

BYLAW 302/2021

THE ANIMAL CONTROL BYLAW

The Council of the Village of Young, in the Province of Saskatchewan,
enacts:

TITLE

1. This Bylaw may be referred to as the Animal Control Bylaw.

PURPOSE

2. The purpose of this Bylaw is as follows:
To provide for the licensing of dogs and cats;
To control and regulate dogs and cats;
To provide for impounding of dogs and cats that are at large; and
To control and regulate exotic and wild animals.

PART I DEFINITIONS

3. In this Bylaw:
 - a. "Bylaw Enforcement Officer" means a person employed to enforce the provisions of this Bylaw.
 - b. "at large" means if the animal is off the premises of its owner, and is not under control by being:
 - i. In direct and continuous charge of a person competent to control it; or
 - ii. Securely confined within an enclosure; or
 - iii. Securely fastened so that it cannot roam at will.
 - c. "Cat" – means any cat, male or female, neutered or spayed of the feline family over the age of four (4) months.
 - d. "Dog" – means any dog, male or female, neutered or spayed of the canine family over the age of four (4) months.
 - e. "Dangerous Dog" means
 - i. Any dog, that without provocation, in a vicious or menacing manner, chased or approached a person or domestic animal in an apparent attitude of attack;
 - ii. Any dog whatever its age with a known propensity, tendency or disposition to attack without provocation, to cause injury or to otherwise threaten the safety of persons or domestic animals;
 - iii. Any dog that, without provocation, has bitten, inflicted injury, assaulted or otherwise attacked a person or domestic animal;
 - iv. Any dog which is owned primarily or in part for the purpose of dog fighting or is trained for fighting.
 - f. "Village" means the Village of Young.
 - g. "Council" means the Council of the Village of Young
 - h. "Court" means the Provincial Court of Saskatchewan established pursuant to The Provincial Court Act;
 - i. "Owner" includes:
 - a person who owns or who has possession of, or control over, an animal; and
 - the person responsible for the custody of a minor where the minor is the owner of an animal; but does not include;

a veterinarian registered pursuant to the Veterinarians Act, 1987 who is keeping or harboring an animal for the prevention, diagnosis or treatment of disease of or an injury to the animal; and

an animal shelter or pound operated by the Village or SPCA;

- j. "pound" means the premises designated by the Village as the Village impoundment;
- k. "Pound keeper" means a person designated by the Village to administer the impoundment facility;
- l. "public health inspector" means a public health inspector within the meaning of The Health Act;
- m. "person" shall include an individual, partnership, association or corporation.

PART II GENERAL PROVISIONS

- 4. No person shall own or keep any dog or cat within the Village unless such dog or cat is licensed as provide in the Bylaw.
- 5. No person shall keep more than 2 (two) dogs and/or 2 (two) cats in or about any dwelling unit, and shall upon the request of the Administrator or Enforcement Officer, disclose the number of dogs and/or cats being kept on or in his/her land or buildings.

LICENSING OF DOGS AND CATS

- 6. Licensing:
 - a. Every owner of a dog or cat that is over four (4) months old shall within thirty (30) days of becoming the owner obtain a license for each dog.
 - b. The license referred to in Subsection (a) shall not be transferable.
 - c. Every owner of a dog or cat shall, not later than the 15th day of January in each year, obtain an appropriate license for the dog or cat from the administrator of the Village of Young and failure to do so shall constitute an offense under the bylaw. No dog or cat license issued by the Village of Young in respect of a particular dog shall be transferable to another dog or cat.
 - d. The animal license year shall be from January 1 to December 31 of the same year.
 - e. When applying for a license under this Section, the owner shall provide the following:
 - i. a description of the animal, including breed, name, gender and age;
 - ii. a history of any rabies vaccinations for the animal and whether the animal has been spayed or neutered;
 - iii. the name, address and telephone number of the owner; and
 - iv. any other relevant information which may be required.
 - f. The owner shall be supplied with a current license tag and a receipt for payment of the license fee when a license is issued.
 - g. The annual license fee for each license shall be as set out in Schedule No. 1.
 - h. The owner will be issued a replacement license tag if the current license tag is lost or destroyed and the owner shall be responsible for the replacement cost of five dollars (\$5.00).

VALID LICENSE TAG ATTACHED

- 7. License Tag
 - a. The owner of an animal shall ensure that the animal wears a collar to which is attached a valid license tag whenever the animal is off the premises of the owner. This Section shall not apply while an animal is participating in a recognized how, obedience trial or field trial.

EXCEPTIONS FROM LICENSING DOGS AND CATS

8. The following are exempted from the licensing provision in Section 6.
 - a. a store whose business includes the sale of pets and is licensed as such;
 - b. a research institution housing and using dogs and cats for research purposes.
9. A person who owns and physically relies on a guide dog trained and used to assist such person shall obtain a license for the dog and there shall be no fee payable by the owner for the license.

PART III REGULATIONS AND CONTROL OF DOGS AND CATS AT LARGE

10. No animal shall run at large in the municipality;
11. If an animal is found to be running at large the owner shall be deemed to have permitted the animal to be at large unless the owner proves to the satisfaction of the court that at the time of the offence the owner did all that was reasonable to prevent the animal from being at large;
12. Any person who sees an animal running at large, and can positively identify the animal, can file a written complaint at the Town Office. The Animal Warden/Bylaw Enforcement Officer or any other person designated by the municipality will attempt to capture any animals found running at large and place them in the municipal pound; and,
13. Any animal found running at large that attacks or bites a person shall be dealt with under the Dangerous Dogs Act, at the owner's expense;
 - a. Destroyed in accordance with any order or recommendation by a medical health officer; or,
 - b. Permanently removed from the municipality.

PROHIBITED AREAS

14. Prohibited Areas
 - a. No owner of a dog or cat shall permit the animal on any public playground, or posted area except for a specific activity approved by the Village.
 - b. This Section shall not apply to a person who owns and is physically reliant on a guide dog trained and used to assist such person.

LITTER CLEANUP

15. Litter Clean Up
 - a. If a dog or cat defecates on any public or private property other than the property of its owner, the owner of the dog or cat shall remove the defecation immediately.
 - b. This Section shall not apply to a person who owns and is physically reliant on a guide dog trained and used to assist such person.

ACCUMULATION OF ANIMAL FECES

16. Animal Feces
 - a. An owner or occupant of private property must not allow animal feces to accumulate on the property so as to create a health hazard.
 - b. A Bylaw Enforcement Officer may serve an owner or occupant of private property with a notice to remove all animal feces from the property within 72 hours of service of the notice.

- c. If a notice under Subsection (b) is not served personally on an owner or occupant of private property, then a copy of the notice shall be sent by on the last revised assessment roll of the Village.
- d. A notice served by registered mail is deemed to have been received on the fifth day following the date of it mailing.
- e. The Village may remove the feces from the property if:
 - i. the person to whom the request is made fails to remove the feces within 72 hours; or
 - ii. after reasonable inquiry, the whereabouts of the owner or occupant of the property cannot be determined.
- f. If the Village carries out the work under Subsection (e), the costs and expenses incurred are a debt due to the Village and the Village may recover the costs and expenses:
 - i. by action in a court of competent jurisdiction;
 - ii. in the same manner as municipal taxes; or
 - iii. by adding the costs and expenses to, and thereby they form part of, the taxes on the land on which the work was done.

NUISANCE

- 17. Nuisance Dogs - 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, bicycles and any owner, possessor or harbinger who contravenes this section commits an offence under this Bylaw.
- 18. Nuisance Cats – the owner, possessor or harbinger or 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 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.

PART IV IMPOUNDING OF DOGS AND CATS

- 19. Impounding of Dogs and Cats
 - a. A Bylaw Enforcement Officer, Pound keeper or peace officer may seize and impound any dog or cat that is at large.
 - b. A Bylaw Enforcement Officer, Pound keeper, or peace officer may enter onto the land surrounding any building in pursuit on any dog or cat which is found at large.

INTERFERENCE WITH ENFORCEMENT

- 20. No person, including the person who is the owner of a dog or cat which is being impounded or has been impounded, shall interfere with a Pound keeper, Bylaw Enforcement Officer, or peace officer who is impounding any dog or cat in accordance with the provisions of the Bylaw.

IMPOUNDED DOGS AND CATS

21. The Pound keeper shall keep all impounded dogs and cats for a period of at least seventy-two (72) hours, excluding the day of impounding. Statutory holidays shall not be included in the computation of the seventy-two (72) hour period.
22. During this period, the owner may reclaim the dog or cat from the pound upon payment to the Pound keeper of the fees set out in Schedule No. 2.
23. No licensed dog which is impounded shall be released to its owner until a license has been purchased.
24. If a dog or cat impounded is wearing a valid license tag, the Pound keeper shall immediately notify the owner, by telephone or in writing, of the seizure of the dog or cat at the telephone number or address shown in the records. No liability whatsoever shall attach to the Village, the SPCA, or the Pound keeper by reason of failure of the owner to receive such notice.
25. If a dog or cat is not reclaimed within the period set on in Subsection (a), or if the owner of the dog fails or refuses to comply within this period with the conditions set out in Subsection (b) and (c), the Pound keeper may sell, destroy or otherwise dispose of the dog.

PART V CONTROL AND REGULATION OF EXOTIC AND WILD ANIMALS AND HARBORING EXOTIC AND WILD ANIMALS

26. No person shall own or harbor any animal, or hybrid of any animal, of the kind listed in Schedule No. 3 for any purpose.
27. No person, partnership or corporation, whether operated separately or in connection with another business enterprise, shall operate a pet store that buys, sells, trades, exhibits or harbors any animal or hybrid of any animal of the kind listed in Schedule No. 3.

EXEMPTIONS TO OWNING AND HARBOURING EXOTIC AND WILD ANIMALS

28. Section 18(a) does not apply to prohibit the harboring of an animal or hybrid of an animal of the kind listed in Schedule No. 3 in the following places or circumstances:
 - a. in a veterinary clinic under the care of a licensed veterinarian;
 - b. by anyone holding a license under any statute of the Legislature of Saskatchewan or the Government of Canada, which permits the keeping of animals under stated conditions.

PART VI OFFENCES AND PENALTIES GENERAL PENALTY

29. General Penalty
 - a. Every person who contravenes any provision of this Bylaw is guilty of an offense and liable on summary conviction:
 - i. in the case of an individual, to a fine of not more than \$2,000; and
 - ii. in the case of a corporation, to a fine of not more than \$5,000.
 - b. Any person convicted of an offense under Part V shall, within ten days thereafter, deliver all animals of the kind listed in Schedule No. 3 owned, kept or harbored by that person to the Pound keeper and they shall become the property of the Village and shall be donated to an approved agency or humanely euthanized.
 - c. Any person who fails to deliver an animal as required by Subsection (b) is guilty of an offense and liable on summary conviction to the penalty contained in Subsection (a).

VOLUNTARY PAYMENT TO AVOID PROSECUTION

30. Voluntary payment to Avoid Prosecution
- a. Notwithstanding Section 20, a person who contravenes Sections 4, 5, 7, 10, 11, 12, 13 or 14 upon being served with a Notice of Violations as specified in Section No. 4 may voluntarily pay a reduced penalty of \$25.00 within seven (7) days of the issuance of the Notice of Violation to the Administrator of the Village of Young.
 - b. If the Village Administrator receives voluntary payment of the prescribed penalty within the time limit specified on the Notice of Violation, the person receiving the Notice of Violation shall not be liable to prosecution for the alleged contravention.
 - c. Nothing in this Section shall be construed to prevent any person from exercising the right to defend a charge for a contravention of this Bylaw.
 - d. A Notice of Violation as specified in Schedule No. 4 may be issued by a Bylaw Enforcement Officer, a peace officer, the Pound keeper of agents and employees of the Pound keeper and the SPCA.
 - e. A person to whom a Notice of Violation is being issued under this Section shall, upon request by the person issuing the Notice of Violation, provide their name, address and date of birth. Any person who fails to provide this information is guilty of an offense and liable on summary conviction to the penalty contained in Section 20.

PART VII

APPOINTMENT OF BYLAW ENFORCEMENT OFFICER

31. Bylaw Enforcement Officers
- a. Any person employed by the Village of Young and or its agents as a Bylaw Enforcement Officer shall be deemed and is appointed to be a bylaw enforcement office under Section 373 of *The Municipalities Act*
 - b. A bylaw enforcement officer appointed under this Section may enforce this Bylaw within the Village and may perform any other duties that may be imposed by any other bylaw regarding the control, licensing and regulation of animals.

DANGEROUS DOGS

32. Dangerous Dogs
- a. Bylaw Enforcement Officers are designated as municipal officials for the purpose of Section 378 and 379 of *The Municipalities Act*.
 - b. Bylaw Enforcement Officers are designated for the purposes of Section 375(5)(a)(vii)(B) of *The Municipalities Act* as the persons to be notified if an owner sells or otherwise disposes of a dangerous dog.

REPEAL

Bylaw 227/2006 of the Village of Young is hereby repealed.

COMING INTO FORCE

This bylaw shall come into force and take effect on the day of final passing thereof.

Mayor (Agnes Thompson)

Administrator (Roberta Crittenden)

Schedule No. 1 (Referred to in section 6g.)

- a) for the first and second dog in each household
non-neutered dog \$ 25.00

Schedule No. 2

Impoundment Fees for Dogs and cats

Pound fee \$100.00

Care and sustenance fee \$10.00 (plus Goods and Services Tax) per day or portion thereof commencing at 12:00 am on the day immediately following the day of impoundment

Schedule No. 3

Being a list of animals the keeping of which is prohibited within the Village of Young

- all Arachnids dangerous to human (such as scorpions and tarantulas, except tarantulas of the genera Aphonopelma, Avicularia and Grammostola)
- all Artiodactylus Ungulates (such as domestic goats, sheep and cattle)
- all Bats
- all Canids, including pit bulls and excluding all other domestic dogs and cats
- all Crocodilians (such as alligators, crocodiles and caimans)
- all Edentates (such as anteaters, sloths and armadillos)
- all Elephants
- all Felids, except the domestic cat
- all Hyenas
- all Marsupials (such as kangaroos and opossums)
- all Mustelids (such as skunks, weasels, otters and badgers) except the domestic ferret
- all non-human Primates (such as gorillas and monkeys)
- all Perissodactylus Ungulates, including equids such as the domestic horse, mule and ass
- all Pinnipeds (such as seals, fur seals and walruses)
- all Procyonids (such as raccoons, coatis and cacomistles)
- all Raptors, diurnal and nocturnal (such as eagles, hawks and owls)
- all Ratite Birds (such as ostriches, rheas, and cassowaries)
- all snake of the Pythonidae and Boidae
- all Ursids (bears)
- all venomous Reptiles and Amphibians
- all Viverrids (such as mongooses, civets and genets)
- all Fowl (such as chicken, turkey, duck and geese)
- all Swine (such as pigs);

Examples of animals of a particular prohibited groups are given in parentheses. They are examples only and shall not be construed as limiting the generality of the group.

Schedule No. 4

**THIS OFFICIAL TAG IS ISSUED FOR BREACH OF BYLAW NO. 227/06
(Animal Control Bylaw)**

OFFENCE

- _____ Section 6 - failure to license animal
- _____ Section 5 - keeping too many dogs and cats.
- _____ Section 6 - failure to attach valid license tag
- _____ Section 10 - animal being at large
- _____ Section 14 - animal in prohibited areas
- _____ Section 15 - failure to immediately remove animal excrement
(defecation) from public or private property other than the
property of the dog owner
- _____ Section 16 - allow animal feces to accumulate on private property
- _____ Sections 17/18 - dog creating a nuisance by barking or howling

PENALTY: \$ _____

**IF PENALTY INDICATED IS NOT RECEIVED BY _____
A SUMMONS REQUIRING YOUR APPEARANCE IN PROVINCIAL COURT
WILL BE ISSUED.**

_____ Date _____ Time _____ License No. _____

_____ Description of Dog _____ MALE/FEMALE

_____ Location of Offence _____

_____ Name of Owner _____ Address _____

_____ ISSUER

PENALTY \$ _____

**PENALTY MAY BE PAID
IN PERSON AT THE**

**VILLAGE OFFICE
109 MAIN STREET
YOUNG, SASKATCHEWAN
S0K 4Y0
OR BY MAIL
AN MUST BE ACCOMPANIED BY THIS TAG.**

	DESCRIPTION OF OFFENCE	1st OFFENCE	2nd OFFENCE	SUBSEQUENT
(a)	Failure to License Cat or Dog (Section 6)	\$100	N/A	N/A
(b)	Excessive Barking or Howling (Sections 17& 18)	\$100	\$200	\$200
(c)	Running at Large (Section 10)	\$100	\$200	\$200
(d)	Neglects or Refuses to Clean Up Defecation (Sections 15 & 16)	\$100	\$200	\$200
(e)	Failure to obey order of Animal Warden or Bylaw Enforcement Officer	\$100	\$200	\$200