

TOWN OF MAPLE CREEK
BYLAW NO. 2024-MC-02

A BYLAW RESPECTING THE REGULATION, LICENCING, CARE AND CONTROL OF ANIMALS, LIVESTOCK, AND POULTRY

The Council of the Town of Maple Creek, in the Province of Saskatchewan, enacts as follows:

1. Short Title

- 1.1 This Bylaw may be cited as *The Animal Control Bylaw*.

2. Governing Legislation

- 2.1 *The Municipalities Act* prevails in all circumstances where there might arise a conflict between *The Municipalities Act* and The Animal Control Bylaw.
- 2.2 *The Animal Protection Act, 1999* prevails in all circumstances where there might arise a conflict between *The Animal Protection Act, 1999* and The Animal Control Bylaw.
- 2.3 *The Veterinarians Act, 1987* prevails in all circumstances where there might arise a conflict between *The Veterinarians Act, 1987* and The Animal Control Bylaw.
- 2.4 *The Wildlife Act, 1998* prevails in all circumstances where there might arise a conflict between *The Wildlife Act, 1998* and The Animal Control Bylaw.

3. Definitions

- 3.1 In this Bylaw, the following definitions apply:

- (a) **Animal** means all dogs, cats, and/or any type of common household pet that is deemed permissible by the bylaw to harbour within the municipality of the Town of Maple Creek, but shall exclude:
- (i) fish, small amphibians, and reptiles which are normally contained in an aquarium;
 - (ii) hamsters, gerbils, mice, guinea pigs, and other small rodents normally kept in a cage; and
 - (iii) any Prohibited Animal;
- (b) **Animal Run** means an enclosure or structure outside of a residential dwelling unit used for the harbouring or containment of a dog or dogs, or a cat or cats;
- (c) **Animal Control Officer** means any person appointed by the Council to restrain and impound any animal running at large in the Town of Maple Creek or any person authorized to act on the Animal Control Officer's behalf;
- (d) **Attractant** means food or food waste, meat, a carcass or part of a carcass of an animal or fish, compost or any other waste that could attract wildlife;

- (e) **Bylaw Enforcement Officer** means a person appointed by the Council for the enforcement of Town of Maple Creek bylaws including the Animal Control bylaw;
- (f) **CAO** means the Chief Administrative Officer of the Town of Maple Creek or designate;
- (g) **Cat** means any domestic bred cat, male or female, neutered or spayed, of the feline family over the age of six (6) months; excluding hybrid, wild, and exotic cats;
- (h) **Council** means the Council of the Town of Maple Creek;
- (i) **Dangerous Animal** means any animal declared to be dangerous by a Judge pursuant to *The Municipalities Act*;
- (j) **Dog** means any dog, male or female, neutered or spayed, of the canine family over the age of six (6) months;
- (k) **Hunting** means taking, wounding, killing, chasing, pursuing, worrying, capturing, following after or following on the trail of, searching for, shooting at, trapping, setting snares for, stalking or lying in wait for any wildlife, or attempting to do any of those things, whether or not the wildlife is then or subsequently captured, wounded or killed;
- (l) **Judge** means a judge of the Provincial Court of Saskatchewan or a Justice of the Peace;
- (m) **Leash** means a chain, rope, or strap attached to the collar or harness of an animal, especially a dog, and used to lead or hold the dog in check;
- (n) **Livestock** includes, but is not limited to:
 - (i) a horse, mule, ass, swine, emu, ostrich, camel, llama, alpaca, sheep or goat
 - (ii) domestically reared or kept deer, reindeer, moose, elk, or bison
 - (iii) animals of the bovine species
 - (iv) animals of the avian species including chickens, turkeys, ducks, geese, or pheasants, and
 - (v) all other animals that are kept for agricultural purposes but does not include cats, dogs, or other domesticated household pets;
- (o) **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 Maple Creek; in carrying out the provisions of this Bylaw;

- (p) **Microchip Implant** means an identifying integrated circuit placed under the skin of a dog, cat, or other animal by a Licensed technician, usually a Veterinarian. The chip, about the size of a large grain of rice, uses passive RFID (Radio Frequency Identification) technology to store information about the animal, and may also be known as a PIT tag (for Passive Integrated Transponder);
- (q) **Owner** means the person who has custody and/or control of an animal, which includes the person responsible for custody of a minor if the minor is the animal owner, but shall not include:
 - (i) a veterinarian registered pursuant to *The Veterinarians Act, 1987* who is keeping or harbouring an animal for the prevention, diagnosis, or treatment of a disease or of an injury to the animal;
 - (ii) 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;
- (r) **Pet** means animals, fish, birds, or reptiles that are:
 - (i) domesticated or tamed and kept as a companion and deemed permissible by this bylaw to harbour within the Town;
 - (ii) not raised for profit;
 - (iii) not customarily raised for human consumption;
 - (iv) not used for the purpose of transportation;
- (s) **Poultry** means all birds that are reared or kept in captivity for the production of meat or eggs for consumption, the production of other products, for restocking supplies of game birds or for the purposes of any breeding program for the production of these categories of birds;
- (t) **Pound** means such premises and facilities as may be designated by Council for the purpose of safely lodging and securing animals;
- (u) **Prohibited Animal** means any animal as listed in Schedule "D";
- (v) **Town** means the Town of Maple Creek in the Province of Saskatchewan;
- (w) **Wildlife** means an animal that belongs to a species that is wild by nature, but does not include domestic animals and/or a feral or stray cat.

4. Application

- 4.1 This bylaw applies to the ownership of all animals within the Town of Maple Creek.
- 4.2 Each provision of this Bylaw is independent of all other provisions and if any provision is declared invalid for any reason by a Court of competent jurisdiction, all other provisions of this Bylaw remain valid and enforceable.

- 4.3 Nothing in this Bylaw relieves a person from complying with any provision of any federal or provincial law or regulation, other bylaw, or any requirement of any lawful permit, order, or license.
- 4.4 Where this Bylaw refers to another Act, Bylaw, regulation, or agency, it includes reference to any Act, Bylaw, regulation, or agency that may be substituted therefor.
- 4.5 All schedules attached to this Bylaw shall form a part of this Bylaw.

5. Licencing of Animals

5.1 Obtaining a License

- (a) Every owner of a dog or cat six (6) months old or older shall obtain a Town issued license.
- (b) The holder of a license must be at least eighteen (18) years of age.
- (c) The provisions of this section shall not apply to any dog or cat 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 Pound;
 - (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.
- (d) When issuing a license for a dog or cat, the Town shall supply the applicant with a license number plate or tag, the form of which and lettering or numbers inscribed or imprinted thereon as may be determined by the Town, and a receipt for payment of the license.
- (e) The annual fee or lifetime fee for a license shall be as set out in Schedule "A".
- (f) Any license issued pursuant to the provisions of this Bylaw shall not be transferable to any other animal.
- (g) A dog owned by a sightless person and used as a guide, or "seeing eye" dog shall be licensed as provided by this bylaw, but without charge.
- (h) The owner of a dog shall ensure that the dog wears a collar to which is attached a current license tag, or a tag that provides contact information identifying the owner, whenever the dog is off the premises of the owner. The owner of a cat shall ensure that the cat wears a collar to which is attached a current license tag, or a tag that provides contact information identifying the owner, whenever the cat is off the premises of the owner, unless the cat bears a visible tattoo or identifiable microchip that has the owner's current information. This provision shall not apply while an animal is participating in a recognized show, obedience trial or field trial.
- (i) Every owner of a dog or cat within the Town shall, on demand by the Bylaw Enforcement Officer, the Animal Control Officer, or designate, produce and show a license receipt or other evidence that a current license has been obtained for the animal.

- (j) The onus of proving a person has a valid and subsisting license is on the person alleging the license.
- (k) The onus of proving the age of an animal is on the person alleging the age.
- (l) An owner shall forthwith notify the Town Office of any change with respect to any information provided in an application for a license under this Bylaw.
- (m) Annual licenses issued under this Bylaw shall expire on December 31st of the year issued.
- (n) No person shall be entitled to a license rebate under this Bylaw.
- (o) No person shall give false information when applying for a license.

5.2 Information Required to Obtain a License

When applying for a license the applicant shall provide the Town with:

- (a) a physical description of the animal;
- (b) the breed or type of the animal;
- (c) the sex, and information regarding whether the animal is spayed/neutered or intact;
- (d) the name of the animal;
- (e) any other relevant information such as a tattoo, microchip, unique markings, or medical conditions required with respect to the animal;
- (f) the animal's history of rabies vaccinations;
- (g) the name, address, and telephone number(s) of the owner of the animal; and
- (h) any other information a license Inspector may require.

5.3 Duration of the Annual License

The annual license shall be in effect from January 1st to December 31st of the calendar year in which the license was purchased.

5.4 Validity of Existing Licenses

An existing license issued under Bylaw No. 2010-MC-10, the Pet Bylaw, remains valid until the term of such license expires.

5.5 Replacement of Lost Licenses

Upon losing a license, an owner of a licensed animal shall present the receipt for payment of the current year's license fee to the Town Office, and a new tag will be issued to the owner for the fee set out in Schedule A of this Bylaw.

6. Livestock and Poultry

6.1 No person shall keep or harbour livestock or poultry within the Town boundaries.

6.2 Section 6.1 does not apply to 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;

- (c) a zoo or travelling circus, provided a valid license has been obtained from the Province of Saskatchewan or the Government of Canada, and a business license issued by the Town.

7. Prohibited Animals

- 7.1 The ownership or harbouring of any Prohibited Animal, as outlined in Schedule D, is strictly prohibited.
- 7.2 No person or corporation shall operate a pet shop that buys, sells, trades, exhibits or harbours any animal or hybrid of any animal of the kinds listed in Schedule D.

8. Feeding of Wildlife

- 8.1 In order to avoid creating a nuisance, a person must not:
 - (a) feed or attempt to feed wildlife; or
 - (b) provide, leave or place an attractant on any property in a manner that attracts or could attract wildlife.
- 8.2 Section 8.1 does not apply to:
 - (a) an officer, licensed trapper, or exterminator leaving bird seed as bait to catch wildlife as part of their professional duties;
 - (b) a person feeding songbirds or other birds, provided:
 - i. the bird seed is placed in a bird-feeding device that is sufficiently above grade so as to not attract or be accessible to wildlife;
 - ii. any bird seed spilled from the bird-feeding device is removed in a timely manner such that it does not attract other wildlife;
 - iii. the bird-feeding device is kept in sanitary condition and in good working order.

9. Maximum Number of Animals Allowed:

- 9.1 No more than two (2) animals of any species over the age of six (6) months shall be owned and/or harboured in a single dwelling, excluding:
 - (a) a veterinary hospital, clinic, boarding kennel, or grooming parlor;
 - (b) a public Pound;
 - (c) a shop whose business includes the sale of pets and is licensed as such;
 - (d) a shelter operated by an association or society incorporated for the purpose of the protection and humane treatment of animals;
 - (e) a recognized animal show or obedience training.
- 9.2 Any person who wishes to keep or harbour more than two (2) animals of any species on any one property shall apply to Council for a permit that grants permission to do such a thing. The maximum allowable animals per property if a permit for additional animals is granted shall then be five (5).
- 9.2 Should a permit be granted, the owner of said animals shall pay license fees on a graduated scale per number of animals and a permit fee as referred to in Schedule A of this bylaw.

- 9.3 Council may, at its sole discretion, refuse any application or revoke any permit to harbour more than two (2) animals of any species.

10. Animal Runs & Fencing

- 10.1 Where an animal is kept in an animal run the owner shall ensure that the animal run is kept in a sanitary and structurally sound condition protecting the health and safety of the animal.
- 10.2 The following should be taken into consideration for the construction of an animal run:
- (a) light;
 - (b) ventilation;
 - (c) protection from the elements including adequate roofing and flooring (if used) that is secured firmly to the sides of the enclosure to ensure stability;
 - (d) use of weather resistant wood or materials;
 - (e) a latch or fastener to prevent the animal from escaping, and which may prevent the entry of unauthorized persons and young children.
 - (f) Where an animal is kept in a fenced portion of a yard the owner shall ensure that the fence is in a structurally sound condition protecting the health and safety of the animal. The fence must also be of appropriate height and structure to keep the animal confined within the boundaries of the fence and must be deemed by the Animal Control Officer to be adequate and in good repair.

11. Restraints

- 11.1 Animal Restraint Specifications:
- (a) An animal which is restrained on private property by leash or means other than an approved animal run shall be restrained in the following manner:
 - (i) the restraint shall be of sufficient strength and kept in a state of good repair so that the animal will not escape, and that it cannot be chewed through, and;
 - (ii) the restraint shall be securely situated in the yard such that it will not allow the animal to approach closer than two (2) metres away from any street or lane.
- 11.2 Leash Specifications:
Dogs must be on a leash no longer than 3 metres in length at all times when in any public area, unless it is a designated off-leash area.
- 11.3 Running at Large
- (a) The owner or any other person having care or control of an animal shall at no time allow the animal to run at large.
 - (b) When not on the owner's private property, dogs must be under the owner's control at all times.
 - (c) The animal will be considered to be running at large when:

- (i) the animal is beyond the boundaries of the land occupied by the owner or any other person having care or control of an animal;
- (ii) beyond the boundaries of any lands where the animal may be with the permission of the owner or occupant of the said land not securely confined within an enclosure;
- (iii) not securely fastened or leashed, thereby enabling the animal to roam at will.

11.4 Swimming in Parks Prohibited

The owner of an animal shall ensure that such animal does not enter or swim in any body of water within a Park, including but not limited to any wading pool area, splash park area, or swimming area unless specifically allowed by the Town.

11.5 Dogs are not allowed in any play structure area, golf course, or cemetery.

11.6 Unattended Animals

- (a) The owner of an animal shall ensure that such animal shall not be left unattended while tethered or tied on premises where the public has access, whether the access is express or implied.
- (b) No person shall tether, fasten, chain, tie, or restrain an animal, or cause an animal to be tethered, fastened, chained, tied, or restrained on public or private property unless the owner or custodian is outside with the animal and the animal is in sight view.
- (c) The owner of an animal left unattended in a motor vehicle shall ensure:
 - (i) the animal is restrained in a manner that prevents contact between the animal and any member of the public; and
 - (ii) the animal has suitable ventilation.
- (d) The owner of an animal shall not leave an animal unattended in a motor vehicle if the weather conditions are not suitable for containment of an animal.

11.7 Securing Animals in Vehicles

- (a) No person shall allow an animal to be outside of the passenger cab of a motor vehicle on a roadway, regardless of whether the motor vehicle is moving or parked.
- (b) Notwithstanding subsection 11.7(a), a person may allow an animal to be outside the passenger cab of a motor vehicle, including riding in the back of a pick up truck or flat bed truck if the animal is:
 - (i) in a fully enclosed trailer;
 - (ii) in a topper enclosing the bed area of a truck;
 - (iii) contained in a ventilated kennel or similar device securely fastened to the bed of the truck; or
 - (iv) securely tethered in such a manner that the animal is not standing on bare metal, cannot jump or be thrown from the vehicle, is not in danger of strangulation, and cannot reach beyond the outside edges of the vehicle.

11.8 For the purpose of this Section, “**roadway**” means any street or highway, whether publicly or privately owned, any part of which the public is ordinarily entitled or permitted to use for the passage or parking of vehicles.

11.9 The owner of a vehicle involved in an offence referred to in this Section is guilty of the offence, unless that vehicle owner satisfies the Town that the vehicle was:

- (a) not being driven or was not parked by the owner; and
- (b) that the person driving or parking the vehicle at the time of the offence did so without the vehicle owner’s express or implied consent.

12. Defecation

12.1 Any person having care or control of an animal, shall immediately remove any defecation left by the animal on public or private property other than the private property of the animal’s owner and dispose of it in a sanitary fashion.

12.2 The owner or any other person having care or control of an animal, shall ensure that defecation on the property of the owner does not accumulate to such an extent that it may cause a nuisance and/or health risk to others.

13. Threatening and Nuisance Behavior Offences

13.1 No animal shall:

- (a) without provocation bite a person or other animal whether on the property of the owner or not;
- (b) engage in an act that injures a person or other animal, whether on the property of the owner or not;
- (c) chase or otherwise threaten a person or other animal whether on the property of the owner or not, unless the person or animal being chased or threatened is a trespasser on the property of the owner;
- (d) bark at, or chase people or other animals, bicycles, automobiles, or other vehicles;
- (e) bark, howl, or hiss in such a manner or duration that, in the opinion of the Animal Control Officer or the Bylaw Enforcement Officer, is likely to disturb the quiet, peace or restful enjoyment of any person acting reasonably;
- (f) cause damage to property;
- (g) defecate, urinate, or spray on private property, except with respect to the private property of the animal’s owner;
- (h) dig in flowerbeds and gardens or waste receptacles that are not that of the owner;
- (i) upset waste receptacles or scatter the contents thereof;
- (j) trespass on private property whether or not the animal is running at large or is leashed;
- (k) Attack a person or persons, whether on the property of the owner or not, causing severe physical injury;
- (l) Cause death to another animal;
- (m) bark or howl incessantly in a manner that disturbs the quiet, peace or restful enjoyment of any person between the hours of 9:00 pm and 7:00 am.

13.2 No owner shall use or direct an animal to attack, chase, harass or threaten a person or animal.

13.3 The owner of an animal shall take all measures to prevent any nuisance behaviour.

14. Dangerous Animals

14.1 No person shall keep or harbour an animal that has been declared by a Judge to be a Dangerous Animal within Town limits except in accordance with the Judge's order.

14.2 *Sections 374 - 380 of The Municipalities Act* applies in all circumstances.

14.3 Where an animal has been declared dangerous pursuant to *Section 375 of The Municipalities Act*, and in the event the owner is ordered to display a sign warning of the presence of the animal, the owner of the animal shall:

- (a) within ten (10) days of the date of the order of the Judge declaring the animal to be dangerous, or within ten (10) days of the animal becoming kept or harboured within the Town of Maple Creek, in accordance with the judge's order, and at the owner's expense, display a sign on the owner's premises warning of the presence of the animal in the form illustrated in Schedule G.
- (b) ensure a sign required by subsection 14.3 (a) shall be placed and maintained, in good condition, at each entrance to the premises and residence where the animal is kept and on the enclosure in which the animal is confined.
- (c) A sign required by subsection 14.3 (a) shall be clearly visible and capable of being read from any adjacent public road.

14.4 No person shall keep or harbour an animal that has been declared by a Judge to be a Dangerous Animal within the Town boundaries without first informing the Town of the animal's presence and intended location within the Town boundaries.

15. Seizure and Impounding

15.1 Authority to Seize and Impound

- (a) If any animal has acted in contravention, or if the Bylaw Enforcement Officer believes on reasonable grounds that the animal has acted in contravention of this Bylaw, then that animal may be seized and impounded.
- (b) The Bylaw Enforcement Officer may enter onto any land surrounding any building in pursuit of any animal observed behaving contrary to the provisions of this Bylaw.

15.2 Notification of Seizure or Impounding by Authorized Person

- (a) If a Bylaw Enforcement Officer or Animal Control Officer knows or can ascertain the name of the owner of any impounded animal, the Officer

shall serve the owner with a copy of the Notice in Schedule “E” of this Bylaw, either personally or by leaving it, or by mailing it, to the last known address of the owner as soon as is feasibly possible. The Bylaw Enforcement Officer or Animal Control Officer shall also try to contact the owner of the impounded animal by telephone if a telephone number is known.

- (b) An owner of an animal to whom a Notice is mailed pursuant to this section is deemed to have received the Notice within forty-eight (48) hours from the time it is mailed.
- (c) If an impounded animal is unlicensed, the attending Officer shall cause a notice to be posted at the Town Office and Pound, giving a description of the animal, the date and time when the animal was impounded, and the date and hour when the animal will be delivered to the SPCA for adoption or euthanized. Such notice shall be posted at least 72 hours before the said delivery or euthanization takes place.

15.3 Interfering with the Seizure or Impounding of an Animal

- (a) No person, whether or not the person is the owner of an animal, shall:
 - (i) interfere with, or attempt to obstruct, the Bylaw 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 by opening any vehicle or facility in which an animal has been seized or impounded under this Bylaw; or
 - (iii) remove or attempt to remove an impounded animal.

15.4 When an impounded animal is wearing a license tag, the Animal Control Officer or the Bylaw Enforcement Officer shall make every reasonable effort to contact the owner registered in the Town licensing records.

15.5 It shall be the duty of the Animal Control Officer or the Bylaw Enforcement Officer to provide each impounded animal with an adequate supply of food, fresh water, and shelter from the elements during confinement in the Pound.

15.6 Any animal seized pursuant to this Bylaw shall be impounded until such time that any fines are paid or to a maximum of seventy-two (72) hours, whichever occurs first. Impoundment fees will be charged to the owner as set forth in Schedule B.

15.7 Any animal which is impounded 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 Animals. Where an animal is claimed, the owner shall provide proof of ownership of the animal.

15.8 In instances where the animal impounded has been declared by a Judge to be a **“dangerous animal”**, all costs incurred by the Town are to be paid by the animal owner. Failure to do so shall result in the Town adding all costs to the owner’s property taxes in accordance with *The Municipalities Act*.

- 15.9 Any animal seized pursuant to this Bylaw shall be impounded for a period of up to seventy-two (72) hours excluding the day of impoundment, weekends, and statutory holidays.
- 15.10 Where an animal has not been reclaimed within seventy-two (72) hours as indicated in subsection 15.9, or where the owner of the animal has failed or refused to comply with subsections 15.6 and 15.7, the owner forfeits all ownership rights and the animal shall become the property of the Town.
- 15.11 Notification of Animal Seizure or Impounding
- (a) A person, other than an authorized person under this Bylaw, who takes control of any stray animal shall forthwith notify the Town Office, the Animal Control Officer or the Bylaw Enforcement Officer and provide any required information.
 - (b) A person, other than an authorized person under this Bylaw, who takes control of any stray animal shall forthwith surrender the animal to the Animal Control Officer or the Bylaw Enforcement Officer.
- 15.12 Notwithstanding subsection 15.10, all animals impounded under the provisions of this Bylaw and which have not been claimed or delivered to the SPCA as herein provided may be euthanized after 120 hours from the time the animal is received at the Pound if the animal is unlicensed or from the time notice is served to the owner of the animal if the owner is known, excluding any days in which the pound is not open to the public.
- 15.13 An animal shall not be transferred, with or without consideration, to any person, hospital, educational or commercial institution, laboratory, or animal dealer for purposes of medical or biological teaching, research, study or experimentation of any kind.

16. Pound

- 16.1 For the purpose of impounding any dog or cat found running at large in the Town, a Pound is hereby established at such place or places as may from time to time be designated by the CAO as a Pound.
- 16.2 The Animal Control Officer or the Bylaw Enforcement Officer shall carry out the tasks required in the operation of the Pound.
- 16.3 The Animal Control Officer or the Bylaw Enforcement Officer shall receive and detain in a Pound any dog or cat found running at large and shall detain that animal until the animal has been returned to the owner, delivered to the SPCA, or euthanized in accordance with the provisions of this Bylaw.
- 16.4 Any person of the full age of eighteen (18) years may restrain any dog or cat found running at large in Town and shall contact the Animal Control Officer or the Bylaw Enforcement Officer for impoundment of the animal. The person shall leave with

the attending Officer a statement in writing, describing the name of the owner of the dog or cat if known and other pertinent details of the restraint (e.g., place and time of restraint).

- 16.5 The attending Officer shall keep a record of all dogs and cats impounded and of the time and manner of disposal.
- 16.6 Any attending Officer appointed under the provisions of this Bylaw is hereby empowered to calculate all necessary charges and fees in connection with the impounding of dogs and cats and for the keeping of such animals at the Pound. These charges are to be paid by the animal's owner at the Town Office during regular business hours prior to release of the impounded animal.
- 16.7 The attending Officer is required to scan all animals received at the Pound for a microchip and examine all animals for a tattoo. The attending Officer shall make every reasonable effort to serve notice to the registered owner as outlined in Section 15.2.

17. Kennels

- 17.1 Kennels for the purpose of breeding, boarding, and/or selling dogs or cats are prohibited within the limits of the Town.
- 17.2 Notwithstanding Section 17.1, a licensed veterinarian, may as part of business operations, maintain a kennel within the business establishment and property for the purpose of boarding dogs and cats.
- 17.3 Notwithstanding Section 17.1, a pet daycare or pet grooming facility may as a part of its business operation maintain kennels for the temporary boarding or management of dogs and cats, provided the dogs and cats are not housed overnight in the facility. The pet daycare or pet grooming facility must adhere to the regulations and definitions set out in the Town of Maple Creek Zoning Bylaw.
- 17.4 All such kennels shall follow standards established in accordance with the Code of Practice adopted by the Canadian Veterinary Medical Association.

18. Cat Trap

- 18.1 Upon complaint from a resident and upon request, the Animal Control Officer, or any other person authorized by Council, is hereby authorized to provide the said resident with a trap to seize and capture any cat creating a nuisance.
- 18.2 Before a trap is issued, the complainant shall be required to obtain a **"Cat Trap Permit"** as set out in Schedule F to this Bylaw. The complainant shall abide by the terms of the Permit and personally monitor the trap on a regular basis to ensure that no harm comes to any cat trapped.

- 18.3 Cat traps authorized by the Town and obtained from the Town are the only cat traps to be used within the Town municipal boundaries and the person setting the trap assumes full responsibility for the well-being of any cat trapped therein.
- 18.4 The trap shall be placed in such an area that shall not allow the cat to be exposed to any harmful elements (i.e. direct sun, harsh wind or rain, and any other harmful elements).
- (a) Traps shall be checked at least every:
- (i) four (4) hours when the temperature is between 6 and 27 degrees C;
- (ii) two (2) hours when the temperature is between 0 and 5 degrees C.
- 18.5 No trap is to be left operational when the temperature is above 27 degrees C or below 0 degrees C.

19. Conservation Officer Privileges

- 19.1 The Town awards provincial Conservation Officers and R.C.M.P. Officers the authorization to discharge a firearm within Town limits when:
- (a) an animal is threatening the life of an individual or another animal;
- (b) wildlife has entered the Town limits and is causing a nuisance and cannot be safely removed through other means, or;
- (c) a sick or injured animal is found within the Town and immediate euthanizing of the animal is deemed appropriate by the Conservation Officer, the R.C.M.P. Officer, the Animal Control Officer or the Bylaw Enforcement Officer in order to avoid unnecessary suffering of the animal.

20. Animal Bites and Rabies

- 20.1 When an animal has bitten an individual or another animal, the individual shall provide the full details of the animal(s) and the owner(s) to the Bylaw Enforcement Officer. When an animal has bitten a person or domestic animal, the owner of the animal shall, unless the animal is ordered destroyed, quarantine the animal, within a secure enclosure, for observation for symptoms of rabies for a period of not less than ten (10) days.
- 20.2 An owner of an animal suspected of having rabies, or has been in contact with a rabid animal, shall immediately report the matter to the Medical Health Office, Conservation Office, and/or the veterinary clinic and the CAO of the Town. All instructions given to the owner from the aforementioned authorities shall be carried out.
- 20.3 An owner of an animal suspected of having rabies shall keep the animal confined for not less than ten (10) days at the cost of the owner.

21. Communicable Disease, Grave Injuries, and Euthanasia

- 21.1 If an animal is suspected to have a communicable disease, the owner must:

- (a) isolate the animal in a manner that will prevent further spread of the disease;
- (b) seek an assessment by a veterinarian; and
- (c) follow the orders of such veterinarian, the Bylaw Enforcement Officer, and any government officials who have authority to issue such orders.

21.2 The Veterinarian located at the Pound, or any Veterinarian may take immediate action to euthanize any sick or gravely injured animal found within the Town where, in the opinion of a Veterinarian, immediate euthanizing of the animal is required in order to avoid unnecessary suffering of the animal.

21.3 Reasonable efforts shall be made to contact the owner of an animal before the animal is euthanized. No liability lies against the Town, the CAO, the Bylaw Enforcement Officer or Veterinarian if the owner cannot be contacted.

22. General Violations

22.1 *Teasing and Enticing Animals*

Any person teasing, enticing, baiting, or throwing objects at an animal confined within the owner's property shall be in violation of this Bylaw.

22.2 *Unsanitary Conditions*

Any person who keeps an animal in an unsanitary condition shall be in violation of this Bylaw. Conditions shall be considered unsanitary where the keeping of the animal results in an accumulation of fecal matter, an odor, insect infestation, or rodent attractants which endanger the health of the animal or any person, or which disturb or are likely to disturb the enjoyment, comfort or convenience of any person in or about any dwelling, office, hospital or commercial establishment.

22.3 *Releasing Animals*

Any person who unties, loosens or otherwise frees an animal which has been tied or otherwise restrained, or who negligently or willfully opens a gate, door or other opening in a fence or enclosure in which an animal has been confined and thereby allow an animal to run at large in the Town shall be in violation of this Bylaw.

23. Continuing Offences

23.1 In the case of an offence that is of a continuing nature, a contravention constitutes a separate offence in respect of each day, or part of a day, on which the offence continues and any person guilty of such an offence is liable to a fine in an amount not less than that established by this Bylaw for each such day.

24. Penalties and Notices of Violation

24.1 Any person who contravenes any of the provisions of this Bylaw or fails to comply therewith or with any notice given thereunder is guilty of an offence and is liable to the penalties as hereinafter provided. Said offence and penalties shall be listed on Schedule C.

- 24.2 Any person who contravenes the provisions of this Bylaw as NOT specifically set out in Schedule C or fails to comply therewith, or with any notice given thereunder, is guilty of an offence and is liable on summary conviction to a fine in an amount not exceeding \$10,000.00 and in default of payment of any fine imposed, to imprisonment of not more than six (6) months.

25. Payment of Notices of Violation

- 25.1 Where any person has committed or is alleged to have committed a breach of any of the provisions of this Bylaw, a Bylaw Violation Ticket ("**ticket**"), Order to Remedy ("**order**"), or summons may be served on such person by a Police Officer, Bylaw Enforcement Officer, or any person duly authorized by Council. Such person served with a ticket may voluntarily pay this at the Town of Maple Creek Town Office between the hours of 8:30 a.m. and 4:00 p.m., excepting Saturdays, Sundays, and public holidays, provided that payment is made within a period of ten (10) days from the service of the ticket. If payment is made within such time and accepted, then that person shall not be liable to prosecution for the offense.
- 25.2 Service of a ticket, order or summons pursuant to this Bylaw may be made by:
- (a) by personally delivering the ticket, order or summons to the person committing the breach of the provision of this Bylaw; or
 - (b) by mailing such ticket, order or summons to the last known address of the owner of the animal by registered mail.
- 25.3 A person to whom a ticket is being issued pursuant to this section shall, upon request, provide their name and address. Any person who fails to provide this information is guilty of an offence and liable on summary conviction to a fine in an amount not exceeding \$10,000.00 and in default of payment of any fine imposed, to imprisonment of or not more than six (6) months.

26. Authority of CAO

- 26.1 The Chief Administrative Officer may:
- (a) receive animals into protective care pursuant to fire, flood, or other reasons;
 - (b) retain the animals temporarily;
 - (c) charge the owner fees pursuant to Schedule B for costs of impoundment and/or maintenance; and
 - (d) at the end of the protective care period, if no other arrangements are made between the owner and the CAO, treat such animals as impounded animals.

27. Repeal and Coming into Force

- 27.1 The Town of Maple Creek Pet Bylaw # 2010-MC-10 is hereby repealed.
- 27.2 This Bylaw shall come into force and be in effect on the final passing thereof.

Mayor

Read a third time and finally
Adopted this 22nd day of
May, 2024

Chief Administrative Officer

Schedule A
ANIMAL LICENSE AND/OR IMPOUNDMENT FEES

	<u>Annual License</u>	<u>Lifetime License</u>
Male or Female Dog or Cat – Spayed or Neutered	\$10	\$50
Male or Female Dog or Cat – Not Spayed or Neutered	\$30	\$100

Permit to harbour more than two (2) animals of the same species - \$20.00

Dangerous Animals as declared under section 14.3 - \$500/lifetime

Replacement tag - \$5.00

Impoundment of Dog or Cat (spayed or neutered) - \$10.00 per day

Impoundment of Dog or Cat (not spayed or neutered) - \$20.00 per day

Impoundment of a Dangerous Animal - \$50.00 per day

SCHEDULE B
FEES FOR IMPOUNDMENT AND/OR MAINTENANCE OF IMPOUNDED ANIMALS

1. The cost of impounding and maintaining impounded animals is defined in Schedule A of this bylaw.
2. In addition to the Schedule A impoundment and impoundment maintenance costs, the owner of an animal which does not have a current and valid license issued pursuant to Section 5 of this bylaw, will be charged an additional \$20.00 per day to cover additional costs incurred by the Town in attempting to determine the name of the owner of the animal for the purpose of notifying the owner that the animal has been impounded.
3. If a seized and impounded cat does not have a license tag attached, but is found to have a microchip or tattoo, the fine as set out in Schedule C for failure to attach tag shall be waived. Regardless of whether an animal has a microchip or not, all animals require a license within the Town and are subject to licensing fees as per Schedule A of this bylaw.
4. In addition to the applicable costs identified in Schedules A or B, any actual costs of veterinary care provided to the animal while it is impounded shall be added to the applicable Schedule A and/or B fees, and to any applicable penalties identified within Schedule C of this bylaw.

**SCHEDULE C
PENALTIES**

SECTION of BYLAW	OFFENCE	PENALTY (Fine)		
		1 st Offence	2 nd Offence	3 rd & subsequent offences
5.1(a)	Failure to license an animal	\$50	\$75	\$100
5.1(h)	Failure to attach a valid License tag, or a tag identifying the animal owner, when an animal is off the premises of the owner (with exception to micro-chipped animals)	\$50	\$75	\$100
5.1(o)	Giving false information when applying for license	\$50	\$75	\$100
6.1	Keeping or harbouring livestock or poultry within the town boundaries	\$300	\$500	\$800
7.1	Owning or harbouring any prohibited animal	\$300	\$500	\$800
7.2	Operating an establishment that buys, sells, trades, exhibits or harbours prohibited animals	\$300	\$500	\$800
8.1	Feeding of wildlife	\$50	\$75	\$100
9.2	Exceeding limit of allowable animals on any one property (harbouring)	\$100 for each animal exceeding the limit and incurred removal costs		
10.1	Failure to provide proper sanitary and structural conditions for an animal in an animal run	\$100	\$200	\$300
11.1	Failure to properly restrain animal on private property	\$50	\$75	\$100
11.2	Dog leash inappropriate length	\$50	\$75	\$100
11.3	Animal running at large	\$50	\$75	\$100
11.4	Animal in water where prohibited	\$50	\$75	\$100
11.5	Animal in play structure area, golf course, or cemetery	\$50	\$75	\$100

11.6(a)	Animal left unattended while tethered in a public place	\$50	\$75	\$100
11.6(b)	Animal left unsupervised while tethered on private property	\$50	\$75	\$100
11.6(c)	Animal left unattended in vehicle improperly	\$50	\$75	\$100
11.6(d)	Animal left unattended in vehicle when weather conditions not suitable	\$100	\$200	\$300
11.7(a)	Animal outside cab of vehicle	\$50	\$75	\$100
12.1	Failure to immediately remove an animal's excrement from public or private property other than the property of the animal's owner	\$50	\$75	\$100
12.2	Ensure excrement on the animal owner's property does not accumulate	\$50	\$75	\$100
13.1(a)	Animal biting a person or other animal	\$100	\$200	\$300
13.1(b)	Animal injuring a person or other animal	\$100	\$200	\$300
13.1(c)	Animal chasing or threatening a person or other animal	\$100	\$200	\$300
13.1(d)	Dog barking at or chasing animals, bicycles or vehicles	\$50	\$75	\$100
13.1(e)	Barking, howling, or hissing causing a disturbance or otherwise disturbing the peace	\$50	\$75	\$100
13.1(f)	Causing damage to property	\$50	\$75	\$100
13.1(g)	Defecating, urinating, or spraying on private property	\$50	\$75	\$100
13.1(h)	Digging in flowerbeds and gardens or waste receptacles	\$50	\$75	\$100
13.1(i)	Scattering garbage	\$50	\$75	\$100
13.1(j)	Trespassing on private property	\$50	\$75	\$100
13.1(k)	Animal attacking a person causing severe injury	\$100	\$200	\$300
13.1(l)	Causing death to an animal	\$100	\$200	\$300

13.1(m)	Animal barking or howling between 9:00 pm and 7:00 am	\$50	\$75	\$100
13.2	Directing animal to attack, chase, harass or threaten a person or animal	\$100	\$200	\$300
14.3	Failing to display and/or maintain signage warning of the presence of a dangerous animal at the owner's premises	\$300	\$500	\$800
14.4	Failing to inform Town before keeping or harboring an animal declared dangerous by a judge	\$300	\$500	\$800
15.3	Obstructing or interfering with officer	\$300	\$500	\$800
20.2	Failure to report suspected case of rabies	\$100	\$200	\$300
20.3	Failure to confine animal suspected of having rabies for 10 days	\$100	\$200	\$300
22.1	Teasing an animal in an enclosure	\$100	\$200	\$300
22.2	Keeping an animal in an unsanitary enclosure	\$100	\$200	\$300
22.3	Untying, loosening or freeing restrained animal	\$50	\$75	\$100
Schedule F	Improper use of a cat trap	\$50	\$75	\$100

CATEGORIES OF VIOLATION:

Life Safety Violation - **RED** (1st offence - \$100, 2nd - \$200, Further - \$300)

Nuisance Violation – **GREEN** (1st offence - \$50, 2nd - \$75, Further - \$100)

Contempt Violation - **PURPLE** (1st offence - \$300, 2nd - \$500, Further - \$800)

SCHEDULE D
PROHIBITED ANIMALS

It is prohibited in the Town of Maple Creek 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:
- (b)
 - (i) any part, tissue, genetic material, eggs, sperm, embryos or other forms of developmental life; and
 - (ii) any exotic wildlife found in Saskatchewan, including but not limited to:
 - (a) all Arachnids dangerous to humans (i.e. scorpions and tarantulas except tarantulas of the genera *Aphonopelma*, *Avicularia* and *Grammostola*)
 - (b) all Artiodactylus Ungulates (i.e. deer and giraffes)
 - (c) all Vespertilionidae (i.e. bats)
 - (d) all Canids, except the domestic dog
 - (e) all Crocodilians (i.e. alligators and crocodiles)
 - (f) all Edentates (i.e. anteaters and armadillos)
 - (g) all Elephants
 - (h) all Felids, except the domestic cat
 - (i) all Hyaenidae (i.e. hyenas)
 - (j) all Marsupials (i.e. kangaroos and opossums)
 - (k) all Mustelids (i.e. skunks, weasels, otters and badgers) except the domestic ferret
 - (l) all non-human Primates (i.e. gorillas and monkeys)
 - (m) all Perissodactylus Ungulates (i.e. horses)
 - (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. rattle snakes and cobras)
 - (u) all Venomous Amphibians (i.e. toxic toads and toxic salamanders)
 - (v) all Viverrids (i.e. mongoose, civets and genets)

SCHEDULE E

FORM OF NOTICE OF ANIMAL SEIZURE

You are hereby notified that an animal bearing License No. for 20_____

registered under the above name and address, was impounded on_____, A.D. 20_____

pursuant to the provisions of Bylaw No. 2024-MC-02 of the Town of Maple Creek, and that,
unless the said animal is claimed and all impoundment charges are paid, on or before _____
_____, 20____,

the said animal will be delivered to the SPCA, euthanized or otherwise disposed of pursuant to the said
Bylaw.

SCHEDULE F

CAT TRAP PERMIT

DATE: _____

TRAP NO. _____

The undersigned agrees to the following terms and conditions:

- to place the cat trap on his or her property;
- to personally monitor the cat trap on a regular basis where it is set to ensure that no harm comes to any cat trapped;
- In the event a cat is trapped, to immediately contact the Animal Control Officer at 662-2244 or the Town Office at 662-2244. The cat may be held until picked up by the Town official. Where a cat is held, the undersigned is responsible for the humane treatment and shelter of the cat including feeding and watering. A captured cat 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 no attempt to remove an unfamiliar cat from the trap, this will be done by the Animal Control Officer. If the undersigned cannot comply with this condition, the trapped cat must be freed unharmed;
- to ensure that no harm comes to any trapped cat while in his or her possession including exposure to inclement weather;
- cat traps are not to be used when the temperature falls below 0 degrees Celsius or rises above +27 degrees Celsius;
- any Animal Control Officer, Bylaw Enforcement Officer or Peace Officer may enter the property of the undersigned to ensure the trap is being used properly;
- to advise the Town of the ownership of any cat trapped, if known;
- to be responsible for the trap, including the cost of repair and replacement if damaged, lost or stolen.

ADDRESS OF INTENDED LOCATION OF TRAP: _____

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

TRAP MUST BE RETURNED BY: _____ (Date)

SIGNATURE: _____ WITNESS: _____

NAME OF COMPLAINANT: _____

TRAP RETURNED: DATE: _____ REC'D BY: _____

REMARKS:

SCHEDULE G

SIGN TO BE DISPLAYED BY OWNER OF DANGEROUS ANIMAL

If the animal that has been declared dangerous is a dog, the following sign must be used:



If the animal that has been declared dangerous is any animal other than a dog, the following sign must be used:

