

## TOWN OF WAKAW

### BYLAW NO. 2-2014

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#### A BYLAW TO LICENSE AND REGULATE THE RUNNING AT LARGE OF ANIMALS

The Council for the Town of Wakaw in the Province of Saskatchewan enacts as follows:

**1. Short Title**

This Bylaw shall be known as the "Animal Control Bylaw"

**2. Definitions**

In this Bylaw the following definitions apply:

- a. Bylaw Enforcement Officer - means the person or persons appointed or contracted by the Council of the Town of Wakaw for the purpose of enforcing the provisions of this bylaw.
- b. Cat - means a male or female cat or a male or female kitten over eight (8) weeks of age.
- c. CAO- means the Chief Administrative Officer for the Town of Wakaw.
- d. Council - means the Council of the Town of Wakaw.
- e. Dog - means a male or female dog or a male or female puppy over eight (8) weeks of age.
- f. Municipality or Town - means the Town of Wakaw
- g. Owner - means:
  - i a person, persons, partnership, association, or corporation who keeps, possesses, harbors or has care of a dog or cat;
  - ii the person responsible for the custody of a minor where the minor is the owner of a dog or cat.
- i. Pound - means such premises and facilities as may be designated by the Council of the Town of Wakaw for the purpose of safely lodging and securing animals seized pursuant to the bylaw.
- j. Pound keeper - means a person designated by the Town of Wakaw from time to time.
- k. Person - means and includes an individual(s), partnership, association or corporation.
- l. Running at Large - means when the dog or cat is beyond the boundaries of the land occupied by the owner, possessor or harbinger or keeper of the said dog or cat, or beyond boundaries of any lands where it may be with the permissions of the owner or occupant of the said land and is not under control.

**3. Registering**

- a. Every owner of a dog or cat within the Town shall cause each and every such dog or cat to be registered with the Town Office. At the time of registering, the applicant shall provide description of the dog or cat, the breed of the dog or cat, address and telephone number of the owner of the dog or cat.
- b. The registration year for dogs and cats shall be from the first (1<sup>st</sup>) day of January to the thirty-first (31<sup>st</sup>) day of December of the same year. The fee is \$10.00 each dog or cat. Every owner of a dog or cat shall not later than February 28<sup>th</sup> in each year register the said dog or cat at the Town Office and failure to do so shall constitute an offence under this bylaw.
- c. Any dog or cat registration certificate or applicable fee issued pursuant to the provisions of this bylaw by the Town shall not be transferable to any other dog or cat.

- d. A person residing in the Town who owns, possesses, keeps or harbors a dog or cat and neglects or refuses to register or pay any applicable registration fee shall be subject to the penalties as outlined in Schedule "C" of this bylaw.

**4. Running at Large**

- a. The owner of a dog or cat shall not at any time allow the dog or cat to run at large within the municipality.
- b. When a dog or cat is found to be running at large, its owner is deemed to have failed or refused to comply with the provisions of this section.
- c. Where a dog or cat is found to be running at large, the owner or occupant of that property on which the dog or cat is running at large may make a verbal or written complaint to the Bylaw Enforcement Officer.

**5. Limits - Dogs and Cats**

- a. No person within the Town shall harbor or keep more than three (3) dogs or cats on any one property. The Town will allow a grandfather clause for existing pets in excess of three (3) prior to the passing of this bylaw, subject to a requirement that all pets must be licensed and the clause will be for the lifetime of the registered pet. If an owner fails or refuses to comply with the provisions of this section, he/she shall be subject to the penalties as set out in Schedule "C" attached hereto and which may be amended from time to time by resolution of Council.

**6. Seizure and Impounding**

- a. A Bylaw Enforcement Officer or Peace Officer may seize and impound any dog or cat observed to be at large.
- b. A Bylaw Enforcement Officer or Peace Officer may enter onto land surrounding any building in pursuit of any dog or cat which has been observed to be at large.
- c. The Bylaw Enforcement Officer is hereby authorized to seize and capture, by the use of a tranquilizer gun or other method authorized by resolution of Council and impound any dog or cat running at large contrary to the provisions of this bylaw.
- d. Any person may take any dog or cat found running at large contrary to the provisions of this bylaw to the town pound.
- e. No person, whether or not he/she is the owner of a dog or cat which is being or has been pursued or seized shall:
  - i interfere with or attempt to obstruct a Bylaw Enforcement Officer who is attempting to seize or has seized any dog or cat in accordance with the provisions of this bylaw;
  - ii unlock or unlatch or otherwise open the vehicle in which dogs or cats seized under this bylaw have been placed so as to allow or attempt to allow any dog or cat to escape therefrom;
  - iii remove or attempt to remove any dog or cat from the possession of the Bylaw Enforcement Officer.

**7. Pound**

- a. The Council shall endeavor to appoint a pound keeper.
- b. All dogs and cats impounded in the pound shall be so confined therein for a period of 72 hours from the time of capture during which time the owner thereof shall have the right to repossess the said dog or cat upon paying to the Town Office the amount set forth in Schedule "B" to this Bylaw as amended from time to time by resolution of Council.
- c. No dog or cat which is impounded shall be released to its owner or to any other person until the appropriate pound fee is paid and until it has been registered.
- d. When a dog or cat has been impounded, the Town Office shall immediately attempt to contact the owner as shown in the records made when the dog or cat was registered at the address shown therein, that unless the said dog or cat is claimed and the fees as provided for in this bylaw are paid within 72 hours from the date of the impounding, the said dog or cat shall be dealt with pursuant to the provisions of the bylaw.

- e. All impounded dogs or cats which are not claimed within 72 hours as aforesaid, may be sold by the Town Office to any person paying for such dog or cat, a sum of not less than \$5.00 for the use of the pound and registration fees as provided for by this bylaw. In the event any dog or cat is not sold after expiration of the said 72 hours, it shall be disposed of in the most humane way possible.
- f. It shall be the duty of the pound keeper to provide each dog or cat impounded under the authority of this bylaw an adequate supply of food fresh water during its confinement in the pound.
- g. Any dog found in any public street, lane, park, boulevard, or other public place or otherwise running at large contrary to the provisions of this bylaw the Bylaw Enforcement Officer or Peace Officer may seize and impound by the use of a tranquilizer gun or other methods authorized by Council.

**8. Litter - Dogs and Cats**

- a. If a dog or cat defecates on any public or private property other than the property of an owner, possessor or harbinger of the said dog or cat, the owner, possessor or harbinger of the dog or cat shall cause such defecation to be removed immediately and disposed of in a sanitary fashion. Failure to cause such removal shall be an infraction of this bylaw.
- b. Defractions deposited on the private property of the owner, possessor or harbinger of a dog or cat shall be removed and disposed of in a sanitary manner on a daily basis.

**9. Nuisance**

- a. The owner, possessor or harbinger of a dog shall not allow the animal to create a nuisance to any person by barking, howling, attempting to bite or biting anyone or any domestic animal, chasing vehicles or bicycles and any owner, possessor or harbinger who contravenes this section commits an offence under this bylaw.
- b. The owner, possessor or harbinger of a cat shall not allow the animal to create a nuisance to any person by howling, hissing or otherwise making disruptive noises or by urinating, defecating or spraying on or otherwise damaging or interfering with any property other than the property of the owner, possessor or harbinger. Any owner, possessor or harbinger who contravenes this section commits an offence under this bylaw.

**10. Rabies and Other Diseases**

- a. Any dog or cat suspected of having rabies shall not be killed but shall be secured and isolated for seven (7) days and the matter immediately reported to a veterinary clinic whose instructions shall be complied with.
- b. An owner, possessor or harbinger of a dog or cat who neglects or refuses to comply with any order of the veterinary clinic shall be guilty of an infraction of this bylaw.

**11. General Penalty**

- a. A person who contravenes any provision of this bylaw or neglects or refuses to comply therewith shall be guilty of an offence and liable upon summary conviction to a fine of not less than \$50.00 and not more than \$2,000.00.

**12. Penalty**

- a. Where any person has committed or is alleged to have committed a breach of any of the provisions of this bylaw, a notice of violation will be issued served on such person by the Bylaw Enforcement Officer.
- b. A person to whom a notice of violation is being issued pursuant to this section shall furnish the bylaw Enforcement Officer with his/her name and address upon request.
- c. Notwithstanding Section 12, a person who contravenes any provision of this bylaw, upon being served with a ticket may voluntarily pay the prescribed as set forth in Schedule "C" to this bylaw

Schedule "B" - Bylaw No. 2-2014

Dog or Cat Pound Fees Section 7(b)

First Offence

\$25.00 plus \$5.00 per day or part thereof or

Any applicable veterinarian fees plus \$5.00 per day or part thereof

Subsequent Offences within 12 months

\$50.00 plus \$5.00 per day or part thereof or

Any applicable veterinarian fees plus \$5.00 per day or part thereof

Schedule "C" - Bylaw No. 2-2014

1. The penalties presently laid out in Schedule "C" of Bylaw No. 2-2014 for dogs and for cats shall remain the penalties in force for payment made within three (3) days of the date of issue of the Notice of Violation.
2. For payment after three (3) days, the penalties for all offences dealing with dogs and with cats shall be \$150.00 for the first offence and \$300.00 for subsequent offences.

	First	Subsequent
3. Failure to register	\$20.00	\$40.00
4. Running at large	\$25.00	\$50.00
5. Exceeding limits on any one property	\$25.00	\$50.00
6. Nuisance cats	\$25.00	\$50.00
7. Failure to remove defecation	\$25.00	\$50.00
8. Nuisance dogs	\$25.00	\$50.00

as amended from time to time by resolution of Council.

- d. If the Town received voluntary payment of the prescribed penalty within three (3) days from the date of the ticket was issued the person receiving the ticket shall not be liable to prosecution for the offence.

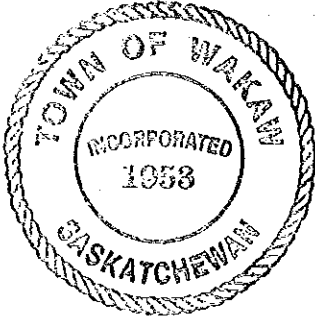
13. **Repeal**

Bylaw No. 04/97 and Bylaw No. 04/02 are hereby repealed.

14. **Coming Into Force**

This Bylaw shall come into force on the day of its final passing.

(Seal)



Mayor

*Ray W. Goodrich* CAO

Passed this 28<sup>th</sup> day of May, 2014