

# THE RURAL MUNICIPALITY OF TACHÉ

## BY-LAW 9-2008

BEING a By-law to provide for the regulating, licensing and control of dogs within the limits of the Rural Municipality of Taché;

WHEREAS Subsection 232(1) of the *Municipal Act* provides in part as follows:

### Spheres of Jurisdiction

232(1) A council may pass by-laws for municipal purposes respecting the following matters:

- (a) the safety, health, protection and well-being of people, and the safety and protection of property;
- (k) wild and domestic animals and activities in relation to them, including by-laws differentiating on the basis of sex, breed, size or weight;
- (o) the enforcement of by-laws.

WHEREAS in the opinion of the Council of The Rural Municipality of Taché, it is necessary and advisable to pass a by-law to provide for the regulating, licensing and control of dogs within the limits of the Rural Municipality of Taché; consolidating and revising previous by-laws affecting dogs within the Municipality of Taché.

NOW THEREFORE be it enacted and it is hereby enacted as a By-law of The Rural Municipality of Taché as follows:

1. This By-law may be referred to as "The Dog Control By-law" and shall affect the area included within the limits of the Rural Municipality of Taché.

### Definitions

2. "at large" means off the premises of the owner and not on a leash held by a person able to control the dog. The leash shall be no longer than six (6) feet;

"dog" means either a male or female of the canine or canidae family;

"dog guide" shall extend to and include any dog specially trained for and actually used as a dog guide by any person whose sight is impaired or is blind;

"owner" includes any person who keeps or harbours a dog;

"person" includes corporation, firm, partnership or association;

"pound" means any enclosure, premises or place designated by The Rural Municipality of Taché for the purpose of impounding and caring for dogs found running at large in violation of this By-law;

"dangerous dog" means any dog which has been declared to be dangerous pursuant to section 17 of this By-law;

"pound-keeper" means a person or persons appointed by The Rural Municipality of Taché and includes dog control officer or officers approved by resolution of Council for the Rural Municipality of Taché and any one or more of his or their assistants authorized to perform any of the duties of the pound-keeper;

**ADMINISTRATION****3. Council shall:**

- (a) designate, establish and /or maintain premises for the confinement of dogs apprehended pursuant to any provision of this By-law and appoint a Pound-keeper and/or a Dog Control Officer to carry out the provisions of this By-law; or
- (b) ratify an agreement establishing a Dog Pound and appointing a Pound-keeper, and/or a Dog Control Officer made between the persons contracted with the Municipality, and such other municipal corporations that desire to employ a Pound-keeper and Dog Control Officer.

The costs connected with the establishment and maintenance of a Dog Pound and payment of the person or persons engaged to carry out the provisions of this By-law shall be paid out of the general operating funds of the Municipality.

**LICENSING**

- 4. (a) The owner of every dog kept within the Municipality and which is not confined in a Private Dog Kennel shall on or before the first day of January in each calendar year, or within twenty-one days of taking up residence or becoming a new dog owner, obtain from the Municipal Office at Lorette, Manitoba, license and tag for each dog and shall supply such information respecting each dog as the Municipality may require. Each such license shall expire on the 31<sup>st</sup> day of December next after the license became effective.
- (b) No license or tag issued pursuant to the provisions hereof shall be transferable from one dog to another and no refund shall be made on any paid up dog license fee because of death or sale of the dog or upon the owner leaving the municipality before the expiration of the license period.
- (c) Every owner of a dangerous dog must produce, before a license is issued, evidence that he has in place a comprehensive general liability insurance policy including coverage for damage or injury caused by his dog covering the balance of the license year with a minimum limit of liability of \$300,000.00 per occurrence.
- (d) The municipality shall supply each owner who has paid the appropriate license fee and provided the necessary particulars of registration with a tag for each dog so licensed and the owner shall secure each tag so issued securely to a collar or harness worn by the dog.
- (e) Where a change of ownership of a dog licensed hereunder occurs during the license year, the new owner may have the current license transferred to his name upon payment to the municipality of a transfer fee of \$2.00.
- (f) No license or tag shall be issued by the municipality unless the owner produces a certificate from a licensed Veterinarian Surgeon:
  - (i) in the case of every dog over the age of three months, certifying that the dog has been inoculated for rabies on a date no more than two years prior to December 31<sup>st</sup> of the current license year;
  - (ii) in the case of a female dog, certifying that it has been spayed, if the owner so implies;
  - (iii) in the case of a male dog certifying that it has been neutered, if the owner so implies;

- (g) In the event of the loss or mutilation of a tag, the owner shall obtain a replacement for same from the municipality upon payment of a fee of five (5) dollars;
- (h) No tag shall be affixed to the collar or harness of any dog except the tag issued by the municipality for the current year, or such other tags as may be required to be displayed pursuant to the laws of Manitoba or Canada.

**LICENSE FEE**

- 5. (a) The owner of every dog shall pay to the Municipality at the time the license is obtained, an annual license fee for each dog licensed as herein provided:
  - (i) for every neutered male dog or spayed female dog - \$10.00
  - (ii) for every non neutered male dog or non spayed female dog - \$25.00
- (b) No license fee or tag charge shall be made for any dog:
  - (i) which has not been weaned; or,
  - (ii) which has been trained and which is used or owned by a sightless person as a dog guide.
- (c) The annual license fee for every dangerous dog shall be \$75.00 which shall expire on the 31<sup>st</sup> day of December next after the license becomes effective and every dangerous dog shall obtain a new license tag each year.
- (d) The owner of any dog which has been declared to be dangerous pursuant to Section 16 & 17 shall, no later than the tenth (10) day after receiving notice from the Animal Control Officer that his dog has been declared to be dangerous obtain a license for the remainder of the license year upon payment of the following:
  - (i) during the period from January 1 to March 31, \$75.00;
  - (ii) during the period from April 1 to June 30, \$56.25;
  - (iii) During the period from July 1 to September 30, \$37.50;
  - (iv) During the period from October 1 to December 31, \$18.75.
- (e) Where a change of ownership of a dog licensed hereunder occurs during the license year, the new owner may have the current license transferred to his name upon payment to the municipality of a transfer fee of \$2.00.

**SPECIAL RESTRICTION**

- 6. (a) The owner of each unspayed female dog shall confine her in the residence of the owner or take the dog to a Private Dog Kennel for the period of time that such dog is in heat, and shall take all reasonable measures to prevent the congregation of dogs upon or in the vicinity of the premises in which the unspayed female dog is confined during the time when she is in heat.
- (b) No owner shall permit a dog to be anywhere other than on the owner's premises unless:
  - (i) the said dog is wearing a collar and proper license tag or plate, and
  - (ii) the dog is accompanied by and is under the immediate charge and control of some competent person.

**RESPONSIBILITY OF OWNERS**

7. (a) No owner shall:
- (i) permit his dog to run at large. When a dog is found running at large, its owner shall be deemed to have failed or refused to comply with this subsection;
  - (ii) permit his dog to bark or howl or in any other way unduly disturb the quiet of any person or persons anywhere;
  - (iii) permit his dog to damage public or private property other than the property of its owner. Where public or private property has been damaged by a dog, its owner shall be deemed to have failed or refused to comply with this subsection;
  - (iv) permit his dog to defecate on any public or private property other than the property of its owner. Where a dog defecates on property other than the property of its owner, the owner shall cause such excrement to be removed immediately;
  - (v) permit a dog to pursue any person or animal;
  - (vi) permit a dog to bite or wound any person or animal;
  - (vii) permit a dog on any school ground or playground;
  - (viii) permit a dog on parkland area unless the dog is on a leash (no longer than six(6) feet) and in the actual custody and control of the owner;
  - (ix) own, keep or harbour any dog (other than a dog under the age of four months or a guide dog) for which a license has not been issued for the current license year;
  - (x) harbour or keep any vicious or dangerous dog unless such dog is securely fastened and properly muzzled at all times in such place and in such manner that it does not endanger the safety of any person or any animal;
  - (xi) fail to produce on demand a Certificate of Vaccination for rabies for each dog he or she owns from a licensed Veterinary Surgeon showing that each dog has been vaccinated within the 12 months immediately preceding the demand. This clause shall not apply where a licensed Veterinary Surgeon states in writing that the dog cannot be vaccinated for rabies due to medical reasons.
- (b) An owner whose sight is impaired or who is blind who owns a registered Dog Guide or who is being assisted by a Dog Guide shall not be subject to the restrictions imposed under subsections (a)(iv) or (a) (vii).
- (c) An owner of a dog which is found upsetting waste receptacles and scattering the contents thereof in or about a street, lane or other public or private property not belonging to the owner of the dog, is guilty of an offence apart from the offence hereof, and upon summary conviction thereof shall in addition to any penalty imposed upon him, be civilly liable to the municipality for any expense directly or indirectly incurred by it in connection with the receptacle being upset or the waste scattered abroad.

**IMPOUNDING**

8. (a) It shall be the duty of the pound-keeper:

- (i) to capture and confine in the pound any dog running at large contrary to the provisions of this by-law. In addition, it shall also be the duty of the pound-keeper to enforce the provisions of this by-law;
  - (ii) to issue either a penalty ticket to or lay an information against an owner alleged to have committed an offence of permitting his dog to run at large. A penalty ticket may be served on the owner personally or upon a person apparently over the age of sixteen years at the residence of the owner.
- (b) The pound-keeper shall provide sufficient food, water and shelter to every dog captured and impounded during the time such dog remains impounded;
- (c) The pound-keeper shall keep all impounded dogs for a minimum period of five days, including the day of impoundment;
- (d) If after expiration of the five (5) day period of its impoundment, a dog has not been redeemed, it will be the duty of the pound-keeper to either sell to any person, at the discretion of the pound-keeper, for an amount not less than the proper pound fees due and upon such person registering and obtaining a license for such dog in accordance with this by-law or the pound-keeper may cause the dog to be disposed of;
- (e) (i) The pound-keeper shall take into custody and place in quarantine any dog that has bitten or has alleged to have bitten a person whether the alleged bite occurred on private premises or elsewhere and whether the skin is directly punctured or lacerated by the bite or not;
- (ii) If such a dog is not voluntarily surrendered to a pound-keeper by the owner, the pound-keeper shall be empowered to have a Provincial Judge, Magistrate or Justice of the Peace issue an order to seize and impound such dog;
- (iii) any such dog so delivered or taken into the pound shall be kept therein for ten (10) days, at the Municipality's expense, the said period commencing from the date of the bite;
- (iv) If such a dog so delivered or taken to the pound is found to be rabid, the dog shall be destroyed;
- (f) No liability shall attach to the pound-keeper and or The Rural Municipality of Taché for any dog destroyed or injured while being captured or during impoundment.

**REDEMPTION**

9. The owners of any dog impounded pursuant to this by-law may redeem the dog at any time within five (5) days of the time of capture by paying the following amounts to the pound-keeper/Municipality:
- (i) if the dog is currently unlicensed for the current year, the sum of \$25.00 be payable;
  - (ii) On any first offence the sum of \$50.00 plus \$20.00 for each day or any part thereof the dog has been impounded;
  - (iii) On any second offence occurring within the license year, the sum of \$100.00 plus \$20.00 for each day or any part thereof, the dog has been impounded;

- (iv) On any third or any subsequent offence occurring within the license year, the sum of \$225.00 plus \$20.00 for each day or any part thereof, the dog has been impounded.

- 10. Whenever a dog is impounded wearing a current license tag furnished by the municipality for such animal, the pound-keeper shall forthwith after the impounding of a dog, mail to the owner whose name appears on such license tag at the address shown thereon, a notice that the dog has been impounded and that if it is not redeemed within five (5) days of the date of mailing such notice, the dog may be sold or disposed of. If the said license tag was issued by another municipality, the pound-keeper shall notify the municipality thereof that such an animal has been impounded and will be disposed of if not redeemed within seven days of the date of such notification;
- 11. If the pound-keeper is satisfied that the owner of any dog impounded has complied with the provisions of this by-law as to licensing and registration and the provision of a collar and a license tag, and that the said license tag has been lost or is stolen, he shall allow the owner to redeem the dog without payment of a new license fee but upon payment of \$5.00 for a duplicate license tag;

**RIGHT OF ENTRY**

- 12. (a) The pound-keeper, a police constable, or any person authorized by this by-law to enforce the provisions contained herein may enter into land surrounding any building in pursuit of any dog which has been observed running at large;
- (a) The pound-keeper or any person authorized by this by-law may capture and impound any dog in respect of which he believes or has reasonable grounds to believe that an offense under this by-law is being or has been committed by any such dog which is required to be impounded pursuant to the provisions of this by-law, the provisions of any Statute of Canada or of the Province of Manitoba or any regulations made thereunder;

**INTERFERENCE WITH ENFORCEMENT**

- 13. (a) No person shall interfere with or attempt to obstruct a pound-keeper, a police constable or any person authorized by this by-law to enforce the provisions contained herein who is attempting to capture or who has captured any dog in accordance with the provisions of this by-law;
- (b) No person shall break open or assist in any manner, directly or indirectly in breaking open any dog pound, and shall on the conviction thereof as hereinafter provided, be subject to all the penalties of this by-law. All persons removing or attempting to remove any dog impounded therein, and in respect of which there may be unpaid fines, costs, damages or other charges, shall be subject to like penalties.

**COMPLAINANT IDENTIFICATION**

- 14. A complainant must give to the pound-keeper his or her name, address and telephone number before any action will be taken by the pound-keeper to either impound a dog or institute any legal proceedings;

**MAXIMUM NUMBER OF DOGS**

- 15. No person shall own, harbour, keep or have in his possession or control or on his premises, more than three (3) dogs over the age of six (6) months, regardless of the number of people who may be inhabiting the premises, unless such person holds a valid kennel permit sanctioned by a Conditional Use authorizing him to own that number of dogs.

**DANGEROUS DOGS****16. Dog Bites**

- (a) The animal control officer:
- (i) shall apprehend, impound and place in quarantine any dog that he has reason to believe has bitten a person or is likely to cause serious damage or injury; and
  - (ii) may apprehend, impound and place in quarantine any dog that he has reason to believe has bitten a person if, in his discretion, such action in respect of the domestic pet is necessary for the protection of the public;

(in either case, the "dog" whether on private premises or elsewhere, and whether or not the skin was directly punctured or lacerated by the bite), except that this provision shall not apply to a police service dog owned by a public law enforcement agency while on duty and under the control of a qualified dog handler.

- (b) If the dog is not voluntarily surrendered to the animal control officer by the owner, the animal control officer shall be empowered to apprehend and impound the dog and, if necessary, to apply to a provincial court judge, magistrate or justice of the peace, as required, in order to obtain an order to enter the personal residence of the owner for the purpose of apprehending and impounding the dog.
- (c) Any dog so apprehended and impounded at the pound shall be quarantined for a minimum of ten (10) days at the owner's expense, commencing from the date of impoundment.
- (d) The animal control officer may, in his discretion, authorize the owner of the dog to quarantine the animal in a place other than the pound, provided that such place is under the direct supervision of a licensed veterinarian and that the dog must remain at such place at the owner's expense for the quarantine period.
- (e) Subject to a determination by the animal control officer that the dog is not a dangerous animal, the dog may be released to the owner after expiry of the prescribed quarantine period upon payment by the owner to the pound-keeper of the pound fee calculated at the daily rate together with any costs or fines assessed against the owner hereunder. In the event that the owner fails to redeem the dog from the pound within five (5) days after the expiry of the quarantine period, the dog shall be sold, or otherwise disposed of, or destroyed at the discretion of the pound-keeper.
- (f) The animal control officer shall keep a record of all bite incidents, identifying the dog and the details of the incident, and such record may be used in any hearing or appeal with respect to the dangerous animal provisions contained herein.
- (g) The head of any dog quarantined for biting that dies while quarantined and prior to the veterinary examination, shall be submitted to the Canadian Food Inspection Agency for rabies examination.
- (h) Every dog shall be examined by a licensed veterinarian approved by the animal control officer prior to release from quarantine. The determination as to whether or not the dog can be released from quarantine or must be destroyed or otherwise disposed of, shall be at the discretion of the animal control officer based upon the following factors:

- (i) the medical report of the licensed veterinarian who has examined the dog;
  - (ii) whether or not the public health authorities are prepared to consent to the release of the dog;
  - (iii) the severity of the bite incident, the circumstances surrounding the incident and the consequences of the incident;
  - (iv) whether or not the dog is, in the opinion of the animal control officer, a dangerous animal;
  - (v) proof that the dog does not have rabies, and that the dog has a current rabies vaccination status at the date of the bite incident;
- (i) It shall be within the discretion of the animal control officer to release a dog prior to the expiry of the quarantine period and to impose conditions upon the release of a dog from quarantine, which conditions may include, without limiting the generality of the foregoing:
- (i) the owner shall take the necessary measures to ensure that the dog is confined to the owner's premises in such a manner as to prevent escapes, and to ensure that all direct contact with other animals and persons other than the owner is avoided;
  - (ii) the owner shall post in a conspicuous location at the entrance of the premises where the dog is confined, a sign which reads "Beware of Dangerous Dog";
  - (iii) the owner shall submit the dog for veterinary examination from time to time as may be prescribed by the animal control officer, and shall report the results of any such veterinary examination to the animal control officer;
  - (iv) the owner shall take out and pay for such liability insurance on the dog as may be prescribed by the animal control officer;
  - (v) the owner shall be responsible for all costs, fines and damages associated with the dog, including the costs of impoundment, quarantine, signage and veterinary fees, pound fees, and license fees, and any costs associated with liability to the victim or victims of the bite incident;
  - (vi) such other conditions as the animal control officer may deem necessary or advisable in the interests of public safety.

#### **DETERMINATION THAT AN ANIMAL IS A DANGEROUS ANIMAL**

17. (a) Where the animal control officer has reason to believe that a dog is a dangerous animal, he shall arrange a hearing before Council at a regularly scheduled meeting of Council to determine whether or not the said animal should be declared a dangerous animal. In the event that an owner voluntarily accepts the dangerous animal declaration and the recommended disposition of the matter made by the animal control officer, a hearing before Council may be dispensed with, and the recommended disposition of the matter shall constitute a final order in respect of which there is no appeal.
- (b) Where it is deemed necessary by the animal control officer to protect the public or other animals pending the decision of Council, the animal control officer may:
- (i) require that the animal be quarantined in the pound until the earlier of the date that the animal control officer determines that it is safe



to release the animal to the custody of the owner or until Council hears the matter and issues its determination; or

- (ii) may impose all or any of the conditions set out in subsection 16(d)(i) of this by-law upon the owner's custody of the animal, which conditions shall apply until the earlier date that the animal control officer determines that it is safe to remove the conditions or until Council hears the matter and issues its determination.
- (c) Council shall provide written notice of the hearing to the owner of the dog at least ten (10) days in advance of the hearing by serving notice upon the owner or by mailing the notice by registered mail to the last known address of the owner. The animal control officer shall be entitled to mail the said notice to the last address provided by the owner to the Municipality in relation to the licensing of the said dog. The notice shall include the following minimum information:
- (i) the time, place and purpose of the hearing;
  - (ii) a summary of the reasons in support of the allegation that the animal is dangerous;
  - (iii) a copy of section 16, 17 and 18 of the by-law; and
  - (iv) a statement that if the owner does not attend the hearing, the matter will be dealt with in his absence and that he will not be entitled to any further notice or appeal in regard to the proceedings concerning the animal.
- (d)(i) The owner has the right to appear at the hearing, with or without counsel, and to make submissions to Council and call evidence (whether viva voce or documentary) on his behalf. The owner also has the right to hear all of the evidence and submissions presented at the hearing by or on behalf of the animal control officer and to inspect any documents filed by or on behalf of the animal control officer, and to respond to same.
- (ii) Where the owner does not attend at the hearing, having been given notice, Council shall be entitled to deal with the matter in his absence, and the owner shall not be entitled to any further notice or appeal in regard to the proceedings concerning the dog. The owner shall be notified of the decision of Council by notice in writing delivered by personal service or registered mail.
- (c) Within five (5) working days of the hearing of Council, Council shall issue a written decision in accordance with the following provisions:
- (i) The Council shall make an order declaring the dog to be a dangerous animal if in their opinion:
    - (1) the dog has caused injury to or killed a person, whether on public or private property; or
    - (2) the dog has seriously injured or killed any other domestic animal or any livestock without provocation; or
    - (3) the dog is used primarily for the purpose of guarding property and is not a police service dog owned by a public law enforcement agency.
  - (ii) The Council may make an order declaring the dog to be a dangerous animal if, in their opinion, there is a material risk that the dog may cause damage or injury to person or property or any other animal, taking the following non-exhaustive factors into account:

- (1) whether the dog has worried, bitten, wounded or injured any person or animal, or is otherwise a dangerous animal;
  - (2) the circumstances surrounding any previous worrying, biting or wounding incidents; and
  - (3) whether the dog, when unprovoked, has shown a tendency to pursue, chase or approach in a menacing fashion, any person or any other animal upon any public or private property.
- (iii) The Council shall deliver a copy of their decision to the owner. There shall be no obligation upon Council to issue written reasons for their decision.
  - (iv) The decision of Council shall be final. There shall be no appeal from the decision of Council.
  - (v) In the event that a dog is declared by Council to be a dangerous animal, any license previously issued in relation to that dog shall be deemed to have been cancelled effective as of the date of Council's decision to declare the dog to be a dangerous animal.
  - (vi) Where a license is deemed to have been cancelled, the owner shall be entitled to a credit or refund on any paid-up license fee, calculated on a quarterly pro rata basis. The Municipality may set-off against any such refund, any fines, fees or costs owing by the owner under this by-law.
  - (vii) Every owner who has received notification from Council that a determination hearing will be held with respect to his animal, shall ensure that the dog remains confined upon the premises of the owner pending the final outcome of the hearing.
  - (viii) Sub clause (vii) shall not apply if the dog is impounded or the dog control officer receives written confirmation from a licensed veterinarian that the dog has been placed in quarantine pending outcome of the hearing.

**CONSEQUENCES OF DANGEROUS DOG DECLARATION**

- 18. (a) Council shall determine whether the dangerous animal should be destroyed or released to the owner subject to the conditions set out in sub clause (ii). The decision of Council shall be final and not subject to appeal.
- (b) Every owner of a dog that has been declared to be dangerous and in respect of which Council has decided to release the dangerous animal to its owner, shall:
  - (i) No later than the tenth day after receiving notice from the animal control officer that his dog has been declared to be dangerous obtain a dangerous dog license;
  - (ii) cause the dangerous animal to be tattooed upon the ear with clearly identifiable information as set out by the Council and provide a copy of such information to the pound-keeper;
  - (iii) ensure that the dangerous animal, while on private property, is kept either securely confined indoors or in a securely enclosed and locked pen, structure or compound which:
    - (1) is capable of preventing the entry of young children and the escape of the dangerous animal;

- (2) has minimum dimensions suitable for the size of the dangerous animal, as prescribed by the animal control officer;
  - (3) has secure sides; and
  - (4) provides protection from the elements for the dangerous animal.
  - (iv) Permit the dog upon public property only if: (i) it is muzzled; (ii) it is restrained by a chain or leash not exceeding six (6) feet in length, fully extended; and (iii) the dog is at all times under the effective control of a person competent to control it.
  - (v) Within three (3) working days of selling, giving away or otherwise disposing of the dangerous animal, provide the animal control officer with the name, address and telephone number of the new owner.
  - (vi) Advise the animal control officer within three (3) working days of the death of the dangerous animal.
  - (vii) Advise the animal control officer forthwith if the dangerous animal has gone missing or is running at large or has bitten, worried or attacked any person or animal.
  - (viii) Maintain in force to the satisfaction of the CAO of the Municipality a comprehensive liability insurance policy, including coverage for damage or injury caused by the dangerous animal, with a minimum limit of liability of \$300,000.00 per occurrence.
  - (ix) Such other conditions as may be prescribed by order of the Council.
- (c) No person shall deface or remove a sign posted without having first obtained the permission of the animal control officer.

**DESTRUCTION OF DANGEROUS ANIMAL**

19. (i) Where it appears on reasonable grounds that an owner has breached a condition of this by-law in respect of a dog that has been declared dangerous or if a dog has caused injury or damage to any person, property or any other animal or if the dog control officer otherwise has reasonable grounds to believe that a dog presents a risk to any person, property or any other animal and such dog has been declared a dangerous animal by Council, the animal control officer may apprehend and impound the animal for the purpose of destroying it. In the event that a dog is causing an immediate risk to any person, property or any other animal, the animal control officer is authorized to apprehend and impound the said dog notwithstanding that it has not been declared to be a dangerous animal by Council at the time of its apprehension and impoundment.
- (ii) When the animal control officer impounds a dog under this section 19 for the purpose of destruction of the dog, he shall give the owner written notice, delivered to the last known address of the owner, that the dog will be destroyed after the expiry of ten (10) days from the date of the notice. The owner may, during that time period, appeal the decision of the animal control officer to Council by providing notice in writing to the Municipality, in which case Council shall hold a hearing at a regularly scheduled meeting of Council as to whether or not the dog should be destroyed, which hearing shall be carried out in accordance with the provisions of section 18 hereof. The animal shall remain quarantined in the pound pending the outcome of the hearing.

**RECORDS**

20. The pound-keeper shall keep a record of every animal impounded or destroyed. Such record shall show the description and particulars of every such animal, the day and hour of its impounding, redemption or sale or destruction, the name and the address of the owner (if known), the license number (if any), the amount and particulars of all fees, fines, charges, and of all moneys received in respect of such animal and the name and address of the person paying the same and such other particulars as the CAO or the Council of The Rural Municipality of Taché shall direct. All moneys collected by the pound-keeper shall be remitted to the Municipality as and when the CAO shall prescribe, together with such reports and statements as The Rural Municipality of Taché may require.

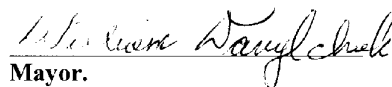
**PENALTIES AND CHARGES**

21. Any owner who contravenes or permits the contravention of any provision of this by-law, or who fails, refuses or neglects to comply with the requirements of this by-law, is guilty of an offence and is liable, upon summary conviction and for which no other penalty is provided in this section, of which shall not exceed \$1,000.00:

- (a) to a fine of \$25.00 plus applicable costs for a first offence;
- (b) to a fine of \$50.00 plus applicable costs for a second offence;
- (c) to a fine of \$100.00 plus applicable costs, for each subsequent offence.

22. By-law 5-2000 be repealed.

**DONE and PASSED** as a by-law of The Rural Municipality of Taché in the Province of Manitoba this 17<sup>th</sup> day of June, A.D. 2008.

  
Mayor.

  
Chief Administrative Officer.

READ a First time this 10<sup>th</sup> day of June, A.D. 2008.

READ a Second time this 10<sup>th</sup> day of June, A.D. 2008.

READ a Third and Final time and Passed this 17<sup>th</sup> day of June, A.D. 2008.