

## BYLAW NO. 2015-005

### AN ANIMAL CONTROL BYLAW OF THE TOWN OF CHURCHBRIDGE, IN THE PROVINCE OF SASKATCHEWAN

The Council of the Town of Churchbridge, in the Province of Saskatchewan, enacts as follows:

#### 1. Definitions:

- (a) "Animal" shall mean Dog.
- (b) "Council " shall mean the Council of the Town of Churchbridge
- (c) "Designated Officer" shall mean any person appointed by the Town of Churchbridge for the purpose of enforcing the provisions of this bylaw.
- (d) "Dog " shall mean and include any domestic canine of any breed or mix of breed over the age of three (3) months
- (e) "License" shall mean a license issued by the Town to Owners or Keepers resident in the Town permitting such Owners or Keepers to own and possess an animal and shall be issued upon payment by the Owner or Keeper of the fees as set in Schedule "A" as amended by the Town from time to time.
- (f) "Neuter" shall mean to render a male animal sterile.
- (g) "Owner" or "Keeper" shall mean any person who owns or harbours any animal to remain about his /her house, home, place of residence, or premises.
- (h) "Pound" shall mean such premises, facilities or organization as may be designated by council, from time to time, for confinement of animals.
- (i) "Pound keeper" shall mean the person appointed by council to keep the confined animals.
- (j) "Running at Large" shall mean when an animal is beyond the boundaries of the land occupied by an Owner or Keeper, or beyond the boundaries of any land where an animal may be with the permission of the Owner or Keeper and it is not controlled or restrained in one or more of the following ways;
  - 1) The animal is in direct and continuous charge of a person competent to control the animal
  - 2) The animal is securely confined within an enclosure, or.
  - 3) The animal is securely restrained so that the animal cannot roam at will.
- (k) "Town " shall mean the Town of Churchbridge
- (l) "Under Control" shall mean on a leash of not more than eight feet (8') or 2.4 metres in length.

## 2. Scope & Regulations:

- (a) Every Owner or Keeper within the Town shall obtain a licence, for each animal, from the Town by January 31<sup>st</sup> of each year or within 10 days of taking possession of the animal. The license expires on December 31<sup>st</sup> of the year it was purchased. Failure to purchase a license shall constitute an offence under this bylaw and shall be subject to the penalty as set out in Section 3(a) of this bylaw. The license is not transferable in any respect.
- (b) The annual fee for all animals shall be accordance with Schedule "A" attached hereto, which may from time to time be amended by resolution of council.
- (c) When applying for a license the applicant shall provide the Town a description of the Animal, the name and address of the Owner or keeper and other relevant information that may be required by the Town.
- (d) Every applicant for a spayed or neutered animal must provide to the Town a certificate from a Veterinarian that such animal has been spayed and neutered to receive the spayed/neutered rate as per Schedule "A".
- (e) When applying for a license the applicant shall provide the Town with a certificate of a Veterinarian indicating that the animal has been vaccinated against rabies within two years (24 months) of the date of application for a license or a letter from a veterinarian indicating that such vaccinations would be inadvisable for the animal. In the event that such certificate or letter for rabies vaccination cannot be produced, it must be provided no later the fourteen (14) days after request.
- (f) When issuing a license the Town shall supply the applicant with a tag and receipt for the License and the said tag shall be attached to the collar to be worn around the neck of the animal. It shall be the responsibility of the Owner or Keeper to see that the tag is affixed to the collar of the animal. An animal not displaying the tag shall be considered an unlicensed animal subject to the penalty as per Section 4 of this bylaw.
- (g) Every Owner or Keeper shall on demand of the designated officer produce for inspection a License receipt or other evidence proving such Owner or Keeper holds a valid License.
- (h) Every Owner or Keeper shall ensure that their animal(s) is not running at large, do not create noise or do such other things that may unreasonably disturb, annoy or discomfort any person and failure to do so is subject to the penalty as per Section 3(a) of this bylaw.
- (i) Any animal defecating on other people's property is an infraction of this bylaw and the owner or keeper of this animal, whether in his/her control or running at large shall cause such defecation to be removed immediately in a sanitary fashion or be subject to a fine as outlined in Section 3(a).

- (j) An owner or occupant of private property shall not allow animal feces to accumulate on the said property so as to create a health hazard or will be subject to a fine as outlined in Section 3(a).
- (k) Feeding of an Animal Running at Large is unlawful and shall be subject to a penalty as per Section 3(a) of this Bylaw.
- (l) The Declaration of Dangerous Dogs will follow *The Municipalities Act* Section 375-379. For a copy of the applicable sections of *The Municipalities Act*, contact the Town Office.
- (m) A complaint by any person against any Owner or Keeper alleging a breach of this Bylaw shall be made in writing to any member of Town Council, the Town or its Designated Officer and shall include the name of Owner or Keeper (if known) the location where the breach transpired and the signature of the complainant. A date stamped clearly identifiable picture is encouraged.
- (n) The Designated Officer shall be authorized to capture Animals Running at large and to confine such animals in a pound. In the event that the animal in question cannot be caught by the Designated Officer they are authorized to take a photograph of the animal and upon establishing the owner of the animal a fine will be levied against the owner. The fine structure shall apply equally irrespective of how the evidence is tendered.
- (o) All Animals impounded shall be confined therein for a period seventy two (72) hours, excluding weekends and statutory holidays, from the time of capture, during which time the Owner or Keeper thereof shall have the right to the return of the impounded Animal upon paying to the Town **\$100** plus all impound fees charged by the Town or its agent.
- (p) No unlicensed Animal which is impounded shall be released until a Licence is purchased for such animal and all impound fees charged by the Town or its agent has been paid.
- (q) An Animal impounded and not claimed within seventy two (72) hours, excluding weekends and statutory holidays, shall be released to The Angels of Hope or such other animal rescue organization as is available.
- (r) No person shall keep more than three (3) dogs in or about any dwelling/business unit, and shall upon the request of the Designated Officer, disclose the number of animals being kept on his/her land or buildings.
- (s) The provisions of this section shall not apply to dogs kept, in ordinary course of business by the proprietors of the following premises namely:
  - a. A veterinary hospital, clinic, boarding kennel or grooming parlour
  - b. A public pound
  - c. A business that includes the sale of pets and is licensed as such;
  - d. A shelter operated by an association or society incorporated for the purpose of the protection and humane treatment of animals.

### 3. Order to Remedy Contraventions

- (a) If a Designated Officer finds that a person is contravening this Bylaw, the Designated Officer may, by written order, require the owner or keeper of the animal to remedy the contravention.
- (b) Orders given under this Bylaw shall comply with Section 364 of *The Municipalities Act*.
- (c) Orders given under this Bylaw shall be served in accordance with Section 390(1)(a), (b) or (c) of *The Municipalities Act*.

### 4. Penalties:

- (a) Any person who commits a breach of this Bylaw is guilty of an offence and is liable for a penalty of **\$200.00** for a first offence, **\$350.00** for second offence, **\$500.00** for a third offence in addition to any other fees and penalties imposed under this or other Bylaw.

### 5. Administration:

- (a) The Town shall have the authority to appoint a person to carry out the provision of this Bylaw.
- (b) It shall be offence for any person to harass, threaten and use any profanity or disobey a Designated Officer.
- (c) No person, whether or not they are the owner of the animal which is being or has been pursued or seized shall:
  - a. Interfere with or attempt to obstruct the Designated Officer who is attempting to seize or has seized any animal in accordance with the provision of this Bylaw.
  - b. Unlock or unlatch or otherwise open the vehicle in which animals seized under the Bylaw has been placed, so as to allow or attempt to allow an animal to escape there from.
  - c. Removed or attempted to remove any animal from the possession of the Designated Officer.
- (d) A notice of violation may be served as provided by Section 3 of this Bylaw.
- (e) A violator of the Bylaw, upon being served a notice of violation, may pay his/her penalty at the Town Office within seven (7) days. No license shall be obtained or renewed where unpaid penalties remain outstanding.
- (f) All fees shall be paid to the Town by payment in person to 116 Vincent Avenue, Churchbridge or by mailing such payment to Box 256 Churchbridge, SOA 0M0
- (g) Where the municipality receives payment of the amount prescribed in Section 4 of this Bylaw, within seven (7) days of receiving notification, the person receiving the Notice of Violation shall not be liable to prosecution for the alleged contravention.
- (h) Payment of any Notice of Violation does not exempt the person from enforcement of an order pursuant to Section 3 of this Bylaw.

- (i) Every person who contravenes any provision of this Bylaw is guilty of an offence and liable on summary conviction to the penalties imposed in the General Penalty Bylaw #2-88.

### **6. Coming into Force**

All previous bylaws of the Town relating to licensing, controlling and regulating animals within the Town are hereby repealed.

This bylaw shall come into force and take effect immediately upon being adopted.

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Mayor

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Administrator

### **SCHEDULE "A"**

### **BYLAW 2015-005**

### **ANIMAL LICENSES FEE SCHEDULE**

Annual Fees due by January 31 of each year are as follows:

Dogs	\$	<b>25.00</b>
Dogs (Spayed/Neutered)	\$	<b>10.00</b>
Replacement of Tags	\$	<b>5.00</b>