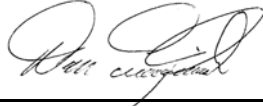
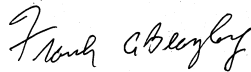


TO: Mayor Kelly and Members of Halifax Regional Council

SUBMITTED BY:



Dan English, Chief Administrative Officer



Frank Beazley, Chief of Police

DATE: December 5, 2007

SUBJECT: Proposed Amendments to By-Law A-300, Respecting Animals and Responsible Pet Ownership

ORIGIN

As a result of a motion of Regional Council on November 13, 2007, Council requested staff prepare a report on the proposed amendments to By-Law A-300, Respecting Animals and Responsible Pet Ownership.

RECOMMENDATION

It is recommended that Regional Council approve in principle:

1. amendments to By-Law A-300, Respecting Animals and Responsible Pet Ownership (attached as Appendix A) that would require all pet owners to license their cats, dogs and prohibited animals without a fee;
2. amended Administrative Order #11 (attached as Appendix B);
3. amendments to By-Law A-300, Respecting Animals and Responsible Pet Ownership, Section 6 (3), that will allow cats on public property that have been spayed or neutered.
4. amendments to By-Law A-300, Respecting Animals and Responsible Pet Ownership, Section 4 (1) (d) and (e) to be modified to remove the requirement of a certificate for spay and neutering, as well as rabies inoculation
5. amendment to effect date of By-Law A-300, Respecting Animals and Responsible Pet Ownership to October 1, 2008.

BACKGROUND

Regional Council approved By-Law A-300, Respecting Animals and Responsible Pet Ownership on October 23, 2007 to come into effect April 1, 2008.

During the November 13, 2007 Regional Council meeting Councillor Younger and Councillor Adams proposed the following amendments to By-Law A-300 and Administrative Order 11:

1. Dogs and cats would be required to be registered. They would be registered for free and registration would occur only once and be good for the animal's life. Identification must be worn when the animal is off the owner's property (either by tag or microchip)

2. Property owners retain the ability that has always existed to catch cats causing problems or that they don't want on their properties. HRM will however accept the cats and provide traps as per A-300.

3. If a cat is brought to HRM by a property owner, the animal owner will be called if the owner can be identified. If the cat cannot be identified then the existing procedure will be followed.

4. When a cat or dog is found to cause property damage or injury the animal control may direct that such animal is no longer permitted off the owner's property without restraint such as a leash or cage or on another property without the consent of the property owner.

5. A cat or dog found to cause property damage or personal injury shall cause the owner to be fined.

6. A cat or dog owner shall be fined if their cat has been barred from a property and if caught again on that property.

7. Automatic ban on roaming cats is lifted but outdoor cats must be spayed or neutered.

8. All dog regulations as described above shall remain.

9. TNR for feral cats will be supported through the grants program. (This would not be entrenched in the by-law as staff have previously indicated this is not a by-law issue)

DISCUSSION

In response to the proposed amendments staff provides the following:

1. Dogs and cats would be required to be registered. They would be registered for free and registration would occur only once and be good for the animal's life. Identification must be

worn when the animal is off the owner's property (either by tag or microchip). (refer to Recommendation #1 and #2)

All cats, dogs and Prohibited Animals should be licensed and every pet owner provided with an identification tag. All cats and dogs must wear the provided tag at all times. An identification tag is clearly visible and is easily traceable. A microchip would not be recommended as a sole means of identification.

Licensing would allow for the collection of data that would assist in determining an accurate account of how many cats, dogs and Prohibited Animals are in the HRM. In addition, free licensing should increase compliance and potentially reduce sheltering cost due to an increase in cats and dogs being returned to their owners in the field.

During the July 31, 2007 Regional Council meeting, Council approved a Licensing Strategy. The strategy consisted in part of a special one time license fee for dogs at \$10.00 for licenses purchased between January 1, 2008 - May 31, 2008. Should Council approve recommendation #1, there would be a requirement to modify the afore mentioned strategy.

Revenue

It should be noted that there will be a loss in revenue for no license fees should Council approve this amendment. Registrations for the past four of five years budget have been in excess of \$95,000.00. The current 07/08 budget is projecting \$120,000.00 in license revenue.

2. Property owners retain the ability that has always existed to catch cats causing problems or that they don't want on their properties. HRM will however accept the cats and provide traps as per A-300.

This provision currently exists in By-Law A-300 (attached as Appendix A), Section 10 (2) and (3):

- (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.

As previously stated in recent Council reports, the sheltering of cats remains a concern as there is not sufficient housing for additional animals, requiring the need for a contractual arrangement or an HRM owned shelter. Until a decision is made as part of the 08/09 Budgeting process to address the sheltering need, we will be unable to fully address the cat legislation issues and staff recommend extending the effective date.

3. If a cat is brought to HRM by a property owner, the animal owner will be called if the

owner can be identified. If the cat cannot be identified then the existing procedure will be followed.

This provision currently exists in By-Law A-300, Section 15 (5).

4. When a cat or dog is found to cause property damage or injury the animal control may direct that such animal is no longer permitted off the owner's property without restraint such as a leash or cage or on another property without the consent of the property owner.

This provision currently exists in By-Law A-300 (attached as Appendix A), in Section 6, Duties of Cat Owners. Violators may be issued a Summary Offense Ticket and staff could seek conditions as part of the prosecution.

5. A cat or dog found to cause property damage or personal injury shall cause the owner to be fined.

This provision currently exists in By-Law A-300, as discussed above.

6. A cat or dog owner shall be fined if their cat has been barred from a property and if caught again on that property.

Should Council approve Recommendation #3,:

Section 6 (3) No owner of a cat shall:

- (a). cause or permit a cat at any time to run at large. This provision shall not apply to a cat on public property that has been spayed or neutered, the burden of proof that a cat has been spayed or neutered lies upon the owner of the cat;

These changes along with the current definition of:

- (x) "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;

will address the unwanted cats on private property.

7. Automatic ban on roaming cats is lifted but outdoor cats must be spayed or neutered.

As mentioned above in point #6, staff recommend amending Section 6 (3) (a).

8. All dog regulations as described above shall remain.

All legislation regarding dogs within By-Law A-300 shall remain the same with the exception of the License fee.

9. TNR for feral cats will be supported through the grants program. (This would not be entrenched in the by-law as staff have previously indicated this is not a by-law issue)

This matter has been referred to appropriate staff and the HRM Grants Committee for consideration.

In addition to Regional Council's request to review the proposed amendments, staff recommends the following amendment to By-Law A-300 (attached as Appendix A):

- Section 4 (1) (d) and (e) to be modified to remove the requirement of a certificate for spay and neutering, as well as rabies inoculation.

BUDGET IMPLICATIONS

The current 07/08 budget is projecting \$120,000.00 in license revenue. An offset for this loss would need to be funded in the 2008/09 operating budget. Also, the incentive for free licensing would likely create increased demand for service requiring additional resources. Approximately 9,000 licenses are issued annually. Funding would need to be identified through the 2008/09 budget process. The table below provides an estimation of potential costs.

Number of Licenses	Potential Cost
9,000 (current)	\$38,637 (current)
20,000	\$87,275 (includes door to door registration)
30,000	\$99,412
40,000	\$128,550

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.

ATTACHMENTS

Appendix A: Amended By-Law A-300 based on recommendations

Appendix B: Amended Administrative Order #11 based on recommendations

A copy of this report can be obtained online at <http://www.halifax.ca/council/agendasc/cagenda.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: _____
for Catherine Sanderson, Sr. Manager, Financial Services, 490-1562



HALIFAX REGIONAL MUNICIPALITY

BY-LAW NUMBER A-300 RESPECTING ANIMALS AND RESPONSIBLE PET OWNERSHIP

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;
 - (f) “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*;
 - (g) “Animal Control Officer” means a police officer, by-law enforcement officer or a special constable appointed pursuant to the *Police Act*;
 - (h) “attack” means to injure or bite, or to threaten or give the impression of threatening;
 - (i) “bite” includes to penetrate the skin by a tooth or teeth;
 - (j) “cat” means a non-feral or feral cat, either male or female;
 - (k) “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) “leash” means a device used by a person to restrict movement of an animal which is adequate for the purpose;
- (m) “license” means a license issued pursuant to this By-Law;
- (n) “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;
- (o) “microchip” means an approved ‘Canadian Standard’ encoded identification device implanted into a dog, cat or Prohibited Animal, 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;
- (p) “Municipality” means Halifax Regional Municipality;
- (q) “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;

- (r) “muzzle” means a humane covering device of sufficient strength placed over a dog’s mouth to prevent it from biting;
- (s) “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;
- (t) “organized hunt” means a controlled, organized pursuit of game or fowl using trained dogs, by duly licensed hunters;
- (u) “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;
- (v) “prohibited animal” means an animal listed in the Prohibited Animals of Administrative Order 11
- (w) “property owner” means:
 - (vii) in the absence of proof to the contrary, the person or persons assessed for the property; or
 - (viii) a part owner, joint owner, tenant in common or joint tenant of the whole or any part of land or a building;
- (x) “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;
- (y) “service animal” means any animal individually trained to do work or perform tasks for the benefit of the individual with a disability or is used for search and rescue or law enforcement;
- (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 type of bird that primarily lives on or about the water.

Licensing of Dogs, Cats and Prohibited Animals

3. (1) No person shall own a dog or a cat within the Municipality without having obtained a license from 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.
- (3) No person shall own a Prohibited Animal except in accordance with Section 9 and without licensing the prohibited animal.

Licensing Procedure

4. (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 or prohibited;
 - (c) the description, including its sex, breed, and known or approximate age;
 - (d) information establishing that the dog or cat is spayed or neutered;
 - (e) information establishing rabies inoculation, when requested; and
 - (f) the applicable license fee pursuant to Administrative Order #11.
- (2) When the application is for the licensing of a service animal, 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, cat or prohibited animal licensed, showing the date and number of the license, the name and description of the dog, cat or prohibited animal with the name and address of the owner and the respective license category.
- (4) Upon receipt of the information 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.

Identification

5. (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 4 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 11.
- (4) Any dog or cat which does not have a valid identification device shall be deemed not to be licensed under this By-Law.

Duties of Owners

6. (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 immediately remove defecation on any public or private property other than the property of its owner; except a dog trained to assist and 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. This provision shall not apply to a cat on public property that has been spayed or neutered, the burden of proof that a cat has been spayed or neutered lies upon the owner of the cat;
 - (b) cause or permit the cat to attack a person or another animal, other than wild rodents;
 - (c) cause or permit a cat to damage public or private property; or
 - (d) fail to immediately remove defecation 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 comply with subsections (1) or (3) shall be guilty of an offence under this By-Law.

Dog Attacks

7. (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

8. (1) No owner of an animal not being a cat, dog or bird 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

9. (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) Provided that the animal is licensed and microchipped in accordance with this By-Law within ninety (90) days of this By-Law coming into force and effect, this section shall not apply to an animal owned on the coming into force of this by-law.

Seizure and Impounding of Animals

10. (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

11. (1) No owner of an animal shall knowingly or unknowingly 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

12. (1) No person shall feed waterfowl or pigeons at site specific locations as determined by Council or Community Council on property owned by the Municipality as prescribed by an Administrative Order.
- (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

13. (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 suffered.
- (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

14. (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 9 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

15. (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:
 - (a) be sold; adopted; or
 - (b) 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

16. (1) Subject to subsections (7) and (8) of Section 14, 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:
 - (i) redemption fee;
 - (ii) boarding fee for each day, or part thereof, that the animal has been impounded;
 - (iii) any veterinary fees incurred while the animal is impounded; and
 - (iv) a license fee, if required.
- (2) The fees payable in subsection (1) shall be those established by the Regional Council pursuant to Administrative Order 11, 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

17. (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 all fees, costs and expenses of the Shelter Keeper while the animal was impounded and kept at the shelter.

Effective Date

18. This By-Law shall come into effect on October 1, 2008.

Repeal

19. (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

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 an 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 license fees for animals commencing October 1, 2008 shall be as follows:

Dog	No Fee
Cat	No Fee
Dangerous Animal Registration	No Fee
Service Animal	No Fee
Prohibited animals	No Fee
Replacement Tag	\$5.00

3. 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

- (4) An adults snake's length cannot exceed 3.3 meters and an adult lizard's length cannot exceed 2 meters (measured from snout to the tip of the tail).