



TOWN OF MIDDLETON
DOG BYLAW

Short Title

1. This Bylaw may be cited as the “Dog Bylaw”.

Definitions

2. Except as provided below, terms used in this policy shall have the same meaning as in the Municipal *Government Act*, or as their context applies according to a dictionary of the English language:

- (1) “at large” means:
 - (a) off the premises of the owner without being on a leash or under the effective care and control at all times of a responsible and capable person; or
 - (b) on a tether of sufficient length to permit the dog to wander beyond the property boundaries of the premises of the owner.
- (2) "extraordinary expense" means any expense incurred by Municipal Staff in relation to a dog except for provision of food and shelter;
- (3) “fierce or dangerous dog” means any dog:
 - (a) that, in the absence of a mitigating factor as defined herein, has attacked or injured a person;
 - (b) that, in the absence of a mitigating factor as defined herein, has attacked or injured a domestic animal;
 - (c) that, in the absence of a mitigating factor as defined herein, approaches any person or domestic animal in an apparent attitude of attack upon streets, sidewalks, any public grounds or places, or on private property other than the property of the owner;
 - (d) trained or used for dog fighting; or
 - (e) that is rabid or appears to be rabid or exhibiting symptoms of canine madness.
- (4) “mitigating factor” means a circumstance that may excuse the dangerous behaviour of a dog and, without limiting the generality of the foregoing, may include:
 - (a) aggressive behavior while acting in defense of an attack by a person or domestic animal;
 - (b) aggressive behaviour while acting in defense of its young;
 - (c) aggressive behavior as a reaction to a person or domestic animal trespassing on the property of its owner;
 - (d) aggressive behaviour resulting from being teased, provoked, or tormented;



- (e) aggressive behavior caused by the complainant leaving food or attractants of any type out of doors;
 - (f) the dog is a professionally trained dog lawfully engaged in law enforcement duties under the control of a law enforcement officer.
- (5) "Municipality" means the Municipality of the County of Annapolis;
- (6) "Municipal Staff" means a municipal employee designated by the Chief Administrative Officer (CAO) to act on the Municipality's behalf for the purpose of enforcing this Bylaw.

Registration

3. County residents have the option to register their dog and receive a dog tag on a volunteer basis for a one-time fee as set by Municipal Council from time to time by policy or motion.
4. The registration can be transferred to a subsequent dog, with the registration information updated.
5. A fee as set by Municipal Council from time to time by policy or motion is required for a replacement tag.
6. Residents may register their dog and receive a tag at the Annapolis Royal or Middleton Municipal Offices.

Administration of Bylaw

7. Municipal Staff shall be responsible for the enforcement of this Bylaw.
8. Municipal Staff shall collect on behalf of the Municipality any impounding fees, daily pound fees and any other additional expenses, charges or fees as are authorized in this Bylaw.
9. Municipal Staff shall protect the confidentiality of all persons involved in an investigation to the greatest extent possible, except as may be required to be disclosed for court prosecution and in accordance with Part XX, *Municipal Government Act* (Freedom of Information and Protection of Privacy).

Contravention of Bylaw

10. Every owner:
 - (1) whose dog runs at large; or
 - (2) whose dog has attacked or injured a person; or
 - (3) whose dog has attacked or injured a domestic animal; or
 - (4) who fails to comply with a notice to muzzle, securely leash, and ensure that the dog is under the control of a person not under 18 years of age when the dog is off the property of the owner the dog; or

- (5) who fails to comply with a notice 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; or
 - (6) who fails to remove the feces of their dog from public property or private property other than the owners; or
 - (7) whose dog persistently disturbs the quiet of the neighbourhood by barking, howling or otherwise; or
 - (8) who owns, keeps or harbours a fierce or dangerous dog
- is guilty of an offence under this Bylaw. Each contravention is a separate offence and subject to a separate charge.

Dogs Barking

- 11. No dog shall be permitted to persistently disturb the quiet of a neighbourhood by barking, howling or otherwise making noise to a degree beyond what the Bylaw Enforcement Officer determines to be normal.
- 12. In determining what is “normal” in the context of this section, the Bylaw Enforcement Officer shall consider one or more, but not limited to, the following factors:
 - a) The time of day that the dog is reported as disruptive.
 - b) The frequency and duration of the reported disruptive behaviour.
 - c) The proximity of neighbours and population density of the neighbourhood.
- 13. The owner of a dog which persistently disturbs the quiet of a neighbourhood within the meaning of this part commits an offence under this Bylaw. If the Bylaw Enforcement Officer determines, upon reasonable grounds, that a dog is being disruptive, as defined in this section, the Bylaw Enforcement Officer shall give a written warning to the dog owner before taking any other action under this Bylaw.

Dogs at Large

- 14. Municipal Staff may, without notice to or complaint against the owner, impound any dog that runs at large contrary to this Bylaw.
- 15. When a dog is impounded, Municipal Staff shall check for a tag or electronic identification device. If a tag or electronic identification device is found, Municipal Staff shall make at least one attempt to contact the owner of the dog. However, it remains the responsibility of the owner of a missing dog to contact Municipal Staff to ascertain whether the dog has been impounded.
- 16. Any dog which has not been recovered by its owner at the expiry of a period of three (3) business days after being impounded may be given away or humanely euthanized.



17. Whenever the three (3) business days of impounding time expires on a weekend or holiday, Municipal Staff shall hold such dog until the expiry of the first business day following the weekend or holiday to permit the owner to recover the dog.
18. Where a dog is injured, ill or diseased before or after being impounded such that in the opinion of Municipal Staff and on the advice of a veterinarian it should be euthanized without delay for humane reasons, the dog may be euthanized in a humane manner without giving notice to the owner or permitting any person to recover the animal.
19. Where a dog is injured, ill or diseased before or after being impounded such that in the opinion of Municipal Staff it should receive veterinary treatment without delay for humane reasons, the dog may receive treatment without giving notice to the owner or permitting any person to recover the animal prior to receiving treatment.
20. Upon verification of proof of ownership, the owner of a dog which has been impounded for being at large may recover the dog after making payment (or satisfactory arrangements for payment) of:
 - (1) an impounding fee (as set by Municipal Council from time to time by policy or practice);
 - (2) a daily pound fee (as set by Municipal Council from time to time by policy or practice);
 - (3) all travel expenses incurred by the Municipality;
 - (4) all necessary veterinary costs incurred to care for the dog;
 - (5) reimbursement for any extraordinary expenses incurred by Municipal Staff in relation to the dog; and
 - (6) a mandatory registration fee (tag and / or microchip at the discretion of Municipal Staff).
21. If a dog is not released to its owner, the fees, expenses and costs payable in Section 16 may be recovered by the Municipality from the owner as a debt.
22. In a circumstance that previous warnings or tickets have been given to the owner of a dog which has been at large, Municipal Staff may refuse to permit the owner to recover the dog. Any dog which is not permitted to be recovered by its owner may be given away or humanely euthanized.

Fierce or Dangerous Dogs

23. If a dog is fierce or dangerous, Municipal Staff may do any one or a combination of the following:
 - (1) impound the dog;
 - (2) issue the owner a notice to muzzle, securely leash, and ensure that the dog is under the control of a person not under 18 years of age when the dog is off the property of the dog owner;
 - (3) issue the owner a notice 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.



24. If in the opinion of Municipal Staff a dog is an imminent threat to the safety of humans or domestic animals, Municipal Staff may have the dog destroyed without permitting the owner to recover it and issue a notice to the owner informing that the dog has been destroyed.
25. If a notice has been issued to the owner in accordance with Section 19, the owner may recover the dog after making payment (or satisfactory arrangements for payment) of:
 - (1) an impounding fee (as fixed by policy or motion);
 - (2) a daily pound fee (as fixed by policy or motion);
 - (3) all travel expenses incurred by the Municipality;
 - (4) all necessary veterinary costs incurred to care for the dog; and
 - (5) reimbursement for any extraordinary expenses incurred by Municipal Staff in relation to the dog;
 - (6) a mandatory registration fee.
26. Where a dog impounded in accordance with Section 19 is injured, ill or diseased before or after being impounded such that in the opinion of Municipal Staff it should be destroyed without delay for humane reasons, the dog may be euthanized in a humane manner without giving notice to the owner or permitting any person to recover the animal.
27. If a dog is euthanized, the fees, expenses and costs payable in Section 21 may be recovered by the Municipality from the owner as a debt.
28. The failure of the owner to comply with any notice issued in accordance with Section 19 shall be an offence under this Bylaw.

Penalty

25. Any person who contravenes any provision of this Bylaw is punishable on summary conviction by a fine of not less than \$200.00 and not more than \$1,000 for a first offence; and not less than \$300.00 and not more than \$1,000 for a second offence; and not less than \$400.00 and not more than \$1,000 for a third or subsequent offence.

Repeal

3. A Bylaw known as Animal Control Bylaw, dated May 12, 1999, and amended July 25, 2020, is hereby repealed.



CERTIFICATION

I, **Sara Marceau, Town Clerk for the Town of Middleton**, do hereby certify that the bylaw, of which the foregoing is a true copy, was duly passed at a called meeting of the Town Council of the Town of Middleton held on the 14th day of July, 2025.

GIVEN under the hand of the Town Clerk and the corporate seal of the Town of Middleton this 16th day of July, 2025.



Sara Marceau
Town Clerk

Bylaw Adoption	
Date of First Reading:	June 16, 2025
Publication of Notice of Intent:	June 17, 2025
Date of 2 nd Reading & Passing:	July 14, 2025
Date of Publication of Notice of Passing:	July 16, 2025
Description: Passing of Original Bylaw	
Description: The initial approval of the Dog Bylaw, Chapter 60, which includes the repeal of the previous Animal Control Bylaw, Chapter 12 approved July 20, 2020.	