

THE CITY OF FLIN FLON

BY-LAW NO. 2008-21

Being a By-Law of The City of Flin Flon
to regulate and control certain animals
within the City of Flin Flon and provide
for the maintenance of a pound.

PASSED: October 21, 2008

The Municipal Council of The City of Flin Flon, in Council assembled enacts as follows:

1. This By-Law may be referred to as the "ANIMAL CONTROL BY-LAW".
2. **DEFINITIONS** -Whenever used in this By-Law, unless the context otherwise requires:
 - (1) "Dogs" means either male or female of the canine or canidae family.
 - (2) "Dog Guide" shall extend to and include any dog specially trained for and actually used as a dog guide by any person whose sight is impaired or is blind; or whose hearing is impaired or they are deaf.
 - (3) "Stray Dog" shall mean every dog which does not carry a current dog licence tag, issued by The City of Flin Flon.
 - (4) "Running at Large" with reference to a dog or cat means a dog or cat that is:
 - a) not in the direct and continuous charge of a person competent and capable of controlling it;
 - b) not securely confined within an enclosure on private property, or securely fastened so that it is unable to roam at will; or
 - c) running around on property without the consent of the owner of the property
 - (5) "Owner" shall include any person who owns, keeps, or harbours a dog or cat, or who knowingly permits or suffers a dog or cat to secure food, shelter, or other comfort on property occupied by him.
 - (6) "Dangerous Dog" means a dog which has been declared to be dangerous, pursuant to Section 6 of this By-Law.
 - (7) "Severe Injury" means any physical injury that results in broken bones or disfiguring lacerations requiring sutures or cosmetic surgery.
 - (9) "Dog Pound" shall mean the building erected for the purpose within the yards at the site of the City Garage, and/or any other building or structure which temporarily be assigned to such use.
 - (10) "Poundkeeper" shall mean the poundkeeper for the time being, of The City of Flin Flon, and shall include his deputy or any one or more of his assistants, or anyone performing any of the duties of the Poundkeeper.
 - (11) "Licence" shall mean the licence plate or tag issued by The City of Flin Flon for the then current year.
 - (12) "Chief Licence Inspector" shall mean the Licence Inspector or such person as is, from time to time, designated by resolution of Council to serve in this capacity.

3. **LICENCING**

- (1) The owner of every dog shall obtain a dog licence. An owner obtaining a licence shall complete and sign an Application for Dog Licence, and pay the fee hereunder set forth, and he shall then be given a dog tag having thereon the words "Dog Tag, Flin Flon", and a number corresponding with the number written on the Application Form.
- (2) When applying for a dog licence, the owners shall provide the Secretary-Treasurer with their full name, address, telephone number, if any, and post office address, to which any notice referred to hereunder may be sent.
- (3) The owner shall place and keep around the neck of every dog a collar or harness, to which shall be securely fastened, the current licence tag.
- (4) Every dog licence tag shall expire on the 14th day of February next after the licence becomes effective.
- (5) The licence is not transferrable from one dog to another. However, upon application and satisfactory evidence, a refund shall be made of every paid up dog licence fee because of the death or sale of the dog, or upon the owner leaving the City before the expiration of the licence. Such refund to be calculated on a quarterly pro-rated basis.
- (6) No tag of any description, other than those supplied by The City of Flin Flon and a rabies tag, shall be permitted to be attached to the collar or harness of a dog.
- (7) No unauthorized person shall remove the collar or licence tag from any licenced dog.
- (8) Where change of ownership of a dog hereof occurs during a licence year, the new owner may have the current licence transferred to his name and address, upon payment of a transfer fee of \$6.50.
- (9) Where a licence is lost, stolen, or damaged, the licensee shall forthwith apply for a new licence, the cost of which shall be \$4.00.
- (10) Upon the advice of the Medical Officer, or other representative of the Government of the Province of Manitoba, or of a representative of the Government of the Dominion of Canada, the Council of The City of Flin Flon, assembled in a regular or special meeting, may, by resolution, order that no licence is to be issued in respect to a dog, except upon satisfactory proof that the dog has been inoculated against rabies within the previous six months.
- (11) When, during a licence year, a person becomes owner of a dog, an owner brings a dog to live in the City of Flin Flon, or a dog reaches the age of 6 months, the owner shall purchase a dog licence within 3 weeks.
- (12) Any person who makes a false statement on an Application for Dog Licence is guilty of an offence.

4. **LICENCE FEES**

- (1) Subject to Subsection (2) hereof:
 - a) The licence fee for every sterile dog shall be \$17.50, and the annual licence fee for every other male dog shall be \$23.50, and every other female dog \$35.00. Proof of sterilization shall be by certificate of a licenced veterinary surgeon or veterinary practitioner to that effect.
 - b) A licence shall be issued, but no charges made, in respect of any dog specially trained as a "Dog Guide", provided that the person using such a dog provides proof of blindness or impairment of sight, or of deafness or impairment of hearing, to the satisfaction of the Secretary-Treasurer.
 - c) Notwithstanding Clause (a), if a dog becomes six months of age, or is brought to live in the City of Flin Flon:
 - i) between May 15 and August 14 inclusive, the licence fee for the remainder of that licence year shall be $\frac{3}{4}$ of the licence fee set out in Clause (a);
 - ii) between August 15 and November 14 inclusive, the licence fee for the remainder of that licence year shall be $\frac{1}{2}$ of the licence fee set out in Clause (a);
 - iii) between November 15 and February 14 inclusive, the licence fee for the remainder of that licence year shall be $\frac{1}{4}$ of the licence fee set out in Clause (a);
 - d) Notwithstanding anything contained in this by-law, no licence fee is payable, and no licence need be obtained, for a dog under the age of 6 months.
- (2)
 - a) The annual licence fee for every dangerous dog shall be \$75.00.
 - b) The owner of any dog which has been declared to be dangerous pursuant to Sections of this By-Law, shall, no later than the 10th day after receiving notice from the City that his dog has been declared to be dangerous, or if any appeal is taken, forthwith upon the confirmation by the City Council of that declaration, obtain a licence for the remainder of the licence year upon payment of the following:
 - i) During the period from February 15 to May 14 - \$75.00
 - ii) During the period from May 15 to August 14 - \$56.25
 - iii) During the period from August 15 to November 14 - \$37.50
 - iv) During the period from November 15 to February 14 \$18.75
- (3) Where change of ownership of a dog licenced hereunder occurs during the licence year, the new owner may have the current licence transferred to his name, upon the payment of a transfer fee of \$6.50.

5. **OFFENCES**

- (1) No owner shall permit a dog to be anywhere other than on the owner's premises without a collar and the proper licence tag or plate, nor unless the dog is on a leash no longer than 1.5 meters, and is under the immediate charge and control of some competent person.
- (2) Every owner of person having control of any female dog which is in heat shall confine, isolate, or house the dog within a building in such a manner as to forestall, prevent, or otherwise ward off the congregation of dogs in the neighbourhood of such place of confinement for the whole period of time in heat. Otherwise the dog may be taken to a licenced kennel for the whole period of time in heat.
- (3) The owner of a dog or cat which is found running at large is guilty of an offence.
- (4) The owner of a dog which barks or howls, or in any other way unduly disturbs the quiet of any person or persons anywhere, is guilty of an offence.
- (5)
 - (a) The owner of a dog or cat which defecates on any public or private property, other than the property of the owner, is guilty of an offence.
 - (b) Clause (a) does not apply to an owner who causes the excrement to be removed immediately.
- (6) The owner of a dog or cat which damages public or private property, other than that of its owner, is guilty of an offence.
- (7) No person shall own, keep, or harbour any dog unless a licence has been purchased for the dog for the current licence year, or unless the dog is under the age of six months.
- (8) No owner shall harbour or keep any vicious dog, unless such dog is securely fastened and properly muzzled at all times in such places and in such manner that it does not endanger the safety of any persons or any other animal.
- (9) The owner of a dog which pursues, bites, or injures any person or animal is guilty of an offence.
- (10) No owner shall permit his dog to enter any school ground or playground.
- (11) No owner shall permit his or her dog to enter or remain in any store or business establishment which purveys food in any form, either wholesale or retail, unless such dog is a guide dog, and is accompanying a blind or deaf person or one with impaired vision or hearing.
- (12) Any owner whose sight is impaired or who is blind or who is deaf, who owns a registered dog guide, or who is being assisted by a dog guide, shall not be subject to Subsections 5 (5), 5 (7), or 5 (10).
- (13) An owner of a dog which upsets waste receptacles or scatters garbage in or about a street, lane or other public or private property not belonging to the owner of the dog is guilty of an offence.
- (14) **An owner of a dog, or a person in control of a dog, which is caused to walk along the Cliff Lake Causeway is guilty of an offence. Notwithstanding any other provision of this by-law, a minimum fine of \$500.00 shall be assessed against a person who is found guilty of an offence under this subsection.**

6. **DANGEROUS DOGS**

- (1) Where the Chief Licence Inspector has reason to believe that a dog has caused or is likely to cause serious damage or injury, he shall hold a hearing to determine whether or not that dog should be declared to be dangerous.
- (2) The Chief Licence Inspector shall give written notice of the determination hearing to the owner of the dog, at least five days in advance of the hearing by serving a notice upon the owner or by mailing same by registered mail to the last address provided by the owner to the Poundkeeper in relation to the licencing of the dog. The notice shall include:
 - a) a statement of the time, place and purpose of the hearing;
 - b) a copy of Sections 6, 7, and 8 of this By-Law;
 - c) a statement that if the Licensee does not attend at the hearing, the matter may be dealt with in his absence, and that he will not be entitled to any further notice in the proceedings.
- (3)
 - a) The owner may appear at the hearing with or without Counsel, and may call witnesses on his behalf. The owner shall be entitled to hear all evidence presented at the hearing and to inspect any documents filed. For greater certainty, the hearing is not bound by strict rules of evidence with respect to hearsay and documentary evidence, however evidence of these types may be accepted provided some allowance is made for its greater or lesser reliability, in the circumstances of each individual case.
 - b) Where the owner does not attend at the hearing, having been given notice as provided in this Section, the matter may be dealt with in his absence and the owner shall not be entitled to any further notice in the proceeding.
- (4) Within five working days of the determination hearing, the Chief Licence Inspector shall issue written findings resulting from the hearing and:
 - a) shall make an order declaring the dog to be dangerous if in his opinion:
 - i) the dog has caused severe injury to a person without provocation, whether on public or private property; or
 - ii) the dog has, while off its owner's property, killed a domestic animal; or
 - b) may make an order declaring the dog to be dangerous if, in his opinion, it is likely to cause serious damage or injury, taking the following factors into account:
 - i) whether the dog has bitten, wounded or injured any person or animal
 - ii) the circumstances surrounding any previous biting or wounding incidents, and
 - iii) 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

6. **DANGEROUS DOGS** (cont'd.)

- c) The Licence Inspector may, where he or she has also declared a dog dangerous, make a further declaration that a dog should be euthanized or put down, on one of, or both of the following grounds:
 - (i) that the dog, in view of all the circumstances, poses an unacceptable risk of recurrent aggressive conduct;
 - (ii) that the injuries or death to humans or animals (which may be viewed cumulatively) caused by the animal are so severe in character, or so numerous that it would be inappropriate to allow the animal to live.

Without limiting the generality of the foregoing, examples of injuries which would justify use of this subsection would include situations where a human has been killed, or has sustained permanent injury as a result of an attack, or where, without provocation, a dog has been found to have bitten or injured two or more persons.

- d) shall provide a copy of his findings to the owner in the manner provided in Subsection 2 hereof.
- (5) The owner may, within ten (10) days of receiving notice that his dog has been declared to be dangerous, advise the Chief Licence Inspector, in writing, that he wishes to appeal against the order, whereupon the Chief Licence Inspector shall forthwith submit the matter to the Council of the City.
- (6) (a) Where an appeal is filed as provided in subsection 5 hereof, the Council shall hold a hearing to determine whether the order of the Chief Licence Inspector should be upheld and the provisions of subsections 2), 3), and 4) apply mutatis mutandis to that hearing.
- (b) Upon hearing all representations in the matter, the Council may confirm or reverse the order of the Chief Licence Inspector declaring the dog to be dangerous.
- (c) The decision of the Council on a appeal under this subsection shall be final.
- (7) (a) Where a dog is declared to be dangerous by the Chief Licence Inspector and
 - i) no appeal is filed pursuant to Subsection 5) hereof, or
 - ii) upon appeal, the declaration is confirmed by the Council, any licence previously issued in relation to that dog shall be deemed to have been cancelled effective as of the tenth day following the order of the Chief Licence Inspector, or the date of the decision of the Council, as applicable.
- (b) Unless a declaration that a dog shall be euthanized under the provisions of this by-law has been reversed upon appeal to City Council, the Animal Control Officer shall be empowered to take charge of the animal, impound it, and euthanize it, at the end of the appeal period prescribed in Section 6 (5).

6. **DANGEROUS DOGS** (cont'd.)

- (8) (a) Every owner who has received notification from the Chief Licence Inspector pursuant to Subsection 2) that a determination hearing will be held with respect to his dog, shall ensure that the dog remains confined upon the premises of the owner, pending the final outcome of the hearing.
- (b) Clause a) shall not apply if the dog is impounded or if the Chief Licence Inspector receives written confirmation from a licenced Veterinary Surgeon that the dog has been placed in his custody pending the outcome of the hearing.
- (9) No person shall own a dog which has been declared to be dangerous unless:
- (a) the dog, while on private property, is kept either securely confined indoors or in a securely enclosed and locked pen, structure or compound which
- i) is capable of preventing the entry of young children and preventing the dog from escaping; and
- ii) has minimum dimensions of five feet by ten feet
- (b) there is displayed at each entrance to the property and/or building in or upon which the dog is kept a sign, in the form attached hereto and marked as Schedule "A" to this by-law. The said signs shall be posted in such a manner as cannot be removed easily by passersby and will be visible and capable of being read from the sidewalk or street and lane, if any
- (c) the person maintains in force a comprehensive general liability insurance policy including coverage for damage or injury caused by his dog with a minimum limit of liability \$3,000,000.00 per occurrence.
- (10) The owner of a dog which has been declared to be dangerous shall:
- (a) permit the dog upon public property only if it is muzzled, restrained by a chain or leash not exceeding 1.5 meters in length and under the control of a competent person
- (b) within two working days of selling or giving away the dangerous dog, provide the Poundkeeper with the name, address and telephone number of the new owner
- (c) advise the Poundkeeper within two working days of the death of dangerous dog,
- (d) advise the Poundkeeper forthwith if the dangerous dog is loose or has bitten or attacked any person or animal
- (11) No person shall deface or remove a sign posted pursuant to clause d) of subsection 1 hereof without having first obtained the permission of the Chief Licence Inspector.
- (12) Without calling a further dangerous dog hearing, but subject to Section 6 (13), the Chief Licence Inspector may make an order for the immediate impoundment and euthanization of a dog which has already been declared dangerous, if:
- (a) the owner of a dog which has been declared to be dangerous has failed to abide by one or more of the prohibitions and obligations set out in sections 6 (9) and 6 (10) hereof, or if the dog remains unlicensed.
- (b) the Licence Inspector is presented with evidence which he or she believes to be trustworthy which suggests that the animal has been either observed at large, or has been involved in a new incident of aggression or violence towards a person or animal, since the dangerous dog designation hearing.

6. **DANGEROUS DOGS** (cont'd.)

- (13) An order for the impoundment and euthanization of a dog made by the Chief Licence Inspection under Section 6 (12) may be appealed by the owner to the Mayor, or, in the Mayor's absence, any Councillor acting as Deputy Mayor, for a period of 72 hours after the impoundment of the animal. The Mayor or Deputy Mayor, as the case may be, may make such further inquiry into the facts of the case as shall in his or her own opinion appear adequate, and, thereupon, shall make a decision to either annul or to sustain the order for impoundment and euthanization.
- (14) Where an order to impound and euthanize a dog is annulled by the Mayor or Deputy Mayor under Section 6 (13), the animal shall forthwith be restored into the care and control of the owner, subject to the owner abiding by all prohibitions and responsibilities set out in the by-law for dangerous dogs under Sections 6 (9) and 6 (10).
- (15) Where an order to impound and euthanize a dog is sustained by the Mayor or Deputy Mayor under Section 6 (13), the animal shall be euthanized at the first reasonable opportunity, and shall be impounded until the time of euthanization.
- (16) Where an animal has been impounded by virtue of an order made by the Chief Licence Inspector under Section 6 (12), the costs of impoundment will be born by the dog owner.
- (17) Where an animal has been euthanized as a result of an order made by the Chief Licence Inspector under Section 6 (13) either not being appealed, or where the Mayor or Deputy Mayor, upon appeal have sustained the said order, the costs of euthanization shall be borne by the dog owner.
- (18) In cases where the dog owner is impecunious, or where other circumstances, including the degree of co-operation shown by the dog owner, should suggest that this is the most reasonable course, the Chief Licence Inspector may waive the costs in Section 6 (16) or 6 (17) or both.
- (19) In a case that he or she deems appropriate, the Chief Licence Inspector may waive the requirement for insurance found in Section 6 (9) (d).
- (20) In a case where a single owner has had two or more dangerous dogs euthanized by order of the Chief Licence Inspector, the Chief Licence Inspector may, where circumstances suggest this would be appropriate, make an order placing that owner under a lifetime prohibition for dog ownership.
- (21) An order made placing an owner under a lifetime prohibition may be appealed to the Council of The City of Flin Flon, within 60 days of the prohibition order being served upon that owner. Upon hearing the appeal, Council shall be free to uphold or to annul a lifetime prohibition order.
- (23) Where a lifetime prohibition order has been made under Section (20) and has not been annulled under Section 6 (21), the owner affected by this prohibition shall not be permitted to own or harbour any doges within the City of Flin Flon. The Animal Control Officer shall be empowered to take charge of, remove, and impound any dog which is owned or harboured by the said owner. Any dog impounded under this section will be treated as though it had been impounded while at large.
- (24) Where a dog has been declared dangerous according to the applicable by-laws, statutes or regulations in any other community, it shall be deemed to have been declared dangerous in Flin Flon as well, without requiring a further hearing, and the dog shall be subject to all the rules herein applying to dangerous dogs, including provisions 6 (7) to 6 (23) hereof.

7. **IMPOUNDING & DOG POUND**

- (1) The Pound shall be kept under the direct supervision of the City Engineer or his deputy.
- (2) The Poundkeeper, who shall also be the Animal Control Officer of The City of Flin Flon, shall be under the direct supervision of the City Engineer, or his deputy, who shall specify the hour or hours during which the Poundkeeper shall be in attendance at the Dog Pound for redemption of impounded dogs and cats.
- (3) The Poundkeeper shall, and any person may, capture any dogs or cats found running at large, or any stray dogs, and deliver such dogs or cats to the Dog Pound for confinement. A cat trap may be provided upon completion of the form provided in Schedule "B" to this By-Law.
- (4) The Poundkeeper may issue either a penalty ticket to, or lay an information against, an owner alleged to have committed an offence under this by-law.
- (5) The Poundkeeper shall provide sufficient food, water, and shelter to every dog or cat captured and impounded during the time such dog or cat remains impounded.
- (6) In order to capture any dog or cat, the Poundkeeper may enter upon any public or private property, except dwellings and closed buildings, and any attempt to prevent or hinder him in the performance of his duties shall constitute an infraction against this by-law, and in order to capture any dogs as herein provided, he shall be permitted to use the "CAP-CHUR" Tranquillizer Gun provided by the City.
- (7) The Poundkeeper shall capture any dog or cat which is found on any street or other public place or property, contrary to this by-law, and deliver such dog or cat to the Dog Pound for confinement.
- (8) Upon the recommendations or advice from a Medical Health Officer or of any medical or veterinary practitioner, the Poundkeeper shall take charge of any dog suspected of being infected with rabies, and shall confine such dog to isolated quarters in the Dog Pound for such time as may be prescribed, and no dog so confined shall be returned to the owner, except by permission or advice of this person recommending such confinement, or his representative, and further the owner shall be liable for all costs incurred.
- (9) Notwithstanding anything contained in this By-Law, where the Poundkeeper, in consultation with the Chief Licence Inspector, certifies that, in their opinion, a dog or cat in his custody is so seriously injured or sick that it would be cruel to allow it to live, the Poundkeeper may cause the dog or cat to be destroyed forthwith.
- (10) Where a dog wearing a current licence tag has been confined, the Poundkeeper shall, by telephone or mail to the address given at the time of registration, or otherwise, notify the owner or a member of the immediate family, of the fact that the dog has been confined, and that unless the owner has redeemed such dog within 72 hours of the said notice, or of the mailing of said notice, the said dog shall be offered for sale, or if not sold, will be disposed of, and The City of Flin Flon shall not be held responsible if the owner does not redeem such dog before the expiration of the notice.

7. **IMPOUNDING & DOG POUND** (cont'd.)

- (12) In all cases of incarceration, the incarceration shall be for a period of seventy-two (72) hours, starting from the time that the owner was notified, as set out in Section 10, either by telephone or the time of mailing of such notice, and in Section 11, from the time that the notice was posted in the City Hall. Although impoundment shall be for a period of three days, as set out above, if the three days would result in the 72 hours expiring during a weekend or statutory holiday, then the impoundment will be continued until the same time in the next working day.
- (13) Where, in the opinion of the Animal Control Officer, strong evidence exists that a dog has bitten a person, the Animal Control Officer may take charge of an impound that dog for observation on suspicion of rabies. This observation period shall be for 10 days, or such other period as may be prescribed by the Medical Health Officer.
- (14) The Chief Licence Inspector may cut short an impoundment under Section 7 (8) or 7 (13), where the Chief Licence Inspector is satisfied that remitting the dog into the care of the owner for the balance of the period of observation is reasonable in the circumstances.
- (15) The Animal Control Officer may take charge of and impound any adult dog found to be in excess of the limit on two adult dogs per household. Where an excess of adult dogs exists, the owner of the dogs in question shall be given the opportunity to identify which two dogs are deemed to be within the two dog limit. If the owner cannot or will not make the necessary distinction, the Animal Control Officer may make the determination himself, subject to a later exchange of dogs, if applicable. A dog impounded under this section may be destroyed if unclaimed after the period set out elsewhere in this by-law for animals picked up while at large. Dogs impounded under this section may not be returned to the household of origin if this would result in creating an excess of two adult dogs per household.
- (16) Where this by-law provides for a declaration or order than an animal be put down or euthanized, upon the making of such declaration or order by the appropriate authority, the Animal Control Officer shall be empowered to take charge of the animal, wherever it should be found within the City of Flin Flon, and to impound it until such time as the Animal Control Officer may cause the animal to be euthanized.

8. **REDEMPTIONS**

- (1) The owner of any dog or cat impounded may redeem the dog or cat at the place of impoundment within seventy-two (72) hours of impounding, by paying the Poundkeeper the pound fee calculated as follows:
 - (a) For any licenced dog confined:
 - \$30.00 for first impoundment
 - \$75.00 for second impoundment
 - \$150.00 for the third & each subsequent impoundmentplus a maintenance fee of \$9.00 for each day or a portion of a day of confinement.
 - (b) For any unlicenced dog confined, \$50.00 plus a maintenance fee of \$9.00 for each day or portion of a day of confinement, plus the applicable dog licence fee under Subsection 4 (1), and upon payment of the fees, the owner shall be issued a dog licence.
 - (c) For any cat confined, \$30.00 plus a maintenance fee of \$9.00 for each day or portion of a day of confinement.
- (2) Any person may buy any impounded, unlicensed dog, by paying to the Poundkeeper the sum of \$30.00, provided he shall, at the same time, purchase a current dog licence and pay the full licence fee thereof.
- (3) Any person may buy an impounded unspayed female dog, provided that the new owner undertakes to have the dog spayed at the earliest reasonable time.
- (4) Any person may buy an impounded cat by paying to the Poundkeeper the sum of \$30.00.
- (5) Any dog or cat which has been impounded and which has not been redeemed or sold at the end of the confinement period as provided above, shall be destroyed and the carcass cremated at the nuisance grounds.
- (6) Whenever a dog is impounded wearing a tag of another municipality for the current year, the Poundkeeper shall notify the clerk or the secretary of such municipality that said dog will be disposed of if not redeemed within seven (7) days of such notification.
- (7) Payment of the redemption fee set out in subsection (1) does not relieve the owner from liability for penalties under this or any other by-law.
- (8) In the case of a dog taken in charge and impounded due to suspicion of rabies, the owner of the dog shall be liable to pay \$60.00 per day of impoundment.
- (9) Notwithstanding any other provision of this by-law, a dog impounded due to suspicion of rabies may only be redeemed at the end of the observation period of 10 days, or such other period as may be prescribed by the Medical Health Officer.

9. **RECORDS**

- (1) The Poundkeeper shall keep a record of every animal impounded. Such records shall show the description and particulars of every such animal, the day and the hour of its impounding, the redemption or destruction, the name and address of the owner of the licence number, if any, the amount and particulars of all fees, fines, charges and all monies received in respect of such animal, and the name and address of the person paying the same, and such other particulars as a Commissioner of Finance, or the Committee of Finance shall direct.
- (2) It shall be the duty of the City Engineer, or his deputy, to make or cause to be made a return to the Secretary-Treasurer on or before the 15th day of each month of all fees paid and collected under the provisions of this By-Law, in respect to the preceding calendar month, and all such fees and moneys shall be paid by him to the Secretary-Treasurer, and, in addition, in his said return, he shall give any other information which may be required by the City Council.

10. **RESTRICTION AS TO NUMBER OF ANIMALS TO BE KEPT**

- (1) The number of dogs in a household shall not exceed two (2) over six months of age. For the purpose of this Section, a household shall be deemed to be any habitation where people share the premises as a common unit.
- (2) Subsection 1 shall not apply to:
 - a) Person holding a dog kennel licence issued by The City of Flin Flon permitting the use of licenced premises for such purpose.
 - b) Person holding a hobby breeders licence issued by The City of Flin Flon.

11. **PENALTIES**

Where upon summary conviction, any person is convicted of an offence for a breach or infringement of any of the provisions of this By-Law or amendments thereto, he shall be liable to pay at the discretion of the convicting Magistrate or Justice of the Peace, a penalty, for each offence, of not less than the sum of One Hundred Dollars (\$100.00), and not exceeding the sum of One Thousand Dollars (\$1,000.00), in addition to the costs of such offence.

12. (1) Any person who contravenes or fails to comply with any provision of this by-law is guilty of an offence.
- (2) Each day on which a contravention of this by-law continues shall constitute a separate offence.

13. By-Law No. 13/95 is hereby repealed.

14. This By-Law shall come into full force and effect on the date of final passage thereof.

PASSED AND ENACTED AS A BY-LAW OF THE CITY OF FLIN FLON, THIS 21ST DAY OF OCTOBER, A.D. 2008.

Original Signed by Tom THERIEN

Mayor

Original Signed by Mark KOLT

Municipal Administrator

READ a first time, this 16th day of September , A.D. 2008.

READ a second time, this 21st day of October , A.D. 2008.

READ a third time, this 21st day of October , A.D. 2008, DONE & FINALLY PASSED.

BEWARE

DANGEROUS DOG

TATOO #

DATE OF ISSUE:



The City of Flin Flon

20 First Avenue
FLIN FLON, Manitoba
R8A 0T7
Telephone (204) 681-7511
Fax (204) 681-7530

Cat Trap Permit

(as provided by Section 7 (3) –
By-Law 13/95, Animal Control By-Law)

Date		Trap No.	
<p>The undersigned agrees to the following terms and conditions:</p> <ol style="list-style-type: none"> 1. To place the cat trap only on his or her property, within the limits of the City of Flin Flon. 2. To personally check the cat trap each hour while the trap is set. 3. In the event a cat is trapped, to immediately deliver the cat to the Animal Control Officer. In the event the Pound is closed, the cat may be held until it re-opens, but in no event for longer than 24 hours. Where a cat is held, the undersigned is responsible for the humane treatment and shelter of the cat, including feeding and watering. A captured cat should be left in the trap and placed in a shed, garage, basement or other place that is warm, dry, and secure, with a blanket placed over the trap to pacify the animal. Do not attempt to remove an unfamiliar cat from the trap – this will be done by the Animal Control Officer. If the undersigned cannot comply with this condition, the trapped cat must be freed unharmed. 4. To ensure that no harm comes to any trapped cat while in their possession, including exposure to inclement weather. 5. Cat traps are not to be used when the temperature falls below 0° Celsius or rises above 25° Celsius. 6. An Animal Control Officer may enter the property of the undersigned to ensure the trap is being used properly. 7. To advise the Animal Control Officer of the ownership of any cat trapped, if known. 8. To be responsible for the trap, including the cost of repair or replacement if damaged, lost or stolen. The trap is to be returned in a good and clean condition. 9. Traps must not be set on Statutory Holidays as the Pound is closed. 10. The trap is to be returned to the Animal Control Officer 5 days after issuance. <p style="text-align: center;">IT IS A CRIMINAL OFFENCE TO HARM ANY DOMESTIC ANIMAL.</p>			
Address of Intended Location of Trap			
<p>I understand and accept all liability which may arise in connection with the use of this cat trap, while it is in my possession, and will save and indemnify The City of Flin Flon for all such liability.</p>			
Name of Complainant:		Signature	
Address of Complainant:			
Trap Returned			
	Date		Received By
Remarks:			