



# THE NEWFOUNDLAND AND LABRADOR GAZETTE

## PART I PUBLISHED BY AUTHORITY

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ST. JOHN'S, FRIDAY, May 7, 2021

No. 18

### MUNICIPALITIES ACT, 1999

#### NOTICE OF REGISTRATION TOWN OF HAPPY VALLEY-GOOSE BAY URBAN BEE REGULATIONS, 2021 PUBLISHED BY AUTHORITY

Pursuant to and by virtue of the powers conferred by Section 414 of the *Municipalities Act, 1999*, SNL 1999, c. M-24 as amended, the Town Council of the Town of Happy Valley-Goose Bay enacts the following Urban Bee Regulations.

#### 1. TITLE

These Regulations may be cited as the "Town of Happy Valley-Goose Bay Urban Bee Regulations, 2021".

#### 2. PURPOSE

These Regulations are enacted to provide conditions with respect to the husbandry of bees in the urban area in the Town of Happy Valley-Goose Bay.

#### 3. INTERPRETATION

In these Regulations,

"Act" shall mean the *Municipalities Act, 1999*, SNL 1999, c. M-24, as amended.

"Bee" shall mean the honey bee.

"Beehive" shall mean a structure in which Bees are kept, typically in the form of a box specifically built for that purpose.

"Regulations" shall mean these Urban Bee Regulations.

"Town" shall mean the Town of Happy Valley-Goose Bay as incorporated under the Act.

"Urban Beekeeping" shall mean a hobby, where honey bees are kept for the purpose of honey production and/or beeswax production for domestic purposes.

#### 4. APPLICATION OF REGULATIONS

4.1. No Beehive shall be placed on a residential property without first obtaining a permit from the Town. The application must include a site drawing of hive location and indicate distances to sideyards, adjoining properties, location and height of fences and any other information pertinent to responsible beekeeping.

4.2. Beehives shall only be permitted in Residential Low Density and Residential Medium Density, Cottage and Rural Residential zones in the Urban area of the Town of Happy Valley-Goose Bay. These Regulations do not apply to the Agriculture and Resource (Rural) zones outside the urban area of the Town.

4.3 Beehives on a residential lot shall be subject to the following conditions:

- a. Hives must be located in the rear of the property;
- b. Property must be a single-family dwelling or, in the case of duplexes or apartments, each home owner must have private yard space;
- c. A fence around the beehive must be present at a height of at least 1.85 meters and a minimum of 2 meters away from each side of the hive;
- d. Site must have sufficient water source to sustain good bee health;
- e. Site must have signage visible to identify that a bee hive is present on property;
- f. The number of hives allowed on each property is dependant on the property size and location and will be approved at the discretion of Council;
- g. Hives must be located at least 3 meters away from property lines;
- h. Hives must have frames that are easily removed for visual inspection;
- i. Hives must be maintained in such a condition which prevents undue swarming and aggressive behaviour;
- j. A warning sign must be placed upon entry to the property;
- k. The entrance of the beehive shall be aimed away from neighbouring buildings;
- l. Fencing, hedging, or other suitable barrier must at least 1.85 m in height and be established to direct bees from neighbouring dwellings; and
- m. The individual proposing to install and maintain the Beehive shall submit written confirmation that the individual is trained in the keeping of bees or will be mentored by an existing beekeeper who has more than two (2) years' experience caring for bees in Newfoundland and Labrador.

#### 5. CONTRAVENTION OF REGULATIONS

Any person who neglects or fails to comply with or acts in contravention of these Regulations shall be guilty of an offense and shall be liable on Summary conviction to a penalty as provided for in Section 420 of the Act.

#### 6. COMPLIANCE WITH OTHER LEGISLATION

Nothing in these Regulations serves to exempt any person from obtaining any license, permission, permit, authority or approval required by any other Regulation of the Town or any Statute or Regulation of the Province of Newfoundland

and Labrador. Where there is a conflict between a provision of this Regulation and a provision of another Regulation of the Town, the more restrictive provision shall prevail. Where there is a conflict between these Regulations and a provincial statute or regulation, the provincial law shall prevail.

#### EFFECTIVE DATE

These Regulations have been adopted and came into effect on 27<sup>th</sup> day of April, 2021 through resolution of Council #7.a.vi.

In witness whereof the Seal of the Town of Happy Valley-Goose Bay has been affixed hereto and these Regulations have been signed by the Mayor and the Town Clerk on behalf of Council on the 30<sup>th</sup> day of April, 2021.

TOWN OF HAPPY VALLEY-GOOSE BAY  
Wally Andersen, Mayor  
Nadine MacAuley, Town Clerk

May 6

#### TOWN OF HAPPY VALLEY-GOOSE BAY URBAN CHICKEN REGULATIONS, 2021 PUBLISHED BY AUTHORITY

Whereas the *Municipalities Act, 1999*, SNL 1999, c M-24, section 414 (2) (g), (h), (i) and U), authorizes the councils of municipalities to pass regulations with respect to animals; AND whereas the Town Council considers it advisable to pass such regulations for the purposes of controlling chickens in the urban area of the community;

Therefore, the Town Council of the Town of Happy Valley-Goose Bay enacts as follows:

#### SECTION 1: DEFINITIONS

1.1 In these Regulations, unless the context otherwise requires:

1.1.1 "Animal Control Officer" means a person appointed by Council to seize and impound chickens and to enforce these Regulations as a Municipal Enforcement Officer pursuant to the *Municipalities Act, 1999*, SNL 1999, c M-24, as amended;

1.1.2 "At Large" means a Chicken being outside a Coop between 9 p.m. and 7 a.m. or outside the property boundaries of the owner;

1.1.3 "Coop" means a fully enclosed weatherproof building where Chickens are kept and which the interior includes nest boxes for egg laying, perches for the Chickens to sleep on, and food and water containers;

1.1.4 "Council" means the Town Council of Happy Valley - Goose Bay;

1.1.5 "Impounded" means to seize and hold in custody;

1.1.6 “Peace Officer” means a member of the Royal Newfoundland Constabulary, a member of the Royal Canadian Mounted Police, an Animal Control Officer, or a Municipal Enforcement Officer;

1.1.7 “Regulations” means these Urban Chicken Regulations;

1.1.8 “Run” means a secure enclosure that allows Chickens to access the outdoors; and,

1.1.9 “Town” means the Town of Happy Valley - Goose Bay.

**SECTION 2: APPLICATION**

2.1 These Regulations apply to all urban chickens as outlined in 2.3 and to the owners of such animals. These Regulations do not apply to legally-conforming commercial poultry operations as set out in the Town Municipal Plan and Development Regulations.

2.2 No person shall keep Chickens anywhere where these Urban Chicken Regulations apply within the Town unless he or she has first obtained an Urban Chicken permit.

2.3 Within the urban area of the Town, in the residential, commercial, and mixed zones, the keeping of urban chickens may be permitted as an accessory use, at the discretion of Council, subject to notification of adjacent property owners of such an application. The area of the chicken coop and run(s) shall be calculated as part of the lot coverage.

**SECTION 3: ADMINISTRATION**

3.1 Every application for an Urban Chicken permit, or for the renewal of such a permit, shall be submitted to the Town in the form provided by the Town, together with the permit fee.

3.2 A fee will be charged for each Urban Chicken permit in accordance with the Town’s Schedule of Fees, as amended.

3.3 If, at any time, the Town determines that the operation of a Coop does not conform to the requirements of these Regulations, or the applicable Urban Chicken permit, it may suspend or revoke the permit.

3.4 Without derogating from any requirement imposed by a regulation regulating the application and permit process for the construction of buildings or other structures, an application for an Urban Chicken permit shall, with respect to the Coop and Run in which the Chickens are proposed to be kept, housed or confined, include:

3.4.1 a scaled and dimensional site plan showing the proposed location of the proposed Chicken coop and associated chicken runs and the distances from the boundaries of the subject property, location of the doorway(s) including Run door, and location of the window(s) of the Coop and/or Run.

3.5 On application, but subject to the Town’s Development Regulations, as amended, which shall prevail in the event of conflict, the Town may issue an Urban Chicken permit where the application complies with the following conditions:

3.5.1 The applicant is the owner or tenant in occupation of the subject property on which the Chickens are proposed to be kept;

3.5.2 Tenants must obtain permission from the property owner to keep Chickens on the owner’s property;

3.5.3 The comments of the neighbouring property owners shall be taken into consideration in the review of the application.

3.5.4 Coops and Runs shall be of a distance of at least 1 metre from the rear lot line and at least 1 metre from any side lot line of the property on which the Chickens are kept;

3.5.5 Coops and Runs shall be a minimum distance of 3 metres from all windows and doors of dwellings that are located on the property on which the Chickens are kept;

3.5.6 Coops and Runs are not permitted on any front or side yard, they must be located in the rear yard only;

3.5.7 Each Chicken shall have a minimum of 0.37 square metres of Coop floor space and 0.92 square metres of Run space; and,

**SECTION 4: OPERATION OF CHICKEN COOP**

4.1 Every person who holds an Urban Chicken permit shall allow, at any reasonable time, an Animal Control Officer or other authorized employee or agent of the Town, to inspect the property, to determine whether all requirements of these Regulations and any Urban Chicken permit are being complied with.

4.2 The following standards apply to determine the number of chickens on a property:

4.2.1 For every 0.4 hectare (with a minimum of 0.4 hectares), 12 chickens are allowed; no roosters shall be allowed); and,

- 4.2.2 On lots smaller than 0.4 hectares, but greater than 669 m<sup>2</sup> = 4 chickens, no roosters shall be allowed.
- 4.3 Every person who holds an Urban Chicken permit shall provide consistent, humane care to the Chickens, including, without limitation, care in full accordance with the Recommended Code of Practice for the Care and Handling of Farm Animals - Chicken, Turkeys and Breeders from Hatchery to Processing Plant, published by the Canadian AgriFood Research Council, as amended.
- 4.4 The Town, through its discretion, may attach conditions to an Urban Chicken permit. For greater certainty, an Urban Chicken permit shall be subject to the following conditions:
- 4.4.1 An Urban Chicken permit shall be clearly displayed in a window of the Chicken Coop;
- 4.4.2 Chickens shall be kept in their Coops between 9:00pm and 7:00am;
- 4.4.3 Chickens must be contained at all times in either the Coop or Run or an enclosed backyard;
- 4.4.4 The sale of eggs, chickens, chicks, manure and other products associated with the keeping of Chickens must comply with Provincial Government regulations and as a home business, the owner shall obtain a Business Licence from the Town;
- 4.4.5 Coops and Runs shall be maintained in a clean condition and shall be kept free of obnoxious odors, substances, and vermin;
- 4.4.6 No person shall keep a Chicken that, in the opinion of the Animal Control Officer or Peace Officer, is exhibiting behavior or symptoms of illness that threaten the health and/or safety of persons or animals;
- 4.4.7 Chickens shall be either destroyed or provided veterinary care when ill;
- 4.4.8 Any deceased Chickens shall be disposed of either at a veterinarian clinic or a landfill in a sealed bag as per the Town of Happy Valley-Goose Bay Anti Litter Regulations and the Town of Happy Valley-Goose Bay Waste Disposal Regulations;
- 4.4.9 Stored manure shall be kept in an enclosed structure, such as a compost bin, and removed according to Provincial Government regulations regarding manure management;

- 4.4.10 No owner shall cause or permit his or her Chicken to become a public nuisance, including by way of persistently crowing or clucking; and,
- 4.4.11 Chickens on properties in the zones set out in 2.3 are to be kept for personal use only.

#### **SECTION 5: BEING AT LARGE OR TRESPASSING**

- 5.1 A Chicken may be seized or impounded by a Peace Officer or Animal Control Officer if it is;
- 5.1.1 at large;
- 5.1.2 found damaging or destroying private property; or
- 5.1.3 held in contravention of an Urban Chicken permit, or without a valid Urban Chicken permit.
- 5.2 Where an owner of a Chicken is not found within five days after the Chicken is Impounded, the Town may, in its discretion, euthanize the Chicken in accordance with the Animal Protection Regulations, NLR 35/12, as amended.
- 5.3 Prior to euthanizing any Chicken, the Town shall make reasonable efforts to find and notify the owner.
- 5.4 The carcass of any Chicken euthanized pursuant to these Regulations shall be disposed of by burning, burying or the procedure set out in 4.5.8.

#### **SECTION 6: ENFORCEMENT**

- 6.1 Any person who contravenes any of the provisions of these Regulations is guilty of an offence, and is liable on summary conviction to those sentences as available under application legislation.
- 6.2 It is deemed to be an Offence under the Regulations where:
- 6.2.1 A Chicken causes damage to any lawn, grass plot, garden, or flower bed or flower, shrub or plant owned by someone other than the owner of the Chicken;
- 6.2.2 A Chicken crows or clucks persistently in such a manner as to disturb the peace or to constitute an annoyance or nuisance to residents in the neighborhood;
- 6.2.3 A person interferes with or attempts to interfere with a Peace Officer or Animal Control officer in the exercise of its duties; or,
- 6.2.4 A person releases a Chicken that has been Impounded without the authority of an Animal Control Officer.

6.3 For the purposes of subsections 6.2.1 and 6.2.2, the owner of the Chicken will be deemed to have committed the offence.

6.4 Every person requested by a Peace Officer or Animal Control Officer shall, on request, forthwith give his/her proper name and address.

#### EFFECTIVE DATE

These Regulations have been adopted and came into effect on 27<sup>th</sup> day of April, 2021 through resolution of Council # 7.a.vii.

In witness whereof the Seal of the Town of Happy Valley-Goose Bay has been affixed hereto and these Regulations have been signed by the Mayor and the Town Clerk on behalf of Council on the 30<sup>th</sup> day of April, 2021.

TOWN OF HAPPY VALLEY-GOOSE BAY  
Wally Andersen, Mayor  
Nadine MacAuley, Town Clerk

May 6

#### TOWN OF HAPPY VALLEY-GOOSE BAY DOG/CAT REGULATIONS PUBLISHED BY AUTHORITY

Whereas the *Municipalities Act, 1999*, SNL 1999, c M-24, Sections 414(2)(g), (h),(i),U ,(k) ,(l) ,(m),(n),(o) ,(p), and (q) permits municipalities to pass regulations controlling the keeping of dogs and other animals within the municipality, AND whereas the Town Council considers it advisable to pass such regulations;

Therefore, the Town Council of the Town of Happy Valley-Goose Bay enacts as follows:

#### SECTION 1: DEFINITIONS

1. In these Regulations, unless the context otherwise requires:
  - 1.1 “Aggressive Behavior” means any behavior by a dog that, in the opinion of a Peace Officer, is connected with an attack or impending attack, and includes snarling, growling, snapping, biting, barking, or lunging.
  - 1.2 “Animal” means a dog or a cat.
  - 1.3 “Animal Control Officer” means a person appointed by Council to seize and Impound dogs, and to enforce these Regulations as a Municipal Enforcement Officer pursuant to the *Municipalities Act, 1999*, SNL 1999 c M-24, as amended.
  - 1.4 “Certified Service Animal” means an Animal trained to provide assistance to a person with a disability and having the qualifications prescribed by the *Service Animal Act*, SNL 2012, c S-13.02, and used by a person with a disability.

1.5. “Council” means the Town Council of Happy Valley-Goose Bay.

1.6. “Dangerous Dog” means any dog that:

- 1.6.1. in the absence of any Mitigating Factor, has attacked, bitten or caused injury to a human being, or has demonstrated the propensity, tendency or disposition to do so; or,

- 1.6.2. in the absence of any Mitigating Factor, has attacked, bitten, or caused injury to a Domestic Animal requiring the services and treatment of a veterinarian, or has demonstrated the propensity, tendency or disposition to do so.

1.7. “Distress” means the state of being in need of proper care, water, food or shelter, being sick, injured, abused or in pain or in suffering undue or unnecessary hardship, privation or neglect.

1.8. “Domestic Animal” means an Animal or other species that is kept for companionship or bred or raised for sale for companionship and not for agricultural purpose, and excludes livestock or wild life. “Impounded” means to seize and hold in custody.

1.9. “Impounded” means to seize and hold in custody.

1.10. “Law Enforcement Animal” means an Animal in service with the Royal Canadian Mounted Police, Police Dog Services.

1.11. “License” means a license confirming the registration of a dog with the Town of Happy Valley-Goose Bay.

1.12. “Mitigating Factor” means a circumstance which excuses Aggressive Behavior of a dog, and without limiting the generality of the foregoing, may include circumstances where:

- 1.12.1. the dog was acting in defense to an attack from a person or Domestic Animal at the time of the Aggressive Behavior;

- 1.12.2. the dog was acting in defense of its young, or to a person or Domestic Animal trespassing on the property of its owner at the time of the Aggressive Behavior;

- 1.12.3. the dog bite, attack, or threat of attack was sustained by a person who was committing a willful trespass or other tort upon the premises occupied by the owner or keeper of the dog; or,

- 1.12.4. the dog was being tormented at the time of the Aggressive Behavior.

1.13. “Muzzle” means a humane fastening or covering device of adequate strength placed over a dog’s mouth to prevent it from biting.

- 1.14. "Peace Officer" means a Municipal Enforcement Officer, a member of the Royal Newfoundland Constabulary, a member of the Royal Canadian Mounted Police, Canadian Forces Military Police, or an Animal Control Officer.
- 1.15. "Regulations" means these Dog/Cat Regulations.
- 1.16. "Restrained" means being kept inside a building or house or in an enclosure of sufficient dimension and strength to be humane and secure so as to prevent an Animal from coming in contact with, or making a real and substantial threat of attack on, a person other than the owner of the Animal, or invitee of the owner, and includes keeping such Animal securely on a leash of not more than two (2) meters in length when outside of such building, house or enclosure.
- 1.17. "Running at Large" means to be found in any place other than the premises of the owner and not under the physical control of any person by means of a leash.
- 1.18. "Town" means the Town of Happy Valley-Goose Bay.

#### **SECTIONS 2-6: LICENSING REQUIREMENTS**

- 2.1 From and after the date of the passing of these Regulations, no person shall keep a dog within the limits of the Town unless such dog has been licensed in accordance with the following:
  - i. The owner of any dog being three (3) months of age or older shall obtain a License for the dog by registering it with the Town and paying the applicable fee.
  - ii. The owner of any dog being three (3) months of age or older shall obtain a License for the dog within 20 business days of acquiring the dog, or within 20 business days of the dog attaining three (3) months of age.
- 2.2 A Law Enforcement Animal is exempt from these Regulations.
- 2.3 A Certified Service Animal is exempt from any License fee but shall be registered.
- 3.1 A fee of \$30.00 for each License will be charged.
- 4.1 The Town shall keep a register of all Licensed dogs.
- 5.1 License tags will be issued and supplied by the Town and be valid for the life of the dog.
- 5.2 A License is not transferable to another dog, nor to another dog owner.
- 5.3 The owner shall notify the Town if their dog has become deceased, moved, or permanently transferred in or out of the municipal boundary within 20 days of the occurrence.

- 6.1 The owner of every Licensed dog shall immediately, upon receiving the License, attach it to a strong and durable collar, which collar shall be kept upon the dog's neck at all times when it is outside the enclosed premises of the owner.

#### **SECTIONS 7-20: IMPOUNDING PROCEDURES AND REQUIREMENTS**

- 7.1 When an unlicensed dog is Impounded, the owner shall obtain a License from the Town prior to having the dog returned to them.
- 8.1 A Peace Officer is authorized to seize and Impound an Animal in accordance with these Regulations.
- 9.1 A Peace Officer shall seize and Impound an Animal as humanely as possible and without the use of a firearm except where the Animal cannot be Impounded by other means and the Animal is killing, maiming or pursuing natural persons or livestock.
- 10.1 Where a Peace Officer is in pursuit of an Animal which has escaped their custody, or which is or was Running at Large, the Peace Officer may enter onto a property for the purpose of capturing that Animal.
- 10.2 Where a Peace Officer reasonably believes it necessary to determine whether an Animal is in Distress, the Peace Officer may, at a reasonable time, enter onto land on a residential property to request an inspection of that Animal, and may inspect or conduct an examination as may be required to determine whether to not it is in Distress. Where the Animal is not within a dwelling house, the inspector may conduct the examination without making a request.
- 10.3 Where a Peace Officer has reasonable grounds to believe that there is on, at, or in a premises, an Animal in urgent Distress, the Peace Officer may, at any reasonable time and without notice, enter the premises, but not a dwelling house without the consent of the occupant or a court warrant, to examine Animals found there to ascertain whether there is an animal in Distress.
- 10.4 A Peace Officer may provide an animal that is found in Distress with food, water, care, or treatment, in addition to any other action that the Peace Officer is authorized to take.
- 11.1 An Animal may be seized or Impounded by a Peace Officer if is:
  - i. Running at Large; it found damaging or destroying private property; or,
  - iii. found to be in urgent Distress and the owner is not present, cannot be found promptly, or does promptly take reasonable steps to relieve the Animal's Distress.
- 12.1 Every owner of a dog within the Town shall keep

the dog safely tethered or penned in accordance with the Animal Health and Protection Act, SNL 2010, c A-9.1, as amended, and the Animal Protection Standards Regulations, NLR 36/12, as amended, unless the circumstances fall within one of the exemptions set out therein, or set out in the Nuisance Animal Regulations, NLR 41/12, as amended.

- 12.2 Every owner of a cat within the Town shall keep the cat on its premises or safely tethered or penned up at all times.
- 12.3 An Animal that is kept in non-compliance with this section constitutes a dog or cat that is Running at Large.
- 13.1 The Town will make all reasonable efforts to determine the owner of the Impounded Animal and will notify the owner of that Impounded Animal.
- 14.1 Any person who has custody, charge, or possession of an Animal, or who is the principal resident of any house or premises where an Animal is kept or permitted to live or remain, shall be deemed to be the owner of that Animal for the purposes of these Regulations.
- 15.1 The owner of an Impounded Animal may recover that Animal on such proof of its ownership as the Town may require and upon payment of all fees in connection with the Impounding and maintenance of the Animal.
- 16.1 The following seizure and Impounding fees shall be paid by the owners of the Animal:
- i. Seizing and Impounding, Licensed, 1st instance, \$50.
  - ii. Seizing and Impounding, unlicensed, 1st instance, \$80.
  - iii. Seizing and Impounding, 2nd instance within a 12-month period, \$150.
  - iv. For Animals Impounded and quarantined for five days, the costs involved are to be recovered from the owner.
  - v. The costs to address requests for assistance of problems with Animals after regular business hours are to be recovered from the owner.
  - vi. such other costs as are required to properly compensate the Town for the cost of seizing, Impounding and maintaining the Animal.
- 17.1 Where an owner of an Animal is not found within five days after that Animal is Impounded, the Town may, in its discretion, surrender that Animal to the S.P.C.A, or with consultation with a veterinarian, euthanize that Animal in accordance with the Animal Protection Regulations, NLR 35/12, as amended.

- 18.1 Prior to surrendering to the S.P.C.A or euthanizing any Animal, the Town shall make reasonable efforts to find and notify the owner.
- 19.1 The carcass of any Animal that is euthanized pursuant to these Regulations shall be disposed of exclusively by burying.
- 20.1 The Town shall make a record of all Impounded Animals, charged fees and fines.

#### **SECTIONS 21-23: OFFENCES AND PENAL TIES**

- 21.1 Any person who contravenes any of the provisions of these Regulations is guilty of an offence and is liable on summary conviction:
- i. for the first offence to a fine, not less than \$100.00 and not exceeding \$500.00, or to a term of imprisonment for a period not exceeding one month or to both the fine and imprisonment; and,
  - ii. for a subsequent offence to a fine of not less than \$500.00 and not more than \$1,000.00 or a term of imprisonment of not more than 3 months or both the fine and imprisonment.
- 22.1 It is deemed to be an offence under the Regulations where:
- i. An Animal causes damage to any lawn, grass plot, garden, or flower bed or flower, shrub, or plant owned by a person other than the owner of that Animal.
  - ii. A dog barks or howls in such a manner as to disturb the peace or to constitute an annoyance to residents in the neighborhood.
  - iii. A person interferes with, or attempts to interfere with, a Peace Officer in the exercise of its duties.
  - iv. A person, without the authority of an Animal Control Officer, releases an Animal that has been Impounded.
- 23.1 For the purposes of subsections 22.1 (i) and (ii), the owner of the Animal will be deemed to have committed the offence.

#### **SECTIONS 24-27: STANDARDS OF ANIMAL CARE**

- 24.1 Every owner of an Animal, or person responsible with its care, has a duty to care for that Animal and shall not allow any Animal to be in Distress in accordance with the Animal Protection Standards Regulations 36112:
- i. Every owner of an Animal shall report to the Town an Animal which may have a communicable disease or virus.
  - ii. Every owner shall ensure that their Animal is quarantined when ordered by an authority.

- 25.1 Every owner who's Animals normally resides outside, or which is kept outside unsupervised for extended periods of time, shall ensure that no more than three Animals are housed in the same enclosure.
- 26.1 No owner shall cause an Animal to be left unattended/hitched while tied or fastened to a fixed object, where a choke collar or choke chain forms part of the securing apparatus, or where rope or cord is tied directly around that Animal's neck.
- 27.1 When an Animal defecates on any public or private property, other than the property of its owner, the owner shall cause such feces to be removed immediately.

**SECTION 28:  
PROHIBITION AGAINST AGGRESSIVE BEHAVIOR**

- 28.1 No owner of a dog shall permit their dog to:
- i. chase, bite, or attack any person;
  - ii. chase, bite, or attack any other animal; or,
  - iii. damage public or private property.
- 28.2 An owner of an Animal may be liable for damages or injury caused by that Animal to a person, other animals, goods or property.
- 28.3 It may not be necessary for the plaintiff in an action taken in respect of damage or injury done by an Animal to show a previous propensity in that Animal or the owner's knowledge of that previous propensity or to show that the damage or injury was attributable to neglect on the part of the owner.
- 28.4 A court of summary jurisdiction may take notice of a complaint that a dog is dangerous and not kept under proper control or has bitten or attempted to bite a person or has injured, worried or chased livestock, and where it appears to the court that the dog is dangerous or has done the things referred to, the court may order the owner of the dog to destroy it.
- 28.5 A Peace Officer may deem a Dangerous Dog if a dog acts in a dangerous or aggressive manner that jeopardizes the safety of any person, Animal, or domesticated animal in accordance with Appendix "A" to these Regulations. A person who fails to comply with an order or requirements made under section 28 of these Regulations, or under Appendix "A" to these Regulations, is guilty of an offence.

**SECTION 29:  
PROPER IDENTIFICATION UPON REQUEST**

- 29.1 Every person requested by a Peace Officer shall, on request, forthwith give his/her proper name and address. A person who fails to provide proper name and address is guilty of an offence.

**SECTION 30:  
NO ACTION LIES FOR ACTS DONE IN GOOD FAITH**

- 30.1 No action lies against any person acting in good faith for anything done or proposing to be done under these Regulations.

**SECTION 31:  
REPEAL OF PREVIOUS REGULATIONS**

- 31.1 The Town of Happy Valley-Goose Bay Dog/Cat Regulations passed on October 23, 2012, are hereby repealed.

**SECTION 32: COMING INTO EFFECT**

- 32.1 These regulations shall come into force on the 3<sup>rd</sup> day of May 2021.
- 32.2 The above regulations have been made by the Town Council of the Town of Happy Valley-Goose Bay and were approved on the 27<sup>th</sup> day of April, 2021.

**APPENDIX "A"**

**DANGEROUS DOGS**

- 1.1 The decision to designate a dog a Dangerous Dog shall be at the sole absolute and unfettered discretion of a Peace Officer following an investigation of an incident.
- 1.2 A Peace Officer shall provide written notice to the owner of the Dangerous Dog outlining the required actions to be completed within a specified time period.
- i. Any such notice may be served personally, by regular letter mail, by electronic transmission, by telephone transmission of a facsimile or by some other method that allows proof of receipt.
  - ii. Service by regular letter mail under Section 1.2.i. of Appendix "A" of these Regulations shall be deemed to be received by the person on the fifth day after mailing unless the person establishes that the person did not, acting in good faith, through absence, accident, illness or other cause beyond the person's control receive a copy until a later date than the deemed date of receipt.
  - iii. No person shall fail to comply with the required actions outlined in a notice issued under Section 1.2 of Appendix "A" of these Regulations within the specified notice period.
- 2.1 After a dog is designated as a Dangerous Dog by a Peace Officer, no owner shall fail to comply with the provisions of the dangerous dog designation as outlined within Sections 3.1 to
- 3.3 of Appendix "A" of these Regulations.



- 3.1 When a Dangerous Dog is off its owner's property, the owner shall:
- i. ensure the dog is securely Muzzled in a humane manner at all times;
  - ii. ensure the dog is on a leash not longer than one (1) meter in length; and,
  - iii. ensure the dog is under the control of a person over the age of eighteen.
- 3.2 When a Dangerous Dog is on its owner's property, the owner shall ensure the dog is securely confined within an enclosure that meets the following standards:
- i. shall be suitable to prevent the escape of the Dangerous Dog and capable of preventing the entry of any person not in control of that Dangerous Dog.
  - ii. shall have minimum dimensions of two (2) meters long by 2 meters wide, and have secure sides and secure top.
  - iii. if the enclosure has no bottom secured to the sides, then the sides must be embedded into the ground no less than thirty (30) centimeters deep.
  - iv. shall also provide protection from the elements for the dog.
  - v. shall not be within three (3) meters of the property line or within three (3) meters of a neighboring dwelling unit.
- 3.3 An owner of a dog which has been designated a Dangerous Dog pursuant to these Regulations shall advise the Town immediately if he or she transfers ownership of such dog to another person, or changes the address at which such dog is kept, or has the dog euthanized, and shall furnish to the Town particulars of the same and any other information which may be reasonably requested by a Peace Officer.
- 3.4 A Peace Officer may, at any reasonable time, enter upon the land of any property for the purpose of carrying out an inspection to determine whether or not the provisions of these Regulations are being complied with.
- 3.5 A Peace Officer shall have the power to seize and Impound any Dangerous Dog found within the Town contrary to the provisions of these Regulations.
- 3.6 A Peace Officer exercising the power to inspect, seize or impound pursuant to Sections 3.4 and 3.5 of Appendix "A" to these Regulations may be accompanied by an assisting agency acting under the Peace Officer's direction.
- 4.0 A person who owns a dog that has been designated a "Dangerous Dog", may in writing to the Town, request a hearing of appeal to a committee designated to hear such an appeal.

May 7

**URBAN AND RURAL PLANNING ACT, 2000**

**NOTICE OF REGISTRATION  
AMENDMENT TO BISHOP'S FALLS  
MUNICIPAL PLAN  
DEVELOPMENT REGULATIONS  
AMENDMENT NO. 5**

TAKE NOTICE that the TOWN OF BISHOP'S FALLS DEVELOPMENT REGULATIONS AMENDMENT NO. 5, adopted on the 16<sup>th</sup> day of February 2021, has been registered by the Minister of Municipal and Provincial Affairs.

The purpose of this amendment is to change the definition of "accessory employee residential" in Schedule A: Definitions and to add "accessory employee residential" as a Discretionary Use in the Town Centre zone.

This amendment comes into effect on the day that this notice is published in *The Newfoundland and Labrador Gazette*.

Anyone who wishes to inspect a copy of the documents may do so at the Bishop's Falls Town Office during normal business hours.

TOWN OF BISHOP'S FALLS  
Randy Drover, Town Clerk

May 7

**NOTICE OF REGISTRATION  
TOWN OF IRISHTOWN-SUMMERSIDE  
MUNICIPAL PLAN AND  
DEVELOPMENT REGULATIONS**

TAKE NOTICE that the TOWN OF IRISHTOWN-SUMMERSIDE MUNICIPAL PLAN, 2020 AND DEVELOPMENT REGULATIONS, 2020 adopted on the 8<sup>th</sup> day of December 2020 and approved on the 9<sup>th</sup> day of March 2021, have been registered by the Minister of Municipal and Provincial Affairs.

THE IRISHTOWN-SUMMERSIDE MUNICIPAL PLAN, 2020 AND DEVELOPMENT REGULATIONS, 2020 come into effect on the day that this notice is published in *The Newfoundland and Labrador Gazette*. Anyone who wishes to inspect a copy of the documents may do so at the Irishtown-Summerside Town Office during normal business hours.

TOWN OF IRISHTOWN-SUMMERSIDE  
Rita Blanchard, Town Clerk

May 7

**LANDS ACT**

**NOTICE OF INTENT, SECTION 7  
LANDS ACT, SNL1991 c36 AS AMENDED**

NOTICE IS HEREBY given that an application has been made to the Department of Fisheries, Forestry and Agriculture Branch, to acquire title, pursuant to section 7(2) (d) of the said Act, to that piece of Crown lands situated

within 15 metres of the waters of Gull Pond, for the purpose of a wharf/boathouse/pond access trail.

The application may intrude on the 15 metre shoreline of the above mentioned water body(s) in various locations. For a detailed map, please see website: <http://www.ma.gov.nl.ca/lands/sec7notifications.html>.

Please note: It may take up to five (5) days from the date of application for details to appear on the website.

Any person wishing to object to the application must file the objection in writing with reasons, within 30 days from the publication of notice on the Department of Fisheries, Forestry and Agriculture website, Crown Lands, <http://www.ma.gov.nl.ca/lands/index.html>, to the Minister of Department of Fisheries, Forestry and Agriculture by mail or email to the nearest Regional Lands Office:

- Eastern Regional Lands Office, P.O. Box 8700, Howley Building, Higgins Line, St. John's, NL, A1B 4J6 Email: [easternlandsoffice@gov.nl.ca](mailto:easternlandsoffice@gov.nl.ca)
- Central Regional Lands Office, P.O. Box 2222, Gander, NL, A1V 2N9 Email: [centrallandsoffice@gov.nl.ca](mailto:centrallandsoffice@gov.nl.ca)
- Western Regional Lands Office, P.O. Box 2006, Sir Richard Squires Building, Corner Brook, NL, A2H 6J8 Email: [westernregionlands@gov.nl.ca](mailto:westernregionlands@gov.nl.ca)
- Labrador Regional Lands Office, P.O. Box 3014, Station "B", Happy Valley-Goose Bay, NL, A0P 1E0 Email: [labradorlandsoffice@gov.nl.ca](mailto:labradorlandsoffice@gov.nl.ca)

(DISCLAIMER: *The Newfoundland and Labrador Gazette* publishes a NOTICE OF INTENT as received from the Applicant and takes no responsibility for errors or omissions in the property being more particularly described.)

May 7

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**NOTICE OF INTENT, SECTION 7  
LANDS ACT, SNL1991 c36 AS AMENDED**

NOTICE IS HEREBY given that an application has been made to the Department of Fisheries, Forestry and Agriculture Branch, to acquire title, pursuant to section 7(2) (d) of the said Act, to that piece of Crown lands situated within 15 metres of the waters of Hearts Delight Harbour, for the purpose of a boathouse and wharf.

The application may intrude on the 15 metre shoreline of the above mentioned water body(s) in various locations. For a detailed map, please see website: <http://www.ma.gov.nl.ca/lands/sec7notifications.html>.

Please note: It may take up to five (5) days from the date of application for details to appear on the website.

Any person wishing to object to the application must file the objection in writing with reasons, within 30 days from the publication of notice on the Department of Fisheries, Forestry and Agriculture website, Crown Lands, <http://www.ma.gov.nl.ca/lands/index.html>, to the Minister of Department of Fisheries, Forestry and Agriculture by mail or email to the nearest Regional Lands Office:

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- Central Regional Lands Office, P.O. Box 2222, Gander, NL, A1V 2N9 Email: [centrallandsoffice@gov.nl.ca](mailto:centrallandsoffice@gov.nl.ca)
- Western Regional Lands Office, P.O. Box 2006, Sir Richard Squires Building, Corner Brook, NL, A2H 6J8 Email: [westernregionlands@gov.nl.ca](mailto:westernregionlands@gov.nl.ca)
- Labrador Regional Lands Office, P.O. Box 3014, Station "B", Happy Valley-Goose Bay, NL, A0P 1E0 Email: [labradorlandsoffice@gov.nl.ca](mailto:labradorlandsoffice@gov.nl.ca)

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May 7

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**NOTICE OF INTENT, SECTION 7  
LANDS ACT, SNL1991 c36 AS AMENDED**

NOTICE IS HEREBY given that an application has been made to the Department of Fisheries, Forestry and Agriculture Branch, to acquire title, pursuant to section 7(2) (d) of the said Act, to that piece of Crown lands situated within 15 metres of the waters of Jonathon's Pond near Gander for the purpose of maintaining an existing wharf.

The application may intrude on the 15 metre shoreline of the above mentioned water body(s) in various locations. For a detailed map, please see website: <http://www.ma.gov.nl.ca/lands/sec7notifications.html>.

Please note: It may take up to five (5) days from the date of application for details to appear on the website.

Any person wishing to object to the application must file the objection in writing with reasons, within 30 days from the publication of notice on the Department of Fisheries, Forestry and Agriculture website, Crown Lands, <http://www.ma.gov.nl.ca/lands/index.html>, to the Minister of Department of Fisheries, Forestry and Agriculture by mail or email to the nearest Regional Lands Office:

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- Central Regional Lands Office, P.O. Box 2222, Gander, NL, A1V 2N9 Email: [centrallandsoffice@gov.nl.ca](mailto:centrallandsoffice@gov.nl.ca)
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- Labrador Regional Lands Office, P.O. Box 3014, Station "B", Happy Valley-Goose Bay, NL, A0P 1E0 Email: [labradorlandsoffice@gov.nl.ca](mailto:labradorlandsoffice@gov.nl.ca)

(DISCLAIMER: *The Newfoundland and Labrador Gazette* publishes a NOTICE OF INTENT as received from the Applicant and takes no responsibility for errors or omissions in the property being more particularly described.)

May 7

**NOTICE OF INTENT, SECTION 7  
LANDS ACT, SNL1991 c36 AS AMENDED**

NOTICE IS HEREBY given that an application has been made to the Department of Fisheries, Forestry and Agriculture Branch, to acquire title, pursuant to section 7(2) (d) of the said Act, to that piece of Crown lands situated within 15 metres of the waters of St. Jones Within near Gander for the purpose of maintaining a wharf.

The application may intrude on the 15 metre shoreline of the above mentioned water body(s) in various locations. For a detailed map, please see website: <http://www.ma.gov.nl.ca/lands/sec7notifications.html>.

Please note: It may take up to five (5) days from the date of application for details to appear on the website.

Any person wishing to object to the application must file the objection in writing with reasons, within 30 days from the publication of notice on the Department of Fisheries, Forestry and Agriculture website, Crown Lands, <http://www.ma.gov.nl.ca/lands/index.html>, to the Minister of Department of Fisheries, Forestry and Agriculture by mail or email to the nearest Regional Lands Office:

- Eastern Regional Lands Office, P.O. Box 8700, Howley Building, Higgins Line, St. John's, NL, A1B 4J6 Email: [easternlandsoffice@gov.nl.ca](mailto:easternlandsoffice@gov.nl.ca)
- Central Regional Lands Office, P.O. Box 2222, Gander, NL, A1V 2N9 Email: [centrallandsoffice@gov.nl.ca](mailto:centrallandsoffice@gov.nl.ca)
- Western Regional Lands Office, P.O. Box 2006, Sir Richard Squires Building, Corner Brook, NL, A2H 6J8 Email: [westernregionlands@gov.nl.ca](mailto:westernregionlands@gov.nl.ca)
- Labrador Regional Lands Office, P.O. Box 3014, Station "B", Happy Valley-Goose Bay, NL, A0P 1E0 Email: [labradorlandsoffice@gov.nl.ca](mailto:labradorlandsoffice@gov.nl.ca)

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May 7

**TRUSTEE ACT**

**ESTATE NOTICE**

IN THE MATTER OF the Estate of NORAH BENNETT, Late, of the Town of Stephenville Crossing, in the Province of Newfoundland and Labrador.

ALL PERSONS claiming to be creditors of or who have any claims or demands upon or affecting the Estate of NORAH BENNETT, Late of the Town of Stephenville Crossing, in the Province of Newfoundland and Labrador, Deceased, are hereby requested to send the particulars of the same in writing, duly attested, to the undersigned Executor of the Estate on or before the 7<sup>th</sup> day of June 2021, after which date the said Executor will proceed to distribute the said Estate having regard only to the claims of which notice shall have been received.

DATED at Stephenville Crossing, this 26<sup>th</sup> day of April, 2021.

TRAVIS BENNETT  
Executrix of the Estate of  
NORAH BENNETT

ADDRESS FOR SERVICE:  
Stephenville Crossing, NL  
A0N 2C0

May 7

**ESTATE NOTICE**

IN THE ESTATE OF CYRIL M. BULTER, Late of the City of St. John's, in the Province of Newfoundland and Labrador, Retired, Divorced, Deceased.

ALL PERSONS claiming to be creditors of or who have any claims or demands upon or affecting the Estate of CYRIL M. BUTLER, Retired, Divorced, Deceased, who died at St. John's, in the Province of Newfoundland and Labrador on or about the 25<sup>th</sup> day of February, 2021, are hereby requested to send particulars thereof in writing, duly attested, to the undersigned solicitors for the Executor of the Estate of the Late CYRIL M. BUTLER, on or before the 31<sup>st</sup> day of May, 2021, after which date the said Executor will proceed to distribute the said Estate having regard only to the claims of which they shall then have had notice.

DATED AT St. John's, in the Province of Newfoundland and Labrador, this 27<sup>th</sup> day of April, 2021.

MCINNES COOPER  
Per: Robert J. Hickey  
Solicitors for the Executor

ADDRESS FOR SERVICE:  
10 Fort William Place  
PO Box 5939  
St. John's, NL  
A1C 5X4

Tel: (709) 724-8257  
Fax: (709) 722-1763

May 7

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**ESTATE NOTICE**

IN THE ESTATE of EILEEN MARY WHITE, Late of St. George's, in the Province of Newfoundland and Labrador, Deceased: December 13, 2020.

ALL PERSONS claiming to be creditors of or who have any claims or demands upon or affecting the Estate EILEEN MARY WHITE, Late of St. George's, in the Province of Newfoundland and Labrador, Deceased, are hereby requested to send the particulars of the same in writing, duly attested, to the undersigned Solicitor for the Executrix of the Estate on or before the 7<sup>th</sup> day of June, 2021, after which date the said Executrix will proceed to distribute the said Estate having regard only to the claims of which notice shall have been received.

DATED at Stephenville, Newfoundland and Labrador, this 29<sup>th</sup> day of April, 2021.

ROXANNE PIKE LAW OFFICE  
Solicitor for the Executrix  
PER: Roxanne Pike

ADDRESS FOR SERVICE:  
P.O Box 272  
43 Main Street  
Stephenville, NL A2N 2Z4

Tel: (709) 643-6436  
Fax: (709) 643-9343

May 7

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**ESTATE NOTICE**

IN THE ESTATE of AGNES FAY DAVIS, Late of Port au Port East, in the Province of Newfoundland and Labrador, Deceased: January 4, 2021.

ALL PERSONS claiming to be creditors of or who have any claims or demands upon or affecting the Estate of AGNES FAY DAVIS, Late of Port au Port East, in the Province of Newfoundland and Labrador, Deceased, are hereby requested to send the particulars of the same in writing, duly attested, to the undersigned Solicitor for the Administrator of the Estate on or before the 7<sup>th</sup> day of June, 2021, after which date the said Administrator will proceed to distribute the said Estate having regard only to the claims of which notice shall have been received.

DATED at Stephenville, Newfoundland and Labrador, this 29<sup>th</sup> day of April, 2021.

ROXANNE PIKE  
Solicitor for the Administrator  
PER: Roxanne Pike

ADDRESS FOR SERVICE:  
P.O Box 272  
43 Main Street  
Stephenville, NL A2N 2Z4

Tel: (709) 643-6436  
Fax: (709) 643-9343

May 7

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# THE NEWFOUNDLAND AND LABRADOR GAZETTE

**PART II  
SUBORDINATE LEGISLATION  
FILED UNDER THE STATUTES AND SUBORDINATE LEGISLATION ACT**

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Vol. 96

ST. JOHN'S, FRIDAY, May 7, 2021

No. 18

**NEWFOUNDLAND AND LABRADOR  
REGULATION**

**NLR 19/21**





**NEWFOUNDLAND AND LABRADOR  
REGULATION 19/21**

*Timber Scaling Regulations (Amendment)*  
under the  
*Forestry Act*

*(Filed May 6, 2021)*

Under the authority of section 141 of the *Forestry Act*, I make the following regulations.

Dated at St. John's, May 5, 2021.

Derrick Bragg  
Minister of Fisheries, Forestry and Agriculture

**REGULATIONS**

*Analysis*

- |   |                                       |
|---|---------------------------------------|
| 1. S.2 Amdt.<br>Definitions               | 4. S.15 R&S<br>Renewal of certificate |
| 2. S.12 Rep.<br>Expiration of certificate | 5. S.19 R&S<br>Payment for scaling    |
| 3. S.13 Amdt.<br>Fees                     |                                       |

CNLR 987/96  
as amended

**1. (1) Paragraph 2(e) of the *Timber Scaling Regulations* is amended by deleting the word "ton" and substituting the word "tonne".**

**(2) Paragraph 2(h) of the regulations is amended by deleting the word "ton" and substituting the word "tonne".**

**(3) Section 2 of the regulations is amended by deleting the word "and" at the end of paragraph (g), by deleting the period at the end of paragraph (h) and substituting a semicolon, by adding the word "and" at the end of paragraph (h), and by adding immediately after paragraph (h) the following:**

- (i) "studwood" means trees manufactured into stud lumber up to 3 metres in length.

**2. Section 12 of the regulations is repealed.**

**3. Section 13 of the regulations is amended by deleting the word "prescribed" and substituting the word "required".**

**4. Subsection 15 of the regulations is repealed and the following substituted:**

Renewal of certificate

**15. (1)** The board shall renew a scaler's certificate where the scaler provides proof satisfactory to the board that the scaler has scaled primary forest products in the 5 year period before expiry of the certificate.

(2) Where a scaler has not satisfied the requirement in subsection (1), the board shall refuse to renew the certificate until the scaler has completed a scaling course as approved by the board.

**5. Section 19 of the regulations is repealed and the following substituted:**

Payment for scaling

**19.** When timber is scaled for the purpose of payment, the following units of measure apply:

<b>Timber</b>	<b>Unit of Measure</b>
Pulpwood	Cubic metre (stacked), cubic metre (solid) or green tonnes
Studwood	Cubic metre (stacked), cubic metre (solid) or green tonnes
Fuelwood	Cubic metre (stacked), cubic metre (solid) or green tonnes



Sawlogs	Board foot, cubic metre (solid) or green tonnes
Construction timber	Cubic metre (solid) or green tonnes
Tree length	Cubic metre (solid) or green tonnes
Pulp chips	Green tonnes or oven dry tonnes
Biomass (fuel chips)	Green tonnes or oven dry tonnes

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### PART II

#### CONTINUING INDEX OF SUBORDINATE LEGISLATION

<b>Title of Act and Subordinate Legislation made thereunder</b>	<b>CNLR or NL Reg.</b>	<b>Amendment</b>	<b>NL Gazette Date &amp; Page No.</b>
<b>Forestry Act</b>			
Timber Scaling Regulations (Amendment)	NLR 19/21	Amends CNLR 987/96 S.2 Amdt. S.12 Rep. S.13 Amdt. S.15 R&S S.19 R&S	May 7/21 p. 343

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**Web Site:** [www.gov.nl.ca/snl/printer/gazette/weekly-issues](http://www.gov.nl.ca/snl/printer/gazette/weekly-issues)

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