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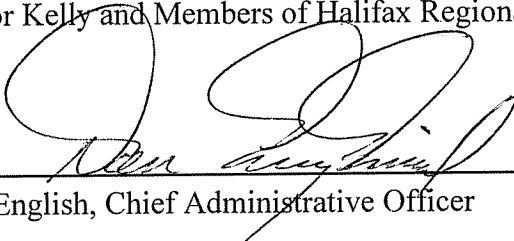


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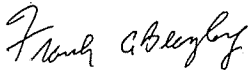
Halifax Regional Council
July 31, 2007

TO: Mayor Kelly and Members of Halifax Regional Council

SUBMITTED BY:



Dan English, Chief Administrative Officer



Frank Beazley, Chief of Police

DATE: June 28th, 2007

SUBJECT: **Harmonized By-Law A-300 - Respecting Animals**

SUPPLEMENTARY REPORT

ORIGIN

As a result of a motion of Regional Council on June 19th, 2007, it was moved that A-300 as proposed in a June 29th, 2005 report to Council be approved for first reading after staff make minor amendments.

RECOMMENDATION

It is recommended that Council:

1. give first reading to By-Law A-300, Respecting Animals (attached as Appendix A), and set a public hearing date to adopt the By-Law and repeal the existing animal related By-Laws to come into effect January 1st, 2008; and
2. approve an amendment to Administrative Order 11 (attached as Appendix B); and
3. upon adoption of the by-law, authorize staff to submit a request to the Province to include penalties levied under the by-law in the Summary Offence Proceedings Act.

BACKGROUND

At the June 19th, 2007 Committee of the whole meeting the following was read:

It is recommended that Regional Council give first reading to By-law A-300, Respecting Animals as outlined in the staff report dated June 29, 2005 and attached as Appendix "A," and set a public hearing date to adopt the By-law and repeal the existing animal related By-laws, and include the following amendments:

1. Replace Section 14 with:

NOISE

- 14 (1) No owner of an animal shall knowingly or not knowingly allow any animal to make noise excessively
- (2) For the purposes of this section, a dog shall be deemed to be making noise excessively if it barks or howls repeatedly for a period of twenty (20) minutes.
2. Add the following to section 17:
 - (9) The municipality may, by administrative Order, establish a committee to monitor shelter operations and establish guidelines on the humane treatment and euthanasia.
3. Add and/or modify Section 18 as follows:

Amend (1) by adding:

"Business" between "three (3)" and "days"

Amend (a) to read:

(a) be sold, adopted; or

Add a new section (3) as follows:

(3) Notwithstanding any other provision of this By-law, no animal kept by the shelter keeper may be sold, adopted, or otherwise disposed of for laboratory or any other experimental purpose.

4. In Section 20 replace the minimum fine of \$100 with a minimum fine of \$200.
5. Staff to amend Section 15 to add wording to address the feeding of pigeons and other birds within the municipality.
6. That Administrative Order #11- Responsible Pet Ownership attached to the June 14, 2007 supplementary report to be added to the June 29, 2005 Harmonized By-law A-300 Respecting Animals; and that fees for cats or any animal required to be registered, be provided under the Administrative Order.
7. Staff to investigate the possibility of implementing a spaying and neutering By-law for cats and dogs, including show dogs.
8. That funds collected from licencing, fines and fees be allocated for the cost of animal enforcement.
9. Staff to provide information regarding the inclusion of rabbits as domestic animals.

DISCUSSION

The recommended amendments as outlined above in item 1, 2, 3, 4, 6, have all been made to the attached version of the by-law along with some minor grammatical changes. The administrative order has been changed to best reflect the contents of this by-law.

Item 5, respecting the feeding of pigeons is referenced in section 15. The prohibition of feeding pigeons and waterfowl on HRM property should be relatively straightforward to enforce - either it is happening on HRM property or it is not. As HRM is the landowner there is no question as the appropriateness of being able to impose such a restriction.

Prohibiting property owners from feeding pigeons and waterfowl on their own property is more complex. While we may be able to justify it on health and safety grounds (bird flu and excrement) it should be seen as a significant infringement on ownership rights. Enforcement would be a

problem as we would require a search warrant to go on private property to look for illegal feeding sites. Also we will need to make an exemption for persons who are presently keeping pigeons or ducks as pets or farm animals. Stopping wild fowl from mixing with domestic fowl would be challenging for both HRM and residents, it would be difficult to prove the birds in question are not pets?

Item 7, respecting spay and neutering program, staff have done some research on this item, but will bring forward a separate report to Council after the review is done. This work can be added as an amendment later, and should not delay A-300 from moving forward.

Item 8, respecting fees, Financial Services staff provide the following:

HRM's total budget for Fines and Fees for 2007/08 is \$6,496,531. \$5,915,531 relates to HRM Finance through the Ticket Office, and \$581,000 are Halifax Regional Library.

To consider Councillor Martin's suggestion to support expanded Animal Control through Fines/Fees revenue, we have to look at a couple scenarios:

- **new fines/fees** could be easily considered if they were put in place with incremental new revenue sufficient to fund expanded services being dedicated to Animal Control.

- **Increase existing fines/fees amounts** to generate sufficient incremental revenue to offset the cost of expanded Animal Control.

- **Move existing fines/fees revenue to Animal Control.** The existing fines and fees currently support expenditures necessary to generate the revenue and process the fines and fees. Any movement to use the fines/fees for another purpose, would mean the corporate budget would have to increase by an equivalent amount to offset.

All fees associated to animal licensing and registration are currently revenue used to support Animal Services costs. All revenues from fines issued by HRP Animal Services go to general revenue as with all fines relating to by-law and Provincial legislations that were issued by HRM staff.

Any movement to fund expanded Animal Control Services will have to be accommodated by: a) A budget reduction elsewhere, or b) and increase in the tax rate or other revenues such as fines and fees.

Item 9, inclusion of rabbits as domestic animals, the definition in the by-law for "animal includes any living mammal...." Rabbits are mammals and therefore domestic rabbits would be included in the definition section of A-300. Section 11 provides violations for animals other than cats or dogs and would relate to domestic rabbits.

BUDGET IMPLICATIONS

At present, staff are prepared to present this by law for first reading and public hearing with no listed budget implications. Based on the limited available information to date, we will not suggest what the demand for this service will be. Staff will operate within the existing resources, and should a spike in service occur, we will prepare a business case to address the identified need.

FINANCIAL MANAGEMENT POLICIES / BUSINESS PLAN

This report complies with the Municipality's Multi-Year Financial Strategy, the approved Operating, Capital and Reserve budgets, policies and procedures regarding withdrawals from the utilization of Capital and Operating reserves, as well as any relevant legislation.

ALTERNATIVES

ATTACHMENTS

Appendix A: Proposed A-300 By-Law, Respecting Animals

Appendix B: Amended Administrative Order #11

A copy of this report can be obtained online at <http://www.halifax.ca/council/agendasc/agenda.html> then choose the appropriate meeting date, or by contacting the Office of the Municipal Clerk at 490-4210, or Fax 490-4208.

Report Prepared by: S/Sgt. Robin McNeil, Halifax Regional Police 490-4817



Report Approved by: _____
Deputy Chief F. A. Burbridge, Halifax Regional Police

Report Approved by: _____
Catherine Sanderson, Sr. Manager, Financial Services, 490-1562

APPENDIX A

**HALIFAX REGIONAL MUNICIPALITY
BY-LAW NUMBER A-300
RESPECTING ANIMALS**

BE IT ENACTED by the Council of the Halifax Regional Municipality as follows:

Short Title

1 This By-Law shall be known as By-Law No. A-300 and may be cited as the “Animal By-Law”.

Interpretation

2 (1) In this By-Law,

- (a) “License Administrator” means the Administrator responsible for the licensing of dogs and cats and the registering of kennels appointed by the Chief Administrative Officer or designate;
- (b) “animal” includes any living mammal, bird, reptile, amphibian, insect or arachnid, and excludes livestock as defined in the *Fences and Detention of Stray Livestock Act* and wildlife as defined by the *Wildlife Act*;
- (c) “Animal Control Officer” means a police officer, by-law enforcement officer or a special constable appointed pursuant to the *Police Act*;
- (d) “attack” means without provocation, to chase, injure or bite, or to threaten or give the impression of threatening;
- (e) “bite” means to penetrate the skin by a tooth or teeth;
- (f) “cat” means a non-feral or feral cat, either male or female;
- (g) “dangerous dog” means any dog which,
 - (i) attacks or demonstrates a propensity, tendency or disposition to attack a human being or animal either on public or private property;

- (ii) has caused injury to or to otherwise endangered the safety of a human being or animal;
- (iii) threatens any human being or animal;
- (iv) is owned or harboured primarily or in part for the purpose of dog fighting;
- (v) is trained for dog fighting; or
- (vi) is a dog for which a muzzle order has been made;

provided that no dog shall be deemed a “dangerous dog” solely because it attacks or threatens a trespasser on the property of its owner, harms or menaces anyone who has tormented or abused it, was at the time of its aggressive behaviour acting in defence to an attack from a person or animal, acting in defence of its young or is a professionally trained guard dog for law enforcement or guard duties;

- (h) “dog” means a dog, male or female, or the offspring resulting from the breeding of a dog and any other animal;
- (i) “dwelling unit” means one room or a group of rooms, occupied or capable of being occupied as the home or residence of one or more persons, and containing only one kitchen or other facility for the preparation of meals;
- (j) “feral cat” means any homeless, wild or untamed cat;
- (k) “identification device” means any device required for the identification of any dog or cat which contains a serial number or other means of identification corresponding with the number under which the animal is licensed by the License Administrator. Without limiting the generality of the foregoing, an identification device may include external identification devices such as tags, and/or internal identification devices such as microchips;
- (l) “kennel” means any premises where animals are harboured or bred as a commercial service or for sport or exhibition purposes for periods longer than sixty (60) days;
- (m) “leash” means a material device used by a person to restrict movement of an animal and is adequate for the purpose;
- (n) “license” means a license issued pursuant to this By-Law;

- (o) “license fee” is the fee for a given period of time payable to the License Administrator by the owner of a dog or cat required to be licensed at or before the time of licensing in the amount established by the Council of the Municipality from time to time by Administrative Order;
- (p) “microchip” means an approved ‘Canadian Standard’ encoded identification device implanted into a dog or cat, which contains a unique code that permits or facilitates access to an owner’s name, address and telephone number, which is stored in a central database;
- (q) “Municipality” means Halifax Regional Municipality;
- (r) “Municipal public park” includes any municipal park, school grounds, public swimming areas, playgrounds or sports or athletic fields owned or operated by the Municipality or the Halifax Regional School Board, but does not include Provincial or Federal lands;
- (s) “muzzle” means a humane covering device of sufficient strength placed over a dog’s mouth to prevent it from biting;
- (t) “noise” means an unwanted sound or activity that unreasonably disturbs the quiet, peace, tranquility, rest, enjoyment, comfort of convenience of a neighbourhood of the Municipality or a part thereof;
- (u) “organized hunt” means a controlled, organized pursuit of game or fowl using trained dogs, by duly licensed hunters;
- (v) “owner” when used in respect of an animal, means any person who possesses, has the care of, has the control of or harbours the animal, and where the person is a minor, includes the person responsible for the custody of the minor;
- (w) “prohibited animal” means an animal listed in the Prohibited Animals Schedule “A”;
- (x) “property owner” means:
 - (i) in the absence of proof to the contrary, the person or persons assessed for the property; or
 - (ii) a part owner, joint owner, tenant in common or joint tenant of the whole or any part of land or a building;

- (y) “runs at large” when used in respect of an animal, means an animal that is off the property of its owner without a leash; and an animal shall be deemed to be running at large where it is on any private property or premises without the permission of the owner or occupant thereof;
- (z) “shelter” means such premises and facilities designated by the Municipality as an animal shelters for the keeping and disposition of impounded animals;
- (aa) “Shelter Keeper” means a person appointed by the Municipality, which may include an employee of the Municipality, to be in charge of a shelter and includes a person acting under the supervision and direction of a Shelter Keeper;
- (ab) “spayed or neutered” means incapable of reproduction as certified by a licensed veterinarian;
- (ac) “threatens” means unmuzzled, leashed or unleashed, or unattended by its owner, or a member of the owner’s family, in a vicious or terrorizing manner, approaches 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;
- (ad) “waterfowl” means a bird that primarily lives on or about the water.

Limitations of Dogs and Cats

- 3
- (1) No person shall keep more than three (3) dogs over twelve (12) weeks of age in and about any dwelling unit.
 - (2) No person shall keep more than three (3) cats over twelve (12) weeks of age in and about any dwelling unit.
 - (3) Where a person is keeping more than the number of dogs or cats permitted in and about any dwelling unit at the time this By-Law comes into force and effect, the person shall be permitted to keep the specific dogs and cats kept at that time notwithstanding that the numbers exceed the numbers permitted, provided that the dogs and cats are licensed in accordance with this By-Law within thirty (30) days of this By-Law coming into force and effect, provided however that the person shall not be permitted to keep additional dogs and cats in and about any dwelling unit until the number kept drops below the numbers permitted in subsections (1) and (2).
 - (4) Subsections (1) and (2) shall not apply to kennels registered pursuant to Section 8.

- (5) This Section shall not apply to properties in the Municipality that are 2 acres or greater in size.

Licensing Of Dogs And Cats

- 4 (1) No person shall own a dog or a cat within the Municipality without having licensed the dog or cat with the License Administrator within ten (10) days after the person becomes the owner of the dog or cat or brings the dog or cat into the Municipality or annually before the expiration of any current license.
- (2) Notwithstanding subsection (1), a person who possesses, has the care of, has the control of or harbours a dog or cat for less than sixty (60) days is not required to license the dog or cat.

Licensing Procedure

- 5 (1) The owner shall provide to the License Administrator:
- (a) the owner's name, address, and telephone number;
 - (b) the name of the dog or cat;
 - (c) the description, including its sex, breed, and known or approximate age;
 - (d) a certificate of spaying or neutering for the dog or cat, where appropriate;
 - (e) a certificate of rabies inoculation for the dog or cat, where appropriate; and
 - (f) the applicable license fee.
- (2) When the application is for the licensing of a dog, the owner shall also provide to the License Administrator, where appropriate
- (a) a certificate from the Canadian National Institute of the Blind or the Hearing Ear Dogs of Canada in respect of the dog;
 - (b) a certificate from a qualified medical practitioner indicating that the owner suffers from a disability and requires the use of a dog that is trained to assist persons with such disabilities; or
 - (c) a certificate that the dog is used for search and rescue or law enforcement.
- (3) The License Administrator shall keep a record of every dog or cat licensed, showing the date and number of the license, the name and description of the dog or cat with

the name and address of the owner and the respective license category.

- (4) Upon receipt of the matters described in subsection (1), the License Administrator shall supply the owner with an identification device and directions respecting the placement of the device and a receipt.

License Year

6 Every license issued on or before the applicable expiration date in any year shall be effective for 12 months inclusive.

Identification

- 7 (1) The owner of every dog or cat licensed pursuant to this By-Law shall keep the identification device issued to the owner securely affixed or attached to, or installed or lodged in place on the dog or cat in accordance with the directions provided pursuant to subsection (4) of Section 5 at all times.
- (2) Notwithstanding subsection (1), an identification device intended to be externally secured to a dog or cat may be removed from the dog or cat temporarily while the dog or cat is being used lawfully for hunting, exhibition purposes or engaged in law enforcement duties.
- (3) Where an owner files with the License Administrator a statutory declaration that an identification device is lost or unusable, the License Administrator may replace the identification device upon payment of the fee pursuant to Administrative Order 15, the License and Fees Administrative Order.
- (4) Any dog which does not have a valid identification device shall be deemed not to be licensed under this By-Law.

Kennel Registration

- 8 (1) No person shall own or operate a kennel within the Municipality without having registered the kennel and licensed the dogs or cats owned by the kennel with the License Administrator.
- (2) At or before the time of registration, the owner or operator of a kennel shall provide to the License Administrator:
 - (a) the name, address and telephone number of the owner or operator;
 - (b) the trade or business name of the kennel, where appropriate;
 - (c) proof that the kennel is registered with the Canadian Kennel Club, if

- applicable;
- (d) a development permit for the kennel issued by the Development Officer; and
 - (e) the applicable registration fee pursuant to Administrative Order 15, the License and Fees Administrative Order.
- (3) The acceptance of any kennel registration does not relinquish or release any kennel owner or operator from complying with any other By-Law of the Municipality or Provincial legislation.

Duties of Owners

- 9 (1) No owner of a dog shall:
- (a) cause or permit a dog at any time to run at large;
 - (b) cause or permit a dog to damage public or private property;
 - (c) fail to remove defecation immediately on any public or private property other than the property of its owner; and other than a dog trained to assist and are assisting a person with a disability;
 - (d) fail to keep an un-spayed female dog confined inside a dog-proof enclosure while it is in heat; or
 - (e) cause or permit a dog to be in a municipal public park designated by signage as an area prohibiting dogs.
- (2) Notwithstanding clause (a) of subsection (1), it shall not be an offence where a dog is without a leash provided that the dog is:
- (a) participating in an organized hunt, organized dog exhibition events, or dog field trials;
 - (b) participating in a search and rescue training or operation, or police training or operation;
 - (c) working on a farm; or
 - (d) within a municipal public park where the area is designated by signage as an area where dogs are permitted to be without a leash subject to such limitations as are posted.

- (3) No owner of a cat shall:
 - (a) cause or permit a cat at any time to run at large;
 - (b) cause or permit the cat to attack a person or another animal, other than wild rodents and birds;
 - (c) cause or permit a cat to damage public or private property; or
 - (d) fail to remove defecation immediately on any public or private property other than the property of its owner.
- (4) Any owner who causes or permits the occurrence of any of the prohibited activities or fails to meet any of the duties in the subsections (1) or (3) shall be guilty of an offence under this By-Law.

Dog Attacks

- 10
- (1) The owner of any dog that attacks any person or another animal is guilty of an offence under this By-Law.
 - (2) 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:
 - (a) issue the owner a Notice to Muzzle the dog;
 - (b) issue the owner a Notice to Microchip the dog;
 - (c) classify the dog as a 'dangerous dog' in the municipal registry; or
 - (d) destroy the dog without permitting the owner to claim it and issue the owner a Notice informing that the dog has been destroyed.
 - (3) When a dog has been classified as a dangerous dog pursuant to clause (c) of subsection (2), the owner shall:
 - (a) 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
 - (b) 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.

- (4) Where an owner has been served with a Notice pursuant to clause (a) or (b) of subsection (2), the failure of the owner to comply with any Notice shall be an offence under this By-Law.
- (5) Any owner of a dog who fails to comply with subsection (3) shall be guilty of an offence under this By-Law.

Animal Offences

- 11 (1) No owner of an animal not being a cat or a dog shall:
- (a) cause or permit the animal at any time to be off the premises of the owner unless the animal is:
 - (i) enclosed inside an escape-proof building or fenced area; or
 - (ii) enclosed inside an escape-proof aquarium, pen, cage or container of durable construction; or
 - (iii) securely tethered on a leash, harness, chain or other device in an escape-proof manner, provided that this sub-clause shall not apply to reptiles;
 - (b) cause or permit an animal to attack a person or another animal;
 - (c) cause or permit an animal to damage any public or private property; or
 - (d) fail to immediately remove defecation on any public or private property other than the property of its owner.
- (2) Any owner who causes or permits the occurrence of any of the prohibited activities or fails to meet any of the duties in subsection (1) shall be guilty of an offence under this By-Law.

Prohibited Animal Offences

- 12 (1) No person shall:
- (a) be the owner of a prohibited animal;
 - (b) dispose of any prohibited animal except by releasing the said animal to an

Animal Control Officer; or

- (c) sell or offer for sale any prohibited animal.
- (2) Any owner who causes or permits the occurrence of any of the prohibited activities or fails to meet any of the duties in subsection (1) shall be guilty of an offence under this By-Law.
- (3) Notwithstanding clause (a) of subsection (1), it shall not be an offence to be the owner of a prohibited animal if:
 - (a) the owner is a university, zoo, museum or other facility for the preservation as specimens of natural history or for scientific purposes; or
 - (b) the animal is owned for the purpose of entertaining the public; and the owner has authorization to be the owner of the animal under any statute or regulation of the Parliament or Government of Canada or the Legislature or Government of Nova Scotia.
- (4) Clause (a) of subsection (1) shall come into effect ninety (90) days after the By-Law is adopted.

Seizure and Impounding of Animals

- 13 (1) Any animal found running at large may be seized and impounded by an Animal Control Officer.
- (2) Any cat found running at large may be captured or seized by the owner of the property on which the cat is found running at large.
- (3) All cats captured or seized shall be delivered to the Shelter Keeper as soon as possible to be dealt with according to the provisions of this By-Law.

Noise

- 14 (1) No owner of an animal shall knowingly or not knowingly allow any animal to make noise excessively.
- (2) For the purposes of this section, a dog shall be deemed to be making noise excessively if it barks or howls repeatedly for a period of twenty (20) minutes.

Feeding of Waterfowl and Pigeons

- 15 (1) No person shall feed waterfowl or pigeons on property owned by the Municipality.
- (2) Subsection (1) shall not apply to Municipal staff or contractors on behalf of the Municipality who feed waterfowl or pigeons on property owned by the Municipality.

Powers of Animal Control Officer

- 16 (1) An Animal Control Officer, while pursuing any animal in enforcing this By-Law, may pass over the land of any person, but this section shall not be so construed as to provide immunity against an action for damage covered.
- (2) If any animal is at large and cannot be seized safely, an Animal Control Officer, who believes on reasonable grounds that the animal poses a danger to a person or another animal and the owner is not readily able to be found, may immediately, without notice to the owner, destroy the animal, in a humane manner.

Shelter Keeper

- 17 (1) The Municipality may establish and maintain such shelters as may be necessary and may appoint a Shelter Keeper who shall have charge of such facilities together with any necessary assistants, or may contract for the provision of the services.
- (2) The Municipality may enter into an agreement in writing with any person or association appointing that person or association as the Shelter Keeper.
- (3) All animals captured by a citizen or an Animal Control Officer shall be delivered to the Shelter Keeper as soon as possible after capture.
- (4) The Shelter Keeper shall receive all animals seized and delivered pursuant to this By-Law, and shall detain the same and furnish them with food and water for a period of three (3) days.
- (5) During the three (3) day period designated by subsection (4), the Shelter Keeper shall make reasonable efforts to notify the owner of the animal.
- (6) If an impounded animal is injured, sick or otherwise in need of medical care, the Shelter Keeper shall ensure that basic veterinary treatment is provided so that life is not endangered and that pain is reduced consistent with humane principles. The Shelter Keeper may decide, after a reasonable period of observation and based upon reasonable grounds, to destroy the animal.
- (7) If the Shelter Keeper believes on reasonable grounds that an impounded animal poses a danger to a person or another animal, the Shelter Keeper may, without notice to the owner, destroy the animal in an immediate and safe manner.

- (8) The Shelter Keeper shall sell or destroy an impounded prohibited animal without permitting any person to claim it, unless the owner is one of the classes identified in subsection (3) of Section 12 and has authorization to be the owner of the animal under any statute or regulation of the Parliament or Government of Canada or the Legislature or Government of Nova Scotia.
- (9) The municipality may, by administrative Order, establish a committee to monitor shelter operations and establish guidelines on the humane treatment and euthanasia.

Unredeemed Animals

- 18 (1) If an animal is not redeemed within three (3) business days, or otherwise dealt with by this By-Law, the animal shall become the property of the Shelter Keeper and may:
- (1) be sold; adopted; or
 - (2) be euthanized.
- (2) The Shelter Keeper shall keep all animals seized. Where there is an action before the Court involving a seized animal, until such time as a Court orders otherwise.
- (3) Notwithstanding any other provision of this By-law, no animal kept by the shelter keeper may be sold, adopted, or otherwise disposed of for laboratory or any other experimental purpose.

Fees

- 19 (1) Subject to subsections (7) and (8) of Section 17, the owner of any impounded animal, or a person having the written authorization of the owner, may redeem the animal from the shelter upon payment of the following:
- (1) redemption fee;
 - (2) boarding fee for each day, or part thereof, that the animal has been impounded;
 - (3) any veterinary fees incurred while the animal is impounded; and
 - (4) a license fee, if required.
- (2) The fees payable in subsection (1) shall be those established by the Regional Council pursuant to Administrative Order 15, the License and Fees Administrative Order.
- (3) If an animal is not released to its owner, the fees payable in subsection (1) may be

recovered by the Municipality from the owner as a debt.

Offenses and Penalties

- 20 (1) A person who contravenes any section of this By-Law is liable upon summary conviction to a minimum penalty of not less than Two Hundred Dollars (\$200.00) and a maximum penalty of not more than Five Thousand Dollars (\$5000.00), and in default of payment, to imprisonment for a term not exceeding sixty (60) days.
- (2) Upon conviction, any costs incurred, including license fees for any unlicensed fee charge pursuant to this By-Law, by the Municipality or the Shelter Keeper, may be imposed as a fine upon the person.
- (3) No Shelter Keeper shall release any animal to its owner, until such owner pays for all fees, costs and expenses of the Shelter Keeper while the animal was impounded and kept at the shelter.

Effective Date

This By-Law shall come into effect on November 1, 2007.

Repeal

21. (1) Section 7 of By-Law No. 8 of the Halifax County Municipality, the Mischiefs and Nuisances By-Law, is repealed.
- (2) By-Law W-201 of the City of Dartmouth, being a by-law with respect to the feeding of waterfowl, is repealed.
- (3) By-Law Number 63 of the Halifax County Municipality, the Animal Defecation By-Law, is repealed.
- (4) By-Law Number 22931 of the Town of Bedford, Respecting Exotic Pets, is repealed.
- (5) By-Law Number 12 of the Halifax County Municipality, the Animals By-Law, is repealed.
- (6) Ordinance 184 of the City of Halifax, the Reptiles Ordinance, is repealed.
- (7) By-Law E-300 of the City of Dartmouth, being a by-law to regulate keeping of reptiles and arachnids within the City of Dartmouth, is repealed.
- (8) By-law D-100 of the Halifax Regional Municipality, Respecting the Registration and Regulation of Dogs is repealed.

APPENDIX B

SCHEDULE "A"
ADMINISTRATIVE ORDER NUMBER #11

IT IS ENACTED by the Council of the Halifax Regional Municipality as follows:

1. (a). The Shelter Keeper for the Municipality is the Nova Scotia Society for the prevention of cruelty to Animals.
(b). The Shelter for the Municipality shall be the facility of the Nova Scotia Society for the Prevention of Cruelty to Animals located at 5 Scarfe Court, Halifax, N.S..
(c). The Shelter is authorized to receive any animals impounded by the Halifax Regional Municipality Animal Services.
(d). The Shelter Keeper may charge a redemption fee of \$100.00 from the owner of any impounded animal released to the owner.
(e). The Shelter Keeper may charge a daily boarding fee of \$25.00 from the owner of any impounded animal released to the owner.

2. The annual license fees payable by the owners of animals for the period between the 1st of April 2007 and 31st of March 2008 shall be as follows:

Unaltered dog	\$30.00
Unaltered and rabies inoculated dog	\$25.00
Spayed/Neutered dog	\$15.00
Spayed/Neutered and rabies inoculated dog	\$10.00
Unaltered Cats	\$30.00
Spayed/Neutered cat	\$15.00
Spayed/Neutered/inoculated cat`	\$10.00
Senior citizens, upon presentation of Government issued identification confirm age 65 years or greater	20% discount
Service animal upon providing proof of the service animal status of the animal to be registered	No Charge
Prohibited animals	\$30.00
Kennel Registration Fees	\$100.00

3. The annual license fees payable by the owners of animals commencing April 1, 2008 shall be as follows:

Dog	\$50.00
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Spayed/Neutered dog	\$15.00
Cat	\$35.00
Spayed/Neutered cat	\$10.00
Dangerous Animal Registration	\$100.00
Service Animal	No Charge
Senior citizens, upon presentation of Government issued identification confirm age 65 years or greater	20% discount
Prohibited animals	\$50.00
Prohibited animal owned as in A-300 section 3 (a),(b)	No Charge
Kennel Registration Fees	\$100.00
Replacement Tag	\$5.00

4. The registration fee payable by the owners of animals for any period starting after the 1st of October of any year and continuing to the 31st of March of the following year, shall be the amounts indicated in Section (1) and (2) reduced by 33.3%.
5. Notwithstanding the foregoing license fees there will be a one time, special license fee of \$10.00 for all licenses purchased between February 1st, 2008 - May 31st, 2008.
6. Notwithstanding the forgoing license schedule as above, any registration or renewal received after January 1st, 2008, will be issued the 2008/09 licence (1, 2 or 3 bonus months).
7. Prohibited Animals:
 - (1) wildlife as defined by the Wildlife Act which has been designated as endangered, threatened or protected pursuant to any laws of Nova Scotia or Canada;
 - (2) all venomous snakes, reptiles, insects and arachnids;
 - (3) these seven species of the Boid Family;

Species	English Common Name
<i>Eunectes murinus</i>	Green anaconda
<i>Eunectes notaeus</i>	Yellow anaconda
<i>Python reticulatus</i>	Reticulated python
<i>Python sebae</i>	African rock python
<i>Python molurus bivittatus</i>	Burmese python
<i>Python molurus molurus</i>	Indian python
<i>Morelia amethystina</i>	Amethyst python

An adults snake's length cannot exceed three meters and an adult lizard's length cannot exceed two meters (measured from snout to the tip of the tail).

Proposed Cat Enforcement Strategy

Complaints

Complaints received regarding:

- an owner having more than three cats in a dwelling unit;
- cat without a license;
- cat at large;
- cat attacks on a person or another animal;
- cat damaging public or private property; and
- cat defecating without the owner immediately picking up after it

will be investigated provided the citizen can describe the cat and provide the owner's address.

Method of Capture by Citizen

A citizen can attempt to capture a cat on their own property with the use of humane live traps provided by the Animal Control Service. All cats captured will be delivered to the Animal Control Services shelter. The procedure is as follows:

- (a) A citizen acquires a cat trap and education on how to use the trap from the Animal Control Service; or, the Animal Control Service can deliver a trap for a service fee. A deposit for the use of the trap will be required.
- (b) Once the cat is trapped, the citizen delivers the cat to the shelter; or, the citizen contacts Animal Control Services to retrieve the captured cat for a service fee, and Animal Control Services refunds the citizen's deposit upon return of the trap.