

THE MUNICIPAL CORPORATION OF THE CITY OF IQALUIT, NUNAVUT

BYLAW No.924

DOMESTICATED ANIMAL CONTROL BY-LAW

A by-law of the Municipal Corporation of the City of Iqaluit.

WHEREAS Council wishes to enact a Domesticated Animal Control by-law, and for the regulation and control of Animals in the City of Iqaluit.

AND THEREFORE pursuant to the provision of the Cities, Towns and Villages Act, R.S.N.W.T. 1988, c.C-8, and the provisions of the Dog Act, R.S.N.W.T., 1988-c.D-7 enables Council to pass by-laws respecting Animals, including the prevention of Animal Cruelty.

NOW THEREFORE THE Council of the Municipal Corporation of the City of Iqaluit, in a regular session, duly assembled, enacts as follows:

1. Repeal of the Responsible Pet Ownership By-law No. 796.
2. Replace with the Domesticated Animal Control By-law No ###.

This by-law shall repeal the Responsible Pet Ownership By-law No. 796 and its Amendment By-law No. 821.

SHORT TITLE

This by-law may be cited as the “Domesticated Animal Control By-law.

SERVABILITY

Each provision of this by-law is independent of all other provisions and if any provision is declared invalid for any reason by a Court of competent jurisdiction, all other provision of this by-law remain valid and enforceable.

1. TITLE, INTERPRETATION AND DEFINITIONS

“Animal” means any bird, reptile, amphibian or mammal that meets the definition of “domesticated” and held free range or for domesticated purposes.

“Animal Care Society” means a Humane Society, SPCA or other similar approved society or corporate entity that rescues, cares for and arranges fostering and adoption of Animals.

“Attack” means when an animal rushes at, attacks, bites, harasses or chases any person or animal, whether or not any injury is caused to the person or animal.

“Cat Tag” means a device bearing a distinctive serial number intended to be attached to the collar of a cat and issued by the City.

“Cemetery” means the area designated, managed and controlled by the City as the cemetery.

“City” means the Municipal Corporation of Iqaluit, or the area contained within the Municipal boundary.

“CAO” means the person appointed by Council as the Chief Administrative Officer for the City or that persons designate.

“Council” shall mean the Council of the City of Iqaluit.

“Dog” means a male or female member of the canine family and includes crossbreeds.

“Dog Tag” means a device bearing a distinctive serial number attached to the collar of a dog and issued by the City.

“Exotic Pet” means a rare or unusual animal pet kept within human households or within the property that is relatively unusual to keep or generally thought of as a wild or exotic species rather than as a pet.

“Household” means any house, mobile home, dwelling unit or apartment unit, occupied as a single housekeeping unit for residential purposes and includes any outdoor space or accessory buildings associated with the Household.

“Humane Society” means any non-profit society or other similar society or corporate entity that rescues, cares for and arranges fostering and adoption of Animals.

“Leash” means a chain or other material or restrictive device adequate to control the Animal to which it is attached, capable of restraining an Animal on which it is being used, or securely attached to the Animal by a collar, choke collar or harness.

“License” or **“Licensing”** means a license Tag issued by the City to an Owner of an Animal showing the license number for a specific Animal, for the fiscal year in accordance with the provisions of this By-law.

“Municipal Animal Shelter” shall mean a premise designated established by the City for the holding, impoundment and/or care of Animals.

“Municipal Animal Shelter Volunteer” means any person, firm or body corporate, or servants and employees of a person, firm or body corporate, appointed by the City to manage and operate the Animal Control Shelter and to carry out the duties prescribed by this by-law.

“Municipal Animal Shelter Worker” means any person, firm or body corporate, volunteer and employees of a person, firm or body corporate, appointed by the City to manage and operate the Animal Control Shelter and to carry out the duties prescribed by this bylaw.

“Municipal Enforcement Officer” means a by-law officer, Municipal Enforcement Officer, Peace officer appointed under section 171 of the Cities, Towns and Villages act or section (2) of the Criminal Code of Canada or a member of the RCMP;

"Muzzle" means a device of sufficient strength placed over an Animal's mouth to prevent it from biting or which restrains the normal expression of the Animal.

“Nuisance Animal” shall mean any Animal in respect of which there have been two or more convictions for offences under this by-law, and meets the criteria as set out under section 16 of this by-law.

"Owner" means any natural person or body corporate:

- (i) who is the licensed Owner of the Animal;
- (ii) who has legal title to the Animal;
- (iii) who has possession or custody of the Animal, either temporarily or permanently;
or
- (iv) who harbours the Animal, or allows the Animal to remain on that person's premises.

“Owner's Property” means any property in which the Owner has a legal or equitable interest or which is otherwise under the control or is in the possession of the Owner, and which property shall include land, buildings and vehicles.

"Park" means a public space controlled by the City and set aside as a park to be used by the public for rest, recreation, exercise, pleasure, amusement, and enjoyment and includes:

- i) playgrounds
- ii) sports Fields
- iii) trails and walkways

"Playground" means land within the City and controlled by the City upon which apparatus such as swings and slides are placed.

“Premises” means a property, including building, structure or land located within the City.

“Running at Large” means any animal roaming or off the property of its owner and not under its owners control or control of a person of 18 years of age.

"School Ground" means that area of land adjacent to a school that is property, owned or occupied by the Department of Education, Government of Nunavut, and/or includes property owned or occupied with any other school board.

“Severe Injury” includes any physical injury resulting in a broken bone or bones, disfiguring lacerations, and or requiring sutures, cosmetic surgery or further includes any other injury as determined to be severe by a Court upon hearing the evidence.

“Sports Field” means land within the City and controlled by the City which is set apart and used for the playing of games or a sport including baseball diamonds, hockey, soccer or football fields or otherwise.

“Voluntary Payment” means to provide a person or corporation the option of avoiding prosecution of the alleged violation.

“Vicious Animal” means an animal declared a Vicious Dog by the Nunavut Court of Justice.

“Working Dog” means a Dog trained and certified to assist the disabled or a service dog employed by the Royal Canadian Mounted Police or any other regulatory agency; working dog(s) shall include the Traditional Inuit Dog Team when used for Traditional purposes.

2. GENERAL PROVISIONS

1. No person(s) other than a member of the Municipal Enforcement Department shall authorize the release of any impounded animal and without first having received the associated costs including impound and daily boarding fees.
2. Any animal impounded by the Municipal Enforcement Department or its designate, shall effectively become the property of the City of Iqaluit, until such time as it is claimed by its owner, or after the 7 day hold period transferred to a shelter.
3. No unauthorized person shall enter in or onto the Municipal Animal Shelter property and release or remove, any impounded animal regardless of reason.
4. The City of Iqaluit, may if it so chooses to do so, enter in to a contract for the purposes of Animal Control within the Municipality.
5. No person shall own or harbour any animal prohibited by any Territorial, Municipal or Federal Laws.
6. No person shall dispose of any animal within the municipality in any manner that poses a threat to Public health and safety including abandoning an animal carcass, or leaving such carcass in a location that could reasonably contaminate or foul any waterway within the municipality.
7. No person shall abandon an Animal.

8. No person shall improperly dispose of an Animal carcass within the Municipal Boundary.

3. DOG LICENSING

- 3.1 No person shall own or keep any dog within the Municipal Boundary unless such such dog is licensed as provided in this by-law.
- 3.2 The holder of a Dog License must be eighteen (18) years of age.
- 3.3 The owner of a Dog License shall ensure that his/her dog wears a current License for that dog, when the dog is off the property of the owner.
- 3.4 The owner of a dog shall obtain an annual License for such dog at such times and in the manner as described in this by-law.
- 3.5 A household shall have no more than three (3) dogs over the age of four (4) months, however a household may contain a female dog that is suckling puppies.
- 3.6 The owner of a Dog shall:
 - a) subject to the provision of subsection 3.5, an owner of a dog shall obtain on the first day on which the City is open for business after the dog becomes four (4) months of age.
 - b) obtain a license on the first on which the City is open for business after he or she becomes the owner of a dog.
 - c) obtain a license for a dog notwithstanding that it is under the age of four (4) months, where the dog is found Running at Large.
 - d) obtain an annual license for the dog by the 5th day of January each calendar year.
- 3.7 For further clarity, no person shall possess or harbour a dog, which is weaned from its mother, unless such dog is licensed pursuant to the provisions of this By-law except in the following circumstances:
 - a) a working dog; or
 - b) a dog owned by, or in the possession of, a non-resident owner for a time period not exceeding two (2) weeks.

4. CAT LICENSING

- 4.1 No person shall own or keep any cat within the City unless such cat is licensed as provided in this by-law.
- 4.2 The holder of a Cat License must be eighteen (18) years of age.
 - a) the owner of a cat shall ensure that his/her cat wears the current license purchased for that cat, when the cat is off the property of the owner.
- 4.3 The owner of a cat shall obtain an annual License for a cat as such times and in the manner prescribed in this by-law.
- 4.4 The owner of a Cat shall:
 - a) subject to the provision of subsection 4.3, an owner of a cat shall obtain a license for the cat on the first day on which the City is open for business after the cat becomes four (4) months of age.
 - b) obtain a license on the first day on which the City is open for business after he or she becomes a cat owner.
 - c) obtain a license for a cat notwithstanding that it is under the age of four (4) months, where the cat is found Running at Large.
 - d) obtain an annual license for the cat by the 5th day of January each year.
- 4.5 For further clarity, no person shall possess or harbour a cat, which is weaned from Its mother, unless such cat is licensed pursuant to the provisions of this by-law.

5. VICIOUS ANIMAL LICENSING

- 5.1 Any animal deemed Vicious by the Nunavut Court of Justice after a hearing shall be required to be kept under the provisions as outlined in this by-law.
- 5.2 No person shall own or keep any Vicious Animal within the City unless such Animal is licensed as provided for in this by-law.
- 5.3 The holder of a Vicious Animal License must be eighteen (18) years of age.
- 5.4 The owner of a Vicious Animal shall ensure that his/her Animal wears the current

License purchased for that Animal, when the Animal is off the property of the owner.

5.5 The Owner of a Vicious Animal shall:

- a) subject to the provision of subsection 5.2, an owner of a Vicious Animal shall obtain a license for such Vicious Animal on the first day on which the City is open for business after the Animal has been declared as Vicious.
- b) obtain a license on the first day on which the City is open for business after he/she becomes an Owner of the Vicious Animal.
- c) obtain an annual license for the Vicious Animal by the 5th day of January each year.

6. LICENSING INFORMATION

6.1 When applying for a license under this by-law, the owner shall provide the following:

- a) a description of the Dog, Cat or Vicious Animal including breed, name, gender and age.
- b) the full name, address and telephone number of the owner and alternate contact number.
- c) where the owner is a body corporate, the name, address and telephone number of the natural person responsible for the Dog, Cat, or Vicious Dog.
- d) information establishing whether the Dog, Cat, or Vicious Animal is neutered or spayed.
- e) proof of vaccination for all Dog(s), Cat(s), or Vicious Animal(s) when applicable.
- f) any other information as a Municipal Enforcement Officer may require, including the information set out in Schedule "I".
- g) the annual License fee if applicable for each Dog, Cat, Vicious Animal or Nuisance Animal, as set out in Schedule "A" of this By-law.
- h) where Municipal Enforcement is satisfied that a person who is disabled is the owner of a certified, trained dog and used to assist such disabled person, there shall be no fee payable by the owner for a license.

- 6.2 No person shall give false information when applying for a License pursuant to this by-law.
- 6.3 An owner shall immediately notify the City of any change with respect to any information provided in an application for a License under this by-law.
- 6.4 Upon losing a License, an owner of a licensed Animal will be issued a replacement Tag.

7. NON-TRANSFERABLE

- 7.1 A license issued pursuant to this by-law is non-transferable.

8 NO REBATE

- 8.1 No person shall be entitled to a license rebate where a fee for such license is required under this by-law.

9 RUNNING AT LARGE

- 9.1 The owner of an Animal shall ensure that such Animal is not Running at Large.
- 9.2 No person shall do anything or omit to do anything where such act or omission has or may have the effect of causing or permitting the Running at Large of an Animal within the City.
- 9.3 Every animal found Running at Large may be impounded, where facilities do not allow for the impounding of a particular Animal, a Municipal Enforcement Officer may arrange for impounding any animal upon or within facilities other than the City's.
 - a) a Municipal Enforcement Officer may take whatever actions are appropriate to seize an Animal found Running at Large and may deliver such Animal to the Municipal Animal Shelter for impoundment.
 - b) a Municipal Enforcement Officer may seize and impound any Animal found Running at Large and may enter upon private property with the consent of the owner of such private property to apprehend an Animal to be Running at Large.

- c) any person may seize an Animal found Running at Large and deliver such Animal to a Municipal Enforcement Officer who, upon being satisfied that the Animal was at large, may deliver such Animal to the Municipal Animal Shelter for impoundment.
- 9.4 Any person may use such force as is reasonably necessary on the basis of the circumstances to prevent injury to any person or animal that is being attacked by an Animal.
- 9.5 Any Municipal Enforcement Officer may destroy an Animal that is in the act of pursuing, attacking or injuring a person or Animal.
- 9.6 A Municipal Enforcement Officer may destroy any Animal that has attacked; when in the opinion of the officer is in the best interest for Public Health and Safety.

10 DOGS IN PROHIBITED AREAS

- 10.1 The owner of a dog shall ensure that such dog does not enter or remain in or on:
 - a) a school ground, playground, sports field, cemetery, or
 - b) any other area where Dogs are prohibited by posted signs.
 - c) any area where the dog is within five (5) meters of a Play Structure, a Sports Field, or a Cemetery.

11 UNATTENDED ANIMALS

- 11.1 The owner of an Animal shall ensure that such Animal tethered on a premises whether public or private property shall not inhibit public access whether access is express or implied.
- 11.2 The owner of an Animal left unattended in a motor vehicle shall ensure:
 - a) The Animal is restrained in a manner that prevents contact between the Animal and any member of the public; and
 - b) The Animal has suitable ventilation.
- 11.3 The owner of an Animal shall not leave an Animal unattended in a motor vehicle if the weather conditions are not suitable for containment of an Animal.

12 SECURING ANIMALS IN VEHICLES

- 12.1 No person shall allow an Animal to be outside of the passenger cab of a motor Vehicle, regardless of whether the motor vehicle is moving or parked.
- 12.2 Notwithstanding subsection 12.1, a person may allow an Animal to be outside the passenger cab of a motor vehicle, including riding in the back of a pick-up truck or flatbed truck if the Animal is:
- a) in a fully enclosed trailer.
 - b) in a topper enclosing the bed area of the truck.
 - c) contained in a ventilated kennel or similar device securely fastened to the bed of the truck.
 - d) securely tethered in such a manner that it cannot jump or be thrown from the vehicle, is not in danger of strangulation, and cannot reach beyond the outside edges of the vehicle.
- 12.3 No person shall leave an Animal unattended in a vehicle when weather conditions are not suitable and may cause harm or distress to the Animal.
- 12.4 For the purpose of this section, “roadway” means any street or highway, whether publicly or privately owned, any part of which the public is ordinarily entitled or permitted to use for the passage or parking of vehicles.
- 12.5 No person shall allow a dog to run alongside of a motor vehicle tethered or Running at Large.
- 12.6 The operator of the vehicle involved in an offence referred to in this section is guilty of that offence.

13 DOGS SUSPECTED OF HAVING COMMUNICABLE DISEASE

- 13.1 An owner of a Dog suspect of having rabies shall immediately report the matter to the Nunavut Department of Health.
- 13.2 An owner of a Dog suspected of having rabies shall confine or isolate the Dog, in such a manner as prescribed to prevent further spread of the disease.
- 13.3 An owner of a Dog suspected of having rabies shall keep the Dog confined for not

less than ten (10) days at the cost of the owner.

- 13.4 At the discretion of the Chief Municipal Enforcement Officer, the owner of the Dog may quarantine the Dog at its usual residence.
- 13.5 Notwithstanding subsection 13.4, the Chief Enforcement Officer may direct the Dog for quarantine at the City of Iqaluit Animal Shelter and by doing so all costs for care and sustenance will be the responsibility of the Dog owner.
- 13.4 An owner of a Dog that does not comply with the subsections shall be subject to a penalty as provided for in this by-law for each consecutive demand made by the Municipal Enforcement Officer.
- 13.6 Where an impounded Dog is found to show symptoms of canine distemper, Hepatitis, or Parvovirus, including lethargy, dehydration, loss of appetite, vomiting and diarrhea without or without blood, a Municipal Enforcement Officer, shall have the authority to destroy the Dog.
- 13.7 During any period of time in which the Municipal Animal Shelter is not available for holding Dogs because of disease outbreak or other unforeseen circumstance; and no other financially reasonable method of safety holding Dogs exists, as determined by City Administration in consultation with the Chief Enforcement Officer, may immediately destroy Dogs found to be Running at Large, subject to the following conditions:
- a) Dog impounded with Valid Identification Tag attached – That where within the first twelve (12) hours an animal can be reasonably identified, the officer shall make reasonable efforts to contact the owner and return the Dog; subject to the fee(s) set out in this By-law; or
 - b) Dog impounded without Valid Identification Tag Attached – That where within the first twelve (12) hours no person has claimed the unidentified dog and paid the required fee(s); or
 - c) Dog displaying symptoms of disease – That where a Dog is showing apparent symptoms of infectious disease, the dog may be immediately destroyed.

14 NUISANCES

NUISANCE ANIMAL

Means an Animal that causes damage to the property of anyone other than its owner, including but not limited to getting into or turning over garbage containers,

damaging property, or defecating on the property of other or on any public property in accordance with this By-law.

NOISE

- 14.1 The owner of an Animal shall not keep, maintain, or permit, either willfully or through failure to control on any lot, parcel of land, or properties under his/her control any Animal which barks, bays, cries, howls, or makes any noise for any extended period of time to the disturbance of any person at any time of day or night, regardless of whether the Dog is physically situated in or upon private property.
- 14.2 An Animal shall not be deemed “disturbing the peace” for purposes of this by-law if, at any time the Dog is barking, at a person who is trespassing or threatening to trespass upon private property in or upon which the Animal is situated, or when the Animal is being teased or provoked.
- 14.3 Whether any sound would reasonably annoy or disturb a person, or otherwise constitutes objectionable noise, is a question of fact to be determined by a Court hearing, a prosecution pursuant to this section of the by-law.

15 NUISANCES

- 15.1 If an Animal defecates on any public or private property other than the property of its owner, the owner shall remove such feces immediately. If an Animal is on any public or private property other than the property of its owner, the owner shall have in his/her possession a suitable means of facilitating the removal of its Animals feces.
- 15.2 If an Animal defecates on private property, the owner of the property shall remove all feces within a reasonable time frame as not to cause any unsightly property concerns, as well as not cause any nuisance to any other person and dispose of the feces in an acceptable container.

16 SCATTERING GARBAGE

- 16.1 The owner of an Animal shall ensure that such Animal shall not upset any waste receptacles or scatter the contents thereof either in or about a street, lane, or other public property or in or about premises not belonging to or in the possession of the owner of the Animal.

17 THREATENING BEHAVIOURS

- 17.1 The owner of an Animal shall ensure that such Animal shall not:

- a) bite, bark at, or chase, Animals, bicycles, automobiles, or other vehicles.
- b) chase or otherwise threaten a person or persons, whether on the property of the owner or not, unless the person chased or threatened is a trespasser on the property of the owner.
- c) cause damage to property or other Animals, whether on the property of the owner or not.
- d) do any act that injures a person or persons whether on the property of the owner or not.
- e) bite a person or persons, whether on the property of the owner or not.
- f) attack a person or persons, whether on the property of the owner or not, causing severe physical injury, or
- g) cause death to another Animal.

17.2 No person shall direct an Animal to attack, chase, harass or threaten a person or Animal.

18 VICIOUS ANIMAL HEARINGS AND ORDERS

- 18.1 The owner of an Animal alleged to be a Vicious Animal shall be provided Notice of a Hearing for determination by the Territorial Court ten (10) calendar days before the date of the hearing.
- 18.2 The owner of an Animal alleged to be a Vicious Animal shall surrender the Animal to the Municipal Enforcement Department where the Animal shall be held pending the outcome of the Hearing and any Appeals.
- 18.3 Upon hearing the evidence, the Justice shall make an order declaring the Animal as a Vicious Animal, if in the opinion of the Justice:
- a) The Animal has caused sever physical injury to a person, whether on public or private property.
 - b) The Animal has, while off its owners property, caused the death of another animal, or
 - c) The Animal has a history of a known propensity to attack, bite or cause injury to a person or animal.
- 18.4 Upon hearing the evidence, the Justice may make an order declaring the Animal a Vicious Animal or ordering the Animal destroyed, or both, if in the opinion of the Justice, the Animal is likely to cause serious damage or injury, taking into account the following:
- a) whether the Animal has chased any person or Animal.

- b) whether the Animal has attempted to Bite, or has bitten any person or Animal.
- c) whether the Animal has wounded, attacked or injured any person or Animal.
- d) the circumstances surrounding any previous biting, attacking, or wounding incidents.
- e) whether the Animal, when unprovoked, has shown a tendency to pursue, chase or approach, in a menacing manner, persons upon the street, sidewalk or any public or private property.

18.5 The order of a Justice declaring an Animal Vicious shall encompass all provisions of this by-law.

19 VICIOUS ANIMAL REGULATIONS

19.1 Prior to a license being issued, the owner of a Vicious Animal shall within ten (10) days after the Animal has been declared vicious:

- a) if the animal is in an unaltered state, have the Animal Spayed or Neutered.

19.2 The owner of a Vicious Animal shall:

- a) notify the Chief Municipal Enforcement Officer or designate, should the Animal be sold, gifted, or transferred to another person or die, and
- b) remain liable for the action of the Animal until formal notification of sale, gift or transfer is given to the Chief Municipal Enforcement Officer, including the licensing of the Vicious Animal by the transferee.

19.3 The owner of a Vicious Animal shall ensure that such Animal does not chase a person or other Animals:

- a) injure a person or other Animals.
- b) bite a person or other Animals, or
- c) attack a person or other Animals.

19.4 The owner of a Vicious Animal shall ensure that such Animal does not damage or destroy public or private property.

19.5 The owner of a Vicious Animal shall ensure that such Animal is not Running at Large.

19.6 The owner of a Vicious Animal shall notify a Municipal Enforcement Officer if the Animal is Running at Large.

19.7 The owner of a Vicious Animal shall ensure that when such Animal is on the property of the owner such Animal is either:

- a) confined indoors and under the control of a person over the age of eighteen (18) years, or
- b) when such Animal is outdoors is:
 - 1. in a locked pen or other structure, constructed of adequate building materials or wire fencing or combination of both to ensure that the Vicious Animal cannot escape, and capable of preventing the entry of any person not in control of the Animal..
 - 2. securely Muzzled, and under the control of a person over the age of eighteen (18) years by means of a leash not exceeding one (1) meter in length in a manner that prevents it from chasing, injuring or biting other Animals or person(s) as well as preventing damage to public or private property.

19.8 The owner of a Vicious Animal shall ensure the locked pen or other structure:

- a) shall have secure sides and a secure top, and if it has no bottom secured to the sides, the sides must be embedded in the ground to a minimum depth of thirty (30) centimeters.
- b) shall provide the Vicious Animal with shelter from the elements.
- c) shall be of the minimum dimensions of one and one-half (1.5) meters by three (3) meters and be a minimum one and one-half (1.5)

19.9 The owner of a Vicious Animal shall, within 10 days of the date of the order declaring the Animal to be Vicious, display a sign on his property warning of the presence of the Animal in the form illustrated in Schedule "F"

20 ANIMAL CONTROL OPERATIONS

20.1 A Municipal Enforcement Officer may seize, capture and impound any Animal or Vicious Animal:

- a) found Running at Large.

- b) which has bitten, or has alleged to have bitten a person or Animal, pending the outcome of an application to declare the Animal to be a Vicious Animal or to destroy the Animal.
- c) which is required to be impounded pursuant to the provisions of any Statute of Canada or of the Territory of Nunavut, Regulation or By-law made there-under.

21 NOTIFICATION

- 21.1 Any person who takes control of any Animal or Vicious Animal, shall forthwith notify a Municipal Enforcement Officer and provide any required information.
- 21.2 Any person who takes control of any Animal or Vicious Animal shall forthwith surrender the Animal to a Municipal Enforcement Officer.

22 OBSTRUCTION AND INTERFERENCE

- 22.1 No person, whether or not that person is the owner of an Animal or Vicious Animal that is being or has been pursued or captured shall:
 - a) interfere with or attempt to obstruct a Municipal Enforcement Officer.
 - b) open the vehicle in which Animals have been captured for impoundment or seizure, or
 - c) remove, or attempt to remove, any Animal from the possession of a Municipal Enforcement Officer.
- 22.2 No person shall:
 - a) untie, loosen or otherwise free an Animal that has been tied or otherwise restrained.
 - b) negligently or willfully open a gate, door or other opening in a fence or enclosure in which an Animal has been confined and thereby allow an animal to Run at Large in the City.
 - c) entice an Animal to run at large.
 - d) tease an Animal confined or otherwise restrained.

- e) throw or poke any object into an enclosed space when an Animal is caught or confined therein.

23 NOTIFICATION TO OWNER

23.1 If a Municipal Enforcement Officer knows or can ascertain the name of the owner of any impounded Animal, he shall make reasonable attempts to contact the owner, including but not limited to:

- a) by way of telephone
- b) serving the owner with a copy of the notice in Schedule “C”, either personally or by leaving it at the last known address of the owner.

24 RECLAIMING

24.1 The owner of any impounded Animal or Vicious Animal may reclaim the Animal or Vicious Animal by:

- a) paying to the City of Iqaluit the costs of impoundment and daily boarding fees as set out in Schedule “B” of this by-law.
- b) where a license is required under this by-law, obtaining the license for such Animal or Vicious Animal.

25 INSPECTION AUTHORITY TO ENTER LOCATION

25.1 Subject to the entry notice provision of the Cities, Towns and Villages Act a designated Municipal Enforcement Officer bearing proper identification, may enter premises to conduct an inspection to determine whether or not this by-law or an order issued pursuant to this By-law is being complied with.

25.2 No person shall interfere with or attempt to obstruct a Municipal Enforcement Officer or Animal Control Officer who is attempting to conduct an inspection pursuant to subsection 27.1.

26 AUTHORITY OF CHIEF MUNICIPAL ENFORCEMENT OFFICER

26.1 The Chief Enforcement Officer may;

- a) receive Animals into protective care pursuant to fire, flood, or other reasons.

- b) retain the Animals temporarily.
 - c) charge the owner fees pursuant to Schedule “B” for costs of impoundment.
 - d) at the end of the protective care period, if no other arrangements are made between the owner and the Chief Enforcement officer or his/her designate, treat such Animals as impounded Animals.
 - e) offer for sale, euthanize, or otherwise dispose of all unclaimed Animals that have been received at the Municipal Animal Shelter.
 - f) deem any Animal to be a “Nuisance” based on reasonable grounds in respect to multiple or ongoing issues pertaining to that animal including but not limited to that listed in sections 17 & 18 of this By-law.
- 26.2 The Chief Enforcement Officer shall not, sell euthanize, or otherwise dispose of an impounded Animal or Vicious Animal until an Animal is retained in the Municipal Animal Shelter for:
- a) seventy-two (72) hours after the owner has received notice that the Animal is in the Municipal Animal Shelter, where the name and address of the owner are known.
 - b) seventy-two (72) hours after the Animal was impounded, if the name and address of the owner is not know.
- 26.3 The Chief Enforcement Officer may retain an Animal for a longer period, if in his/her opinion, the circumstances warrant the expense or he has reasonable grounds to believe that the Animal is a continued danger to person, Animals, property and/or for any other reason he/she determines to be a reasonable requirement.

27 SURRENDER AND DESTRUCTION

- 27.1 When a Municipal Enforcement Officer or Animal Control Officer agrees to destroy an Animal on request of the owner, the owner shall fill out an Animal Destruction Form as set out in Schedule “G” of this By-law.
- 27.2 Where the owner of an Animal gives up his/her right to possess the Animal to a Municipal Enforcement Officer, he or she shall fill out an Animal Surrender Form as set out in Schedule “H”.

28 FULL RIGHT AND TITLE

- 28.1 The purchaser of an Animal from the Municipal Animal Shelter pursuant to the provisions of the By-law shall obtain full right and title to it and the right and title of the former owner of the Animal shall cease therein.
- 28.2 Animals held within the Animal shelter within the initial Municipal Enforcement seven day hold period shall not be adopted or transferred until the seven day hold period has expired.

29 PREVENTION OF CRUELTY TO ANIMALS

- 29.1 For the purposes of this by-law, adequate food and water means, food and water that is sufficient in an amount and appropriate for the particular type of animal to prevent starvation, dehydration or a significant risk to the animals health from a lack of food or water.
- 29.2 An Animal is in distress if it is in the opinion of the Municipal Enforcement Officer:
- a) deprived of adequate shelter, ventilation, space, food, water or veterinary care or reasonable protection from injurious heat or cold.
 - b) injured, sick, in pain or suffering, or
 - c) abused or subjected to undue hardship, or neglect.

30 PROHIBITION AGAINST CAUSING DISTRESS

- 30.1 No person shall cause or permit an Animal of which the person is the owner or the person in charge to be or to continue to be in distress.
- 30.2 No person shall cause an Animal to be in distress.

31 ANIMAL CARE DUTIES

- 31.1 A person who owns or is in charge of an Animal including fostering an animal must:
- a) ensure that the Animal has adequate food and water.

- b) provide the Animal with adequate care when the Animal is wounded or ill.
- c) provide the Animal with reasonable protection from injurious heat or cold, and
- d) provide the Animal with adequate shelter, ventilation and space.
- e) ensure that the Animal does not run at large.
- f) ensure that the Animal is under control and supervised at all times by a person of 18 years of age.
- g) ensure that the Animal is securely tethered/leashed with an appropriate tether/leash capable of keeping the animal secured from escape and under control at all times.

32 POWERS OF A MUNICIPAL ENFORCEMENT OFFICER

32.1 In the opinion of an Officer, an Animal is in distress and the owner or person in charge of the Animal does not take immediate steps that will relieve its distress, a Municipal Enforcement Officer or Animal Control Officer may seize the Animal when:

- a) a Municipal Enforcement Officer is of the opinion, on reasonable and probable grounds, that the owner or person in charge of the Animal is not likely to ensure that the Animals distress is relieved or to ensure that the Animals distress will continue to be relieved, or
- b) the owner or person in charge of the Animal cannot be found immediately and informed of the Animals distress, the Officer may take any action the he/she considers necessary to locate the Animal and relieve its distress, including taking custody of the Animal in accordance with the By-law and arranging for transportation.
- c) if in the opinion of the Officer, the Animal is found to be in such distress and requires a medical assessment by a veterinarian, the Officer may:
 - 1. transport the Animal and place it in the care of the Iqaluit Humane Society and request the Animal be held until such

time as an assessment can be completed on the Animal, the owner of the Animal shall be liable for any costs associated to the care of the Animal, or

2. in the opinion of the Officer that the Animal cannot be relieved of its distress and live without undue suffering, the Officer may destroy the Animal or cause the Animal to be destroyed and the owner of the Animal is liable for the costs of destroying it.

33 ABANDONED ANIMAL

33.1 Abandoned Animal includes an Animal that:

- a) is left for more than twenty-four (24) hours without adequate food or water or shelter, or
- b) is found on a premises with respect to which the tenancy agreement has been terminated.

33.2 A Municipal Enforcement Officer may take an Abandoned Animal into custody whether or not it is in distress.

33.3 The City of Iqaluit shall not be liable for any expenses related to the abandoned or injured animal.

34 OFFENCES AND PENALTIES

34.1 A contravention of the provision of this by-law not specifically listing a specified penalty amount in Schedule “D” herein shall be \$200.00.

35 LICENSED OWNER

35.1 If an Animal is involved in any contravention of this By-law, the owner shall be responsible and charged with the offence, if the owner of the Animal cannot be determined, then the person in care and control of the Animal at the time of the offence shall be charged with the offence.

36 GENERAL PENALTY PROVISIONS

36.1 Every owner of an Animal who contravenes any of the provisions of this By-law is guilty of an offence by:

- a) doing any act or thing which the person is prohibited from doing, or
- b) failing to do any act or thing the person is required to do, is guilty of an offence.

36.2 Any person who is convicted of an offence pursuant to this by-law is liable on Summary Conviction to a fine not exceeding \$2,000.00.

36.3 Any corporation, society or corporate body who is convicted of an offence pursuant to this By-law is liable on Summary Conviction to a fine not exceeding \$10,000.00.

36.4 A reference to a second and subsequent offence shall apply to an individual if the same owner of an Animal has one or more convictions, or has made one or more voluntary payments for the same offence under this By-law within the preceding **twelve (12)** month period.

A 2nd Offence shall be double the amount as specified for the offence in Schedule “D”. Any subsequent offences in shall be three times the specified penalty.

36.5 A reference to a second and subsequent offence shall apply to a society or any Corporation, society or corporate body if the same owner of an Animal has one or more convictions, or has made one or more voluntary payments for the same offence under this By-law within the preceding **twelve (12)** month period.

A 2nd Offence shall be double the amount as specified for the offence in Schedule “D”. Any subsequent offences in shall be three times the specified penalty.

37 VIOLATION TICKETS AND PENALTIES

37.1 Where a Municipal Enforcement Officer, believes that a person has contravened any provision of this by-law, he/she may commence proceedings by issuing a summons by means of a violation ticket in accordance with the Summary Convictions Procedures Act, R.S.N.W.T (NU) 1988, cS-15.

37.2 The specified penalty payable in respect of a contravention of a provision of this by-law is the amount shown in Schedule “D” of this by-law in respect to that provision. Any person issued a Violation Ticket, may make voluntary payment at the City of Iqaluit and not be required to attend the Nunavut Court of Justice as specified on the Violation Ticket.

EFFECTIVE DATE

THIS BY-LAW READ a First Time this 14th day of December, 2021, A.D.



Kenny Bell
Mayor

A/CAO Amy Elgersma

Per Amy Elgersma
Chief Administrative Officer

THIS BY-LAW READ a Second Time this 14th day of December, 2021, A.D.



Kenny Bell
Mayor

A/CAO Amy Elgersma

Per Amy Elgersma
Chief Administrative Officer

THIS BY-LAW READ a Third and Final Time this 11th day of January, 2022 A.D.



Kenny Bell
Mayor

A/CAO Amy Elgersma

Per Amy Elgersma
Chief Administrative Officer

SCHEDULE “A”

LICENSE FEE

Male or Female Unaltered Dog	\$ No Fee
Neutered Male or Spayed Female Dogs	\$ No Fee
All Unaltered Dogs Under the Age of 4 Months at the Time the License is Purchased	\$ No Fee
Vicious Animal License Fee	\$ 250.00
Male or Female Unaltered Cats	\$ No Fee
Neutered Male or Spayed Female Cats	\$ No Fee
All Unaltered Cats Under the Age of 4 Months at the Time the License is Purchased	\$ No Fee
Replacement Tag	\$ 15.00
Replacement Tag for Vicious Animal	\$150.00

SCHEDULE "B"

AMOUNT(S) TO BE PAID TO THE CITY OF IQALUIT BY OWNER OF ANIMAL IN ORDER TO RECLAIM AN ANIMAL.

Dog Impoundment Fees	\$ 125.00
Cat Impoundment Fees	\$ 125.00
Vicious Animal Impoundment Fees	\$ 250.00
Daily care and sustenance fee per day for dog.	\$ 20.00
Daily care and sustenance fee per day for cat.	\$ 15.00

Subsequent impoundment fee for an animal within a 12- month period.

2nd offense \$150.00

3rd offense \$175.00

4th offense \$200.00

Subsequent impoundment fee for a Vicious Animal within a 12- month period.

2nd offense \$300.00

3rd offense \$400.00

4th offense \$500.00



SCHEDULE "C"

Form of Notice of Animal Seizure/Impoundment

Attention Animal Owner,

You are hereby notified that an Animal bearing License No. _____ for the year of 20____ registered under the above name and address, seized/impounded on ____/____/20____, pursuant to the provisions of By-Law No. _____, of the City of Iqaluit, and that unless the noted Animal is claimed and all impoundment charges are paid on or before ____/____/20____, the ownership of said Animal will be that of the City of Iqaluit.

Dated this ____ day of _____, 20____, at the City of Iqaluit.

SCHEDULE “D”
OFFENCE PENALTIES

SECTION	OFFENCE	FINE
2.1	RELEASE IMPOUNDED ANIMAL WITHOUT AUTHORIZATION.	\$500.00
2.3	UNLAWFULLY ENTER IN OR ONTO PROPERTY AND RELEASE OR REMOVE IMPOUNDED ANIMAL.	\$1,000.00
2.10	IMPROPER DISPOSAL OF ANIMAL CARCASS.	\$150.00
3.1	FAIL TO LICENSE DOG	\$250.00
3.3	DOG NOT WEARING VALID LICENSE TAG	\$75.00
3.5	HAVING MORE THAN 3 DOGS OVER THE AGE OF FOUR (4) MONTHS.	\$250.00
4.1	FAIL TO LICENSE CAT.	\$250.00
4.2	CAT NOT WEARING VALID LICENSE TAG	\$75.00
6.2	GIVE FALSE INFORMATION WHEN APPLYING FOR A LICENSE.	\$250.00
9.1	ANIMAL RUNNING AT LARGE	\$250.00
10.1	PROHIBITED AREAS: a) A school ground, Play ground, Sports Field, Cemetery, or b) Any other area where Dogs are prohibited by posted signs, c) Area where the dog is within five (5) meters of a play structure, a sports Field, or a cemetery.	\$150.00 \$150.00 \$100.00
12.1	ANIMAL LEFT UNATTENDED IN VEHICLE IMPROPERLY	\$100.00
12.2	ANIMAL OUTSIDE OF A CAB OF VEHICLE	
12.3	NO PERSON SHALL LEAVE AN ANIMAL UNATTENDED IN A VEHICLE WHEN WEATHER CONDITIONS ARE NOT SUITABLE AND MAY CAUSE HARM OR DISTRESS TO THE ANIMAL.	\$500.00
12.5	NO PERSON SHALL ALLOW A DOG TO RUN ALONGSIDE OF A MOTOR VEHICLE TETHERED OR RUNNING AT LARGE.	\$200.00

13.1	FAIL TO REPORT SUSPECTED CASE OF RABIES TO PUBLIC HEALTH.	\$500.00
13.2	FAIL TO CONFINE ANIMAL SUSPECTED OF HAVING RABIES.	\$500.00
13.3	FAIL TO CONFINE ANIMAL SUSPECTED OF HAVING RABIES FOR 10 DAYS.	\$500.00
14.2	ANIMAL DISTURBING THE PEACE.	\$250.00
15.1	FAIL TO REMOVE ANIMAL FECES.	\$200.00
15.2	OWNER OF PROPERTY FAIL TO REMOVE ALL FECES WITHIN A REASONABLE TIME FRAME	\$200.00
16.1	ANIMAL SCATTERING GARBAGE	\$200.00
17.1	THE OWNER OF AN ANIMAL SHALL ENSURE THAT SUCH ANIMAL SHALL NOT: a) bite, bark at, or chase, animals, bicycles, automobiles, or other vehicles. b) chase or otherwise threaten a person or persons, whether on the property of the owner or not, unless the person chased or threatened is a trespasser on the property of the owner, c) cause damage to property or other animals, whether on the property of the owner or not, d) do any act that injures a person or persons whether on the property of the owner or not, e) bite a person or persons, whether on the property of the owner or not, f) attack a person or persons, whether on the property of the owner or not, g) attack a person or persons, whether on the property of the owner or not, causing severe physical injury, or h) cause death to another animal.	\$250.00 \$200.00 \$200.00 \$250.00 \$250.00 \$250.00 \$500.00 \$500.00
17.2	DIRECT ANIMAL TO ATTACK, CHASE, HARASS OR THREATEN A PERSON OR ANIMAL.	\$500.00
22.1	a) obstruct or interfere with a Municipal Enforcement Officer, b) open the vehicle in which animals have been captured for impoundment or seizure, or c) remove or attempt to remove, any animal from the possession of a by-law enforcement officer.	\$500.00 \$500.00 \$500.00

22.2	untie loosen or otherwise free an animal which has been tied or otherwise restrained,	\$250.00
	a) open gate, door or other opening in a fence or enclosure in which an animal has been confined and thereby allowing an animal to run at large,	\$250.00
	b) entice an animal to run at large,	\$250.00
	c) tease an animal confined or otherwise restrained,	\$250.00
	d) throw or poke any object into an enclosed space when an animal is caught or confined therein.	\$250.00
29.1	FAIL TO PROVIDE ADEQUATE FOOD AND WATER TO PREVENT STARVATION, DEHYDRATION OR SIGNIFICANT RISK TO THE ANIMALS HEALTH FROM LACK OF FOOD OR WATER	\$500.00
30.1	OWNER CAUSE OR PERMIT AN ANIMAL TO BE IN DISTRESS	\$500.00
30.2	CAUSE ANIMAL TO BE IN DISTRESS	\$500.00

SCHEDULE “E”

VICIOUS ANIMAL PENALTIES

SECTION	OFFENCE	FINE
5.2	Unlicensed Vicious Animal	\$500.00
19.1	a) Fail to have Vicious Animal spayed or neutered	\$1500.00
19.2	a) Fail to notify of sale, gift, transfer or death of Vicious Animal.	\$500.00
19.3	Vicious Animal chase, injure, bite or attack a person or animal.	\$2000.00
19.4	Vicious Animal damage or destroy property.	\$1500.00
19.5	Vicious Animal Running At Large.	\$1500.00
19.6	Fail to notify a Municipal Enforcement Officer of Vicious Animal Running at Large.	\$500.00
19.7 b) i)	Fail to keep Vicious Animal confined indoors and under control of an adult.	\$1500.00
19.7 b) i)	Fail to keep Vicious Animal confined when outdoors.	\$2000.00
19.7 b) ii)	Fail to keep vicious Animal muzzled, harnessed or leashed properly.	\$1500.00
19.8	Improper pen structure for Vicious Animal.	\$2000.00
19.9	Fail to post Vicious Animal Sign.	\$1500.00

SCHEDULE "F"
VICIOUS ANIMAL SIGN



WARNING





SCHEDULE "G"

Form required to Destroy Animal pursuant to By-Law No.

I _____ on ____/____/20____, do hereby willingly surrender my animal to be put down by the City of Iqaluit Municipal Enforcement Department.

I relinquish all rightful ownership of said animal to the City of Iqaluit, who now has sole responsibility over said Animal.

Name of Animal _____ (Tag Number) _____.

Type of Animal _____

Dated this ____ day of _____, 20____, at the City of Iqaluit.

Signature of Enforcement Officer

Signature of Owner



SCHEDULE "H"

ANIMAL SURRENDER FORM

I _____ on this _____ day of _____, 20____, do hereby surrender this Animal _____ (Name of Animal) _____ (Tag Number) a _____ (Type of Animal) to the City of Iqaluit Municipal Enforcement Department. I relinquish all rightful Ownership of said Animal to the City of Iqaluit, who now has sole responsibility over said Animal.

Dated this _____ day of _____ 20____ at the City of Iqaluit, Nunavut.

Signature of Enforcement Officer

Signature of Owner



SCHEDULE "T"

Animal License Application Form

Form required for Licensing of Animals pursuant to By-Law No. ###

TAG # _____

New Application ____ Yearly Renewal ____ Replacement Tag ____ Service Dog ____ (proof required)

ANIMAL LICENSE

DATE: _____

LAST NAME: _____ FIRST NAME: _____

PROOF OF IDENTIFICATION

DRIVERS LICENSE #/ID CARD#

HSE #: _____ P.O. BOX: _____

PHONE #: _____ Other PHONE# _____

LICENSE RECEIVED:

ISSURER

DATE

I HAVE READ THE REVERSE SIDE INFORMATION FOR DOG OWNERS

SIGNATURE OF OWNER

DATE

- DOGS MUST WEAR THE DOG TAG PURCHASED FOR THEM
- DOGS MUST NOT BE PERMITTED TO RUN UNLEASHED, OFF YOUR PROPERTY
- DOGS MUST BE ON A LEASH WHEN OFF YOUR PROPERTY
- DOGS MAY NOT DISTURB THE PEACE BY HOWLING, BARKING, CRYING
- DOGS ARE NOT PERMITTED WITHIN 5 METERS OF A PLAY STRUCTURE, SPORTS FIELD OR A CEMETERY
- DOGS ARE NOT PERMITTED ON A SCHOOL GROUND, PLAYGROUND, SPORTS FIELD, CEMETERY OR ANY AREA WHERE DOGS ARE PROHIBITED BY POSTED SIGNS
- DOGS SHALL NOT BE PERMITTED TO CHASE, INJURE, HARASS, THREATEN OR ATTACK ANIMALS OR PEOPLE
- DOGS SHALL NOT BE PERMITTED TO DAMAGE PROPERTY
- YOU MUST PICK-UP ALL EXCREMENT ON PROPERTY THAT IS NOT YOUR RESIDENCE
- IT IS AN OFFENCE TO INTERFERE OR GIVE FALSE INFORMATION TO A BY-LAW ENFORCEMENT OFFICER
- IT IS AN OFFENCE TO RELEASE A DOG THAT IS NOT YOUR OWN OR A DOG THAT HAS BEEN IMPUNDED BY THE CITY
- IT IS AN OFFENCE TO ABUSE, TEASE OR BE CUREL TO AN ANIMAL

