



WARTA KERAJAAN NEGERI JOHOR
GOVERNMENT OF JOHORE GAZETTE



**Undang-Undang Kecil
Pelesenan Anjing
(Majlis Perbandaran Pengerang)
2021**

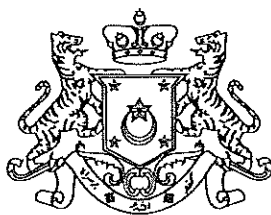
***Licensing of Dogs
(Pengerang Municipal Council)
By-Laws
2021***

Jenis Sumber Kuasa	Perundangan Subsidiari – Undang-Undang Kecil / <i>By-Laws</i>
Nombor Sumber Kuasa	UUK 9
Versi	Bahasa Inggeris
Nombor Warta	J. P.U. 65 / 2021
Tarikh Warta	25 November 2021
Tarikh Berkuat Kuasa	25 November 2021



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NEGERI JOHOR

Warta Kerajaan

DITERBITKAN DENGAN KUASA

GOVERNMENT OF JOHORE GAZETTE

PUBLISHED BY AUTHORITY

Jil. 65
No. 24

25hb November 2021

*TAMBAHAN No. 20
PERUNDANGAN*

LOCAL GOVERNMENT ACT 1976
LICENSING OF DOGS (PENGERANG MUNICIPAL COUNCIL)
BY-LAWS 2021

IN exercise of the powers conferred by section 73 of the Local Government Act 1976 [*Act 171*], the Pengerang Municipal Council makes and pursuant to section 103 of the said Act the State Authority confirms, the following by-laws:

Citation

1. (1) These By-laws may be cited as the **Licensing of Dogs (Pengerang Municipal Council) By-Laws 2021** and shall apply to the area of the Pengerang Municipal Council.

(2) These By-Law shall come into force on the date of its publication in the *Gazette*.

Interpretation

2. In these By-Laws unless the context otherwise requires—

“President” means the President of Pengerang Municipal Council;

“dog” means a dog licensed under these By-Laws;

“banned dog” means any dog specified in Schedule II;

“Council” means the Pengerang Municipal Council;

“owner” in relation to a dog means the person having possession, custody or control of the dog, but in any case of doubt concerning the ownership of a dog, the owner or occupier of the premises frequented by the dog or the person who habitually feeds the dogs shall be deemed to be its owner until the contrary is proved by such owner, occupier or person;

“Licensing Authority” means President or any officer authorized in writing to issue a license by the President;

“veterinary authority” has the meaning assigned to it by the Animals Act 1953 [*Act 647*]; and

Licensing requirement

3. (1) No person shall own, keep, harbour or maintain a dog that has reached the age of three months unless it is licensed under these By-Laws.

(2) A license shall expire on the 31st day of December of the year in which it is issued.

Licensing procedure

4. (1) An application for a license shall made in such form as may be provided by the Council and shall be accompanied by a license fee as prescribed in the Schedule and together with a Veterinary Certificate certified by a qualified Veterinary surgeon.

(2) Upon receipt of an application, the Licensing Authority shall—

- (a) register the dog concerned by causing an entry to be made in a register kept for the purpose of the description of the dog and the name and address of its owner;
- (b) issue to the owner of the dog a license in the form of a metal badge with a serial number corresponding with the registration number of the dog; and
- (c) issue to the owner of the dog a receipt for the fee paid, containing a description of the dog.

Change of ownership of licensed dog

5. Where there has been a change of ownership of a licensed dog, the new owner shall, within one month thereof, notify the Licensing Authority of the change, and the Licensing Authority shall register the name and address of the new owner and a fee of ten ringgit shall be payable for such transfer.

Lost of metal badge

6. No replacement will be issued for a lost metal badge during the currency of the year in respect of which the dog has been licensed, but the owner of the dog concerned may obtain a new license on application and payment as in the Schedule I.

Dog to wear metal badge

7. The owner of a licensed dog shall provide a suitable collar to be worn by the dog, to which the current metal badge shall be securely fastened in such manner as to be visible when worn and such collar and badge shall be worn by such licensed dog at all times whether outdoor or indoor within the Council area.

Licensed dog suspected suffering from disease

8. (1) The Licensing Authority may by order direct the owner of any licensed dog suspected to be suffering from diseases to take such dog to the registered Veterinary Surgeon or the Council Veterinary Officer for inspection and treatment. Any failure to comply with the order shall be guilty of an offence.

(2) The licensing authority or the registered Council Veterinary Officer or any registered veterinary surgeon shall immediately make a report to the nearest veterinary authority of any disease, occurrence as prescribed by the Animal Act 1953 [Act 647].

Immunisation against rabies

9. All dogs shall be immunised against rabies (hydrophobia) by the veterinary authority whenever an anti-rabies vaccination order is made in respect of rabies infected area in pursuant of section 42 of the Animal Act 1953 [Act 647].

Duties of owner

10. The owner of a dog shall—

- (a) maintain the kennel in which the dog is housed in a clean and sanitary condition;
- (b) rid his premises of any faecal matter discharged by the dog, and do so in such manner or by such means as will be likely to cause offence or inconvenience to other persons;

- (c) take reasonable steps to ensure that the dog is not nuisance by reason of incessant barking or otherwise to his neighbour; and
- (d) take reasonable steps to ensure that the dog does not stray outside the owner's premises and that the dog is on leash when out of the owner's premises.

Destruction

11. (1) Any dog over the age of three months found at large or in a public place or in a private place not wearing the metal badge for the current year or any diseased dogs may be destroyed by any person authorized in that behalf by the Council and any person so authorized in that behalf may at any reasonable time enter and inspect and premises or land for the purpose of destroying such dog.

(2) Any dog whether licensed or not of which the owner cannot be found, may be destroyed or disposed as directed by the License Authority.

Number of dog permitted

12. No person are not allowed to keep a dog in a strata multilevel residence. An owner of dog is not allowed to keep a dog more than one in a terrace or link house, two in a semi-detached house and not exceeding four in a bungalow house unless approved by the President.

Licensing of places where dogs are kept for commercial purpose

13. (1) No person shall use any building, premises or holding to keep dog for sale, commercial purpose or as a veterinary kennel or clinic unless licensed by the Licensing Authority in that behalf.

(2) An application for a license shall be made in such Form as may be provided by the Council and shall be accompanied by a license fee of three hundred ringgit for a year.

Power to seize unlicensed dogs and banned dogs

14. (1) The Council may seize unlicensed and banned dogs outside the premises and in any public place.

(2) The Council may also seize unlicensed and banned dogs within the premises with a warrant issued by the Magistrate.

(3) Any cost of confiscation are borne by the dog owner.

(4) If any dog is seized in accordance with these By-Laws--

- (a) has been detained—
 - (i) for 7 days after its seizure; or
 - (ii) if notice is served, 7 days after the notice was served; and
 - (b) the dog owner does not claim or refuse to pay the specified fee, the President or authorized officer may cause the dog to be disposed of in the manner specified by the President.
- (5) The Council shall not be liable to pay any compensation to any dog owner for any injury or death of any dog while it is detained.
- (6) The Council also shall not be liable to pay any compensation to any dog owner for any dog disposed of under paragraph (4).
- (7) For claims under subparagraph 4 dog owners may only claim the dog for the first offence, the dog owner who commit the second offence and followed by next offence cannot claim for the dog and the Council may dispose of the dog in such manner as the President may determine.

Compounding of offences

15. (1) The Council may, with the written consent of the Public Prosecutor, make a written offer to the person reasonable suspected of having committed an offence, to compound the offence upon payment to the Council such amount not exceeding fifty per centum of the amount of maximum fine for that offence within such time as may be specified in the offer.

(2) An offer under subsection (1) may be made at any time after the offence has been committed but before any prosecution for it has been instituted and where the amount specified in the offer is not paid within the time specified in the offer or within such extended time as the Council may grant, prosecution for the offence may be instituted at any time thereafter against the person to whom the offer was made.

- (3) Where an offence has been compounded under subsection (1)—
- (a) no prosecution shall thereafter be instituted in respect of such offence against the person whom the offer to compound was made; and
 - (b) any book, record, apparatus, equipment, instrument, material, article or any other thing seized in connection with the offence, may be forfeited, destroyed or returned to that person, as the Council deems fit after taking into consideration the nature of the offence and subject to such terms and conditions as may be imposed.

Penalty

16. Any person who contravenes any of the provisions of these By-Laws or any condition in a licence, any notice or order by the President, commits an offence and shall on conviction be liable to a fine not exceeding one thousand ringgit or to a term of imprisonment not exceeding six months or to both.

SCHEDULE I
[By-Laws 4 and 6]
FEE FOR LICENCE

No.	Types of dogs	Rate of license per anum
1.	The dog which is not sterilised	RM60.00 per head
2.	The dog which is sterilised	RM40.00 per head

SCHEDULE II
[by-laws 2]
BANNED DOG

1. Pit Bull Terrier/Pit Bull also known as (American Pit Bull, American Pit Bull Terrier, American Staffordshire Terrier and Stafford Bull Terrier)
2. American Bulldog
3. Neapolitan Mastiff
4. Japanese Tosa
5. Akita
6. Dogo Argentino
7. Fila Brasileiro

SCHEDULE III
[By-Laws 14]

Charge for confiscation dog daily	RM30.00
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SCHEDULE IV
OFFENCES UNDER LICENSING OF DOGS
(PENGARANG MUNICIPAL COUNCIL) BY-LAWS 2021

1. A dog that is maintained causes problems or nuisance or create any disturbance or discomfort to other occupants such as:

- (a) Doing or causing damage to public property or injury to residents at residential buildings or residential premises;
- (b) Making noise (day or night) and causing noise disturbance to local;
- (c) Roaming freely without supervision or to roaming outside from the place the dog is maintained;
- (d) Show off the aggressive or dangerous or potentially dangerous behavior;

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- (e) Throw away the faeces (urine or urine) in general area and private property;
 - (f) Any other matter declared by the President as to be a nuisance.
2. The owners or dog owner that does not comply with such condition:
- (a) Failure to assure or exercise supervision of the dog that at every time;
 - (b) Does not provide periodic immunization or health checkups to regularly supervised dogs;
 - (c) Failure to comply with the requirements regarding the maximum number of dogs to be kept is limited to the owner's unit as determined by the Council;
 - (d) Does not ensure that the dog is tied up and closed and is in proper control at all times when the dog is brought out from premise;
 - (e) Does not ensure that the premises of the dog are kept safe and that the fence is properly maintained at all times;
 - (f) Does not display at all times the sign "AWAS ANJING" in a prominent and easily visible place on the front and back of the premises;
 - (g) Using public place or facilities to clean or bathe the maintained dog;
 - (h) Failed to renew dog license after expiry of such license.

Made the 8 February 2021

[Bil. (57) dlm. MPP/PUU/05/20]

[SUKJ.KT. 24/69/8 JLD. 2(53); PPUUNJ. 600-1/2/15(6)]

FIZWAN BIN DATO' HAJI MOHD RASHIDI

President

Pengerang Municipal Council

Confirmed the 13 October 2021

[Ringkasan Mesyuarat Bil.: 955/2021]

HAJI ZAINAL BIN ERAN

Clerk of the State Executive Council

Johore