

BY-LAW NO. 2025-18
A BY-LAW RELATING TO ANIMAL CONTROL WITHIN TANTRAMAR

The Council of Tantramar, under the authority vested in it by the Local Governance Act, R.S.N.B. 2017, ch. 18, and any amendments thereto, enacts as follows:

1. SHORT TITLE

- a) This By-Law shall be known as the Tantramar Animal Control By-Law.

2. DEFINITIONS

- a) "Animal Control Officer" means the person or persons designated by Council to administer and enforce this by-law;
- b) "By-Law Enforcement Officer" means a person designated by Council to enforce the By-Law's of the Municipality;
- c) "Council" means the Council of Tantramar;
- d) "Dangerous Dog" means a dog:
- i. which has bitten, injured or killed a person or another domestic animal without provocation or has demonstrated aggressive behaviour causing the Animal Control Officer to believe, acting reasonably, that it is likely that the dog would bite, injure or kill a person or another domestic animal without provocation if not prohibited to do so by its owner; or
 - ii. has otherwise been declared dangerous or vicious by a certified veterinarian, a Provincial Court judge or any other another municipality.
- e) "Dog" includes the male and female of the species;
- f) "Microchip" an encoded identification device implanted in an animal which stores the owners name, address and telephone number in a data base;
- g) "Municipality" means Tantramar
- h) "Owner" means a person who:
- i. is in possession of a dog;
 - ii. harbours a dog;
 - iii. permits a dog to habitually remain on property owned or under the control of that person; or
 - iv. licenses a dog under this by-law;

- i) "Person" includes a corporation, firm, partnership, society or association;
- j) "Public place" is a place that is open and accessible to the general public, including without limiting, roads, sidewalks, pavements, public squares, parks, recreational trails and beaches.
- k) "Resident" any person who owns, rents, leases or has lodging within Tantramar for three consecutive months or more;
- l) "Running at large" means a dog which is unleashed:
 - i. in a public place; or
 - ii. on property other than that of the owner of the dog;
- m) "Service dog" means a trained assistance dog, specifically trained to perform physical tasks to mitigate an individual's disability, as verified by registered certification confirming that the dog is a Service Animal. Service dogs include guide dogs that guide individuals who are legally blind; hearing dogs that alert individuals who are deaf or hard of hearing to specific sounds; and service dogs for individuals with disabilities other than blindness or deafness.
- n) "Wild Animal" means animals in their natural state that have not been domesticated.

3. REGISTRATION OF DOGS

- a) No resident shall own a dog older than four months of age without the dog being registered under this by-law.
- b) Registration of a dog as required by paragraph 3(a) of this by-law shall be done each year by the owner of the dog on the later of:
 - i. the 31st day of March in any given year;
 - ii. thirty days from the date the dog is acquired by the owner; or
 - iii. thirty days after the dog reaches the age of four months.
- c) An application to register a dog under this by-law must be made at the offices of the Municipality. The application must include the following information:
 - i. the name, address and telephone number of the owner;
 - ii. the sex, breed and approximate age of the dog;
 - iii. if the dog is more than four months old at time of registration, proof of vaccination for rabies and distemper unless the application is accompanied by a valid written notification from a certified veterinarian stating that the vaccine is not recommended at that time for the dog in question; and
 - iv. Payment of the application fee as follows:
 - a) \$20.00 for an un-neutered male or un-spayed female up to 12 months of age;
 - b) \$20.00 for a neutered male or spayed female dog;
 - c) \$40.00 for an un-neutered male or un-spayed female dog over 12 months of age; and
 - d) \$10.00 for a microchipped, neutered male or spayed female dog.

- d) Any owner of a dog who does not register the dog under this by-law by the date specified in paragraph 3(b) of this by-law must pay a penalty of \$20.00 in addition to any fees set-out in paragraph 3(c) (iv) of this by-law.
- e) The Animal Control Officer shall have access to the records pertaining to the registration of all dogs including all of the information listed in paragraph 3(c) of this by-law.
- f) When a dog is registered in accordance with this by-law, the Municipality will issue to the owner a tag showing the year and registration number of the dog. Any replacement tag or additional tag required by the owner will only be issued by the Municipality with respect to validly registered dogs upon payment of an additional fee of \$10.00 for the replacement registration tag.
- g) Every owner must have the tag affixed to the dog's collar and the collar must always be on the dog while not on its owner's property.
- h) This by-law applies to service dogs, however, the licensing fees referred to in paragraph 3(c)(iv) of this by-law shall be waived for any year during which the service dog is aiding its owner.

4. RABIES

- a) Unless the owner has a valid written notification from a certified veterinarian stating that the rabies vaccine is not recommended at that time for a specific dog, every owner of a dog over the age of four months must have the dog vaccinated against rabies and must keep the rabies vaccinations of the dog up to date.
- b) Every owner of a dog who knows or has reason to believe that the dog is rabid must immediately report the dog to Telecare 811 and the Animal Control Officer.

5. DANGEROUS DOGS

- a) The owner of a Dangerous Dog under this by-law must not permit the dog to be in a place other than the owner's property unless the dog:
 - i. is on a leash no longer than one meter and in the control of a responsible person over the age of 18; and
 - ii. is wearing a proper muzzle at all times it is not on the owner's property.
- b) The owner of a Dangerous Dog must display a sign at each entrance of the owner's property warning of the presence of the Dangerous Dog. The said sign must be in writing and must be visible and legible from the nearest road or sidewalk.
- c) The owner of a Dangerous Dog must not allow the dog to be adopted unless the owner:

- i. gives written notice to the person adopting the dog that it is deemed to be a Dangerous Dog under this by-law; and
 - ii. provides written notice to the Municipality advising of the adoption as well as the contact information of the person adopting the Dangerous Dog if the Dangerous Dog is expected to remain within the Municipality.
- d) When an Animal Control Officer believes that a dog has bitten, injured or killed or attempted to bite, injure or kill a person or another domestic animal, the Animal Control Officer may make a complaint to a Judge of the Provincial Court.
- e) A Judge of the Provincial Court to whom a complaint has been made under paragraph 4(d) may summon the owner of the dog to appear and to show cause why the dog should not be destroyed and may, if from the evidence produced, it appears that the dog has bitten or attempted to bite a person or other dog, make an order directing:
 - i. that the dog be destroyed, or
 - ii. that the owner or keeper of the dog keep the dog under control.
- f) When an Animal Control Officer intends to make a complaint under Section 4(d), the Animal Control Officer may seize and impound the dog at the expense of the owner pending the disposition of the complaint. If the dog is impounded under this section, the Animal Control Officer must make all reasonable efforts to have the complaint dealt with expeditiously.

6. SEIZING AND IMPOUNDING

- a) No Owner shall permit their dog to be running at large.
- b) The Animal Control Officer may seize and impound any dog if the dog:
 - i. is not registered or licensed under this by-law;
 - ii. is running at large;
 - iii. is confirmed by a certified veterinarian to be infected with rabies or other contagious disease;
 - iv. if the Animal Control Officer reasonably believes it to be infected with rabies or other contagious disease; or
 - v. is not wearing a collar and tag issued under this by-law when the dog is off the property of the owner or when it is pursued onto the property of the owner of such dog.
- c) The Animal Control Officer shall hold any dog seized or impounded pursuant to paragraphs 6(b)(iii) or (iv) in quarantine and shall notify Telecare 811.
- d) When the Animal Control Officer seizes or impounds a dog, they must:
 - i. if the owner of the dog is known, make reasonable efforts to notify the owner of the seizure, or
 - ii. if the owner is unknown or cannot be located, post a notice at the Municipal Office stating that the dog has been impounded, giving a description of the dog.

- e) Before claiming a dog, the owner must:
 - i. establish ownership of the dog to the satisfaction of the Animal Control Officer;
 - ii. pay the registration fees set out in section 3(c)(iv) if due or overdue;
 - iii. pay a seizing fee of \$20.00 plus an impounding fee of \$25.00 for every day that the dog was seized or impounded;
 - iv. pay the cost of any treatment (including vaccinations and medications) provided to the dog while it was impounded;
 - v. at the discretion of the Animal Control Officer, have a microchip implanted on the dog within six months at the cost of the owner; and
 - vi. pay any outstanding administrative penalties issued under this by-law.
- f) If a seized or impounded dog appears to be dangerous, it will be transferred immediately to an accredited shelter by the Animal Control Officer.
- g) If the Animal Control Officer or the By-Law Enforcement Officer has reasonable and probable grounds to believe that a dog has bitten, injured or killed a person or another domestic animal without provocation, or where the owner of the dog that has been declared a Dangerous Dog pursuant to this by-law is not complying with the provisions of this by-law relating to Dangerous Dogs, such Animal Control Officer or By-Law Enforcement Officer may issue a temporary Dangerous Dog order in accordance with paragraph 5 of this by-law and may seize and impound such dog. The temporary provision will remain in place until a final determination has been made under paragraph 4 of this by-law. The temporary order will not apply to a dog that has bitten another dog if said dog was under the control of the owner and the injured dog was at large.
- h) If the dog is sick or injured, it will either be transferred to an accredited dog shelter or to an accredited veterinarian, all at the discretion of the Animal Control Officer. Alternatively, if the Animal Control Officer believes it would be inhumane to allow the continued pain and suffering of the seized dog, on the advice of a certified veterinarian, the Animal Control Officer may humanely euthanize the dog.
- i) An impounded dog which has not been claimed within 96 hours of the time it is seized may be sold or given to another organization for adoption. The Animal Control Officer may, before selling an unclaimed dog, require that the dog be microchipped and spayed or neutered.
- j) No person authorized by the Municipality to seize, impound or destroy a dog will be liable to its owner for any injury to the dog.
- k) Where the use of a tranquilizer gun is deemed necessary, the Animal Control Officer or anyone acting on behalf of the Animal Control Officer must enlist the services of a qualified professional.

7. OWNER'S RESPONSIBILITIES

- a) No owner of an animal shall permit the animal to:

- i. cause a disturbance by barking, howling or otherwise making a noise for a prolonged period of time;
 - ii. chase pedestrians, drivers of vehicles or riders of bicycles;
 - iii. bite or attempt to bite anyone;
 - iv. in an aggressive or terrorizing manner approach any person in an apparent attitude of attack on any street, sidewalk or other public place or on private property other than the property of the owner;
 - v. cause damage to property which is not the property of the owner; or
 - vi. run at large.
- b) The owner of an animal must immediately remove any feces left by the dog on a property other than the property of the owner and put such feces into a suitable container or garbage bag.

8. OTHER ANIMALS

- a) No person shall have a snake or other reptile on a street or other public place unless it is in a case or other container designed to completely confine the snake or other reptile.
- b) No person shall keep or harbour any type of game animal or migratory bird without first having obtained the written consent of the Department of Natural Resources.
- c) No person shall place or cause to be placed, on or near any public place, any matter which has the effect of attracting wild animals. This does not apply to the feeding of birds with a bird feeder.

9. TRAPPING

- a) No person shall use, set or maintain a leghold trap, a killing trap or snare within the Municipality except where authorized by a Provincial Act or Regulation.
- b) The Municipality shall undertake trapping on Municipal Property as required, or when it is a matter of public safety in accordance with Provincial Acts and Regulations.

10. PENALTIES / ENFORCEMENT

- a) Section 5 of "A By-Law Respecting the Municipality of Sackville Respecting the Enforcement of By-Laws" (By-Law No. 169-A) does not apply to this by-law.
- b) A person who violates this section commits an offence punishable under Part II of the Provincial Offences Procedure Act as a category D offence.
- c) Any By-Law Enforcement Officer or designate is hereby authorized to take such action or issue such tickets as they may deem necessary to enforce any provision of this by-law.

- d) Any person who violates any provision of this by-law, other than failure to comply with a Judge's order, may at the discretion of the Animal Control Officer, pay the minimum fine prescribed, and upon payment, the person who has committed the violation will not be further prosecuted for the violation.
- e) Any person who fails to comply with the provisions of an order made by a Judge of the Provincial Court under paragraph 5(e) of this by-law commits an offence punishable under Part II of the Provincial Offences Procedure Act as a Category E offence.
- f) When a person is convicted of doing anything without a license for which a license is required under this by-law, the judge of the Provincial Court may, unless the person has paid the fee for such license, order payment thereof in addition to the fine.

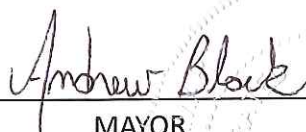
11. REPEAL

- a) The following By-Laws are repealed:
 - i. By-Law No. 256 Town of Sackville Animal Control By-Law; and
 - ii. By-Law No. 2021-005 Village of Dorchester Dog Control By-Law.

12. ENACTMENT

- a) This By-Law comes into force on being passed by Council.

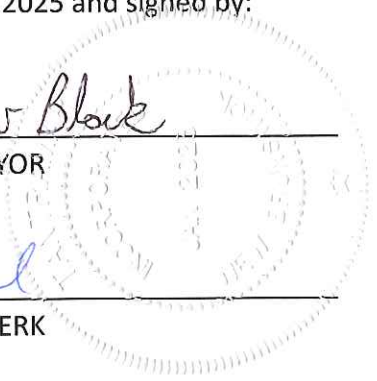
IN WITNESS WHEREOF Tantramar has caused hereto affixed its Corporate Seal of the said Municipality to be affixed to this by-law the 13th day of May 2025 and signed by:



MAYOR



CLERK



Read a First time this 4th day of February 2025.

Read a Second time this 13th day of May 2025.

Read a Third time and done and passed by Council this 13th day of May 2025.