

## TOWN OF KENSINGTON “DOG BYLAW - REMOVAL OF ANIMAL WASTE”

### Bylaw # 05-08

#### ‘Dog BYLAW - Removal of Animal Waste’ as a Town of Kensington BYLAW.

#### DOG BYLAW - REMOVAL OF ANIMAL WASTE

**WHEREAS** the Town of Kensington, through the Municipalities Act, has the authority to provide for the control of animals within the Town;

**AND WHEREAS** the Town has a BYLAW to provide for the control of dogs within the Town boundaries;

**AND WHEREAS** the Town of Kensington wishes to further its by-laws concerning pet animal control by providing that owners or persons in control of dogs be responsible for the removal of pet animal excrement on streets, sidewalks and on other public places within Town boundaries;

**NOW THEREFORE the Council of the Town of Kensington hereby enacts as follows:**

i. No owner, possessor or harbourer of any dog may permit his/her dog to defecate on any public or private property other than the property of the owner, possessor or harbourer. Where a dog defecates on property other than that of the property of the owner, possessor or harbourer the person having charge of the animal shall immediately, and without leaving the scene, cause such waste to be entirely picked up and then removed to his/her own property or to garbage receptacles provided for such waste.

ii. Every owner, possessor or harbourer of a dog who allows

such animal waste to be placed and to remain on private property or property of the Town of Kensington, without permission from the owner of the property, is guilty of an offence.

iii. Every person who contravenes any of the provisions of this BYLAW and the procedure with respect thereto is guilty of an offence and is liable, upon summary conviction, to a fine of \$25.00.

iv. All prosecutions for any violation of this BYLAW or the regulations made thereto shall be heard before a judge of the Provincial Court, or an Enforcement Officer may accept a guilty plea from the offender at the Kensington Town Hall in Kensington and assess and accept the minimum fine.

i. Subsections 1 and 2 shall not apply to any person whose sight is impaired and who is in possession of what is commonly known as a “seeing-eye” dog that is either owned or harboured by him/her while on a leash and in being used to provide assistance to such visually impaired person.

vi. Enforcement Officer, for the purpose of this BYLAW shall be any duly qualified Police Officer of the Kensington Police Service and/or the Administrator of the Town of Kensington, if designated as a Justice of the Peace for the administration of BYLAWS, or such other person who may be lawfully appointed by the Town for purposes of BYLAW enforcement.

*This BYLAW has been approved by Resolution of the Kensington Town Council effective August 8, 2005.*