

Explanation for Council re By-law No. 2619/80

A By-law to amend certain terminology and provide for more efficient enforcement of the Pound By-law.

F. N. Steele
City Solicitor.

BY-LAW NO.2619/80

A By-law to amend By-law No. 2443/79,
being the Pound By-law.

THE CITY OF WINNIPEG, in Council assembled, enacts
as follows:

1. Section 20 of By-law No. 2443/79 is amended
as follows:

- (a) Clause 1(b) thereof is amended by deleting the words "in the neighbourhood" where same appear in the third line thereof and substituting therefor the words "or persons anywhere";
- (b) Clause 1(g) is amended by deleting the semi-colon at the end thereof and adding thereto the words "or persons anywhere by biting".

2. Section 21 of By-law No. 2443/79 is amended
as follows:

(a) By deleting clause (b), subsection (1) thereof,
and
substituting therefor the following:

"(b) to issue either a penalty ticket to or lay an information against an owner alleged to have committed an offence of permitting his dog to run at large. A penalty ticket may be served on the owner personally or upon a person apparently over the age of sixteen years at the residence of the owner."

(b) By adding to clause (a) of subsection (5), after the word "bitten" in the third line thereof, the following, "on private premises or elsewhere".

(c) By deleting clause (d) of subsection (5) thereof and substituting therefor the following:

"(d) If the owner of such dog delivers the dog to a place other than the Pound such place must be in Winnipeg and must be under the personal supervision of a licensed Veterinary Surgeon and the dog must remain at such place at the owner's expense for ten (10) days, commencing from the date of the bite."

3. Section 24 of By-law No. 2443/79 is amended
as follows:

- (a) By deleting the words "shall issue a summons to" in the first sentence of the first paragraph of subsection (1) thereof and substituting therefor the words "may in the case of a Poundkeeper lay an information against or issue a penalty ticket to and in the case of a Police Constable lay an information against".
- (b) By deleting the second sentence in the first paragraph of subsection (1) thereof and substituting therefor the following:

"The penalty ticket shall state the alleged offence and required payment of the appropriate fine as provided or impoundment fees as in Sections 21 and 22."

- (c) By adding immediately after the first paragraph of subsection (1) the following:

"(2) Every person who contravenes any of the provisions of this Part is guilty of an offence and is liable on summary conviction to the fine or penalty as hereinafter prescribed:"

- (d) By adding after the renumbered subsection (2)(g) the following:

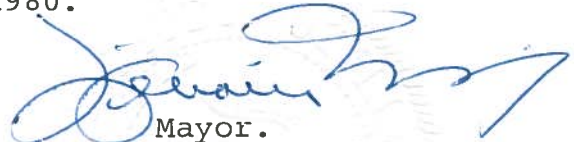
"(3) Every person who contravenes subsection 19(1) is guilty of an offence and is liable on summary conviction to a fine or penalty of not less than \$25.00 nor more than \$500.00."

- (e) By renumbering the present subsection (2) to subsection (4) and:

- (i) Deleting the words "if the penalty is not set out in Section (1) hereof, then the penalties shall be as follows;" where same appear in the second and third lines thereof and substituting therefor the following words: "where no other penalty is prescribed, then the penalty shall be as follows", and
- (ii) Deleting the words "at the discretion of the convicting Provincial Judge" where same appear in the eighth and ninth lines thereof.

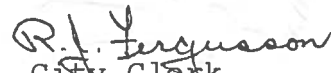
- (f) By renumbering the present subsection (3) subsection (5).

DONE AND PASSED, in Council assembled, this 16th
day of April, A.D. 1980.


Mayor.

Certified as to form:


for F. N. Steele,
City Solicitor.


R. J. Ferguson
City Clerk.

REPEALED

BY

BY-LAW NO. 92/2013

CITY OF WINNIPEG