

### Stray Dogs

#### Notion of straying (definition in the rural code)

Such is considered to be as straying when, outside of hunting and herding activities, they are no longer under the surveillance of their master or when they are no longer within calling distance or audible contact using any instrument of calling, or when they are distanced from their owner or the person assuming responsibility for them by 100m or more.

As a generalisation, any abandoned dog, left to their own instinct, must be considered as a stray.

#### Policing power of the Mayor in regard of stray dogs

##### **a - General policing powers**

In a general sense, his policing powers authorise him to intervene in order to ensure order and public health and safety.

##### **b - Special policing powers**

Regarding special policing powers, the Mayor may intervene to put an end to straying within the boundary of his commune. **If and where necessary**, he may be led to adopt a local council by-law in order to prevent straying within the animal population.

Elsewhere, in cases of straying in public areas (roads, squares, halls) as well as in parks and gardens, the Mayor may issue an official complaint for infraction of article L99-6 of the departmental sanitary regulations and pass it over to the Prosecutor for the Republic (equivalent to Crown Prosecution Services-CPS).

#### The Pound and place of custody

Stray animals must be captured and taken to a place that is suitable to take in dogs. The rural code in terms of article L211-24 obliges communes to have pound facilities available; set up in their communes or within another commune with a use agreement in place from the latter.

#### If straying is frequent

The Mayor can write a letter or send a summons to the owner of the animals setting out the measures to take in order to cease the straying.

If these measures are not respected, the Mayor can write a letter of information to the owners plus an order placing the animals into a designated place of custody (pound).

If, after 8 working days, the measures have not been taken, the Mayor can authorise the manager of the place of custody (pound), following the advice of a DDSV accredited vet, to place the animal deemed as identified into an animal protection charity or **to have the dog put down (euthanasia)**.



PRÉFET DE LA CREUSE

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Ouvert du lundi au vendredi  
de 8h30 à 12h et de 14h à  
17h30

## The French Heritage architect informs you

STAP23

The **STAP** (Territorial Heritage and Architecture Service) accompanies and advises both collective bodies and individuals in their project start-ups.

- ◆ For the following the sanitation and works on protected buildings listed as Historical Monuments.
- ◆ For construction works or works that involve modifications to the exterior aspect of an existing building within a Historical Monument site.
- ◆ For all building or restructuring works carried out to promote the architectural quality, both urban and rural.

**Works on existing buildings.** Reminder of the legislation concerning the obligation to request a works authorisation

Within France, the urbanisation code sets out the general rules to be respected when carrying out works, new-builds or on existing buildings.

**New-Builds.** For major new-builds, houses or blocks of flats, the application for planning permission is essential (**Permis de Construire-PC**) before works commence and is more often than not a document that is put together by a professional.

For smaller new builds such as a garden shed, conservatory or garage, it may just require a declaration works (**Déclaration Préalable-DP**).

The objective of the application is to verify that the proposed plans are within the general planning consent rules and in coherence with the environment whether that be in a city, town, village or hamlet setting.

**Works on existing buildings.** Following article R-421-17 in the urbanism code:

*“Must be preceded by a declaration of works (...) works carried out on an existing building with the exception of works carried out in the name of routine maintenance or repairs: the works having the objective of modifying the exterior of the building, with the exception of restoration works.”*

This could be works involving the replacement of the joinery – **windows or doors** – work on the roof – **total or partial renewal of the roof** – the installation of a new window or door opening on the façade, installation of roof windows, installation of solar panels (photovoltaic) on the roof etc.

Concerning restoration works, these *“must be preceded by a declaration of works when they are carried out on the entire or part of a construction falling within the visual boundary of a historical monument”*.

### In short

- ⇒ All works that modify the external aspect of an existing building must be subject to a Declaration of Works (article R-421-17 of the urbanism code)
- ⇒ When the building being subjected to the works falls within the zone of a historical monument (boundary 500m), the dossier is passed to the French Heritage Architect for consultation and comment. (Article L-621-30 of the Heritage Code).

**We can state however that works must not be started prior to having received the administrative approval.**

**S'informer**, site internet de la **Direction Régionale des Affaires Culturelles du Limousin**  
<http://www.culturecommunication.gouv.fr/Regions/Drac-Limousin>

Consulter « **L'Atlas des Patrimoines** » pour situer le projet par rapport à un Monument historique  
<http://www.atlas.patrimoine.culture.fr>