, becomes a dog owner of a dog not registered under this Bylaw, and who fails to register the same within ten days after becoming a dog owner, or pay the license fee as set out in Schedule "A" annexed to this Bylaw, is guilty of an offence.</p>	<p>Amended as follows:</p> <p>2.2 Subject to Section 2.3, any person who, after the 31st day of March in any year, becomes a dog owner of a dog not registered under this Bylaw and who:</p> <p>(a) fails to register the same within ten days after becoming a dog owner; or</p> <p>(b) fails to pay the license fee as set out in Schedule "A" annexed to this Bylaw;</p> <p>is guilty of an offence.</p>
<p>5.5 (a) The dog owner of any impounded dog may have the dog released, upon establishing his ownership of the dog, and upon paying the registration fee, if such dog is not registered, and a license fee where applicable, and upon payment of the fees of the poundkeeper of the organization in contract with the City, as specified in Schedule "A".</p>	<p>Amended as follows:</p> <p>5.5 (a) The dog owner of any impounded dog may have the dog released, upon establishing his ownership of the dog, and upon paying the registration fee, if such dog is not registered, and a license fee where applicable. The dog owner shall also pay the fees of the poundkeeper of the organization in contract with the City, as specified in Schedule "A".</p>

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<p>5.5 (c) Any dog which is impounded and cannot be sold, within a reasonable time subject to Subsection 5.5 (b) may be humanely destroyed or disposed of.</p>	<p>Amended as follows: 5.5 (c) Any dog which is impounded and cannot be sold, within the time specified in Subsection 5.5 (b) may be humanely destroyed or disposed of.</p>
<p>5.7 Any person authorized under this bylaw to capture and impound any dog shall not be liable in damages for any injury or damages caused to such dog while such dog is being captured and impounded.</p>	<p>Amended as follows: 5.7 Any person authorized under this bylaw to capture and impound any dog shall not be liable to the owner of the dog for general or special damages respecting any injury or damages caused while capturing or impounding such dog.</p>
<p>6.3 Any dog owner who allows his dog to defecate on any public or private property other than his own and does not remove the defecation immediately, is guilty of a nuisance offence.</p>	<p>Amended as follows: 6.3 Any dog owner who allows his dog, other than a dog trained to assist and is assisting a person with a disability, to defecate on any public or private property other than his own and does not remove the defecation immediately is guilty of a nuisance offence.</p>
<p>6.4 An owner of a dog who has his dog on any public or private property other than his own and who does not have on his/her person a receptacle bag, scoop or any other item capable of removing the dog's defecation is guilty of a nuisance offence.</p>	<p>Amended as follows: 6.4 Any dog owner who has his dog on any public or private property other than his own and who does not have on his/her person a receptacle bag, scoop or any other item capable of removing the dog's defecation is guilty of a nuisance offence.</p>
<p>6.7 Any dog owner of a bitch who suffers or permits such bitch to be upon a street while in heat, is guilty of an offence.</p>	<p>Amended as follows: 6.7 Any dog owner of an unspayed female dog who allows such dog to be upon a street while in heat, is guilty of an offence.</p>
<p>7.1 Every person who commits an offence under this Bylaw is guilty of an offence punishable on summary conviction and liable to: (a) (i) a fine in a first offence of not less than \$100.00 and not more than \$500.00; or (ii) a fine for a subsequent offence of not less than \$200.00 and not more than \$500.00 or</p>	<p>Amended and renumbered as follows: 8.1 Every person who commits an offence under this Bylaw is guilty of an offence punishable on summary conviction and liable to: (a) a minimum fine of not less than \$100.00 and not more than \$500.00 for a first offence; or (b) a minimum fine of not less than \$200.00 and not more than \$1,000.00 for a subsequent offence; or (c) imprisonment for a term not exceeding ninety (90) days; or (d) both;</p>

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	(b) imprisonment for a term not exceeding 90 days; or (c) to both; and in default of payment of any fine imposed, to imprisonment for a further term, not exceeding 90 days.	and in default of payment of any fine imposed, to imprisonment for a further term not exceeding ninety (90) days.			
To amend Bylaw by: <ul style="list-style-type: none"> • Section 1.11 – better define “Kennel” and in keeping with similar definition in Zoning and Development Bylaw • Section 3.1 – clarify penalty sections with respect to operating a “Kennel” 	1.11 “Kennel” means a shelter for three or more dogs;	Amended as follows: 1.11 “Kennel” means a building or structure where a dog or dogs kept for commercial breeding or showing, or for commercial boarding with or without veterinary care;	08-Nov-10	10-Jan-11	10-Jan-11
	3.1 Every person who: (a) keeps one or more dogs for breeding purposes; or (b) keeps more than two dogs in a dwelling unit or place of business; and who does not have a kennel license is guilty of an offence.	Amended as follows: 3.1 Every person who keeps a dog or dogs for commercial breeding or showing, or for commercial boarding with or without veterinary care who does not have a kennel license (as defined) an offence.			