

**TOWN OF POWERVIEW–PINE FALLS**  
**THE DOG BY-LAW**  
**BY-LAW 1-2023**

BEING a by-law of the Town of Powerview-Pine Falls to provide for the control of dogs and to repeal By-law #1-2016;

AND WHEREAS Section 232 (1) (k) of Part 7, Division 2 of the Municipal Act, provides as follows:

A Council may pass by-laws for municipal purposes respecting the following matters:

- (k) wild and domestic animals and activities in relation to them, including by-laws differentiating on the basis of sex, breed, size or weight;

AND WHEREAS Section 232 (2) (d) of Part 7, Division 2 of the Municipal Act, provides as follows:

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

- (d) establish fees or other charges for services, activities or things provided or done by the municipality or for the use of property under the ownership, management or control of the municipality;

NOW THEREFORE the Council of the Town of Powerview-Pine Falls duly assembled, doth enact as follows:

1. This By-Law may be referred to as “the Dog By-law.”
2. Definitions:
  - (a) “Dog” includes “bitch”
  - (b) “Designated Officer” means any person or persons appointed by the Town to act as Dog Catcher, or so designated by agreement between the Town and any such person.
  - (c) “Owner” includes possessors or harbourers of dogs
  - (d) “Pound” means any enclosure, premises or place designated by the Town or which may be set by an agreement with any person for the purpose of impounding and caring for dogs found running at large in violation of this By-law
  - (e) “Run at large” or “Running at large” as applied to a dog, means not being under control of the owner, possessor, or harbourer of a dog.
  - (f) “The Town” means the Town of Powerview-Pine Falls. The terms of this By-law shall apply to the whole of the area of the Town of Powerview-Pine Falls.
3. Restriction as to number of dogs to be kept:
  - (a) No person shall harbor, keep, have in his possession or on his premises more than three dogs over the age of four months, regardless of the number of people who may be inhabiting the premises.
4. The Control and Keeping of dog(s):
  - a. A person who keeps a dog(s) shall never permit said dog(s) to be anywhere other than on the owner’s premises unless the dog(s) is on a leash; a leash not more than 2.5m, and is under the immediate charge and control of some responsible person.
  - b. A person who keeps a dog(s) must ensure that said dog(s) does not bite, wound or otherwise injure a person or animal whether or not of the property of the owner.
  - c. A person who keeps a dog(s) must securely confine the dog(s), either indoors or outdoors, to prevent the dog(s) from escaping and running at large.
  - d. A dog(s) that is in heat must be confined indoors for the period it is in heat.
  - e. A person who keeps a dog(s) holds the responsibility of if a dog defecates on any property within the Town other than the property of the person who owns or is in possession or control of the dog, the person who owns or is in possession or control of the dog, shall remove such feces immediately and in a sanitary manner or if proven of the offense, may be fined according to fees in Schedule A.
  - f. A person who keeps a dog(s), or a person who has care, custody or control of a dog(s), must not keep the dog(s) in a vehicle unless such person secures the dog(s) in a manner that prevents the dog(s) from falling or being thrown out of the vehicle.
  - g. A person who keeps a dog(s) shall not allow a dog to chase or bark at any pedestrian or vehicle on a public street or to disturb or annoy the quiet of others anywhere by howling and/or barking.
  - h. A person who owns or occupies premises must not permit or allow the sound of a barking or howling dog(s) that a person, not on the same premises, can easily hear and that disturbs or tends to disturb unreasonably the quiet, peace, rest, enjoyment, comfort or convenience of such person.
  - i. A person who keeps a dog(s), or a person who has care, custody or control of a dog(s), must not permit or allow the dog(s) to upset or break into a refuse container.
  - j. A person who keeps a dog(s), or a person who has care, custody or control of a dog(s), must give the dog(s) food, water, shelter, and exercise sufficient to maintain the dog(s) in good health.
  - k. A person must ensure that a dog(s) bear sufficient identification to enable any person finding the dog to contact the owner. Dog licenses are available at the Town Office, open Monday to Friday from 8:30am-4:30pm
  - l. If found in violation of any of the above, a person who keeps a dog(s) is responsible for fees set out in Schedule A, plus costs incurred by the Town for enforcement.

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5. Impoundment of Dogs:
  - a. Before any action to impound a dog is taken by the Designated Officer as the result of a complaint, the complainant shall give his name and address to the Town and be required to sign a complaint form.
  - b. Whenever a dog is captured within the Town limits, the catcher shall notify the Town Clerk.
  - c. The Designated Officer shall be authorized to impound a dog not in the control of its owner.
  - d. The owner of an impounded dog may redeem it by paying to the Town any fines and the costs of the impoundment, outlined in Schedule A.
  - e. Once the dog is released to a shelter and/or rescue facility, the Town is no longer liable for costs incurred or damages caused by the animal.
  
6. Dog Incidents:
  - a. The Designated Officer shall be authorized to impound a dog where it appears on reasonable grounds, that a dog presents a danger to the public or animals, the Officer may apprehend or impound the dog at the owner's expense.
  - b. If any dog should attack a person or animal that was peacefully conducting themselves in any place that they may lawfully be, any person for the purpose of preventing imminent injury of further injury may use such force as is required to stop the act and will not be held responsible for damages or injuries incurred.
    - i. Biting incident and Impoundment  
Despite any provision for the redemption of an impounded animal stated in this by-law, an animal impounded in respect of a biting incident shall be impounded for a minimum ten-day period and once the Owner has paid all fees and costs associated with the seizure and impoundment set out in Schedule A and provides information sufficient to the Designated Officer of:
      - (a) proof of rabies vaccination.
      - (b) the daily charge for maintaining the dog set out in Schedule A
  
7. That the schedule of fees shall be described in Schedule "A", including but not limited to a dog license, kennel fees, impounding and redemption fees, hereto attached.
  
8. Any agreement made between the Town and the Designated Officer as to impounding, redemption or disposal of dogs shall be deemed to be part of this By-law and as persons are bound by the provisions thereof, that would include the power in the Designated Officer to dispose of dogs impounded if the owner thereof cannot be found or if the dog is so seriously injured or sick that it would be cruel to allow it to live and the Designated Officer may cause the dog to be destroyed forthwith upon impoundment.
  
9. THAT notwithstanding any other section of this By-Law, where an order for the destruction of an animal is being sought, the said animal shall be impounded, at the owner's expense, until the order is granted or refused.
  
10. The penalties and charges imposed by this by-law are a debt owing to the Municipality by the owner of the property and may be collected in the same manner in which a tax may be collected or enforced under the Municipal Act.
  
11. By-law No.1/2016 and is hereby repealed.
  
12. This By-law shall come into force on the date final reading is given hereto.

DONE, PASSED AND ENACTED by Council duly assembled in the Council Chambers of the Town of Powerview-Pine Falls, in the Province of Manitoba, this 1<sup>st</sup> day of March, A.D. 2023.

*Signature on file*

Les Barclay,  
Mayor

*Signature on file*

Heather Chevrefils,  
Assistant Chief Administrative Officer

Read a first time this 1<sup>st</sup> day of February A.D. 2023.  
Read a second time this 1<sup>st</sup> day of February, A.D. 2023  
Read a third time this 1<sup>st</sup> day of March, A.D. 2023

Resolution# 2023-047  
Resolution# 2023-048  
Resolution# 2023-077