

NORTHERN TERRITORY OF AUSTRALIA

PALMERSTON (STRAY ANIMALS) BY-LAWS

As in force at 29 July 1983

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PALMERSTON (STRAY ANIMALS) BY-LAWS

By-laws under the *Local Government Act*

1 Citation

These By-laws may be cited as the *Palmerston (Stray Animals) By-laws*.

2 Definitions

In these By-laws, unless the contrary intention appears:

owner, in relation to an animal, includes a person who has the care or control of the animal.

Palmerston means the Palmerston town area within the meaning of the *Palmerston Development Authority Act*.

3 Animals not to stray

- (1) The owner of an animal shall not permit the animal to stray in Palmerston except on land:
 - (a) which is owned or occupied by him; or
 - (b) on which the animal is normally kept with the consent of the owner or occupier of that land.
- (2) Subject to by-law 4, where an animal strays in contravention of clause (1), the Authority may, with such contractors, servants, agents or workmen as it thinks fit for the purpose, seize the animal and sell it by auction or tender.

4 Authority to publish notice to ascertain owner of animal

The Authority shall not sell an animal seized in accordance with by-law 3(2) except where it has, for the purpose, subject to by-law 5, of returning the animal to its owner, published in a newspaper circulating generally in Palmerston a notice:

- (a) giving a description of that animal, including any distinctive markings on it, and the date on, and place at, which it was so seized;
- (b) an address at which that owner may, subject to by-law 5, collect that animal; and
- (c) stating that, if that owner does not collect that animal within 5 days after the publication of the notice, it will be sold by auction or tender.

5 Disposal of animal

- (1) Where the owner of an animal seized in accordance with by-law 3(2) seeks to collect it before it is sold, the Authority shall, upon payment of an amount equal to the Authority's reasonable costs incurred in so seizing and keeping it, return it to him.
- (2) Where the Authority sells an animal seized in accordance with by-law 3(2), whether such sale is consequent upon:
 - (a) the failure of the owner of the animal to collect it within the period specified in the notice under by-law 4 relating to its collection; or
 - (b) the failure or refusal of the owner of the animal to pay the costs referred to in clause (1) in respect of it,

the Authority shall, where it is able to ascertain the name and address of that owner, pay to him the amount, if any, realized by the Authority on the sale of that animal less the reasonable costs of the Authority incurred in so seizing and keeping that animal.

ENDNOTES

1 KEY

Key to abbreviations

amd = amended
app = appendix
bl = by-law
ch = Chapter
cl = clause
div = Division
exp = expires/expired
f = forms
Gaz = Gazette
hdg = heading
ins = inserted
lt = long title
nc = not commenced

od = order
om = omitted
pt = Part
r = regulation/rule
rem = remainder
renum = renumbered
rep = repealed
s = section
sch = Schedule
sdiv = Subdivision
SL = Subordinate Legislation
sub = substituted

2 LIST OF LEGISLATION

Palmerston (Stray Animals) By-laws (SL No. 25, 1983)

Notified	29 July 1983
Commenced	29 July 1983