

CITY OF THOMPSON
BY-LAW NUMBER 1665-2001

A BY-LAW CONCERNING THE LICENSING OF DOGS AND CATS AND
CONTROL OF ANIMALS WITHIN THE LIMITS OF THE CITY OF
THOMPSON.

WHEREAS under Chapter 119, Bill Number 99 of the Statutes of Manitoba, 1970,
the City of Thompson became incorporated;

AND WHEREAS Section 232(1) of The Municipal Act SM 1996 c. 58-CAP M225
provides as follows:

"A council may pass by-laws 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
by-laws differentiating on the basis of sex, breed, size or weight;
- (o) the enforcement of by-laws."

AND WHEREAS Section 3 of The Municipal Act defines Municipal purposes as
follows:

"The purposes of a Municipality are:

- (a) to provide good government;
- (b) to provide services, facilities or other things that, in the opinion of
council of the municipality, are necessary or desirable for all or a part
of the municipality; and
- (c) to develop and maintain safe and viable communities;

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

Exercising By-law making powers

232(2) Without limiting the generality of subsection (1), a council may in a by-law passed under this Division:

- (a) regulate or prohibit;
- (b) 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 by-laws under clause 232(1)(o)

236(1) Without limiting the generality of the clause 232(1)(o) (enforcement of by-laws), a by-law passed under that clause may include provisions:

- (a) providing for procedures, including inspections, for determining whether by-laws are being complied with; and
- (b) remedying contravention of by-laws, including:
 - (i) creating offences;
 - (ii) subject to the regulations, providing for fines and penalties, including the imposition of a penalty for an offence 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 offence, or related to enforcing the by-law;
 - (iii) providing that an amount owing under sub clause (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 sub clause (iv);
- (vi) imposing a sentence of imprisonment for not more than six months for the commission of offences or nonpayment of fines.

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

Animals not to run at large.

AND WHEREAS Section 239(3) of The Municipal Act defines the powers of an Animal Control Officer in emergency situations as follows:

"In any emergency or extraordinary circumstances, the designated officer need not give reasonable notice or enter at a reasonable hour and may do the things referred to in clause 1(a) and (c) without the consent of the owner or occupant."

AND WHEREAS Section 245(1) of The Municipal Act provides as follows:

"The Municipality may take whatever action or measures are necessary to remedy a contravention of a by-law or this or any other Act that the Municipality is authorized to enforce or to prevent a reoccurrence of the Contravention, if:

- (a) The Designated Officer has given a written order under Section 242;
- (b) The Order contains a statement referred to in Clause 2(2)(b);

- (c) The person to whom the order is directed has not complied with the order within the time specified in the order;
- (d) The appeal period respecting the order has passed or if an appeal has decided, and it allows the Municipality to take action or measures.

NOW THEREFORE be it enacted as a by-law of the City of Thompson as follows:

1. THIS by-law may be cited as the Animal Control By-law of the City of Thompson.
2. THIS by-law applies to animals as hereinafter referred to within the City of Thompson.
3. DEFINITIONS:
 - (1) "Animal" means a non-human living being with a developed nervous system.
 - (2) "Cat" means any feline.
 - (3) "Kitten" means a cat under the age of ninety (90) days.
 - (4) "Dog" means any canine.
 - (5) "Pup" means any dog under the age of ninety (90) days.
 - (6) "City" means the City of Thompson.
 - (7) "Animal Control Officer" means that employee or employees appointed by the City of Thompson to enforce this by-law (and are appointed by the Minister of Agriculture as an Animal Protection Officer).

- (8) "Run-at-Large" or "Running-at-Large" in reference to an animal means not under control by being:
- (a) in direct and continuous charge of a person competent to control it; or
 - (b) securely confined within an enclosure; or
 - (c) securely fastened on private property, owner occupied, or controlled by its owner so that it is unable to roam at will.
- (9) "Kennel" means a place where dogs, cats or other animals are kept for any purpose in numbers exceeding those allowed by this by-law and for which a permit, other than the licenses provided for in this by-law is required and excepting any premises occupied by a duly qualified veterinarian surgeon for the practice of his profession.
- (10) "City Manager" means a person appointed by Council as the Manager and Chief Administrative Officer of the City of Thompson.
- (11) "Acting City Manager" means the person appointed by Council to fulfill the duties of City Manager in the City Manager's absence.
- (12) "Normal Working Hours" means 9:00 a.m. to 5:00 p.m., Monday to Friday inclusive of September 1st to May 31st and 8:30 a.m. to 4:30 p.m. from June 1st to August 31st of each year.
- (13) "Owner" in relation to an animal means a person who harbours an animal and includes the person described as owner on any current license for a dog or cat issued under this by-law.
- (14) "Information" means an offence notice as shown in Schedule "C" attached hereto and served upon a person charging an offence under this by-law has been committed and demanding the payment of a fine.

- (15) "Guard Dog" means a dog kept for the implicit or explicit purpose of guarding private property from intrusion by unauthorized persons.
- (16) "License" means a numbered metal tag which shall be issued for the purpose of registering a dog or cat with the City and which is worn on a collar affixed to the dog or cat for which it is issued.
- (17) "Permit" means a document as shown attached to this by-law as Schedule "D" which shall be issued for the purpose of registering a cat with the City and which shall be retained by the owner as proof of registration of his cat.

4. RUNNING-AT-LARGE:

- (1) No owner shall permit his dog or cat to run-at-large.
- (2) Any dog or cat found running-at-large may be apprehended and impounded by an Animal Control Officer.

5. NUISANCE:

- (1) A dog shall be deemed to be a public nuisance if:
 - (a) it chases or barks at any vehicle on a public highway;
 - (b) it disturbs or annoys the quiet of any person or persons anywhere by howling, barking, growling or biting;
 - (c) it defecates on or damages any property in any public place or any private place not owned, controlled or occupied by its owner unless the owner immediately cleans or repairs any defecation or damages caused by the owner's dog.

- (2) A cat shall be deemed to be a public nuisance if:
 - (a) it disturbs or annoys the quiet of any person or persons anywhere;
 - (b) it defecates on or damages any property in any public place or any private place not owned, controlled or occupied by its owner unless the owner immediately cleans or repairs any defecation or damage caused by the owner's cat.
- (3) No owner shall permit his or her dog or cat to be a public nuisance.
- (4) Subject to Section 15 an Animal Control Officer may pick up and impound a dog or cat who he believes on reasonable grounds to be a public nuisance.

6. VICIOUS DOG OR CAT:

- (1) No owner shall allow his or her dog or cat to bite or attack a person or other domestic animal.
- (2) An owner of a guard dog shall keep such dog securely confined within an enclosure on private property and shall post a notice on said enclosure notifying the public to be aware of the dog.
- (3) (A) Where the Animal Control Officer has reasonable grounds to believe that a cat or dog has:
 - (i) caused injury to a person without provocation; or
 - (ii) while off its owner's property, has killed or injured a domestic animal, except livestock as defined by Section 1(2) of The Animal Liability Act LM 1998 c. 8-chap A95, without provocation.

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the said Animal Control Officer shall file a report with the Superintendent of Public Works who shall, upon receipt of the said report, forward a report to the City Manager or in the City Manager's absence, the Acting City Manager, who shall hold a hearing to determine whether or not the dog or cat shall be declared vicious.

- (B) The City Clerk shall give written notice of a hearing to the owner of the dog or cat at least five (5) calendar days in advance of the hearing by serving a notice upon the owner personally or by mailing same by registered mail to the last known address provided by the owner to the City in relation to the licensing of the animal. The notice shall include:
 - (a) a statement of the time, place and purpose of the hearing;
 - (b) a copy of Section 6(3) of this by-law;
 - (c) a statement that if the owner does not attend at the hearing, the matter may be dealt with in his absence and that he will not be entitled to any further notice in the proceedings.
- (C)
 - (a) the owner may appear at the hearing and may submit such evidence and make such representations as he deems fit. The owner shall be entitled to hear all evidence presented to the hearing and to inspect any documents filed;
 - (b) all evidence heard and all submissions made at a hearing may be tape recorded or video taped and the tape recording, video tape or transcription of the tape recording or video tape will be retained by the City Clerk for a minimum of thirty (30) days subsequent to the hearing;

- (c) where the owner does not attend the hearing, having been given notices hereinbefore provided, the matter may be dealt with in his absence and the owner shall not be entitled to any further notice in this proceeding.
- (D) Within five (5) business days after the hearing, the City Manager or Acting City Manager as the case may be shall issue written findings resulting from the hearing and:
 - (a) shall make an Order declaring the dog or cat vicious if, on the preponderance of the evidence, the finding is that:
 - (i) the said animal caused injury to a person without provocation; or
 - (ii) while off its owner's property, killed or injured a domestic animal, except livestock, as defined by Section 1(2) of The Animal Liability Act LM 1988 c. chap A95, without provocation.
 - (b) may make an Order declaring the dog or cat to be vicious if on the preponderance of evidence, the City Manager or Acting City Manager finds it is likely to cause serious property damage or injury to persons or other animals having regard to the following factors:
 - (i) whether the dog or cat has bitten, wounded, or injured any domestic animal;
 - (ii) the circumstances surrounding any previous biting or wounding incident; or

- (iii) whether the dog or cat has shown a tendency to pursue, chase or approach, in a menacing fashion, persons upon the street, sidewalk, or any public or private property.
 - (iv) has injured a person without provocation.
- (c) where the City Manager or Acting City Manager makes a finding of viciousness pursuant to the criteria set out in Section 6(3)(A)(i) or (ii), the City Manager or Acting City Manager, may order a dog or cat's destruction.
- (d) where the City manager or Acting City Manager makes a finding under Section 6(3)(D)(a)(i) and (ii) and does not order the dog or cat's destruction pursuant to Section 5(D)(c) or makes a finding of viciousness pursuant to 5(D)(b), the City Manager or Acting City Manager as the case may be, shall order the owner of the dog or cat to:
 - (i) keep the dog or cat penned on his property and shall not permit it to leave his property unless it is leashed and muzzled;
 - (ii) display a sign at the entrance to the property where the dog or cat is kept or harboured indicating the presence of a vicious animal on the premises;
 - (iii) forthwith notify an Animal Control Officer in the event that the dog or cat escapes, dies or is sold.
 - (iv) have a microchip or tattoo placed upon or in the animal for the purposes of future identification.

- (v) to ban any such dog or cat from the City of Thompson;
 - (vi) maintain in force and provide proof to the satisfaction of the Clerk of the Municipality a comprehensive liability insurance policy, including coverage for damage or injury caused by the dangerous animal, with a minimum limit of liability of \$500,000.00 per occurrence.
 - (e) the City shall provide to the owner a copy of the decision of the City Manager or Acting City Manager by registered mail, addressed to the owners last known address, forthwith upon the decision being rendered.
- (4)
- (a) The owner may within ten (10) days of the mailing of the Order to the owner, advise the City Clerk, in writing, that the owner wishes to appeal the Order to the City Council.
 - (b) The City Council sitting on appeal shall consider the following:
 - (i) the transcript of evidence or video or audio tape of proceedings before the City Manager or Acting City Manager, as the case may be;
 - (ii) any exhibits filed at the hearing before the City Manager or Acting City Manager, as the case may be;
 - (iii) submissions of the owner and the City Manager or Acting City Manager or counsel acting on behalf of either the owner or the City Manager.
 - (c) The Council may, on application, consider additional evidence as, in its sole discretion, is considered necessary.

(d) Following the hearing of the appeal, the Council may:

- (i) allow the appeal and revoke the Order appealed from in whole or in part;
- (ii) dismiss the appeal;

and the decision of Council on the appeal shall be final.

(5) Where a report is received after a hearing under 6(3) is heard and on the preponderance of evidence a finding has been made that the dog or cat has injured a person, the City Clerk may cause a notification of such finding of injury to be placed in two (2) consecutive editions of a newspaper having general circulation within the City of Thompson and further, may at his discretion, cause to have distributed leaflets to persons residing within a one hundred (100) yard radius of the owner's property, the said notification to include:

- (a) The owner's name and civic address;
- (b) A general description of the dog or cat;
- (c) The contents of the finding of the City Manager or Acting City Manager;
- (d) The date said finding was made.

(6) (a) Where a dog or cat has been declared vicious and ordered destroyed under Section 6(3)(D)(b) hereof and no appeal has been made of that decision or such appeal has been dismissed, the Animal Control Officer shall immediately impound such dog or cat if the dog or cat has not already been impounded pursuant to any part of this by-law and shall arrange for its destruction;

- (b) Where a dog or cat has been declared vicious under section 6(3)(A) or (B) the owner of such animal shall:
 - (i) keep the dog or cat penned on his property and shall not permit it to leave his property unless it is leashed and muzzled;
 - (ii) display a sign at the entrance to the property where the dog or cat is kept or harboured indicating the presence of a vicious animal on the premises;
 - (iii) forthwith notify an Animal Control Officer in the event that the dog or cat escapes, dies or is sold.
- (7) (a) Where an owner of an animal declared to be vicious fails to comply with section 6(6)(b) hereof, an Animal Control Officer may impound such dog or cat until such time as the owner satisfies him that he will comply with that Section.
- (b) Where the failure of any vicious animal's owner to comply with section 6(6)(b) continues for fourteen (14) calendar days from the date of written notification of the ruling by the City Manager pursuant to section 6(3)(D)(d) or for fourteen (14) calendar days from the date of written notification of the City Council's dismissal of an appeal filed pursuant to section 6(4), the Animal Control Officer may arrange for the animal's destruction without further notification of the said owner.

In the event that an animal is destroyed in conformance with this subsection, all applicable pound fees and costs for the said animal's destruction shall be borne by the owner.

7. PIT BULL DOGS:

- (1) "Pit Bull Dog" means:
 - (a) Pit Bull Terrier; or
 - (b) Staffordshire Bull Terrier; or
 - (c) American Staffordshire Terrier; or
 - (d) American Pit Bull Terrier; or
 - (e) Any dog which has the appearance and physical characteristics predominantly conforming to the standards for any of the above breeds, as established by the Canadian Kennel Club or the American Kennel Club or the United Kennel Club and attached to this by-law as Schedule "A", as determined by a veterinarian licensed to practice in Manitoba.
- (2) Subject to Section 7(3) hereof, no person shall keep or harbour any pit bull dog, regardless of age, in the City of Thompson.
- (3) A person may temporarily keep or harbour in the City of Thompson a pit bull dog only for the purpose of showing such pit bull dog in a place of public exhibition, contest, or other show sponsored by a bona fide dog club association, provided that when such pit bull dog is not being shown at the place of said public exhibition, contest, or show, it shall be:
 - (a) securely kenneled; or
 - (b) muzzled, restrained by a chain or leash not exceeding six (6) feet in length and under the control at all times, of a responsible person.

8. COMPLAINTS:

Before any action is taken by an Animal Control Officer under this by-law on a complaint received by him, the complainant shall provide his or her name and address to the Animal Control Officer.

9. LICENSES:

- (1) The owner of a dog shall annually register such dog with and obtain a license from the City of Thompson and pay such fee as hereinafter set out.
- (2) The owner of every cat shall annually register such cat with and obtain a license or a permit from the City of Thompson and pay such fee as hereinafter set out.
- (3) The license/permit year shall commence on the 1st day of January of each year and terminate on the 31st day of December of that year.
- (4) Notwithstanding subsection (3) the permit period for cats for the year 2001 only, shall commence on the 1st day of July, 2001 and terminate on the 31st day of December, 2001, after which date subsection (3) shall apply in the registration of all dogs and cats.
- (5) Subject to subsection (4) an owner who acquires a dog or cat after the 1st day of January in any year shall immediately register and obtain a license or permit for such dog or cat.
- (6) An owner shall present his dog or cat to the Animal Control Officer upon request, the Animal Control Officer shall register the dog or cat if satisfied as to type and shall issue a license tag or permit for the dog or cat upon payment of the license fee.
- (7) The owner of every dog shall place a collar on his dog and affix thereto a license issued for the current year.

- (8) No person except the owner of a dog shall remove the collar or license tag from a licensed dog.
- (9) The owner of every cat shall have an electronic micro-chip tattoo or license for the current year placed upon his cat.

10. LICENSING FEES:

- (1) Subject to Section 10(2), (3) and (4) hereof, the annual license/permit fees for dogs and cats shall be as follows:
 - (a) for every spayed or neutered dog or cat \$10.00
 - (b) for all other dogs or cats \$50.00
 - (c) Notwithstanding (a) and (b) the license/permit fee for cats for the year 2001 only shall be \$5.00 for every spayed or neutered cat and \$25.00 for all other cats.
- (2) Subject to subsections 9(3) and 10(1)(c) the annual license/permit fees for dogs or cats licensed after January 31st in each year shall be increased by \$10.00 unless the owner:
 - (a) produces a bill of sale or other evidence satisfactory to the Animal Control Officer establishing that his ownership of the dog or cat was acquired after January 31st of that year; or
 - (b) produces evidence satisfactory to the Animal Control Officer that he has resided in the City for less than thirty (30) days.
- (3) The license/permit fee for dogs or cats:
 - (a) shall be increased by \$20.00 where a dog or cat has been impounded two (2) or more times for running-at-large or not bearing a license tag or in the case of a cat not being registered for the current year.

- (b) shall increase to \$200.00 a year where a finding of viciousness under section 6(3) of this by-law has been made within the last three (3) years.
- (4) A license fee shall not be charged for any dog used as a seeing-eye dog or any dog having been trained by a recognized agency and is being used to assist any physically handicapped person provided that the person using such dog produces evidence satisfactory to the Animal Control Officer sufficient proof of his physical handicap.
- (5) An owner of a spayed or neutered dog or cat shall furnish a certificate from a licensed veterinarian showing that the dog or cat in respect of which a license is applied for has been spayed or neutered.
- (6) Subject to Section 16 an Animal Control Officer may pick up and impound any dog that does not bear a license tag for the current year or any cat for which no permit or license for the current year has been obtained by its owner.
- (7) An owner of a dog or cat may replace a current license tag for a dog or cat which has been lost or misplaced by payment of a fee of \$5.00 to the City.
- (8) Where a change of ownership of a dog or cat licensed hereof occurs during the license year, the new owner may have the current license or permit transferred to his name upon payment of a transfer fee of \$5.00 and upon producing proof of ownership of the dog or cat.

11. VACCINATION AGAINST RABIES:

- (1) Every cat and dog shall be vaccinated against rabies, which vaccinations shall be repeated at intervals of not more than two (2) years. Every owner, possessor or harbourer of any cat or dog who applies for a license when the age of the dog or cat is under three (3) months shall be required to sign a declaration that vaccination will be carried out when the cat or dog reaches the required age, onus of proof of age of any cat or dog shall be upon the owner. Except as

aforementioned, proof of vaccination against rabies must be produced when application for a license is made. Vaccination tags shall be affixed at all times to a collar worn on the neck of the dog. Documentation with respect to vaccination of cats shall be provided to the City to be kept on file.

- (2) If proof of current vaccination against rabies is not produced to the satisfaction of the Animal Control Officer, by the owner, possessor or harbourer of any dog or cat, the Animal Control Officer may, upon receipt of such information, cancel the license or permit of any such dog or cat without advance notice to any person. Thereafter the dog or cat may be dealt with as an unlicensed or unregistered dog or cat under the provisions of this by-law.
- (3) An owner of a cat or dog who refuses, neglects or fails to comply with the requirements of this section is guilty of an offence.
- (4) An Animal Control Officer may pick up and impound any cat or dog which has not been vaccinated against rabies as required by this by-law until such time as the dog or cat has been vaccinated.

12. KENNELS:

- (1) Notwithstanding section 25 of The Animal Care Act LM 1996 c. 69-chap. 84 no kennel shall be operated within the City unless the owner is in possession of a valid kennel permit issued by the City.
- (2)
 - (a) Subject to 12(3) and (4), no person shall own, keep possess, harbour or have in his possession or in and around his premises more than three (3) cats;
 - (b) Subject to 12(3) and (4), no person shall own, keep, possess, harbour or have in his possession or in and around his premises more than two (2) dogs.

- (3) A person is not in contravention of Section 12(2) of this by-law by reason only:
 - (a) that he is in possession of more than three (3) cats because one (1) of those cats has borne a litter of kittens provided that the kittens are disposed of within ninety (90) days of their birth:
 - (b) that he is in possession of more than two (2) dogs because one (1) of those dogs has borne a litter of pups provided that he has disposed of those pups within ninety (90) days of their birth.
- (4) Section 12(2) of this by-law does not apply to any premises occupied by a duly qualified veterinarian surgeon for the practice of his profession or to a bona fide pet store operated in a commercial premises.

13. ANIMALS IN DISTRESS:

The Animal Control Officer shall at all times be a person appointed by the Minister of Agriculture as an Animal Protection Officer pursuant to the provisions of The Animal Care Act LM 1996 c.69 - chap. A84 and shall enjoy and have the powers and responsibilities conferred pursuant to the said Act to protect and care for animals in distress as defined in Section 6(1) of The Animal Care Act.

14. TEASING AND ENTICING:

Any person teasing, taunting, baiting or throwing objects at an animal confined within the owners property is guilty of an offence hereunder and shall be liable to punishment as set out in Section 18 herein.

15. OTHER ANIMALS:

- (1) The City may require that no person shall own, keep, possess or harbour within the City any domestic or wild animal, domestic or wild fowl or bird, or any species, class or type of such animals and fowl or birds, without first obtaining a permit from the City.
- (2) All domestic and wild animals, and domestic or wild fowl or birds, found running-at-large may be picked up and impounded by an Animal Control Officer.
- (3) Any domestic or wild animal, and domestic or wild fowl or bird which is suspected of having or being in contact with any infectious disease may be apprehended by an Animal Control Officer and impounded or destroyed.

16. IMPOUNDMENT, REDEMPTION AND DESTRUCTION:

- (1) The Animal Control Officer shall provide every animal captured and impounded with sufficient shelter, food and water during the time such animal remains impounded.
- (2) An Animal Control Officer may enter private property without the consent of the owner to effect the impoundment of any animal where an emergency or exigent circumstances exist.
- (3) For the purposes of this section, emergency or exigent circumstances shall include, but not be limited to the following:
 - (a) where the Animal Control Officer has reasonable and probable grounds to believe an animal on the said property has:
 - (i) recently bitten or injured a person;
 - (ii) recently killed or injured another animal;

- (iii) is infected with rabies or any other infectious disease;
 - (iv) is untethered or unconfined, unsupervised and behaving in a menacing manner
- (4) (a) In all cases of impoundment, excepting under Section 4 or 16(2) herein, the Animal Control Officer shall issue a notice, in the form set out in Schedule "B" attached hereto, demanding the production of the animal for impoundment within two days of service on the owner. The said service to be effected either personally or by registered mail at the owner's last known address or posting the said notice on a prominent place on the owner's place of residence.
- (b) Each day an owner refuses to comply with a notice under Section 16(4)(a) by failing to deliver an animal in his control or possession for impoundment to the Animal Control Officer, the owner thereby commits an offence hereunder and is liable to penalties prescribed in Section 18 herein.
- (5) Subject to Section 16(7) the owner of animal impounded under the provisions of this by-law, except under Section 6 hereof, may redeem such animal from an impoundment:
 - (a) By paying the appropriate pound fees as set out in Section 16(7) hereof:
 - (b) Where the impoundment is effected under Section 5(4), Section 6(6), Section 11(4) or Section 15(3) hereof:
 - (i) by satisfying the Animal Control Officer that the animal will not continue to be a public nuisance if released; or
 - (ii) by satisfying the Animal Control Officer that he will comply with Section 6(6)(b) hereof upon the animal being released; or

- (iii) by satisfying the Animal Control Officer that the animal has been vaccinated against rabies as required by this by-law; or
 - ~~(iv)~~ by satisfying the Animal Control Officer that the animal does not have an infectious disease as the case may be.
- (6) Subject to subsection 6(3)(c) any impoundment effected under Section 6 shall be for a period of not less than ten (10) calendar days beginning the day following the date of impoundment and ending at 8:00 a.m. on the tenth (10th) day following the date of impoundment.
- (7) The pound fees applicable for redemption of an animal impounded under this by-law shall be as follows:
 - (a) All costs associated with releasing the animal outside the normal working hours of the City of Thompson if the animal is released outside these hours:
 - (b) The full amount of any cost incurred by the City for the examination and treatment of an animal that is injured or sick or requires a vaccination against rabies; and
 - (c) If the animal is a dog or cat:
 - (i) where the current license or permit is held for the dog or cat, the sum of \$20.00 plus \$7.00 for each day or part of a day that the dog or cat has been impounded;
 - (ii) where no current license or permit is held for the dog or cat, the sum of \$30.00 plus \$7.00 for each day or part of a day that the dog or cat has been impounded plus the applicable license or permit fee for the dog or cat.

- (iii) the sum of \$5.00 to replace a current license tag for a dog or cat if such tag is not borne by the dog or cat.
 - (iv) where no micro-chip, tattoo or license is present upon a cat one must be placed upon the cat before the cat is released.
 - (d) where any animal other than a dog or cat has been impounded, the sum of \$20.00 plus \$5.00 for each day or part of a day that the animal has been impounded.
- (8)
- (a) With the exception of impoundments effected under Section 6(7)(a) hereof, the Animal Control Officer shall keep any cat or dog or animal which he seizes and impounds for a period of not less than seventy-two (72) hours after such seizure, during which time he shall, if the owner of the impounded animal is known, notify the owner of such impoundment and that if the animal is not redeemed within seventy-two (72) hours of the delivery of the notice, it may be destroyed or sold:
 - (b) Notice contemplated under Section 16(8)(a) hereof, may but need not be given in writing by mailing same by ordinary mail to the last known address as recorded on the City's licensing records for the animal, and any such notice so mailed shall be deemed to be delivered on the second day following such mailing:
 - (c) Where the owner of an impounded animal is not known, the Animal Control Officer may destroy or sell the animal after seventy-two (72) hours following the animal's impoundment.
- (9) Notwithstanding anything contained in this by-law, where a licensed veterinarian surgeon or an Animal Control Officer certifies that, in his opinion, an animal is so seriously injured or in such a condition that it would be cruel to allow the animal to live, the Animal Control Officer may cause the animal to be destroyed forthwith.

- (10) An Animal Control Officer is authorized to use any device approved from time to time by the Superintendent of Public Works for the purpose of subduing an animal to effect a seizure or impoundment of an animal under this by-law.

17. RECORD

- (1) The City of Thompson or anyone authorized to act on its behalf shall keep a record of every animal impounded. Such record shall show

the description and particulars of every animal impounded, the day and hour of its impounding, redemption, sale or destruction, the name and address of the owner, if known, the license number, if any, the amount and particulars of all fees, fines, changes and of all monies received in respect of such animal and the name and address of the person paying same and such other particulars required.
- (2) The City of Thompson or anyone authorized to act on its behalf shall keep a record of all dog and cat licenses, permits and tags issued under the provisions of this by-law showing the name of the owner or possessor of each dog and cat and number of the tag issued in respect to each dog and cat and shall account for monies received for dog and cat licenses.

18. ENFORCEMENT:

- (1) Animal Control Officers are authorized to enforce the provisions of this by-law and to charge persons committing an offence under this by-law by means of an information in the form set out in Schedule "C" attached hereto.
- (2) Any person who fails to comply with the provisions of this by-law, excepting Section 4 herein, is guilty of an offence and upon conviction is liable to a fine of not less than \$50.00 and not more than \$500.00 in addition to any costs imposed by a Judge or Magistrate.

- (3) Any owner convicted of allowing a dog or cat to run-at-large contrary to Section 4(1) of this by-law is liable:
- (a) in the case of a first offence to a fine of not less than \$50.00 but not more than \$100.00;
 - (b) in the case of a second offence to a fine of not less than \$100.00 but not more than \$200.00;
 - (c) in the case of a subsequent offence to a fine of not less than \$200.00 but not more than \$500.00.
- (4) Any owner convicted of failing to register and obtain a license or permit for a dog or cat contrary to s. 9(1) and (3) of this by-law is liable:
- (a) in the case of a first offence to a fine of \$25.00;
 - (b) in the case of a second offence to a fine of \$50.00;
 - (c) in the case of any subsequent offence to a fine of not less than \$100.00.
- (5) A person who has been served with a Notice of Breach of this, may dispose of the matter by attending at the City Hall during regular office hours within fifteen (15) days of the date of the notice and pay to the City Clerk the fine (including applicable costs) as set out in the Notice, along with all other such charges that may have accrued as a result of enforcement of this By-law. In the event that a person served with a Notice of Breach of this By-law fails to pay the minimum fine as set out in the Notice (including applicable costs)

within the said fifteen day period the person shall be subject to default proceedings before a Magistrate pursuant to the provisions of the Summary Convictions Act. After default proceedings the City may proceed to collect any such fines and costs as against the person by any means available to it in law.

19. SEVERABILITY:

If any provision of this by-law be contrary to any express provision of any applicable, statute or be otherwise beyond the powers of the City to enact, such impugned provision shall be read subject thereto and except as aforesaid this by-law and all other provisions thereof shall be valid and binding.

20. By-law 1500-94 and 1631-97 are hereby repealed.

21. This by-law shall come into effect on the day following the date of receipt of third reading.

READ A FIRST TIME THIS 12TH DAY OF FEBRUARY 2001 A.D.

READ A SECOND TIME THIS 26TH DAY OF FEBRUARY 2001 A.D.

READ A THIRD TIME THIS 23RD DAY OF APRIL 2001 A.D.

APPROVED AND ADOPTED THIS 23RD DAY OF APRIL 2001 A.D.

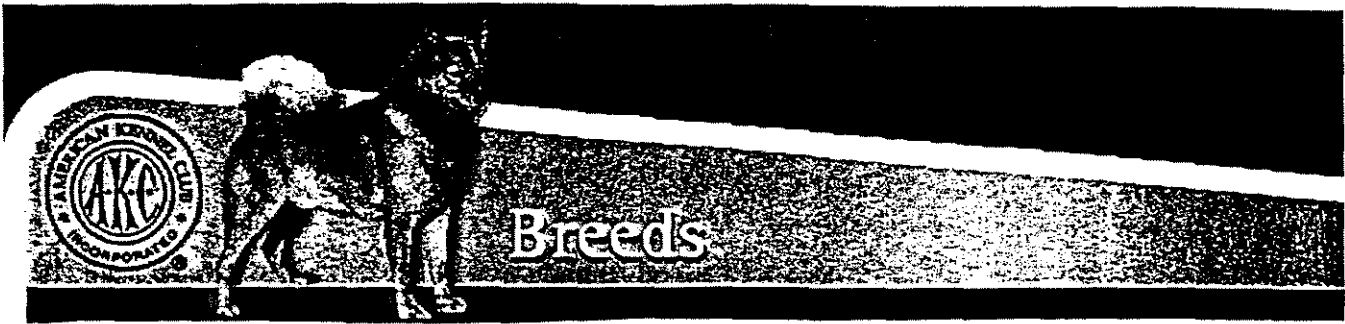
THE CITY OF THOMPSON

PER: 

MAYOR

PER: 

CITY CLERK



American Staffordshire Terrier

Terrier Group
Breed Standard

General Impression

The American Staffordshire Terrier should give the impression of great strength for his size, a well put-together dog, muscular, but agile and graceful, keenly alive to his surroundings. He should be stocky, not long-legged or racy in outline. His courage is proverbial.



Head

Medium length, deep through, broad skull, very pronounced cheek muscles, distinct stop; and ears are set high. **Ears** Cropped or uncropped, the latter preferred. Uncropped ears should be short and held rose or half prick. Full drop to be penalized. **Eyes** Dark and round, low down in skull and set far apart. No pink eyelids. **Muzzle** Medium length, rounded on upper side to fall away abruptly below eyes. Jaws well defined. Underjaw to be strong and have biting power. Lips close and even, no looseness. Upper teeth to meet tightly outside lower teeth in front. Nose definitely black.

Neck

Heavy, slightly arched, tapering from shoulders to back of skull. No looseness of skin. Medium length.

Shoulders

Strong and muscular with blades wide and sloping.

Back

Fairly short. Slight sloping from withers to rump with gentle short slope at rump to base of tail. Loins slightly tucked.

Body

Well-sprung ribs, deep in rear. All ribs close together. Forelegs set rather wide apart to permit chest development. Chest deep and broad.

Tail

Short in comparison to size, low set, tapering to a fine point; not curled or held over back. Not docked.

Legs

The front legs should be straight, large or round bones, pastern upright. No resemblance of bend in front. Hindquarters well-muscled, let down at hocks, turning neither in nor out. Feet of moderate size, well-arched and compact. Gait must be springy but without roll or pace.

Coat

Short, close, stiff to the touch, and glossy.

Color

Any color, solid, parti, or patched is permissible, but all white, more than 80 per cent white, black and tan, and liver not to be encouraged.

Size

Height and weight should be in proportion. A height of about 18 to 19 inches at shoulders for the male and 17 to 18 inches for the female is to be considered preferable.

Faults

Faults to be penalized are: Dudley nose, light or pink eyes, tail too long or badly carried, undershot or overshot mouths.

Approved June 10, 1936



Staffordshire Bull Terrier

Terrier Group
Breed Standard

General Appearance

The Staffordshire Bull Terrier is a smooth-coated dog. It should be of great strength for its size and, although muscular, should be active and agile.

Size, Proportion, Substance

Height at shoulder: 14 to 16 inches. Weight: Dogs, 28 to 38 pounds; bitches, 24 to 34 pounds, these heights being related to weights. Non-conformity with these limits is a fault. In proportion, the length of back, from withers to tail set, is equal to the distance from withers to ground.



Head

Short, deep through, broad skull, very pronounced cheek muscles, distinct stop, short foreface, black nose. Pink (Dudley) nose to be considered a serious fault. **Eyes**--Dark preferable, but may bear some relation to coat color. Round, of medium size, and set to look straight ahead. Light eyes or pink eye rims to be considered a fault, except that where the coat surrounding the eye is white the eye rim may be pink. **Ears**--Rose or half-pricked and not large. Full drop or full prick to be considered a serious fault. **Mouth**--A bite in which the outer side of the lower incisors touches the inner side of the upper incisors. The lips should be tight and clean. The badly undershot or overshot bite is a serious fault.

Neck, Topline, Body

The neck is muscular, rather short, clean in outline and gradually widening toward the shoulders. The body is close coupled, with a level topline, wide front, deep brisket and well sprung ribs being rather light in the loins. The tail is undocked, of medium length, low set, tapering to a point and carried rather low. It should not curl much and may be likened to an old-fashioned pump handle. A tail that is too long or badly curled is a fault.

Forequarters

Legs straight and well boned, set rather far apart, without looseness at the shoulder and showing no weakness at the pasterns, from which point the feet turn out a little. Dewclaws on the forelegs may be removed. The feet should be well padded, strong and of medium size.

Hindquarters

The hindquarters should be well muscled, hocks let down with stifles well bent. Leg should be parallel when viewed from behind. Dewclaws, if any, on the hind legs are generally removed. Feet as in front.

Coat

Smooth, short and close to the skin, not to be trimmed or de-whiskered.

Color

Red, fawn, white, black or blue, or any of these colors with white. Any shade of brindle or any shade of brindle with white. Black-and-tan or liver color to be disqualified.

Gait

Free, powerful and agile with economy of effort. Legs moving parallel when viewed from front or rear. Discernible drive from hind legs.

Temperament

From the past history of the Staffordshire Bull Terrier, the modern dog draws its character of indomitable courage, high intelligence, and tenacity. This, coupled with its affection for its friends, and children in particular, its off-duty quietness and trustworthy stability, makes it a foremost all-purpose dog.

Approved November 14, 1989
Effective January 1, 1990

Staffordshire Bull Terrier



Official Standard for the Staffordshire Bull Terrier

Characteristics—From the past history of the Staffordshire Bull Terrier, the modern dog draws its character of indomitable courage, high intelligence, and tenacity. This, coupled with its affection for its friends, and children in particular, its off-duty quietness and trustworthy stability, makes it a foremost all-purpose dog.

General Appearance—The Staffordshire Bull Terrier is a smooth-coated dog. It should be of great strength for its size and, although muscular, should be active and agile.

Head and Skull—Short, deep through, broad skull, very pronounced cheek muscles, distinct stop, short foreface, black nose. Pink (Dudley) nose to be considered a serious fault.

Eyes—Dark preferable, but may bear some relation to coat color. Round, of medium size, and set to look straight ahead. Light eyes or pink eye rims to be considered a fault, except that where the coat surrounding the eye is white the eye rim may be pink.

Ears—Rose or half-pricked and not large. Full drop or full prick to be considered a serious fault.

Mouth—A bite in which the outer side of the lower incisors touches the inner side of the upper incisors. The lips should be tight and clean. The badly undershot or overshot bite is a serious fault.

Neck—Muscular, rather short, clean in outline and gradually widening toward the shoulders.

Forequarters—Legs straight and well boned, set rather far apart, without looseness at the shoulders and showing no weakness at the pasterns, from which point the feet turn out a little.

Body—The body is close coupled, with a level topline, wide front, deep brisket and well sprung ribs being rather light in the loins.

GROUP IV: TERRIERS

Hindquarters—The hindquarters should be well muscled, hocks let down with stifles well bent. Legs should be parallel when viewed from behind.

Feet—The feet should be well padded, strong and of medium size. Dewclaws, if any, on the hind legs are generally removed. Dewclaws on the forelegs may be removed.

Tail—The tail is undocked, of medium length, low set, tapering to a point and carried rather low. It should not curl much and may be likened to an old-fashioned pump handle. A tail that is too long or badly curled is a fault.

Coat—Smooth, short and close to the skin, not to be trimmed or dewhiskered.

Color—Red, fawn, white, black or blue, or any of these colors with white. Any shade of brindle or any shade of brindle with white. Black-and-tan or liver color to be disqualified.

Size—Weight: Dogs, 28 to 38 pounds; bitches, 24 to 34 pounds. Height at shoulder: 14 to 16 inches, these heights being related to weights. Non-conformity with these limits is a fault.

SCHEDULE "B"

Notice to Surrender for Impoundment
City of Thompson By-law No. 1665-2001

To: _____

Take Notice that the undersigned has reasonable and probable grounds to believe that you are in possession of an animal being a _____ that did on or about the _____ day of _____, 20 _____ did violate paragraph _____ of By-law No. 1665-2001. You are therefore required pursuant to s.16(4)(a) of By-law No. 1665-2001 to surrender the said animal to the Animal Control Officer for the City of Thompson within two (2) days of the service of the Notice herein. Failure to surrender the animal within the time provided will result in liability for a fine each day the failure to surrender continues.

Signed and served this _____ day of _____, 20 _____.

Animal Control Officer

SCHEDULE "C"
Information Offence Notice
City of Thompson By-law No. 1665-2001

The undersigned, being an Animal Control Officer of the City of Thompson, has reasonable and probable grounds to believe, and does believe that at Thompson, Manitoba on the:

_____ of _____, _____ at _____
(Day) (Month) (Year) (Time)

(Name)

(Address)

Did unlawfully commit a violation of the Animal Control By-law to wit:

(Offence)

(Description of the Animal)

(License Number)

(Information issued by)

on the _____ day of _____, _____

| | | |
|-------|-----------------|-------|
| Fine: | Written Warning | _____ |
| | 1st Offence | _____ |
| | 2nd Offence | _____ |
| | 3rd Offence | _____ |

Failure to pay fines within fifteen (15) days of the date of notice will result in a summons being issued by Magistrate's Court.

Fines may be paid at City Hall, 226 Mystery Lake Road between the hours of 9:00 a.m. and 5:00 p.m. Monday to Friday from September 1 to May 31 and between the hours of 8:30 a.m. and 4:30 p.m. from June 1 to August 31.

Include this notice with your payment.

No. 00000

(Date fine paid)

(Received by)



**City of
Thompson**

Cat Registration Permit

License No. _____

Micro Chip No. _____

Tattoo No. _____

Breed(s) _____

Colour(s) _____

Name of Cat _____

Sex _____

Spayed or Neutered

Yes

No

Rabies shot expiry date _____

Rabies tag No, _____

FOR THE PURPOSE OF BY-LAW 1665-2001 I ACKNOWLEDGE THAT
I AM THE OWNER OF THE CAT DESCRIBED ABOVE AND I AM
LEGALLY RESPONSIBLE FOR THE ACTIONS OF THE CAT AND
THAT I AM THE LEGAL AGE OF EIGHTEEN (18) YEARS OR OVER.

owner's name (print)

address and phone no.

signature of owner

permit issued by

license/Permit fee _____ receipt no. _____

