



TOWN OF TRENTON BY-LAW NO.20 DOG CONTROL

Title: This by-law shall be known and cited as the Dog Control By-law for the Town of Trenton.

Definitions

2. In this By-law, unless the context otherwise requires:

“destroy” means to kill on sight or to euthanize after capture;

“dog” means any dog, male or female, or any animal that is the result of the breeding of a dog with any other animal;

“domestic animal” includes pets and farm animals;

“extraordinary expense” means any expense incurred by Town of Trenton Staff in relation to a dog except for provision of food and shelter;

“fierce or dangerous dog” has the meaning stipulated in section 17 of this By-Law;

“mitigating factor” means a circumstance which excuses the aggressive behaviour of a dog where:

- i. the dog, at the time of the aggressive behaviour, attacked or injured any Trespasser on property occupied by its owner;
- ii. the dog, immediately prior to the aggressive behaviour, was being abused or tormented by the person or animal attacked or injured;

“Town of Trenton Staff” means the Town of Trenton’s Dog Control Officer, or a person appointed by the Chief Administrative Officer or Council to act on the Town’s behalf for the purposes of this By-Law, and includes the Pound Keeper, and all Constables and Peace Officers.

“Owner” means the owner of a dog and any person who possesses, has the care or control of, or harbours a dog and, where such a person is a minor, includes a parent, guardian or custodian of such a person;

“wolf-dog hybrid” means any animal which results from the breeding of a dog and a wolf or that is or has been advertised or held out for sale as such;

Authority

3. Pursuant to Sections 175-179 of the Municipal Government Act (S.N.S. 1998, c. 18).

Registration

4. Every owner of a dog shall, within thirty (30) business days of having become owner, register such dog with Town of Trenton Staff and obtain from Town of Trenton Staff a tag for such dog.
5. To register a dog, an owner shall pay a one-time registration fee, per dog registered, as listed in the Town of Trenton Dog Control Policy, and shall supply Town of Trenton Staff with the following for each dog registered:

- 5.1 Name, civic address, mailing address and telephone number of the owner;
- 5.2 Name and breed of the dog;
- 5.3 Description of the dog including whether the dog is male or female, spayed or unspayed or neutered or unneutered as the case may be;

And at the discretion of the owner, the following additional information may be supplied:

- 5.4 A photograph of the dog;
 - 5.5 Identification information such as micro-chip implants, tattoos, or other special markings; and
 - 5.6 The name of the veterinary clinic frequented by the dog and veterinary file ID number.
6. Registration shall be effective until the death of the registered dog. Dog tags are non-transferrable.
 7. The following are exempt from registration:
 - 7.1 the Town of Trenton Staff or Pound Keeper or the SPCA shall not be required to register a stray;
 - 7.2 a dog shall be exempt from registration and registration fees in the event the owner proves that the dog is under the age of three months;
 8. A licensed dog that is trained to assist and assists a person with a disability is exempt from paying a registration fee but not from registration.
 9. The owner of every dog shall keep on the dog a collar with the tag issued for that dog by Town of Trenton staff at the time of registration and such tag shall be kept securely fixed on the dog at all times during the year until a replacement tag is issued, except that such tag may be removed while the dog is being used for lawful hunting purposes in the presence and under the control of the dog's owner and wearing a collar bearing the owner's name and address.

10. The owner of a dog shall deliver in writing to the Town of Trenton Staff a statement of the number of dogs owned or harboured, or that are kept upon the premises occupied by the owner within 10 days after having received notice requiring it to be provided.

Dog Control and Pound

11. Town of Trenton Staff shall be responsible for the enforcement of this By-Law.
12. Council shall appoint a Pound Keeper who shall;
- 12.1 collect on behalf of the Town any Impounding Fees, Daily Pound Fees as listed in the Town of Trenton Dog Control Policy and any other additional charges or fees as are authorized in this By-Law and as may be set by resolution of Council;
 - 12.2 be responsible for the operation of the pound;
 - 12.3 provide adequate food and water to impounded dogs;
 - 12.4 keep the pound in a reasonable state of cleanliness;
 - 12.5 keep the pound premises neat and tidy in appearance.

Dogs Running at Large

13. A dog is deemed to be running at large if:
- 13.1 the dog is off the property owned or occupied by the dog's owner and is not under constant control of the owner or another person by leash or harness;
 - 13.2 the dog is on the property owned or occupied by the dog's owner but is attached to a tether of sufficient length to permit the dog to leave that property;
14. A dog is not running at large if the dog is:
- 14.1 participating in an organized hunt, dog exhibition event or dog field trials;
 - 14.2 participating in a search and rescue operation or law-enforcement operation;
 - 14.3 assisting a person with a disability, provided the dog is licensed and trained for such purpose; or
 - 14.4 within a municipal off-leash dog park designated by signage as an area in which dogs are permitted to be without leash provided all rules set out in Section 28 are being followed.

Fierce or Dangerous Dogs

15. For purpose of this By-Law a dog that is fierce or dangerous means any dog;
- 15.1 that is wolf-dog hybrid;
 - 15.2 that, in the absence of a mitigating factor as defined herein, has attacked or injured a person;

- 15.3 that, in the absence of a mitigating factor as defined herein, has attacked or injured a domestic animal;
- 15.4 that, in the absence of a mitigating factor as defined herein, when either unmuzzled or unleashed, in a vicious or terrorizing manner, approaches any person in an apparent attitude of attack upon streets, sidewalks, any public grounds or places, or on private property other than the property of the owner;
- 15.5 owned or harboured in whole or in part for the purpose of dog fighting; or
- 15.6 trained for dog fighting;
- 15.7 provided that no dog shall be deemed fierce or dangerous if it is a professionally trained guard dog while lawfully engaged for law enforcement.

Disturbance

- 16. No dog is permitted to persistently disturb the quiet of a neighborhood by barking, howling or otherwise.
 - 16.1 Town of Trenton staff may issue a written warning to the owner of a dog which disturbs the quiet of a neighborhood, giving notice that continued disturbance will result in the seizure or impoundment of the dog.
 - 16.2 A follow up with complainant must occur within fifteen (15) business days.
 - 16.3 The owner of a dog which persistently disturbs the quiet of a neighborhood within the meaning of this part commits an offence and is subject to penalties in section 29 & 30.

Responsibilities of Owners

- 17. Every owner of a dog:
 - 17.1 whose dog runs at large;
 - 17.2 whose dog is not wearing a tag required by this By-Law;
 - 17.3 whose dog is not registered pursuant to this By-Law;
 - 17.4 whose dog persistently disturbs the quiet of the neighbourhood by barking, howling or otherwise;
 - 17.5 who neglects or refuses to provide a written statement required by this By-Law;
 - 17.6 who harbours, keeps, or has under care, control or direction a dog that is fierce or dangerous;
 - 17.7 who fails to remove the feces of a dog, other than a licensed dog that is trained to assist and is assisting a person with a disability, from public property or private property other than the owners;

is in contravention of the By-Law.

Impounding

18. Town of Trenton Staff may, without notice to or complaint against the owner, impound any dog that:
 - 18.1 runs at large contrary to this By-Law;
 - 18.2 is not wearing a tag required by this By-Law;
 - 18.3 is not registered pursuant to this By-Law;
 - 18.4 is fierce or dangerous;
 - 18.5 is rabid or appears to be rabid or exhibits symptoms of canine madness; or
 - 18.6 persistently disturbs the quiet of the neighbourhood by barking, howling, or otherwise.
19. A fixed Release Fee for Impounded Dog, plus a Daily Pound Fee as found in the Town of Trenton Dog Control Policy shall be payable by any person seeking to redeem an impounded dog.
20. Subject to Sections 24 to 27 of this By-Law, except in the case where a dog is impounded for being fierce or dangerous, or is rabid or exhibits symptoms of canine madness, the owner of a dog which has been impounded, upon proof of ownership of the dog, may redeem the dog after payment to the Pound Keeper, or making arrangement for payment satisfactory to the Pound Keeper, of the Impounding Fee and the Daily Pound fee(s) along with reimbursement for any Extraordinary Expenses incurred by the Town of Trenton Staff in relation to the Dog.
21. In the case of redemption of a dog which has not been registered pursuant to this By-Law, the owner shall also be required to register the dog and pay the registration fee before being allowed to redeem the dog.
22. Any dog which has not been redeemed by its owner at the expiry of a period of 7 days after being impounded may be given away, sold, or euthanized by the Pound Keeper and, if sold, the proceeds shall belong to the Town.
23. Whenever the 7 days of impounding time expires on a weekend, the Pound Keeper shall hold such dog until the expiry of the first business day following the weekend to permit the owner to redeem the dog.

Notice

24. Upon any dog being impounded the Pound Keeper shall check for a tag and if a tag is found, the Pound Keeper shall make at least two attempts to contact the registered owner of the dog using the tag number on the records of Town of Trenton Staff. Provided however that if a dog is missing, the onus is on the owner of the dog to ascertain within the time period provided for impounding under this By-Law, whether the dog has been impounded, and neither the Pound Keeper nor the Town shall incur liability in the event of failure to give Notice to the

owner, if the owner has not made inquiry of the Pound Keeper to determine whether the dog was impounded.

Dog Attacks

25. The owner of any dog that attacks any person or another animal is guilty of an offence under this By-law.

25.1 Where an Animal Control Officer has reason to believe that a dog has attacked a person or another animal, and the owner of the dog has been identified, the Animal Control Officer may do any one or combination of the following enforcement actions:

- (1) issue the owner a notice to muzzle the dog;
- (2) issue the owner a notice to microchip the dog;
- (3) classify the dog as a fierce or dangerous dog in the municipal registry; or
- (4) impound the dog until the owner accepts the responsibility to abide by conditions set out in the notice.

25.2 When a dog has been classified as a fierce or dangerous dog, the owner shall:

- (1) Keep the dog securely restrained either indoors or inside an escape-proof enclosure that does not allow the dog to jump, climb, or dig its way out of while it is on the property of the owner; and
- (2) Muzzle, securely leash, and ensure that the dog is under the control of a person not under 18 years of age when the dog is off the property of the owner.

25.3 Where an owner has been served with a notice pursuant to clause (1) or (2) of subsection 25.1, the failure of the owner to comply with any notice shall be an offence under this By-law.

25.4 Any owner of a dog who fails to comply with subsection 25.2 shall be guilty of an offence under this By-Law.

Destroying

26. Town of Trenton Staff may, after two written warnings have been given to the owner that a dog has been running at large or eluding capture, destroy such dog on sight or after capture.

27. Town of Trenton Staff may, destroy on sight any dog that is running at large and which he or she believes, on reasonable and probable grounds, to pose a danger to a person or a domestic animal in which the dog cannot be apprehended safely.

Off-leash Dog Park

28. Handlers must always keep their dog(s) leashed and under their control while on all Town properties unless otherwise permitted. There is a designated off-leash area at Trenton Park (119 Park Road, Trenton, Nova Scotia) that can be used for off-leash activities provided all rules are followed. To ensure the safety of all dog park users, the following rules must be followed while on site:

- (1) The off-leash dog area is for dogs, their handlers, and those accompanying them. No other use is permitted.
- (2) All dogs must be legally licensed and vaccinated, licenses can be requested.
- (3) Dogs under four months of age and female dogs in heat are prohibited.
- (4) Dogs must be properly secured on leash when entering and exiting the off-leash area.
- (5) Dogs must be always under the control of their handlers and in view of their handlers.
- (6) Spiked collars are prohibited. Handlers must always have possession of a dog leash.
- (7) A single handler is limited to a maximum of two dogs.
- (8) Handlers must pick up their dog's waste immediately and fill in any holes dug by dogs under their control.
- (9) Food and drinks in glass containers are prohibited; training treats are allowed.
- (10) Dogs must be removed from the off-leash dog area at the first sign of aggression.
- (11) No animals other than dogs shall be permitted in the off-leash area.
- (12) Handlers are responsible for any damages or injury caused by the dog(s) under their control.
- (13) Users of the facility do so at their own risk. The Town of Trenton shall not be liable for any injury or damage caused by any dog in the off-leash park.

Penalty

29. Any person who contravenes any provision of this By-Law is punishable on summary conviction by a fine of not less than \$250.00 and not more than \$5000.00 and to imprisonment of not more than ninety days in default of payment thereof.

30. Any person who contravenes section 19 of this By-Law and who is given notice of the contravention may pay to the Town, at the place specified in the notice, the sum of \$250.00 within 14 days of the date of the notice and shall thereby avoid prosecution for that contravention.

Repeal

31. All previous Town of Trenton Dog by-laws and all amendments are hereby repealed upon the effective date of this By-law.

Date of First Reading:

December 14, 2021

Date of Advertisement of Notice of Intent to Consider:

December 15, 2021

Date of Second Reading:

January 11, 2022

Date of Advertisement of By-law Passage and Approval:

January 12, 2022

I certify that this Dog By-law No.20 was adopted by Council and published as indicated above.


Chief Administrative Officer

01/12/2021
Date