

NO. 22 IMPOUNDING ANIMALS

1. In this by-law:
 - a. the expression "animal" means any horse, ass, mule, bull, ox, cow, sheep, goat or pig; and
 - b. the expression "fowl" means any hen, turkey, goose, or duck.
2. The Council may establish one or more pounds for the confinement of animals and fowls lawfully impounded and appoint keepers therefor and determine the remuneration to be paid to such keepers.
3. The owner of any animal or of any fowl shall prevent the same from wandering or being upon any street, in the town without some person being in immediate charge thereof.
4. In any proceeding for a violation of this bylaw, the fact that any such animal or fowl was found upon any street or trespassing on any private property without any person in the immediate charge thereof, shall be evidence that the owner of the same has permitted it to go at large without any person in immediate charge thereof.
5. Any such animal or fowl may go upon any street for the purpose of being taken along the same from one place to another, and not for the purpose of pasturing or wandering thereon; and any person in charge thereof who does not use his best endeavors to drive such animal or fowl from such one place to such other place, but permits the same to pasture or wander upon the street, shall be deemed to have committed a violation of this bylaw; and such animal or fowl may be impounded and dealt with as hereinafter provided.
6. Any such animal or fowl as aforesaid found at large upon any street or private property may be impounded in one of the pounds established by the Council.
7. It shall be the duty of every police officer to impound any such animal or fowl, by any person may do so.
8. the keeper of any pound shall receive any animal or fowl brought to him to be impounded and detain the same and supply it with food and water.
9. As soon as any animal or fowl has been impounded, the keeper of the pound in which it has been place shall post up in three public and conspicuous places in the town, a notice signed by him containing a general description of the animal or the fowl, and stating that the same will be sold by him at public auction at a time and place therein named, unless before such sale, the penalty if nay, incurred by the owner and the fees and expenses authorized by this by-law to be exacted and any damages adjudged under the provisions of any statute in that behalf are paid or otherwise satisfactory arranged.
10.
 - (1) If the name and address of the owner of such animal or fowl is known to the keeper of the pound, such sale shall take place on the 5th day after impounding, otherwise on the 10th day thereafter.
 - (2) If the name and address of such owner is know to the keeper of the pound, he shall serve him with a copy of such notice at least forty eight hours before such sale, either by leaving the same at his address or by mailing the same to him postage prepaid.
 - (3) If such name and address is not known to the keeper of the pound, he shall publish a copy of such notice in the newspaper circulating in the town by one insertion at least forty eight hours before the time of such sale.

11. If at or before the time appointed for such sale the owner of the animal or fowl has not paid such of the fees, expenses and damage provided by this by-law as have been incurred with respect to such animal or fowl, or given a bond to the approval of the keeper of the pound to respond to any judgment or order made in any proceeding under this by-law in respect to such animal or fowl, then the keeper shall proceed to sell such animal or fowl by public auction to the highest bidder at the time and place appointed in such notice.

12. The balance of the purchase money received at any such sale, after deducting all such fees and expenses and damages, and a sum sufficient to pay and penalty which such owner may have incurred in respect to the animal or fowl sold and the cost of enforcing the same, shall be paid by the keeper of the pound to the owner on application therefor.

13. Before any animal or fowl impounded is released, there shall be paid to the keeper of the pound such of the fees and expenses provided by this bylaw as have been incurred in respect to such animal or fowl, and also the amount of any penalty to which the owner of such animal or fowl may have rendered himself liable under this by-law, or there shall be given to the keeper a bond to the approval of the keeper to respond to any judgment on order that may be given or made in any proceeding under this by-law to enforce such penalty.

14. One half of the amount of all penalties paid under this by-law and all fees and expenses paid thereunder shall go to the keeper of the pound to whom they are paid. The other half of such penalties shall be paid by him to the town.

15. The keeper of every pound shall on or before the thirty first day of December in each year render an account to the Council showing the persons by whom any penalties have been paid during such year and the amounts thereof.

16. Any person who rescues or attempts to rescue any animal or fowl from the pound or when being taken to a pound, shall be guilty of a violation of this by-law.

17. In every case in which a bond is required by this bylaw, it shall be made to the keeper of the pound and it shall be the duty of the keeper in his own name to lay any information made necessary by a breach of any provisions of this by-law, and to institute any proceedings required because of a breach of the condition of such bond.

18. Every person who contravenes or fails to comply with any of the foregoing provisions in respect to impounding animals, shall be liable to a penalty not exceeding ten dollars, and in default of payment to imprisonment for a period not exceeding twenty dollars.

19. The following fees and expenses shall be taken by any keeper of a pound under this bylaw.

FEES:

Each notice and posting same	.10	
Unlocking pound and releasing any animal	.30	
Unlocking pound and releasing any one fowl		.10
For every additional fowl	.05	
Conducting sale	1.00	

EXPENSES:

Providing food and water for every animal each day	.50	
Providing food and water for each fowl each day	.50	