

**The Corporation of the Village of Newbury**

**By-law Number 115-2007**

**Being a By-law to regulate or prohibit animals  
from running at large and to provide for impounding  
all animals not permitted to run at large.**

**SECTION 1 – DEFINITIONS**

**In this by-law:**

“**Animal**” - shall mean any horse, swine, horned or other cattle, sheep, goat, poultry, chicken, geese, or other fowl or any other animal or bird kept as a pet or for any other purpose.

“**Animal Control Officer**” – shall mean a person duly appointed by the Corporation of the Village of Newbury for the purpose of carrying out the provisions of the municipal by-law.

“**Council**” – shall mean the Council of the Village of Newbury.

“**Municipality**” – shall mean the Corporation of the Village of Newbury.

“**Owner**” – includes any person who possesses or harbors any animal.

“**Owens or Owned**” – shall have a corresponding meaning.

“**Police Officer**” – shall be a police officer including a police officer within the meaning of the Police Services Act.

“**Provincial Offenses Officer/By-law Officer**” – shall be any one appointed by the Village of Newbury to enforce set regulation,

“**Pound**” – shall be the location or locations designated from time to time for the keeping of the stray animals.

“**Pound Keeper**” – shall be a person appointed by the Municipality for the purpose of carrying out the provisions of the municipal by-law and the Pounds Act R.S.O.

**SECTION 2**

**2 – POUNDS**

The Council of the Municipality shall appoint a Pounds Keeper to carry out the provisions of the Pounds Act R.S.O.

**SECTION 3  
PROHIBITED MATTERS**

**3 – PROHIBITED MATTERS RELATED TO ANIMALS**

No person shall suffer or permit any animal of which he or she is the owner or custodian to run at large or trespass on any property in the Village of Newbury.

**4 – ANIMALS AT LARGE**

For the purpose of this by-law, an animal shall be deemed at large when found on any highway or other public place or on any property without the consent of the owner of the property and not in the charge of any person.

## **5 – MEASURES TO PROHIBIT FROM RUNNING AT LARGE**

Every person who is the owner or custodian of any animal(s) deemed to be running at large, shall take immediate measures to prohibit the said animals from running at large

## **6 – SEIZURE**

6.1 The Animal Control Officer, the Pound Keeper, the By-law Officer or any Police Officer may seize any animal found at large contrary to any provisions contained in this by-law.

6.2 It shall be the duty of the Pound Keeper to impound any animal seized by him or a person mentioned in 5.1 or delivered to him in accordance with the Pounds Act R.S.O. 1990.

## **7 – PENALTY SECTION**

7.1 Every Person who contravenes any provision of this by-law is guilty of an offence and on conviction is liable to a fine as provided in the Provincial Offences Act.

7.2 The Court in which the conviction has been entered, and any court of competent jurisdiction thereafter, may make an order prohibiting the continuation or repetition of the offence by the person convicted, and such order shall be in addition to any other penalty imposed on the person convicted.

## **8 – TARIFF OF FEES AND CHARGES - Pounds - Schedule “A”**

Fees and charges in Schedule “A” hereto annexed, is established by this by-law.

## **9 – TARIFF OF FEES AND CHARGES – Rounding Up – Schedule “B”**

Fees and charges in Schedule “B” hereto annexed, is established by this by-law.

## **10 – FORCE AND EFFECT**

This by-law comes into force and effect on the date of final passing.

**READ** a first and second time this 11<sup>th</sup> day of July, 2007.

**READ** a third time and finally passed this 11<sup>th</sup> day of July, 2007.

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REEVE DIANE BREWER

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CLERK TREASURER BETTY D. GORDON

**Animals Running At Large By-law 115-2007**

**Schedule "A"**

**Schedule of Charges on Animals Impounded or Otherwise**

<b>Description</b>	<b>Feeding Each Animal/day</b>	<b>Admitting or Letting Each Animal Out Of Pound</b>	<b>Each Notice To Owner</b>	<b>For Each Notice Posted</b>	<b>For Sale Of Each Animal</b>
Stallion over 12 Months	\$20.00	\$20.00	\$10.00	\$10.00	\$10.00
All other Horses, mules, Donkeys	\$20.00	\$20.00	\$10.00	\$10.00	\$10.00
Bulls over 12 Months	\$20.00	\$20.00	\$10.00	\$10.00	\$10.00
All other Cattle	\$20.00	\$20.00	\$10.00	\$10.00	\$10.00
Ram over 12 Months	\$10.00	\$20.00	\$10.00	\$10.00	\$10.00
Sheep and goats	\$10.00	\$20.00	\$10.00	\$10.00	\$10.00
Boar or other Pigs	\$10.00	\$20.00	\$10.00	\$10.00	\$10.00
Breachy or Unruly Animals	\$20.00	\$40.00	\$10.00	\$10.00	\$10.00
Geese or Other Poultry	\$ 5.00	\$ 5.00	\$20.00	\$10.00	\$10.00

**Animals Running At Large By-law 115-2007**

**Schedule “B”**

**Fees and Charges for Rounding Up Animals**

<b>Description</b>	<b>Fee for Rounding Up Animals at Large</b>
All animals listed in Schedule “A”	\$100.00 per animal for the first (5) animals Rounded up – fees for additional animals to be negotiated by Service Provider and Council.

**THE VILLAGE OF NEWBURY  
SCHEDULE "C"  
To BY-LAW No. 115 of 2007**

**TITLE: To Regulate or Prohibit animals from running at large and to provide for impounding all animals not permitted to run at large.**

**PART 1 – Provincial Offences Act**

**SET FINE SCHEDULE:**

<b>ITEM</b>	<b>COLUMN 1 Short Form Wording</b>	<b>COLUMN 2 Offence Creating Provision or Defining Offence</b>	<b>COLUMN Set Fine</b>
1.	Allowing an animal to run at large.	Section 3	\$255.00
2.	Failure to provide proper measures to contain an animal properly.	Section 5	\$225.00

**NOTE:** The penalty provision for the offences indicated above is Section 4 of By-law 115 of 2007, a certified copy of which has been filed.