

Town Council of the Town of Marystown (Dog) Regulations

The following regulations have been made by the Town Council of Marystown under the provisions Section 414 of the *Municipalities Act, Chapter M-24, RSN 1999*, and were approved by me on this, the 17th day of February A.D., 2015.



Mayor



A/ Chief Administrative Officer

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1. These Regulations may be cited as the Town of Marystown (Dog) Regulations.
 2. Interpretations: In these Regulations, unless the context otherwise requires:
 - a) "Act" means the Municipalities Act
 - b) "Council" means the Town Council of Marystown
 - c) "Municipality" means the Town of Marystown as defined by Paragraph 2 or an Order-In-Council dated the 18th day of December A.D., 1951, and made under the provisions of the said Act
 - d) "Chief Administrative Officer" means the Chief Administrative Officer of the Town of Marystown or his/her duly authorized agent whose duty it shall be to see that these Regulations are implemented and enforced
 - e) "Dog" means any dog, male or female, and includes an animal which is a cross between a dog and a wolf
 - f) "Animal Control Officer" means any person appointed as such by council
 - g) "Licensing Officer" means any person appointed as such by Council
 - h) "License" means a valid numbered license issued in accordance with these Regulations authorizing the licensee to keep a dog in the licensing area or any part thereof and includes a valid renewal thereof
 - i) "Licensing Area" means the Town of Marystown in which the Town Council of the Town of Marystown has jurisdiction as defined in its Articles of Incorporation as subsequent amendments thereto
 - j) "Owner" means, when used in reference to the ownership of a dog, the person registered with the Town as the owner by means of a numbered dog tag or in the absence of a tag, the person who has custody, charge or possession of a dog or who is the owner of a house or premises or part of the premises where any dog is kept or permitted to live or remain, except where such person proves to the satisfaction of a Provincial Court Judge or Council that he or she was not, at the time in question, the owner of the dog
 - k) "Plaintiff" means the individual making a claim
 - l) "Puppy" means a dog of not more than four (4) months old, the proof of which shall be upon the owner

3. Health

The Animal Control Officer may inspect a dog(s), bedding, food, water, drugs or other thing related to a dog(s), or an activity which the Animal Control Officer has reasonable grounds to believe is related to a dog(s), or a place in which the Animal Control Officer has reasonable grounds to believe a dog(s), or information related to a dog(s), is kept or has been kept;

- a) Where the Animal Control Officer reasonably believes that it is necessary to carry out an inspection to determine the presence, absence or prevalence of a contagious or infectious disease, or to prevent the spread of a contagious or infectious disease.
- b) To determine compliance with these regulations or an order, a licence or a permit made under these regulations.

The Animal Control Officer may carry out an inspection under subsection (1) at a reasonable time either alone or accompanied by one or more veterinarians or other persons as her or she considers reasonably necessary.

The power to enter and inspect a place under this section shall not be exercised to enter and inspect a place that is a dwelling house except with the consent of the occupant or under a warrant.

The Animal Control Officer conducting an inspection under this section may;

- a) Pass through or over land without being liable for trespass or another action in relation to that land, in order to gain access to the place that is subject to the inspection.
- b) Enter and inspect the place and a dog(s), bedding, food, water, drugs or other things related to a dog(s) found there.
- c) Open a package, crate, cage, or other thing for the purpose of examining the contents.
- d) Detain, or order the owner to detain, or seize a dog(s) for the purpose of inspection, inoculation, or treatment for infectious or contagious disease, or to prevent the spread of that infectious or contagious disease, or for another purpose that is relevant to this regulation.
- e) Implement inoculations of dog(s) that may be considered necessary to prevent the spread of infectious or contagious disease, and treat a dog(s) suffering from or suspected of suffering from that infectious or contagious disease.
- f) Quarantine or dispose of a dog(s), or arrange for the quarantine or disposal of the dog(s), in accordance with the regulations or an order.
- g) Detain, or order the owner to detain, or seize bedding, food, drugs or other thing related to a dog(s).
- h) Mark a dog(s), a container or other thing that has been inspected for the purpose of identification.
- i) Take samples from or perform or arrange for tests on living or dead dog(s), bedding, food, drugs or other things related to dog(s) on, at or in the place, and may exhume or cause to be exhumed the carcass of a dog(s) to do these things.
- j) Conduct or cause to be conducted an examination with respect to a dead dog(s) and transport or cause to be transported the remains of the dog(s) for this purpose.