

TOWN OF LADYSMITH

BYLAW NO. 1136

WHEREAS pursuant to Section 582 of the Municipal Act, Council may by bylaw regulate all uses of or involving a highway or portion of it, other than uses referred to in Section 581, and all uses of or involving a public place and can prohibit any person from excavating in, causing a nuisance on, encumbering, obstructing, inquiring, fouling or damaging any portion of a highway or other public place;

AND WHEREAS pursuant to Section 932 (b) of the Municipal Act, Council may by bylaw prevent, abate and prohibit nuisances, and provide for the recovery of the cost of abatement of nuisances, and provide for the recovery of the cost of abatement of nuisances from the person causing the nuisance or other persons described in the bylaw;

AND WHEREAS pursuant to Section 933 (1)(d) of the Municipal Act, Council may by bylaw regulate the keeping of dogs, horses, cattle, sheep, goats, swine, rabbits or other animals, and define areas in which they may be kept or may not be kept;

NOW THEREFORE the Council of the Town of Ladysmith in open meeting assembled enacts as follows:

1. DEFINITIONS

In this bylaw, unless the context otherwise requires, the following words shall have the following meanings:

"**Animal**" means any horses, cattle, sheep, goats, or swine

"**Council**" means the municipal council of the Town of Ladysmith

"**Municipality**" means the Town of Ladysmith

"**Person**" means persons of either sex, associations, corporations, partnerships, companies, whether acting by themselves or a servant, agent or employee, and their heirs, executors, administrators, successors, assigns, or legal representative of such person.

"**Poultry**" means any chicken, turkey, goose, duck or other fowl.

2. PROHIBITIONS

- (a) No person shall cause or permit any animal or poultry, designated in Section 1 of this bylaw, to be kept or harboured on any parcel of land within the Municipality having an area of less than two acres.
- (b) If an animal defecates in or upon a street, public beach, park, public school ground or any other public place or private property other than property owned or occupied by the animal owner or the person having charge of the animal, the animal owner or person having charge of the animal shall cause the excrement to be removed immediately upon its deposit.
- (c) Excrement removed pursuant to Section 2 (b) shall not be deposited on any private property other than that owned or occupied by him, or in any public place except, where the excrement is securely contained in an impermeable bag or other impermeable container so as not to ooze, leak or fall out, into a municipal litter receptacle.

3. PENALTIES

A person who contravenes this bylaw by doing an act that it forbids, or by omitting to do an act that it requires to be done, commits an offence and is liable, upon summary conviction, to the penalties prescribed by the Offence Act, provided that such penalty shall be not less than \$100.00.

4. **REPEAL OF PREVIOUS BYLAWS**

"Animal and Poultry Bylaw No. 560, 1973" and all amendments thereto are hereby repealed.

5. **CITATION**

This bylaw may be cited for all purposes as "Animal and Poultry Bylaw 1994, No. 1136".

READ A FIRST TIME on the 17th day of OCTOBER, 1994.


READ A SECOND TIME on the 17th day of OCTOBER, 1994.

READ A THIRD TIME on the 17th day of OCTOBER, 1994.

ADOPTED on the 7th day of NOVEMBER, 1994.

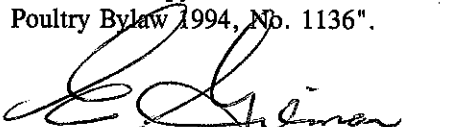


Mayor



Clerk

I hereby certify this to be a true and correct copy of "Animal and Poultry Bylaw 1994, No. 1136".



Clerk