

<p style="text-align: center;"><b>TOWN OF BRIDGEWATER</b> <b>CHAPTER 16</b> <b>DOG BY-LAW</b></p>
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1. This by-law may be cited as the Dog By-law.

**Definitions**

2. In this by-law
  - (a) "CAO" means the Chief Administrative Officer for the Town, or his or her designate;
  - (b) "dog" means any dog, whether male or female;
  - (c) "Dog Control Officer" means a Town police officer, or by-law enforcement officer, appointed under the *Police Act*, or any person appointed by the Town for the purpose of enforcing this by-law;
  - (d) "fierce or dangerous dog" means any dog that has been previously determined to be a fierce or dangerous dog;
  - (e) "Judge" means a Judge of the Nova Scotia Provincial Court;
  - (f) "licensing year" means the period from and including April 1<sup>st</sup> to and including March 31<sup>st</sup> in the next year;
  - (g) "muzzle" means a device of sufficient strength placed over a dog's mouth to prevent it from biting;
  - (h) "owner" means any person who
    - i) is the licensed owner of a dog;
    - ii) has legal title to a dog;
    - iii) has possession or custody of a dog, either temporarily or permanently; or
    - iv) harbours a dog, or allows a dog to remain on the person's premises;
  - (i) "person" includes a body corporate;

- (j) "severe injury" means any injury resulting in broken bones, disfiguring lacerations, sutures, surgery and includes any other injury as determined to be severe by a Judge;
- (k) "Town" means the Town of Bridgewater.

### **Licensing of Dogs**

- 3. No person shall own or keep a dog within the Town unless the dog is licensed as provided by this by-law.
- 4. (1) The owner of a dog kept within the Town shall obtain a licence for the dog
  - a) on or before the first ordinary business day after becoming owner of the dog; or
  - b) where the dog is less than three months old, after the dog becomes three months old,and shall renew the licence for each ensuing year before that year begins so long as he or she remains the owner of the dog.
  - (2) Notwithstanding clause (2)(b), a dog found running at large must be licensed on the first business day after being so found.
  - (3) The licensed owner of a dog must be eighteen (18) years of age or older.
- 5. (1) The annual fee for a dog licence is
  - a) \$10.00 for each neutered male or spayed female dog; and
  - b) \$30.00 for each un-neutered male or female dog not spayed.
  - (2) Proof that the dog has been neutered or spayed must be provided prior to paying the licence fee.
  - (3) The fee paid for a licence for a dog acquired on or after October 1<sup>st</sup> in any licensing year is one-half the fee otherwise payable.
- 6. (1) The CAO shall cause to be kept a record of every dog licensed, showing the date and licence number, and the name and a description of the dog and the name and address of the owner.
  - (2) The owner shall furnish this information to the CAO at or before licensing.

7. (1) Upon initial licensing of a dog, the CAO shall supply the owner with a tag with the license number stamped thereon, and the owner shall keep on the dog a collar with the tag attached except while the dog is being lawfully used for hunting purposes.  
(2) Replacement tags shall be provided at a cost of \$5.00 per tag.
8. No person shall have a tag upon a dog other than the dog for which it was issued.
9. Any owner who sells or transfers a dog shall report to the CAO its sale or transfer, the name and address to whom it was sold or transferred, a description of the dog and the number of the tag.
10. (1) The owner of a kennel of purebred dogs registered in the Canada Kennel Register shall, annually, obtain a licence for the kennel.  
(2) The fee for a kennel licence is \$10.00 for each licensing year.  
(3) The owner of a kennel licensed pursuant to subsection (1) is exempt from licensing any purebred dogs registered in the Canada Kennel Register and kept at the kennel.

### **Control of Dogs**

11. (1) Running at large means any dog that is
  - a) off the premises of the owner without being under the continuous restraint and control of a person by means of a leash; or
  - b) on the owner's property, that is on a tether of sufficient length that makes it possible for the dog to leave the property boundaries of the owner's premises.  
(2) The owner of any dog found to be running at large within the Town is guilty of an offence.
12. (1) Every owner of a dog whose dog persistently disturbs the quiet of the neighbourhood by barking, howling, or otherwise, is guilty of an offence.  
(2) Evidence that one person is disturbed is prima facie evidence that the public, or the quiet of the neighbourhood, is disturbed.

### **Dog Feces Removal**

13. (1) The owner of any dog, other than a dog that is trained to assist and is assisting a person with a disability, shall immediately remove the dog's feces from public property and from private property other than the owner's.

- (2) The owner of a dog shall immediately remove dog feces on the owner's premises where the feces causes a nuisance to an abutting owner.

### **Using Dog to Attack**

14. No owner shall use or direct a dog to attack, chase, harass or threaten a person or animal.

### **Impounding of a Dog**

15. (1) The Dog Control Officer, without notice to the owner of a dog, may seize and impound a dog
  - (a) found running at large;
  - (b) in respect of which the licensing fee has not been paid;
  - (c) that is alleged to be a fierce or dangerous dog;
  - (d) that exhibits any behaviour enumerated in subsection 20(2) of this by-law;  
or
  - (e) that persistently disturbs the quiet of the neighbourhood by howling, barking or in any other manner.
- (2) It is the duty of a Dog Control Officer to take and impound at the pound provided by the Town any dog found at large within the Town.
16. (1) The Town shall appoint a Pound Keeper who shall keep every dog delivered to the Pound Keeper and furnish it with food and water.
- (2) When a dog is impounded, the Pound Keeper shall take reasonable steps to find the owner and shall forthwith prepare a notice in the form found in Schedule A.
- (3) The notice must be provided to the owner, if known, and, if the owner cannot be located, posted on the owner's premises, if known, not less than 48 hours before the time affixed by the notice for destruction.
- (4) If the owner appears and claims the dog before the time fixed by the Pound Keeper, the dog shall be delivered to the owner on payment of any fee required by this by-law and on payment of the impoundment fees set out in Section 17.
- (5) If no claim of ownership for the dog is made within 7 days following the impounding of any dog, the Pound Keeper may sell the dog for the best price obtainable, or give the dog away if a sale is not possible within a reasonable amount of time.
- (6) The proceeds of any sale shall be paid to the Pound Keeper.

- (7) If no reasonable option for the care of the dog can be found within 7 days, the Pound Keeper may destroy the dog in a humane manner,
  - (8) In circumstances deemed appropriate by the Dog Control Officer, and in circumstances where the dog is not considered fierce or dangerous, the Dog Control Officer may place the dog with an animal shelter.
17. An owner claiming an impounded dog shall pay
- (a) \$15.00 for the impounding of the dog; and
  - (b) all costs incurred by the Town in housing, feeding and maintaining the dog during the period in which the dog is impounded.

### **Rabid Dogs**

18. Any dog at large and known to be rabid shall be immediately destroyed by the owner, or, if in the possession of the Dog Control Officer, by the Dog Control Officer.

### **Fierce or Dangerous Dogs**

19. (1) The owner of a dog alleged to be a fierce or dangerous dog shall be given notice by the Dog Control Officer of a hearing for determination by a Judge as to whether the dog should be declared to be a fierce or dangerous dog at least ten (10) business days before the date of the hearing.
- (2) The owner of a dog alleged to be a fierce or dangerous dog shall immediately surrender the dog to a Dog Control Officer upon the request of the Dog Control Officer and the dog shall be held pending the outcome of the hearing and any appeal.
20. (1) The Judge shall make an order declaring a dog as a fierce or dangerous dog if, in the opinion of the Judge, the dog has caused severe injury to a person or animal in which case the Judge may order the dog destroyed.
- (2) The Judge may make an order declaring the dog a fierce or dangerous dog or ordering the dog destroyed, or both, if, in the opinion of the Judge, the dog is likely to cause serious damage or injury, taking into account
- (a) whether the dog has chased any person or animal;
  - (b) whether the dog has attempted to bite, or has bitten any person or animal;
  - (c) whether the dog has wounded, attacked or injured any person or animal;
  - (d) the circumstances surrounding any previous biting, attacking, or wounding incidents; and

- (e) whether the dog, when unprovoked, has shown a tendency to pursue, chase or approach in a menacing fashion persons upon the street, sidewalk or any public or private property.
- 21. A fierce or dangerous dog order made pursuant to this by-law continues to apply if the dog is sold, given or transferred to a new owner.
- 22.
  - (1) Notwithstanding that a licence may have been issued pursuant to Section 3, once a dog has been declared a fierce or dangerous dog, the dog shall not be returned to its owner until the owner has obtained a licence for a fierce or dangerous dog.
  - (2) The annual fee for licensing a fierce or dangerous dog is \$40.00.
  - (3) Prior to a licence being issued, the owner of a fierce or dangerous dog shall within ten (10) days after the dog has been declared fierce or dangerous
    - (a) have a licensed veterinarian tattoo or implant an electronic identification microchip in the dog;
    - (b) provide the information contained on the tattoo or in the microchip to the Dog Control Officer; and
    - (c) if the dog is in an unaltered state, have the dog neutered or spayed.
- 23. No person shall own an unlicensed fierce or dangerous dog.
- 24. Upon being licensed as a fierce or dangerous dog, the CAO shall issue a fierce or dangerous tag for the dog, and the owner shall ensure that the fierce or dangerous dog tag is affixed to the dog at all times.
- 25. The owner of a fierce or dangerous dog shall
  - (a) notify the Dog Control Officer if the dog is sold, gifted, transferred to another person or dies;
  - (b) immediately notify the Dog Control Officer if the dog is running at large; and
  - (c) ensure that, when the dog is on the property of the owner,
    - (i) the dog is confined indoors and not left in the control of a person under eighteen (18) years of age; or
    - (ii) the dog is confined outdoors
      - (a) in a locked pen or other structure to prevent its escape and capable of preventing the entry of any person not in control of the dog, which locked pen or other structure has secure sides and top, and, if it has no bottom secured to the sides, the sides are embedded in the ground

to a minimum depth of thirty (30) centimetres, and the locked pen or structure is at least one and one-half (1.5) metres wide by three (3) metres long and one and one-half (1.5) metres in height, and is not located within one (1) metre of the property line or within five (5) metres of a dwelling unit; or

(b) muzzled, and under the control of a person over eighteen (18) years of age by means of a leash not exceeding one (1) metre in length in a manner that prevents it from chasing, injuring, or biting other animals or humans as well as preventing damage to public or private property.

(d) ensure, when off the property of the owner, the dog is

(i) muzzled;

(ii) harnessed or leashed on a lead not exceeding one (1) metre in length in a manner that prevents it from chasing, injuring or biting other animals or humans as well as preventing damage to public or private property; and

(iii) under the control of a person at least eighteen (18) years old.

(e) within ten (10) days of the date of the order declaring the dog to be fierce or dangerous, display a clearly visible sign at each entrance to the premises where the dog is kept and on the pen or other structure in which the dog is confined warning of the presence of the dog in the form in Schedule "B".

26. The former owner of a fierce or dangerous dog remains liable for the actions of the dog until notification of sale, gift or transfer is given to the Dog Control Officer.

### **Penalty**

27. Any person who violates any provision of this by-law is guilty of an offence and shall be liable to a fine of not less than one hundred dollars (\$100.00), and not more than one thousand dollars (\$1,000.00).

### **Repeal**

28. All former by-laws of the Town enacted relating to dogs are repealed.

## Schedule A

### DOG NOTICE

TAKE NOTICE that a dog (giving a short description) has been this day impounded at the Dog Pound (describe name of pound and address) in the Town of Bridgewater, and unless such dog is claimed by the owner on or before the \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_\_, at \_\_\_\_\_ o'clock in the \_\_\_\_\_ and registered according to law, the said dog may be sold, given away or destroyed if no sale can be made of the same within a reasonable time.

DATED at the Town of Bridgewater this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_ .

## **Schedule B**

**Warning - Dangerous Dog on Premises  
Posted Pursuant to the Bridgewater Dog By-law**

SCHEDULE M-17  
TOWN OF BRIDGEWATER BY-LAWS

**Dog By-law:**

1.	3	Unlicensed dog	\$233.95
2.	7(1)	No dog tag	\$233.95
3.	8	Wrong tag on dog	\$233.95
4.	9	Failure to report sale or transfer of dog	\$233.95
5.	10	Unlicensed kennel	\$233.95
6.	11(2)	Dog Running at Large	\$233.95
7.	12(1)	Owning a dog that persistently disturbs the quiet of a neighbourhood by barking or howling	\$233.95
8.	13(1)	Failure to remove dog feces	\$233.95
9.	13(2)	Failure to remove dog feces causing a nuisance	\$233.95
10.	14	Use or direct dog to attack, chase, harass or threaten a person	\$233.95
11.	19(2)	Failure to surrender alleged fierce or dangerous dog	\$233.95
12.	23	No fierce or dangerous dog licence	\$233.95
13.	24	Failure to wear fierce or dangerous dog tag	\$233.95
14.	25(b)	Failure to notify Dog Control Officer that a fierce or dangerous dog is running at large	\$233.95
15.	25(c)	Failure to ensure a fierce or dangerous dog on the property of the owner is confined indoors	\$233.95
16.	25(c)	Failure to ensure a fierce or dangerous dog when outdoors is properly secured	\$233.95
17.	25(d)	Failure to ensure a fierce or dangerous dog, when off the property of the owner, is properly secured	\$233.95

## Town of Bridgewater Dog By-law Long Form Informations

On or about the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_

1. Being the owner of a dog, did unlawfully own an unlicensed dog within the Town of Bridgewater contrary to s. 3 of the Town of Bridgewater Dog By-law.
2. Being the owner of a dog, did unlawfully own a dog that failed to have a dog tag attached contrary to s. 7(1) of the Town of Bridgewater Dog By-law
3. Being the owner of a dog, did unlawfully own a dog that had attached thereto the dog tag for a different dog contrary to s. 8 of the Town of Bridgewater Dog By-law
4. Being the owner of a dog, did unlawfully fail to report the sale or transfer of the dog to the CAO of the Town of Bridgewater contrary to s. 9 of the Town of Bridgewater Dog By-law
5. Being the owner of a dog found running at large contrary to s. 11(2) of the Town of Bridgewater Dog By-law
6. Being the owner of a dog that did persistently disturb the quiet of a neighbourhood by barking or howling contrary to s. 12(1) of the Town of Bridgewater Dog By-law
7. Being the owner of a dog whose feces were not immediately removed from property located at \_\_\_\_\_, Bridgewater contrary to s. 13(1) of the Town of Bridgewater Dog By-law
8. Being the owner of a dog, did unlawfully fail to remove the dog feces from his/her property located at \_\_\_\_\_, Bridgewater that were causing a nuisance contrary to s. 13(2) of the Town of Bridgewater Dog By-law
9. Being the owner of a dog, did unlawfully use or direct the dog to attack, chase harass or threaten \_\_\_\_\_ contrary to s. 14 of the Town of Bridgewater Dog By-law
10. Being the owner of a fierce or dangerous dog, did unlawfully fail to surrender the dog to the Dog Control Officer contrary to s. 19(2) of the Town of Bridgewater Dog By-law

11. Being the owner of a fierce or dangerous dog that was not licensed as a fierce or dangerous dog contrary to s. 23 of the Town of Bridgewater Dog By-law
12. Being the owner of a fierce or dangerous dog that unlawfully did not have attached thereto a fierce or dangerous dog tag contrary to s. 24 of the Town of Bridgewater Dog By-law
13. Being the owner of a dog, did unlawfully own a dog that failed to have a dog tag attached contrary to s. 25(b) of the Town of Bridgewater Dog By-law
14. Being the owner of a dog, did unlawfully fail to immediately notify the Dog Control Officer that the dog was running at large contrary to s. 25(c) of the Town of Bridgewater Dog By-law
15. Being the owner of a fierce or dangerous dog, did unlawfully fail to ensure that the dog was confined indoors contrary to s. 25(c)(ii) of the Town of Bridgewater Dog By-law
16. Being the owner of a fierce or dangerous dog, did unlawfully fail to insure that a dog confined indoors was not left in the control of a person under the age of eighteen years contrary to s. 25(c)(ii) of the Town of Bridgewater Dog By-law
17. Being the owner of a fierce or dangerous dog, did unlawfully fail to ensure that when the dog is outdoors that it is properly secured contrary to s. 25(c)(iii) of the Town of Bridgewater Dog By-law
18. Being the owner of a dog, did unlawfully fail to ensure that when the dog is off the property of the owner that the dog is muzzled contrary to s. 25(d)(ii) of the Town of Bridgewater Dog By-law
19. Being the owner of a dog, did unlawfully fail to ensure that when the dog is off the property of the owner that the dog is on a leash not more than one metre in length contrary to s. 25(d)(ii) of the Town of Bridgewater Dog By-law
20. Being the owner of a dog, did unlawfully fail to ensure that when the dog is off the property of the owner that the dog is under the control of a person over the age of eighteen contrary to s.5(d)(ii) of the Town of Bridgewater Dog By-law