

BY-LAW NUMBER 568

*Amended by
Agon adding a new clause
20 A.
June 12, 1924
712A-6
By-Laws 56*

WHEREAS under the provisions of the Municipal Act, R.S.O. 1914, Chapter 192, Section 399, Paragraphs 52 to 55, Municipal Councils are authorized to pass By-laws to prohibit or regulate the running at large or trespassing of animals; to establish and regulate pounds; to provide for the appointment of Pound Keepers; to appraise the penalties and damages to be paid by owners of animals impounded; to provide for the sale of animals impounded if not claimed within a reasonable length of time, or if damages, fines and expenses are not paid according to law.

THEREFORE the Municipal Council of the Town of North Bay enacts follows;-

2. 10 No person shall suffer or permit any horse, bull, ox, cow, sheep, goat, pig or other cattle, geese or other poultry, of which he shall be the owner, or which shall be in his possession or custody or under his control, to be on the streets within the limits of the Town of North Bay, except when going to and from pasture under the guidance and control of some one acting on behalf of the owner.

~~2. 2 No person shall cause or allow any horse, bull, ox, cow, sheep, goat, pig, or other cattle, geese or other poultry, of which he shall be the owner, or which shall be in his possession or custody or under his control, to trespass on private property within the limits of the Town of North Bay.~~

3. 12 No person shall suffer or permit any cow of which he shall be the owner, or which shall be in his possession or custody to remain on the streets of the Town of North Bay, for the purpose of being milked or for any other purpose except as provided for in Section (2) of this By-law.

4. 13 Any horse, bull, ox, sheep, goat, pig, or other cattle, geese or other poultry, found contrary to the provisions of this By-law, may be impounded in the Pound (hereinafter established) by the Police or any resident of the Town of North Bay.

5. 14 That a Public Pound is hereby established on Lot 70 First Street.

6. That JOHN MOORE is hereby appointed Pound Keeper.
7. The Pound Keeper shall provide sufficient yards and enclosures for the safe keeping of such animals as it may be his duty to impound.
8. The Pound Keeper shall furnish all animals impounded with good and sufficient food, water and shelter.
9. After any animal has been impounded, the Pound Keeper shall, within twenty-four hours, deliver to the Clerk of the Town of North Bay, a notice in writing containing a description of the colour, age, and natural and artificial marks of the animals as nearly as may be.
10. Any person impounding an animal shall within twenty-four hours thereafter, deliver to the Pound Keeper duplicate statements in writing of his demands against the owner for damages, if any, not exceeding Twenty Dollars.
11. If the owner, within forty-eight hours after the delivery of statements provided by section (10) disputes the amount of damages so claimed, the amount shall be decided by the Police Magistrate of the Town of North Bay.
12. If an animal is impounded, and not redeemed, notices for the sale thereof, shall be given by the Pound Keeper within forty-eight hours afterwards, but no pig or poultry shall be sold until after four clear days, nor any horse or other cattle till after eight clear days from the time of impounding the same.
13. The notices of sale shall be posted up for three clear successive days, in three public places in the Municipality, and shall specify the time and place at which the animal will be publicly sold, if not sooner replevied or redeemed by the owner or some one acting on his behalf, paying the penalty imposed by this By-law, if any, the amount of the injury, if any, claimed or decided to have been committed by the animal to the property of the person who impounded it, together with the lawful fees and charges of the Pound Keeper, and also of the Police Magistrate, if any, and the expenses of the animals keeping.

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14. When an animal has been sold according to this By-law, and after deducting the penalty, Pound Keepers fees, the damages claimed or decided and all fees in connection therewith, and cost of sale with fees incidental thereto, the surplus, if any, shall be returned to the original owner, or if not claimed by him within three months after the sale, the Pound Keeper, shall pay such surplus to the Town Treasurer

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15. The owner of every animal impounded shall pay the following penalties over and above the charges of the Pound Keeper, and exclusive of damages as follows:-

(a) For each horse, bull, ox, cow, sheep, goat, pig or other cattle, the sum of Two Dollars.

(b) For each goose, or other poultry the sum of fifty cents.

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16. One half of every penalty recovered under this By-law, shall be paid to the Treasurer of the Town of North Bay, and one half to the resident impounding, but where the impounding is done by the Police, the whole of the penalty shall be paid to the Town Treasurer.

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17. The Pound Keeper shall be entitled to the following fees for furnishing food, water and shelter and for his time, trouble and attendance.

(a) For each horse, bull, ox, cow, sheep, goat, pig or other cattle, the sum of Two Dollars per day, or any fraction thereof.

(b) For each goose, or other poultry the sum of fifty cents per day or any fraction thereof.

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18. The Pound Keeper shall make monthly returns to the Treasurer of the Town of North Bay.

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19. The Pound Keeper shall on or before the 15th. day of January in every year, file with the Clerk of the Town of North Bay, a certified statement for the year ending the 31st. day of December next preceding showing,

(a) The number of animals impounded.

(b) The number of animals sold, and the amounts received.

(c) The sum received as poundage fees, and cost of keep by the Pound Keeper.

(d) The damages paid by any party.

(e) All disbursements and to whom paid.

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(f) Any other receipts and expenditures in connection therewith.

21 20. The penalties provided by this By-law shall be recoverable under "The Ontario Summary Convictions Act".

20-20.A- See By-law # 712A

21. That By-laws Numbered 99,100,205,285, and all other By-law inconsistent with this By-law are hereby repealed.

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Passed in open Council this 19th. day of May 1919.

A. J. McArthur
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CLERK

John W. Ferguson
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MAYOR