



## BYLAW NO. 02-2025

### A BYLAW TO PROVIDE FOR THE CARE AND CONTROL OF ANIMALS

THE COUNCIL OF THE TOWN OF FOAM LAKE, IN THE PROVINCE OF SASKATCHEWAN, ENACTS AS FOLLOWS:

#### PART 1: GENERAL REGULATIONS

##### 1. Citation

This Bylaw may be cited as the "Bylaw to Provide for the Care and Control of Animals."

##### 2. Governing Legislation

1. The Municipalities Act prevails in all circumstances where there might arise a conflict between The Municipalities Act and this Bylaw.
2. The Animal Protection Act, 2018 prevails in all circumstances where there might arise a conflict between The Animal Protection Act, 2018 and this Bylaw.
3. The Veterinarians Act, 1987 prevails in all circumstances where there might arise a conflict between The Veterinarians Act, 1987 and this Bylaw.
4. The Wildlife Act, 1998 prevails in all circumstances where there might arise a conflict between The Wildlife Act, 1998 and this Bylaw.

##### 3. Definitions

In this Bylaw, the following definitions apply:

1. **"Animal"** means a vertebrate other than a human, wild or domestic, including but not limited to cats, dogs, rabbits, pigs, sheep, cattle, horses, fowl, boars, fish, amphibians, reptiles, or insects.
2. **"Animal Run"** means an enclosure or structure used for keeping or containment of an animal.
3. **"Bees"** means any Apidae, especially honeybees, kept in an apiary or beehive, including but not limited to those kept for honey farming or apicultural interests, but excluding wasps.
4. **"Cat"** means any domesticated Felidae, especially those bred for human companionship.
5. **"Chief Administrative Officer"** means the Chief Administrative Officer of the Town of Foam Lake or designate.
6. **"Council"** means the Council of the Town of Foam Lake.
7. **"Dangerous Animal"** means any animal declared to be dangerous by a Judge pursuant to The Municipalities Act.
8. **"Dog"** means domesticated Canidae, especially those bred for human companionship.
9. **"Impoundment"** means temporarily keeping an animal in such premises or facilities, as may be designated by the Municipality, for the purpose of safely lodging and securing animals.
10. **"Judge"** means a Judge of the Provincial Court of Saskatchewan or a Justice of the Peace.



11. **“Leash”** means a chain, rope, or strap attached to the collar or harness of an animal, especially a dog, and used to lead it or keep it in control.
12. **“License Tag”** means a tag attached to a collar, identifying the animal by displaying a number that references a Municipal license provided to its owner.
13. **“Livestock”** means cattle, chicken, goats, horses, sheep, swine, and all other fur-bearing animals, but does not include pets.
14. **“Medical Health Officer”** means the Medical Health Officer or designate, and shall include the Senior Public Health Inspector and anyone under the instructions of the Medical Health Officer for that Health Region containing the Town of Foam Lake; in carrying out the provisions of this Bylaw.
15. **“Municipal Enforcement Officer”** means the Municipal Enforcement Officer or Bylaw Enforcement Officer or designate as appointed by the Council for the Municipality, including Animal Control Officers.
16. **“Municipality”** means the Town of Foam Lake in the Province of Saskatchewan.
17. **“Nuisance Animal”** means an animal that has repeatedly exhibited threatening and/or nuisance behaviors.
18. **“Owner”** means the person who has custody and/or control of an animal, but shall not include:
  - a. a veterinarian registered pursuant to The Veterinarians Act, 1987 who is keeping an animal for the prevention, diagnosis, or treatment of a disease or of an injury to the animal;
  - b. an Urban Municipality, the Saskatchewan Society for the Prevention of Cruelty to Animals, a local Society for the Prevention of Cruelty to Animals, or a Humane Society operating pursuant to The Animal Protection Act, with respect to an animal shelter or impoundment facility operated by any of them.
19. **“Owner’s Yard”** means private property, as a single parcel or combined parcels of land where the owner resides.
20. **“Pet”** means any domesticated animal, especially dogs and cats, that is deemed permissible by the bylaw to keep within the Municipality that are:
  - a) not raised for profit;
  - b) not customarily raised for human consumption;
  - c) not used for the purpose of transportation;
  - d) 6 months or older in age;But shall exclude:
  - a) Fish, small amphibians, and reptiles which are normally contained in an aquarium;
  - b) Hamsters, gerbils, mice, guinea pigs, and other small rodents normally kept in a cage;
  - c) Birds normally kept in a cage;
  - d) Any animal which is a prohibited animal.
21. **“Pet License”** means a license issued to the owner of a pet by the Municipality to identify the pet and its owner.
22. **“Prohibited Animal”** means any animal as listed in Schedule “C.”



#### **4. Application**

- a) This bylaw applies to the ownership of all animals within the Municipality.

### **PART 2: LICENSING**

#### **5. Licensing of Pets:**

##### **1. Obtaining a License**

- a. Every owner of a pet shall obtain from the Municipality a license and License Tag for said pet.
- b. The provisions of this section shall not apply to any pet kept in the ordinary course of business by the proprietors of the following premises:
  - i. A veterinary hospital, clinic, boarding kennel, or grooming parlor.
  - ii. A public animal impoundment facility.
  - iii. Any incorporated business that includes the sale of pets.
  - iv. A shelter operated by an association or society incorporated for the purpose of the protection and humane treatment of animals.
  - v. A recognized animal show or obedience training facility.
- c. When issuing a license for a pet, the Municipality shall supply the owner with a license tag and a receipt for payment of the license.
- d. The annual fee for a license shall be as set out in Schedule "A". Fees are due in advance of the period for which the license is valid.
- e. Any license issued pursuant to the provisions of this bylaw shall not be transferable to any other pet.
- f. If a license tag is lost or becomes illegible, it must be replaced pursuant to this bylaw at a cost outlined in Schedule "A".
- g. The owner of a pet shall ensure that it wears a collar to which is attached a valid license tag whenever the pet is off the premises of the owner. This provision shall not apply while a pet is participating in a recognized show, obedience trial, or field trial.
- h. Every owner of a pet within the Municipality shall, on demand by the Municipal Enforcement Officer, Peace Officer, or designate, produce and show his/her license receipt or other evidence that he/she has a valid license for any pet in question.

##### **2. Information Required to Obtain a License**

When applying for a license, the owner shall provide the Municipality with the pet's:

- a. Physical description.
- b. Breed or type.
- c. Sex, and information regarding whether the pet is spayed/neutered or intact.
- d. Name.
- e. Other relevant information such as a tattoo, microchip, unique markings, or medical conditions.
- f. Owner's name, address, and telephone number(s).



### **3. Validity**

The license shall be valid and in effect from January 1st to December 31st of any one calendar year for which the license was obtained.

## **6. Keeping of Pets:**

### **1. Limit on Pets**

- a. No more than five (5) pets shall be kept per owner's yard, excluding where the primary facility is:
  - i. A veterinary hospital, clinic, boarding kennel, or grooming parlour.
  - ii. A public impoundment facility.
  - iii. Any business engaged in the sale of pets and is licensed as such.
  - iv. A shelter operated by an association or society incorporated for the purpose of the protection and humane treatment of animals.
  - v. A recognized animal show or obedience training facility.

### **2. Limit on Types of Pets**

On each yard, no more than:

- a. Three (3) pets shall be a dog.
- b. Three (3) pets shall be a cat.

## **7. Spaying and Neutering Requirement:**

- a. All pet owners within the jurisdiction shall ensure that their dogs and cats are spayed or neutered by the age of 18 months, unless the pet owner holds a valid, current breeding license issued by the appropriate authority.
- b. It shall be the responsibility of the pet owner to provide proof of spaying or neutering to the local animal control office, upon request, and in accordance with the specified deadlines.
- c. This requirement shall not apply to pet owners who are licensed breeders, provided the breeder has obtained and maintains a valid breeding license issued by a registered kennel club.

## **8. Special Licencing for Kennels and Foster Homes**

Owners of kennels with multiple dogs or cats registered with a recognized kennel club or reputable Animal Foster agency may pay a flat licence fee for all animals within the kennel/foster, as outlined in Schedule "A."

## **9. Keeping of Bees**

No person shall keep bees within the Municipality in a Residential District (R1&R2) district.

## **10. Keeping of Livestock**

No person shall keep livestock within the Municipality.



### **PART 3: CONTROL OF DOGS, CATS, AND OTHER ANIMALS**

#### **11. Prohibited Animals**

- a) The ownership or keeping of any Prohibited Animal, as outlined in Schedule "C", is strictly Prohibited.
- b) No person or corporation shall operate a business that buys, sells, trades, exhibits or keeps an Animal or hybrid of any Animal of the kinds listed in Schedule "C".

#### **12. Defecation**

- a) Any person keeping control of an animal, shall immediately remove and properly dispose of any defecation material left by it on public or private property other than within the Owner's yard.
- b) The Owner and/or any person keeping control of an Animal, shall ensure that defecation in the Owner's Yard does not accumulate to such an extent that it may cause a nuisance and/or health risk.

#### **13. Running at Large Prohibited**

- a) Owners of dogs and cats must ensure their pets do not run at large. Both dogs and cats must always remain under the control of the owner.
- b) No animal should be allowed off the owner's premises unless on a leash or in an enclosed space.

#### **14. Threatening and Nuisance Behaviour Animals**

- a) No dog or cat shall create a nuisance such as excessive barking, meowing, or other disruptive behaviors, or cause damage to public or private property;
- b) Engage in an act that injures a person or other animal, whether on the Owner's yard or not;
- c) Chase or otherwise threaten a person or other Animal, whether on the Owner's yard or not;
- d) If a nuisance persists, the Town may take appropriate actions, including impounding the animal.

#### **15. Impoundment and Penalties**

- a) Dogs or cats running at large will be impounded and may be redeemed upon payment of the impoundment fee as outlined in Schedule "B."
- b) Unlicensed animals will only be released after the required fees are paid and the licence is obtained.

### **PART 4: DANGEROUS DOGS AND RESTRICTED DOGS**

#### **16. Dangerous Animals**

- a) A dangerous Animal is any Animal known to have attacked or shown tendencies to attack humans or other domestic animals without provocation. No person shall keep an Animal that has been declared by a Judge to be a Dangerous Animal within the Municipal limits.
- b) Sections 374-380 of *The Municipalities Act* applies in all circumstances.



### **17. Restricted Dogs**

- a) Restricted Dog: Certain breeds or dogs trained for guarding may be restricted, including breeds like Pit Bulls, Rottweilers, Staffordshire Terriers, German Shepherds, Bull Dogs, Bull Mastiff, Cane Corso, and mixes or hybrids of the above.
- b) Owners of restricted dogs must take additional safety measures, such as confinement in a secure pen or enclosure and maintaining liability insurance.

### **18. Requirements for Restricted Dog Owners**

- a) Confinement: A restricted dog must be confined indoors or in a securely enclosed pen with secure sides and top.
- b) Insurance: The owner must maintain a minimum of \$500,000 in liability insurance for damages caused by the dog.
- c) Control: The owner must ensure the dog does not attack or harm anyone or any animal, both on and off the premises.
- d) Restricted Dogs are required to obtain a special license to ensure compliance with additional requirements.

## **PART 5: ENFORCEMENT**

### **19. Seizure and Impoundment**

- a. Authority to Seize and Keep in Impoundment
  - a. If any Animal has acted in contravention, or if the Municipal Enforcement Officer believes on reasonable grounds that the Animal has acted in contravention of this Bylaw, then that Animal may be seized and kept in Impoundment.
  - b. The Municipal Enforcement Officer may enter into any land surrounding any building in pursuit of any Animal observed behaving contrary to the provisions in this Bylaw.
- b. Interfering with the Seizure or Impoundment of an Animal
  - a. No person, whether or not they are the Owner of an Animal, shall:
    - i. interfere with, or attempt to obstruct, the Municipal Enforcement Officer who is attempting to seize or has seized any Animal in accordance with the provisions of this bylaw;
    - ii. intentionally allow any Animal to escape Impoundment by opening any vehicle or facility in which an Animal has been seized under this Bylaw;
- c. When an Animal seized and kept in Impoundment is wearing a License Tag, the Municipal Enforcement Officer shall make every reasonable effort to contact the registered Owner.
- d. It shall be the duty of the Municipal Enforcement Officer to provide each Animal kept in impoundment with the adequate supply of food, fresh water, and shelter from the elements.
- e. Any Animal seized pursuant to the Bylaw shall be kept in Impoundment until such time that any fines are paid. Impoundment fees will be charged to the Owner as set forth in Schedule "A".



- f. Any unlicensed Animal which is kept in Impoundment shall not be released until the outstanding fees and fines are paid and the Owner meets the requirements set out in Section 5, Licensing of Pets.
- g. Any Animal seized pursuant to this Bylaw shall be kept in Impoundment for a period of up to seventy-two (72) hours excluding the day of Impoundment, weekends, and statutory holidays.
- h. Where an Animal has not been reclaimed within seventy-two (72) hours, or where the Owner of the Animal has failed or refused to comply with Subsections five (5) and six (6), the Owner forfeits all ownership rights and the Animal shall become the property of the Municipality.
- i. It shall be the duty of the Municipal Enforcement Officer, at their sole discretion, to provide each Animal kept in Impoundment with veterinary care to ensure the general health and well being of the Animal.

## 20. Bylaw Enforcement

This bylaw shall be enforced by the Town of Foam Lake or its appointed enforcement agents, who are authorized to issue fines, impound dogs, cats, and other animals, and take necessary actions to ensure compliance.

## 21. Offenses and Penalties

- a) Any person found in violation of the provisions of this bylaw shall be subject to the penalties set out in Schedule "B" of this bylaw.
- b) The fines and penalties shall be imposed based on the severity of the violation, including unlicensed animals, running at large, or repeated nuisance offenses.

## 22. Repeal of Bylaws

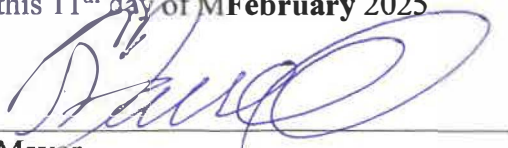
- a. Bylaw 05-2018 – Dog Enforcement Bylaw
- b. Bylaw 12-2021 – Cat Enforcement Bylaw

Schedule "A" – Dog and Cat Licence Fees

Schedule "B" – Penalties for Offenses

Schedule "C" – Prohibited Animals

Read three times by unanimous consent of Council and adopted at a regular meeting of Council this 11<sup>th</sup> day of February 2025

  
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Mayor

  
\_\_\_\_\_  
Chief Administrative Office





## SCHEDULE "A" - LICENSING FEES

<u>Type of License</u>	<u>Fee</u>
Dog License	\$15.00
Restricted Dog License	\$25.00
Cat License	\$10.00
Replacement Pet License Tag	\$5.00

\*\*Kennels and Shelter Foster homes will be charged a flat fee of \$50.00 per year.



## SCHEDULE “B” - VOLUNTARY PAYMENT SCHEDULE

Section of Offense	Offense	Amount
Section 5.1.d	Unlicensed Animal	\$250.00
Section 5.1.f	Removing License Tag	\$50.00
Section 6.1 & 6.2	Exceeding Limit of Allowable Pets (plus cost of removal of excess pets)	\$250.00
Section 7a.	Failure to spay or neuter the animal (plus cost of spay/neuter)	\$250.00
Section 12a.	Failure to Remove Defecation	\$100.00
Section 13a. & 13b.	Animal at Large	\$200.00
Section 14a.	Damage to Public/Private Property	\$100.00
Section 14a.	Causing a Nuisance to Others (including barking, meowing, threatening behaviours, chasing vehicles, etc)	\$50.00
<b>Any Other Section of this Bylaw</b>		<b>\$50.00</b>

**Second Offense** by the same animal owner in a twelve (12) consecutive month period:  
**Double the listed penalty.**

**Third Occurrence** by the same animal owner in a twelve (12) consecutive month period: The animal will be transported to the **Animal Control Office.**



## SCHEDULE "C"- PROHIBITED ANIMALS

It is prohibited in the Town of Foam Lake to own the following:

- a) Wildlife as defined in *The Wildlife Act* , which means a vertebrate Animal of any species, excluding fish that is wild by nature in Saskatchewan and includes:
  - i. any part, tissue, genetic material, eggs, sperm, embryos or other forms of developmental life; and
  - ii. any exotic wildlife found in Saskatchewan.
- b) all Arachnids dangerous to humans (i.e. scorpions and tarantulas except tarantulas of the genera *Aphonopelma*, *Avicularia* and *Grammostola*)
- c) all Artiodactylus Ungulates (i.e. deer and giraffes)
- d) all Vespertilionidae (i.e. bats)
- e) all Canids, except the domestic Dog
- f) all Crocodylians (i.e. alligators and crocodiles)
- g) all Edentates (i.e. anteaters and armadillos)
- h) all Elephants
- i) all Felids, except the domestic Cat
- j) all Hyaenidae (i.e. hyenas)
- k) all Marsupials (i.e. kangaroos and opossums)
- l) all Mustelids (i.e. skunks, weasels, otters and badgers) except the domestic ferret
- m) all non-human Primates (i.e. gorillas and monkeys)
- n) all Pinnipeds (i.e. seals and walruses)
- o) all Procyonids (i.e. raccoons)
- p) all Raptors, diurnal and nocturnal (i.e. eagles, hawks and owls)
- q) all Ratite Birds (i.e. ostriches and emus)
- r) all snakes of the families Pythonidae (i.e. pythons) and Boidae (i.e. boa-constrictors)
- s) all Ursids (i.e. bears)
- t) all Venomous Reptiles (i.e. rattlesnakes and cobras)
- u) all Venomous Amphibians (i.e. toxic toads and toxic salamanders)
- v) all Viverrids (i.e. mongoose, civets and genets)