



# HARTLAND

BY-LAW NO. F -1

## **DRAFT** ANIMAL CONTROL BY-LAW

*A By-Law Respecting the Regulation, Control, and Care of Animals Within the Municipality of Hartland*

---

### 1. Title

This By-Law may be cited as the “**Animal Control By-Law.**”

### 2. Application

This By-Law applies to all lands, premises, and persons within the municipal boundaries of the Municipality of Hartland, as established and constituted from time to time under the Local Governance Act.

### 3. Authority

This By-Law is enacted pursuant to the *Local Governance Act*, SNB 2017, c. 18, which authorizes municipalities to enact by-laws respecting animal control, enforcement, inspections, offences, and penalties.

### 4. Definitions

For the purposes of this By-Law:

“**Animal**” means any domestic animal, livestock, poultry, or exotic animal kept in captivity, but does not include wildlife in its natural state.

“**Domestic pet**” means a dog, cat, rabbit, ferret, or other small companion animal customarily kept indoors.

“**Livestock**” includes cattle, horses, ponies, donkeys, mules, sheep, goats, swine, llamas, alpacas, and other farm animals.

“**Poultry**” includes hens, chickens, ducks, geese, or other domestic fowl.

“**At large**” means an animal not under the immediate care and control of a competent person by means of a leash, lead, enclosure, or physical restraint.

“**Animal Control Officer (ACO)**” means any person appointed by the Town or its agent (e.g., SPCA) to enforce the provisions of this By-Law.

“**Owner**” includes any person who owns, possesses, harbours, or has custody of an animal.

“**Town**” means the Municipality of Hartland, as established and constituted under the Local Governance Act.



## 5. General

- 5.1. Fees, charges, and fines applicable under this By-Law shall be established by Council from time to time by resolution, policy, or fee schedule and are not required to be set out in this By-Law.
- 5.2. No animal shall run at large within the Town.
- 5.3. No owner shall permit an animal to trespass on private property without consent.
- 5.4. No owner shall permit their animal to create a nuisance, including:
- Excessive noise,
  - Damage to property,
  - Aggressive behaviour,
  - a) Littering or defecation without removal.

## 6. Dogs

- 6.1. All dogs shall be licensed in accordance with applicable provincial requirements and any licensing program adopted by the Town.
- 6.2. Dogs shall not run at large.
- 6.3. No owner shall permit a dog to:
- Bite, attack, or threaten any person or animal,
  - Chase vehicles, bicycles, or pedestrians,
  - Excessively bark or disturb the peace.
- 6.4. Dangerous or aggressive dogs shall be subject to:
- Muzzling,
  - Secure confinement,
  - Liability insurance requirements,
  - a) Possible destruction order under provincial law. Any destruction of a dog shall occur only in accordance with applicable provincial legislation and lawful authority.

## 7. Livestock and Poultry

- 7.1. This section replaces all historical livestock and poultry rules previously contained in the Town's older by-laws, including provisions found in F-2 Impounding of Cattle (1980).
- 7.2. No livestock or poultry shall run at large within the Town.
- 7.3. Livestock kept within Town boundaries shall comply with zoning regulations.
- 7.4. Poultry and hens may be kept only where permitted and in accordance with the Town's Zoning By-Law, as amended from time to time.
- 7.5. Former provisions relating to cattle, horses, swine, sheep, goats, and domestic fowl running at large under By-Law F-2 Impounding of Cattle (1980) are replaced by this consolidated section.

## 8. Exotic and Prohibited Animals

- 8.1. No person may keep an animal prohibited under provincial law.
- 8.2. Venomous reptiles, wild animals, and species posing public safety risks are prohibited unless licensed by legal authority.



## 9. Impoundment

- 9.1. Any animal found at large may be seized and impounded by the ACO.
- 9.2. Impounded animals shall be held for a minimum of 72 hours.
- 9.3. The owner may reclaim the animal upon payment of Impound fees, Daily care fees, and any applicable fines.
- 9.4. Animals not reclaimed may be adopted, rehomed, or humanely euthanized, pursuant to SPCA or Town policy. Any euthanasia shall be carried out humanely and in accordance with provincial standards and applicable law.

## 10. Enforcement and Inspections

- 10.1. Where enforcement services are provided by a third party, such enforcement authority is limited to the scope authorized by Council and the applicable service agreement.
- 10.2. Nothing in this By-Law shall be interpreted as requiring a single enforcement provider to enforce all provisions of this By-Law.
- 10.3. The ACO is authorized to:
  - Enforce the By-Law,
  - Issue fines and orders,
    - a) issue compliance orders requiring corrective action
  - Enter upon lands (excluding dwellings) in accordance with the Local Governance Act.
- 10.4. Owners must comply with all lawful directions of the ACO.
- 10.5. All costs reasonably incurred by the Town in enforcing this By-Law, including impoundment, transportation, veterinary care, and boarding, may be recovered from the owner as a debt owing to the Town

## 11. Offences and Penalties

- 11.1. Any owner who violates this By-Law commits an offence.
- 11.2. Penalties may include:
  - Fines established by the Town's fine schedule,
  - Cost recovery for impoundment and care,
  - Court-ordered restrictions on ownership.
- 11.3. Separate offences occur for each day a violation continues.

## 12. Severability

If any section of this By-Law is held invalid, the remainder shall remain in force.



### 13. Repeal

- 13.1. By-Law F-2 “Impounding of Cattle,” enacted July 7, 1980, is hereby repealed in its entirety. This repeal replaces all provisions relating to livestock, domestic fowl, impoundment protocols, and enforcement found within that by-law.
- 13.2. By-Law F-7 “Responsible Dog Ownership Within the Town of Hartland,” together with all amendments thereto, is hereby repealed in its entirety.
- 13.3. The repeal of the above by-laws does not revive any by-law previously repealed by them.
- 13.4. Any policies, resolutions, or administrative directives inconsistent with the provisions of this By-Law are repealed or superseded to the extent of such inconsistency.

### 14. Effective Date

This By-Law comes into force on the date of final enactment by Council.

*First Reading:* \_\_\_\_\_

*Second Reading:* \_\_\_\_\_

*Third Reading:* \_\_\_\_\_

*Signatures:* \_\_\_\_\_  
Mayor, Tracey DeMerchant

\_\_\_\_\_  
Clerk, Julie Stockford