BY-LAW NO. EC-13-A
A BY-LAW RESPECTING DOG CONTROL
FOR EASTERN CHARLOTTE

PURPOSE: A By-Law of Eastern Charlotte, in the Province of New Brunswick, respecting the administration of dog control operations for Eastern Charlotte.

WHEREAS Section 10(1)(k) of the *Local Governance Act* states that a local government may make by-laws for municipal purposes respecting wild, domestic, and exotic animals and activities in relation to them, including animal control activities; and

WHEREAS Sections 10(2)(c) and (d) of the *Local Governance Act* state that a local government shall make by-laws imposing a requirement that dogs be vaccinated against rabies, and prescribing requirements for the proof of vaccination of dogs or requirements for the assessment of the effectiveness of a previous vaccination;

BE IT ENACTED by the Council of Eastern Charlotte under the authority vested in it by the *Local Governance Act*, R.S.N.B. 2017, c. 18, as follows:

TITLE

1. This By-Law will be cited as the "Dog Control By-Law".

DEFINITIONS

2. The following definitions apply in this By-law.

"*Act*" means the Government of New Brunswick's Local Governance Act.

"*collar*" means a band, strap, or chain worn around the dog's neck, or shall also be a harness which straps around the dog's shoulder and upper body.

"*dog at large*" means an unleashed dog
(a) in a public place,
(b) on private property other than the owner's, or
(c) in a forest or wooded area while not in the company or under the supervision of the owner.
(d) except for a designated Dog Park.

"*dog control officer*" means a person appointed under section 3.

"*municipality*" means the local government of Eastern Charlotte.

"*owner*" means a person who
(a) is in possession of a dog,
(b) harbors a dog,
(c) tolerates that a dog remains about the person's residence or premises, or
(d) registers a dog under this Regulation.

"*regulation*" means the Government of New Brunswick's Regulation 2022-36.

"*society*" means society as defined in the Society for the Prevention of Cruelty to Animals Act.

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GENERAL PROVISIONS

Dog Control Officers
3. The Council shall appoint dog control officers for the purposes of this By-law.

Registration of Dogs
4.(1) No person shall be the owner of a dog that is not registered in accordance with section 4(2) or 4(5).

4.(2) A person who becomes the owner of a dog shall register the dog with the society or a dog control officer within thirty (30) days by completing the form provided by the society and paying a fee referred to in section 4(3).

4.(3) An owner shall pay to the society or a dog control officer one of the Registration fees in Schedule A, and shall be for the following periods of time:

(a) if registration is for a one-year period,
(b) if registration is for a two-year period,
(c) if registration is for a three-year period.

4.(4) A registration shall expire at the end of the period referred to in section 4(3)(a), (b) or (c), as the case may be.

4.(5) An owner shall renew a registration of a dog before the registration expires, and the provisions of this section apply with the necessary modifications to the renewal.

Proof of Registration
5.(1) On registration or renewal of a registration of a dog, the society or the dog control officer shall issue to the owner a certificate or receipt of registration and a tag showing the number under which the dog is registered.

5.(2) On receiving a registration tag, an owner shall attach and keep attached the tag to the collar of their dog.

5.(3) On application by the owner and on payment of a fee of $5.00, a registration tag which is lost may be replaced by the society or a dog control officer.

Wearing a Collar
6. An owner of a dog shall ensure that the dog wears a collar at all times, other than when the dog is in an enclosure such as a kennel or the owner's residence.

Vaccinated against Rabies
7. An owner of a dog that has not been vaccinated against rabies shall cause the dog to be vaccinated against rabies within ten (10) days after

(a) acquiring the dog if the dog is three (3) months of age or more, or
(b) the dog has reached the age of three (3) months.

Seizure of Dog At Large
8.(1) A dog control officer shall seize and impound any dog at large and

(a) if the owner is known, notify the owner that the dog is seized and impounded, or
(b) if the owner is not known or if the owner is known but cannot be located, give public notice, including by or through the website of the society or by any other public information media, that the dog is seized and impounded.

8.(2) A notice under section 8(1)(a) or (b) shall state that the dog has been impounded and may be sold, placed for adoption or destroyed seventy-two (72) hours from the time of giving the notice, unless the owner, or anyone on the owner's behalf, claims the dog and pays the costs set out in subsection (3).

8.(3) Before releasing a dog that has been seized, or after destroying a dog in accordance with this Regulation, as the case may be, a dog control officer shall collect from the owner the sum of $15.00 for each day or part of a day during which the dog has been impounded and maintained.

8.(4) If an owner, or anyone on behalf of the owner, does not claim a dog within seventy-two (72) hours from the time of giving the notice under section 8(1)(a) or (b) or does not pay the costs set out in section 8(3), a dog control officer may sell, place for adoption or destroy the dog.

8.(5) When a dog control officer sells a dog or places a dog for adoption, the dog control officer shall collect from the person who purchases or adopts the dog, at the time of the sale or adoption, the total of all costs of seizing, impounding and maintaining the dog.

Dog known to be or suspected of Being Rabid

9.(1) A dog that is known to be or suspected of being rabid shall be considered dangerous.

9.(2) Despite section 8, a dog control officer shall seize and cause to be destroyed immediately any dog that is known to be or suspected of being rabid.

9.(3) A dog control officer who seizes and destroys a dog under section 9(2) shall notify as soon as possible the owner, if the owner is known.

Dog alleged to have Bitten

10.(1) A dog control officer may seize a dog that is alleged to have bitten or to have attempted to bite a person and impound the dog until the proceedings under section 10(2) are resolved, but if the proceedings are not brought thirty (30) days after seizing the dog, the dog control officer shall return the dog to the owner.

10.(2) A judge of the Provincial Court before whom a complaint has been laid alleging that a dog has bitten or attempted to bite a person may summon the owner to appear and show cause why the dog should not be destroyed and may, if from the evidence produced it appears that the dog has bitten a person, make an order directing

(a) that the dog be destroyed, or
(b) that the owner of the dog keeps the dog under control.

Tranquillizing devices and manner of Destroying Dogs

11.(1) In the course of carrying out their duties under this Regulation, a dog control officer is authorized to make use of tranquillizer guns and other tranquillizing devices on dogs.

11.(2) When destroying a dog under this Regulation, a dog control officer shall do so in a humane manner in accordance with the standards specified in Schedule B of New Brunswick Regulation 2000-4 under the Society for the Prevention of Cruelty to Animals Act.

Prohibitions

12.(1) An owner shall not

(a) allow their dog at large,
(b) allow their dog to chase or run after pedestrians or motor vehicles, or
(c) allow their dog to bark incessantly to the extent that annoyance is caused to the public.

12.(2) No person shall

(a) interfere or attempt to interfere with a dog control officer while the officer is seizing or impounding a dog in accordance with the Provincial Act, Provincial Regulation or this By-Law, or
(b) not being the owner, remove a collar or registration tag from a dog.

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FINES/PENALTIES

13.(1) A person who violates or fails to comply with section 4(1) or 5(2), section 6 or 7 or sections 12(1)(a), (b) or (c) or 12(2)(a) or (b) commits an offence punishable and fines shall be made under Schedule A.

13.(2) There are no exceptions to offenses under 13(1), and applicable to
(a) all dogs living or lodged within the jurisdiction of Eastern Charlotte, and
(b) dogs that are identified as a "Service Dog/Animal".

13.(3) For each recurring offence, fines shall double up to the maximum penalty of $640.

13.(4) For greater certainty, section 146 of the Act applies when a person violates or fails to comply with an order made under subsection 10(2).

13.(5) Fines shall be paid at the Municipal Office for Eastern Charlotte.

REPEAL OF EXISTING BY-LAW

14.(1) The enactment of this by-law repeals the following by-law(s): Bylaw # EC-13, Dog Control By-Law, enacted on 15 January 2025.

14.(2) The repeal of Bylaw # EC-13, Dog Control By-Law, shall not affect any penalty, forfeiture or liability, incurred before such repeal or any proceeding for enforcing the same completed or pending at that time of repeal; nor shall it repeal, defeat, disturb, invalidate or prejudicially affect any matter or thing whatsoever completed, existing or pending at the time of repeal.

ENACTMENT

15. IN WITNESS WHEREOF the local government of Eastern Charlotte has caused its corporate seal to be affixed to this By-Law, the XX day of XXX, 20XX.

First Reading: August 19, 2026
Second Reading: August 19, 2026
Third & Final Reading: XXX

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John Craig, Mayor [seal]

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Jason N. Gaudet, Clerk/CAO

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SCHEDULE A

Registration Fees

As per Section 4(3)

registration is for a one-year period	$15.00
registration is for a two-year period	$25.00
registration is for a three-year period	$35.00

Fines

As per Section 13(1)

Section 4(1)	Unregistered Dog	$140.00
Section 5(2)	Non-Display of Registration Tag	$140.00
Section 6	Not Wearing of Collar	$140.00
Section 7	Unvaccinated Dog	$140.00
Section 12(1)(a)	Dog Running At Large	$140.00
Section 12(1)(b)	Dog Chasing Pedestrians/Vehicles	$140.00
Section 12(1)(c)	Excessive Barking	$140.00
Section 12(2)(a)	Interference with Dog Control Officer	$140.00
Section 12(2)(b)	Non-Owner Removal of Tag or Collar	$140.00

As per section 13(4), for each recurring offence, fines shall double up to the maximum penalty of $640.00 as outlined under section 56(2) of the Provincial Offences Procedure Act pertaining to category B offence.

Reference: 56(2) Where an Act makes an offence punishable as a category B offence, a judge shall impose a fine of not less than $140 and not more than $640.

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