



Animal Control By-Law

Pursuant to the authority conferred by Section 8 of the Towns and Local Service Districts Act (SNL 2023 T-6.2), the Town of Grand Falls-Windsor has made the following Animal Control By-Law.

1. This By-Law shall be known as the Town of Grand Falls-Windsor Animal Control By-Law .
2. In this By-Law, unless the context otherwise requires, the following words and expressions shall have the following meanings:
 - a) “Accessible” means capable of being reached, obtained, consumed, disturbed, or used by wildlife, nuisance birds, or stray animals.
 - b) “Act” means the Town and Local Service Districts Act (SNL 2023 T-6.2).
 - c) “Animal” means any member of the animal kingdom, whether domestic or wild.
 - d) "Animal Pound" means a facility operated by or on behalf of the Town for the keeping and disposition of animals.
 - e) “Attractant” means any substance, material, waste, food, compost, birdseed, pet food, grease, edible product, or other item that may attract wildlife or stray animals.
 - f) “Bird Feeding Device” means a feeder specifically designed to dispense seed to songbirds and equipped with a tray, guard, or other mechanism intended to minimize seed spillage onto the ground.
 - g) "Cat" means a member of any breed of domesticated feline or crossbreed of domesticated feline whether spayed or neutered.
 - h) “Confined” means securely contained within a building, enclosure, fenced area, kennel, pen, or other structure designed to prevent an animal from escaping.
 - i) "Council" means the Town Council of the Town of Grand Falls-Windsor.
 - j) “Dangerous Animal” means an animal that has attacked, bitten, injured, attempted to bite, or otherwise demonstrated aggressive behaviour toward a person or another animal without provocation.

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- k) "Dog" means a member of any breed of domesticated canine or crossbreed of domesticated canine a male or female dog or pup and includes an animal which is a crossbreed between a dog and a wolf.
- l) "Feed" or "feeding" means the intentional or unintentional provision, placement, distribution, or making available of food, water, edible substances, or attractants in a manner that is accessible to wildlife, nuisance birds, or stray animals.
- m) "Impounder" means a person authorized by the Council to impound any animal which is without an owner is not in the company of an owner, or any animal of which the owner has violated any provisions of these regulations.
- n) "Injured" and "Injury" include, but are not limited to, injuries caused by wounding, worrying, or pursuing.
- o) "Kennel" means an establishment for the keeping, breeding or boarding of dogs.
- p) "Leash" means a chain, rope, strap, or similar device of sufficient strength and length used to restrain and control an animal by a person capable of controlling its movements.
- q) "License" means a license issued by Council pursuant to this By-Law authorizing the keeping of an animal within the Town.
- r) "Live Trap Capture Cage" means a cage like device, approved by the S.P.C.A., used in the humane capture of cats, without injury to the animal.
- s) "Municipal Enforcement Officer" means a peace officer with powers granted under Section 179 of the Act.
- t) "Nuisance Animal" means an animal that causes damage to property, disturbs the peace, scatters garbage, defecates on property other than that of its owner, or otherwise creates a condition prohibited by this By-Law.
- u) "Nuisance Birds" means birds that create or contribute to public health, safety, sanitation, property maintenance, or environmental concerns, including but not limited to seagulls, crows, pigeons, ravens, and similar species.
- v) "Owner" means a person who owns, possesses, harbours, keeps, has custody, care of, or control of an animal, and includes a person who permits an animal to remain on premises owned or occupied by that person.
- w) "Premises" means any property within the town.

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- x) "Private Property" means land and premises that are privately owned or occupied and does not include public streets, parks, trails, or other municipally owned lands.
- y) "Public Place" means any highway, street, roadway, sidewalk, park, trail, recreation area, municipal property, or other place to which the public has access.
- z) "Running at Large" or "At Large" means an animal that is;
 - roaming, straying, or otherwise found on any premises not owned or lawfully occupied by its owner without the consent of the property owner or occupant;
 - in a public place and not under the immediate control of a person capable of restraining its movements; or
 - not confined to the owner's premises or otherwise not securely restrained.
- aa) "Songbird" means a small perching bird commonly attracted to residential bird feeders and does not include seagulls, crows, ravens, pigeons, waterfowl, or other nuisance birds.
- bb) "S.P.C.A" means the Society for the Prevention of Cruelty to Animals
- cc) "Stray Animal" means a domesticated animal that is at large and not under the immediate care, custody, or control of its owner.
- dd) "Town" means the Town of Grand Falls-Windsor.
- ee) "Town Clerk" means the Town Clerk of the Town of Grand Falls-Windsor.
- ff) "Wild Animal" means any animal that is not domesticated and normally lives in a natural habitat without human care or control.
- gg) "Wildlife" means any wild animal, bird, reptile, amphibian, or other undomesticated species, including but not limited to bears, foxes, coyotes, squirrels, and migratory birds.
- hh) "Wildlife Attractant" means any food, waste, compost, birdseed, pet food, grease, edible substance, or other material capable of attracting wildlife.



3. Animal Licensing

1 - Licensing Requirement

No person being an owner shall keep an animal within the Town limits unless a license has been issued by Council for such animal and unless such animal bears a numbered tag or plate indicating that such license is valid.

2 - License Fees

Every License issued by Council shall have no expiry date unless otherwise specified and shall be non-transferable.

- i. \$10.00 – for a neutered or spayed dog.
- ii. \$30.00 – for an unneutered or an unspayed dog.
- iii. \$10.00 – for a neutered or spayed cat.
- iv. \$20.00 – for an unneutered or unspayed cat.
- v. \$50.00 – for a breeding License.
- vi. \$50.00 – for a License to operate a kennel.

3 - Breeding License

No person shall breed animals unless a license has been issued by Council. This license must be renewed each time the animal is bred.

4 - Kennel License

No person shall operate a kennel or carry on any business or institution for boarding, keeping, training or treating animals unless authorized by Council.

4. Animals At Large

1 - Animals on Public or Private Property

If any animal while not in the company of its owner, or a member of its owner's household, is found in any public place or on any private property without the consent of the property

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owner, occupant or person having control of such property, the owner of such animal, as well as the person who caused the animal to be in such a place, shall be deemed to have committed an offence in terms of this By-Law.

2 - Circumstances Requiring Impoundment

Whenever an animal is found,

- a) in any public place or on any private property without the consent of the property owner, occupant or person having control of such private property,
- b) or without a tag or plate as required by section 3.1,
- c) or is not accompanied or supervised as required in section 4.1,
- d) or is not held securely on a leash by a person capable of restraining its movements,
- e) or is not confined to private property,

The impounder shall and any person may cause the animal to be impounded.

3 - Tethering and Restraint

- a) No person shall keep an animal in the Town unless it is safely tethered, confined in a pen, or securely leashed and controlled by a person capable of restraining it, unless otherwise exempted by law.
- b) An animal which is tethered or penned up pursuant to this By-Law shall be tethered or penned up in a manner which may not be regarded as imposing undue hardship or cruelty on the animal.
- c) No animal shall be left unattended, while tied or fastened to a fixed object where a choke collar or choke chain forms part of the securing apparatus or where rope or cord is tied directly around the animal's neck.

5. Nuisance Animals

1 - Excessive Noise

No person shall cause or permit an animal to bark, howl, yelp, or whine excessively, for a period of more than fifteen (15) minutes continuous, or thirty (30) minutes sporadically,

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and thereby disturbs the peace and quiet of a neighborhood, or constitutes annoyance to any person.

2 - Property Damage and Defecation

- a) An animal is a nuisance if it damages a lawn, grass plot, garden, flower bed, flower, shrub, or plant, disturbs garbage set out for collection, or defecates on property other than its owner's. In such a case, the owner is deemed to have committed an offence under this By-Law.
- b) Any animal found damaging or destroying private property or is at large on private property, may be seized by the affected property owner and held for collection by the impounder.

3 - Animal Bites

If an animal shall bite any person other than its owner, or a member of its owner's household and while not on the owner's premises, such animal shall be deemed to be a nuisance, and the owner thereof shall be deemed to have committed an offence in terms of this By-Law.

6. Dangerous Animals

1 - Court Order to Destroy Animal

Any court of summary jurisdiction may take cognizance of a complaint that an animal is dangerous and not kept under proper control or has bitten or attempted to bite any person and if it appears to the court that the animal is dangerous or has done any of the things referred to herein, the court may order the owner of the animal to destroy it.

2 - Authority to Destroy Animal

Any person authorized to destroy an animal under this By-Law may destroy it or may complain to a Provincial Court Judge, who, upon verification of the authorization, may make an order directing the owner of the animal to destroy it.

3 - Failure to Comply

The owner of an animal who fails to comply with an order made under section 6 shall be deemed to have committed an offence in terms of this By-Law.

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7. Animal Care and Welfare

Care of Animals

- a) No owner shall cause an animal to be sheltered without providing it with clean food and water and sheltered in sanitary conditions.
- b) No owner shall cause an Animal to be confined in an enclosed space, including a motor vehicle, without adequate ventilation.
- c) An inspector or peace officer may remove an animal from a motor vehicle or other confined space if the animal's safety appears to be in immediate danger from any conditions or circumstances including but not limited to heat, cold, lack of adequate ventilation, or lack of food or water
- d) An inspector or peace officer who removes an animal from a motor vehicle or confined space must take it to a shelter or place of safekeeping or; if the inspector or peace officer considers it necessary, to a veterinary hospital for treatment.
- e) After a reasonable effort to locate the owner or person responsible is made, an inspector or peace officer is authorized to take steps that are reasonably necessary to remove the animal from a motor vehicle or enclosed container, including breaking into a motor vehicle.
- f) An inspector or peace officer who removes an animal from a motor vehicle must leave a written notice that states their name and title, and the location where the animal can be claimed.
- g) An animal that has been removed from a motor vehicle or enclosed container by an inspector or peace officer may be claimed by the owner only after payment of any expenses that have accrued for maintaining, caring for, veterinary treatment, or impounding the animal.

8. Impounding and Redemption

1 - Minimum Impoundment Period

Any animal that has been impounded shall remain impounded for a minimum of five days or for the length of time prescribed by provincial legislation, unless the animal is claimed by

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its rightful owner. If not claimed within that time, the animal shall become the property of the Town of Grand Falls-Windsor.

2 - Disposition of Unclaimed Animals

Any animal found at large in the town contrary to this By-Law, may be humanely destroyed by the impounder at the expiration of five days after the time of impounding, or where the animal is not considered a danger to the public, be released to the custody of the Society for the Prevention of Cruelty to Animals (SPCA) for adoption.

3 - Licensed Animals

- a) When an animal which bears a numbered tag or plate, as required by this By-Law, has been impounded, the impounder shall, if possible, give notice thereof to the licensee or owner of the animal if the name and address of such persons are known to them.
- b) If the animal has not been redeemed by or on behalf of the licensee or owner within five (5) days after the dispatch of such notice, or where no notice has been given, after the time of impounding, the impounder shall cause the animal to be disposed of or humanely destroyed, or it may be released to the custody of the Society for the Prevention of Cruelty to Animals (S.P.C.A.) for adoption.
- c) The fee which shall be paid to the impounder for the redemption of an impounded animal shall be \$50.00.

9. Unlicensed Animals and Additional Impoundment Provisions

- a) When an animal which does not bear a numbered tag or plate, as required by this By-Law, has been impounded, the impounder shall cause the animal to be disposed of or humanely destroyed at the expiration of five (5) days after the time of impounding, or it may be released to the custody of the Society for the Prevention of Cruelty to Animals (SPCA) for adoption.
- b) Where, in the sole discretion of the impounder, the animal liable to be impounded, appears to be vicious, dangerous, diseased or otherwise unfit for impounding, the impounder may cause the animal to be disposed of or humanely destroyed forthwith;
- c) Upon payment of the impounding fee and of the license fee described where an animal is not licensed, the impounder may release any animal which fails to be disposed of or destroyed, to any person requesting such animal and the ownership of such animal shall

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then vest in the person to whom it is released and the former owner shall have no right or claim to such animal.

- d) When an animal for which Council refuses to issue a license or permit to be kept within the town, is found to be kept within the town, the owner of such animal is deemed to have committed an offence and the impounder shall impound the animal.
- e) If an animal for which the Council refuses to issue a license or permit to be kept in the town is found at large, it shall be the duty of the impounder to seize and impound such animal and enter any premises for the purpose of recapturing such animal which may escape from his control.
- f) The following fees shall be paid by the owners of animals seized or impounded because Council refused to issue a license or permit to be kept within the town.
 - i. for seizing or impounding of an animal.....\$100.00
 - ii. for each day during which an animal is impounded.....\$20.00
 - iii. plus, all actual expenses for necessary food and veterinarian treatment for the animal.
- g) No person except a Council employee may enter an impounding area without permission from Council.
- h) No person shall harass, tease, throw objects at, poke, or, without justification, remove an animal from a live capture cage when an animal is confined therein.
- i) No person shall removes an animal from an impound without having first paid the fees prescribed by this By-Law.

10. Feeding Wildlife

- a) Nuisance feeding of wildlife is not permitted. Nuisance feeding of wildlife is determined when any of the following conditions exist within a residential zone:
 - 1. food is routinely placed so that it attracts or congregates wildlife; or
 - 2. feeding results in an accumulation of feces or discarded food; or
 - 3. feeding results in an increased concentration of wildlife that interferes with the reasonable use or enjoyment of another residential property; or

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4. feeding results in feces being deposited on a neighboring private property or public property including buildings, vehicles, decks, walkways or other structures or surfaces, to interfere with the reasonable enjoyment of that property.

b) With the exception of suspended above grade bird feeders designed primarily for smaller wild birds, no person shall place or allow any device or other material to be placed outdoors in such a manner as to intentionally or unintentionally attract wildlife on private property. Bird feeders shall be sufficiently above grade so as not to attract or be accessible by wildlife; and if spillage of seeds should reach the ground, it shall be removed by the property owner immediately and disposed of in a manner so as not to attract wildlife.

c) Council may grant exemption to any provisions of this By-Law and impose conditions for such exemption as may be considered reasonable and necessary, provided such exemption does not interfere with the general integrity of this By-Law.

11. Enforcement

- a) Any person who obstructs with or attempts to interfere with a Municipal Enforcement officer or an S.P.C.A. representative in the exercise of their duties, shall be deemed to have committed an offence in terms of this By-Law.
- b) Any person who, without authority of a Municipal Enforcement officer or an S.P.C.A. representative, releases any animal which has been impounded, shall be deemed to have committed an offence in terms of this By-Law.
- c) Every person requested by a Municipal Enforcement officer or S.P.C.A. representative, shall forthwith give his or her proper name and address.

12. Offence

(1) A person who contravenes a provision of this By-Law or who neglects or refuses to comply with a provision of these By-Laws commits an offence contrary to section 289(1)(f) of the Towns and Local Service Districts Act.

(2) Each day upon which the same offence is committed or continued is a separate offence in accordance with section 289(3) of the Towns and Local Service Districts Act.

(3) Every person who commits an offence under this By-Law may:

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- (a) be subject to an Order pursuant to section 285(1) of the Towns and Local Service Districts Act;
- (b) be issued a Violation Notice pursuant to section 287 of the Towns and Local Service Districts Act; or
- (c) Where the Town Council has not issued a violation notice, or where a violation notice has been issued but not complied with, be charged by way of summons, including a summons issued by means of a ticket under the Provincial Offences Act, pursuant to section 288 of the Towns and Local Service Districts Act.

13. Violation Notice

- (1) Where a person contravenes a provision of this By-Law, the Town Council may issue a Violation Notice in accordance with section 287 of the Towns and Local Service Districts Act.
- (2) Where the Council issues a Violation Notice to a person in respect of a contravention of this By-Law, that person may make a voluntary out of court payment to the Council.
- (3) Where the person makes a voluntary payment to the Council under 13(2) the amount of the voluntary payment shall be:
 - i. \$50.00 if the person makes a voluntary payment to the Council no later than seven (7) days from the date of issuance of a Violation Notice; or
 - ii. \$75.00 if the person makes the voluntary payment after the expiration of the time period in subsection (i), but not later than (14) days from the date of issuance of the Violation Notice.
- (4) Where the person makes a voluntary payment to the Council under 13(2), no further action will be taken by the Council in respect to the contravention.
- (5) Where the Council issues a Violation Notice to a person, and that person fails to make a voluntary payment pursuant to section 13(2), the Council shall issue a summons with respect to the contravention noted in the Violation Notice.
- (6) The Council may charge the person referred to in 13(5) by way of summons, including a summons that is issued by means of a ticket under the *Provincial Offences Act*, pursuant to section 288 of the Towns and Local Service District Act.

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- (7) Where a person has received a Violation Notice and is convicted of an offence with respect to the same subject matter for which the Violation Notice was issued, the penalty for that offence shall be \$100.

14. Penalty

Pursuant to Section 290 of the Act, any person who violates any provision of this By-Law shall be guilty of an offence and be liable on summary conviction;

- a) for a first offence to a fine of not less than \$100 and not more than \$1,000 or to a term of imprisonment of not more than one month or to both the fine and imprisonment.
- b) for a subsequent offence to a fine of not less than \$1,000 and not more than \$2,000 or to a term of imprisonment of not more than 3 months or to both the fine and imprisonment.

Darren Finn
CAO

Approved by Council at Meeting
on September 15, 2026.

Revision Dates

March 27, 2012	August 25, 2026	September 15, 2026		

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