
Livestock At Large By-Law

General

1. This By-Law is entitled the "Livestock At Large By-Law."
2. In this By-Law,
 - (1) "livestock" means cattle, horses, ponies, donkeys, mules, lamas, emus, ostriches, swine, goats, geese, turkeys, or other domestic animals or fowl;
 - (2) "livestock farm" means a parcel of land that is used for grazing or pasturing livestock;
 - (3) "Municipality" means the Municipality of the County of Cumberland; and
 - (4) "owner" includes,
 - (a) with respect to livestock, any person who has lawful custody of the livestock; and
 - (b) with respect to a livestock farm, the person occupying or operating the farm.

Livestock At Large

3. Any livestock which is or are not on a livestock farm and are not under the continuous restraint and control of some person shall be deemed to be at large for the purposes of this By-Law.
4. An owner of livestock who becomes aware, or should reasonably be aware, that any of those livestock may be at large or are at large, must immediately take all reasonable steps to regain custody and control of that livestock.
5. Subject to section 7 of this By-law, every owner of livestock
 - (1) whose livestock is or are at large; or
 - (2) who fails to comply with section 4 of this By-Law;is in contravention of this By-Law.
6. Every owner of a livestock farm shall take all necessary steps to prevent livestock from escaping from that farm, including, but not limited to, erecting and maintaining fences

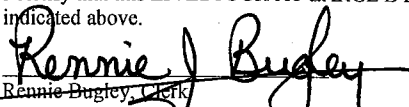
Municipality of Cumberland By-Law 07-05

adequate for that purpose; and, subject to section 7 of this By-Law, every owner who fails to take such steps is in contravention of this By-Law.

7. No owner shall be found to have contravened this By-Law if it is established to the satisfaction of the Court that the owner exercised due diligence with regard to the circumstances of the alleged contravention.

Penalties

8. Any person who contravenes this By-Law is guilty of an offence punishable on summary conviction by a fine of not less than \$100 and not more than \$1000 for a first offence, and not less than \$200 and not more than \$2000 for a second or subsequent offence. For the purposes of this section it is irrelevant whether the offences were prosecuted pursuant to the same section of this By-Law.
9. Where a person is given a Notice of By-Law violation by the Municipality's By-Law Enforcement Officer in accordance with the Municipality's Payment in Lieu of Prosecution Policy, the person may pay to the Municipality, at the place specified in the Notice, the sum of \$50 within 14 days of the date of Notice and shall thereby avoid prosecution for that contravention.
10. By-Law 84-01, the Animals and Fouls at Large By-Law is hereby repealed.
11. This By-law shall come into force upon publication.

<u>Clerk's Annotation For Official By-Law Book</u>	
Date of first reading:	<u>May 2, 2007</u>
Date of advertisement of Notice of Intent to Consider	<u>May 30, 2007</u>
Date of final reading:	<u>June 27, 2007</u>
*Date of advertisement of Passage of By-Law:	<u>July 7, 2007</u>
Date of mailing to Minister a certified copy of By-Law:	<u>July 9, 2007</u>
I certify that this LIVESTOCK AT LARGE BY-LAW was adopted by Council and published as indicated above.	
 Rennie Bugley, Clerk	<u>July 9, 2007</u> Date
*Effective Date of the By-Law unless otherwise specified in the text of the By-Law	