

A2 Livestock at Large Bylaw

The Municipal Council of the Municipality of the County of Annapolis under the authority vested in it by Sections 172-174 of the *Municipal Government Act*, enacts as follows:

Title

1. This Bylaw may be cited as *A2 Livestock at Large Bylaw*, the “Livestock Bylaw.”

Definitions

2. In this Bylaw words and phrases have the same meaning as in the *Municipal Government Act* or as provided below:
 - (1) “Animal Control Officer” means:
 - (a) any peace officer having jurisdiction within the County; or
 - (b) any person employed by the Municipality and designated by the Chief Administrative Officer with responsibility for the enforcement of this bylaw and whose duties may include those of the pound keeper or Dog Control Officer as described in Section 175 of the *Municipal Government Act*.
 - (2) “at large” means to be found in any place other than the owner’s property and not under the control of any person;
 - (3) “CAO” means the Chief Administrative Officer of the Municipality of the County of Annapolis;
 - (4) “livestock” includes
 - (i) cattle, horses, sheep, swine and poultry,
 - (ii) game farm animals including cervids (deer family), wild boar, bison, buffalo, ratites, llamas and alpacas,
 - (iii) foxes, chinchilla and mink raised for fur production,
 - (iv) rabbits raised for meat production,
 - (v) any animals designated as farm animals in the *Animal Protection Act*;
 - (5) “livestock farm” means a parcel of land that is used for grazing or pasturing livestock;
 - (6) “Municipality” means the Municipality of the County of Annapolis;
 - (7) “Municipal Staff” means the Municipality’s Animal Control / Bylaw Enforcement Officer or a person appointed by the Chief Administrative Officer (CAO) to act on the Municipality’s behalf for the purpose of this Bylaw, and shall include the Pound Keeper;
 - (8) “owner” includes
 - (a) with respect to livestock, any person who has lawful custody of the livestock; and
 - (b) with respect to a livestock farm, the person occupying or operating the farm.

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3. Any livestock which are found in any place other than the owner’s property and not under the continuous restraint and control of some person shall be deemed to be at large for the purposes of the Bylaw.
4. Any owner of livestock who becomes aware, or should reasonably be aware, that any of those livestock may be at large or are at large, must immediately take all reasonable steps to regain custody and control of that livestock.
5. Subject to Section 7 of this Bylaw, every owner of livestock
 - (1) whose livestock is at large; or
 - (2) who fails to comply with Section 4 of this Bylaw;is in contravention of this Bylaw.

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- 6. Every owner shall take all necessary steps to prevent livestock from being at large, including but not limited to erecting and maintaining fences adequate for that purpose; and subject to Section 7, every owner who fails to take such steps is in contravention of this Bylaw.
- 7. Each of Subsection 5 (1), 5 (2), or Section 6 is a separate and distinct offence.
- 8. No owner shall be found to have contravened this Bylaw if it is established that the owner exercised due diligence with regard to the circumstances of the alleged violation.

Penalty

- 9. Any person who contravenes any provision of this Bylaw is punishable on summary conviction by a fine of not less than \$150.00 and not more than \$1,000 for a first offence, and not less than \$250.00 and not more than \$1,000 for a second or subsequent offence. For the purposes of this section it is irrelevant whether the offences were prosecuted pursuant to the same section of this Bylaw.

<u>Clerk 's Annotation For Official Bylaw Book</u>	
Date of First Reading	March 17, 2015
Date of Advertisement of Notice of Intent to Consider	April 2, 2015
Date of Second Reading	April 21, 2015
Date of advertisement of Adoption of Bylaw	April 30, 2015*
I certify that this Bylaw was adopted by Municipal Council and published as indicated above.	
<i>Carolyn Young</i>	April 30, 2015
Municipal Clerk	Date
<i>*Effective date of the Bylaw unless otherwise specified.</i>	