

**LOCAL GOVERNMENT ORDINANCE 1961  
(No. 11 of 1961)**

**LAHAD DATU DISTRICT COUNCIL  
(CONTROL OF ANIMALS) BY-LAWS 1984  
(G.N.L 33 of 1984)**

In exercise of the powers conferred upon it by section 50 of the Local Government Ordinance 1961, the Lahad Datu District Council has made the following by-laws:

**Title and commencement.**

1. These by-laws may be cited as the Lahad Datu District Council (Control of Animals) By-laws 1984 and shall be deemed to have come into force on the 1st day of January 1984.

**Interpretation.**

2. In these By-laws —

"animal" includes buffalo, horse, pony, pig, goat, cattle, sheep and any other animal which may be specified from time to time by the Council;

"Council" means the Lahad Datu District Council.

**Permit to keep animals.**

3. (1) No person shall keep any animal in any area within the Council's jurisdiction except in accordance with a permit granted by the Council.

(2) An application for a permit shall be made in writing and shall specify the locality where the applicant proposes to keep the animal.

(3) The Council may, in its absolute discretion, grant or refuse a permit, or grant a permit subject to such conditions as it thinks fit.

**Prevention of nuisance.**

4. (a) If in the opinion of the Council the keeping of any animal on any land has become a nuisance or injurious to health, the Council may by notice require the owner or occupier of such land within a period to be specified in the notice to do all or any of the following —
- (i) to reduce the number of animals kept thereon;
  - (ii) to have the land properly fenced;
  - (iii) to keep such animals continuously penned;
  - (iv) to take such other action as the Council deems necessary to minimise the likelihood of nuisance or injury to health.
- (b) The owner or occupier of such land to whom a notice is given shall without unnecessary delay comply with such notice.

**Cancellation of permit.**

5. The Council may cancel or suspend a permit if the holder of such permit —
- (a) is convicted of any offence under these By-laws; or
  - (b) has failed to observe any conditions imposed by the Council in such permit.

**Stray animals to be impounded.**

6. (1) It shall be lawful for the Council or any person to seize any animal found straying on the road, street or thoroughfare or trespassing on any ground or property of any person or of the Government and to confine such animal in any pound established under by-law 7 of these By-laws.



**Liability of owner or person in charge for damage done.**

10. (1) The owner or person in charge of the stray animal shall be liable for all damage done by the same arising from such animal not properly penned or tethered as the case may be, or otherwise keep under control.

(2) A certificate by the Chairman of the Council or any person deputed by him in writing for such purpose, shall be *prima facie* evidence of the amount of damage done.

**Penalty.**

11. Any person contravening or attempting to contravene any of the provisions of these By-laws for breach whereof no penalty is otherwise provided shall be liable upon conviction to a fine not exceeding five thousand ringgit and in the case of a continuing offence to a further fine not exceeding two hundred ringgit for every day during which the offence continues.

Dated at Lahad Datu this 8th day of March 1984.

DATUK HAJI AMIT GUYAH,  
*Chairman,*  
*Lahad Datu District Council.*

I approve the foregoing By-laws.

Dated at Kota Kinabalu this 11th day of April 1984.

STEPHEN WONG SOON YU,  
*Acting Minister of Town and Country*  
*Development.*