

TOWN OF WATSON LAKE

BY-LAW 07-09

Being a by-law of the Town of Watson Lake for the licensing of Cats or dogs and the control of animals within the limits of the Town of Watson Lake.

WHEREAS Section 265 of the Municipal Act 1998 provides in part:

265) A Council may pass by-laws for municipal purposes respecting the following matters:

- a) the safety, health and welfare of people and the protection of persons
- m) noise on public or private property
- o) the control of and protection from, wild and domestic animals including insects and birds.

AND WHEREAS Section 266 of the Municipal Act 1998 provides in part:

266) A Council may in a bylaw

c) provide for a system of licences, inspections, permits, or approvals, including

- (i) establishing fees for the authority authorized
- (ii) prohibiting any activity or thing until a licence has been granted.
- (iii) providing that terms and conditions may be imposed on any license, permit, or approval, the nature of the terms and conditions, and who may impose them.
- (iv) setting out the conditions that must be met before a licence, permit or approval is granted or renewed, the nature of the conditions and who may impose them.
- (v) providing for the duration of licenses, permits, approvals and their suspension or cancellation for failure to comply with a term or condition of the by-law or for any other reason specified in the by-law.

NOW THEREFORE BE IT ENACTED as a By-Law of the Town of Watson Lake as follows:

1. This by-law may be cited as the Animal Control By-Law of the Town of Watson Lake.
2. That this By-Law relates to all animals as defined herein, within the Town of Watson Lake as follows:

3. DEFINITIONS

- a) "Animal" includes cats, dogs, rabbits, horses, mules, asses, bovines, cattle, llama, sheep, goats, swine, reptiles and poultry;
- b) "Animal Control Officer" means the employee of the Town of Watson Lake whose duty it is to enforce this By-Law.
- c) "Animal Shelter" means those premises used by the Town for the purposes of impounding animals;

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- d) "At large" means off the premises of the owner of the animal, when the animal is not under the immediate control of a competent and responsible person;
- e) "Attack" means to set upon with force, and to seek to hurt or defeat.
- f) "Cat" means a male or female domesticated cat.
- g) "Council" means the Council of the Town of Watson Lake.
- h) "Dangerous dog" means any individual dog that:
 - 1) has killed a domestic animal without provocation while off the owner's property,
 - 2) has bitten, injured or attacked a human being or domestic animal without provocation, on public or private property,
 - 3) is attack trained,
 - 4) is kept for the purpose of security or protection, whether residential, commercial or industrial, of persons or property, or
 - 5) has shown the disposition or tendency to be threatening or aggressive,
 - 6) without provocation, chases person who approach it.
- i) "Day" means the hours of the day during which the office of the Town of Watson Lake is normally open to the public.
- j) "Dog" includes a male or female dog and an animal that is a cross between a wolf and a dog;
- k) "House Animals" means domestic songbirds, rodents, rabbits, guinea pigs, fish, and reptiles. House animals are permitted in all zones without licence or permit.
- l) "Licensed Veterinarian" means a person entitled to practice veterinary medicine in a province, a territory or the state of Alaska.
- m) "Livestock" means any domestic ungulate, which includes, but is not limited to sheep, horses, swine, deer, llama, bovines and any other hoofed quadruped.
- n) "Medical Health Officer" means the person appointed by the Commissioner in Executive Council to act as a Medical Health Officer for Watson Lake;
- o) "Neutered cat or dog" means any cat or dog which is sexually sterile;
- p) "Nuisance Animal" is defined by way of example but not of limitation as:

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- 1) An animal that does damage to the property of anyone other than its owner including but not limited to, getting into or turning over garbage containers, damaging gardens, flowers and vegetables or defecating upon the property of another.
 - ii) An animal kept in an unsanitary environment which results in offensive odours or danger to the animal or to the public health, safety or welfare; or failure to maintain an animal in a condition of good order and cleanliness thereby increasing the probability of disease transmission.
 - iii) An animal that barks, whines, howls, crows or cackles in an excessive or untimely fashion so as to interfere with the reasonable use and enjoyment of neighbouring properties.
 - iv) An animal without adequate medical treatment that is diseased or dangerous to the public health.
 - v) An animal that chases, snaps at, attacks, or barks at pedestrians, joggers, bicycles, or other vehicles, or animals being walked on a leash.
- q) "Officer" means:
- (i) a By-law Enforcement Officer/Peace Officer
 - (ii) an R.C.M.P. Officer
 - (iii) any person who from time to time is designated by the Town of Watson Lake to enforce this By-Law.
- r) "Owner" means any person, partnership, association or corporation that owns, harbours, possesses or has control, care, or custody of an animal.
- s) "poultry" means any bird normally raised for food or egg production including but not limited to; chickens, turkeys, geese, ducks, domestically reared grouse, partridge, quail, or pheasant.
- t) "Secure Enclosure" means an enclosed structure, building, cage or fenced area of such construction that will not allow an animal to jump, climb, dig or force its way out, or to allow the entry or access of unauthorized persons.
- u) "Special Permit" means a permit to own animals other than a maximum of two dogs or two cats, issued in accordance with the provisions of this by-law;
- v) "Town" means the Town of Watson Lake;
- w) "Trap" means any device or machine that shuts suddenly as with a spring and is used for the capture of live animals.
- x) "Vicious Animal" means any animal that has bitten more than once.
- y) "wild animal" shall mean an animal belonging to a species not domesticated or tame in nature.

- z) "wild animal" shall mean an animal belonging to a species not domesticated or tame in nature.

4. GENERAL

- 4.01 The granting of any licence or permit under this by-law shall not relieve any person to whom such licence or permit is issued from compliance with the provisions of this by-law or with any other by-law of the Town.
- 4.02 If any provision of this By-Law shall be held void, then such provision shall be deemed severable and the invalidity thereof shall not offset the remaining provisions of this By-Law.
- 4.03 Provisions of this By-Law do not apply to any dog trained and used explicitly as a seeing eye dog or hearing ear dog within the Town of Watson Lake and the yearly licence shall be free for such dog.

5. RESTRICTIONS

- 5.01 No owner of an animal shall permit such animal to run at large, and where such animal is found at large, it shall be deemed to be so with the consent of the owner.
- 5.02 No owner of an animal shall permit such animal to be upon any public property in the Town unless such animal is on a leash which is no longer than two (2) metres, in length and which is held at all times by a person able to control the animal.
- 5.03 Every owner of a female dog or a cat in heat shall confine such animal within a building or other secure enclosure on the owners property, or in a veterinary clinic or boarding kennel, in such manner as to prevent the dog or cat from coming into contact with a male dog or cat, as the case may be. Such confinement shall continue for the whole period the dog or cat is in heat, except that the said dog or cat may be released from such confinement for intentional breeding purposes and for the purpose of defecating on the premises of the owner.
- 5.04 An officer may seize any dog or cat in heat and not confined as required by subsection 5.03, and may thereupon impound such dog or cat in the Animal Shelter.
- 5.05 No owner of an animal shall allow such animal to become a nuisance.
- 5.06 No owner of an animal shall permit such animal to damage public or private property.
- 5.07 No owner shall allow an animal to defecate on public land within the Town, or on private property other than the owners. The owner or person having care and control of the offending animal shall be responsible for cleaning up and properly disposing of the defecation.
- 5.08 No owner shall allow a dog to chase or bark at any horse or vehicle on a public highway or disturb or annoy the quiet of any person or persons anywhere within the Town of Watson Lake by howling, barking, or biting.

- 5.09 No owner shall own, keep, possess or harbour a dog which by reason of training or habit, disposition or inclination, shows signs of being Dangerous unless such dog is confined within a secured enclosure on the owner's property.
- 5.10 No owner shall allow a dog with a propensity of being a dangerous dog by reason of training, habit, disposition, or inclination, to be in a public place without the dog being property muzzled and held on a leash not more than one & one half (1 ½) meters in length by the owner of a competent person authorized by the owner.
- 5.11 An owner of a commercial guard dog must confine the dog at all times within a secured enclosure on the owners' land or such other land as the owner may be authorized to use.
- 5.12 No person shall interfere with or attempt to obstruct an Officer who is attempting to seize or who has seized any animal in accordance with the provisions of this By-Law.
- 5.13 No person shall destroy, damage or otherwise interfere with any trap installed by an officer.
- 5.14 Every person who keeps an animal within the Town shall provide the animal or cause it to be provided with
- (1) Clean, fresh drinking water available at all times, and suitable food of sufficient quantity and quality to allow for normal, healthy growth and the maintenance of normal, healthy body weight
 - (2) Food and water receptacles kept sanitary and located so as to avoid contamination by excreta
 - (3) The opportunity for periodic exercise sufficient to maintain good health, including the opportunity to be unfettered from a fixed area and exercised regularly under appropriate control; and
 - (4) Necessary veterinary medical care when the animal exhibits signs of pain, illness or suffering.
- 5.15 Every person who keeps an animal which normally resides outside, or which is kept outside unsupervised for extended periods of time, shall ensure the animal is provided with;
- (1) A total area that is at least twice the length of the animal in all directions
 - (2) A house or shelter that has sufficient space to allow the animal the ability to turn around freely and lie in a normal position, and that will provide protection from heat, cold and wet appropriate to the animal's weight and type of coat.

- 5.16 Every person who keeps an animal which normally resides outside, or which is kept outside unsupervised for extended periods of time, shall regularly, and not less than once weekly, clean and sanitize the area and remove all excreta from the pen or run area where the animal normally resides or is kept outside unsupervised for extended periods of time.
- 5.17 No person shall cause an animal to be hitched, tied or fastened while unattended by the owner to a fixed object where a choke collar, choke chain or pinch collar forms part of the securing apparatus, or where a rope or cord is tied directly around the animal's neck.
- 5.1 No person shall cause an animal to be confined in an enclosed space, including a motor vehicle, without adequate ventilation.

6. ANIMAL LICENCES

- 6.01 No person shall own any cat or dog within the Town unless such cat or dog is licensed pursuant to the provisions of this by law.
- 6.02 Every owner of every cat or dog shall on or before the 31st day of December in each year, apply to the Town for a cat or dog licence tag and pay a licence fee in accordance with the following schedule;
- | | |
|------------------------------------|-----------|
| a) neutered cat or dog | \$ 5.00 |
| b) Lifetime neutered cat or dog | \$25.00 |
| c) female dog not neutered | \$25.00 |
| d) Seeing eye or Hearing Ear dog | No Charge |
| e) pound Fee cat per Reg. work Day | \$ 5.00 |
| f) pound Fee Dog per reg. work Day | \$10.00 |
- 6.03 Every cat or dog owner shall provide to the Town the following information with each application for a cat or dog licence tag:
- Name, street address and postal address of the owner;
 - Name and description of the cat or dog to be licensed;
 - Such other information as may be required by the Town.
- 6.04 For the purposes of subsection 6.02, a dog shall not be licensed as a neutered dog unless the applicant shall provide a certificate acceptable to the Town certifying that such dog is sexually sterile.
- 6.05 Every person who becomes the owner of a cat or dog that is not currently licensed in accordance with this by-law shall, immediately upon becoming owner of the cat or dog, apply to the Town for a cat or dog tag, pay the licence fee prescribed in Section 6.02, and provide to the Town the information required by Section 6.03.

- 6.06 Every person who becomes the owner of a cat or dog that is currently licensed in accordance with the provisions of this by-law shall notify the Town of his name, street and postal address, and the licence number of the cat or dog, within 15 days after becoming owner of the said cat or dog.
- 6.07 Every licence and permit issued under this by-law shall be effective from the date of issue until the 31st day of December of the current year.
- 6.08 Licences issued under this by-law shall not be transferable from one cat or dog to another, and no refund shall be made on any licence fee because of the death or disposal of the cat or dog or upon the owner's leaving the Town before expiration of the licence period.
- 6.09 Upon payment of the prescribed fee, and provision of the information required by Section 6.03, the Town will issue to the owner a licence tag with the year of issue and a number stamped therein.
- 6.10 The owner of a cat or dog which has been duly licensed under this by-law may obtain a licence tag to replace a tag that has been lost, upon payment of a fee of \$2.00.
- 6.11 Every owner shall keep the licence tag issued under Subsection 6.02, or a replacement tag issued under Subsection 6.10, securely fastened to the collar, or harness, worn by the cat or dog at all times.

7. IMPOUNDMENT

- 7.01 a) If the Officer has reasonable grounds to believe that a cat or dog has become a public nuisance within the Town of Watson Lake, the Animal Control Officer shall impound the dog until such time as the Owner satisfies the Officer that the cat or dog is no longer a public nuisance and following payment by the Owner of pound fees as are due and such other expenses relating to the impounding, licensing, vaccination and maintaining of the cat or dog, the Officer shall release the cat or dog to the owner.
- b) The Officer is empowered to decide by reference to the provisions of the By-Law whether or not a dog has become a public nuisance, a Dangerous dog, a vicious dog, or is running at large.
- c) If the Officer has grounds to believe that a dog has become a Dangerous dog or vicious dog, within the Town of Watson Lake, the Officer shall impound the animal immediately and apply to an authorized Judicial Officer for an order that the dog be destroyed.
- d) The Officer is empowered in his absolute discretion to use a tranquilizer gun or such other reasonable means as are necessary to capture and impound any cat or dog which is in the opinion of the Officer a nuisance, Dangerous, vicious, or running at large.

8. IMPOUNDING & REDEMPTION

- 8.01 The Town hereby establishes and authorises the maintenance and operation of an animal shelter at 1104 Centennial Avenue within the Town of Watson Lake for the purpose of impounding animals.
- 8.02 An Officer may seize any animal that is found running at large and may impound such animal in the animal shelter. If the facilities available at the animal shelter are unsuitable for such animal, the animal may be impounded in such other facilities as in the opinion of the Officer are reasonable.
- 8.03 A citizen may live trap and hold any animal that is found running at large and shall forthwith turn such animal over to an Officer.
- 8.04 Where any cat or dog wearing a current Town licence tag is impounded, the Officer shall notify the owner of the impoundment where reasonably possible, and shall further inform the owner of the conditions under which he may regain custody of the cat or dog.
- 8.05 Where any cat or dog wearing a current Town licence tag is impounded under the provisions of this by-law, such cat or dog may be recovered by the owner within 72 hours after being impounded on payment of the sum of \$75.00 plus daily pound fee's or any part thereof whereby the cat or dog has been impounded where the cat or dog or any other cat or dog owned by the owner has not been previously impounded.
- 8.06 Where the cat or dog or any other cat or dog owned by the owner has been previously impounded on one or more occasions, such cat or dog may be recovered by the owner on payment of the following impoundment fees;
- a. the sum of \$150.00 for the second impoundment, daily pound fee's for each day or any part thereof by the cat or dog has been impounded, and
 - b. the sum of \$200.00 for the third impoundment plus daily pound fees or part thereof whereby the cat or dog has been impounded.
 - c. Any cat or dog seized or impounded on three (3) separate occasions may be subject to being destroyed.
 - d. In addition to the impoundment fees required to be paid pursuant to this By-law, prior to release of the cat or dog from impoundment, the owner shall pay all outstanding fines relating to any infraction against the Animal Control By-Law.
- 8.07 The Officer or anyone authorized to act on his behalf shall keep the cat or dog which is seized or impounded for a period of seventy two hours or three Regular work day's after such seizure or impounding, during which time the Animal Control Officer anyone authorized to act on his behalf shall:

- i) If the Owner of the impounded cat or dog is known, make a reasonable effort to give notice by phone or by mailing by regular mail a copy of the notice to the owner that his cat or dog has been impounded, and that if it is not redeemed within seventy two hours or three Reg. Work days the time of such notice being given, it may be destroyed or sold for total costs.
 - ii) If the owner of the impounded cat or dog is not known, the impounding of such cat or dog shall be advertised by posting a notice, giving the description and breed of the cat or dog in at least one places in the Town of Watson Lake.
 - iii) After a period of seventy-two hours /three Regular work days has elapsed from the time of the seizure or impounding and the cat or dog owner has not be ascertained, or the owner after being duly notified, has failed to redeem the cat or dog, the cat or dog may be destroyed or may be sold to a person other than the owner in which case the sale price shall be the fees the owner would have had to pay have the cat or dog been redeemed.
- 8.08 Where the ownership of an impounded animal other than a cat or dog can be determined by an Officer, he shall inform the owner of the impounded animal forthwith and in writing, of its seizure and the conditions under which such animal may be recovered by the owner.
- 8.09 Any animal, other than a cat or dog, impounded under the provisions of this by-law may be recovered by the owner on payment of the actual costs of seizure and impoundment, together with the daily pound Fee's and care for each day or portion there of that the animal shall have been impounded, and on providing a place of keeping for such animal in compliance with the provisions of this by-law.
- 8.10 Any animal, other than a cat or dog, impounded under the provisions of this by-law may be recovered within 72 hours or three business days of impoundment.
- 8.11 If the owner of any impounded animal, other than a cat or dog, cannot be found, or if the owner of such animal does not recover the animal within the recovery period described in Section 8.09 and pay the prescribed fees and charges, then the Town may sell the animal, at public auction or otherwise, or may destroy the animal.
- 8.12 The proceedings of any sale of an animal other than a dog or cat shall be applied firstly to the impoundment fees and charges, then to the costs of the sale, and then to the owner if they can be found.
- 8.13 Notwithstanding anything in this by-law to the contrary, no cat or dog shall be released from impoundment unless the cat or dog is first licensed in accordance with the provisions of this by-law, if required to be licensed by this by-law.

- 8.14 Notwithstanding any other provisions of this by-law where, in the judgement of a veterinarian or the Medical Health Officer, an impounded animal should be destroyed for humane reasons such animal shall forthwith be destroyed and shall not be recovered by the owner or sold.
- 8.15 Impounded animals will only be released during regular Town Office hours, Monday to Friday.

9. RABIES CONTROL

- 9.01 Upon being brought to the notice of an Officer, any unvaccinated animal that bites a person may be seized by an Officer and placed under quarantine for a period of 10 days at the Animal Shelter, and for the purposes of this section, an animal shall be deemed to be unvaccinated unless the owner shall provide a certificate acceptable to the Town certifying that the animal has received a vaccination that currently protects the animal from contracting rabies
- 9.02 Where any animal has been diagnosed as being rabid, or is suspected by a veterinarian or the Medical Health Officer as being rabid, or dies while under quarantine, the officer shall immediately send the head of such animal to a laboratory for pathological analysis, and shall notify the Medical Health Officer of any known human contacts and of the diagnosis made of the suspected animal after pathological examination.
- 9.03 Every animal bitten by an animal adjudged to be rabid shall forthwith be destroyed or, at the owner's option and expense, shall be treated for rabies infection by a veterinarian.
- 9.04 Except as provided in Section 10.08 no person shall kill, or cause to be killed
- a. any rabid animal,
 - b. any animal suspected of having been exposed to rabies, or
 - c. any animal which has bitten a human,
- nor remove the same from the Town without written permission from an Officer or the Medical Health Officer.
- 9.05 Upon demand the carcass of any dead animal which has been exposed to rabies shall be surrendered to an Officer or to the Medical Health Officer.

10 Dangerous AND WILD ANIMALS

- 10.01 For the purposes of this By-Law, any animal that has bitten a person or persons more than once, shall be deemed to have a dangerous temperament.
- 10.02 No person shall own an animal with a dangerous temperament unless such animal shall be confined within a building or secure enclosure.
- 10.03 No owner of any animal shall permit such animal to bite any person and where such animal has bitten any person it shall be deemed to have been done with the consent of the owner.

- 10.04 No owner of an animal shall permit same to bite any other animal which is on a leash held by a competent person, and where such animal has bitten another leashed animal it shall be deemed to have been done with the consent of the owner.
- 10.05 No owner of any animal shall permit such animal to bite, attack or harass any other tethered animal or any animal or poultry which is in a pen or fenced area and where such animal has bitten, attacked or harassed any animal or poultry, it shall be deemed to have been with the consent of the owner.
- 10.06 In any proceeding under subsection 10.02, the Justice may make an order for the surrender of the animal by the owner to a Bylaw Enforcement Officer for the destruction or other disposal within such time as the Justice may deem appropriate, and where the animal is not surrendered pursuant to the order, the Justice may by discretion impose a fine not exceeding Five Hundred dollars (\$500.00) upon the owner.
- 10.07 In any proceedings or prosecution under subsection 10.01, the Justice may make an order for the destruction or other disposal of the animal by the owner within such time as he may deem appropriate and, where the animal is not destroyed or otherwise disposed of pursuant to the order, the Justice may by discretion impose a fine not exceeding \$500.00 upon the owner.
- 10.08 Notwithstanding any other provision of this by-law, where an Officer considers it to be in the interest of public safety to do so, they may forthwith destroy any animal running at large in contravention of this by-law, whether or not such animal is deemed to have a vicious temperament.
- 10.09 No person shall own a wild animal within the Town except for the purpose of exhibition in circuses, zoos, educational institutions, and in accordance with such regulations as shall be established from time to time by the Town.
- 10.10 Where a Justice of the Peace is satisfied upon evidence under oath that there are reasonable and probable grounds to believe that a dangerous dog is being kept in violation of this bylaw he may by order authorize a peace officer to seize and impound the dog.
- 10.11 An owner who fails to surrender a dog that is the subject of an impoundment to subject 10.10 of this by-law, upon demand being made by a peace officer, commits an offence punishable upon summary conviction and is liable to a fine of up to five hundred dollars (\$500.00) or thirty (30) days of imprisonment or both.

11. KENNELS

- 11.01 Notwithstanding the provisions of this by-law, the holder of a licence to operate a kennel, issued in accordance with the Business Licence By-law, shall at the time of issue of such licence be provided, without charge, 3 metal dog tags.

- 11.02 Any person operating a licensed kennel shall keep the dogs thereof confined to the kennel premises, except when the dogs are wearing the metal licence tags issued pursuant to subsection 11.01 hereof, and are under the immediate charge and control of some competent and responsible person.

12. INTEREST OF PUBLIC SAFETY

- 12.01 Notwithstanding any other provision of this By-Law, where an Officer considers it to be in the interest of public safety to do so, he may with the consent of the owner, if the animal is on the owner's property, or without consent if the animal is running at large, forthwith destroy any animal that is in contravention of this By-Law, whether or not such animal is deemed to have an aggressive or dangerous temperament.
- 12.02 An Officer may enter upon any land for the purpose of securing or seizing any animal to prevent the continuation of an offence and determine ownership.

13. SPECIAL PERMITS

- 13.01 Subject to Section 14 of this By-law, no person shall keep or permit to be kept any animal other than house animals and/or a maximum of two dogs or two cats within any subdivision area in the Town without a special permit duly authorized by council. The permit shall be upon the form as indicated on Schedule "A" attached hereto.
- 13.02 No person, other than the holder of a kennel or veterinary clinic licence, shall own, or permit to be owned, more than five dogs at any time on land or premises occupied by their owners within any subdivision area in the Town.
- 13.03 Every person, other than the holder of a valid kennel or veterinary clinic licence, wishing to own more than two dogs on land or premises occupied by their owners within any subdivision area in the Town shall first apply to the Town for a special permit and pay a permit fee of \$10.00.
- 13.04 No application for a special permit, shall be considered under Section 13.01 unless the applicant shall provide to the Town at the time of application:
- a. the consent in writing, on form prescribed by the Town, of all property owners whose property is located within 100 metres of the boundaries of the property of the applicant on which the animals will be harboured, and
 - b. an agreement in writing, on a form prescribed by the Town:
 - i. permitting the Town and its officers to enter onto the lands where the animals be kept, for purposes of inspection;
 - ii. agreeing that the owning of the permitted animals will not be for gain or profit.

13.05 Every special permit issued under this by-law shall be effective from the date of issue until the 31st day of December of the current year, and shall be renewed each year on or before the date of expiry.

13.06 For the purpose of Section 13

- a. animal" shall mean any animal, as defined in Section 2.01, which is older than the age of 3 months, and
- b. in any proceedings under those sections, any animal shall, in the absence of evidence to the contrary, be deemed to be over the age of 3 months.

13.07 The provisions of Sections 13.04 to 13.06 shall not apply to owners temporarily in the Town for a period not exceeding two weeks.

13.08 In any prosecution or proceedings for a contravention of this By-Law, the burden of proof that an owner is not a resident and is temporarily in the Town for a period not exceeding two weeks shall rest upon the owner.

13.09 No permit shall be issued unless the applicant shall provide to the Town at the time of application:

- a. the consent in writing, in such manner prescribed by the Town, of all property owners whose property is located within 100 meters of the boundaries of the property of the applicant on which the poultry or livestock will be harboured, and
- b. an agreement in writing, in such manner prescribed by the Town:
 - i. permitting the Town and its officers to enter onto the lands where the poultry or livestock will be kept, for the purpose of inspection.
 - ii. agreeing that the owning of poultry or livestock will not be for commercial purposes.
 - iii. agreeing that no livestock shall be harboured within 100 feet of a body of water.

13.11 Renewal of the permit shall not require the adjoining property owners' consent unless a complaint has been received by the Town in the previous year.

14 PERMITTED AREAS

14.01 Subject to all other Sections of this by-law, the following table will identify which animals are permitted in which zones as identified in the municipal Zoning By-Law.

Residential: (R1,R2,RMH,RC) Dogs, Cats, and house animals.
Rural Residential:(RR) All animals permitted under this bylaw.

Commercial Zones: (CL, CH) Dogs, Cats, House animals, domestic poultry.

Industrial Zones: (M1, M2) Dogs, Cats, House animals, domestic poultry.

Institutional Zones: (I) Dogs, Cats, and House animals.

14.02 Domestic livestock may be kept in any area zoned for agricultural use.
Animals may be kept for profit or commercial use only in an area zoned for agriculture.

14.03 The owner may make a request in writing to Council to keep animals otherwise not permitted in any zone. Council may approve the application subject to meeting and maintaining certain terms and conditions, which may include, but is not restricted to, a public hearing, agreement of the property owner, and neighbouring property owners' approval.

15. TRANSPORT OF ANIMALS

15.01 No person shall keep or transport any animal within or upon any motor vehicle or trailer within the Town unless such animal is securely confined within or upon such motor vehicle or trailer.

15.02 Any animal not confined as required by subsection (1) shall be deemed to be at large.

15.03 In any prosecution or proceedings under this section the registered owner of the motor vehicle or trailer referred to in subsection (1) shall be deemed to be the owner of the animal unless it is a licensed dog.

16. PENALTIES & ENFORCEMENT

16.01 Every person who violates, or fails to comply with any of the provisions of this by-law with the exception of the offences in Schedule "B" is guilty of an offence and liable on summary conviction.

(a) For a first offence to a fine not exceeding \$100.00;

(b) For a second offence to a fine not exceeding \$200.00;

(c) For a third and subsequent offence to a fine not exceeding \$300.00.

Exclusive of costs and any other fees, charges, or expenses payable under this Bylaw, and in default of payment of any fine and costs, to imprisonment for a period not exceeding six (6) months.

(d) For the purpose of Section 9 of the Summary Convictions Act, proceedings in respect of any offence specified in this By-law may be commenced by means of a Ticket issued in Form 1 attached to and forming part of this bylaw.

(e) Tickets in respect of offences specified in Schedule "B" are authorized to contain the endorsement referred to in Section 20 of the Summary Convictions Act.

- (f) The amount of the fine shall be specified on the Notice to Appear part of the ticket endorsed as provided by Subsection (d) of this Section for a particular offence specified under Sections 16 of this Bylaw.
- (g) Pursuant to Section 34 of the Summary Convictions Act, an expression appearing under the heading "Ticket Description of an Offence" in Schedule "B", or an expression of a similar import, is authorized for use on a ticket for the description of an offence under the provision of the section of the bylaw referred to opposite the expression under the heading Authority.
- (h) A separate ticket shall be issued for each offence, notwithstanding that more than one offence may be committed simultaneously under one bylaw.
- (i) A fine in respect of an offence committed under a Bylaw may be paid to the Town of Watson Lake before the complaint is forwarded to a Justice as provided by Section 19(02) of the Summary Convictions Act, and thereafter such fines shall be paid to the Clerk of the Territorial Court for transmission to the Town of Watson Lake.
- (j) Payment of fines shall be made in the form of cash, certified cheque or money order.
- (k) Where a ticket in Form 1 providing for a voluntary fine under Section 20 of the Summary Convictions Act is issued in respect of an offence specified in Schedule "B", the penalty that may be imposed on the accused person shall consist of a fine in an amount determined under this bylaw and the Summary Convictions Act, notwithstanding any provision of any other bylaw to the contrary.
- (l) Subsection (k) does not affect the authority of a Justice to make an award as to costs.

17. Repealing By-Law

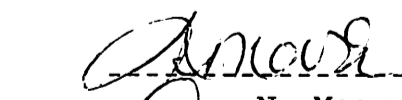
By-Law 01-11, Animal Control By-Law is hereby repealed.


This Bylaw shall come into full force and effect on the third and final reading thereof.

Read a first time this 07 day of August, 2007.

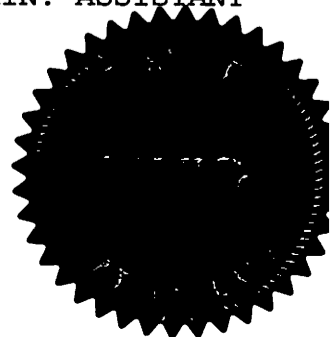
Read a Second time this 21 day of August, 2007.

Read a Third time and Finally Passed this 21 day of August, 2007.



 N. Moore - MAYOR


 T. Close - ADMIN. ASSISTANT



SCHEDULE "A"

TO
TOWN OF WATSON LAKE
BY-LAW 07-09

SPECIAL ANIMAL PERMIT

The Town of Watson Lake hereby authorizes _____,
resident of Watson Lake, to keep the following animals upon the
property know as Block _____, Lot _____.

Type of Animal: Specify breed, age,
color. _____

Special Conditions:

Issuance of this permit does not exempt the animals identified
hereupon to be exempt from any other provision of the Animal
Control Bylaw.

Every permit issued under this Bylaw shall be effective from the
date of issue until the 31st day of December of the current year,
and shall be renewed each year on or before the date of expiry.

Permit fee: \$10.00 for each animal

Signature of Applicant: _____ Date: _____

Signature of Animal Control Officer: _____

Date: _____

SCHEDULE "B"
TO
TOWN OF WATSON LAKE
BY-LAW 07-09

| <u>Ticket Description of Offence</u> | | <u>Penalty</u> |
|--------------------------------------|---|----------------|
| <u>Section</u> | | |
| 5 (01) | Dog or cat at large(2nd offence in 12 months) | 150.00 |
| 5 (01) | Dog or cat at large(3rd offence in 12 months) | 200.00 |
| 5 (02) | Unleashed dog | 75.00 |
| 5 (05) | Nuisance animal | 150.00 |
| 5 (06) | Damage by animal | 50.00 |
| 5 (07) | Animal defecation on private/public land | 100.00 |
| 5 (08) | Noisy dog or cat | 150.00 |
| 5 (09) | Dangerous animal violation | 500.00 |
| 5 (12) | Interfere with dog or cat catcher | 500.00 |
| 5 (14) -1 | Fail to have fresh drinking water/ suitable food | 75.00 |
| 5 (14) -2 | Clean food/water receptacles violation | 75.00 |
| 5 (14) -3 | Fail to exercise animal | 75.00 |
| 5 (15) -1 | Insufficient area for animal | 100.00 |
| 5 (15) -2 | Fail to provide adequate outdoor shelter | 100.00 |
| 5 (16) | Unsanitary outside area, pen or run | 100.00 |
| 5 (18) | Inadequate ventilation for confined animal | 200.00 |
| 6 (01) | Unlicensed dog or cat | 100.00 |
| 6 (11) | No tags on dog or cat | 50.00 |
| 9 (04) | Kill or remove rabid animal | 150.00 |
| 10 (03) | Dog bite - person | 200.00 |
| 10 (04) | Dog bite dog or cat | 150.00 |
| 10 (05) | Dog attack - tethered/caged | 200.00 |
| 10 (09) | Wild animal violation | 100.00 |
| 10 (09) | Unauthorized animal | 200.00 |
| 11 (02) | Untagged kennel dogs at large | 125.00 |
| 13 (01) | Keep more than two dogs and two cats | 200.00 |
| | Daily Pound Fee's Dog | 10.00 |
| | Daily Pound Fee's Cat | 5.00 |