



## TOWN OF RIVERVIEW

### BY-LAW 600-05-03

#### A BY-LAW Relating to the Control of Animals in the Town of Riverview.

BE IT ENACTED by the Town Council of the Town of Riverview, under the authority vested in it by the Municipalities Act, R.S.N.B. 1973, c.M-22 as follows:

#### 1. DEFINITIONS

**“Animal”** means domestic animal and includes dog and cat.

**“Animal Rescue Organization”** means a reputable organization in the Greater Moncton Area that rescue and provide care for abandoned animals.

**“Indoor Cat”** means a domesticated cat described by its owner as a cat that never leaves the confines of the owner’s residence.

**“Owner”** includes a person owning, possessing, harbouring or having the charge of an animal or permitting an animal to remain about the person’s house or premises and, where the owner is a minor, the person responsible for the custody of the owner.

**“Running at Large”** means any animal not secured by a leash, either

- (a) in a public place; or
- (b) on premises not owned by or in the possession of the owner of the animal.

**“Animal Controller”** means the person or persons appointed by the Town Council to administer this by-law.

**“Town Clerk”** means the Town Clerk of the Town of Riverview.

**“Poundkeeper”** means the person or persons appointed by the Town to retain all Animals.

**“Service Animal”** means an assistance dog, and may include other animals specifically trained to perform physical tasks to mitigate an individual’s disability. Assistance 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.

## **2. REGISTRATION AND LICENSING OF ANIMALS**

- (1)** All dogs and cats shall be registered by the owner within:
  - (a)** One Hundred Thirty (130) days (4 1/2 months) of the owner acquiring the animal in the case of a newborn animal; and
  - (b)** Sixty (60) days of the animal entering the Town of Riverview for other than newborn animals.
- (2)** The owner of any animal required to be licensed under this by-law shall pay an annual licencing fee of:
  - (a)** Thirty (\$30.00) Dollars for non-neutered/non-spayed animals;
  - (b)** Fifteen (\$15.00) Dollars for neutered/spayed animals.
- (3)** A license under this section expires on the last day of DECEMBER in each calendar year.
- (4)** Upon registration of an animal, the Animal Controller or Town Clerk shall issue to the owner a license tag which shall indicate the registration number of the animal and the year of the registration.
- (5)** Every owner of an animal required to be licensed shall cause such animal registered by him to wear a collar to which shall be attached the tag issued under Section 2(4) (4).
- (6)** Except as provided for in Section 2(7) no animal shall be registered unless the owner provides to the Animal Controller or Town Clerk, a valid rabies vaccination certificate for such dog or cat signed by a registered veterinarian.
- (7)** Upon an owner asserting that his or her cat is an indoor cat, the Animal Controller or Town Clerk shall register the cat as an indoor cat and the owner shall not be required to provide evidence of a valid rabies vaccination. A cat may be designated as an indoor cat only at the time of first registration.
- (8)** There shall be no licence fee for a “service animal” but it must be licenced and wear a current tag.
- (9)** The Animal Controller or Town Clerk shall keep a record of all licences issued showing:
  - (a)** The date and number of registration;
  - (b)** The sex and breed of dog or cat for which a license has been issued; and
  - (c)** The name, address and phone number of the owner.

## **3. SEIZING AND IMPOUNDING**

- (1)** An animal found running at large may be seized and impounded by the Animal Controller and the owner may claim his animal if he establishes,

to the satisfaction of the Animal Controller, his ownership and has paid to the Animal Controller;

- (a) a sum of Fifty (\$50.00) Dollars for the first offence;  
a sum of Seventy-Five (\$75.00) Dollars for the second offence;  
and  
a sum of One Hundred (\$100.00) Dollars for the third and subsequent offences.
- (b) a further sum based on an actual cost basis for each day the animal has been impounded plus any other rates and/or charges which may be levied for medication and services administered during the impounding period; and
- (c) the cost of a rabies vaccination for an indoor cat found running at large, such vaccination to be administered before the animal is returned to the owner.

- (2) Collection of all impounding fees and charges for services shall be the responsibility of the Town.
- (3) Impounded animals which have not been claimed within five (5) days time after seizure shall be relinquished to a registered non-profit animal rescue organization in the Greater Moncton Area.
- (4) If the owner of a seized animal is known, the Animal Controller shall make a reasonable attempt to notify the owner of such seizure and impounding.
- (5) The Animal Controller shall collect from the owner before releasing the animal, or from the purchaser at the time of the sale or adoption of the animal, the total costs of seizing, impounding and maintaining the animal.
- (6) The Animal Controller or Poundkeeper may, at their discretion, have an animal destroyed if he/she judges that the animal poses a risk to persons through its behaviour or if he/she suspects the animal is diseased.

#### **4. COMPLAINTS**

- (1) A Judge of the Provincial Court, on a complaint being made to him that an animal has bitten or attempted to bite any person or any other animal, and upon being satisfied that the complaint is warranted, may make an order;
  - (a) directing the owner of the animal to keep it under control; or
  - (b) directing the owner of the animal or some other person to destroy the animal.

#### **5. CONTROL OF ANIMALS**

- (1) The owner of any animal must keep his/her animal under control at all times including but not limited to the following:
  - (a) The animal must not be permitted to run at large any time;

- (b) The animal must be registered and licensed under the provisions of this by-law;
  - (c) The owner must attach and keep attached a current license tag to the collar of the animal;
  - (d) The owner must not permit his/her animal to make noises so annoyance is caused to the public;
  - (e) The owner must remove any feces left by the animal on any property in the Town of Riverview.
- (2) No person shall place or cause to be placed on or near his property, any matter which has the effect of attracting pigeons or seagulls thereto.

## **6. OFFENCE**

- (1) A person commits an offence under this by-law who:
- (a) Interferes or attempts to interfere with the Animal Controller, the Poundkeeper, and/or their agents who is/are exercising his/their functions under this by-law.
  - (b) Not being the “owner” removes the collar or a license tag from any animal.
  - (c) Violates any provision of this by-law.
- (2) Any peace officer or by-law officer is hereby authorized to take such action or issue such tickets as they may deem necessary to enforce any provision of this bylaw.

## **7. PENALTY**

- (1) A person convicted of an offence under this by-law shall pay a fine in accordance with the provisions under Part II of the Provincial Offences Procedure Act as a category D offence.
- (2) Where an owner is convicted under section 7(1), the Judge shall order the owner to pay the licence fee required in addition to the fine.
- (3) Every person charged with an offence under this by-law may, on or before the date a charge pertaining to the offence has been laid in Provincial Court, make a voluntary payment of a minimum of fifty dollars (\$50.00) to the Animal Control Officer or the Town Clerk.

## **8. REPEAL**

- (1) By-law R600-5-2 including any subsequent amendments and all former by-laws Respecting the Licensing, Registration, Immunization, and Impounding of Animals in the Town of Riverview are hereby repealed.

## **9. ORDAINED AND PASSED**

- (1) This by-law comes into effect on the date of final passing by the Town Council of Riverview.

**First Reading:** February 8, 2016  
**Second Reading:** February 8, 2016  
**Third Reading:** March 14, 2016

**Original by-laws and amendments thereto are on file in the Office of the Town Clerk.  
This document is for convenient reference purposes only. Any questions should be  
forwarded to the Office of the Town Clerk.**