



# IMPOUNDING OF ANIMAL REGULATIONS

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**REG-16**

**PUBLISHED BY AUTHORITY**

The following regulations have been made by the Town Council of the Town of Bonavista under the provisions of the Municipalities Act Chapter M-24 1999 at a meeting of the Council held on December 9, 2019.

**JOHN NORMAN  
MAYOR**

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1. **Interpretations.** In these regulations unless the context otherwise requires: -
  - (a) "Act" means the Municipalities Act 1999.
  - (b) "Council" means the Town Council of the Town of Bonavista.
  - (c) "Town" means the Town of Bonavista as defined by paragraph 2 of Order-in-Council dated 24<sup>th</sup>. day of November A.D. 1964 and made under the provisions of the said Act.
  - (d) "Impounder" means any person appointed as such by the Council.
  - (e) "Town Clerk" means the Town Clerk of the Town of Bonavista.
  - (f) "Animal" means sheep and goats, cows and horses, but shall not be held to mean dogs and cats.
  
2. (a) No person shall permit any animal of which he is the owner to roam at large in any street within the Town or in any open field or common from which free access can be had to such street.

(b) If these animals (horses) are being ridden on public right-of-way, then it shall be an offence for the owner of an animal to permit such animal to discharge, excrete or defecate upon any property, other than the property of the owner of the said animal if such owner does not remove and clean up such excreta or defecation from the property in a reasonable amount of time.

3. It shall be the duty of the Impounder to seize and impound any animal found at large contrary to Regulation 1 of these regulations and to enter any premises for the purpose of recapturing any such animal which may escape from his control.
4. When an animal has been impounded, the Impounder shall make a record of such impounding in a book kept for that purpose, and may then, but shall not be bound to, advertise that such animal has been impounded.
5. The owner may recover an impounded animal on such proof of his ownership of the animal as the Council may require and upon payment of all fees and expenses in connection with the impounding and keeping of the animal.
6. The following fees shall be paid by the owner of any animal seized or impounded, or deducted from the proceeds of any sales of such animals viz:
  - For seizure or impounding an animal.....\$50.00
  - For each day the animal is held in pound.....\$25.00
  - All expenses for necessary food and veterinary treatment, if any, for an animal impounded.....\$25.00
7. The Impounder shall keep any unclaimed animal in the pound for a reasonable period (ten days) having regard to all the circumstances, and after the expiration of such period shall offer such animal for public or private sale and if the animal be sold, shall deduct

from the price fees and expenses payable under Regulation 6 of these regulations and pay over the balance, if any, to the Town Clerk for the use of the owner.

8. At any time within twelve months after an unclaimed animal has been sold, the owner, upon giving such proof of ownership as the Council may require, shall be paid any balance deposited with the Town Clerk in respect of such animal. If any balance has not been claimed by the owner within the prescribed period, it shall be paid into the general revenue of the Town.
9. Should there be no purchase of any animal offered for sale under Regulation 7 of these regulations, the Impounder may forthwith destroy the animal.
10. The Impounder may destroy any animal found at large within the Town if in his opinion such animal is so diseased or infuriated or vicious or in such condition that it ought to be destroyed or is of a value less than the probable fees and expenses of its impounding, keeping and sale, and may so dispose of the carcass or hide as he deems fit. Any person who violates any of the provisions of these regulations shall be guilty of an offence and shall be liable on summary conviction to a penalty as per Section 420(1) (a & b) of the Municipalities Act 1999:-
  - (a) for a first offence to a fine of not less than \$100.00 and not more than \$500.00 or to a term of imprisonment of not more than one month or to both the fine and the imprisonment;
  - (b) for a subsequent offence to a fine of not less than \$500.00 and not more than \$1,000.00 or to a term of imprisonment of not more than three months or to both the fine and imprisonment.
11. These Regulations shall come into effect on the *10<sup>th</sup>. day of December A.D. 2019* and may be cited as the Town of Bonavista (Impounding of Animals) Regulations 2019.

12. The Town of Bonavista (Impounding of Animals) Regulations 1964 are hereby repealed.
13. Interpretations. In these regulations unless the context otherwise requires: -
- (a) "Act" means the Municipalities Act 1999.
  - (b) "Council" means the Town Council of the Town of Bonavista.
  - (c) "Town" means the Town of Bonavista as defined by paragraph 2 of Order-in-Council dated 24<sup>th</sup>. day of November A.D. 1964 and made under the provisions of the said Act.
  - (d) "Impounder" means any person appointed as such by the Council.
  - (e) "Town Clerk" means the Town Clerk of the Town of Bonavista.
  - (f) "Animal" means sheep and goats, cows and horses, but shall not be held to mean dogs and cats.
14. (a) No person shall permit any animal of which he is the owner to roam at large in any street within the Town or in any open field or common from which free access can be had to such street.
- (b) If these animals (horses) are being ridden on public rights-of-way, then it shall be an offence for the owner of an animal to permit such animal to discharge, excrete or defecate upon any property, other than the property of the owner of the said animal if such owner does not remove and clean up such excreta or defecation from the property in a reasonable amount of time.
15. It shall be the duty of the Impounder to seize and impound any animal found at large contrary to Regulation 1 of these regulations and to enter any premises for the purpose of recapturing any such animal which may escape from his control.
16. When an animal has been impounded, the Impounder shall make a record of such impounding in a book kept for that purpose, and may then, but shall not be bound to, advertise that such animal has been impounded.

17. The owner may recover an impounded animal on such proof of his ownership of the animal as the Council may require and upon payment of all fees and expenses in connection with the impounding and keeping of the animal.
  
18. The following fees shall be paid by the owner of any animal seized or impounded, or deducted from the proceeds of any sales of such animals viz:
  - For seizure or impounding an animal.....\$50.00
  - For each day the animal is held in pound.....\$25.00
  - All expenses for necessary food and veterinary treatment, if any, for an animal impounded.....\$25.00
  
19. The Impounder shall keep any unclaimed animal in the pound for reasonable period (ten days) having regard to all the circumstances, and after the expiration of such period shall offer such animal for public or private sale and if the animal be sold, shall deduct from the price fees and expenses payable under Regulation 6 of these regulations and pay over the balance, if any, to the Town Clerk for the use of the owner.
  
20. At any time within twelve months after an unclaimed animal has been sold, the owner, upon giving such proof of ownership as the Council may require, shall be paid any balance deposited with the Town Clerk in respect of such animal. If any balance has not been claimed by the owner within the prescribed period, it shall be paid into the general revenue of the Town.
  
21. Should there be no purchase of any animal offered for sale under Regulation 7 of these regulations, the Impounder may forthwith destroy the animal.
  
22. The Impounder may destroy any animal found at large within the Town if in his opinion such animal is so diseased or infuriated or vicious or in such condition that it ought to be

destroyed or is of a value less than the probable fees and expenses of its impounding, keeping and sale, and may so dispose of the carcass or hide as he deems fit. Any person who violates any of the provisions of these regulations shall be guilty of an offence and shall be liable on summary conviction to a penalty as per Section 420(1) (a & b) of the Municipalities Act 1999:-

(c) for a first offence to a fine of not less than \$100.00 and not more than \$500.00 or to a term of imprisonment of not more than one month or both the fine and the imprisonment;

(d) for a subsequent offence to a fine of not less than \$500.00 and not more than \$1,000.00 or to a term of imprisonment of not more than three months or to both the fine and imprisonment.

23. These Regulations shall come into effect on the *10<sup>th</sup> day of December A.D. 2019* and may be cited as the Town of Bonavista (Impounding of Animals) Regulations 2019.

24. The Town of Bonavista (Impounding of Animals) Regulations 2001 are hereby repealed.