

Town of Swan River
Bylaw 06/2024
RESPONSIBLE PET OWNERSHIP

Being a Bylaw of the Town of Swan River to provide for the regulation and control of animals within the limits of the Town of Swan River.

PREAMBLE

WHEREAS subsection 232(1) of *The Municipal Act*, S.M. 1996, c. 58 (the "Act") provides, in relevant part, as follows:

Spheres of jurisdiction

232(1) A Council may pass bylaws for municipal purposes respecting the following matters:

- (a) the safety, health, protection and well-being of people and the safety and protection of property.
- (k) wild and domestic animals and activities in relation to them, including bylaws differentiating on the basis of sex, breed, size or weight;
- (o) the enforcement of bylaws.

AND WHEREAS subsection 232(2) of the *Act* provides, in relevant part, as follows:

Exercising bylaw-making powers

232(2) Without limiting the generality of subsection (1), a Council may in a bylaw passed under this Division

- (a) regulate or prohibit;
- (d) establish fees or other charges for services, activities or things provided or done by the municipality or for the use of property under the ownership, direction, management or control of the municipality;
- (f) except where a right of appeal is already provided in this or any other Act, provide for an appeal and the body that is to decide the appeal, and related matters.

AND WHEREAS, subsection 236(1) of the *Act* provides, in relevant part, as follows:

Content of bylaws under clause 232 (1) (o)

236(1) Without limiting the generality of clause 232(1) (o) (enforcement of bylaws), a bylaw passed under that clause may include provisions:

- (a) providing for procedures, including inspections, for determining whether bylaws are being complied with; and
- (b) remedying contravention of bylaws, including:
 - (i) creating offenses,

- (ii) subject to the regulations, providing for fines and penalties, including the imposition of a penalty for an offense that is in addition to a fine or imprisonment, so long as the penalty relates to a fee, rate, toll, charge or cost that is associated with the conduct that gives rise to the offense, or related to enforcing the bylaw,
- (iii) providing that an amount owing under subclause (ii) may be collected in any manner in which a tax may be collected or enforced under this Act;
- (iv) seizing, removing, impounding, confiscating and selling or otherwise disposing of plants, animals, vehicles, or other things related to a contravention,
- (v) charging and collecting costs incurred in respect of acting under subclause (iv),
- (vi) imposing a sentence of imprisonment for not more than six months for the commission of offenses or nonpayment of fines.

AND WHEREAS subsections 5(1), (2) and (3) of *The Animal Liability Act*, S.M.1998 c. 8 provide, in relevant part, as follows:

Animals not to run at large

5(1) Except when permitted by a municipal bylaw passed in accordance with *The Municipal Act* or a bylaw of a local government district passed in accordance with *The Local Government Districts Act*, no owner or person in charge of an animal shall allow it to run at large

Bylaw does not limit owner's liability

5(2) An owner's liability under section 2 is not limited or otherwise affected by a bylaw referred to in subsection (1).

Municipality or LGD not liable by reason only of making Bylaw

5(3) A municipality or local government district that makes a bylaw referred to in subsection (1) is not liable, by reason only of having made the bylaw, for damages for any harm that an animal causes to a person or property while running at large in the manner permitted under the bylaw.

AND WHEREAS, subsections 31 (1) and (2) of the *Diseases and Dead Bodies Regulation*, 338/88R of *The Public Health Act*, R.S.M. 1987 c.P210 provide, in relevant part, as follows:

31(1) In the event of an animal bite to a person in which a physician determines that there is a possibility of transmission of rabies, the person bitten or any duly qualified medical practitioner or registered nurse attending that person shall forthwith notify the Medical Officer of Health or the Animal Control Officer of the municipality in which the biting incident occurred or a Peace Officer of the details of the biting incident.

- 31(2)** An Animal Control Officer or Peace Officer receiving a report pursuant to subsection (1) shall notify the Medical Officer of Health of the details of the report at the earliest possible opportunity.
- 31(3)** On being notified of an animal bite under this section, the Medical Officer of Health may take steps to ensure that,
- (a) the animal is secured alive and without injury in a safe place;
 - (b) the animal is kept under observation for 10 days or any longer period that has been authorized or required by the Medical Officer of Health.

AND WHEREAS, subsections 2 (1) of the *Animal Care Act*, C.C.S.M c. A84 provide:

- 2(1) A person who has ownership, possession or control of an animal
- (a) shall ensure that the animal has an adequate source of food and water;
 - (b) shall provide the animal with adequate medical attention when the animal is wounded or ill;
 - (c) shall provide the animal with reasonable protection from injurious heat or cold; and
 - (d) shall not confine the animal to an enclosure or area
 - i. with inadequate space,
 - ii. with unsanitary conditions,
 - iii. with inadequate ventilation or lighting, or
 - iv. without providing an opportunity for exercise,
 so as to significantly impair the animal's health or well-being.

NOW THEREFORE, the Council of the Town of Swan River enacts as follows:

PART I: DEFINITIONS AND INTERPRETATION

- 1.
- 1(1) This Bylaw may be referred to as the "Animal Control Bylaw."
- 1(2) In this Bylaw, unless the context otherwise requires:
 - a. "Administration" means the Chief Administrative Officer of the Municipality or their designated officer;

- b. "Aggressor Animal" means any animal that pursues, menaces, threatens, chases, attacks, bites, wounds, or injures a person, Livestock, or any other animal;
- c. "Animal Control Officer" means the person appointed by subsection 3(1) of this Bylaw to enforce the provisions of this Bylaw, and includes any person acting as an assistant to, or under the direction of, the Animal Control Officer;
- d. "Breeder" means any person who raises Dogs or Cats within the Municipality for the purpose of breeding and the sale of the offspring thereof.
- e. "Cat" means any member of the genus *Felis domesticus* (domestic cat);
- f. "Council" means the Council for the Town of Swan River;
- g. "Current Rabies Vaccination" means that the Dog or Cat has been vaccinated for rabies in accordance with international veterinary protocol which calls for a primary vaccination, which is then followed with a booster vaccination not sooner than 60 days and not greater than one year after the primary vaccination, and is then subsequently vaccinated annually;
- h. "Dangerous Animal" means any Dog, Cat or any other animal that has on at least on one occasion, pursued, menaced, threatened, chased, attacked, bitten, wounded, or killed a person, Livestock or any other animal, or that is for any other reason determined to be a risk to any person, Livestock or any other animal, and that has been declared a Dangerous Animal under subsection 21(1) of this Bylaw;
- i. "Dog" means any member of the genus *Canis familiaris* (domestic dog);
- j. "Domestic Pet" means any animal, including Cats and Dogs that has been domesticated and is kept or harboured within the Municipality;
- k. "Fee Schedule" means the list of financial penalties and fees passed by Council and as amended periodically, and which is available at the head office of the Municipality;
- l. "Livestock" means:
 - i. animals kept for the purpose of:
 - a. production of meat,
 - b. production of other products from the animals,
 - c. herding, protection of Livestock or draft work, or
 - d. the breeding stock of such animals;
 - ii. animals kept for the purpose of improving or preserving any species or kind of animal that may be kept for a purpose set out in clauses (i)(a-d) of this definition, and
 - iii. any other animal determined by the Animal Control Officer to be Livestock for the purposes of this Bylaw;
- m. "Municipality" means the Town of Swan River;
- n. "Owner" includes any person, firm, or corporation who owns, keeps, harbours or has possession or control of an animal, or who owns, leases or occupies, either solely or jointly with others, any premises containing the animal or which contained the animal immediately prior to an attack by the animal or apprehension of the animal by the Animal Control Officer or any other person;
- o. "Peace Officer" means a member of the Royal Canadian Mounted Police or Community Safety Officers;

- p. "Pound" means any enclosure, premises, or place, whether within or outside the Municipality, designated by Council for the impoundment and care of any animal for the purposes of enforcing any provision of this Bylaw;
- q. "Pound-Keeper" means the person or entity appointed by section 3(2) to operate and maintain a Pound, and to carry out the duties of a Pound-Keeper as set out in section 5 of this Bylaw;
- r. "Public Playground" means the immediate delineated area containing playground equipment in a park or municipal reserve owned or under management and control of the Municipality;
- s. "Quarantine" means that the animal has been isolated from other animals and the public for a specified period of time as imposed and administrated by this Bylaw;
- t. "Restricted Animal" means:
 - i. any member of the order Primate except a human being;
 - ii. any member of the order Carnivora except Dogs, Cats, and domestic ferrets (*mustela putorius furo*), but including all hybrids of Dogs and Cats;
 - iii. any member of the order Crocodylia;
 - iv. any constrictor snake, venomous snake, or venomous reptile;
 - v. any venomous amphibian or arachnid;
 - vi. any wild animal or wildlife as defined in The Wildlife Act;
 - vii. any other animal determined by the Animal Control Officer to be a Restricted Animal;
 - viii. Livestock, being cattle, horses, mules, donkeys, sheep, goats, or swine;
 - ix. poultry and fowl, being chicken, turkey, duck, goose, pigeons or other domestic fowl and any other animals that are of a species or kind prescribed as Livestock in the regulations pursuant to The Animal Liability Act;
 - x. all of the family Camilidae (including, Llamas and Alpacas);
 - xi. all cervids;
 - xii. specialty fowl (including, guinea fowls); and
 - xiii. bees;
- u. "Running at Large", or "Run at Large" means, in relation to an animal, that the animal is not:
 - i. under the direct, continuous, and effective control of a person competent to control it; or
 - ii. securely confined within an enclosure or securely fastened so that it is unable to roam at will;
- v. "Service Dog" means any registered Dog specially trained for and used as a guide for a person with a disability; and
- w. "Sterilized" means that the animal is neutered or spayed.

Interpretation

- 1(3) In all parts of this Bylaw, any word importing the male gender shall include the female gender and vice versa, and any word importing the singular shall include the

plural, and vice versa, as applicable and unless the context requires a different interpretation.

PART II: ESTABLISHMENT OF POUND AND APPOINTMENT OF ANIMAL CONTROL OFFICER AND POUND-KEEPER

Establishment of Pound

2. Council may establish and maintain a Pound for the impoundment and care of animals apprehended pursuant to the enforcement of any provision of this Bylaw, or the Council may enter into an agreement with any person (including with any other municipality, city, town or organization) to establish and maintain a Pound on their behalf.

Appointment of Animal Control Officer and Pound-Keeper

3.
 - 3(1) Administration may appoint one or more persons as Animal Control Officer to carry out the enforcement of this Bylaw. The Animal Control Officer so appointed may be appointed on a temporary or permanent basis.
 - 3(2) Administration or the agreement holder for the Pound, as provided in section 2, may appoint one or more persons as Pound-Keeper(s) to carry out the duties of the Pound-Keeper set out in this Bylaw. The Pound-Keeper(s) so appointed may be appointed on a temporary or permanent basis.
 - 3(3) At the discretion of Administration, the Animal Control Officer may also serve as Pound-Keeper, and vice versa.

Duties of the Animal Control Officer

4. It shall be the duties of the Animal Control Officer:
 - a. To apprehend and confine at the Pound, any Domestic Pet or any other animal which is:
 - i. Running at Large within the Municipality, contrary to the provisions of this Bylaw, or
 - ii. kept or harboured by, or in the possession or control of, any person that is in breach of this Bylaw or of any other laws or regulations pertaining to animals or the conditions of any permit or license;
 - b. To apprehend and/or ensure removal of any Restricted Animal being kept or harboured by, or in the possession or control of, any person contrary to the provisions of this Bylaw, or Running at Large, within the Municipality;
 - c. To apprehend by use of tranquillizer gun, euthanize by use of a firearm, or otherwise dispose of any Wild Animal or Dangerous Animal which is diseased, injured, or, in the opinion of the Animal Control Officer, an immediate threat to the general public;
 - d. Investigate, and if required, resolve complaints for Domestic Pets made by the public in response to this Bylaw, including animal attack complaints;
 - e. to make reasonable attempt to notify the Owner of every animal impounded:
 - i. if the identity of the Owner is known or the Domestic Pet has a tag, by direct contact with the Owner or by leaving a notice at the last known

- address of the Owner, which notice shall be in the form set out in Schedule A hereto attached and shall state the place and time that the animal was apprehended, the place and time when the animal can be redeemed from the Pound, the impoundment fee, any daily Pound fees, license fees and other costs or fines to be charged to the Owner, the method of payment required, and the date after which the animal will be sold, euthanized, or otherwise disposed of if not redeemed; or
- ii. if the identity of the Owner of the animal is not known, by posting in the general office of the Municipality, a notice describing the animal, the date of apprehension and the date after which the animal will be sold, euthanized, or otherwise disposed of;
- f. to enforce the provisions of this Bylaw.

Duties of Pound-Keeper

5. It shall be the duties of the Pound-Keeper:
- a. To provide sufficient food and clean water, adequate shelter, and a safe and sanitary environment for every animal impounded;
 - b. To establish and maintain the Pound in a manner in keeping with The Animal Care Act (Manitoba), and without limiting the generality of the foregoing, to discharge the duties of an Owner as set out in subsection 2(1) of The Animal Care Act (Manitoba) while an animal is in the custody of the Pound-Keeper;
 - c. To keep a record of every animal impounded, which records shall include the following minimum information:
 - i. a description in reasonable detail of the animal (including, the approximate weight, height, and color of the animal, as well as the species, breed, and gender of the animal);
 - ii. the day and hour of its impoundment;
 - iii. the day and hour of its redemption, sale, disposition, or destruction, together with the details of redemption, sale, disposition, or destruction;
 - iv. the name and address of the Owner (being the person to whom the animal was sold or released), and the license number on the animal's tag (if applicable);
 - v. the amount and particulars of all charges including room and board, disposal by euthanasia, etc.; and
 - vi. such other particulars as the Administration shall direct from time to time;
 - d. To keep any impounded animal which is, to the knowledge of the Pound-Keeper, a Domestic Pet for a minimum period of:
 - i. three (3) days, unless sooner redeemed, which shall include the day of impoundment but shall exclude Sundays and any statutory holidays during which the Pound is closed to the public; or
 - ii. where the Municipality has entered into a contract with a private party for the operation of the Pound, the minimum hold period established under the Pound-Keeper's contract with the Municipality, unless sooner redeemed;

- e. To make suitable arrangements for the temporary impoundment and sale, disposition, or destruction of any animal other than a Domestic Pet that is apprehended within the Municipality, including any Restricted Animal or wild animal within the meaning of The Wildlife Act;
- f. If, after expiration of the minimum period of impoundment set out in paragraph (d), a Domestic Pet that has not been redeemed or in the case of any other animal, it will be the duty of the Pound-Keeper to do one of the following with the impounded animal:
 - i. sell or otherwise dispose of the impounded animal to any person for an amount not less than the applicable Pound and license fees accrued in respect of the impounded animal as set forth in this Bylaw, unless such fees are otherwise waived by the Municipality or by the Pound-Keeper on the express authority of the Municipality;
 - ii. cause the impounded animal to be humanely euthanized; unless the Municipality, or the Pound-Keeper on the express authority of the Municipality, agrees to or directs an extended period of impoundment, in which case the impounded animal will be held until the earlier of the date that it is sold or otherwise disposed of to a person in accordance with subparagraph (f) (i) or until expiry of the extended period of impoundment, before it is humanely euthanized;
- g. The Municipality may vary the terms, conditions and duties of the Pound-Keeper by agreement with a private party, provided however that the contract shall contain (and where absent in the contract, shall be deemed to incorporate) as minimum provisions, the duties of the Pound-Keeper set out in paragraphs (a), (b) and (c) above, and further provided that the provisions in paragraphs (d), (e), and (f) above shall continue to apply except to the extent that they are specifically modified by the contract;
- h. Where it is necessary for their personal safety or the safety of the public, the Pound-Keeper and/or RCMP may use a tranquilizer gun for the purpose of capturing any animal found to be Running at Large within the Municipality; and
- i. The Pound-Keeper or Animal Control Officer and any persons may, capture any Dogs, or Cats found Running at Large, or any stray Dogs, and deliver such Dogs or Cats upon approval from the Municipality to the Pound for confinement.

Redemption of Domestic Pet

- 6. The Owner of any Domestic Pet impounded by the Animal Control Officer may redeem it, subject to section 7 and 8, except during Sunday and Statutory Holidays, within three (3) working days of the Impounding by paying to the Administration all damages, if any, all fees, charges, expenses and penalties imposed hereunder:
 - a. the impoundment fee as set out in the Fee Schedule;
 - b. all outstanding fines, damages or costs relating to the impounded animal;
 - c. any person claiming, redeeming, or adopting an impounded Domestic Pet shall provide proof of current vaccination against rabies. If such proof is not provided, the

- Owner shall be required to pay the cost of the rabies vaccination and be charged in accordance with subsection 14(1);
- d. in the case of Dogs, must produce or buy a license, before the Dog may be redeemed or adopted;
 - e. subject to section 16, in the case the Dog or Cat is not Sterilized, it shall be Sterilized and the costs for this procedure are to be added to the outstanding fees for redeeming this animal; and
 - f. When the Pound-Keeper contacts the Owner of the impounded animal, advising the Owner that they will dispose of the animal if it is not picked up by the Owner and the Owner states that the Pound-Keeper may dispose or humanely euthanize the animal; then the Owner shall pay all costs that were incurred during the impoundment of said animal (including impoundment fees, damages, and euthanasia).
7. The Owner may not redeem from the Pound any Animal which:
- a. is a Restricted Animal, subject to subsection 22(1);
 - b. is suspected of suffering from rabies and is under Quarantine, subject to section 15;
 - c. is an Aggressor Animal and under Quarantine, subject to subsection 20(3);
 - d. is a Dangerous Animal, subject to section 21; and
 - e. would put the Owner over the maximum limit, subject to subsection 18(1).
8. Any animal that is impounded three (3) or more times within any twelve (12) month period while owned by the same Owner must be sold or disposed of to a new Owner or shall be euthanized regardless of whether it is properly licensed under this Bylaw.

PART III: REGULATIONS FOR DOMESTIC PETS

Responsibilities and Restrictions for Owners of Domestic Pets

9. No Owner shall permit their Domestic Pet to:
- a. Run at Large;
 - b. unduly disrupt the quiet of any individual whether by barking, howling, yowling, or in any other way;
 - c. defecate on any public or private property other than the property of its Owner, and where this occurs the Owner shall cause such excrement to be removed forthwith;
 - d. to allow their Domestic Pet to defecate on their property to the extent which constitutes an environmental or health hazard or a nuisance for neighbours;
 - e. to damage public property or private property other than that of the Owner, and where this occurs the Owner may be held responsible for all damages;
 - f. to pursue, bite or wound or show propensity for violence, to injure any person or animal whether or not on the property of the Owner;
 - g. to dig in flower beds or garbage containers or trespass on private property or in any other way unduly disturb the quiet of any person or persons anywhere in the Municipality; or

- h. permit to transport their Domestic Pet at the back of any open vehicle unless it is kenneled or leashed, meaning that the Domestic Pet cannot reach the outside of the said vehicle (as per the Animal Care Act).
- 10.
- 10(1) No Owner is permitted to own, keep, harbour, or have possession or control of any Domestic Pet determined to be a Dangerous Animal, unless such Domestic Pet is kept at all times in accordance with the provisions of Part IV of this Bylaw.
 - 10(2) In addition, the failure of the Owner to comply with conditions imposed by the Animal Control Officer with clause 21(2)(c) will be considered an offense under this Bylaw and the Animal Control Officer at their discretion may take any action as provided in subsection 21(2).
11. In the event that the animal alleged to be a Domestic Pet is a Restricted Animal or wild animal within the meaning of The Wildlife Act, no person shall be entitled to keep or harbour such animal within the Municipality.

Responsibility of Owners Regarding Dogs

- 12.
- 12(1) No Owner shall permit their dog on public property (including town parks and Public Playgrounds) unless the Dog is on a leash (which leash shall be no longer than six (6) feet in length, fully extended), unless the said public property has been specifically designated by Council as exempt from this provision.
 - 12(2) Any commercial guard Dog must be securely confined within an enclosure or private land, and such areas are to be sufficiently posted with danger signs, clearly stating "Beware of Dog" or similar wording, subject to approval by the Animal Control Officer or Town designate.
 - 12(3) A visually impaired Owner of a Service Dog or any other person who requires the assistance of a Service Dog shall not be subject to the restrictions imposed under these clauses: 9(c), 9(h), 12(1), and 13(1).

Licensing for Dogs and Cats

- 13.
- 13(1) The Owner of every Dog or Cat shall obtain and renew annually a license to keep the Dog or Cat.
 - a. The license shall require the payment of the annual fee as set out in the Fee Schedule.
 - b. Subject to subsection 14(2), every Dog or Cat Owner must produce, before a license is issued or renewed for that animal, evidence of a Current Rabies Vaccination status for that animal from a licensed veterinarian; animals under the age of six (6) months do not require a vaccination to be licensed in that current year.
 - c. For any Dog or Cat declared a Dangerous Animal by section 21(1), the Owner must additionally pay the Dangerous Animal Fee as prescribed in the Fee Schedule to obtain or renew their license.

- d. For any Dog or Cat that is not Sterilized, the Owner must pay the increased non-sterilized rate to obtain or renew their license, unless an exemption has been granted by clause 16(a).
- 13(2) It shall be an offense for an Owner to own, keep, harbour, or have possession or control of any Dog or Cat for which a valid license has not been issued in accordance with section 13(1).
- 13(3) The Owner of every Dog or Cat shall have a collar worn by the animal which has securely fastened to it a proper license tag that identifies a valid license in respect of that animal in accordance with section 13(1).
- 13(4) Notwithstanding subsection 13(1):
- a. registered Dogs used as Service Dogs for persons with disabilities shall receive an annual tag at no charge with proof of registration;
 - b. Upon approval from the Animal Control Officer, any person who moves into the Municipality from another municipality and owned, possessed, or harboured more animals than permitted by section 18(1); may continue ownership, possession, or harbouring of those animals, after providing sufficient evidence to support the claim is supplied to the satisfaction of the Animal Control Officer;
 - c. any person to whom subsection (b) applies shall not be entitled to acquire, by any means, any additional Dogs, and/or Cats until the number of Dogs and/or Cats they own, possess, or harbour falls below the number authorized by subsection 18(1);
 - d. any person to whom clauses (a) & (b) applies shall be subject to all other provisions of this Bylaw;
 - e. licensing is required for any Dog or Cat; and
 - f. the local humane society, or other such organization recognized by the Municipality, may affix foster tags to animals under their care in the place of a license tag. A list of assigned foster tags shall be provided at the request of the Animal Control Officer.
- 13(5) The Administration at the Municipality's office shall sell the required Dog and Cat license.
- 13(6) No person shall be permitted to remove the collar or license tag from any Dog or Cat without a lawful excuse, and any such removal shall constitute an offense under this Bylaw.
- 13(7) The license fee hereby imposed shall be due and payable on the first day of January in each year and shall expire on the 31st day of December in the year in which the license fee was levied and paid.
- 13(8) Where the license tag is lost or damaged, the Owner shall forthwith apply for a replacement license tag, the cost of which is set out in the Fee Schedule.
- 13(9) Where a change in ownership of a Dog or Cat licensed hereunder occurs during the license year, the new Owner shall have the current license transferred to their name upon payment of the transfer fee prescribed in the Fee Schedule. Any failure to report a change in ownership or to pay the prescribed transfer fee shall constitute an offense under this Bylaw.
- 13(10) Subsections 13(1), (4), (5), (7), and (8) shall not apply to non-residents of the Municipality who bring a Dog or Cat on a temporary visit into the Municipality, to a maximum of 104 days per year.

Rabies Vaccinations

14.

14(1) The Animal Control Officer may at any time request that an Owner provide proof that the Owner's Domestic Pet has a Current Rabies Vaccination status and, if the Owner cannot produce such proof, the Animal Control Officer may apprehend and impound the Domestic Pet. Failure to provide such proof of a current vaccination for rabies is an offence under this Bylaw.

14(2) A Domestic Pet Owner does not have to produce evidence of a Current Rabies Vaccination status for 13(1)(b) or 14(1) if the Owner can produce a statement in writing signed by a licensed veterinarian certifying that the Domestic Pet cannot be vaccinated for rabies for medical reasons.

15. All Domestic Pets suspected of suffering from rabies shall be dealt with in accordance with the regulations under The Public Health Act and shall be Quarantined and confined separate and apart from other Domestic Pets, unless otherwise approved by Manitoba Health.

Reproductive Health for Dogs or Cats

16. Owners shall ensure their Dog or Cat is Sterilized at or before six (6) months of age, with the following exemptions:

- a. the Owner can provide a signed note by a licensed veterinarian, to the satisfaction of Administration, that orders a delay or exemption; or
- b. the Owner is a Breeder and has obtained a kennel permit as provided by section 19.

17. A female Dog or Cat in heat shall be confined to the premises of the Owner or a person having control of the Dog or Cat, or shall be housed in a licensed kennel, and not kept outdoors for a period longer than thirty (30) minutes, for the period of time that the Dog or Cat in is in heat. The said Dog or Cat's confinement shall be in such a manner as to prevent any contact between the Dog or Cat in heat and any other animal of its kind except other Dogs or Cats owned by the same Owner or by another Owner who voluntarily permits such contact.

Maximum Number of Dogs or Cats

18.

18(1) No Owner shall own, harbour, keep or have in their possession or control or on their premises, more than two (2) Dogs and two(2) Cats over the age of three (3) months, regardless of the number of people who may be inhabiting the premises, unless such person holds a valid kennel permit authorizing them to own that number of Dogs or Cats.

18(2) Any person who keeps, harbours, possesses, or controls a number of Dogs or Cats in excess of the maximum number prescribed in this section without a valid kennel permit authorized by section 19 shall have committed an offense under this Bylaw.

18(3) The local humane society, or other such organization recognized by the Municipality, has the ability to place an animal in temporary foster homes and such homes will be allowed two (2) additional animals over the above maximum stated in this section, as approved by the Animal Control Officer.

- 18(4) Upon approval from the Animal Control Officer, any person who owned, possessed, or harboured three (3) dogs or three (3) cats while Bylaw 21/2022 was in force; may continue ownership, possession, or harbouring of those animals, after providing sufficient evidence to support the claim is supplied to the satisfaction the Animal Control Officer. Any person to whom this applies shall not be entitled to acquire, by any means, any additional Dogs, and/or Cats until the number of Dogs and/or Cats they own, possess, or harbour falls below the number authorized by subsection 18(1).

Kennel Permits

19.

- 19(1) Any person who wishes to keep, harbour, possess or control any number of Dogs or Cats in excess of the maximum number prescribed in section 18 hereof, regardless of whether to for profit or pleasure, shall apply in writing to the Council for a kennel permit. The application must be accompanied by the applicable application and permit fees as set out in the Fee Schedule.

- a. In addition, any person who wishes to operate as a Breeder for Cats or Dogs within the Municipality must hold a kennel permit.

- 19(2) Council shall set a date to review any such application for a kennel permit at a regularly scheduled Council meeting not less than thirty (30) days following receipt of the completed application form, the application fee, and permit fee for the first year. Council shall notify the applicant and shall make reasonable attempts to notify all property owners within a 100-meter radius of the premises upon which the proposed kennel will be located, of the application, and the date of the hearing in respect of the application.

- 19(3) In determining whether or not to grant a kennel permit to an applicant, Council shall consider all relevant factors, including the following factors:

- a. the proposed maximum number of Dogs and/or Cats to be kept on the premises;
- b. the intended purpose for keeping the Dogs and/or Cats on the premises;
- c. the steps which have been taken to ensure that the Dogs and/or Cats will be adequately and safely housed;
- d. the steps which have been taken to ensure that disturbances to neighbours from excessive noise, odour, waste disposal, traffic and any other potential nuisances are avoided;
- e. any inspection report from the Animal Control Officer or the Pound-Keeper as may be requested by the Council;
- f. any inspection report from the public health authorities or any other authorities as may be requested by the Council;
- g. any representations made by the Owner or on behalf of the Owner either in writing or at the meeting of Council where the application for a kennel permit will be heard; and
- h. any representations made by neighbours of the Owner or any other interested party, whether in writing or by oral submission at the meeting of Council at which the application for a kennel permit is heard.

- 19(4) A kennel permit issued to an applicant shall be valid for a period of one (1) year from the date of issuance. A permit-holder who wishes to renew a kennel permit shall no later than thirty (30) days prior to the expiry date submit an application for renewal to the Council on a form approved by Council and accompanied by the annual licence fee as set out in the Fee Schedule. Council shall review such renewal application, and may, but shall not be required to, notify adjacent property owners of the renewal application unless such renewal application materially differs from the prior year's application submitted by the permit-holder or unless a written objection is made to Council, in which case all adjacent property owners shall be notified.
- 19(5) Prior to revoking, suspending, refusing to renew, or imposing conditions upon, an issued and outstanding kennel permit, the Council shall notify the holder of the kennel permit and shall provide the said holder with the opportunity to make representations to Council at a meeting of Council.
- 19(6) Council may refuse to issue a kennel permit or may revoke or refuse to renew an existing kennel permit or may modify the conditions which apply to an existing kennel permit or may suspend an existing kennel permit at any time upon a finding that:
- a. a neighbour or any other party is exposed to a nuisance created by the operation or maintenance of the kennel, including, without limitation, excessive noise, noxious odours, or excessive traffic;
 - b. this Bylaw or any other law, regulation or rule pertaining to animal care or environmental matters, or any condition pertaining to the kennel permit, have been or are being contravened, including, without limitation, any law, regulation, rule or permit condition pertaining to waste disposal;
 - c. the premises are not maintained in a condition such that animal escapes are prevented;
 - d. the holder of the kennel permit has breached the duties of an Owner of animals under The Animal Care Act (Manitoba) (whether or not they actually own all of the animals in their care), including, without limitation, where the conditions in the kennel are unsafe or unsanitary for the animals;
 - e. any inspection report from the public health authorities indicating that a lack of cleanliness or sanitation in the kennel or the surrounding premises presents a human health risk;
 - f. the premises are not licensed under The Animal Care Act (Manitoba), and are required to be so licensed under the said Act; or
 - g. it is not in the public interest to allow the kennel or proposed kennel to operate, or to continue to operate, as currently operated within the Municipality.
- 19(7) Upon refusal to grant or renew a kennel permit, or upon prescribing the conditions of a kennel permit or modifying the conditions of a kennel permit or suspending an Owner's kennel permit, the Owner shall be notified of the decision of Council by registered mail. In the event that the Owner's application for a new or renewed kennel permit is denied, or the conditions of the Owner's existing kennel permit are modified such that the Owner keeps, harbours or has possession or control over a

number of Dogs and/or Cats that exceeds the prescribed limit in this Bylaw or in the kennel permit, as applicable, the Owner shall have thirty (30) days to dispose of the Dogs and/or Cats over and above the applicable prescribed limit or to make such other modifications as may be required by order of the Council.

- 19(8) The Animal Control Officer shall inspect the premises as soon as reasonably possible after the thirty (30) days set out in subsection 19(7) hereof has elapsed to ensure compliance with the order of the Council and the conditions imposed on the existing kennel permit, if any. If the Owner has failed to comply with any such order or conditions, the Animal Control Officer shall take all such lawful steps as may be required, in their discretion, to bring the Owner into compliance with this Bylaw and any such order or conditions, including, without limitation, apprehending and impounding any Dogs and/or Cats in excess of the applicable prescribed limit to be dealt with in accordance with the duties of the Pound-Keeper in section 5, except that the Owner shall not be entitled to redeem the Dogs and/or Cats apprehended if, to allow such a redemption, would again result in a contravention of the provisions of this section 18.
- 19(9) The Owner may appeal the apprehension and/or impoundment of any Dogs and/or Cats under subsection 19(7) to the Council by notice of appeal in writing delivered to the Chief Administrative Officer of the Municipality within three (3) days of the apprehension (excluding Sundays and statutory holidays during which the Pound is closed to the public). This appeal shall be heard by Council at the next regularly scheduled Council meeting. The decision of Council is final. If the decision of Council is to deny return of the impounded Dogs and/or Cats to the Owner, the Pound-Keeper shall arrange forthwith to sell or otherwise dispose of the said Dogs and/or Cats or to humanely euthanize the said Dogs and/or Cats. If the decision of Council is to reverse the apprehension and impoundment, the Owner shall, subject to payment by the Owner of all costs associated with the apprehension and impoundment of the said Dogs and/or Cats and any licensing and permit fees properly charged to the Owner under this Bylaw, recover the said animals.
- 19(10) The Council, or the Animal Control Officer on their behalf, may request in writing that the premises of the applicant or permit-holder be inspected by the Animal Control Officer or such other person as may be designated by Council or the Animal Control Officer, at any time upon reasonable notice, and the Owner shall comply with any such request. The failure by an Owner to comply with such a request shall constitute an offense under this Bylaw and is grounds for refusing to grant or renew a kennel permit or for revoking, suspending, or placing conditions upon an existing kennel permit.
- 19(11) Nothing in this Bylaw shall be construed as obviating or overriding any requirement under the laws of the Province of Manitoba to obtain a license or licenses from the Government of Manitoba, and to comply with provincial licensing requirements, in order to carry on business as a boarding kennel or a commercial Breeder of Dogs, Cats or any other animals.

PART IV: AGGRESSOR AND DANGEROUS ANIMALS

Aggressor Animals

20.

20(1) The Animal Control Officer:

- a. may apprehend, impound and/or place in Quarantine any Aggressor Animal that they have reason to believe has bitten another animal or a person, if in their discretion such action is necessary for the protection of the public or other animals; and
- b. may apprehend, impound and place in Quarantine any Aggressor Animal even if it has not bitten a person or another animal, if in their discretion such action is necessary for the protection of the public or the protection of other animals; whether on private or public premises, and whether or not the skin was directly punctured or lacerated by the bite, except that this provision shall not apply to a police service dog owned by a public law enforcement agency while on duty and under the control of a qualified dog handler.

20(2) If the Aggressor Animal is not voluntarily surrendered to the Animal Control Officer by the Owner, the Animal Control Officer shall be empowered to apprehend and impound the Aggressor Animal and, if necessary, to apply to a Provincial Court Judge, Magistrate or Justice of the Peace, as required, in order to obtain an order to enter the personal residence of the Owner for the purpose of apprehending and impounding the Aggressor Animal.

20(3) Any Aggressor Animal impounded shall be held in Quarantine for a minimum of ten (10) days at the Owner's expense, commencing from the date of impoundment;

- a. The Animal Control Officer may, in their discretion, authorize the Owner of the Aggressor Animal to Quarantine the Aggressor Animal in a place other than the Pound, provided that such place is under the indirect supervision of a licensed veterinarian and that the Aggressor Animal must remain at such place at the Owner's expense for the duration of the Quarantine.

20(4) Subject to a determination by the Animal Control Officer pursuant to subsection 20 (8) hereof that the Aggressor Animal is not a Dangerous Animal, the Aggressor Animal may be released to the Owner after expiry of the prescribed quarantine period upon payment by the Owner to the Pound-Keeper of a Pound fee as set out in the Fee Schedule, together with any costs or fines assessed against the Owner hereunder.

20(5) In the event that the Owner fails to redeem the Aggressor Animal from the Pound within three (3) days after expiry of the quarantine period, the Aggressor Animal shall be sold, disposed of, or humanely euthanized at the discretion of the Pound-Keeper or Animal Control Officer.

20(6) The Animal Control Officer shall keep a record of all animal bite incidents, apprehensions, impoundments, and Quarantines, etc., identifying the Aggressor Animal and the details of the incident, and such record may be used in any hearing or appeal with respect to the Dangerous Animal provisions contained herein.

20(7) Any Aggressor Animal Quarantined for biting that dies while Quarantined and prior to the veterinary examination required pursuant to subsection 20(8) hereof, shall be submitted to the Canadian Food Inspection Agency for rabies examination.

- 20(8) Every Aggressor Animal shall be examined by a licensed veterinarian prior to release from Quarantine. The determination as to whether or not the Aggressor Animal can be released from Quarantine or must be euthanized or otherwise disposed of, shall be at the discretion of the Animal Control Officer based upon the following factors:
- a. the medical report of the licensed veterinarian who has examined the Aggressor Animal;
 - b. whether or not the Medical Officer of Health is prepared to consent to the release of the Aggressor Animal;
 - c. the severity of the incident, the circumstances surrounding the incident and the consequences of the incident;
 - d. whether or not the Aggressor Animal is, in the opinion of the Animal Control Officer, a Dangerous Animal and, if yes:
 - i. What conditions shall be imposed by section 21(2)(c); and
 - ii. Whether or not previously imposed conditions have been complied with;
 - e. whether or not the Aggressor Animal is a Restricted Animal, and if yes, whether or not the provisions of section 22 hereof have been complied with by the Owner; and
 - f. proof that the Aggressor Animal does not have rabies, and that the Aggressor Animal has a Current Rabies Vaccination status at the date of the bite incident.
- 20(9) Notwithstanding the provisions of subsection 20(3) herein, it shall be within the discretion of the Animal Control Officer to release an Aggressor Animal prior to the expiry of the Quarantine and to impose conditions upon the release of an Aggressor Animal from Quarantine, which conditions may include, without limiting the generality of the foregoing:
- a. the Owner shall take the necessary measures to ensure that the Aggressor Animal is confined to the Owner's premises in such a manner as to prevent escapes, and to ensure that all direct contact with other animals and persons other than the Owner is avoided;
 - b. the Owner shall post in a conspicuous location at the entrance of the premises where the Aggressor Animal is confined, a sign which reads "Warning: Beware of Dangerous <type of aggressor animal> “;
 - c. the Owner shall submit the Aggressor Animal for veterinary examination as prescribed by the Animal Control Officer, and shall report the results of any such veterinary examination to the Animal Control Officer;
 - d. the Owner shall be responsible for all costs, fines and damages associated with the Aggressor Animal, including the costs of impoundment, Quarantine, signage and veterinary fees, Pound fees and license fees, and any costs associated with liability to the victim or victims of the bite incident; and
 - e. such other conditions, as the Animal Control Officer may deem necessary or advisable in the interests of public safety.

Dangerous Animal

- 21.
- 21(1) Where the Animal Control Officer has reasonable grounds to believe that an animal presents a risk to any person, property or other animal, if in their opinion the animal

has caused injury to or killed a person, or seriously injured or killed any other Domestic Pet without provocation, or shows propensity for violence, the animal shall be deemed to be a Dangerous Animal.

- 21(2) Where it is deemed necessary by the Animal Control Officer to protect the public or other animals, the Animal Control Officer shall:
- a. apprehend and impound the Dangerous Animal for the purpose of humanely euthanizing it as authorized by subsection 21(4); or
 - b. not allow the Dangerous Animal to remain within the Municipality; or
 - c. impose conditions on the Owner of the animal, including but not limited to:
 - i. ensure that the Dangerous Animal, while on private property, is kept either securely confined indoors or in a securely enclosed and locked pen, structure, or compound which:
 - a. is capable of preventing the entry/exit of young children and the escape of the Dangerous Animal,
 - b. has minimum dimensions suitable for the size of the Dangerous Animal, as prescribed by the Animal Control Officer,
 - c. has secure sides, and
 - d. provides protection from the elements for the Dangerous Animal;
 - ii. in the event that the Dangerous Animal is a Dog, permit the Dog upon public property only if:
 - a. it is muzzled,
 - b. it is restrained by a chain or leash (non-fabric) not exceeding six (6) feet in length, fully extended, and
 - c. the Dog is at all times under the effective control of a person competent to control it;
 - iii. In the event that the Dangerous Animal is other than a Dog, permit the Dangerous Animal upon public property only if it is under the effective control of a person competent to control it;
 - iv. display in a conspicuous location at each entrance to the premises upon which the Dangerous Animal is kept, a sign which reads "Warning: Beware of Dangerous <insert type of aggressor animal>": The sign shall be posted in such a manner that it cannot be removed easily by a passerby and will be visible and capable of being read from outside of the premises;
 - v. within three (3) working days of selling, giving away or otherwise disposing of the Dangerous Animal, provide the Animal Control Officer with the name, address, and telephone number of the new Owner;
 - vi. advise the Animal Control Officer within three (3) working days of the death of the Dangerous Animal;
 - vii. advise the Animal Control Officer immediately if the Dangerous Animal has gone missing or is Running at Large or has bitten, worried or attacked any person or animal; and
 - viii. such other conditions as may be prescribed by the Animal Control Officer.

- 21(3) No person shall deface or remove a sign posted pursuant to clause 20(9)(b) or clause 21(2)(c)(iv) without having first obtained the permission of the Animal Control Officer.
- 21(4) When the Animal Control Officer Quarantines an animal under clause 21(2)(a) for the purpose of destruction of the animal the Animal Control Officer shall give the Owner written notice, delivered to the last known address of the Owner, that the animal will be destroyed after the expiry of ten (10) days from the date of the notice.
- a. The Quarantine for ten (10) days, commencing from the date of impoundment, and all fees are to be at the Owner's expense.
 - b. The Owner may, during that time period, appeal the decision of the Animal Control Officer to Council by providing notice in writing to the Chief Administrative Officer, in which case Council shall hold a hearing at a regularly scheduled meeting of Council as to whether or not the animal should be destroyed. The animal shall remain Quarantined in the Pound pending the outcome of the hearing.

PART V: RESTRICTED ANIMALS

Prohibition on Restricted Animals

- 22.
- 22(1) No person shall keep, harbour, possess or control any Restricted Animals including poultry, Livestock, and/or bees within the Municipality except for:
- a. on the premise of a recognized industry in the handling of Livestock which is in accordance with the Town of Swan River's Zoning Bylaw;
 - b. on the premise of the Agricultural Society Fair Grounds and in conjunction with the Swan Valley Agricultural Society and other organizations holding fairs, rodeos, circuses, petting zoos, and exhibitions and for a short duration of time not exceeding six (6) days. Any period above six (6) days will be subject to approval by the Municipality;
 - c. on public property during a temporary event that has been approved by the Municipality, such as a parade; and
 - d. on road allowances, excluding all sidewalks pathways, etc., for the purposes of riding an animal or driving an animal-drawn vehicle as permitted by the Highway Traffic Act.

Order to dispose of Restricted Animal

- 22(2) Where the Animal Control Officer has reasonable grounds to believe that a person is keeping or harbouring, or has possession or control of, a Restricted Animal within the Municipality and is not an exception as stated above, the Animal Control Officer shall serve the person with an order in writing to remove the Restricted Animal within fourteen (14) days of receipt of the order, or such shorter period of time as the circumstances may require and the order may provide, in which case the Owner shall sell, give away or otherwise dispose of the Restricted Animal in accordance.
- 22(3) The onus shall be on the person to establish that the animal is not a Restricted Animal.

- 22(4) Where the person has failed to establish that the animal is not a Restricted Animal and has failed or refused to remove the Restricted Animal within the time frame contemplated by the order of the Animal Control Officer, the Animal Control Officer may seek an order or warrant from a Provincial Court Judge, Magistrate or Justice of the Peace, as required, to enter upon the land and premises of that person for the purpose of removing the Restricted Animal. The Animal Control Officer may engage the assistance of other persons if required to safely apprehend the Restricted Animal.
- 22(5) Upon apprehension and impoundment of a Restricted Animal, the Administration may proceed to order the animal be humanely euthanized, removed, or sold. The Owner shall be liable for all costs associated with the apprehension, impoundment, euthanization, or sale of the Restricted Animal.

PART VI: REGULATIONS FOR ANIMALS

Basic Animal Care Requirements

23.

- 23(1) The Animal Control Officer will forward concerns regarding violations of the Animal Care Act to an Animal Protection Officer for the Province of Manitoba. The Animal Control Officer, within their jurisdiction and duties as an officer of the Municipality, will assist the Province of Manitoba's Animal Protection Officer with investigations and enforcement of the provisions of the Animal Care Act.

Teasing, Enticing, Baiting Prohibited

- 23(2) No person shall tease, entice, bait or throw objects at any animal.

PART VII: GENERAL PROVISIONS

Interference with Enforcement

24. It shall be an offense under this Bylaw:
- a. to interfere or obstruct the Animal Control Officer, Pound-Keeper, Peace Officer, or the Administration from any attempt to apprehend or impound an animal for any reason in accordance with the provisions of this Bylaw;
 - b. to refuse the Animal Control Officer or Peace Officer the right to see and inspect any Domestic Pet for which the Animal Control Officer suspects may have violated or be in violation of the provisions of the Bylaw;
 - c. by summary conviction with a fine of not less than \$100 or more than \$1,000, to break into, or assist another person in any manner, directly or indirectly, to break into, any Pound; and
 - d. by summary conviction with a fine of not less than \$100 or more than \$1,000, to remove or attempt to remove any impounded animal, or to otherwise cause or assist an escape of any impounded animal.

Apprehension by Resident

25. Any resident of the Municipality may apprehend and confine an animal which is Running at Large on their property, provided that the resident shall care for the animal in accordance with the Provincial Animal Care Act and immediately inform the Animal Control Officer or the Administration of the apprehension and confinement, and the Animal Control Officer shall as soon as practical, attend upon the property to take possession of and impound the animal.

Right of Entry

- 26.
- 26(1) The Animal Control Officer, Peace Officer, or any other person appointed by the Municipality to enforce the provisions of this Bylaw or any other law, rule or regulation pertaining to animal care or custody, may lawfully enter upon the land and buildings of an animal Owner or any other person, subject to subsection 26(2), for the purposes of apprehending an animal Running at Large, to ensure compliance with this Bylaw, or to otherwise enforce the provisions of this Bylaw.
- 26(2) The Animal Control Officer shall not enter the personal residence of any individual without the consent of the Owner or occupant of the personal residence or a valid warrant or order from a Provincial Court Judge, Magistrate or Justice of the Peace, as required to permit such entry.
- 26(3) The Owner of any Domestic Pet that has bitten any person or any other animal shall present the said animal at the door of their dwelling upon the request of the Animal Control Officer, to assist the Animal Control Officer to apprehend, Quarantine, and impound the said animal.

Complainant Identification

27. Any person who makes a complaint alleging an offense under this Bylaw must provide the Animal Control Officer their name, address, and telephone number. It shall be at the discretion of the Animal Control Officer whether or not to proceed based on an anonymous complaint or information.

Liability

28. No liability shall attach to the Animal Control Officer, the Pound-Keeper, the Council, and/or the Municipality in carrying out their respective duties under this Bylaw. Without limiting the generality of the foregoing, no liability shall attach to the Animal Control Officer, the Pound-Keeper, the Council and/or the Municipality for any animal euthanized, removed, sold or otherwise disposed of pursuant to the provisions of this Bylaw or killed or injured during the course of its apprehension or impoundment.

Animal Trap

29. Any person who wishes to obtain a trap to apprehend a small animal which is Running at Large from the Pound Keeper or the Animal Control Officer, shall fully agree and sign the agreement provided in Schedule B.
- a. The Animal Control Officer is not obligated to remedy a situation where a skunk is captured in a trap not provided by the Municipality.

30. Violation of the agreement constitutes a contravention of this Bylaw and the offender, at the discretion of Administration, will not be eligible for future rentals of the traps.

Penalties

31.

31(1) Administrative penalties and appeals for the contraventions of this Bylaw shall be administered as set out in the most current Enforcement Bylaw.

31(2) Where the contravention, disobedience, refusal, or neglect continues for more than one (1) day, the person is guilty of a separate offence for each day that the contravention, disobedience, refusal, or neglect continues.

32. Any fine, cost or charge imposed pursuant to this Bylaw may be collected in the manner in which any tax may be collected by the Municipality. This section is included in this Bylaw and passed in accordance with section 232(1) (o) and section 236(1) (b) (iii) of The Municipal Act.

Repeals and Amendments

33. Bylaw 21/2022 be hereby repealed.

34. A fee of \$15 for the rental of the Small Animal Trap shall be added to the Fee Schedule.

35. Amend Bylaw 2/2024's Schedule A and the 2024 Fee Schedule as per Schedule C.

36. Amend the 2024 Fee Schedule, Dog Licence and Other Fees:

- a. To add "or Cat" to each dog license cost;
- b. To amend all references to Neuter or Spay to jointly read "Sterilized" ; and
- c. To repeal the Restricted Animal Permit fee.

DONE AND PASSED as a Bylaw of the Town of Swan River by the Mayor and Council in open session assembled this __ day of __ __.

Mayor

Chief Administrative Officer

Read a first time this 18th day of June, 2024.

Read a second time this __ day of __ __.

Read a third time this __ day of __ __.

SCHEDULE A

NOTICE OF IMPOUNDMENT

FOR MUNICIPALITY OF _____

Owner: _____
(Name and Address of Owner of animal)

Description of Animal: _____

Date & Time of Apprehension: _____

Location Animal Apprehended: _____

Place of Impoundment: _____

Impoundment Fee and/or Fine: _____

License Fee: _____

Day the animal will be sold, euthanized, fostered, or adopted: _____

Date: _____

Animal Control Officer: _____

Signature: _____

SCHEDULE B

SMALL ANIMAL TRAP AGREEMENT

Name: _____ Address: _____

Phone # _____ Where trap will be set: _____

I agree to accept full responsibility for the humane care and treatment of any animal caught in this trap while in my possession according to The Animal Care Act, C.C.S.M. c. A84, this Bylaw, and this agreement.

Furthermore, I agree:

- To pay the current fee specified in the Fee Schedule for use of the trap and any fines for violating this agreement.
- To accept full responsibility for the Town of Swan River’s trap.
- To only set up the trap:
 - on my own property or on property where I have permission, and
 - in a shaded and sheltered area out of the public view.
- To remove the trap in severe weather conditions.
- To check the trap on a regular basis.
- If I catch an animal:
 - To release any animal inadvertently caught in the trap in a safe and humane fashion, or
 - To contact the Animal Control Officer or the Municipality to arrange pick up as soon as possible and within twelve (12) hours after the animal being trapped, or
 - To take the animal to a veterinarian clinic immediately if the animal appears ill or injured.
- To an Animal Control Officer entering my property at any time during this trap agreement to ensure this agreement is complied with.
- To return the trap in good working order to the Animal Control Officer by the close of business on the date stated in this agreement:

The Small Animal Trap is to be returned no later than: _____.

Please notify the Town of Swan River for arranging pick up:

During Office Hours: 204-734-4586

After Hours: 204-734-8863

In signing this agreement, I acknowledge that I have read this agreement and understand my responsibilities and promise to abide by all the above items. I further understand that failure to comply with the terms in this agreement may subject me to additional fees and or legal action.

Signature: _____ Date: _____

Printed Name: _____

Signature (Protective Services): _____ Date: _____

Printed Name: _____

SCHEDULE C

All terms here use the definitions from their own respective Bylaws.

For any conflict between this Schedule/Fee Schedule and the Bylaw, the Bylaw is final.

9(a): Domestic Pet Run at Large.	\$175.00 – 1 st Offense \$350 – subsequent (within 12 months)
9(b): Domestic Pet disturb quiet (barking, howling, etc.).	\$125.00 – 1 st Offense \$250 – subsequent (within 12 months)
9(c): Domestic Pet defecate on public/private property (excluding Owner's property).	\$275.00 – 1 st Offense \$250 – subsequent (within 12 months)
9(d): Domestic Pet defecation on Owner's property which constitutes an environmental hazard.	\$275.00 – 1 st Offense \$550 – subsequent (within 12 months)
9(e): Domestic Pet damage public or private property other than that of the Owner.	\$100 – 1 st Offence \$200 – subsequent (within 12 months)
9(f): Domestic Pet pursue, bite, wound or show propensity for violence.	\$100 – 1 st Offence \$200 – subsequent (within 12 months)
9(g): Domestic Pet digs in flower beds or garbage containers or trespass on private property.	\$100 1 st – Offence \$200 – subsequent (within 12 months)
9(h) Domestic Pet riding back of open vehicle, unless kenneled or leashed, and cannot reach outside of vehicle.	\$100 – 1 st Offence \$200 – subsequent (within 12 months)
10(1): Owner of unauthorized Dangerous Animal.	\$325.00 \$650 – subsequent (within 12 months)
10(2): Failure to comply with Dangerous Animal conditions	\$275 1 st Offence \$550 – subsequent (within 12 months)
11: Have possession a Restricted Animal or Wild Animal.	\$325.00 – 1 st Offense \$650 – subsequent (within 12 months)
12(1): Permit Dog to Run at Large on any public property (Public Playground, parks, etc..)	\$225.00 – 1 st offense \$450 – subsequent (within 12 months)

<p>13(2 & 9): Owner of a Dog or Cat for which a valid license has not been issued or transferred.</p>	<p>\$100 – 1st Offence (plus license fee) \$200 – subsequent (within 12 months)</p>
<p>13(3): Dog or Cat has no collar with fastened license tag</p>	<p>\$75 – 1st Offence (plus license fee) \$150 – subsequent (within 12 months)</p>
<p>13(6): Removal of Dog or Cat’s collar or license</p>	<p>\$75 – 1st Offence (plus license fee) \$150 – subsequent (within 12 months)</p>
<p>14(1) Owner of a Dog or Cat with no valid rabies vaccination</p>	<p>\$275.00 – 1st Offence \$550 – subsequent (within 12 months)</p>
<p>16 Dog or Cat is not Sterilized.</p>	<p>\$275 – 1st Offence \$550 – subsequent (within 12 months)</p>
<p>18(2) Harboring more than the maximum number of dogs or cats without kennel permit.</p>	<p>\$275 – 1st Offence \$550 – subsequent (within 12 months)</p>
<p>19(10) Failure to allow inspection of kennel.</p>	<p>\$500</p>
<p>23 (2) Teasing, baiting, enticing, or throwing objects at an Animal.</p>	<p>\$50 – 1st Offence \$100 – subsequent (within 12 months)</p>
<p>24(a) Interfere with enforcement during an apprehension or impoundment.</p>	<p>\$275 – 1st Offence \$550 – subsequent (within 12 months)</p>
<p>24(b) Owner refuses Animal Control Officer right to see and inspect a Domestic Pet that is suspected to have violated this Bylaw.</p>	<p>\$275 – 1st Offence \$550 – subsequent (within 12 months)</p>