

Village of Leask
Bylaw No. 2/2007

Animal Control Bylaw

A Bylaw of the Village of Leask in the Province of Saskatchewan to Control Animals.

The Council of the Village of Leask in the Province of Saskatchewan enacts as follows:

1. This bylaw shall be known as the “Animal Control Bylaw”
2. **DEFINITIONS**

In this bylaw, the following definitions apply:

- a. **Administrator-** means the administrator for the Village of Leask.
- b. **Council-** means the Council of the Village of Leask.
- c. **Animal Control Officer** – mean an Animal Control Officer as appointed by the Council of the Village of Leask.
- d. **Domestic Pet(s)** - means any and all breeds of domesticated cats and/or dogs over eight (8) weeks of age.
- e. **Owner** – means any resident of the Village who owns, keeps, possesses or harbours a domestic pet.
- f. **Pound** – means such premises and facilities as may be designated by Council, from time to time as the pound.
- g. **Excessive Noise** - means any and all sources of noise from domestic pet(s) that is found to be unnecessary or unreasonable, including but not limited to continuous barking of a dog.

3. **REGISTERING**

- a. Every owner of a domestic pet within the Village shall cause each such domestic pet to be registered with the Municipal Office. At the time of registering, the applicant shall provide the Municipal Office with a physical description of the domestic pet, the breed of the domestic pet, and the name, address and telephone number of the owner of the domestic pet, as set out in the form designated Form “A” and attached hereto.
- b. The registration year for domestic pets shall be from the first day of January to the thirty-first day of December of the same year.
- c. Every owner of a domestic pet shall, no later than February first in each year, register the said domestic pet at the Municipal Office, and failure to do so shall constitute an offence under this bylaw.
- d. In addition to the registration requirements laid down in Section 3(a)(b)(c), the owner of a domestic pet shall pay an annual registration fee of \$10.00 (ten dollars) for each female, and \$5.00 (five dollars) for each male or spayed female.
- e. The sum payable for a registration fee required after the first day of July in a calendar year shall be calculated at fifty percent of the annual fee and shall expire on the thirty-first day of December in the same calendar year.
- f. Any domestic pet registration certificate or applicable fee issued pursuant to the provisions of this bylaw by the Village shall not be transferable to any other domestic pet.

4. **RUNNING AT LARGE**

No person shall allow their domestic pet(s) to be at large within the Village without being restrained by a leash or harness. Owners should ensure that their domestic pet(s) remains on their property by either the means of a leash, harness or adequate enclosure.

5. EXCESSIVE NOISE

No person shall allow their domestic pet(s) to cause excessive noise within the Village.

6. PENALTY NOTICES

Where the owner of a domestic pet that has been reported to the Village office of being at large and unrestrained and/or of causing excessive noise has been identified, the following procedures will be followed:

a.) For the first offence, the owner will be sent a letter from the Village informing them that their domestic pet(s) has been reported to the Village of being at large and/or causing excessive noise and that they are in non-compliance with the Village Bylaw and are liable to a fine of not less than twenty-five (\$25.00) dollars and warned that they will be liable to a fine of not less than fifty (\$50.00) dollars for the second offence and not less than one hundred (\$100.00) dollars for a third and any subsequent offence.

b.) For the second offence, the owner will receive a second letter and will be liable to a fine of not less than fifty (\$50.00) dollars.

c.) For any third and subsequent offence, the owner will receive a letter and will be liable to a fine of not less than one hundred (\$100.00) dollars.

d.) Any domestic pet running at large four or more times shall be disposed of by the police or other person appointed by the Council.

7. ANIMAL CONTROL OFFICER

a.) The Animal Control Officer is authorized to capture and impound all dogs and cats found running at large contrary to the provisions of this bylaw.

b.) Any person may take any dog or cat found running at large contrary to the provisions of this bylaw to the municipal pound.

c.) Any domestic pets taken to the municipal pound shall be kept for five days which shall include statutory holidays and weekends unless the owner possessor or harbourer redeems the animal by paying the following:

1. a penalty as listed in sections 7(a), 7(b) or 7(c);
2. any outstanding penalties from previous offences
3. any unpaid registration fees
4. the sum of \$50.00 per day or partial day for the care and keep of each animal.

d.) The designated municipal officer (administrator or animal control officer) may sell any animal which is not redeemed within the period of time as noted in section 6(g) for a sum of not less than the amount required to redeem the animal under section 6(g).

e.) The animal control officer or person designated by the administrator or animal control officer may destroy any animal which has not been redeemed within the period of time as noted in section 6(g).

f.) In enforcement of the jurisdiction provided in Section 7(a), the Animal Control Officer is hereby authorized to enter any privately-owned premises at reasonable times.

g.) To assist in the seizure of cats at large, cat traps may be utilized by the Animal Control Officer.

h.) No person, whether or not he/she is the owner of a dog or cat which is being or has been pursued or captured shall:

1. interfere with or attempt to obstruct an Animal Control Officer who is attempting to capture or who has captured any dog or cat in accordance with the provisions of this bylaw;
2. unlock or unlatch or otherwise open the vehicle or cat trap in which dogs or cats captured for impoundment have been placed, so as to allow or attempt to allow any dog or cat to escape therefrom; or
3. remove or attempt to remove any dog or cat from the possession of the Animal Control Officer.

8. LIMITS- DOGS AND CATS

- a. No person or persons within the Village shall harbour or keep more than two (2) dogs and/or two (2) cats on any one property. 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 “A” attached hereto.
- b. The limits as outlined in section 8(a) may be exceeded where a person harbours or keeps animals as part of their business operations including but not limited to pet stores, grooming shops or breeding kennels. Any business owner harbouring or keeping an animal for a period of more than thirty (30) days will be subject to the registration requirements as outlined in section 3 of this bylaw.

9. LITTER-DOGS AND CATS

- a. If a domestic pet defecates on any public or private property other than the property of the owner, possessor or harbourer of the said domestic pet, the owner, possessor or harbourer of the domestic pet 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, and subject to the penalties as set out in Schedule “A” attached hereto.

10. LIVESTOCK AND POULTRY

- a. For purposes of this section, the following definitions shall apply:
 - i. **livestock-** means any domestic animal usually raised for sale and profit, including but not necessarily limited to:
 1. an animal as defined in Section 2(b) of *The Stray Animals Act*; or
 2. an animal as defined in Sections 2 and 3 of *The Stray Animals Regulations, 1999*.
 - ii. **poultry** – means
 1. domestic fowl usually propagated and fattened for the table and for their eggs, feathers, etc. including, but not limited to chickens, geese, ducks, turkeys, guinea fowl; or
 2. pigeons of the species *Columba livia*, commonly known as the domestic pigeon, and includes pigeons raised for the purpose of racing, show, table and pets and includes feral pigeons.
- b** No person shall possess, harbour, confine, herd, graze or allow to graze any livestock or poultry within the limits of the Village.
- c** Section 9(b) shall not apply to livestock and poultry brought into the Village for the duration of a special event at which the said livestock and poultry will be used for purposes of exhibition or performing at a special event.

11. PENALTY

- a. If the Village receives voluntary payment of the prescribed penalty within thirty (30) days from the date the ticket was issued, the person receiving the ticket shall not be liable for prosecution for the offence.
- b. If the person who has committed or is alleged to have committed a breach of any section of this bylaw fails to pay the specified fine within the time allowed following service of the ticket, the provisions of this section no longer apply and the person shall be liable to prosecution for the offence.

12. SEVERABILITY

- a. A decision of the court that one or more of the provisions of this bylaw are invalid in whole or in part does not affect the validity, effectiveness or enforceability of the other provisions or parts thereof with respect to this bylaw.

13. REPEAL

Bylaws No. 3/06 and 10/06 are hereby repealed.

Mayor:

Administrator

(seal)

Read a third time and finally adopted
this 18th day of April, 2007.

SCHEDULE "A" TO BYLAW 2/2007

PENALTIES

<u>Section</u>	<u>Offence</u>	<u>First</u>	<u>Subsequent</u>
**If paid within 30 days of date of issue of the notice of violation:			
3(i)	Failure to register	\$20.00	\$ 40.00
4	Running at large	\$25.00	\$ 50.00
5	Exceeding limits on any one property (for each animal exceeding limits)	\$25.00	\$ 50.00
7(h)	Interfere with Animal Control Officer	\$25.00	\$ 50.00
9	Failure to remove defecation	\$25.00	\$ 50.00

If paid after 30 days of the date of issue of the notice of violation:

All offences as listed above	\$150.00	\$300.00
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FORM "A" – BYLAW 2/2007
{SECTION 3(a)}

DOMESTIC PET REGISTRATION FORM

Name of owner: _____

Address (mailing): _____

(civic) _____

Phone Number: _____



Tag # _____

Breed of Animal:

Physical Description: _____

Registration fee paid _____
(Receipt #)

FORM "B" – BYLAW 2/2007

NOTICE OF VIOLATION

This official notice is issued for a breach of
Bylaw No. 2/2007

You may avoid prosecution for this offence by paying to the office of the Administrator, during regular office hours, the penalty stated hereinafter within 30 calendar days of the date served on this notice. Failure to do so will result in prosecution in Provincial Court. Penalty may be remitted to: Village of Leask, Box 190, Leask, Sask S0J 1M0.

Name of Violator _____

Address _____

Description of Domestic Pet

Nature of Violation:

1. Failure to comply with Section _____,
(Bylaw No. 1/2007)

First offence, \$25.00

Second offence, \$50.00

Third or subsequent (_____) offense, \$100.00

Location of Violation _____

Date of Violation _____

Date Served _____

Served By _____

Witness to Server's Signature _____

FORM "C" – BYLAW 2/2007

Complaint Form

Name of Domestic Pet Owner _____

Description of Domestic Pet _____

Nature of Complaint:

Location of Violation _____

Date of Violation _____

Complainant

Date

Administrator

Date Received