

## BYLAW No. 2-2012

---

### **A BYLAW OF THE TOWN OF CABRI IN THE PROVINCE OF SASKATCHEWAN BEING A BYLAW for the control, licensing and prevention of cruelty to animals.**

WHEREAS the Council of the Town of Cabri deems it desirable to provide for the regulation, control, licensing and prevention of cruelty to animals;

NOW THEREFORE, THE COUNCIL OF THE TOWN OF CABRI, hereby enacts as follows:

1. This Bylaw may be cited as the "Animal Control Bylaw".

2. In this Bylaw:

"Animal"	means any such other living thing other than a human being with the exception of fish;
"Animal at Large"	means an animal, which is off the premises of its owner and is not under the immediate physical control of a competent and responsible person;
"Animal Run"	means a permanent structure outside of a residential dwelling unit, used for the containment of a cat or dog;
"Cat"	means either the male or female of the feline family;
"Council"	means the Council of the Town;
"License issuer"	means an employee, Town Administrator or licensed business authorized to sell animal license tags on behalf of the Town;
"Live Animal Trap"	means a cage or trap placed for the live capture of animals;
"Neutered Animal"	means an animal certified by a licensed veterinarian to be sexually sterile;
"Officer"	means a Town employee authorized to enforce the bylaws of the Town of Cabri, and any Royal Canadian Mounted Police Officer to enforce the bylaws of the Town of Cabri;
"Owner"	means a person who owns, harbours, possesses or has control or custody of an animal;
"Pound"	means the place of confinement for animals as may from time to time be designated;
"Poundkeeper"	means a Town employee designated to provide poundkeeping services or a person appointed according to Section 35;
"Provocation"	means incitement to anger; cause irritation or annoyance;
"Town"	means the Municipal Corporation of the Town of Cabri;

"Town  
Administrator"

means the Senior Administrative Officer of the Town of Cabri appointed pursuant to *The Municipalities Act* or his or her designate;

"Working Day"

means a calendar day or portion thereof when an animal is kept and cared for by the Poundkeeper

## LICENSES

3. No person shall own a dog or cat within the Town unless the dog or cat is licensed in accordance with the provisions of this Bylaw.
4. The Town Administrator or his/her designate will issue dog and cat licenses in accordance with the provisions of this Bylaw.
5. Every owner of each dog and cat owned thereof shall apply to the Town for a dog or cat license and pay a non-refundable license fee of \$20.00 per dog or cat or \$10.00 for a neutered dog or cat, renewable every five years.
6. For the purposes of Section 5 of this bylaw a dog or cat shall not be licensed as a neutered dog or cat unless the applicant produces a certificate from a licensed veterinarian certifying that such dog or cat is sexually sterile.
7. Every owner applying for a dog or cat license shall produce or provide the following:
  - a. his or her name, municipal address, mailing address, telephone number;
  - b. name and description of the dog or cat to be licensed;
  - c. a certificate from a licensed veterinarian certifying that the dog or cat to be licensed has received a rabies vaccination and is valid on the date of the application; and
  - d. such other information as may be required by the Town.
8. Where the application is made for a dog or cat license in accordance with Section 7 of this bylaw, and the appropriate fee is paid in accordance with Section 5 of this bylaw, the license issuer shall issue a numbered dog/cat license tag and shall record in the ledger retained for that purpose the number of the tag and the description and details of the dog/cat and owner.
9. Where a dog or cat license is lost or stolen, a license issuer may issue a replacement tag upon being satisfied of the loss or theft and upon payment of the sum of five dollars (\$5.00) for each replacement tag so issued.
10. Any person who is visually impaired and requires the assistance of a dog shall, upon application, be issued a license tag for such dog without payment of fees.
11. A dog or cat license shall be dated the date of issue. No refund of the license fee or any portion thereof shall be made where death, disposal or removal of the dog or cat from the Town has occurred.
12. Dog and cat licenses issued shall not be transferable from one animal to another.
13. Every person who becomes the owner of a dog or cat in respect of which a valid license has been obtained by the former owner, shall notify the Town within fifteen (15) days of his or her name,

civic address, mailing address and telephone number and the number of the dog or cat license tag.

14. A dog or cat license tag shall at all times be securely fastened to the collar, choke or harness worn by the dog or cat to which the license tag applies.

### **GENERAL PROHIBITIONS**

15. No person shall allow any animal in his or her possession, charge or control:

- a. to be at large;
- b. to pursue or bark at any vehicle within town limits so as to constitute a nuisance;
- c. to pursue or bark at any person so as to constitute a nuisance;
- d. to disturb the peace and quiet of any person;
- e. to enter upon any park, playground, public place where signs erected by the Town restrict or prohibit such entry, or private property other than such property owned by the animal's owner;
- f. to have an expired rabies vaccination certificate; or
- g. to bite any person without provocation.

16. No person shall run an animal in harness so as to obstruct traffic or pedestrians.

17. No person shall cause unnecessary suffering to an animal by neglect or deprivation nor shall any person punish or abuse an animal in a manner or to an extent that is cruel or unnecessary.

18. Where an animal defecates on any public or private property other than the property of its owner, the owner shall cause such defecation to be removed immediately.

19. No person shall:

- a. interfere, obstruct or attempt to obstruct a Town employee lawfully engaged in the pursuit or seizure of an animal at large;
- b. unlock, unlatch or otherwise open the vehicle in which animals seized by a Town employee have been or are being placed;
- c. remove or attempt to remove an animal from the possession or control of a Town employee except in accordance with the provisions of this Bylaw; or
- d. close or unlock, unlatch or otherwise open to remove or attempt to remove an animal from a live capture cage placed by a Town employee.

20. No person shall own, keep, have in his possession or harbor more than four (4) cats over the age of three (3) months and no more than four (4) dogs over the age of three (3) months.

### **AT LARGE**

21. A Town employee may take whatever actions are appropriate to seize an animal found at large and may deliver such animal to the designated pound for the Town of Cabri or if available, the SPCA in Swift Current for impoundment.

22. Any person may seize an animal found at large and deliver such animal to a Town employee who, upon being satisfied that the animal was at large, may deliver such animal to the designated pound for the Town of Cabri or if available, the SPCA in Swift Current for impoundment.

23. Any person may use such force as is necessary to prevent injury to any person being attacked by an animal.
24. A Town employee may destroy an animal that is in the act of pursuing or attacking or injuring a person or domesticated animal.

#### **ANIMAL RUN/S**

25. Where animals are housed or kept in an animal run, the owner of the animal shall:
  - a. ensure that the animal run is located no closer than one (1) metre from any property line and no closer than five (5) metres from any neighboring dwelling unit;
  - b. daily cause all defecation to be removed from the animal run and disposed of in a sanitary manner.
26. A Town employee may order the owner of any animal housed or kept in an animal run and the owner or occupant of any property upon which an animal run is located to remedy the requirements set out in this section within a period of time specified.
27. Every owner of an animal shall immediately remove any exposed defecation of the animal from private property, other than property owned or occupied by the owner, and dispose of the defecation in a sanitary manner.

#### **LIVE ANIMAL TRAPS**

28. The Town may issue a Live Animal Trap upon execution of an agreement as set out in Schedule "B" to this bylaw.
29. Where a Live Animal Trap is issued pursuant to Section 28 the complainant shall:
  - a. abide by the terms of the Live Animal Trap Permit Agreement;
  - b. personally check the trap every 12 hours while the trap is set;
  - c. in the event an animal is trapped, immediately contact the Town.

#### **VICIOUS ANIMALS**

30. Any animal shall be deemed to be vicious if it has made an unprovoked attack upon any person or domesticated animal in the course of which such person or animal is bitten or injured or where such person suffers damage to his or her clothing or personal property.
31. Where an animal that is deemed to be vicious or a public nuisance is caught, such animal shall be impounded at the designated location. The Town shall then make every attempt to contact its owner for the return of the animal for destruction or removal from Town limits.
32. Where an animal is deemed to be vicious or a public nuisance and has not been caught, the Town shall make every attempt to contact its owner for the destruction or removal of the animal from Town limits.
33. Where an animal was originally deemed vicious but it has since been proved that the incident was provoked, the animal may be allowed to return to the Town limits.

### **IMPOUNDMENT**

34. For the purpose of impounding any animal found at large in the Town, a pound shall be established at such place as may be designated as a pound.
35. A Council may, by resolution, authorize the Town to enter into contracts with one or more persons for the provision of poundkeeping services.
36. Every Poundkeeper shall receive and detain in the pound any animal found running at large and shall detain same until released of in accordance with the provisions of this bylaw.
37. The Poundkeeper shall keep a record of all animals impounded and of the time and manner of their release. Said records shall be open for inspection by the Town Administrator at any time and made available to the public upon request.
38. Any Poundkeeper appointed under the provisions of Section 35 of this bylaw is hereby empowered to collect all necessary fees in connection with the impounding of animals and for the keeping of such animals at the pound.
39. The Poundkeeper or such other person as may be designated by the Town Administrator shall supply to each animal impounded under the authority of this bylaw sufficient food and water during its confinement in the pound, and to maintain clean and properly vented enclosures for impounded animals.
40. Fines and fees shall be paid to the Town or the poundkeeper in respect of an animal seized in accordance with those sums prescribed and set out in Schedule "A" to this Bylaw.
41. A Town employee or poundkeeper in accordance with Section 35 shall not release an animal seized under this Bylaw unless:
  - a. all fines and fees pursuant to this Bylaw have been paid, and
  - b. the animal, if a dog or cat, is licensed and is wearing a Town of Cabri dog or cat tag.

### **NOTIFICATION**

42. Where the animal impounded is wearing a collar to which is attached a valid license, the Poundkeeper or the Town Administrator shall make telephone contact to the owner as shown in the records made when the license was purchased. No liability whatsoever shall be attached to the Town, or the Poundkeeper by reason of the failure of the owner to receive such notification.

### **DISPOSAL OF UNCLAIMED ANIMALS**

43. If an impounded animal is not claimed within one (1) day from the time such animal is received at the pound, excluding Saturdays, Sundays and Statutory holidays, and the fees if any, paid as herein provided, said animal may be disposed of by the Poundkeeper without further notice in the following manner:
  - a. if a dog, taken to the SPCA, if available;
  - b. if a cat, disposal by adoption.

**GENERAL**

44. No damages or compensation may be recovered on account of an animal destroyed by a Town employee or Poundkeeper acting in good faith and with reasonable cause under this.

**REPEALS**

45. Bylaw No. 7-2008 and any amendments thereto are hereby repealed.

**COMING INTO FORCE**

46. This Bylaw shall come into effect on July 1, 2012.



  
MAYOR

  
ADMINISTRATOR

**INTRODUCED AND READ a first time this 14<sup>th</sup> day of May, 2012.**

**READ a second time this 14<sup>th</sup> day of May, 2012.**

**READ a third time and finally passed this 14<sup>th</sup> day of May, 2012.**

**SCHEDULE "A"**  
**FORMING PART OF BYLAW NO. 2-2012**

**A. CHARGES FOR THE RELEASE OF IMPOUNDED ANIMALS**

Animals Wearing a Town License Tag

1. First Offence:  
- a warning shall be given and the animal released to the owner without payment of a charge.
2. Second Offence:  
- \$100.00 plus \$6.00 per day or part thereof.
3. Third Offence and subsequent offences within one 12 month period:  
- \$175.00 plus \$6.00 per day or part thereof.

**B. ANIMALS NOT WEARING A TOWN LICENSE TAG WHERE THE OWNER CAN BE IDENTIFIED:**

1. First Offence:  
- a warning shall be given and the animal released to the owner without payment of a charge.
2. Second Offence:  
- \$150.00 plus \$6.00 per day or part thereof plus license fee if unlicensed or requiring a replacement tag.
3. Third Offence and subsequent offences within one 12 month period.  
- \$275.00 plus \$6.00 per day or part thereof plus license fee if unlicensed or requiring a replacement tag.

**SCHEDULE 'B'**  
**FORMING PART OF BYLAW NO. 2-2012**

**LIVE ANIMAL TRAP PERMIT**

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

Trap No. \_\_\_\_\_

The undersigned agrees to the following terms and conditions:

- 1) to place the live animal trap only on his or her property which is within the Town of Cabri;
- 2) to personally check the live animal trap each hour while the trap is set;
- 3) in the event an animal is trapped, to immediately contact the Town. In the event that the Town cannot be reached, the animal may be held until the Town is reached but in no event for longer than twenty-four (24) hours. Where an animal is held, the undersigned is responsible for the humane treatment and shelter of an animal including feeding and watering. A captured animal should be left in the trap and placed in a shed, garage, basement or other place that is warm, dry and secure with a blanket placed over the trap to pacify the animal. Do not attempt to remove an unfamiliar animal from the live animal trap. This will be done by a Town employee. If the undersigned cannot comply with this condition, the trapped animal must be freed unharmed.
- 4) To ensure that no harm comes to any trapped animal which is in their possession including exposure to inclement weather;
- 5) Live animal traps are not to be used when the temperature falls below -10 degrees Celsius or rises above +30 degrees Celsius.
- 6) Any Town employee may enter the property of the undersigned to ensure the trap is being used properly.
- 7) To advise the Town of the ownership of any animal trapped, if known.
- 8) To be responsible for the live animal trap, including the cost or repair or replacement if damaged, lost or stolen.
- 9) Live animal traps must not be set on statutory holidays.

**\*\*IT IS A SERIOUS OFFENCE TO HARM ANY DOMESTIC ANIMAL**

Address of intended location of trap: \_\_\_\_\_  
Deposit: \_\_\_\_\_

I understand and accept all liability which may arise in connection with the use of this live animal trap while it is in my possession and will save and indemnify the Town of Cabri for all such liability.

Signature: \_\_\_\_\_  
Name of Complainant: \_\_\_\_\_  
Address of Complainant: \_\_\_\_\_  
\_\_\_\_\_

**TRAP RETURNED:**  
Date: \_\_\_\_\_  
Received by: \_\_\_\_\_  
Deposit Returned: \_\_\_\_\_  
(signature of complainant or agent)