

CITY OF ESTEVAN



The Animal Control Bylaw 2022-2053

TABLE OF CONTENTS

	<u>Page</u>
<u>PART 1: INTERPRETATION</u>	
1. Short Title	4
2. Purpose.....	4
3. Exemptions for Police Service Dogs	4
4. Definitions.....	4
<u>PART 2 – LICENSING FOR CATS AND DOGS</u>	
5. Requirement for Cat and Dog Licences.....	6
6. Information to be provided by Owner.....	6
7. Fees for Licences	6
8. Reduced Fees in Certain Circumstances.....	6
9. Licences are Non-Transferable... ..	7
10. Licences shall be Displayed on the Animal.....	7
<u>PART 3 – DUTIES OF CATS AND DOG OWNERS</u>	
11. Duties of cat and dog owners.....	7
<u>PART 4 – REGULATION AND CONTROL OF CATS AND DOGS</u>	
12. Cats and Dogs at Large.....	8
13. Maximum Number of Animals Allowed.....	8
14. Barking or Howling.	8
15. Animal Runs and Fencing	8
16. Defecation.....	9
<u>PART 5 – IMPOUNDING OF CATS AND DOGS</u>	
17. Impounding of Cats and Dogs.....	9
18. Interference with Enforcement... ..	9
19. Impounded Cats and Dogs.....	9
20. Disposal of Unclaimed Cats and Dogs.....	10
<u>PART 6 – CAT TRAPS</u>	
21. Cat Traps	10
<u>PART 7- OFF-LEASH AREAS</u>	
22. Dogs Permitted to be Off-Leash.....	11
23. Prohibited Dogs in Off-Leash Areas.....	11
24. Nuisance Prohibited.....	11
<u>PART 8- CONTROL AND REGULATION OF PIGEONS</u>	
25. Pigeons on Property of the Owner Only.....	12
26. Lofts and Flight pens for Pigeons.....	12
27. Exemptions to Pigeons being inside a Loft or Flight Pen.....	12
<u>PART 9- CONTROL AND REGULATION OF EXOTIC AND WILD ANIMALS</u>	
28. Owning, Harboursing, Renting and Selling Exotic and Wild Animals.....	12
29. Exemptions to Section 27.....	12
30. Other Animals.....	13

PART 10- CONTROL OF DISEASED ANIMALS AND RABIES

31. Animal Bites and Rabies	13
32. Communicable Disease, Grave Injuries and Euthanasia.....	13

PART 11- GENERAL VIOLATIONS

33. Teasing and Enticing Animals.....	14
34. Unsanitary Conditions.....	14
35. Releasing Animals.....	14
36. Kennels.....	14
37. General Violations.....	14

PART 12- OFFENCES AND PENALTIES

38. Collection of Costs or Expenses.....	15
39. Offences.....	15

PART 13 – REPEALING BYLAWS

40. Repealing Bylaws.....	16
---------------------------	----

PART 14 – EFFECTIVE DATE OF BYLAW

41. Effective Date of Bylaw.....	16
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SCHEDULES

Schedule "A" - Notice of Violation Penalties.....	17
Schedule "B" - Licence Fees for Cats and Dogs	19
Schedule "C"- Humane Society Impound Fees.....	20
Schedule "D" - Cat Trap Permit.....	21
Schedule "E" - Notice of Violation Ticket	22
Schedule "F"- Prohibited Animals	23

City of Estevan

BYLAW 2022-2053

A BYLAW OF THE CITY OF ESTEVAN, IN THE PROVINCE OF SASKATCHEWAN FOR
LICENSING, PROHIBITING, REGULATING AND CONTROLLING OF ANIMALS IN THE CITY OF ESTEVAN.

WHEREAS, Section 8 of *The Cities Act* authorizes a Council to license, regulate and control any animal or class of animals;

AND WHEREAS, it is deemed in public interest to regulate and control persons owning animals;

AND THEREFORE, The Council of the City of Estevan, in the Province of Saskatchewan enacts as follows:

PART 1: INTERPRETATION

1. Short Title

This Bylaw may be cited as the *"The Animal Control Bylaw"*.

2. Purpose

The purpose of this Bylaw is as follows:

- (a) to provide for the licensing of cats and dogs;
- (b) to control and regulate cats and dogs;
- (c) to provide for the impounding of cats and dogs that are at large;
- (d) to control and regulate pigeons;
- (e) to control and regulate exotic and wild animals; and
- (f) to ensure the humane treatment of animals and to promote the safety, health and welfare of people and the protection of people and property in the City of Estevan.

3. Exemptions for Police Service Dogs

The sections of this Bylaw do not apply to police service dogs under the control and supervision of their handler and either on active duty or engaged in training.

4. Definitions

In this Bylaw;

"Animal Run" means an enclosure or structure outside of a residential dwelling unit used for the harbouring or containment of dogs or cats;

"Animal Shelter" means any facility designated as such by the City, and shall include the Humane Society;

"At Large" means, if the animal is off the premises of its owner, and/or not on a leash under immediate, continuous and effective control of its owner;

"Bylaw Enforcement Officer" means an employee(s) of the City appointed by Council and/or City Manager to act as a Bylaw Enforcement Officer for the purposes of this Bylaw or specific sections of this bylaw;

"Cats" means all species of the animal commonly known as cats, male or female, and of every breed or classification or mixture of breeds;

"Cat Trap Permit" means a permit in the form set out in Form B, issued by the Bylaw Enforcement Officer to a person to trap a cat running at large;

"City" means the City of Estevan;

"Council" means the Council of the City of Estevan;

"Dogs" means all species of the animals commonly known as dogs, male or female, and of every breed or classification or mixture of breeds;

"Dog Run" means a structure designed and/or used for the keeping or containment of a dog;

"Harboring" means allowing any animal to remain, be lodged, fed, or sheltered on the property one owns, occupies or controls, for more than twenty-four (24) hours;

"Humane Society" means that person, corporation, society or organization as may from time to time be appointed by the City of Estevan for the purpose of retaining impounded dogs and cats pursuant to this Bylaw;

"Judge" means a Provincial Court Judge;

"Kennel" means any structure used by any person to board or otherwise care for, training or whelping dogs or cats exceeding three (3) dogs or three (3) cats in number over the age of three (3) months, whether or not for reward, but does not include:

- (a) any premises occupied by a duly qualified veterinary surgeon; and
- (b) for the practice of their profession;

"Leash" means a chain or other material capable of restraining the dog on which it is being used;

"Livestock" means cattle, horses, mules, asses, sheep, goats, or swine;

"Nuisance" means an animal which is behaving in a manner that interferes with the personal comfort or amenities of a neighborhood;

"Owner" means any persons, partnership, association, or corporation owning, possessing, harbouring, having charge of or control over any animal, and includes a keeper of a dog or cat;

"Pests" means any animal that causes trouble, annoyance, nuisances, discomfort, or destruction, including but not limited to, skunks, rabbits and raccoons;

"Poultry" means a chicken, turkey, duck, goose, or other domestic fowl;

"Police Service Dog" means a dog that:

- (a) is owned by the Estevan Police Service or other public law enforcement agency;
- (b) has been specially trained for the performance of police work; and
- (c) is under the control and supervision of a member of the Estevan Police Service or other public law enforcement agency;

“Provocation” means an act done intentionally for the purpose of provoking an animal to which this Bylaw applies;

“Public Health Official” means a public health official appointed under *The Public Health Act*;

“Running at Large” means being on:

- (a) public property unaccompanied by any person, or;
- (b) public property accompanied but not under the “complete” control of a person by means of a leash suitable to the size and strength of the animal, or;
- (c) private property unaccompanied or accompanied by any person but not under the “complete” control of a person by means of a leash suitable to the size and strength of the animal where the property owner has not given permission to the owner of the animal;

“Service Dog” means an animal that is trained and certified to be used by a person with a disability for reasons relating to his or her disability.

PART 2: LICENSING FOR CATS AND DOGS

5. Requirement for Cat and Dog Licences

(1) Every owner of a cat or dog that is over three (3) months of age, or in circumstances where the age of the cat or dog is unknown, shall within thirty (30) days of becoming the owner of such cat or dog, obtain a licence for each cat or dog and pay the mandatory fee.

6. Information to be provided by Owner

(1) When applying for a licence, the owner shall provide the following information:

- (a) a description of the cat or dog including breed, name, gender, and age;
- (b) a history of any rabies vaccinations for the animal and whether the animal has been spayed or neutered. The owner shall provide a valid Certificate from a Veterinarian indicating the vaccination or spay/neuter has been completed;
- (c) confirmation as to whether the cat or dog has a history of aggressive behaviour including whether the cat or dog has been subject to any proceeding in any jurisdiction to be declared a dangerous animal;
- (d) the name, address, telephone number and email address of the owner; and,
- (e) any other relevant information which may be required by the City.

7. Fees for Licences

(1) The fees for acquiring a lifetime licence and obtaining a replacement licence are indicated in Schedule “B” to this Bylaw.

(2) A Service Dog, as defined in this Bylaw, shall be licensed, and the City shall issue the license without charge.

8. Reduced Fees in Certain Circumstances

(1) If an owner claims that their animal is:

- (a) spayed or neutered;

- (b) vaccinated for rabies; or,
- (c) a service dog;

(2) the owner shall provide evidence to the City of the animal's status such as:

- (a) in the case of a spayed or neutered cat or dog, written confirmation from a certified veterinarian that the animal is incapable of reproducing due to the completion of the appropriate surgical procedure;
- (b) in the case of rabies vaccination for cat or dog, written confirmation from a certified veterinarian that the animal has received the appropriate vaccinations; and
- (c) in the case of a service dog, evidence that the dog has successfully completed advance training to be certified to competently perform the duties of a service dog to a person with a recognized and ongoing disability such as vision impairment.

(3) Vaccinations are to be maintained and kept valid for the life of the pet. Animals who have expired vaccinations; the license shall be considered void.

9. Licences are Non-Transferable

(1) Any licence issued by the City shall not be transferable between animals or between owners.

10. Licences shall be Displayed on the Animal

(1) The owner of a cat or dog shall ensure that the cat or dog wears a collar to which a valid license tag is affixed and displayed at all times when the animal is off the property of the owner or in public.

(2) The license tag issued shall bear a serial number and a record shall be kept by the City showing the name and address of the owner along with a residential and business phone number and a description of each dog or cat owned, including its breed, colour, sex, age and name and the serial number of the tag issued for each dog or cat.

(3) No unauthorized person shall remove a collar or license tag from a dog or cat.

PART 3: DUTIES OF CAT AND DOG OWNERS

11. Duties of cat and dog owners

(1) A person who has ownership, possession or control of an animal:

- (a) shall ensure the animal has an adequate source of food and water;
- (b) shall provide the animal with adequate medical attention when the animal is wounded, seriously ill or in unreasonable distress;
- (c) shall provide the animal with reasonable protection and shelter from harmful heat or cold; and
- (d) shall not confine the animal to an enclosure or area:
 - (i) with inadequate space;
 - (ii) with unsanitary conditions;
 - (iii) with inadequate ventilation; or
 - (iv) without providing an opportunity for exercise, so as to significantly impair the animal's health and wellbeing.

PART 4: REGULATION AND CONTROL OF CATS AND DOGS

12. Cats and Dogs at Large

(1) No person who has ownership, possession or control of an animal shall permit a cat or dog to be at large, except as provided in Part 7 of this Bylaw.

13. Maximum Number of Animals Allowed

(1) No more than four (4) animals over the age of six (6) months shall be owned, possessed, and/or harboured in a single dwelling unit, excluding:

- (a) a veterinary hospital, clinic, boarding kennel or grooming parlor; and
- (b) The Humane Society.

14. Barking or Howling

(1) No person shall allow their dog or cat to become a nuisance by barking or howling or emitting other animal sounds continuously for a period exceeding 10 minutes.

(2) No person shall allow their dog or cat to fight with other dogs or cats, howl or hiss at night, dig in flower beds or garbage containers and trespass on private/public property.

15. Animal Runs and Fencing

(1) Where a dog or cat 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.

(2) The owner shall remove all defecation from the animal run daily and dispose of in a sanitary manner.

(3) 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.

(4) Where the 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.

(5) The owner shall ensure an animal run on their property is located no closer than 2 meters from a property line.

(6) If, in the opinion of a City Building Official, Bylaw Enforcement Officer or Peace Officer, the condition or location of an animal run is not in accordance with this Bylaw, the City Building Official, Bylaw Enforcement Officer or Peace

Officer may order the owner of the property on which the animal run is located, to clean, alter, demolish or relocate the dog run within the time period specified in the order.

- (a) The person to whom an order is issued pursuant to subsection (6) shall comply with the order within the time specified in the order.
- (b) An order to relocate a dog run issued pursuant to subsection (6) will allow the owner of the property on which the animal run is located, a minimum 30 days to relocate or remove the animal run.

16. Defecation

- (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 private property of the animal's owner, and dispose of it in a sanitary fashion.
- (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.

Part 5: IMPOUNDING OF CATS AND DOGS

17. Impounding of Cats and Dogs

- (1) A Bylaw Enforcement Officer or peace officer may seize and impound any cat or dog that is at large.
- (2) A Bylaw Enforcement Officer or peace officer may enter onto the land surrounding any building in pursuit of any cat or dog which is found at large.

18. Interference with Enforcement

- (1) No person, including the person who is the owner of a cat or dog which is being impounded or has been impounded, shall interfere with a Bylaw Enforcement Officer, Peace Officer or Humane Society member who is impounding any cat or dog in accordance with the provisions of this Bylaw.

19. Impounded Cats and Dogs

- (1) The Humane Society shall house all impounded cats and dogs for a minimum of at least seventy-two (72) hours, excluding the day of impoundment. Statutory holidays shall not be included in the calculation of the seventy-two (72) hour period.
- (2) During this period, the owner may reclaim the cat or dog from the Humane Society upon payment to the Humane Society of the fees set out in Schedule "C".
- (3) No unlicensed cat or dog which is impounded shall be released to its owner until a license has been purchased from City Hall.
- (4) If a cat or dog impounded is wearing a valid license tag, the Humane Society member shall immediately notify the owner of the seizure of the cat or dog at the telephone number or address shown in the records. No liability whatsoever shall attach to the City or the Humane Society by reason of the failure of the owner to receive such notice.

(5) When any dog or cat is impounded, the Humane Society shall post a notice on the Estevan Humane Society social media page(s), giving a description of the dog or cat, the location where it was found and the date and time when it was impounded.

(6) The person who reclaims a cat or dog from the Humane Society is deemed to have been the owner of the cat or dog at the time the cat or dog was at large.

(7) Impound Fees shall be as prescribed in Schedule "C" and shall be in addition to any charges for food or otherwise, the Humane Society may impose.

(8) The Humane Society shall keep a record of all dogs and cats impounded and shall make the record available to the City Treasurer on a monthly basis.

(9) The City Treasurer shall institute a proper accounting system to ensure that official receipts are issued in respect of any license fees, pound fees or charges, or other monies received or collected in respect of this Bylaw, and all records in respect of same are audited at the same time as other City records.

20. Disposal of Unclaimed Cats and Dogs

(1) A dog or cat will be considered disposed of and become the property of the Humane Society if the impounded dog or cat is not claimed in accordance with Section 19 of the Bylaw or if an owner relinquishes the dog or cat to the Humane Society. The dog or cat may be disposed of by the Humane Society without further notice in the following manner:

- (a) Disposal by adoption, where in the opinion of the Humane Society, the dog or cat is suitable for adoption;
- (b) Disposal by euthanasia where in the opinion of the Humane Society, the dog or cat is not suitable for adoption;
- (c) Disposal by euthanasia if the dog or cat is not adopted within a reasonable time, at the discretion of the Humane Society.

PART 6: CAT TRAPS

21. Cat Traps

(1) A person, who has been bothered by a cat being at large, may apply to the Bylaw Enforcement Officer to receive a Cat Trap Permit.

(2) Only traps approved and distributed by the Bylaw Enforcement Officer may be used within the City of Estevan.

(3) The Bylaw Enforcement Officer shall only approve a Cat Trap Permit and issue a cat trap to a person making an application pursuant to subsection (1), when that person agrees to all the terms included in the Cat Trap Permit as set out in Schedule "D".

(4) Where a cat trap is issued, the applicant shall:

- (a) abide by the terms of the Cat Trap Permit;
- (b) place the cat trap only on the applicant's property located within the City;
- (c) personally check the trap at least once each hour while the trap is set;
- (d) when a cat is trapped, contact the Bylaw Enforcement Officer immediately;
- (e) not use the trap when the temperature is:

- (i.) 0° C or less; or
- (ii.) 28° C or more; and
- (f) pay for the cost of repair or replacement if the issued cat trap is damaged, lost or stolen;
- (g) when a cat has been trapped in a cat trap, the applicant shall, until a Bylaw Enforcement Officer can collect the cat:
 - (i.) leave the cat in the trap and place the trap in a warm, dry and secure area (such as a shed or garage) with a blanket placed over the trap to pacify the cat;

(5) The applicant shall not open the trap or attempt to handle the cat under any circumstances or conditions.

PART 7: OFF-LEASH AREAS

22. Dogs Permitted to be Off-Leash

- (1) The owner of a dog in an off-leash area shall ensure that such dog is under control at all times.
- (2) Parking lots are not considered part of the off-leash areas referred to in subsection (1).

23. Prohibited Dogs in Off-Leash Areas

- (1) No owner of a dog shall permit the dog to be in an off-leash area at any time, whether the dog is on a leash or not, if the dog:
 - (a) has been declared dangerous pursuant to The Dangerous Dog Bylaw 2005-1710;
 - (b) is a female dog that is in heat; or
 - (c) has, on two or more occasions, become a nuisance within the meaning of Section 24.

24. Nuisance Prohibited

- (1) No owner of a dog shall permit or allow the dog to become a nuisance to other persons or animals in an off-leash area.
- (2) For the purposes of subsection (1), the behavior of a dog which constitutes a nuisance includes, but is not limited to, the following:
 - (a) running at such a distance from its owner so as to be incapable of responding to voice or sight commands;
 - (b) doing any act that injures a person or another animal;
 - (c) chasing or otherwise threatening a person or another animal;
 - (d) biting, barking at, or chasing bicycles or motor vehicles;
 - (e) excessive barking or howling or otherwise disturbing any person or other animal; or
 - (f) causing damage to property.
- (3) In order to prevent a dog from becoming a nuisance in an off-leash area, the owner of the dog shall:
 - (a) accompany the dog in the off-leash area at all times; and
 - (b) carry a leash not exceeding two metres in length for the dog.
- (4) In the event that a dog becomes a nuisance, the owner of the dog shall immediately restrain the dog by placing the dog on a leash not exceeding two metres in length and removing the dog from the off-leash area.

PART 8: CONTROL AND REGULATION OF PIGEONS

25. Pigeons on Property of Owner Only

(1) The owner of a pigeon shall not permit the pigeon to perch or linger on the property of any person, except that of the owner.

26. Lofts and Flight Pens for Pigeons

(1) No loft or flight pen shall be built closer than six (6) metres from any school, church, dwelling or premises used for human habitation or occupancy, other than the premises occupied by the owner of such loft or flight pen.

(2) A loft shall be constructed so as to be dry, airy and bright inside and shall have adequate ventilation having regard to the number of pigeons kept therein.

(3) A loft shall be kept in a reasonable state of repair.

(4) All lofts and flight pens shall be cleaned regularly of all excrement and refuse and shall be kept in a sanitary condition satisfactory to the Bylaw Enforcement Officer.

(5) The inside of a loft shall be disinfected at least twice each year, and at such other times as may be directed by the Bylaw Enforcement Officer to standards satisfactory to the Bylaw Enforcement Officer.

(6) Every person who keeps pigeons shall allow the Bylaw Enforcement Officer at any time, to inspect the loft or flight pen in which such pigeons are housed and shall obey all lawful directives regarding same.

27. Exemptions to Pigeons Being Inside a Loft or Flight Pen

(1) No person shall permit pigeons owned or under the person's control to be outside the loft or flight pen except:

- (a) for the purpose of supervised exercise to achieve and maintain muscular condition, provided exercise does not exceed three hours per day; or
- (b) for the purpose of returning to the loft or flight pen from a supervised race or training flight.

PART 9: CONTROL AND REGULATION OF EXOTIC AND WILD ANIMALS

28. Owning, Harboursing, Renting and Selling Exotic and Wild Animals

(1) No person shall own or harbour any animal, or hybrid of any animal, of the kind listed in Schedule "F" for any purpose.

(2) No person, partnership or corporation, whether operated separately or in connection with another business enterprise, shall operate a pet store that buys, sells, rents, trades, exhibits or harbours any animal or hybrid of any animal of the kind listed in Schedule "F".

29. Exemptions to Section 27

The following are permitted to harbour an animal or a hybrid of an animal of the kind listed in Schedule "F" in the following places or circumstances:

- (a) on the premises of the Estevan Humane Society;
- (b) in a veterinary hospital under the care of a licensed veterinarian;
- (c) 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.

30. Other Animals

- (1) No person shall own or harbour any live poultry, livestock, and/or bees, within the City of Estevan, except:
- (a) on the premises of the Estevan Agricultural Exhibition Association Ltd. in connection with shows, fairs, and/or exhibitions held with the permission of, or under the sponsorships of such association providing the show, fair, or exhibitions does not exceed 72 hours in length;
 - (i) an agricultural display sponsored by a 4-H Club or similar organization;
 - (ii) a petting zoo;
 - (iii) a pony ride for children; or
 - (iv) an activity similar to those described in subclauses (i) to (iii).
 - (b) on land owned by the City and leased for the purposes of pastureland.

PART 10: CONTROL OF DISEASED ANIMALS AND RABIES

31. Animal Bites and Rabies

- (1) When an animal has bitten a person or domestic animal, the person shall provide the full details of the animals(s) and the owner(s), if known, to the Bylaw Enforcement Officer immediately.
- (2) 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 or rabies for a period of not less than ten (10) days.
- (3) An owner of an animal suspected of having rabies, or has been in contact with a rabid animal, shall immediately report the matter to a Public Health Official, Bylaw Enforcement Officer and any other agencies as required by the Public Health Official. All instructions given to the owner from the Public Health Official and/or Bylaw Enforcement Officer shall be carried out.
- (4) An owner of an animal suspected of having rabies shall confine or isolate the animal, in such a manner as prescribed so as to prevent the further spread of disease.
- (5) 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.

32. Communicable disease, Grave injuries and Euthanasia

- (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 Public Health Official, Veterinarian, Bylaw Enforcement Officer and any government officials who have authority to issue such orders.

(2) A Veterinarian may take immediate action to euthanize any sick or gravely injured animal found within the City where, in the opinion of a Veterinarian, immediate euthanizing of the animal is required in order to avoid unnecessary suffering of the animal.

(3) Reasonable efforts shall be made to contact the owner of the animal before the animal is euthanized. No liability will lie against the City, Bylaw Enforcement Officer or Veterinarian if the owner cannot be contacted.

PART 11: GENERAL VIOLATIONS

33. Teasing and Enticing Animals

(1) No person shall tease, entice, bait, or throw objects at an animal confined within the owner's property.

34. Unsanitary Conditions

(1) No person shall keep an animal in an unsanitary condition. Conditions shall be considered unsanitary where the keeping of the animal results in 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 near any dwelling, office, or commercial establishment.

35. Releasing Animals

(1) No person shall untie, loosen or otherwise free an animal which has been tied or otherwise restrained, or negligently or willfully open 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.

36. Kennels

(1) The operation of any kennel within the City shall be subject to approval from a Public Health Officer for the Saskatchewan Health Authority, and the kennel shall comply with the provisions of any City of Estevan Zoning Bylaw relating to the operation of kennels within the City.

37. General Violations

(1) No person shall allow their dog or cat to be on any school ground, playground, or posted area.

(2) No person shall allow their dog or cat to chase any pedestrian, vehicle or any other animal on a public street.

(3) No person shall allow their dog or cat to cause damage to public or private property.

(4) No person shall keep their dog or cat tethered on a chain, rope or similar restraining device of less than 3 meters in length.

(a) any person who has a tethered animal shall ensure the animal has unrestricted movement within the range of the tether.

(5) No person operating a motor vehicle within the city limits shall allow an animal to be on the drivers lap while the vehicle is in motion.

(6) No person operating a motor vehicle with an exposed cargo area, shall allow an animal to be outside of a pet cage in the exposed cargo area.

PART 12: OFFENCES AND PENALTIES

38. Collection of Costs or Expenses

- (1) The City may pay any costs for which the owner of a dog is responsible pursuant to this Bylaw and may add the amount to the tax roll of any parcel of land for which the owner is an assessed person.
- (2) If an amount is added to the tax roll of a parcel of land pursuant to subsection a), the amount:
 - (a) is deemed for all purposes to be a tax imposed pursuant to *The Cities Act, supra*, from the date it was added to the tax roll; and
 - (b) forms a lien against the parcel of land in favour of the City from the date it was added to the tax roll.

39. Offences

- (1) No person shall:
 - (a) Fail to comply with an order pursuant to this Bylaw.
 - (b) Obstruct or hinder any Inspector or any other person acting under the authority of this Bylaw.
 - (c) Fail to comply with any other provision of this Bylaw.
- (2) Any person that fails to comply with the above is guilty of an offense and liable on summary conviction:
 - (a) a fine of not more than \$10,000;
 - (b) imprisonment for not more than six months;
 - (c) a penalty consisting of any combination of clauses (a) and (b)
- (3) Every person who contravenes any provision of this Bylaw where no other penalty is provided is guilty of an offence and liable on summary conviction and to a fine of not more than:
 - (a) \$2,000.00 in the case of an individual;
 - (b) \$5,000.00 in the case of a corporation.
- (4) All fines, penalties and forfeitures mentioned in this Bylaw may be recovered and enforced with costs by summary conviction before a Judge and, in default of payment, the person convicted may be imprisoned for a term of not more than 90 days, unless the fines or penalties are paid sooner.
- (5) This Bylaw may be enforced, and the contravention of any provision of the Bylaw restrained, by any court on action brought by the City of Estevan, whether or not any penalty is imposed for the contravention.
- (6) Conviction of a person for a contravention of any provision of this Bylaw does not relieve them from compliance with the Bylaw, and the convicting Judge or Justice of the Peace shall, in addition to any fine imposed, order the person to perform, within a specified period, any act or work necessary for the proper observance of the Bylaw or to remedy the contravention of Bylaw.
- (7) A person who fails to comply with an order made pursuant to subsection (6) hereof within the period specified in the order, is guilty of an offence and liable on summary conviction to a fine of not more than \$250.00 for each day during which the failure continues, to imprisonment for a term of not more than 90 days or to both such fine and imprisonment.
- (8) Where a bylaw enforcement officer or peace officer believes that a person has contravened the provisions of this Bylaw, they may by personal service, serve or cause to be served upon such person a notice of violation.

(9) The notice of violation in Schedule "E" shall be in a form similar to that provided as Schedule "E" of this Bylaw and shall indicate thereon the Section of the Bylaw which was contravened and the amount of penalty to be paid as provided in Schedule "A" of this Bylaw.

(10) Where a Notice of Violation is issued, a person may make voluntary payment of the amount shown on the Notice of Violation, if the person does so before the date specified as the payment date set out in the Notice of Violation.

(11) Where the City receives a voluntary payment of the prescribed amount in Schedule "A" before a Court Summons is issued, the person receiving the Notice of Violation shall not be liable to prosecution for the contravention.

(12) If payment is not received as provided in subsection (10) hereof within the time prescribed, a summons shall be issued to the person alleged to have committed the offence and thereafter the provisions of this section shall not apply with respect to that offence. A person to whom a notice of violation in Schedule "E" is being issued pursuant to this section shall furnish any Bylaw Enforcement Officer or Peace Officer, upon request, with their name and address.

PART 13: REPEALING BYLAWS

40. Former Bylaw Repealed

(1) That Bylaw 2005-1709 of the City of Estevan, Saskatchewan and all amendments thereto are hereby repealed; such repeal shall not prejudicially affect any matter or thing whatever done, existing or pending at the time of such repeal.

PART 14: EFFECTIVE DATE OF BYLAW

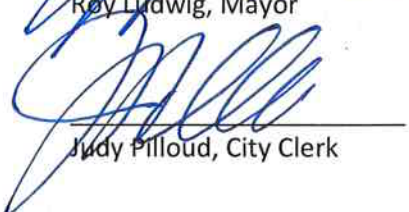
41. Effective Date of Bylaw

(1) This Bylaw shall come into force and take effect on the day of final passing.

City of Estevan



Roy Ludwig, Mayor



Judy Pilloud, City Clerk

Read a first time this 14th day of February, 2022

Read a second time this 28th day of February, 2022

Read a third and final time this 28th day of February, 2022

SCHEDULE "A"**"Notice of Violation Penalties"**

OFFENCE UNDER	OFFENSE	AMOUNT
Section 5	Unlicensed Animal	\$ 125.00
Section 6	False Information	\$ 100.00
Section 10	Dog Not Wearing License	\$ 100.00
Section 10 (3)	Removing License Tag	\$ 100.00
Section 12 (1)	Running at Large	\$ 150.00
Section 14 (1)	Causing A Nuisance (Barking/Howling)	\$ 100.00
Section 15 (6)	Failure To Clean, Alter, Demolish or Relocate Dog Run	\$ 250.00
Section 16 (1)	Failure to Remove Defecation	\$ 150.00
Section 18 (1)	Interfere With Enforcement Impounding Animal	\$ 100.00
Section 25 (1)	Pigeon On Other Person's Property	\$ 100.00
Section 27 (1)	Pigeon Improperly At Large	\$ 100.00
Section 28 (1)	Owning And Harboursing Exotic and Wild Animals	\$ 250.00
Section 31 (2) or (5)	Failure to Quarantine Animal Suspected of having Rabies	\$ 250.00
Section 33 (1)	Teasing An Animal	\$ 100.00
Section 34 (1)	Unsanitary Conditions for Animals	\$ 250.00
Section 37 (1)	Allow Animal to Enter Prohibited Areas	\$ 100.00
Section 37 (2)	Chasing Other Animals or Vehicles	\$ 100.00
Section 37 (3)	Causing Damage to Public or Private Property	\$ 100.00
Section 37 (5)	Animal On Driver's Lap While Vehicle In Motion	\$ 50.00
Section 37 (6)	Animal Not In a Pet Cage In Cargo Area	\$ 50.00
Other	Any Other Section Of The Bylaw Violated For Which No Specific Penalty Is Listed.	\$ 100.00

For any reoccurrence of offenses by one animal owner within one calendar year:

2nd Subsequent Offense - 2 times listed penalty

3rd & Subsequent Offenses - 3 times listed penalty

SCHEDULE "B"

"License Fees for Cats and Dogs"

Dogs and Cats	License Fee
Spayed or neutered & up to date rabies vaccinations	\$35.00 / life of pet
Spayed or neutered, but not up to date rabies vaccinations	\$50.00 / life of pet
Not spayed or neutered, but up to date rabies vaccinations	\$75.00 / life of pet
Not spayed or neutered and not up to date rabies vaccinations	\$100.00 / life of pet
Service dogs (Must provide appropriate documentation)	No Charge
Kennel License	\$200.00

SCHEDULE "C"

"Humane Society Impound Fees"

Humane Society Impound Fees	
All dogs or cats spayed or neutered & registered	
First offence in a calendar year	\$ 50.00
Second offence & every offence thereafter in a calendar year	\$ 100.00
All dogs or cats spayed or neutered & not registered	
First offence in a calendar year	\$ 100.00
Second offence & every offence thereafter in a calendar year	\$ 200.00
All Dogs or cats not spayed or neutered, (registered or not)	
First offense in a calendar year	\$ 200.00
Second Offense & every offense thereafter in a calendar year	\$300.00

The \$35.00 licensing fee to be waived if animal is adopted from the Estevan Humane Society.

Where the owner provides proof to the Humane Society that the animal has been licensed within 60 days of the offense, a credit will be provided to match standard pound rates.

Where the owner provides proof to the Humane Society that the animal has been spayed/neutered within 60 days of the offense along with proof of licensing, a credit to be provided to the owner of \$150.00 on the first offence or \$250.00 on the second offence.

All owners of dogs or cats with City licenses shall receive one waived impound fee and one waived running at large fine per year provided the animal is claimed by the owner within 24 hours.

The license Fees and Impound fees prescribed in this Schedule are in addition to \$15.00 per day or portion thereof for food or otherwise, that the Humane Society may impose.

SCHEDULE "D"

CAT TRAP PERMIT

Date: _____

Trap #: _____

Address of intended location of Trap: _____

I, the undersigned, agree to the following terms and conditions:

- The cat trap will be place only on my property within the City of Estevan;
- I will personally check the cat trap at least once every hour while the trap is set;
- When a cat is trapped, I will contact the Bylaw Enforcement Officer immediately;
- When a cat is trapped, I will treat the cat humanely;
- I will leave the cat in the trap and I will place the trap in a warm, dry and secure area (such as a shed or garage) with a blanket placed over the trap to pacify the cat;
- I will not allow harm to come to any trapped cat while in my possession including exposure to inclement weather;
- I will not use the cat trap when the temperature falls below 0° C or rises above +28°C;
- I give my permission to a Bylaw Enforcement Officer to enter onto my property to ensure the cat trap is being used properly;
- I will advise the Bylaw Enforcement Officer of the name and address of the owner of the cat trapped, if known; and
- I will pay the cost to repair or replace the cat trap if the cat trap is damaged, lost or stolen while in my possession;

IT IS A SERIOUS OFFENCE TO HARM ANY DOMESTIC ANIMAL

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

Signature: _____

Name and Address of Applicant: _____

SCHEDULE "E"



CITY OF ESTEVAN

NOTICE OF VIOLATION



(Avoid prosecution by paying Promptly)

Ticket # 0001	Date	Time	Occurrence #	
Location	Plate#	Make	Model	Colour
Bylaw#	Section			

- | | |
|---|--|
| ☐ Running at Large | ☐ Over Parking |
| ☐ No City Licence/ | ☐ Parking on Yellow Line |
| Not wearing Licence | ☐ Improper Parking |
| ☐ Other | ☐ Parked in a Handicap Zone |

Officer's Name		Remarks	
Violator's Name and Address			Phone#
PENALTY		PAY AMOUNT INDICATED	PENALTY
		No Reduction Allowed	N/A
		If Payment is made or postmarked within 14 days of issue date - Pay	

Payment in person may be made at... (cash only)

Estevan Police Service

301 - 11th Avenue, Estevan SK S4A 1C7

Estevan Police Service assumes no responsibility for cash sent through the mail.

WHITE- EPS YELLOW-File PINK- Violator

SCHEDULE "F"

THE LIST OF ANIMALS THE KEEPING OF WHICH IS PROHIBITED WITHIN THE CITY OF ESTEVAN

- All Arachnids dangerous to humans (such as scorpions and tarantulas, except tarantulas of the genera Aphonopelma, Avicularia and Grammostola)
- All Artiodactylus Ungulates (such as domestic goats, sheep, and cattle)
- All Bats
- All Canids, except the domestic dog
- All Crocodilians (such as alligators, crocodiles, and caimans)
- All Edentates (such as anteaters, sloths, and armadillos)
- All Elephants
- All Felids, except the domestic cat
- All Hyaenas
- All Marsupials (such as kangaroos and opossums)
- All Mustelids (such as skunks, weasles, otters, and badgers) except the domestic ferret
- All non-human Primates (such as gorillas and monkeys)
- All Perissodactylus Ungulates, (such as the domestic horse, mule, and ass)
- All Pinnipeds (such as seals, fur seals, and walruses)
- All Procyonids (such as raccoons, coatis, and cacomistles)
- All Raptors, diurnal and nocturnal (such as eagles, hawks, and owls)
- All Ratite Birds (such as ostriches, rheas, and cassowaries)
- All snakes of the families Pythonidae and Boidae
- All Ursids (such as bears)
- All venomous Reptiles and Amphibians
- All Viverrids (such as mongooses, civets, and genets).

Examples of animals of a particular prohibited group are given in parentheses. They are examples only and shall not be construed as limiting the generality of the group.