

RURAL MUNICIPALITY OF LA BROQUERIE
BY-LAW NO. 06-2016

Being a By-Law of the Rural Municipality of La Broquerie to provide for the regulation and control of dogs within the limits of the Municipality

WHEREAS subsection 232(1) of *The Municipal Act* (the “Act”) provides, in part, as follows:

Spheres of jurisdiction

232(1) A council may pass by-laws for municipal purposes respecting the following matters:

- a) the safety, health, protection and well-being of people and the safety and protection of property;...
- k) wild and domestic animals and activities in relation to them, including by-laws differentiating on the basis of sex, breed, size or weight;
- o) the enforcement of by-laws.

AND WHEREAS, it is deemed advisable to provide for the regulation and control of dogs within the limits of the Municipality;

NOW THEREFORE, the Council of the Rural Municipality of La Broquerie, in council duly assembled, enacts a by-law as follows:

PART 1 - DEFINITIONS AND INTERPRETATION

1. This By-Law may be referred to as the “Dog Control By-Law”.

2. DEFINITIONS:

In this By-Law, unless the context otherwise requires:

- a) **“Aggressor Animal”** shall have the meaning as similar to Dangerous Dog, as stated in section f.
- b) **“Animal Control Officer / By-Law Enforcement Officer”** means the person appointed by the Chief Administrative Officer and/or Council to enforce the provisions of this By-Law, and includes any person acting as an assistant to, or under the direction of the Animal Control Officer / By-Law Enforcement Officer authorized by the Chief Administrative Officer and/or Council.
- c) **“Chief Administrative Officer”** means the Chief Administrative Officer, Assistant Chief Administrative Officer, Acting Chief Administrative Officer of the municipality.
- d) **“Companion Dog”** means a dog used as a guide or for assistance to a disabled person.
- e) **“Current Rabies Vaccination”** means that the dog has been vaccinated for rabies in accordance with International Veterinary Protocol which calls for a primary vaccination, which is then followed with a booster vaccination not sooner than 60 days and not greater than one year after the primary vaccination, and is then subsequently vaccinated at regular intervals not exceeding three years.
- f) **“Dangerous Dog”** means any dog that has on at least one occasion, worried, attacked, injured or killed a person, livestock or any other animal, is a Pit-Bull, or that is for any other reason determined to be a risk to any person, livestock or any other animal, and that has been declared a Dangerous Animal under **section 13** of this By-Law.
- g) **“Dog”** means any member of the genus *Canis familiaris* (domestic dog).
- h) **“Animal”** refers to, for the purpose of this By-Law, any dog as defined above unless otherwise stated.
- i) **“Owner”** includes any person who owns, keeps, harbours or has possession or control of a dog, or who owns, leases or occupies, either solely or jointly with others, any premises containing the animal or which contained the animal immediately prior to an attack by the animal or apprehension of the animal by the Animal Control Officer / By-Law Enforcement Officer or any other person.
- j) **“Pound”** means any enclosure, premises or place, whether within or outside the Municipality designated by Council for the impoundment and care of any animal for the purposes of enforcing any provisions of this By-Law.
- k) **“Poundkeeper”** means the person appointed by Council, whether on a temporary or permanent basis, to operate and maintain a Pound, and to carry out the duties of a Poundkeeper as set out in **section 7** of this By-Law.
- l) **“Premises”** includes a building or accessory building and any lands on which the building is situated.

- m) **“Running at Large” Or “Run at Large”** means, in relation to a dog, that the dog is not:
- a) under the direct, continuous and effective control of a person competent to control it; or
 - b) securely confined within an enclosure or securely fastened so that it is unable to roam at will.
- n) **“Pit-Bull”** means
- i) Pit-Bull Terrier; or
 - i) Staffordshire Bull Terrier; or
 - ii) American Pit-Bull Terrier; or
 - iii) Any dog which has the appearance and physical characteristics predominantly conforming to the standards for any of the above breeds as determined by Canadian Kennel Club or the American Kennel Club and attached as **Schedule C** as determined by a veterinarian licensed to practice in Manitoba.

3. SPECIAL RESTRICTIONS

- a) In the event of an outbreak or threat of an outbreak of rabies or any other disease which can be transmitted through dogs, Council may require every Owner to confine his or her dog upon the Owner's property for such period of time as Council may determine.

PART II - ESTABLISHMENT OF POUND AND APPOINTMENT OF ANIMAL CONTROL OFFICER / BY-LAW ENFORCEMENT OFFICER AND POUNDKEEPER

4. ESTABLISHMENT OF POUND

Council may establish and maintain a Pound for the impoundment and care of animals apprehended pursuant to the enforcement of any provision of this By-Law, or Council may enter into an agreement with any person (including with any other municipality, city, town or organization) to establish and maintain a Pound on their behalf.

5. APPOINTMENTS

- 1) **Animal Control Officer / By-Law Enforcement Officer**
The Chief Administrative Officer and/or Council may appoint one or more persons as Animal Control Officer(s) to carry out the enforcement of this By-Law. The Animal Control Officer and By-Law Enforcement Officer shall be a designated officer under the *Municipal Act*.
- 2) **Poundkeeper**
The Chief Administrative Officer and/or Council may appoint one or more persons as Poundkeeper(s) to carry out the duties of the Poundkeeper set out in this By-Law. The Poundkeeper shall be a designated officer under the *Municipal Act*.
- 3) **Common Animal Control Officer / By-Law Enforcement Officer and Poundkeeper**
At the discretion of the Chief Administrative Officer and/or Council, the Animal Control Officer / By-Law Enforcement Officer may also serve as Poundkeeper, and vice versa.
- 4) **Kennel and Boarding Facilities**
Regulations regarding animal boarding shall apply as they appear in of the RM of La Broquerie Zoning By-Law 10-2013 and identified in Sections 13 and 14.

6. RESPONSIBILITIES AND POWERS OF THE ANIMAL CONTROL OFFICER/BY-LAW ENFORCEMENT OFFICER

The Animal Control Officer / By-Law Enforcement Officer:

- 1) may apprehend and confine any dog which is Running at Large within the Municipality contrary to the provisions of this By-Law, or which is kept or harboured by, or in the possession or control of, any person that is in breach of this By-Law or of any other laws or regulations pertaining to animals or the conditions of any permit or license;

- 2) must make reasonable attempts to notify the Owner of every animal impounded, if the identity of the Owner is known, by direct contact with the Owner or by leaving a notice at the last known address of the Owner, which notice shall be in the form set out in **Schedule B** hereto attached and shall state the place and time that the animal was apprehended, the place and time when the animal can be redeemed from the Pound, the impoundment fee, any daily Pound fees and other costs or fees to be charged to the Owner, and the date after which the animal will be sold or humanely euthanized if not redeemed;
- 3) must keep a record of all bite incidents, identifying the Aggressor Animal and the details of the incident, and such record may be used in any hearing or appeal with respect to the Dangerous Animal provisions contained herein;
- 4) may use a tranquilizer gun for the purpose of capturing any animal found to be Running at Large within the Municipality, provided however that if the Animal Control Officer / By-Law Enforcement Officer or the Poundkeeper, as applicable, is not a licensed veterinarian, no such tranquilizer gun shall be used without the authority of a licensed veterinarian present at the time of use.
- 5) is responsible for the enforcement of this By-Law.

7. RESPONSIBILITIES AND POWERS OF THE POUNDKEEPER

The Poundkeeper:

- 1) must provide sufficient food and clean water, adequate shelter and a safe and sanitary environment for every animal impounded;
- 2) notwithstanding anything contained in this by-law, where a licensed veterinarian certifies that an impounded dog is so seriously injured or sick that it would be inhumane to allow it to live, may cause the dog to be destroyed forthwith;
- 3) must keep a record of every animal impounded, which record shall include the following minimum information:
 - a. a description in reasonable detail of the animal (including, the approximate weight, height and color of the animal, as well as the gender and breed of the animal);
 - b. the day and hour of its impoundment;
 - c. the day and hour of its redemption, sale, disposition or destruction, together with the details of redemption, sale, disposition or destruction;
 - d. the name and address of the Owner (being the person to whom the animal was sold or released), and the license number on the animal's tag (if applicable);
 - e. the amount and particulars of all fees, fines and other charges invoiced to, and received from or on behalf of, the Owner and the name and address of the payor (if different from the Owner); and
 - f. such other particulars as the Municipality shall direct from time to time.
- 4) where the Municipality has entered into a contract with a private party for the operation of the Pound, the Poundkeeper shall observe all terms and conditions of the contract with the Municipality for the operation of the Pound, including, without limitation, the provisions concerning the charging and collection of fees, the remittance of amounts due to the Municipality, and the submission of all reports and statements required to be submitted to the Municipality under the said contract;
- 5) must keep any impounded dog for a minimum period of 3 days, which shall include the day of impoundment but shall exclude Sundays and any statutory holidays during which the Pound is closed to the public;
- 6) if, after expiration of the minimum period of impoundment set out in sub- paragraph 5 above, a dog has not been redeemed, it will be the duty of the Poundkeeper to do one of the following with the impounded animal:
 - a. sell or otherwise dispose of the impounded dog to any person for an amount not less than the applicable Pound fees accrued in respect of the impounded animal as set forth in this By-Law, unless such fees are otherwise waived by the Municipality or by the Poundkeeper on the express authority of the Municipality; or

- b. cause the impounded dog to be humanely euthanized unless the Municipality, or the Poundkeeper on the express authority of the Municipality, agrees to or directs an extended period of impoundment, in which case the impounded dog will be held until the earlier of the date that it is sold or otherwise disposed of to a person in accordance with sub-paragraph 6 above or until expiry of the extended period of impoundment, before it is humanely euthanized.
- 7) the Municipality may vary the terms, conditions and duties of the Poundkeeper by contract with a private party. Where it is permitted under the contract with the Municipality, the Poundkeeper may, at his or her sole cost and expense, keep an impounded animal for longer than the minimum hold period, and may sell or otherwise dispose of the impounded animal for an amount less than the applicable Pound fees, provided however that the Poundkeeper shall remain responsible to the Municipality for all amounts due to the Municipality under its contract with the Poundkeeper.

8. RABIES VACCINATION

An Owner of a dog must ensure that it is properly vaccinated. The Animal Control Officer / By-Law Enforcement Officer may at any time request that an Owner provide proof that the Owner's dog has a Current Rabies Vaccination status and, if the Owner cannot produce such proof, the Animal Control Officer / By-Law Enforcement Officer may apprehend and impound the dog.

9. RESPONSIBILITY OF OWNERS REGARDING DOGS

- a. No Owner of a dog shall permit the dog to Run at Large or permit the dog on public property (including parkland area) unless the dog is on a leash (which leash shall be no longer than six feet in length, fully extended) and the dog is in the actual custody and effective control of the Owner or a person competent to control it. When a dog is found Running at Large, its Owner shall be deemed to have failed or refused to comply with this subsection.
- b. Any Resident of the Municipality may apprehend and confine a dog which is running at large and which is on their property and shall immediately thereafter inform the Animal Control Officer of the apprehension and confinement of said dog, and then shall as soon as practical, attend upon the complaint to take possession of the dog.
- c. No Owner of a dog shall permit the dog to bark or howl, or in any other way unduly disturb the quiet of anyone anywhere in the Municipality. Regulations regarding Noise shall apply as they appear in any RM of La Broquerie Noise By-Law.
- d. No Owner of a dog shall permit the dog to defecate on any public or private property other than the property of its Owner. Where a dog defecates on property other than the property of its Owner, the Owner shall cause such excrement to be removed forthwith.
- e. No Owner of a dog shall permit the dog to damage public property or private property other than that of the Owner. Where public or private property has been damaged by a dog, its Owner shall be deemed to have failed or refused to comply with this subsection.
- f. No Owner of a dog shall own, keep, harbour or have possession or control of any Dog determined to be a Dangerous Animal unless such dog is kept at all times in accordance with the provisions of **Part IV**. Violation of this section can result in a continued offence being committed and as such fines could be applied on a daily basis.
- g. No Owner of a dog shall permit the dog to pursue, bite, wound or worry any person or animal, whether or not on the property of the Owner.
- h. No Owner of a dog shall permit the dog to upset waste receptacles, household garbage or otherwise litter.
- i. An Owner of a dog that has bitten a person must report the incident to the Animal Control Officer /By- Law Enforcement Officer or the Chief Administrative Officer within 48 hours.

10. PIT-BULLS

- a. Any Pit-Bull within the Rural Municipality of La Broquerie is and shall be conclusively deemed a dangerous dog/aggressor dog.
- b. The owner of a Pit-Bull shall remove the dog from the Rural Municipality of La Broquerie forthwith and provide sufficient evidence thereof to the Municipality, or deliver the dog to the pound for destruction.

11. REDEMPTION

Unless an impounded dog is determined to be a Dangerous Animal, the Owner of any Dog, impounded by the Animal Control Officer / By-Law Enforcement Officer may be redeemed within 3 days of the apprehension and impoundment by applying to the Poundkeeper for redemption and paying:

- a) the impoundment fine as set out in **Schedule A**;
- b) the pound fee calculated by using the actual costs of the Pound Keeper.

12. MAXIMUM NUMBER OF DOGS

A person shall not own, harbour, keep or have in possession or control more than 2 dogs.

This does not apply to any premises occupied by a duly qualified veterinarian surgeon for the practice of the owners profession, a bona fide pet store operated in commercial premises, or commercial or licensed kennels; providing in all cases that they are permitted under the Zoning By-Law and operating in compliance with it.

13. LICENSING OF DOGS:

Kennel Fees:

- a) the commercial dog kennel license fees shall be set at \$150.00 per year.

Licensing: Dog Licensing to begin effective January 1, 2017.

Urban Centres (Village of La Broquerie, Marchand, Zhoda) and Rural Residential Areas:

- a. The owner of every dog over the age of six (6) months shall obtain and renew annually, a license to keep the dog, which license shall require the payment of the annual fee as set out in **Schedule D** hereto attached. The owner shall ensure that the license tag issued for the dog is securely fastened to a collar worn around the neck of the dog in respect of which the tag was issued. Any failure to obtain or keep current the required license or to ensure that the license tag issued for the dog is securely fastened to the dog's collar shall constitute an offense under this By-Law.
- b. The required dog license may be sold by the Animal Control Officer/Animal Control Officer / By-Law Enforcement Officer, Administration of the Municipality, by any veterinary clinic or animal hospital within the area of the Rural Municipality of La Broquerie which is designated by Council as a veterinary clinic or animal hospital eligible as a vendor of such licenses or by any other vendor designated by the Municipality.
- c. The license fee hereby imposed shall be due and payable on the 1st day of January in each year and shall expire on the 31st day of December in the year in which the license fee was levied and paid.
- d. Where the license tag is lost or damaged, the owner shall forthwith apply for a replacement license tag, the cost of which is set out in **Schedule D** hereto attached.
- e. Where a change in ownership of a dog licensed hereunder occurs during the license year, the new owner shall, within thirty (30) days of acquiring the dog, have the current license transferred to his name upon payment of the transfer fee prescribed in **Schedule D** hereto attached. Any failure to report a change in ownership or to pay the prescribed
- f. transfer fee shall constitute an offense under this By-Law.
- g. Every dog owner must produce, before a license is issued or renewed for the dog, evidence of a current rabies vaccination status for that dog from a licensed veterinarian.
- h. A dog owner does not have to produce evidence of a current rabies vaccination status in order to obtain or renew a license in respect of his dog if he can produce a statement in writing signed by a licensed veterinarian certifying that the dog cannot be vaccinated for rabies for medical reasons.

14. DOG KENNELS

- (a) No more than two dogs over the age of 3 months may be harbored in any household, unless and until a dog kennel license for such household has been approved and issued by the Council of the Municipality.
- (b) The Council of the Municipality shall not issue a dog kennel license if it is of the opinion that the operation of such dog kennel may be injurious to the interest of occupants or owners of property in the vicinity.
- (c) No dog kennel license shall be issued except with the approval of the Council of the Municipality by resolution.
- (d) Every dog kennel license shall expire on the 31st day of December next after the license became effective.
- (e) Any person who intends to establish a commercial dog kennel shall apply in writing to the Chief Administrative Officer the location of the kennel, the number of dogs to be kept and the intended purpose of the commercial dog kennel in accordance with the Zoning By-Law.

PART IV - DANGEROUS DOGS/AGGRESSOR DOGS

15. DANGEROUS DOGS/AGGRESSOR DOGS

- 1) The Animal Control Officer / By-Law Enforcement Officer will apprehend, impound and place in quarantine any dog that he or she has reason to believe has bitten a person (Dangerous Dog/Aggressor Dog). If in the Animal Control Officer / By-Law Enforcement Officer's discretion, such action in respect of the dog is necessary for the protection of the public; whether on private Premises or elsewhere, and whether or not the skin was directly punctured or lacerated by the bite, except that this provision shall not apply to a Police Service Dog owned by a public law enforcement agency and under the control of a qualified dog handler.
- 2) The Owner of the Dangerous Dog/Aggressor Dog must surrender it to the Animal Control Officer / By-Law Enforcement Officer on request. If the dog is not voluntarily surrendered to the Animal Control Officer / By-Law Enforcement Officer by the Owner, the Animal Control Officer / By-Law Enforcement Officer shall be empowered to apprehend and impound the Dangerous Dog/Aggressor Dog and, if necessary, to apply to a provincial court judge, magistrate or justice of the peace, as required, in order to obtain authorization to enter the personal residence of the Owner for the purpose of apprehending and impounding the dangerous dog.
- 3) Any Dangerous Dog/Aggressor Dog so apprehended and impounded at the Pound shall be quarantined for a minimum of 10 consecutive days at the Owner's expense, commencing from the date of impoundment (the "quarantine period").
- 4) If, in the opinion of a licensed veterinarian, the animal impounded poses no health risk, the animal may be released to the Owner prior to the completion of a 10 day mandatory quarantine.
- 5) Subject to a determination by the Animal Control Officer / By-Law Enforcement Officer pursuant to subsection 7) below that the animal is not a Dangerous Dog/Aggressor Dog, the animal may be released to the Owner after expiry of the prescribed quarantine period upon payment by the Owner to the Poundkeeper of a Pound fee calculated at the daily rate set out in **Schedule A** together with any costs, fees or fines assessed against the Owner hereunder. In the event that the Owner fails to redeem the Dangerous Dog/Aggressor Dog from the Pound within three (3) days after expiry of the quarantine period, the animal shall be sold or humanely euthanized at the discretion of the poundkeeper.
- 6) The head of any Dangerous Dog/Aggressor Dog quarantined for biting that dies while quarantined and prior to the veterinary examination required pursuant to subsection 7) below, shall be submitted to the Canadian Food Inspection Agency for rabies examination.
- 7) Every Dangerous Dog/Aggressor Dog shall be examined by a licensed veterinarian approved by the Animal Control Officer / By-Law Enforcement Officer prior to release from quarantine. The determination as to whether or not the Dangerous Dog/Aggressor Dog can be released from quarantine or must be humanely euthanized, shall be at the discretion of the Animal Control Officer / By-Law Enforcement Officer and/or Council based upon the following factors:
 - a) the medical report of the licensed veterinarian who has examined the Dangerous Dog/Aggressor Dog;
 - b) whether or not the public health authorities are prepared to consent to the release of the Dangerous Dog/Aggressor Dog;
 - c) the severity of the bite incident, the circumstances surrounding the incident and the consequences of the incident;

- d) whether or not the Dangerous Dog/Aggressor Dog is, in the opinion of the Animal Control Officer / By-Law Enforcement Officer, a Dangerous Dog/Aggressor Dog and, if yes, whether a condition imposed under section 14 have been complied with;
- e) proof that the Dangerous Dog/Aggressor Dog does not have rabies, and that the Dangerous Dog/Aggressor Dog has a Current Rabies Vaccination status at the date of the bite incident.

16. DETERMINATION THAT A DOG IS A DANGEROUS DOG

1. Animal Control Officer / By-Law Enforcement Officer to Arrange Hearing

Where the Animal Control Officer / By-Law Enforcement Officer has reason to believe that a dog is a Dangerous Dog, he or she shall arrange a hearing before Council to determine whether or not the said animal should be declared a Dangerous Dog. In the event that an Owner voluntarily accepts the Dangerous Dog declaration and the recommended disposition of the matter made by the Animal Control Officer / By-Law Enforcement Officer, a hearing before Council may be dispensed with, and the recommended disposition of the matter shall constitute a final order in respect of which there is no appeal.

2. Quarantine

Where it is deemed necessary by the Animal Control Officer / By-Law Enforcement Officer to protect the public or other animals pending the decision of Council, the Animal Control Officer / By-Law Enforcement Officer may:

- i) require that the animal be quarantined in the Pound until the Animal Control Officer / By-Law Enforcement Officer determines that it is safe to release the animal to the custody of the Owner or until Council hears the matter and issues its determination; or
- ii) may impose any conditions required to protect the public or other animals, not limited to dogs, upon the Owner's custody of the animal, which conditions shall apply until the Animal Control Officer / By-Law Enforcement Officer determines that it is safe to remove the conditions or until Council hears the matter and issues its determination.

3. Notice of Hearing

The Municipality shall provide written notice of the hearing to the Owner of the dog at least three days in advance of the hearing by serving notice upon the Owner or by mailing the notice by registered mail to the last known address of the Owner. The Animal Control Officer / By-Law Enforcement Officer shall be entitled to mail the said notice to the last address provided by the Owner to the Municipality. The notice shall include the following minimum information:

- i) the time, place and purpose of the hearing;
- ii) a summary of the reasons in support of the allegation that the animal is dangerous;
- iii) a copy of this By-Law; and
- iv) a statement that if the Owner does not attend the hearing, the matter will be dealt with in the Owner's absence and that he or she will not be entitled to any further notice or appeal in regard to the proceedings concerning the animal.

4. Dog to be Confined Pending Final Outcome of Hearing

- i) Every Owner who has received notification from the Municipality pursuant to subsection 3 above that a determination hearing will be held with respect to their animal, shall ensure that the animal remains confined upon the Premises of the Owner pending the final outcome of the hearing.
- ii) Subsection i) above shall not apply if the animal is impounded or the Animal Control Officer / By-Law Enforcement Officer receives written confirmation from a licensed veterinarian that the animal has been placed in quarantine pending outcome of the hearing.

5. Hearing

- a) The Owner has the right to appear at the hearing, with or without counsel, and to make submissions to Council and call evidence. The Owner also has the right to hear all of the evidence and submissions presented at the hearing by or on behalf of the Animal Control Officer / By-Law Enforcement Officer and to inspect any documents filed by or on behalf of the Animal Control Officer / By-Law Enforcement Officer, and to respond to same.
- b) Where the Owner does not attend at the hearing, having been given notice as provided in accordance with **Section 15**, Council shall be entitled to deal with the matter in the Owner's absence, and the Owner shall not be entitled to any further notice or appeal in regard to the proceedings concerning the dog. The Owner shall be notified of the decision of Council by notice in writing delivered by personal service or registered mail in the manner set out in subsection 3) above.

6. Decision of Council

Within five (5) working days of the hearing, Council shall issue a written decision in accordance with the following provisions:

- a) Council shall make an order declaring the dog to be a Dangerous dog if in their opinion:
 - i) the dog has caused injury to or killed a person, whether on public or private property; or
 - ii) the dog has seriously injured or killed any other domestic animal, or any livestock without provocation; or
 - iii) the dog is used primarily for the purpose of guarding property and is not a police service dog owned by a public law enforcement agency.
- b) Council may make an order declaring the dog to be a Dangerous dog if, in their opinion, there is a material risk that the dog may cause damage or injury to a person or property or any other animal, taking the following non-exhaustive factors into account:
 - i) whether the dog has worried, bitten, wounded or injured any person or animal, or is otherwise a Dangerous Dog/Aggressor Dog;
 - ii) the circumstances surrounding any previous worrying, biting or wounding incidents; and
 - iii) whether the dog, when unprovoked, has shown a tendency to pursue, chase or approach in a menacing fashion, any person or any other animal upon any public or private property.
- c) Council shall deliver a copy of their decision to the Owner in the manner provided in **subsection 3**. There shall be no obligation upon Council to issue written reasons for their decision.

17. CONSEQUENCES OF DANGEROUS DOG DECLARATION

Council shall determine whether the Dangerous Animal should be humanely euthanized or released to the Owner subject to any conditions that Council deems appropriate including that it be removed from the Municipality.

18. DESTRUCTION OF DANGEROUS DOG/AGGRESSOR DOG

- a) Where it appears on reasonable grounds that an Owner has breached a condition of this By-Law in respect of an animal that has been declared dangerous or if an Dangerous Dog/Aggressor Dog has caused injury or damage to any person, property or any other animal, or if the Animal Control Officer / By-Law Enforcement Officer otherwise has reasonable grounds to believe that an animal presents a risk to any person, property or any other animal and such animal has been declared a Dangerous Animal by Council, the Animal Control Officer / By-Law Enforcement Officer may apprehend and impound the animal for the purpose of destroying it. In the event that an animal is causing an immediate risk to any person, property or any other animal, not limited to dogs the Animal Control Officer / By-Law Enforcement Officer is authorized to apprehend and impound the said animal notwithstanding that it has not been declared to be a Dangerous Animal by Council at the time of its apprehension and impoundment.
- b) When the Animal Control Officer / By-Law Enforcement Officer impounds an animal under this section for the purpose of destruction of the animal, he or she shall give the Owner written notice, delivered to the last known address of the Owner, that the animal will be humanely euthanized after the expiry of 10 consecutive days from the date of the notice. The Owner may, during that time period, appeal the decision of the Animal Control Officer / By-Law Enforcement Officer to Council by providing notice in writing to the Chief Administrative Officer, in which case Council shall hold a hearing at a regularly scheduled or special meeting of Council as to whether or not the animal should be humanely euthanized, which hearing shall be carried out in accordance with the provisions of **section 15** hereof. The animal shall remain quarantined in the Pound pending the outcome of the hearing. All related costs will be the responsibility of the Owner.

PART V - GENERAL PROVISIONS

19. a) Interference with Enforcement

It shall be an offence under this By-Law for a person to interfere or obstruct any attempt by the Animal Control Officer / By-Law Enforcement Officer, Poundkeeper or the Council from carrying out its duties and obligations hereunder. Without limiting the generality of the foregoing, no person shall interfere or obstruct or attempt to interfere or obstruct an Animal Control Officer / By-Law Enforcement Officer, the Poundkeeper, a police officer or any other person authorized to apprehend and impound an animal Running at Large, who is attempting to apprehend or impound, or who has apprehended and impounded, any animal in accordance with the provisions of this By-Law.

b) Right of Entry

1) The Animal Control Officer / By-Law Enforcement Officer or any other person appointed by the Municipality to enforce the provisions of this By-Law or any other law, rule or regulation pertaining to animal care or custody, may lawfully enter upon the land and buildings of an animal Owner or any other person, other than the personal residence of an individual, for the purposes of apprehending an animal Running at Large, to ensure compliance with this By-Law (including, without limitation, any license or permit issued pursuant to this By-Law) or to otherwise enforce the provisions of this By-Law, but shall not enter the personal residence of any individual without the consent of the Owner or occupant of the personal residence or a valid warrant or order from a provincial court judge, magistrate or justice of the peace, as required to permit such entry.

2) The Owner of any dog that has bitten any person or any other animal shall present the said animal to the door of his or her dwelling upon the request of the Animal Control Officer / By-Law Enforcement Officer, to assist the Animal Control Officer / By-Law Enforcement Officer to apprehend and impound the said animal.

c) Complainant Identification

Any person who makes a complaint alleging an offence under this By-Law against another person shall provide to the Animal Control Officer / By-Law Enforcement Officer his or her name, address and telephone number. It shall be at the discretion of the Animal Control Officer / By-Law Enforcement Officer whether or not to proceed based on an anonymous complaint or information.

20. PENALTIES

1) Any person who contravenes any provision of this By-law is guilty of an offence and is liable to fines as shown in **Schedule A**.

2) Any person who interferes with or obstructs the duties of an Animal Control Officer / By-Law Enforcement Officer, a Poundkeeper or any other person authorized to enforce any provisions of this By-Law, or who unlawfully enters any Pound or unlawfully removes any animal impounded, is guilty of an offence and is liable:

a) To a fine of not less than \$500.00 and not more than \$1,000.00, per dog per day that the offence continues, plus all applicable costs and penalties.

3) The costs of any action taken by the Municipality hereof are a debt owing to the Municipality by the person who contravened this By-law and, in the event of non-payment, is collectible by the Municipality in the same manner as a tax may be collected or enforced under the Municipal Act.

4) Where a corporation commits an offence under this by-law, each director or officer of the corporation who authorized, consented to, connived at, or knowingly permitted or acquiesced in, the doing of the act that constitutes the offence, is likewise guilty of the offence and liable for the penalties provided for herein.

21. AMENDMENT

Council may amend this By-Law by resolution.

22. REPEAL OF BY-LAWS

By-Law No. 8-2006 is hereby repealed.

DONE AND PASSED by the Council of the Rural Municipality of La Broquerie in Council duly assembled in LUD of La Broquerie, Manitoba, this 10th day of August A.D. 2016.

Reeve

Chief Administrative Officer

Read a first time this 13th day of January A.D. 2016

Read a second time this 10th day of August A.D.2016.

Read a third time this 10th day of August A.D.2016.

Schedule A
Rural Municipality of
LaBroquerie
By-Law No. 6-2016 Dog Control
By-Law Schedule A –
Impoundment Fees and Fines

For dogs that are apprehended for running at large or that was for any other reason, impounded by the Animal Control / Animal Control Officer / By-Law Enforcement Officer to be remitted to the Municipality:

For first impoundment, flat fee: \$75.00
 For each day of impoundment, add: \$15.00

For second impoundment, flat fee: \$150.00
 (if occurring within 12 months of the first offence) For each day of impoundment, add: \$15.00

Impoundment fees for dangerous animals, quarantined animals and other: Actual Costs.

For dogs that are apprehended for running at large or that was for any other reason, impounded by the Animal Control Officer / By-Law Enforcement Officer to be retained by the Animal Control Officer / By-Law Enforcement Officer.

For each day of impoundment \$17.00
 Apprehension fee \$50.00

Impoundment and fee (see section 20, Penalties)

Penalties per dog

Offences as described in section 9	First Offence	Second Offence	Third Offence	Subsequent offences
Running at large (a)	\$100.00	\$250.00	\$500.00	\$500.00
Improper Defecation (c)	\$50.00	\$100.00	\$250.00	\$250.00
Property damage (e)	\$75.00	\$150.00	\$300.00	\$500.00
Harbour dangerous dog (f)	\$100.00	\$250.00	\$500.00	\$500.00
Bite, worry or wound (g)	\$150.00	\$300.00	\$500.00	\$1,000.00
Upset waste receptacles (j)	\$50.00	\$100.00	\$250.00	\$250.00

**Rural Municipality of
La Broquerie
By-Law No. 6-2016 Animal Control
By-Law Schedule B
Notice of Impoundment**

Name and Address of Animal Owner:

Description of Animal:

Date of Apprehension:

Time of Apprehension:

Location Animal Apprehended:

Place of Impoundment:

Hours of Operation of Pound:

Phone No of Pound:

Daily Pound Fee:

Impoundment Fee and/or Fine:

Method of Payment Required:

Day the animal will be sold or destroyed:

Date:

Enforcement Officer:

Signature:

Schedule C

BULL TERRIER**White**

The Bull Terrier must be strongly built, muscular, symmetrical and active, with a keen determined and intelligent expression, full of fire but of sweet disposition and amenable to discipline.

Head Should be long, strong and deep right to the end of the muzzle, but not coarse. Full face it should be oval in outline and be filled completely up giving the impression of fullness with a surface devoid of hollows or indentations, i.e., egg shaped. In profile it should curve gently downwards from the top of the skull to the tip of the nose. The forehead should be flat across from ear to ear. The distance from the tip of the nose to the eyes should be perceptibly greater than that from the eyes to the top of the skull. The underjaw should be deep and well defined.

Lips Should be clean and tight.

Teeth Should meet in either a level or in a scissors bite. In the scissors bite the upper teeth should fit in front of and closely against the lower teeth, and they should be sound, strong and perfectly regular.

Ears Should be small, thin and placed close together. They should be capable of being held stiffly erect, when they should point upwards.

Eyes Should be well sunken and as dark as possible, with a piercing glint and they should be small, triangular and obliquely placed; set near together and high up on the dog's head. Blue eyes are a disqualification.

Nose Should be black, with well-developed nostrils bent downward at the tip.

Neck Should be very muscular, long, arched and clean, tapering from the shoulders to the head and it should be free from loose skin.

Chest Should be broad when viewed from in front, and there should be great depth from withers to brisket, so that the latter is nearer the ground than the belly.

Body Should be well rounded with marked spring of rib, the back should be short and strong. The back ribs deep. Slightly arched over the loin. The shoulders should be strong and muscular but without heaviness. The shoulder blades should be wide and flat and there should be a very pronounced backward slope from the bottom edge of the blade to the top edge. Behind the shoulders there should be no slackness or dip at the withers. The underline from the brisket to the belly should form a graceful upward curve.

Legs Should be big boned but not to the point of coarseness; the forelegs should be of moderate length, perfectly straight, and the dog must stand firmly upon them. The elbows must turn neither in nor out, and the pasterns should be strong and upright. The hind legs should be parallel viewed from behind. The thighs very muscular with hocks well let down. Hind pasterns short and upright. The stifle joint should be well bent with a well-developed second thigh.

Feet Round and compact with well-arched toes like a cat.

Tail Should be short, set on low, fine, and ideally should be carried horizontally. It should be thick where it joins the body, and should taper to a fine point.

Coat Should be short, flat, harsh to the touch and with a fine gloss. The dog's skin should fit tightly.

Color Is white though markings on the head are permissible. Any markings elsewhere on the coat are to be severely faulted. Skin pigmentation is not to be penalized.

Movement The dog shall move smoothly, covering the ground with free, easy strides, fore and hind legs should move parallel each to each when viewed from in front or behind. The forelegs reaching out well and the hind legs moving smoothly at the hip and flexing well at the stifle and hock. The dog should move compactly and in one piece but with a typical jaunty air that suggests agility and power.

Faults Any departure from the foregoing points shall be considered a fault and the seriousness of the fault shall be in exact proportion to its degree, i.e. a very crooked front is a very bad fault; a rather crooked front is a rather bad fault; and a slightly crooked front is a slight fault.

Disqualification *Blue eyes.*

Colored

The Standard for the Colored Variety is the same as for the White except for the sub head "Color" which reads: **Color**. Any color other than white, or any color with white markings. Other things being equal, the preferred color is brindle. A dog which is predominantly white shall be disqualified.

Disqualifications *Blue eyes. Any dog which is predominantly white.*

Approved July 9, 1974

<http://images.akc.org/pdf/breeds/standards/BullTerrier.pdf>

STAFFORDSHIRE BULL TERRIER



General Appearance The Staffordshire Bull Terrier is a smooth-coated dog. It should be of great strength for its size and, although muscular, should be active and agile.

Size, Proportion, Substance Height at shoulder: 14 to 16 inches. Weight: Dogs, 28 to 38 pounds; bitches, 24 to 34 pounds, these heights being related to weights. Non-conformity with these limits is a fault. In proportion, the length of back, from withers to tail set, is equal to the distance from withers to ground.

Head Short, deep through, broad skull, very pronounced cheek muscles, distinct stop, short foreface, black nose. Pink (Dudley) nose to be considered a serious fault. **Eyes**--Dark preferable, but may bear some relation to coat color. Round, of medium size, and set to look straight ahead. Light eyes or pink eye rims to be considered a fault, except that where the coat surrounding the eye is white the eye rim may be pink. **Ears**--Rose or half-pricked and not large. Full drop or full prick to be considered a serious fault. **Mouth**--A bite in which the outer side of the lower incisors touches the inner side of the upper incisors. The lips should be tight and clean. The badly undershot or overshot bite is a serious fault.

Neck, Topline, Body The neck is muscular, rather short, clean in outline and gradually widening toward the shoulders. The body is close coupled, with a level topline, wide front, deep brisket and well sprung ribs being rather light in the loins. The tail is undocked, of medium length, low set, tapering to a point and carried rather low. It should not curl much and may be likened to an old-fashioned pump handle. A tail that is too long or badly curled is a fault.

Forequarters Legs straight and well boned, set rather far apart, without looseness at the shoulders and showing no weakness at the pasterns, from which point the feet turn out a little. Dewclaws on the forelegs may be removed. The feet should be well padded, strong and of medium size.

Hindquarters The hindquarters should be well muscled, hocks let down with stifles well bent. Legs should be parallel when viewed from behind. Dewclaws, if any, on the hind legs are generally removed. Feet as in front.

Coat Smooth, short and close to the skin, not to be trimmed or de-whiskered.

Color Red, fawn, white, black or blue, or any of these colors with white. Any shade of brindle or any shade of brindle with white. Black-and-tan or liver color to be disqualified.

Gait Free, powerful and agile with economy of effort. Legs moving parallel when viewed from front or rear. Discernible drive from hind legs.

Temperament From the past history of the Staffordshire Bull Terrier, the modern dog draws its character of indomitable courage, high intelligence, and tenacity. This, coupled with its affection for its friends, and children in particular, its off-duty quietness and trustworthy stability, makes it a foremost all-purpose dog.

Disqualification *Black-and-tan or liver color.*

Approved November 14, 1989 Effective January 1, 1990

<http://images.akc.org/pdf/breeds/standards/StaffordshireBullTerrier.pdf>

American Bull Terrier

BREED DESCRIPTION & INFORMATION



Venus

Photo courtesy of **Zoe Lees**

Breed Registries:

- [United Kennel Club \(UKC\)](#) - Terriers

Note: In North America, the American Pit Bull Terrier has been recognized under this name by the [United Kennel Club \(UKC\)](#) since 1898. Starting in 1936, the [American Kennel Club \(AKC\)](#) accepted for registration in the AKC Stud Book, the breed known as [Staffordshire Terrier](#). However, to avoid confusion with the [Staffordshire Bull Terrier](#), the name was changed effective 1 January 1972 to the [American Staffordshire Terrier](#). The [Staffordshire Bull Terrier](#) gained official acceptance by the AKC in 1974. The [Canadian Kennel Club \(CKC\)](#) does not recognize the American Pit Bull Terrier, however both the American Staffordshire Terrier and the [Staffordshire Bull Terrier](#) are officially recognized in the Terrier group. The [Staffordshire Bull Terrier](#) is acknowledged as a breed of British origin and was officially recognized by the CKC in 1953.

For further details about dog registries, please see the document: [Dog Breed Registries in North America](#).

Height:

Males: 18 to 19 inches at the shoulder; Females: 17 to 18 inches

Weight:

Ranges from 50 to 75 lbs - Height and Weight should be in proportion.

Breed Profile:

The development of the American Pit Bull Terrier started sometime during the 19th century in the United Kingdom with the cross of "Bully" type dogs and Terriers with the aim of developing a dog who had the combination of a Terrier's gameness with the strength and athletics of the Bulldog. This resulted in today's American Pit Bull Terrier — a dog of strength, courage, and gentleness with loved ones. Early "Pit Bulls" were used for bull baiting and dog fighting. After being imported into the United States, farmers and ranchers took notice of the APBT and used them for protection, as hunters, to drive livestock and as family companions. Today, the American Pit Bull Terrier is seen competing in Obedience, Tracking, Agility, Weight Pulling, Conformation as well as working in Protection.

The APBT is a solidly built, medium-sized dog. He is both powerful and athletic. The American Pit Bull Terrier is confident, courageous, eager to please and makes an excellent family companion. He is, however, not the dog for everyone and socialization and obedience training is an absolute must.

One of the major characteristics of the APBT is his "gameness" — the determination to master a situation and never back down. This is what allowed the original "Pit Bulls" to continue fighting for hours even after severe injury or exhaustion. Today, this characteristic gives the APBT a "can-do" attitude toward many challenges, such as agility and weight pull. A dog with this quality is generally stable and easy going and this should not be confused with aggressiveness.

The term "Pit Bull" is often used to refer to several different breeds of dogs. The most common are the [American Staffordshire Terrier](#), the [Staffordshire Bull Terrier](#) and the American Pit Bull Terrier. Some believe that these breeds of dogs all originally came from the same pit fighting stock over 100 years ago but have been bred to differing standards and are now known as distinct and separate breeds. Others believe that these dogs are simply different strains of the same breed. History aside and whether or not they are distinct breeds, if well bred, they all share the [Bulldog](#) as a common ancestor. Contrary to popular belief, the APBT is very human-friendly and is not naturally aggressive towards humans. They are, however, extremely loyal and eager to please. Therefore, if trained by an owner to be aggressive toward humans, there is a possibility that the dog may become aggressive toward humans.

LICENSE FEES
By-Law No. 6-2016

Annual fees

For each spayed female or neutered male dog	\$15.00
For each intact male dog	\$25.00
For each non spayed female dog	\$25.00
Replacement tag	\$ 5.00
Transfer license (address change)	\$ 5.00