

Information Report (IR)



Subject: Notice of Motion--Animal Regulation 2017

To: Darren Charters

Meeting: Regular Meeting - 18 Nov 2024

Department: Protective Services

Staff Contact: Todd Flynn, Director of Protective Services

Topic Overview: Notice of Motion--City of Corner Brook Animal Regulations 2017

Attachments: [Animal Regulations-2024-final \(002\)](#)

BACKGROUND INFORMATION:

In accordance with Section 39 of the City of Corner Brook Act, a notice of motion is required for the amendment, repeal and passing of bylaws/regulations of the City of Corner Brook.

Whereas Section 236 of the City of Corner Brook Act, R.S.N.L. 1990, c. C-15, as amended, authorizes council to make regulations:

- restricting and controlling the running at large or keeping of animals other than dogs;
- providing for the seizure and impounding of animals found at large or kept contrary to the regulations;
- prescribing impounding fees; and
- providing that an impounded animal may be sold, destroyed or otherwise disposed of if it is not claimed and the impounding fee paid in the time set out in the regulations.

Therefore, Notice is hereby given that at the Public Council Meeting on **December 2nd, 2024**, the following motion will be brought forward for consideration:

Pursuant to the powers vested in it by virtue of Section 263, 264, 280.1, 280.2 and 280.4 of the City of Corner Brook Act, 1990 and all other enabling powers, the Council of the City of Corner Brook hereby adopts and enacts the Animal Control Regulations.

Pursuant to the powers vested in it by virtue of Section 263, 264, 280.1, 280.2 and 280.4 of the City of Corner Brook Act, 1990 and all other enabling powers, the Council of the City of Corner Brook hereby adopts and enacts the following amendments to the Animal Regulations:

1. **Section 2. J) Impound Fee definition to include animal medical fees;**
2. **Section 7. d) to make animal medical fees collectable from the animal owner;**
3. **New "Section 10 – Designation" to allow the Director to designate external agencies to provide animal services, collect fees, on behalf of the City;**
4. **Schedule A revised to increase the Daily Base Impound Fee to \$25.00/day;**
5. **New Schedule B, "Dog Registration Form";**
6. **New Schedule C, "More than 5 Animals Form", and;**
7. **New Schedule D, "Keeping of Uncommon Animal Form.**

Director of Protective Services

Approved - 12 Nov 2024

Director of Community, Engineering,
Development & Planning

Approved - 12 Nov 2024

Administrative Assistant

Approved - 12 Nov 2024

City Manager

The City of Corner Brook Animal Regulations

PURSUANT to the powers vested in it under section 263, 264, 280.1, 280.2 and 280.4 of the City of Corner Brook Act, R.S.N.L. 1990, c. C-15, as amended, the Newfoundland and Labrador Animal Health and Protection Act SNL 2010 Chapter A 9.1, and all other powers it enabling, the Corner Brook City Council, in a session convened on the 16th day of October, 2017, hereby passes and enacts the following regulations regulating the control of dogs and other animals in the City of Corner Brook.

These Regulations may be cited as the City of Corner Brook Animal Regulations.

1. PURPOSE

The purpose of these Regulations is to promote the safety, health, and well-being of people and their animals in the City of Corner Brook and to protect people, properties, and promote the humane treatment of animals.

2. DEFINITIONS

In these Regulations:

- a) "Animal" means all types of animals, both domesticated and wild, including, but not limited to dogs, cats and other pets, fowl, livestock as defined by the Livestock Act and wild animals which customarily live independently of people in natural conditions including any reptile or amphibian;
- b) "Animal Control Officer" means the person or persons appointed and authorized by Council to impound animals pursuant to the City of Corner Brook Act and these Regulations and to carry out such other acts as are prescribed by these Regulations and includes Municipal Enforcement Officers and the Director;
- c) "Animal Shelter" means the facility designated by the Director as the facility where surrendered, relinquished or abandoned animals; animals apprehended by Animal Control Officers; and animals requiring impoundment may be taken and kennelled; d) "Cat" means a male or female cat of any age and includes those that are domesticated and those that breed and/or live in the wild;
- e) "City" means the City of Corner Brook;
- f) "Companion Animal" means a dog or a cat or any animal normally kept for companionship or bred or rose for companionship. Companion Animals do not include animals kept for an agricultural purpose such as livestock, nor wildlife and fish as defined in the province of Newfoundland and Labrador Wildlife Act, or any other animals prescribed as being excluded by any Provincial Regulations made under *the Animal Health and Protection Act SNL 2019 Ch. A-9.1*.
- g) "Council" means the Corner Brook City Council as continued by section 12 of the City of Corner Brook Act;

- h) "Director" means the Director designated by Council to manage and oversee the operation of the Animal Shelter and the carrying out of the provisions of these Regulations.
- i) "Dog" means a male or female domesticated dog of any age and includes an animal which is a cross between a wolf or coyote and a dog;
- j) "Impound Fee" means the daily Base Impound Fee prescribed in Schedule A for the housing, cleaning and feeding of an impounded animal plus the costs of any medical/veterinary care or treatment provided to an impounded animal;
- k) "Licensing Officer" means a person appointed pursuant to section 264(d) of the City of Corner Brook Act and includes the Director, Animal Control Officers, Municipal Enforcement Officers and or a City designated agency;
- l) "Municipal Enforcement Officer" means any Municipal Enforcement Officer appointed pursuant to s.211 of the City of Corner Brook Act;
- j) "Owner" includes any person who has the custody, charge, possession or control of an animal, including the owner, tenant or person in charge of the premises where an animal is kept, permitted to live or remain);

3. LICENSING OF DOGS

- a) A valid dog licence is one that has been issued by the City, a Licensing Officer or, other municipality or City designated agency in combination with a registration tag or plate indicating that the registration is in force for the current year.
- b) No person, shall own, keep or have a dog in the City that is older than three (3) months, without having a valid licence for that dog and having the licence registration tag or plate affixed to the dog's collar.
- c) An application for a dog licence shall be made in writing on the prescribed form to the City or Licencing Officer and shall include:
 - i. The name and contact information of the Owner;
 - ii. Name of the dog;
 - iii. Sex and breed of the dog or combinations thereof;
 - iv. Means of identification of the dog such as physical description, photo, or microchip; and
 - v. Whether the dog is spayed or neutered;
- d) The licence fee to licence a dog shall be as set out in Schedule A of these Regulations and shall not be remitted for any cause including the death, loss or removal of the dog from the City after the date of issuance;

- e) Upon completion of the application and payment of applicable fees, the City or Licencing Officer will issue the Owner a numbered tag for the current year registered, which the dog Owner shall attach and display on the collar of the dog.
- f) Information and fees collected by a Licencing Officer shall be forwarded to the City within 2 business days of receipt.
- g) Every dog licence issued pursuant to these Regulations shall, expire on the 31st day of December following the third anniversary of the date of issuance.
- h) Dog licences issued pursuant to these Regulations are non-transferrable between dogs and/or Owners and licence fees are non-refundable.

4. CONTROL OF ANIMALS

- a) No Owner shall permit or allow an animal to stray, roam, or run at large in the City.
- b) No person shall permit an animal upon the streets or other public place within the City without written permission from Council save and except for a licenced dog provided such dog is held by a competent person able to restrain the dog on a leash that is of not more than three (3) metres in length.
- c) Every Owner shall immediately remove excrement deposited by the Owner's animal on any property other than the property of the Owner, unless the Owner is a person with a disability and the animal is trained to assist and is assisting that person. All animal excrement must be held and disposed of in compliance with the City's Garbage and Refuse Regulations and Anti-Litter Regulations;
- d) No Owner shall permit their animal to make repetitive sounds including but not limited to barking, howling, crowing, meowing or screeching, that constitute a nuisance or disturb the peace and enjoyment of another property, and an Animal Control Officer may impound an animal of an Owner that is in breach of this provision;
- e) Notwithstanding subsection (a), where a dog is on public property that has been designated "Off Leash Dog Park", the dog will not be at large as long as the Owner meets all of the following requirements:
 - i. the dog is always accompanied by the Owner;
 - ii. the Owner always has control of the dog by either physical or verbal means; and

- iii. the dog has not been designated, in accordance with these Regulations, as a Dangerous Animal and does not display any signs of aggressive behaviour.

5. LIMIT ON NUMBER OF ANIMALS

- a) No person or persons shall be the Owner of more than five animals of which a maximum of three (3), can be dogs, in any single residential in the City without first obtaining a written permit from the City as per Schedule C of these regulations.
- b) Where in the opinion of an Animal Control Officer conditions do not sufficiently allow for the humane habitation of a property of 5 animals, or the condition of the property and/or animals thereon create a nuisance to neighbouring properties, the Owner shall reduce his quantity of animals accordingly upon receipt of a notice to reduce from the Animal Control Officer.
- c) The limit of animals applies to animals that would inhabit and encroach directly upon a human environment such as cats and dogs and not those in self-contained environments within a residential unit such as aquarium containing fish or reptile/s in a terrarium.
- d) City recognized Animal Rescue organizations are exempt from this "Limit on Number of Animals" requirement however such organizations must maintain a humane animal habitat compatible to the number of animals being kept.

6. DANGEROUS AND NUISANCE ANIMALS

- a) An Animal Control Officer may designate an animal to be Dangerous and/or a Nuisance where it is proven to the satisfaction of the Animal Control Officer that:
 - i. the animal or species thereof has a known propensity or predisposition to attack persons or other domestic animals to cause injury or otherwise threaten the safety of persons or domestic animals;
 - ii. the animal behaves in a vicious or menacing manner and approaches and/or chases persons to
 - iii. cause injury or otherwise threaten the safety of persons or domestic animals;
 - iv. the animal has and without provocation, bitten, inflicted injury, assaulted or otherwise attacked a person or domestic animal; or
 - v. the animal exhibits symptoms or behaviour of illness that threatens the health and safety of persons or other animals.

- b) For the purposes of this section, an animal is presumed not to have been provoked in the absence of evidence to the contrary.
- c) A dog shall not be designated as a Dangerous animal if the dog:
 - i. is acting in defence to an attack from a person or animal;
 - ii. is acting in defence to an attack of its young; or
 - iii. is a professionally trained dog for law enforcement or guard duties and in the process of conducting its duties as is trained.
- d) Once an Animal Control Officer has designated an Animal to be a Dangerous or Nuisance Animal the animal Control Officer may take any one or more of the following actions:
 - i. make application to a Provincial Court in accordance with Sections 34, 35, and 36 of the Newfoundland & Labrador Animal Health and Protection Act (2010 cA-9.1 s34-36) or any similar or successor legislation;
 - ii. Direct the Owner to keep the animal securely enclosed on the Owner's property in a manner that ensures the prevention of injury to people, other animals or to the animal itself;
 - iii. Direct the Owner to muzzle and leash the animal and to keep it under constant control and supervision if the Owner removes the animal from the Owner's property;
 - iv. Direct the Owner to display a sign, on the Owner's property warning of the presence of the animal and to continue to display that sign in good condition so long as the animal is present on the property;
 - v. Direct the Owner to report the sale or other disposition of the animal to the Director no more than 72 hours after the Owner has given up possession of the animal and provide the name, address and telephone number of any new Owner of the animal;
- e) In the case of an animal that is exhibiting behaviour or symptoms of illness that threaten the health and safety of persons or other animals, impound and/or immediately destroy the animal.

7. IMPOUNDMENT AND RELEASE OF ANIMALS

- a) An Animal Control Officer or any person may seize an animal found at large and convey the animal to the City's designated animal shelter for impoundment or alternatively convey the animal to the SPCA or similar or successor organization. The person who conveys the animal

shall provide the name of the Owner of the animal, if known, and the place and time of restraint.

- b) Where an Animal Control Officer has seized or received an animal whose Owner is known, the Animal Control Officer or designate shall within 24 hours, provide notice to the Owner of the fact of the animal's impoundment and the amount required to be paid in order for the animal to be released.
- c) Notice provided in accordance with subsection (b) may be given by telephone or in writing.
- d) Any animal that is injured, sick or otherwise in need of medical attention when seized by the Animal Control Officer may receive such medical care and treatment as the City in its sole discretion deems necessary to minimize pain and distress. The cost of such medical care and treatment administered to an animal shall be recoverable from the Owner as part of the Impound Fee before the animal is released to the Owner, or as a debt owed by the Owner to the City.
- e) At a scheduled time no longer than 48 hours following the date the animal has been seized by the Animal Control Officer or designate, the Owner or Owner's agent may attend the animal shelter and upon providing proof of ownership or entitlement for a detained animal and payment of all Impound Fees, the Animal Control Officer or designate may release the detained animal to the custody of the Owner or Owner's agent.
- f) Where an animal's Owner is unknown, and the animal remains unclaimed after 72 hours in the animal shelter, the Director may sell, give away, place for adoption or arrange for the animal to be destroyed by humane means.
- g) Where an animal's Owner is known by way of licence or other means of identification on the animal, and the animal is not claimed after 72 hours in the animal shelter, the Director may sell, give away, place for adoption, or arrange for the animal to be destroyed by humane means.

8. OBSTRUCTION

No person shall interfere and/or obstruct an Animal Control Officer in the execution of his or her duties under these Regulations.

9. UNCOMMON COMPANION ANIMAL

Where any person, owns or wishes to own and house an animal in the City of Corner Brook that is not a Companion Animal as defined in these Regulations, the person shall make application to the City to house such an animal within the City.

The City will evaluate such applications on a discretionary and case by case basis considering:

- a) whether the animal poses a danger to the public;
- b) manner in which the animal must be kept including sanitation and whether indoor or outdoor; and
- c) impact to neighbour's peaceful enjoyment of their property including noise and odours.

10. DESIGNATION

The Director may designate an external animal services agency to provide animal sheltering services, animal licensing services, and or animal rescue services on behalf of the City. Such designation may include the Impound Fees and Licensing Fees being collected by and or transferred to the designated animal services agency.

11. PENALTIES

Where any person contravenes any provision of these Regulations:

- a) Such person is guilty of an offence and liable on summary conviction to a fine or to a period of imprisonment or both in accordance with the City of Corner Brook Act; and such person may be issued a violation notice pursuant to section 280.1 of the City of Corner Brook Act.
- b) The Director, the Animal Control Officer and all Municipal Enforcement Officers are designated persons employed by Council who may issue a violation notice pursuant to section 280.1 of the City of Corner Brook Act for any contravention or failure to comply with these Regulations.

12. REPEAL

These Regulations shall come into force as of the date enacted by Council and the City of Corner Brook Animal Regulations, 2008 and the City of Corner Brook Dog Regulations, 2008 and all amendments thereto, are hereby repealed upon the coming into force of these Regulations.

IN WITNESS WHEREOF this Regulation is sealed with the Common Seal of the City of Corner Brook and subscribed by and on behalf of Council by Mayor and City Clerk at the City of Corner Brook, in the Province of Newfoundland and Labrador, this 20th day of November 2017.

Mayor

City Clerk

Published in the Western Star: August 26th and 28th

First Reading: August 21st, 2017

Second Reading: October 16th, 2017

FOR COUNCIL APPROVAL

Schedule A

SECTION	FEE DESCRIPTION	PENALTY AMOUNT	
3. (a)	Licencing of a dog	Regular Fee (per 3 years)	\$25.00
		If dog is spaded or neutered, amount to be deducted from Regular Licencing fee.	-\$10.00
		If dog has implanted owner identity chip, amount to be deducted from Regular Licencing Fee	-\$5.00
7.	Daily Base Impound Fee	\$25.00	

FOR COUNCIL APPROVAL

Schedule B



DOG REGISTRATION FORM

- NEW (Form must be completed entirely)
- RENEWAL (If a renewal, complete owner name, pet name and any information that has changed only.)

APPLICANT INFORMATION

Owner's Name (1)		Owner's Name (2) (if more than one owner)	
Street Address		Street Address (<input type="checkbox"/> Same as 1)	
City	Postal Code	City (<input type="checkbox"/> Same as 1)	Postal Code (<input type="checkbox"/> Same as 1)
Mailing Address (<input type="checkbox"/> Same)		Mailing Address (<input type="checkbox"/> Same as 2)	
City	Postal Code	City (<input type="checkbox"/> Same as 2)	Postal Code (<input type="checkbox"/> Same as 2)
Home Telephone No.	Work Telephone No.	Home Telephone No.	Work Telephone No.
Mobile Telephone No.	Email Address	Mobile Telephone No.	Email Address

DOG INFORMATION

Name	Gender <input type="checkbox"/> Male <input type="checkbox"/> Female	Date of Birth	
Breed	Special Markings		
Size <input type="checkbox"/> Small <input type="checkbox"/> Medium <input type="checkbox"/> Large	Microchip Implanted? <input type="checkbox"/> Yes <input type="checkbox"/> No	Microchip No.	The Dog License Fee is \$25.00 for three years. If Dog has microchip and number, the registration fee shall be reduced by \$5.00. If Dog Owner provides proof that dog has been spayed or neutered, fee shall be reduced by \$10.00.
Dog Dangerous to People? <input type="checkbox"/> Yes <input type="checkbox"/> No	Spayed/ Neutered <input type="checkbox"/> Yes <input type="checkbox"/> No		
Dog Dangerous to Other Animals? <input type="checkbox"/> Yes <input type="checkbox"/> No	Tattooed? <input type="checkbox"/> Yes <input type="checkbox"/> No	Tattoo No.	Total Fee to be Paid

By signing this application form I acknowledge and agree that the City of Corner Brook may disclose my name, contact information and details concerning my animals to all persons, corporations, or agencies that have been engaged by the City of Corner Brook to administer and/or enforce the City's Animal Regulations, including but not limited to The Bay of Islands Society for the Prevention of Cruelty to Animals Corporation.	Signature of Licensee
	Signature of License Issuer/Witness

LICENSE INFORMATION (office use only)

Tag No.	Receipt No.	Issue Date	Expiry Date
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Schedule C



MORE THAN 5 ANIMALS

MORE THAN 3 DOGS

APPLICANT INFORMATION

Owner's Name	
Street Address	
City	Postal Code
Mailing Address (<input type="checkbox"/> Same)	
City	Postal Code
Home Telephone No.	Work Telephone No.
Mobile Telephone No.	Email Address

INFORMATION ABOUT OVER LIMIT ANIMALS/DOGS

Breed of Animal/s to be Kept of More Than 5	
Breed of Dog/s of More Than 3	
Total Number of Animals in Unit	Total Number of Dogs in Unit

HABITAT INSPECTION BY ANIMAL CONTROL OFFICER (Office Use Only)

Do Adequate Conditions Exist to Keep the Number of Total Animals? <input type="checkbox"/> Yes <input type="checkbox"/> No	Will Number of Animals Create Nuisance to Neighbouring Properties? <input type="checkbox"/> Yes <input type="checkbox"/> No
Observation Notes	Neighbours Contacted / Notes
Inspection Date	Application <input type="checkbox"/> Approved <input type="checkbox"/> Not Approved

PERMIT *The Applicant is authorized to keep a total of _____ animals, _____ of which are dogs, in exceedance of the limitation of Section 5 (a) of the City of Corner Brook Animal Regulation.*

Signature of Animal Control Officer	Date
Print Name of Animal Control Officer	

Schedule D



KEEPING OF AN UNCOMMON COMPANION ANIMAL

APPLICANT INFORMATION

Owner's Name	
Street Address	
City	Postal Code
Mailing Address (<input type="checkbox"/> Same)	
City	Postal Code
Home Telephone No.	Work Telephone No.
Mobile Telephone No.	Email Address

DETAILS ABOUT THE UNCOMMON ANIMAL

Species and Breed of Animal?	
Special Requirements Keep this Animal?	
Is Animal Dangerous to People?	Is Animal Dangerous to Other Animals?
<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
Are Safety Measures Required?	Are Safety Measures Installed?
<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No

HABITAT INSPECTION BY ANIMAL CONTROL OFFICER (Office Use Only)

Location Where the Animal will be Kept (<input type="checkbox"/> Same as Above)	
Do Adequate Conditions Exist to Keep the Number and Type of Animal? <input type="checkbox"/> Yes <input type="checkbox"/> No	Will this Animal Create a Nuisance to Neighbouring Properties? <input type="checkbox"/> Yes <input type="checkbox"/> No
Observation Notes	Neighbours Contacted / Notes
Inspection Date	Application <input type="checkbox"/> Approved <input type="checkbox"/> Not Approved
PERMIT	<i>The Applicant is authorized to keep _____ animal/s of the above noted species and breed, in the above noted location, as an Uncommon Companion Animal/s in accordance with Section 9 of the City of Corner Brook Animal Regulation.</i>
Signature of Animal Control Officer	Date
Print Name of Animal Control Officer	