TITLE: **COMPANION ANIMAL BY-LAW**
SECTION: **PROTECTIVE SERVICES**
BYLAW NO: **C-4**

APPROVAL DATE: May 25, 2026 **CAO Signature:**

1. This By-law shall be known and may be cited as the "Companion Animal By-Law of the Town of Amherst.

INTERPRETATION

2. In this By-law, unless the context otherwise requires:
    a. "**Animal Control Officer**" or "**ACO**" means the person designated by the Chief of Police to be the by-law enforcement officer for this by-law. An officer of the Amherst Police Department may destroy a dangerous dog where the circumstances call for that action in the normal course of carrying out the Officer's duties.
    b. "**Accredited Training**" means a certificate from Assistance Dogs International or the International Guide Dog Federation. A dog that has not been trained by an accredited training school may be accredited if the handler and the dog pass a service dog assessment administered by an accredited organization.
    c. **"At Large"** means being elsewhere than on the lands, premises owned or occupied by the dog owner and not on a leash.
    d. "Attack" means an assault resulting in bleeding, bone breakage, sprains or serious bruising
    e. **"Bite"** means a wound to the skin causing it to puncture or break.
    f. **"Cat"** means a male or female animal of the species feline
    g. **"Companion Animal"** means a domestic ~~cat or~~ dog
    h. **"Continuous restraint and control"** means the dog is on a leash controlled by a person of sufficient size and strength to completely restrain and control the dog
    i. **"Council"** means the Municipal Council of the Town of Amherst
    j. **"Dangerous Dog" means a dog which**:
        i. Attacks or demonstrates a propensity, tendency or disposition to attack a human being or animal either on public or private property

ii. Has caused injury to or otherwise endangered the safety of a human being or animal

iii. Is owned or harbored primarily or in part for the purpose of dog fighting or is trained for dog fighting

iv. Is a dog for which a muzzle order has been made

k. "**Dog**" means a male or female animal of the species canine over the age of sixteen (16) weeks.

l. **"Dog Owner"** means any person:

i. who is in possession of a dog

ii. who has the care, custody or control of a dog; or

iii. who possesses, harbors or allows a dog to remain about a house, land or premises owned or occupied by that person.

m. **"Enclosed Fenced Yard"** means an area surrounded by a physical barrier of sufficient height and strength to prevent the dog from jumping over, digging under, or reaching through the barrier to contact people or animals outside the area.

n. **"Extraordinary expense"** means any expense incurred in relation to an animal except for the provision of food and water

o. **"Impounded"** means seized and delivered into the pound or in the custody of the poundkeeper.

p. **"Kennel"** means a licensed enterprise dealing with the breeding, buying, selling or boarding of dogs.

q. "**Mitigating Factor**" means a circumstance that may excuse the aggressive behavior of a dog where the dog:

i. At the time of the aggressive behavior, attacked or injured any person trespassing on property occupied by its owner; or

ii. While off the owner's property and the continual restraint and control of the owner was reacting to a perceived aggressive or threatening behavior to the dog, its owner; or

iii. Immediately prior to the aggressive behavior, was being abused or tormented by the person attacked or injured;

Any other mitigating factors that may not be conveyed in the above definitions will be determined in a fair and unbiased manner by the Animal Control Officer, Police Officer or Delegate on a case-by-case basis.

r. **"Muzzle"** shall mean a humane covering device of sufficient strength placed over a dog's mouth to prevent it from biting.

s. **"Muzzle Order"** means an Order issued by the Animal Control Officer to require that a dog's muzzle be restricted while off the owner's property as outlined in section 9(a)(ii);

t. **"Pound"** means premises used by the poundkeeper to harbor and maintain dogs pursuant to this bylaw or any vehicle used by the poundkeeper.

u. **"Poundkeeper"** means the person or organization appointed by resolution of Council to operate and maintain the facilities for the impounding of dogs.

v. **"Premises"** means a building or part of a building, structure or a place.

w. **"Premises of the Owner"** includes premises where a dog is habitually harboured or fed.

x. **"Register"** means annual no-cost voluntary registration of domestic cats with the Town by cat owners

y. **"Service Animal"** means an animal trained by a recognized school for service as a guide dog for the blind or visually impaired, a guide dog for the deaf or hearing impaired, or a special skills dog for other challenged persons and includes an animal used in therapy, registered with a recognized organization for that purpose.

z. **"Tether"** means a rope or chain or similar restraining device that prevents an animal from moving beyond a localized area, with "Tethered" and "Tethering" having a corresponding meaning;

aa. **"Town"** means the Municipality of the Town of Amherst

IMPOUNDMENT

3. The Council may hereby authorize:
    a. the establishment, maintenance and operation of facilities for the impounding of dogs at such place or places and upon such premises, as the Council may determine, by resolution.
    b. The appointment, by resolution, of a poundkeeper to maintain and operate the pound or pounds established under this by-law.
    c. The making of an agreement with such persons, firms, societies or corporations as may be fit for the purpose of maintaining and operating a pound, for regulating the conduct of the pound, and providing for the collection, distribution and payment of revenue and expenditures derived from the operation of the Pound.
    d. Such Persons, Firms, Societies or Corporations responsible for the pound shall ensure:
        i. There is adequate food and water to impounded animals
        ii. The pound is kept in a reasonable state of cleanliness
        iii. The pound premises are kept neat and tidy in appearance

CONTROL OF DOGS

4. Except as otherwise permitted by this by-law:
    a. A dog owner shall not permit, suffer or allow a dog to be at large
5. Every owner of a dog shall ensure the dog is kept under effective restraint at all times. On the premises of the owner, a dog is only considered under effective restraint if it is:
    a. Securely confined within a building or a fully enclosed fenced yard; or
    b. Securely tethered in a manner that prevents the dog from reaching within 2.0 metres of any public sidewalk or property line; or
    c. On a leash held by a person capable of controlling the dog.
6. Every owner of a dog shall ensure that the dog is kept on a leash and under the control of some person when the dog is on any land in the Town unless:
    a. the land is the premises of the owner of the dog and is in compliance with Section 5 of this by-law;
    b. the land is owned by a person who has given prior consent to the dog being off the leash and is in compliance with Section 5 of this by-law.
7. The owner of a dog which is known to be aggressive must not permit the dog to be in a place other than the owner's property
    a. Unless the dog is on a leash no longer than one meter and in the control of a person who is responsible and capable of controlling the dog.
    b. unless the dog is wearing a proper muzzle
8. An unleashed or unharnessed dog, under continuous human restraint or control, shall not be deemed to be running at large at the time if the dog is:
    a. Participating in a search and rescue operation or a law-enforcement operation; or
    b. Assisting a person with a disability, provided the dog is professionally trained for such purpose; or
    c. Within a municipal park where the area is designated by signage as an area in which dogs are permitted to be without a leash, subject to such limitations as posted
9. Police Officers with the Amherst Police Department and any By-Law enforcement officers appointed by the Chief of Police, along with the ACO, are authorized to enforce this by-law.

DANGEROUS DOGS

10. The ACO has the power and authority hereunder, upon reasonable grounds, to make the determination that any dog is a dangerous dog.
    a. Where the ACO has reason to believe that a dog has attacked a person or another animal, or has the propensity to do so, the ACO may:
        i. Classify the dog as a dangerous dog;

ii. Issue the owner a notice to muzzle the dog
iii. Order the owner to keep the dog securely restrained either indoors or inside an escape-proof enclosure that does not allow the dog to jump, climb or dig its way out of while it is on the property of the owner;
iv. Muzzle, securely leash and ensure the dog is under the control of a person who is responsible and capable of controlling the dog, when the dog is off the property of the owner.
v. Post a "Beware of Dog" sign in a conspicuous place on their property;
vi. Have the dog evaluated by a Certified Animal Behaviorist or a Certified Veterinary Behaviorist with the completion of any training or treatment as deemed appropriate by that expert; and
vii. Have the dog spayed or neutered, to assist with problem aggression, hardheaded and roaming behaviour

NOTICE TO OWNER OF A DANGEROUS DOG

11. The notice to an owner of a dangerous dog shall include:
    a. A statement explaining why the ACO has deemed the dog to be a dangerous dog
    b. A statement of requirements that the owner must comply with, in accordance with Section 10(a)
    c. A statement that the owner may request, within five (5) working days of receipt of the notice, a council hearing which may affirm or rescind the Animal Control Officer's designation of the dog as dangerous

APPEAL OF DESIGNATION

12. The owner of a dog who receives a "Notice to Owner of a Dangerous Dog" from the ACO may, within five (5) working days of receipt of such notice, provide a written notice of appeal delivered to the Town Clerk
13. Council shall hear the appellant in accordance with the rules of natural justice and may:
    a. Accept the Animal Control Officer's decision to deem the dog as a dangerous dog;
    b. Rescind the Animal Control Officer's decision to deem the dog as a dangerous dog
14. Section 10(a) requirements, which may be imposed on a dog owner by the Animal Control Officer, shall not come into effect until either the time for appeal under section 12 has elapsed without the dog owner requesting an appeal under that section, or after council has made a decision as per section 13 if an appeal is made.

DANGEROUS AND FIERCE DOGS

15. The Animal Control Officer may seize any dog that has exhibited dangerous and fierce behavior and shall kennel such animal until an evaluation of the animal has been done by the Animal Control Officer and an authority in dog behavior as recognized by the Town, which may also include quarantining if required vaccinations cannot be proven.
16. Based on the evaluation, the ACO, in consultation with a police manager, shall determine if a dog can be rehabilitated and safely returned to its owner. If it is proven that the dog poses a substantial risk of such behaviour recurring, and the owner is unable or unwilling to deal with the requirements imposed, based on the evaluation, the ACO, in consultation with a police manager, will determine if there are any remedies that might allow the dog to live safely with people. If no satisfactory remedy is found, the dog will be euthanized.
17. If it is determined that the dog can be rehabilitated, it will be returned to the poundkeeper with the stipulation that it may only be adopted if the requirements for rehabilitation are met.
18. Any kennel costs or extraordinary expenses incurred while the dog is impounded shall be borne by the dog owner, whether the dog is redeemed or not.
19. When the ACO determines that a dog is a dangerous and fierce dog, the ACO, if he/she determines in their discretion, that the dangerous dog poses an immediate and significant threat to the public safety, may, after consultation with a police manager, destroy the dangerous dog, without permitting the owner to claim it.
20. If the ACO destroys the dog, the ACO will arrange for the disposal of the remains and will make reasonable efforts to inform the dog owner that the dog has been destroyed. The owner of the dog will be responsible for all costs related to the destruction/disposal.
21. If a dog attacks a person and causes injury, the Amherst Police Department shall, along with the ACO, have the authority to investigate the circumstances of the attack if it is decided that it is appropriate to do so, and the Town of Amherst Police Department may make such recommendations to the ACO as it deems appropriate.
22. No dog shall be deemed fierce or dangerous if it is a professionally trained guard dog or a law enforcement dog while lawfully engaged as such

FECES AND SCOOPING

23. Every owner of a dog shall immediately remove any feces left by the dog in the Town:
    a. on any roadway, sidewalk or parking lot
    b. in a public park
    c. on any public property other than a public park, or
    d. on any private property other than the property of:
        i. The owner of the dog,

ii. or the person having care, custody or control of the dog.

24. Every owner of a dog shall dispose of any feces removed pursuant to this Section on ~~his or~~ their premises or in a public receptacle designed for the disposal of animal feces.
25. Every owner of a dog shall remove from his or her property, in a reasonable timely manner, feces left by such dog, so as not to disturb the enjoyment, comfort, convenience of any person in the vicinity of the property.
26. This section does not apply to a handler of a service dog, where the handler is not reasonably able to remove the feces left by such dog due to a physical disability or impediment.

NOISE

27. No dog shall be permitted to consistently disturb the quiet of a neighborhood by barking, howling, or otherwise making noise to a degree beyond what the Animal Control Officer determines to be normal.
28. In determining what is "normal" in the context of this section, the ACO shall consider one or more, but not limited too, the following factors:
    a. the time of day that the dog is reported as disruptive;
    b. the frequency and duration of the reported disruptive behavior;
    c. the proximity of neighbors and population density of the neighborhood.
29. If the ACO determines, upon reasonable grounds, that a dog is being disruptive, as defined in this section, the ACO shall give a written warning to the dog owner before taking any other action under this by-law.

INTERFERENCE WITH THE ACO OR POUNDKEEPER

30. Anyone who obstructs or interferes with the Animal Control Office, or their duly authorized delegate, or the poundkeeper, engage in the execution of their duties, commits an offense under this by-law.

RABIES

31. Every owner of a dog over the age of four months must have the dog vaccinated against rabies and must keep the rabies vaccinations of the dog up to date.
32. The ACO may seize and impound any animal which is suspected of being rabid and must immediately notify the veterinary clinic.
33. Every owner of an animal who knows or suspects that the animal is rabid must immediately report the animal to a veterinary clinic and the ACO.
34. The Town of Amherst and/or it's designate by resolution may, without notice to or complaint against the owner, impound any dog that:
    a. runs at large contrary to this by-law;

b. is fierce and dangerous

c. is rabid or appears to be rabid or exhibits symptoms thereof; or

d. persistently disturbs the quiet of the neighborhood by barking, howling or otherwise;

after a written warning has been delivered to the dog owner

35. The poundkeeper, upon seizure or impoundment of a dog at large, shall make every effort to inform the dog owner, if known, that the dog has been seized and impounded, including review of available information from tags, tattoos or microchips.
36. If after the expiration of not less than 72 hours, the impounded dog is not claimed, the poundkeeper may, on the expiration of this period, destroy, or place for adoption, the impounded dog.
37. The poundkeeper, upon receiving a certificate from a qualified veterinarian that an impounded dog is suffering from infectious or contagious disease, may immediately destroy that impounded dog.
38. The poundkeeper shall maintain a recorded log, in which he/she shall record the description of every dog impounded, the name of the person who impounded the dog, the time and location of the impoundment, the fees owing and the manner of disposal of the impounded dog.
39. The owner of record of an impounded dog shall be responsible for all uncollected fees or costs in respect of an impounded dog whether or not he/she effects the release of the dog.

ENFORCEMENT AND PENALTIES

40. No companion animal owner shall do anything, or fail to do anything, where that action or omission, as the case may be, results in a violation of this by-law.
41. This by-law may be enforced, at the discretion of the Town:
    a. a. in accordance with the procedures set out in the Municipal Government Act; or
    b. by means of a summary offence ticket under the Municipal Government Act.
42. The Summary Proceedings Act, where applicable, shall apply to proceedings under this by-law.
43. The Animal Control Officer may enter, at all reasonable times, upon any property subject to this by-law in order to ascertain whether this By-law is being obeyed.
44. Every person who contravenes any part of this by-law is guilty of an offense and is subject to the provisions of the *Summary Proceedings Act.*
45. Each day an offense continues shall be a separate offense.
46. The penalties prescribed are as follows:
    a. with respect to the first contravention and/or impoundment in any consecutive 12-month period, payment of $75.00;

b. with respect to a second contravention and/or impoundment within any consecutive 12-month period, payment of $150.00;

c. Third and subsequent Impoundments - A dog impounded for a third time shall not be redeemable and shall become the property of the pound-keeper and will be dealt with accordingly, on a case-by-case basis.

47. Any contravention of any provision of this By-law, in the preceding twelve months by any person charged, shall be counted as a previous contravention for the purpose of the preceding paragraphs.

48. If payment is not made in accordance with these procedures within 14 days of the notice, the fine is recoverable under the *Summary Proceedings Act.*

COSTS

49. In all cases the Town shall have the right to recover from the owner of the dog the cost incurred by the Town in applying this by-law to the owner's dog.

50. In all cases the costs of the Town shall include the actual payments made by the Town, together with its reasonable administrative charges.

51. The provisions of this by-law shall be enforceable pursuant to the *Municipal Government Act.*

INTERPRETATION

52. This by-law shall be read with all changes in gender and number, as may be appropriate.

53. Any part of this by-law found to be illegal shall be severed from the balance of the by-law.

54. Any and all fees referred to in the by-law shall be as set out in the Town of Amherst User Fee Policy #3470-03 and will be reviewed annually.

55. The Town of Amherst Companion Animal By-Law approved by Council on November 23, 2015 is hereby repealed.

SCHEDULE "A"

DOG IMPOUND FEES

1. A dog owner may reclaim their impounded dog upon proving ownership and upon paying to the poundkeeper the following impound fees, maintenance fees pursuant to Schedule "A"
    a. An impoundment fee in respect of a ~~Licensed~~ Dog:
        i. First Impoundment - $75 and a maintenance fee in respect of each day or part of a day on the impoundment period of $25
        ii. Second Impoundment - $150 and a maintenance fee in respect of each day or part of a day on the impoundment period of $50
        iii. Third and subsequent Impoundments - A dog impounded for a third time shall not be redeemable and shall become the property of the poundkeeper and will be dealt with accordingly, on a case-by-case basis

For Administrative Use Only:

Companion Animal Bylaw C-4 Adoption	
First reading:	April 27, 2026
Notice of Intent:	May 8, 2026
Second Reading:	May 25, 2026
Notice of Publication and Effective Date of Bylaw:	May 30, 2026
Notice to Service Nova Scotia & Municipal Relations:	June 1, 2026

VERSION LOG

Bylaw Owner	Amendment Description	Council Approval Date
Chief of Police	1. Changes to numbering of sections; 2. Additional definitions in the interpretation section such as "Accredited Training", "Continuous Restraint and Control, "Mitigating Factor', "Muzzle Orde' and "Town" to ensure more clarity in the roles, authority and decision making; 3. A section that provides for the use of an animal for Search and Rescue, Law Enforcement Operations, Special Needs dogs, and for off-leash dog parks; 4, Additional options and authorities for the Animal Control Officer when dealing with dangerous dogs; 5. A mechanism for dog owners to appeal to council when their animal has been classified as a "dangerous dog" and is subject to restrictions;	November 27, 2023

	6. Additional guidance for the ACO/Police when dealing with Dangerous and Fierce Dogs that includes risk assessments and the possibility of rehabilitation and other options for the animal; 7. The addition of 14 days to pay a fine before proceeding to court via the Summary Proceedings Act; 8. Change in the dog impound fees and actions that are in-line with the Cumberland County fees and actions and includes: a. First impoundment increased from $30 to $75 b. Second impoundment increased from $70 to $150 c. Third impound results in permanent seizure of the animal {case by case basis) d. Maintenance fee for each day/part of a day increase from $15 to $25; 9. Unregistered dog impoundment fee increased from $100 to $150	
	• Deletion of any reference to the sale or issuance of dog licenses or permits • Deletion of references to 'licensed dog', 'Licensing year' and fees associated to 'unlicensed dogs' • Changes related to additional control and restraint over animals o Added a definition in regards to a 'Enclosed Fenced Yard'; o Added a definition of 'tether'; o A new section that deals with the issue of the ability to keep animals under effective restraint, including while on privately-owned property; • Changes in regard to the disposing of animal feces by including the option of utilizing public receptacles. • Removing the optional licensing and registration of cats	May 25, 2026