



THE MUNICIPALITY OF THE COUNTY OF
LA MUNICIPALITÉ DU COMTÉ DE
RICHMOND

BY-LAW / POLICY COMMITTEE MEETING

Monday, February 3, 2025

6:00 p.m.

Council Chambers

AGENDA

1. Call to Order
2. Approval of Agenda
3. Review of Minutes
 - a) January 14, 2025
4. By-Law / Policy, Re:
 - a) Grants Policy
 - b) Dog By-Law
5. Discussion, Re:
 - a) Receipt of Donations Policy
6. Recommendations to Council (if required)
7. Adjournment

By-Law/Policy Committee Meeting

January 14, 2025 – 6:00 p.m.

Location: Council Chambers

Present: Warden Lois Landry, Deputy Warden Brent Sampson, Councillor Brian Marchand, Councillor Amanda Mombourquette, Troy MacCulloch, Chief Administrative Officer, Chris Boudreau, Director of Public Works, Kathleen Jeffrey, Interim Director of Finance, Shannon Mury, Director of Community Development and Recreation, Shelley David, Municipal Clerk

Regrets: Councillor Shawn Samson, Stacey Morrison, Appointed Member

Call to Order

Warden Lois Landry called the meeting to order at 6:00 p.m.

Approval of Agenda

Moved by Councillor Amanda Mombourquette, seconded by Deputy Warden Brent Sampson, that the agenda be approved.

Motion carried.

Review of Minutes re: December 2, 2024

Moved by Councillor Amanda Mombourquette, seconded by Deputy Warden Brent Sampson, that the minutes of the December 2, 2024, meeting be approved.

Motion carried.

By-Law/Policy Compliance, Re:

a) Travel and Expense Policy

Moved by Councillor Amanda Mombourquette, seconded by Deputy Warden Brent Sampson, that the By-Law/Policy Committee recommend to Council to re-adopt the Travel and Expense Policy.

Motion carried.

b) Hospitality Expense Policy

Moved by Deputy Warden Brent Sampson, seconded by Councillor Amanda Mombourquette, that the By-Law/Policy Committee recommend to Council to re-adopt the Hospitality Expense Policy.

Motion carried.

Discussion, Re:

a) Grant Policy - Clarification needed on eligibility vs asset ownership

A discussion ensued regarding the Grant Policy to clarify eligibility versus asset ownership.

The Committee reached a consensus that the By-Law/Policy Committee refer the Holy Guardian Angels Parish, and the Whiteside Church Preservation Society grant requests to Council for consideration.

By-Law/Policy

a) Fire Protection Services Committee (FPSC) Terms of Reference

It was the consensus of the Committee to remove the specific meeting dates in section 5.1 and to refer the terms of reference to the chair of the Fire Protection Services Committee for review.

b) Inclusive, Diverse, Equitable, Accessible (IDEA) Committee Terms of Reference

Moved by Councillor Amanda Mombourquette, seconded by Deputy Warden Brent Sampson, that the By-Law/Policy Committee recommend to Council to adopt the IDEA Committee Terms of Reference as presented with the changes to sections 3.1 and 3.10 as discussed.

Motion carried.

c) Dog By-Law

It was the consensus of the committee to continue the review of the Dog By-Law at the next scheduled meeting.

d) Presentations and Delegations Appearing before the Committee of the Whole and or Municipal Council

It was the consensus of the committee to defer the review of this policy to a future meeting.

Review of the Policy Working List

For information only.

Recommendation(s) to Council

Proceed with the re-adoption of the Travel and Expense Policy and Hospitality Expense Policy and the adoption of the IDEA Committee Terms of Reference.

Adjournment

There being no further business, the chair adjourned at 6:52 p.m.

Municipal Clerk

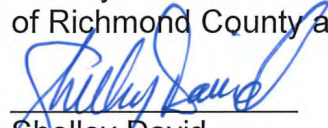
Chairperson



Title: Grants Policy

Approved by Council	Date: February 26, 2024
Policy Review Notification	Date: February 12, 2024
Policy Review	Date: January 15, 2024

I certify this to be a true copy of the **Grants Policy** as adopted by the Municipal Council of Richmond County at a Public Meeting held February 26th, 2024


Shelley David
Municipal Clerk

1. Purpose

The purpose of this policy is to provide Council, municipal staff and the public with a framework by which Municipal grants will be applied for, reviewed and awarded.

2. Policy Statement

The Municipality of the County of Richmond recognizes the importance of volunteer organizations and the value of engaged citizens. Community partnerships and collaboration between local government, organizations and residents are major factors in community sustainability and growth. A progressive, welcoming and prosperous lifestyle can and will impact future population and economic growth initiatives. The Municipality of the County of Richmond wishes to support community growth efforts which align with municipal priorities and current strategies.

3. Short Title

This Policy is entitled "Grants" Policy.

4. Scope

- 4.1 This Policy enables the provision of funding programs which directly impact municipal goals through community engagement, and will:
- a) ensure that reporting processes are in place to enable the Municipality to measure progress toward achieving its goals;
 - b) ensure grants are awarded in a uniform, fair and equitable manner with clear processes and procedures;
 - c) identify roles and relationships of applicants; and
 - d) conform to the terms, conditions and guidelines for all grants and assistance programs including:
 - i. eligibility;
 - ii. rationale, community benefits;
 - iii. application deadlines, processes, and requirements;
 - iv. contribution limits and requirements; and
 - v. accountability and reporting requirements.

5. Overview

- 5.1 It is Council's intent to support community initiatives which are consistent with Municipal goals and strategic priorities, through the administration of five main financial assistance programs: (See Schedule A for Limits/Details)
- a) Type 1 - Infrastructure Grants
 - b) Type 2 - Activity Grants
 - c) Type 3 - Recreation Grants
 - d) Type 4 - Regional/Health/General Grants
 - e) Type 5 - Strategic/Council Priorities
- 5.2 All funding assistance provided through any of the four programs must be in compliance with the provisions of the Municipal Government Act. (MGA)

- 5.3 Subject to 5.2 and compliance with the Municipality's goals and priorities, funding through any of these programs may be used in support of any type of activity that benefits the community including, but not limited to, Recreation, Health & Healthy Living, Social and Community Service, Stewardship of the Environment, Education & Lifelong Learning, Community Economic Development and Tourism, Heritage, Culture and Creative Arts.
- 5.4 It is the intent of this Policy to offer grant programs that provide funding on the basis of financial need.
- 5.5 Eligible community organizations may apply for assistance through more than one grant program providing the applications pertain to separate and distinct projects, programs or initiatives.
- 5.6 Eligible community organizations are encouraged to plan projects and activities well in advance, giving the Municipality ample time to properly budget and approve applications prior to project commencement.
- 5.7 Council may create District Fund allocations through the annual budgeting process that can be applied to any grant type. Regardless of the original type of application, Council will make a final decision on the grant type for the district fund allocation at the time of the application review and approval.

6. Guidelines

- 6.1. Guidelines are laid out for each program and include:
- a) Program description,
 - b) Eligibility criteria
 - i. Project cannot start and expenses cannot be incurred prior to approval of funding.
 - ii. Organizations outside the County of Richmond shall not be eligible for funding unless, under special circumstances, the

organization demonstrates there is a benefit to the County.

- c) Application deadlines (if applicable).
- d) Application processes, procedures, and requirements
 - i. Organizations shall provide the appropriate amount of due diligence and follow the MGA when using Municipal funds to purchase goods and awarding of contract work for projects. Organizations shall solicit three quotations and provide an explanation of award with their application.
 - ii. Organizations shall provide financial statements including Balance Sheet and Income Statement completed in a manner acceptable to the Municipality. (ie. Simply Accounting) Organizations shall provide a project budget as well as their upcoming fiscal budget confirming sources of funding.
 - iii. Organizations shall provide proof of registration with the registry of joint stock companies of Nova Scotia or other equivalent registered status.
 - iv. Requests and applications for funding shall be made and signed by a Director of the organization.
 - v. Organizations must clearly identify other government sources of funding.
- e) Municipal and community contribution limits and/or requirements. (Maximum per project/per fiscal) - See Schedule A
- f) Assessment criteria (if applicable).
- g) Reporting and accountability requirements; and
- h) Payment procedures and requirements'
 - i. Copies of invoices as well as cancelled cheques to be provided prior to payout, copy of invoice made out to the Municipality.
 - ii. Verification process that project work has been completed

prior to payout of grant to organization. (Municipality reserves the right to inspect prior to release of funds.)

- iii. Letter requesting release of funds.
- iv. Financial Statement for the project (Income Statement).

6.2. Program guidelines may be changed upon Council approval by ordinary resolution.

7. Roles and Relationships:

- 7.1. Staff and members of council, when appropriate, will encourage community organizations and residents to become engaged in projects and initiatives to support the sustainability of their communities and to consider the availability of the various grant programs as applicable.
- 7.2. Municipal staff will be assigned responsibility for the administration of each grant program and the role of each responsible employee will be clearly set out.
- 7.3. Municipal staff will review and prepare a report for each application or group of applications as applicable, to be presented to Council for approval.

8. Budget and Allocation of Funds

- 8.1. On an annual basis Council will identify an amount to be allocated in support of this Policy.
- 8.2. There will be no carry forward beyond the end of the current fiscal year of grant fund balances approved by Council at budget time that were not applied for/ approved for disbursement to any group.
- 8.3. All approved grants not paid out within the fiscal year in which they were approved will be eligible for an extension with written notification to the Chief Financial Officer for one additional fiscal year only. (prior to March

31) Extensions for additional time will need to be made in writing and approved by Council. Any approved grants not expended that do not have written notification provided will be cancelled.

9. Program Evaluation:

9.1. A report shall be prepared by staff to Council at the end of each quarter, providing an overview of the allocation of funds in each grant program and the respective applicants.

Policy Review/Amendment Schedule

Date of Review	Formally advertised and amended by Council
December 4, 2023, January 15, 2024, February 12, 2024	Review
February 26, 2024	Approved as amended.

Title Grant Policy- Schedule A - Limits/Policy Details

Type 1 – Infrastructure

- 50% of Costs (Net of HST Rebate)
- Maximum of \$5,000 per application
- One application per year, per registered organization
- Own/lease the assets being upgraded/improved

Type 2 – Activity

- 50% of Costs (Net of HST Rebate)
- Maximum of \$500 per application
- Two applications per year, per registered organization (different events)

Type 3 - Recreation

- **C1 - Physical Activity**
 - 50% of Costs (Net of HST Rebate)
 - Maximum of \$1,000 per application
 - One application per year, per registered organization
- **C2 - Instructor/Facilitator Development**
 - 50% of Costs (Net of HST Rebate)
 - Maximum of \$500 per application
 - \$500 per individual per year
- **C3 - Sponsorships**
 - Maximum of \$500
- **C4 - Canada Day**
 - Maximum of \$3,000 allotted per district
 - One application per year per registered organization

Type 4 - Regional/Health/General

- Maximum of \$10,000 per application
- One application per year, per registered organization

Type 5 - Strategic/Council Priorities

- Maximum of \$10,000 per application
- One application per year, per registered organization

Shelley David

From: Shelley David
Sent: January 30, 2025 2:00 PM
Subject: FW: Seniors Take Action Coalition

-----Original Message-----

From: Dorothy Barnard
Sent: November 21, 2024 10:20 AM
To: Lois Landry <Lois.Landry@richmondcounty.ca>
Subject: Seniors Take Action Coalition

Good morning Warden Landry:

I am writing on behalf of the Seniors Take Action Coalition to request a meeting regarding dispersement of Municipal grant funds. As a not for profit organization with very limited funds, and very grateful to receive funding from the Municipality, we are nonetheless challenged by the requirement to complete the project before receiving the funds promised from the Municipality. I am sure other non-profits are similarly challenged.

Although we could temporarily "rob Peter to pay Paul", from other grant funding, it becomes an accounting nightmare.

We are hoping to meet with you (and anyone else who can help to address this dilemma) for a conversation about how to address this situation.

Thank you for your consideration,

Dorothy R Barnard,
Chair, STAC



January 25, 2025

Warden Lois Landry
2357 Highway 206, P.O. Box 120, Arichat
Nova Scotia B0E 1A0

Grant Disbursements

Dear Warden Landry;

On behalf of the Seniors Take Action Coalition of Richmond County, we wish to first thank the Council for its support of our organization with Grant Funding through the T-4 Regional/Health/General Stream. We are reaching out to follow up on our earlier discussion concerning the Grant Funding conditions that only allow us to receive the funding after the funds have been spent. As we discussed, for a small organization like ours, this does present challenges. We are sure there are others in the community that are faced with the same challenges. Fortunately, we have another funding source that provides the funds at the beginning of the project, so we are using these funds to cover expenses.

We understand that this is being brought forward to the Policy Committee, in the meantime we would like to recommend a temporary interim solution, that we are reimbursed for grant-related funds expended to date.

Please advise if this is a possibility. We thank you for your thoughtful consideration.

Sincerely,

Dorothy R Barnard

Dorothy R Barnard, Chair of Board of Directors

Copy - Troy MacCulloch - Kathleen Jeffrey



DOG CONTROL BY-LAW – BY-LAW #13

1. TITLE AND PURPOSE

- 1.1. This By-Law shall be known and may be cited as the "Dog Control By-Law" and is enacted to provide for orderly control of dogs in the County of Richmond.

2. DEFINITIONS

- 2.1. **“Attack”** means to injure, scratch or Bite, or to Threaten or give the impression of threatening, or an assault resulting in real or perceived injury to another person or Animal.
- 2.2. **“Bite”** means wound, pierce, or penetration of the skin by a tooth or teeth.
- 2.3. **“Canine Madness”** means a Dog exhibiting conditions of insanity or rage.
- 2.4. **“Dog”** means any Dog, male or female, of any age, or any canine Animal that is the result of the breeding of a dog and any other canine Animal.
- 2.5. **“Dog Control Officer”** means any person(s) authorized by the Municipality of the County of Richmond to enforce this by-law and all its provisions and approved to enforce this by-law under the Police Act and to issue Summary Offence Tickets pursuant to this by-law and the Summary Proceedings Act.
- 2.6. **“Emergency”** means a present or imminent event where a Constable, Peace Officer or the Municipality believes immediate action must be undertaken to protect the health, safety or welfare of people and/or Animals.
- 2.7. (2.7 Flagged for Solicitor review) **“Fierce or Dangerous”** means any Dog:
- a) that, in the absence of a Mitigating Factor as defined herein,
 - i) Attacks, or injures a person;
 - ii) Attacks or injures an Animal; or
 - iii) when either unmuzzled or unleashed, in a vicious or terrorizing manner, approaches any person in an apparent attitude of Attack upon streets, sidewalks, any public grounds or places, or on private property.



- b) that Attacks or demonstrates a propensity, tendency or disposition to Attack a person or Animal either on public or private property;
- c) that has caused injury to or otherwise endangered the safety of a person or Animal;
- d) that Threatens any person or domestic Animal;
- e) that is owned or harboured in whole or in part for the purpose of Dog fighting, or is trained for Dog fighting;
- f) that is a restricted dog as defined in this by-law which is in a public place and not under the effective control of an adult person by means of leash or harness.

No Dog shall be deemed a “Fierce or Dangerous Dog” solely because it Bites, Attacks or menaces 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 behavior acting in defense to an Attack from a person or Animal or acting in defense of its young or is a professionally trained guard Dog for law enforcement or guard duties.

2.8. “Holiday” means a day on which normally scheduled work is suspended by law or Municipal policy.

2.9. “Kennel” means an establishment for the breeding or boarding of Dogs as a commercial service, or for sport or exhibition purposes.

2.10. “Leash” means a device used by a person to restrict movement of an Animal which is adequate for the purpose.

2.11. “License” means a License/Tag/registration issued pursuant to this By-Law.

2.12. (2.12 Flagged for Solicitor review) “Mitigating Factor” means a circumstance which excuses the aggressive behavior or actions of a Dog where:

- a) the Dog, at the time of the aggressive behaviour, Attacked or injured any trespasser on property occupied by its Owner;
- b) the Dog, immediately prior to the aggressive behaviour, was being abused or tormented by the person Attacked or injured;
- c) the Dog was acting in defense of itself or a person;
- d) the Municipality determines there is another circumstance that excuses the aggressive behavior of a Dog.

2.13. “Municipal Kennel” means such premises and facilities designated by the Municipality as a Dog Kennel for the keeping and disposition of impounded Animals.



- 2.14. “Muzzle”** means a humane covering device of sufficient strength placed over a Dog’s mouth to prevent it from biting.
- 2.15. “Noise”** means an unwanted sound or activity that unreasonably disturbs the quiet, peace, rest, enjoyment, comfort of convenience of a neighbourhood of the Municipality or a part thereof.
- 2.16. “Off-Leash Area”** means a marked location that has been designated by the Municipality as an area where Owners can allow Dogs to roam without a leash. Off-leash areas will be regulated by policy.
- 2.17. “Owner” means any person or body corporate:**
- a) who is the Licensed Owner of a Dog;
 - b) who has legal title to a Dog;
 - c) who has possession or custody of a Dog, either temporarily or permanently;
 - d) who has care or control of a Dog; or
 - e) who harbours a Dog, or allows a Dog to remain on his/her premises.

Where such a person is a minor, “Owner” includes the parent, guardian, or custodian of such a person.

- 2.18. “Owner of Premises”** includes a tenant, occupier, a part Owner, joint Owner, tenant in common or joint tenant of the whole or any part of the land or building, and in the case of the absence or incapacity of the person having title to the land or building, a trustee, personal representative, an agent, a mortgagee in possession, an attorney under a valid Power of Attorney or a person having the care or control of the land or building.
- 2.19. (2.19 Flagged for Solicitor review) “Restricted Dog”** means a dog belonging to any of the following breeds or which is a hybrid of any of the following breeds:
- a) Rottweiler;
 - b) Bull mastiff;
 - c) Dobermann pinscher;
 - d) American pitbull terrier;
 - e) Staffordshire bull terrier; and
 - f) Pitbull terrier.



2.20. “Running at Large” means

- a) a Dog is off the property owned or occupied by the Dog’s Owner and is not under control by a Leash or harness; or
- b) a Dog is on the property owned or occupied by the Dog’s Owner but is tethered on a tether of sufficient length to permit the Dog to leave that property.

Any Dog that is off the property of its Owner without being under the apparent restraint or control of some person shall be deemed to be Running at Large for the purpose of this By-Law. In all areas of the Municipality, the Owner of a Dog shall, while the Dog is off the property occupied by the Owner, keep the Dog under control by means of a harness or Leash. The Dog shall be deemed to be Running at Large where the Owner fails to use such apparatus.

Notwithstanding this definition, Dogs participating in a designated off-Leash area are not considered to be ‘Running at Large’.

2.21. “Service Dog” means any Dog trained to do work or perform tasks for the benefit of an individual with a disability or used for search and rescue or law enforcement.

2.22. “Tag” means License as defined in this By-Law

2.23. “Threatens” means un-Muzzled, 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, to any person or Animal.

3. REGISTRATION

3.1. Every owner of a dog shall, within thirty (30) days of having become owner, register such dog with Municipal Staff and obtain from the Municipal Offices or Dog Control Officer, a Tag for such dog. Tags shall bear a serial number and a year of registration stamp.

3.2. In order to register a dog, an owner shall pay the lifetime registration fee and shall supply the Municipality with the following:

- a) Name, civic address, mailing address, and telephone number of the owner;
- b) Name, breed, and approximate age of the dog;
- c) Description of the dog including whether the dog is male or female, spayed or unspayed or neutered or unneutered as the case may be,



- d) A recent photo of the dog, to be updated at the one-year mark or upon request.
- e) Identification information such as micro-chip implants, tattoos or other special markings;
- f) Emergency or alternate contact in the event the dog has been found; and
- g) At the discretion of the Owner, any pertinent information the Owner feels may help in identifying the Dog such as temperament, inoculations or other identifying characteristics.
- h) Upon receipt of this information, the Municipality shall supply the Owner with a Tag and directions respecting the placement of the Tag and a receipt.
- i) The Municipality shall be notified immediately of any changes to the information required under this Section.

3.3. (Staff to do a cost review) The License/registration fee shall be as follows:

- a) One male or spayed female dog \$20.00
- b) One female dog, not spayed \$45.00

3.4. Registration shall be effective for the lifetime of the dog, but the owner is responsible for replacing the tag if lost in accordance with the registration fees outlined in this by-law.

3.5. The Owner shall not use the Tag issued for one Dog on any other Dog.

3.6. The following are exempt from registration:

- a) a stray dog that is harboured for less than six (6) months;
- b) a dog shall be exempt from registration and registration fees in the event the owner proves that the dog is under the age of three months;
- c) a Service Dog as defined in Section 2.21 of this By-Law, that is trained to assist and regularly assist a person shall be registered, but is exempt from any registration fee (evidence of certification may be required at the discretion of the Municipality); or
- d) if Council authorizes by recorded resolution a fee to be paid by the owner of a kennel of pure-bred dogs that are registered with the Canadian Kennel Association as an annual tax upon the kennel, upon payment of such fee the owner of the kennel is exempt from any further fee in respect to dogs kept at the kennel that year.

3.7. The owner of every dog shall keep on the dog, a collar with the tag issued for that dog by the Dog Control Officer or Municipality at the time of registration and such tag shall be kept securely fixed on the dog at all times while in a



public place, accepting that the tag may be removed for hunting purposes.

- 3.8. The owner of a dog shall deliver in writing to the Dog Control Officer a statement of the number of dogs owned or harboured, or that are kept upon the premises occupied by the owner within thirty (30) days after having received notice requiring it to be provided.
- 3.9. The Municipality shall keep a record of every Dog registered, showing the date and number of the registration, the name and description of the Dog with the name and address of the Owner and the respective registration category. In the event that the registration fee is not paid within ten (10) days of the Owner coming into possession of the Dog, the Municipality shall have the authority to impound the Dog.

4. RESPONSIBILITIES OF THE OWNERS ****We are here**

- ~~The owner of a dog shall not allow the dog to run at large;~~
 - ~~The owner of a restricted dog shall ensure that the dog, when in a public place, is muzzled and under the effective control of an adult by means of a harness or leash;~~
 - ~~The owner of a restricted dog shall ensure that, when not in a public place, the dog is sufficiently restrained or confined so as to prevent the dog from leaving the property without the above described effective control.~~
- ~~The owner of a dog:~~
 - ~~which runs at large contrary to this by-law; or~~
 - ~~in respect of which the tax imposed by this by-law is not paid; or~~
 - ~~which, without provocation, has attacked or injured any domestic animal or person or property whether or not such dog is chained, muzzled or otherwise restrained;~~
 - ~~which is a restricted dog and is in a public place without being muzzled and under the effective control of an adult by means of harness or leash;~~
 - ~~which persistently disturbs the quiet of the neighbourhood by barking, howling or otherwise;~~
 - ~~is guilty of an offense against this by-law and is subject on conviction to the penalties prescribed by this By-Law and the Municipal Government Act.~~

4.1. Every Owner of a Dog:

- a) whose Dog runs at large;
- b) whose Dog is not wearing a Tag required by this By-Law;
- c) whose Dog is not Licensed pursuant to this By-Law;
- d) whose Dog persistently disturbs the quiet of the neighbourhood by barking, howling or otherwise;



- e) whose Dog at any time without the presence of a Mitigating Factor has Attacked or injured any person or Animal or damaged any property;
 - f) who harbours, keeps, or has under care, control or direction, a Dog that is Fierce or Dangerous;
 - g) who fails to remove the feces of such Dog, other than a service Dog that is trained to assist and assisting a person with a disability from public property or private property other than the Owners;
 - h) whose Dog damages public or private property; or
 - i) who sells or transfers a registered Dog and does not report the sale or transfer to the Municipality, along with the name and address of the person to whom the Dog was sold or transferred, a description of the Dog and the Dog's registration number;
- is guilty of an offence under this By-Law.

4.2. When requested to do so, the Owner shall deliver to the Municipality a statement in writing of the number of Dogs owned or harboured or habitually kept on the premises of the Owner, and in the event the Owner neglects or refuses to provide the statement within a period of ten (10) business days after having received notice requiring the statement to be provided shall be guilty of an offence under this By-Law.

5. ~~IMPOUNDING AND OTHER REMEDIES~~ **IMPOUNDMENT**

- ~~• The dog control officer has the authority to impound, sell, kill or otherwise dispose of dogs:~~
 - ~~○ which run at large contrary to this by-law;~~
 - ~~○ in respect of which the tax imposed by this by-law is not paid;~~
 - ~~○ that are fierce or dangerous;~~
 - ~~○ that are rabid, or appear to be rabid or exhibiting symptoms of canine madness; or~~
 - ~~○ that persistently disturb the quiet of the neighbourhood by barking, howling or otherwise.~~
- ~~• The Council shall appoint a pound keeper who shall keep all dogs delivered to him, and furnish them with food and water, and the Dog Control Officer may be appointed and serve as the said pound keeper.~~
- ~~• Upon any dog being impounded, the pound keeper shall, if the dog bears a tag issued by the Clerk, mail to the registered owner by ordinary mail, postage prepaid, and shall post in the Court House at Arichat and in two~~
- ~~• other public places within the Municipality, no later than forty-eight hours before the time fixed therein, a notice in the following form:~~



DOG NOTICE

~~TAKE NOTICE~~ that a dog (insert brief description with number of tag, if any, has been impounded in the animal pound of the Municipality of Richmond, at _____, and unless such dog is

~~DATED AT~~ _____ this day of _____ 2003

~~f~~

Name - Pound

~~at the expiration of the time fixed by the Notice, the dog is not claimed and not registered according to this by-law, the pound keeper shall dispose of the dog, either by selling it or destroying it.~~

- ~~• The proceeds of any sale after deducting the fees of the pound keeper shall be paid over to the Clerk.~~
- ~~• If the owner appears and claims his dog before the time fixed by the said notice, the dog shall be delivered to him, on payment of any tax required.~~
- ~~• The pound keeper shall be entitled to receive the following fees, which unless recovered under Section 18 or 19 shall be paid by the Municipality:~~
 - ~~○ for preparing and posting notices - \$10.00;~~
 - ~~○ for board of each dog, for each 24 hour period and for any portion of a 24 hour period - \$10.00;~~
 - ~~○ for impounding any dog - \$20.00;~~
 - ~~○ on sale by him of any dog, a commission of 20%.~~

5.1. A Dog satisfying the requirements of Section 176 of the Municipal Government Act (Dangerous Dogs) shall be seized in accordance with the requirements of that section.

5.2. Any Constable, Peace Officer, or the Municipality, without notice to, or complaint against the Owner of any Dog, may impound a Dog:

- a) found Running at Large contrary to this By-Law;
- b) is not wearing a Tag required by this By-Law;
- c) which is rabid or appears to be rabid or exhibiting symptoms of Canine Madness;
- d) which appears to be Threatening or Fierce or Dangerous;
- e) which persistently disturbs the quiet of the neighbourhood or area, by barking, howling or otherwise.

Evidence that one person is disturbed by a dog barking, howling or otherwise is *prima facie* evidence that the quiet of the neighbourhood is disturbed.

5.3. Any Dog without a Tag which has not been redeemed after a period of seventy-two (72) hours may, after the expiration of that period and at the discretion of the Municipality, become the property of the Municipality, and may be offered to the SPCA for adoption without further notice to the Owner. Whenever the 72 hours impounding time expires on a weekend or Holiday, the Dog Control Officer shall hold such Dog until the expiry of the first



business day following the weekend or Holiday to permit the Owner to redeem the Dog.

- 5.4. If a Dog without a Tag is missing the onus is on the Owner of the Dog to ascertain within seventy-two (72) hours of the Dog being impounded, whether the Dog has been impounded; neither the Dog Control Officer nor the Municipality shall incur liability in the event of failure to contact the Owner.
- 5.5. Any Dog with a Tag shall require the Municipality to make at least one attempt to contact the registered Owner of the Dog using the Tag number on the records at the Municipality. The registered Dog may, after the expiration of that period and at the discretion of the Municipality, become the property of the Municipality, and may be offered to the SPCA for adoption.

6. FEES AND CONDITIONS FOR RELEASE OF A DOG FROM A KENNEL

- 6.1. The Owner of any impounded Dog, or person having the written authorization of the Owner, may redeem the Animal from the Kennel upon payment of the following:
 - a) Redemption fees (one-time cost of \$100);
 - b) Boarding fee for each day, or part thereof, that the Dog has been impounded (\$20 per day); and
 - c) Any veterinary fees incurred while the Animal is impounded; and a registration fee, if required.
- 6.2. Notwithstanding the foregoing, the owner of any dog which has been impounded for its third infraction of running at large contrary to this By-law within the space of twenty-four (24) months, shall not be permitted to redeem such dog.
- 6.3. Notwithstanding the foregoing, the owner of any dog which has been impounded either pursuant to Section 5, or to the warrant provisions contained in the Municipal Government Act, S.N.S. 1998, c.18, as amended, for its third infraction of persistently disturbing the quiet of the neighbourhood by barking, howling or otherwise contrary to this By-law within the space of twenty-four (24) months shall not be permitted to redeem such dog. The dog may be sold or euthanized by the Pound Keeper and, if sold, the proceeds shall be forwarded to the Municipality of the County of Richmond.
- 6.4. Every Owner who redeems a Dog from the Municipal Kennel shall be liable for payment of all fees incurred in impounding the Dog including, but not limited to, the cost of apprehension, board, food, care, and any veterinary fees prior to reclaiming such Dog as per the conditions in this by-law. In addition, the Owner must produce a valid Municipal Dog Tag before the Dog(s) can be redeemed from the Municipal Kennel.



- 6.5. The Municipality may impose such conditions and/or fines on an Owner who redeems a Dog from the Kennel as the Municipality determines are appropriate and necessary to ensure further violations of this By-Law are unlikely to occur. Conditions may include but are not limited to the following: a muzzle order, leash requirement, microchip, or fencing/containment requirements.
- 6.6. If a dog is released to its Owner on conditions pursuant to Section ABOVE and the Owner fails to comply with one or more conditions:
 - a) The failure to comply with the condition or conditions is a contravention of this By-law; and
 - b) The Municipality may capture and impound the Dog that is subject to the conditions and deal with it in accordance with Section 5 of this By-law.

7. PENALTIES-PENALTY

- ~~• Every owner who neglects to obtain a tag for each dog owned by him and to keep it securely fixed on his dog, except while the dog is being lawfully used for hunting purposes, or who used a tag upon a dog other than that for which it was issued, shall be liable on conviction to a penalty of not less than \$100.00 and not more than \$5,000.00 and in default of payment to imprisonment for a period not exceeding ninety (90) days.~~
- ~~• Any person who violates or fails to comply with any provisions of this by-law shall be liable on conviction to a penalty of not less than \$100 and not more than \$5,000, and in default of payment to imprisonment not exceeding ninety (90) days, providing that where a person has been issued a Summary Offence Ticket by the Dog Control Officer in respect of such offence under this By-law, the person may settle out of court by endorsing a guilty plea and paying the minimum fine, together with administrative and victim surcharges payable thereon, to the Clerk of the Provincial Court at the Justice Centre in Port Hawkesbury, Nova Scotia.~~
- ~~• Every day on which an offence under this By-law continues may be considered a further offence and further Summary Offence Tickets issued therefor.~~

7.1. The owner of any dog which is guilty of any of the offences against this By-law is subject on summary conviction to be liable to a fine as follows:

- a) First Offence
 (Within in a 24 month Period) \$165.00
- b) Second Offence
 (Within in a 24 month Period) \$279.00
- c) Third Offence
 (Within in a 24 month Period) \$425.00
- d) Fourth Offence
 (Within in a 24 month Period) \$605.00

7.2. A person who does anything prohibited by this By-Law or who neglects or



fails to do anything required by this By-Law to be done by them is guilty of an offence and except where some other penalty is provided by this By-Law for the act, refusal, neglect or failure, is liable on summary conviction to a penalty of not more than five hundred dollars (\$500.00) and, in default of payment, to imprisonment for a term not exceeding ten (10) days.

7.3. Every Owner of a Dog that commits an offence under Section 4 of this By-Law, upon conviction shall be liable to a penalty of not more than five thousand dollars (\$5,000.00) and, in default of payment, to imprisonment for a term not exceeding thirty days. Any person who obstructs or hinders the Dog Control Officer in the performance of their duties under this By-Law is guilty of an offence, and is liable, upon summary conviction to a penalty of not less than one hundred dollars (\$100.00) and not more than ten thousand dollars (\$10,000.00) and in default of payment to imprisonment for a term of not more than two (2) months.

8. ~~FIERCE AND DANGEROUS DOGS~~ FIERCE OR DANGEROUS DOGS, RABID DOGS, AND RUNNING AT LARGE REPEAT OFFENDERS

- ~~● (Upon information on oath by a Peace Officer that it is believed on reasonable and probable grounds that a person is harbouring, keeping or has under care, control or direction a dog that is fierce or dangerous, rabid or appears to be rabid, that exhibits symptoms of canine madness or that persistently disturbs the quiet of a neighbourhood by barking, howling or otherwise, any Judge or Justice of the Peace may, by warrant under his or her hand, authorize and empower a person named in the warrant to enter and search the place where the dog is at anytime, to open or remove any door, lock, fastening or obstacle preventing access to the dog, to break, remove or undo any chain, rope, lock, or fastening of the dog to the premises and to seize and deliver the dog to the pound;~~
- ~~● Where the person named in the warrant is unable to seize the dog in safety, that person may destroy the dog;~~
- ~~● The Peace Officer must satisfy the Judge or Justice of the Peace upon information on oath of the reasons or grounds of belief before a warrant under this section may be issued.~~
- ~~● At the trial of a charge laid against the owner of a dog that is fierce or dangerous contrary to this by-law:
 - ~~○ the Judge may, in addition to the penalty, order that the dog be destroyed by the pound keeper or otherwise dealt with, and order that the owner pay any costs incurred by the Municipality related to the dog including costs related to the seizure, impounding or destruction of the dog; and~~
 - ~~○ it is not necessary to prove that:
 - ~~▪ the dog previously attacked or injured any domestic animal, person or property;~~
 - ~~▪ the dog had a propensity to injure or to do damage or was or is~~~~~~



- ~~accustomed to doing acts causing injury or damage;~~
- ~~the defendant knew that the dog had such propensity or was or is accustomed to doing acts causing injury or damage;~~
- ~~the defendant knew or permitted the dog to be in public while not wearing a muzzle or without being under the effective control of an~~
- ~~adult person by harness or leash.~~
- ~~evidence that one neighbour was disturbed is prima facie evidence that the neighbourhood was disturbed.~~
- ~~No Judge shall order the release of any dog and no pound keeper shall release any dog to the owner unless the owner pays all fees, costs and expenses of the pound keeper while the dog was impounded and kept at the pound.~~
- ~~All former Dog By-Laws passed by the Council are hereby repealed and this By-Law substituted therefore.~~

8.1. Any Dog Control Officer investigating a dog alleged to be fierce or dangerous may do any one or more of the following:

- a) Declare the offending dog to be fierce or dangerous;
- b) Impose an Order of Conditions on the dog that the dog owner is obligated to follow, including but not limited to:
 - i) Requiring the dog to be muzzled and tethered at all times off property and/or outside of an enclosure.
 - ii) Requiring the dog to be secured indoors or in an enclosure on property owned by the owner.
 - iii) Requiring appropriate signage warning of the risk posed by the dog.
 - iv) Any other condition deemed necessary to ensure the safety of the public.
- c) Order any dog under investigation for being fierce and dangerous, be impounded for 10 days, at the owner's expense. The Dog Control Officer may extend the period of impoundment if more time for assessment is required.
 - i) Any dog impounded may, in the investigating Dog Control Officer's discretion, undergo any testing deemed necessary to ensure the health and safety of the public, including a welfare and behavioural assessment to determine eligibility for return.
- d) A dog that the Dog Control Officer believes on reasonable grounds acted in a fierce or dangerous manner be seized, at any time following the alleged occurrence of being fierce or dangerous, may:
 - i) undergo welfare and behavioural assessment to determine eligibility for return to the owner or rehoming.
 - ii) prior to making a decision as to return or rehome a dog, the Dog Control Officer shall share the results of any tests or assessments with the owner and shall provide the owner at least two business days to submit a written response.



- iii) if the Dog Control Officer decides to rehome a dog, the owner must be provided at least five (5) business days' notice before the permanent placement in a new home occurs.
- 8.2.** Where a Dog has been captured and impounded and the Municipality has reasonable grounds to believe any of the following apply, the Dog shall be dealt with in accordance with the sections below:
- a) The Dog was Running at Large and has been captured and impounded on two previous occasions while Running at Large within the past two (2) years;
 - b) The Dog is Fierce or Dangerous; or
 - c) The Dog is rabid or appears to be rabid.
- 8.3.** If the Dog that has been captured has a current Tag issued by the Municipality or a Tag by which the Municipality could ascertain the Owner's name and address, the Municipality shall send a notice to the Owner by registered mail including:
- a) A statement that the Dog will be given away, sold or destroyed by the Dog Control Officer, provided that the date the Dog will be given away, sold, or destroyed shall not be any less than 5 days from the date of mailing of the notice; and
 - b) Notice that the Owner may make written representations to the Municipality respecting the giving away, sale or destruction of the Dog by delivering to the Municipality such written representations 2 days prior to the scheduled date that the Dog will be given away, sold or destroyed.
- 8.4.** If the Dog does not have a Tag issued by the Municipality or a Tag by which the Municipality could ascertain the Owner's name and address, the Municipality are not required to send a notice to the Owner, but shall not give away, sell or destroy the Dog until at least seventy-two (72) hours after it has been captured to permit the Owner an opportunity to make written representations respecting the Dog.
- 8.5.** Where written representations have been provided by an Owner to the Municipality pursuant to Section 8.3 (b), the Municipality shall consider the representations and if the Municipality concludes that the Dog:
- a) Was Running at Large and two previous written warnings have been given to the Owner that the Dog has been Running at Large within the past two (2) years; and/or
 - b) Is Fierce or Dangerous; and/or
 - c) Is rabid or appears to be rabid;
- 8.6.** The Municipality may give away, sell or destroy the Dog, and shall notify the Owner of the decision by registered mail. The notice shall include written reasons for the decision to give away, sell or destroy the Dog.



- 8.7.** If, following consideration of the Owner's written representations, the Municipality decides not to destroy the Dog, the Dog shall remain impounded and dealt with in accordance with Section 6 of this By-Law. The Owner of a Fierce or Dangerous Dog shall ensure that, when the Dog is on the property of the Owner:
- a) The Dog is confined indoors and not left in the control of a person under eighteen (18) years of age; or
 - b) The Dog is confined outdoors:
 - i) In a locked pen or other structure to prevent its escape and capable of preventing the entry of any person not in control of the Dog, which locked pen or other structure has secure sides and top and has no bottom secured to the sides, the sides are embedded in the ground to a minimum depth of thirty (30) centimetres, and the locked pen or structure is at least one and one-half (1.5) metres wide by three (3) metres long and one and one-half (1.5) metres in height, and is not located within 1.2 metres of the property line'; or
 - ii) Muzzled, and under the control of a person over eighteen (18) years of age by means of a Leash not exceeding one (1) metre in length in a manner that prevents it from chasing, injuring, Attacking or Biting other Animals or humans as well as preventing damage to public or private property.
- 8.8.** The Owner of a Fierce or Dangerous Dog shall ensure that, when off the property of the Owner, the Dog is:
- a) Muzzled;
 - b) Harnessed or Leashed on a lead not exceeding one (1) metre in length in a manner that prevents it from chasing, injuring, or Biting other Animals or humans as well as preventing damage to public or private property; and
 - c) Under the control of a person at least eighteen (18) years of age.

9. DOG ATTACKS

- 9.1.** The Owner of any Dog that Attacks any person or another Animal, without the presence of a Mitigating Factor, is guilty of an offence under this By-Law;
- 9.2.** Where the Municipality has reason to believe that a Dog is Fierce or Dangerous, has Attacked or Threatened a person or another Animal, without the presence of a Mitigating Factor, and the Owner of the Dog has been identified, the Municipality may:
- a) issue the Owner a notice to Muzzle, securely Leash, and ensure that the Dog is under the control of a person not under eighteen (18) years of age when the Dog is off the property of the Owner of the Dog;



- b) issue the Owner a notice to keep the Dog securely restrained either indoors or inside an escape-proof enclosure in accordance with Section 9 of this By-Law;
- c) issue the Owner a notice to microchip the Dog; and
- d) obtain a warrant to seize and impound the Dog for public safety until the Owner satisfies the Municipality that the Dog no longer Threatens the public.

9.3. In an Emergency, the Municipality may have a Dog destroyed without permitting the Owner to recover it and issue a notice to the Owner informing that the Dog has been destroyed.

10. TRANQUILIZING OF A DOG ON SITE

10.1. The Dog Control Officer may tranquilize any dog whether or not it is fierce or dangerous, without notice or impounding if:

- a) the dog is running at large; and
- b) the Dog Control Officer is unable to seize the dog in safety.

11. DESTRUCTION OF A DOG ON SITE

11.1. The Municipality may, without notice to or complaint against the Owner, destroy on site any Dog that is Fierce or Dangerous, is Running at Large and eluding capture, or is rabid or appears to be rabid, if:

- a) There is an Emergency and the Dog poses and immediate danger to a person or a domestic Animal or to property or person other than the Owner; or
- b) The person named in a warrant issued to seize a Dog is unable to seize the Dog safely.

12. DUTY TO REPORT

12.1. In the event of an Emergency, or during the course of a normal By-Law response, it is suspected that a Dog has been abused or neglected, the Municipality must notify a peace officer having authority under the Animal Protection Act. The officer(s) may with the assistance of the Municipality take the Dog into protective care and, if necessary, provide veterinary services to such Dog. The cost of care and any veterinary services so provided shall be paid by the Owner. These instances must be reported to the Nova Scotia SPCA's Chief Provincial Inspector.