



C A N A D A
PROVINCE OF QUEBEC

BY-LAW No. 535

CITY OF WESTMOUNT

At a General session of the Municipal Council of the City of Westmount held at the City Hall on the fourth day of February 1946, at which were present:

Mayor R. P. Adams
Aldermen G. L. Fowler
W. F. Macklaier
J. Senecal

It is ordained and enacted by By-law No. 535 entitled, "BY-LAW CONCERNING DOGS AND THE LICENSING THEREOF", as follows:

SECTION 1.

In this By-law the following words shall be deemed to have or include the following meanings, unless the context otherwise requires:

- (a) "Dog" shall include bitch and pup;
- (b) "Keeper" shall mean and include the person who owns, harbours or has charge of a dog, and the owner, tenant or person in charge of the premises in or on which a dog is kept;
- (c) "Chief of Police" shall include any other officer authorized to perform his duties;
- (d) "Public place" shall mean and include any street, roadway sidewalk, lane, alley, driveway, park, square or other land belonging to the City, and any school yard.

SECTION 2.

No person shall keep a dog in the City, unless a license has been issued by the City for such dog and is still in force, and unless such dog bears a numbered tag or plate indicating such license for the current year.

SECTION 3.

No person shall lead, have or take a dog in or to any public place in the City, unless such dog bears a numbered tag or plate indicating that a license has been issued for such dog for the current year by the City or by another municipality.

SECTION 4.

Every such license from the City shall expire on the thirtieth day of April next after the date of its issue and shall not be transferable. The fee payable therefor shall be that fixed by By-law No. 286 as amended. Such fee shall not be reduced or remitted by reason of the death, loss or removal of any dog after the issue of the license.

SECTION 5.

No person shall establish or carry on any business or institution for boarding, keeping, training or treating dogs unless the permission of the Council has been obtained therefor.

SECTION 6.

If any dog, while not in the company of its keeper or of a member of its keeper's household, is found in any public place, or on any private property without the consent of the owner, occupant or possessor of such private property, the keeper of such dog, as well as the person who caused such dog to be in such place, shall be deemed to have infringed this by-law.

SECTION 7.

If at any time in the months of May, June, July, August and September, any dog is found in any public place, and is not held securely on a leash not more than six feet in length, the keeper of such dog, as well as the person who caused such dog to be in such place, shall be deemed to have infringed this by-law.

SECTION 8.

If any dog shall bite any person other than its keeper or a member of its keeper's household, and while not on the keeper's premises, such dog shall be deemed to be a nuisance and the keeper thereof shall be deemed to have infringed this by-law.

SECTION 9.

If any dog shall cause damage to any lawn, grass plot, garden or flower bed, or any flowers, shrubs or plants, such dog shall be deemed to be a nuisance and the keeper thereof shall be deemed to have infringed this by-law.

SECTION 10.

If any dog shall bark or howl in such a manner as to disturb the peace or to constitute an annoyance to residents in the neighbourhood, such dog shall be deemed to be a nuisance and the keeper thereof shall be deemed to have infringed this by-law.

SECTION 11.

Whenever a dog is found in any public place, or on any private property without the consent of the owner, occupant, or possessor of such private property, if such dog does not bear a tag or plate as required by Section 3 of this by-law, or is not accompanied as required by Section 6 of this by-law, or is not held securely on a leash if so required at such time by Section 7 of this by-law, it shall be the duty of any police officer and the privilege of every other person having knowledge thereof to cause such dog to be impounded.

SECTION 12.

Whenever a dog has been impounded as provided for in Section 11, the Chief of Police shall send a written notice thereof to the keeper of such dog, if the name and the address of such keeper are known to him, and if such dog has not been redeemed by or on behalf of the keeper within seven days after the impounding it shall be the duty of the Chief of Police to cause such dog to be disposed of or destroyed. The fee payable to the Chief of Police for the redemption of any impounded dog shall be at the rate of \$2.00 for the first day of such impounding and \$1.00 for each subsequent day until the dog has been redeemed, or until the seven day period expires.

SECTION 13.

The Council by resolution, at any time or from time to time, may order that all dogs within the City shall be muzzled, isolated or detained for such period or periods as it may think proper, and the keeper of any dog who fails to comply with such order shall be deemed to have infringed this by-law.

SECTION 14.


By-law 464, adopted the 30th day of October, 1934, is hereby repealed.

SECTION 15.

Every person who infringes this by-law, or any provision thereof, shall be liable to a fine not exceeding Forty Dollars (\$40.00) and costs for every such infraction and, in default of immediate payment of such fine and costs, shall be liable to imprisonment of not more than two months, but such imprisonment shall cease on payment of such fine and costs. If such infraction continues, such continuation shall constitute a separate offence day by day.

SECTION 16.

After any conviction for an infringement of any of the provisions of Sections 8, 9 and 10 of this By-law, if a new charge is laid under any of such sections by reason of anything done by the same dog after such conviction, the court, if it convicts the accused on the new charge, may order also that such dog be destroyed and thereupon it shall be the duty of the Chief of Police to have such dog destroyed.


Mayor


Secretary-Treasurer

