

## **ANIMAL CONTROL BYLAW**

### **VILLAGE OF MEATH PARK**

#### **BYLAW NO. 03-2020**

#### **A BYLAW TO PROVIDE FOR ANIMAL CONTROL**

The Council of the Village of Meath Park, in the Province of Saskatchewan, enacts as follows:

1. This bylaw shall be known as “The Animal Control Bylaw”.
2. PURPOSE
  - a. The purpose of this Bylaw is as follows:
    - i. To provide for the licensing of dogs and cats;
    - ii. To control and regulate dogs and cats; and
    - iii. To provide for the impounding of dogs and cats at large.
3. DEFINITIONS
  - a. “Animal” means and includes all dogs, cats, or any other type of household pet that is permissible to harbor within the municipality.
  - b. “Animal Shelter” means such premises and facilities as may be designed by the Council for the purposes of safely lodging and securing cats and dogs seized pursuant to this Bylaw.
  - c. “Bylaw Enforcement Officer” means the person or persons appointed, employed, or contracted by the Council of the Village of Meath Park, or a peace officer for the Province of Saskatchewan, for the purpose of enforcing the provisions of this bylaw (Council may combine the bylaw enforcement officer and pound keeper as one).
  - d. “Cat” means any male or female feline over the age of six (6) months.
  - e. “Clerk” means the administrator of the municipality.
  - f. “Council” means the council of the Village of Meath Park.
  - g. “Dog” means any male or female canine over the age of six (6) months.
  - h. “Dangerous Dog” means:
    - i. Any dog, that without provocation, in a vicious or menacing manner, chases or approaches 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.
  - i. “Household” means a dwelling at a residence or a street address within the limits of the Village of Meath Park where the owner(s) of an animal(s) reside.
  - j. “Kennel” means a facility for raising, breeding, or boarding more than three animals.
  - k. “Municipality” means the Village of Meath Park.
  - l. “Owner” includes:
    - i. a person who owns or who has possession of, or control over an animal(s); and
    - ii. the person responsible for the custody of a minor where the minor is the owner of an animal(s).
  - m. “Pound Keeper” means a person(s) appointed, employed, or contracted by the Village of Meath Park to maintain, manage and control the animal shelter, to keep records of the animals impounded, released or disposed of and to collect any fees and charges levied under this bylaw as provided herein.
  - n. “Ratepayer” means property owner. The individual or entity in possession of the title for land and/or building.
  - o. “Restricted Animal” means:
    - i. any animal that has previously been deemed a dangerous animal, in accordance to this bylaw or any other bylaw, has been running at large within the Village of Meath Park;

- ii. any animal that has been previously deemed a dangerous animal, in accordance to this bylaw, or any other bylaw, has been found running at large within the Village of Meath Park and has chased or approached a person or domestic animal in a vicious or menacing manner, or has attacked to cause injury or to otherwise threaten the safety of persons or domestic animals.
- p. "Running at large" means when any animal is beyond the boundaries of the land occupied by the owner, possessor, or keeper of the said animal, or beyond the boundaries of any lands where it may be with the permission of the owner or occupant of the said land and is not under control by being:
  - i. in direct and continuous charge of a person competent to control it; or
  - ii. on a leash not to exceed eight feet (8') or 2.4 meters in length; or
  - iii. securely confined within an enclosure; or
  - iv. securely fastened so that it cannot roam at will.
- q. "Village" means the Village of Meath Park.

#### 4. LICENSING

No person shall own or keep any dog or cat within the Village unless such dog or cat is licensed as provided in the Bylaw.

- a. Every owner of a dog or cat that is over six (6) months old shall within thirty (30) days of becoming the owner obtain a license for each dog or cat.
- b. The license referred to in Subsection (a) shall not be transferable.
- c. The license year shall run 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 owner shall renew the license prior to its expiration.
- d. When applying for a license under this Section, the owner shall provide the following information by completing the Dog and Cat License Application set out as Schedule "B":
  - i. A description of the dog or cat, 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, physical address, mailing address and telephone number of the owner; and
  - iv. Any other relevant information which may be required.
- e. The owner shall be supplied with a license tag and a receipt for the payment of the license fee when a license is issued. The license must be renewed each year. 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 costs.
- f. The annual license fee for each dog or cat shall be as set out in Schedule "A".
- g. The sum payable for a new license required after the first day of August in the calendar year shall be calculated at 50% of the annual fee and shall expire the thirty first (31<sup>st</sup>) day of December in the same calendar year.
- h. The owner of a dog or cat shall ensure that the dog or cat wears a collar to which is attached a valid license tag whenever the dog or cat is off the premises of the owner.
- i. Exemptions from licensing Section 4 hereof, no license fee shall be payable by the owner of a dog where the dog is being licensed is a guide dog that the owner physically relies on and the guide dog is trained and used to assist such person.
- j. A person residing in the Village who owns, possesses, keeps a dog or cat and neglects or refuses to register and apply for a license for the current year, or neglects to cause the dog or cat to wear the license, shall be subject to the penalties as outlines in Schedule "C" of this bylaw.

#### 5. LIMITS – ANIMALS

- a. No person within the Village shall harbor or keep more than three (3) animals of one species at any one residence. If an owner fails or refuses to comply with the provisions of the section, he/she shall be subject to the penalties as set our in Schedule "C" attached hereto and which may be amended from time to time by resolution of Council.

- b. If a residence has more than three (3) animals of one species that were registered and licensed with the Village prior to Bylaw 06-2019 being implemented, then only those animals are grandfathered in and not included in the maximum limit set out in subsection a.

#### 6. RUNNING AT LARGE

- a. Running at large as defined in Section 3(p).
- b. Any person who owns or has the care and control of an animal found running at large within the Village is in violation of this bylaw.
- c. When an animal is found to be running at large, the owner shall be deemed to have failed or refused to comply with the requirements of this section.
- d. Where an animal is found to be running at large, the owner or occupant of the property on which the animal is running at large may make a written complaint to the Bylaw Enforcement Officer appointed by the Village or to the Village clerk.

#### 7. LITTER

- 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.

#### 8. ACCUMULATION OF 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 registered mail to the owner of the property at the mailing address shown 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 (5<sup>th</sup>) day following the date of its 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 carried 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 adding the costs and expenses to, and thereby they form part of, the taxes on the land on which the work was done: or
  - ii. in the same manner as municipal taxes.

#### 9. BARKING OR HOWLING

- a. No owner of a dog or cat shall permit the dog or cat to bark or howl so as to create a nuisance.
- b. For the purpose of this subsection, the factors for determining whether the barking or howling of a dog or cat has become a nuisance are as follows:
  - i. the proximity of the barking or howling to sleeping facilities;
  - ii. the land use, nature and zoning of the area from which the barking or howling emanates and the area where it is received or perceived;
  - iii. the time of day or night the barking or howling occurs;
  - iv. the duration of the barking or howling;
  - v. whether the barking or howling is the result of provocation;

- vi. the volume of the barking or howling is recurrent, intermittent or constant.
- c. The following acts are deemed nuisance barking or howling violations of the Bylaw:
  - i. barking or howling between the hours of 11 p.m. and 6 a.m. on weekdays or Saturdays, and 11 p.m. and 8 a.m. on a Sunday or statutory holiday which persists for a period of 15 consecutive minutes or longer; and
  - ii. barking or howling between the hours of 11 p.m. and 6 a.m. on weekdays or Saturdays, and 11 p.m. and 8 a.m. on a Sunday or statutory holiday which persists, intermittently, for a period of one hour or longer.

#### 10. SEIZURE AND IMPOUNDING

- a. A Bylaw Enforcement Officer, Pound keeper or Peace Officer may seize and impound any dog or cat observed to be at large.
- b. A Bylaw Enforcement Officer may enter onto land surrounding any building in pursuit of any dog or cat that 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 any other method authorized by the resolution of Council for the Village, and impound any dog or cat running at large contrary to the provisions of this bylaw.
- d. No person, whether not he/she is the owner of a dog or cat which is being pursued or seized shall:
  - i. interfere with or attempt to obstruct the 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 the dog(s) or cat(s) seized under this bylaw have been places, so as to allow or attempt to allow any dog(s) or cat(s) to escape from there;
  - iii. remove or attempt to remove the dog(s) or cat(s) from the possession of the Bylaw Enforcement Officer.

#### 11. KENNELS

- a. No kennel of any type or description are permitted within the Village.

#### 12. ANIMAL SHELTER:

- a. The Council of the Village shall appoint a Pound Keeper.
- b. All dogs or cats impounding in the Animal Shelter 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 Village office or Bylaw Enforcement Officer the amount set forth in Schedule "C" to this bylaw as amended from time to time by resolution of Council.
- c. No unlicensed 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 a license has been purchased for it.
- d. When a dog or cat impounded is wearing a collar to which is attached a license tag valid for the current year, the Village Office shall immediately attempt to contact the owner as shown in the records made when the license was purchased at the address shown therein, that unless the said dog or cat is claimed and the fees as provided for with the bylaw are paid within 72 hours from the date of impounding, the said dog or cat shall be dealt with pursuant to the bylaw.
- e. All impounded dogs or cats which are not claimed within 72 hours as aforesaid, may be sold by the Village to any person paying for such dog or cat, all pound fees incurred and procure a license for such dog or cat as provided for by this bylaw. In the event any dog or cat is not sold after the 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 and fresh water during its confinement in the Animal Shelter.
- g. Any dog or cat found in any public place or on any public property or otherwise running at large contrary to the provisions of this bylaw, the Bylaw Enforcement Officer may seize and impound the said animal.

13. RESTRICTED AREAS FOR ANIMALS:

Areas prohibited to animals are all public parks including school grounds, sports fields, and any public building. Assistance animals are exempt.

14. DANGEROUS DOGS:

Where a complaint is received by the Village Office that a dog within the Village is dangerous, *The Municipalities Act* Section 375-379 shall apply.

15. RESTRICTED DOGS:

- a. Any dog that has been previously deemed a dangerous dog, in accordance to this bylaw, that has been found running at large within the Village and has chased or approached a person or domestic animal in a vicious or menacing manner, or has attacked to cause injury or to otherwise threaten the safety of persons or domestic animals shall be deemed a restricted dog by the Bylaw Enforcement Officer.
- b. No owner shall keep, possess or harbor a restricted dog within the Village.

16. GENERAL PENALTIES

- a. Except as otherwise provided in this bylaw, every person who contravenes any provision of this Bylaw guilty of an offence and liable on summary conviction to a fine of not less than \$100.00 and not more than \$2,000.00.

17. PENALTIES

- a. Notice of Violation shall be issued by the Bylaw Enforcement Officer for the Village for offenses against this Bylaw with the penalty amount set forth in Schedule "D" to this Bylaw as amended from time to time by resolution of Council.
- b. Notwithstanding Section 15, a person who contravenes any provision of the Bylaw, upon being served with a Notice of Violation, may voluntarily pay to avoid prosecution the prescribed penalty in Schedule "D" at the Village of Meath Park, PO Box 255 Meath Park, SK S0J 1T0 or in person to 8 Railway Avenue, Meath Park.
- c. Where the municipality receives payment of the prescribed penalty within seven (7) days of receiving notification, the person receiving the Notice of Violation shall not be liable to prosecution for the alleged contravention.
- d. If payment is not received as provided in sub-section c hereof within the time prescribed, a Summons shall be issued to the person alleged to have committed the offense, and thereafter, the provisions of this section shall not apply with respect to that offense.
- e. A person to whom a Notice of Violation is being issued pursuant to this section shall furnish the Village Bylaw Enforcement Officer, upon request, his/her name and address.
- f. In the case that a ratepayer has a tenant(s) residing at their property and the tenant(s) fails to pay any or all penalties associated with this Bylaw, the balance remaining will be the responsibility of the ratepayer. If the balance is not paid in full at the end of the calendar year then any or all remaining penalties will be added to the ratepayers' tax roll for collection of payment.

18. REPEALED

- a. Bylaw No. 06-2019 is hereby repealed.

SEAL

\_\_\_\_\_  
Mayor, Michael Hydamaacka

\_\_\_\_\_  
Acting Administrator, Rebecca Matthews

Read a third time and adopted  
this 9<sup>th</sup> day of June, 2020.

\_\_\_\_\_  
Acting Administrator

**SCHEDULE "A" TO BYLAW 03-2020**

Annual License Fees for Dogs and Cats

	Neutered/Spayed	Not Neutered/Spayed
1. Dog/Cat License	\$10.00	\$20.00

SCHEDULE "B" TO BYLAW 03-2020

DOG AND CAT LICENSE APPLICATION

Owner Name: \_\_\_\_\_

Physical Address: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Phone Number: \_\_\_\_\_

Email: \_\_\_\_\_

Date: \_\_\_\_\_

PET INFORMATION:

Dog            Cat

Pet Name: \_\_\_\_\_

Breed: \_\_\_\_\_

Color: \_\_\_\_\_

Sex: Male or Female

Spayed/Neutered: Yes or No

If yes please attach supporting documentation of spay or neuter to this application.

Tag No. \_\_\_\_\_

RC No.: \_\_\_\_\_

Owner Signature: \_\_\_\_\_

Date: \_\_\_\_\_

**SCHEDULE "C" TO BYLAW NO. 03-2020**

**Dog or Cat Pound Fees: (Pursuant to Section 10)**

Impoundment

First Offense	\$30.00 plus \$10.00 per day or part thereof
Subsequent Offenses within the same calendar year	\$60.00 plus \$10.00 per day or part thereof



**SCHEDULE "D" TO BYLAW 03-2020**

**PENALTIES FOR VOLUNTARY PAYMENT TO AVOID PROSECUTION REGARDING NON-RESTRICTED ANIMALS**

<b>OFFENSE</b>	<b>PENALTY</b>		
	<b>1<sup>st</sup> Offense</b>	<b>2<sup>nd</sup> Offense</b>	<b>Subsequent Offenses</b>
1. Running at large (sec 6)	\$250.00	\$325.00	\$350.00
2. Unlicensed Animal (sec 4)	\$250.00	\$325.00	\$350.00
3. Animal not wearing license (sec 4)	\$250.00	\$325.00	\$350.00
4. Dog/Cat creating Nuisance (sec 9)	\$250.00	\$325.00	\$350.00
5. Failure to remove defecation (sec 7 & 8)	\$250.00	\$325.00	\$350.00
6. Interference with Enforcement (sec 10)	\$250.00	\$325.00	\$350.00
7. Failure to comply with pet limits (sec 5)	\$250.00	\$325.00	\$350.00

**If fines are paid within seven (7) days of execution, a \$200.00 deduction will be applied.**