

THE RURAL MUNICIPALITY OF STRATHCLAIR

BY-LAW NO. 2-2011

**BEING A BY-LAW FOR THE RURAL MUNICIPALITY OF STRATHCLAIR
ESTABLISHING REGULATIONS FOR THE CONTROL OF DOGS.**

WHEREAS the Animal Liability Act authorizes the Council of any Municipality to pass By-Laws to allow restrain, prohibit and regulate the running at large or trespassing of animals or fowl and providing for impounding them and other regulations on respect thereof;

AND WHEREAS the Municipal Act authorizes the Council of any Municipality to pass By-Laws for municipal purposes respecting wild and domestic animals and activities in relation to the, including By-Laws differentiating on the basis of sex, breed, size and weight;

NOW THEREFORE BE IT ENACTED as a By-law of the Rural Municipality of Strathclair as follows:

1. That this By-law may be cited as the Dog By-law of the Rural Municipality of Strathclair.
2. That this By-law relates to all dogs as defined herein within the Villages of Strathclair and Elphinstone.

3. **DEFINITIONS**

In this By-law the expression:

- (a) Dogs any canine, male or female;
- (b) Pups means all dogs under the age of 90 days;
- (c) Owner means any person who owns, keeps, possesses, or harbors a dog.
- (d) Animal Control Officer shall mean a designated officer appointed by the Rural Municipality of Strathclair.

4. **RESTRICTION**

(a) No person shall own, keep, possess, harbor, or have in his possession or in and around his premises, more than 3 dogs. If the owner possesses a female dog who has had a litter of pups, the owner may keep the pups with the female dog for a period of 90 days for the purposes of weaning the pups and disposing of same.

(b) Licensed breeders shall be permitted to own, possess or harbor more than 3 dogs over 90 days of age providing the dogs are kept within the dwelling unit or in a proper enclosure designated to confine the dogs.

LICENSING OF DOGS

5. The owner of every dog over the age of six 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 A 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 offence under this By-law. The owner shall produce proof that the dog has received it's annual rabies shot.

6. **GENERAL**

No owner Shall:

- (1) permit his dog to be anywhere other than on the owner's premises unless:
 - i) the dog is under the immediate charge and effective control of some competent person.
- (2) permit his dog to run at large or be at large;
- (3) permit his dog to unduly disturb the quiet of any person, in the case of a dog by howling or barking;
- (4) permit his dog to damage public property or private property other than the property of the owner;
- (5) permit his dog to run at large on any municipal cemetery property;
- (6) permit his dog to disturb or annoy any person or persons;
- (7) permit his dog to be a public nuisance or to bite or threaten to attack any person;
- (8) refuse the Animal Control Officer the right to see and inspect any dog which the Animal Control Officer suspects may have violated or be in violation of the provisions of this By-law.

7. **AUTHORIZATION**

(a) The Animal Control Officer or Police Constable, or any person authorized by this By-law to enforce the provisions contained herein may enter into the land surrounding any building without the consent of an owner in pursuit of any dog which has been observed running at large.

(b) The Animal Control Officer or any other person authorized by this By-law may capture any dog or dogs which he believes or has reasonable grounds to believe is committing or has committed an offense under this By-law.

(c) The Animal Control Officer shall be empowered to decide, based on the provisions set down in this By-law in his sole discretion, whether an animal has become a public nuisance. The Municipality may dispose of the animal(s) in a manner which in its sole discretion deems reasonable and fair.

(d) The Animal Control Officer, R.C.M.P and/or licensed Veterinary Surgeon shall be empowered, in their absolute discretion alone or together, to discharge any gun, firearm, pellet gun or other compressed air propellant, as the case may be, in the course of their duties of enforcing this or any other section of this By-law.

(e) Any attempt to prevent or hinder the Animal Control Officer, the Police Constable or anyone authorized to act on their behalf while trying to impound any dog shall constitute a breach of this By-law.

8. **PENALTIES**

Any person violating any of the provisions of this By-law or amendments thereto, shall be liable on summary-conviction to a fine of not less than \$50.00 for a first offense and not less than \$100.00 for a second or subsequent offense in addition to costs associated with the capturing of the dog(s).

8. This By-law shall come into force on January 1, 2012.

DONE AND PASSED as a By-law of The Rural Municipality of Strathclair at the Municipal Council Chambers in Strathclair in the Province of Manitoba this 9th day of November 2011.

Reeve

Chief Administrative Officer

READ A FIRST TIME THIS 5th DAY OF October 2011.
READ SECOND TIME THIS 5th DAY OF October 2011.
READ THIRD TIME THIS 9th DAY OF November 2011.

SCHEDULE "A" TO BY-LAW NO. 2-2011

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|-------------------------|---------------|--|
| Up To December 31, 2011 | Dog Tag Sales | \$2.00 for each dog spayed or neutered \$4.00 for each dog not spayed or neutered |
| January 1, 2012 | Dog Tag Sales | \$5.00 for each dog spayed or neutered \$10.00 for each dog not spayed or neutered |
| January 1, 2015 | Dog Tag Sales | \$10.00 for each dog spayed or neutered \$15.00 for each dog non spayed or neutered |