

By-Law Concerning Animals

#03-02

CONSIDERING that the Council wishes to impose regulations to control animals (dogs and cats) within the municipal territory;

CONSIDERING that the Council wishes to impose on the owners of said animals the obligation to obtain a license, the rate of which is to be determined at the budget meeting each year, to ensure sufficient revenues to finance the cost of this By-Law;

CONSIDERING that the council wishes to decree that certain animals and/or situations and facts constitute a nuisance and wish to forbid it;

CONSIDERING that a notice of motion was given on the 5th of May 2003 and a resolution was adopted, unanimously by the Councillors present, on August 2nd, 2010;

IT IS THEREFORE proposed by Councillor François Blais and resolved that the following By-Law be adopted:

ARTICLE 1

For the purpose of this By-Law the following are definitions of the terms used;

Guardian:

Is the known guardian or owner, the person who is responsible for the animal;

Animal:

Dogs and/or cats;

Controller:

Beyond the police, the person that the Municipality has designated to put this regulation into effect;

Guide Dog:

A dog trained to guide a visually handicapped person;

Playground:

An open public space principally made up for leisure and sports;

AGREEMENTS

ARTICLE 3

The Municipality may sign agreements with the controller to authorize him to apply the municipal By-Law for said animals;

ARTICLE 4

The guardian of any dog, within the municipal limits, must before March 31st of each year obtain a license for his dog(s);

ARTICLE 5 This license is payable annually and is valid for one year from January 1st to December 31st. This license is continuous and non-refundable;

ARTICLE 6 The amount payable to obtain a dog license is to be determined by the Municipal Council in the budget each year.

The license is free if it is for a guide dog.

ARTICLE 7 **A)** Each request for a license should indicate the last name, first name, address and phone number of the person making the request. Also the breed and sex of the dog, along with any other information useful in establishing the dog's identity;
B) In each house there is an allowable maximum of three (3) dogs, three (3) cats or a combination of four (4) dogs and cats.

ARTICLE 8 When the request for a license is made by a minor, the Father, Mother or Guardian must make their consent known in written form;

ARTICLE 9 The request for a license should be made in writing on the form furnished by the controller or the Director General at the Town Hall;

ARTICLE 10 After obtaining payment the controller or Director General gives the guardian a tag indicating the year and the registration number for his dog;

ARTICLE 11 The guardian must ensure that the dog carries his tag at all times;

ARTICLE 12 The Director General keeps a record with all of the information concerning each guardian (name, address) and their animal(s) (tag number, name). The Controller will have a copy of this register.

ARTICLE 13 In the event of the loss or destruction of the tag, the owner or guardian may obtain another license at the Town Hall;

ARTICLE 14 A dog that is carrying his tag may be apprehended by the Controller and is subject to the terms written on forms 1A & 1B.

A dog that is not carrying his license may be apprehended by the Controller and kept in a designated area for two (2) days. After this time the dog will be brought to New Richmond and euthanized by the veterinarian.

ARTICLE 15 That which constitutes a nuisance and is therefore prohibited a dog barking or howling in such a way as to break the peace;

ARTICLE 16 That which constitutes a nuisance and is therefore prohibited, to keep a dog:
A) Which has already bitten another animal or a human being;
B) Which is a prohibited breed such as a bull-terrier, Staffordshire bull-terrier, American bull-terrier, or American Staffordshire terrier or any cross-breed carrying this race, commonly known as -Pit Bull-, or any breed or cross breed of Rottweiler. Except for any such breed living in the territory of Cascapedia-St-Jules before the adoption of this By-Law. After the death or loss of this dog, it may not be replaced with another of the same or prohibited breed.

ARTICLE 18 The Guardian cannot leave an animal free to wander a public site or on a private property other than his own, if the guardian is walking his dog on a Municipal or private road (other than his own) it is necessary to have the animal on a leash;

ARTICLE 19 When a dog bites a person his Guardian must advise the local Police as soon as possible or within 24 hours at the latest;

ARTICLE 20 The Council authorizes the controller to visit and check, between 7:00 AM and 7:00 PM any property (inside and/or outside) to ensure that the By-Law is being respected. All owners or occupants of said properties should welcome the controller and answer all questions he may ask regarding compliance with said By-Law. The Controller is authorized to request the presence of the Sûreté du Québec if he feels it is necessary;

ARTICLE 21 The Council authorizes, in a general matter, the Controller to deliver infraction notices for any infraction to this By-Law;

PENALTY DISPOSITION

This By-Law will operate under the “Three Strike System”, being;

Complaints against animals must be made in person and in writing at the Municipal Offices on the form provided by the Director General;

After a first complaint is made, the Director General will phone the guardian and let them know that a complaint has been made against their animal and outline the nature of the complaint made.

After a second complaint has been made (within the same year) against the same dog, the Director General will send a registered letter to the guardian of the animal outlining the nature of the complaint, a copy of the present By-Law and a fine of \$60.00;

After a third complaint has been made (within the same year) against the same dog, the Director General will notify the Controller to pick up the animal and bring it to the designated area. The guardian must pay all costs, fees and fines to the Director General at the Town Hall within 48 hours of being advised of the situation by the Director General. Only after paying all costs, fees and fines can the guardian pick up the animal at the designated area; this must also be done within the same 48 hours.

If the guardian refuses to pay said costs, fees and fines within the designated time frame of 48 hours the animal will be euthanized by a veterinarian and a bill to cover the costs associated with this will be sent to the guardian.

ARTICLE 22 Anyone, including an animals guardian, who, according to Articles 4, 5, 11,13, 14, 15, 16, 18, 19 and 20 commits an infraction is liable, in addition to costs and fees, of a fine in the amount of sixty dollars (\$60) for a first offence, one hundred and twenty dollars (\$120) for a second offense, and two hundred and forty dollars (\$240) for a third and subsequent infractions.

ARTICLE 23 This By-Law comes into effect according to the law.

Approved and adopted by the Municipal Council at a regular meeting held on August 2nd, 2010 and signed by the Mayor and the Director General.

Pat St. Onge, Mayor

Susan Legouffe, Director General