

VILLAGE OF LAKE LENORE

BYLAW NO. 6-2020

A BYLAW TO CONTROL ANIMALS IN THE VILLAGE OF LAKE LENORE

The Council of the Village of Lake Lenore in the province of Saskatchewan enacts as follows:

1. This bylaw shall be known as the "Animal Control Bylaw".

2. DEFINITIONS

In this Bylaw the following definitions apply;

- a) Bylaw enforcement officer- means the person or persons appointed or contracted by council of the Village of Lake Lenore for the purpose of enforcing the provisions of this bylaw.
- b) Cat- means a male or female cat or a male or female kitten over eight (8) weeks of age.
- c) Clerk- means the administrator of the Village of Lake Lenore
- d) Council- means the council of the Village of Lake Lenore
- e) Dog- means a male or female dog or a male or female puppy over eight (8) weeks of age
- f) Dangerous dog- means
 - i) Any dog, that without provocation, in a vicious menacing manner, chases or approaches a person or domestic animal in an apparent attitude of attack;
 - ii) Any dog with a known propensity, tendency or disposition to attack without provocation, to cause injury or to otherwise threaten the safety of person or domestic animal;
 - iii) Any dog that, without provocation has bitten, inflicted injury, assaulted or otherwise attacked a person or domestic animal;
 - iv) Any dog which is owned primarily or in part for the purpose of dog fighting or is trained for fighting;
- g) Municipality or town- means the Village of Lake Lenore
- h) Owner- included:
 - 1) A person, a persons, partnership, association or corporation who keeps, possesses, harbors or has care of or control of a dog or cat;
 - 2) The person responsible for the custody of a minor where the minor is the owner of a dog or cat;

- i) Pound- means such premises and facilities as may be designated by the council of the Village of Lake Lenore for the purpose of safely lodging and securing animal seizure pursuant to the Bylaw.
- j) Poundkeeper- means a person designated by the Village of Lake Lenore from time to time
- k) Person- means and includes an individual(s), partnership, association or corporation
- l) Restricted dog- means
 - a) Any dog deemed by council to be of sufficient size and strength and capable of causing injury, or to otherwise threaten the safety of persons or domestic animals.
 - b) Any dog that has been trained as a guard dog where such training involves physical attack on an intruder when such animal is not engaged in guarding a business premise.
 - c) NO DOG under RESTRICTED category is allowed to be brought in to town after this bylaw is passed.
- m) Running at large- means a dog or cat is beyond the boundaries of the land occupied by the owner, possessor or harbinger or keeper of the said dog or cat, or beyond boundaries of any lands where it may be with the permission of the owner or occupant of the said land is not under control by being:
 - 1) On a leash or harness and in direct and continuous charge of a person competent to control it; or
 - 2) Securely confined within an enclosure; or
 - 3) Securely fastened so it cannot roam at will

3. REGISTERING

- A. Every owner of the dog and cat within the town shall cause each such dog to be registered with the town office. At the time of registering, the applicant shall provide description of the dog or cat, the breed of the dog or cat, address and contact number of the owner of the dog or cat
- B. The registration year for dogs shall be from the first day of January to the thirty first day of December of the same year, Fee is \$10.00 for cat, \$10.00 non-restricted dog; restricted dog; \$50.00
- C. Every owner of dog or cat shall not later than February first in each year register the said dog or cat at the town office and failure to do so shall constitute an offence under this bylaw
- D. The sum payable for the registration fee required after the thirty first day of July in a calendar year shall be calculated at fifty percent of the annual fee and shall expire on the thirty first day of December in the same calendar year.
- E. Any dog or cat registration certificate or applicable fee issued pursuant to the provisions of this bylaw by the town shall not be transferable to any other dog or cat

- F. A person residing in the town who owns, possesses, keeps or harbors a dog or cat and neglects or refuses to register or pay any applicable registration fee shall be subject to the penalties as outlined in Schedule "C" of this bylaw

4. RUNNING AT LARGE

- A. The owner of the dog or cat shall not at any time allow the dog or cat to run at large within the town.
- B. When the dog or cat is found to be running at large, its owner is deemed to have failed or refused to comply with the provisions of this section
- C. Where a dog or cat is found to be running at large, the owner or occupant of that property on which the dog or cat is running at large may make a written complaint to the Bylaw Enforcement Officer.

5. LIMITS-DOGS OR CATS

- A. No person within the town shall harbor or keep more than three (3) dogs on any one property. If an owner fails or refuses to comply with the provisions of this section, he/she shall be subject to the penalties as set out in Schedule "C" attached hereto and which may be amended from time to time by resolution of council
- B. No person within the town shall harbor or keep more than three (3) cats on any on any one property. If an owner fails or refuses to comply with the provisions of this section, he or she shall be subject to the penalties as set out in Schedule "C" attached hereto and which may be amended from time to time by resolution of council.

6. SEIZURE AND IMPOUNDING

- A. A Bylaw Enforcement Officer or Peace Officer may seize and impound any dog or cat observed to be at large.
- B. A Bylaw Enforcement Officer or Peace Officer may enter onto land surrounding any building in pursuit of any dog or cat which has been observed to be at large
- C. The Bylaw Enforcement Officer is hereby authorized to seize and capture, by the use of a tranquilizer gun or other method authorized by resolution of council and impound any dog or cat running at large contrary to the provisions of this bylaw.
- D. Any person may take any dog or cat found running at large contrary to the provisions of this bylaw to the town pound
- E. No person, whether or not he is the owner of a dog or cat which is being or has been pursued or seized shall;
 - i) Interfere with or attempt to obstruct a Bylaw Enforcement Officer who is attempting to seize or has seized any dog or cat in accordance with the provisions of this bylaw
 - ii) Unlock or unlatched or otherwise open the vehicle in which dogs or cats

seized under this bylaw have been placed so as to allow or attempt to allow any dog or cat to escape therefrom;

- iii) Remove or attempt to remove any dog or cat from the possession of the Bylaw Enforcement Officer

7. POUND

- a. The Council shall endeavor to appoint a pound keeper
- b. All dogs and cats impounded in the pound shall be so confined therein for a period of 72 hours from the time of capture during which time the owner thereof shall have the right to repossess the said dog or cat upon paying to town office the amount set forth in Schedule "B" to this bylaw as amended from time to time by resolution of council
- c. No dog or cat which is impounded shall be released to its owner or to any other person until the appropriate pound fee is paid and until it has been registered.
- d. When the dog has been impounded, the town office shall immediately attempt to contact the owner as shown in the records made when the dog was registered at the address shown therein, that unless the said dog is claimed and the fees as provided for in this bylaw are paid within 72 hours from the date of impounding, the said dog shall be dealt with pursuant to the provisions of the bylaw. When a cat has been impounded, the town office shall immediately post notice in the town office containing a description of a cat along with the terms for release.
- e. All impounded cats or dogs which are not claimed within 72 hours as aforesaid, may be sold by the town office to any person paying for such dog or cat, a sum of not less than \$10.00 for the use of the pound and registering as provided for this bylaw. In the event any dog or cat is not sold after expiration of the 2 weeks, it shall be disposed of in the most humane way possible
- f. It shall be the duty of the pound keeper to provide each dog or cat impounded under the authority of this bylaw an adequate supply of food and freshwater during its confinement in the pound.
- g. Any dog found in any public street, lane, park, boulevard, or other public place or otherwise running at large contrary to the provisions of this bylaw the Bylaw Enforcement Officer or Peace Officer may seize and impound by the use of tranquilizer gun or other methods authorized by council.

8. LITTER-DOGS AND CATS

- a) If a dog or cat defecates on any public or private property other than the property of the owner, possessor or harbinger of the said dog or cat, the owner possessor or harbinger of the dog or cat shall caused such defecation to be removed immediately and disposed of in a sanitary fashion. Failure to cause such removal shall be an infraction of this bylaw
- b) Defecation deposited on the private property of the owner, possessor or harbinger of a dog or cat shall be removed and disposed of in a sanitary manner on a daily basis.

9. NUISANCE

- a) The owner, possessor or harbinger of a dog shall not allow the animal to create a nuisance to any person by barking, howling, attempting to bite or biting anyone or any domestic animal, chasing vehicles or bicycles and any owner, possessor or harbinger who contravenes this section commits an offence under this bylaw.
- b) The owner, possessor or harbor of a cat shall not allow the animal to create a nuisance to any person by howling, hissing or otherwise making disruptive noises or by urinating, defecating or spraying on or otherwise damaging or interfering with any property other than the property of the owner, possessor or harbinger. Any owner, possessor or harbinger who contravenes this section commits an offence under this bylaw.

10. RABBIES AND OTHER DISEASES

- a) Any dog or cat suspected of having rabies shall not be killed but shall be secured and isolated for seven (7) days and the matter immediately reported to a veterinary clinic whose instructions shall be complied with.
- b) An owner, possessor or harbinger of a dog or cat who neglects or refuses to comply with any order of the veterinary clinic shall be guilty of an infraction of this bylaw.

11. DANGEROUS ANIMALS

- a) Where a complaint is received by the Town Office that an animal within the town is dangerous, Section 375 of The Municipalities Act shall apply
- b) The following municipal officials are hereby designated for the purpose of Section 378 and 379 of the Municipalities Act:
BYLAW ENFORCEMENT OFFICER
- c) The following municipal official is hereby designated for the purpose of Section 375(5)(a)(vi) of the Municipalities Act as the person to be notified if an owner sells or otherwise disposes of a dangerous dog:
CLERK

12. RESTRICTED DOG

- a) Requirements for obtaining and maintaining a Registration for a restricted dog are as follows:
 - i) An owner of a Restricted dog shall maintain in force a policy a liability insurance providing third party liability coverage in a minimum amount of \$500,000 for injuries caused by the owner's restricted dog. The owner shall provide a photocopy of the said liability insurance policy to the town office when applying for restricted dog registration.
 - ii) Within one month after the passage of this bylaw the owner of the restricted dog shall provide the town office with a copy of such liability policy he or she may register a restricted dog.
 - iii) At all times while a restricted dog is on the premises of its owner, the owner shall either keep such a dog confined indoor under the effective control of a person over the age of sixteen (16) years, or confined in a securely enclosed and locked pen or other structure built to prevent the escape of the restricted dog and capable of preventing the entry of young children.
 - iv) When any restricted dog is off premises of the owner, the owner shall securely muzzle such dog and either harnesses it or leashes it securely to effectively prevent it from attacking and injuring any person or domestic animal and ensure it is under the complete control of a competent person.
 - v) The owner shall display a sign on his/her property warning of the presence of the dog. EXAMPLE- 'BEWARE OF DOG'

13. GENERAL PENALTY

- a) A person who contravenes any provision of this bylaw or neglects or refuses to comply therewith shall be guilty of an offence and liable upon summary conviction to a fine of not less than \$50.00 and not more than \$2,000.00

14. PENALTY

- a) Where any person has committed or is alleged to have committed a breach of any of the provisions of this bylaw, a ticket in the form designated Schedule "D" attached to and forming part of this bylaw, may be served on such person by the Law Enforcement Officer.
- b) A person whom a ticket is being issued pursuant to this section shall furnish the Bylaw Enforcement Officer with his/her name and address upon request
- c) Notwithstanding Section 13, a person who contravenes any provision of this bylaw, upon being served with a ticket may voluntarily pay the prescribed as set forth in Schedule "C" to this bylaw as amended from time to time by

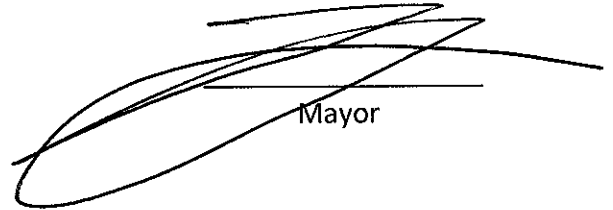
resolution of council.

- d) If the town office received voluntary payment of the prescribed penalty within three (3) days from the date of the ticket was issued the person receiving the ticket shall not be liable for prosecution for the office
- e) If the person who has committed or is alleged to have committed a breach of any section of this bylaw fails to pay the specified fine within 30 days following service of the ticket, the provisions of this section no longer apply and the person shall be liable to prosecution for the offence.

15. REPEAL

- a) Bylaw No. 3-2013

(SEAL)



Mayor

Read a third time and adopted
this 10th day of OCT, 2020



Administrator



Administrator

SCHEDULE "A"
BYLAW 5-2020
Section 3(B)

Annual fee for Restricted Dog	\$50.00
Annual fee for non-restricted dog	\$10.00
Annual fee for cat	\$10.00

SCHEDULE "B"
BYLAW 5-2020
Section 7(b)

IMPOUNDMENT

First Offence	\$25.00
Subsequent offences within 12 months	\$60.00

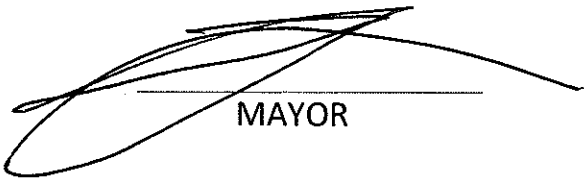
SCHEDULE "C"

1. The penalties presently laid out in Schedule "C" of Bylaw No. 5-2020 for non-restricted dogs and for cats remain the penalties in force for payment made within three (3) days of the date of issue of Notice of Violation
2. For payment after three (3) days, the penalties for all offences dealing with non-restricted dogs and cats shall be \$150.00 for the first offence and \$300.00 for subsequent offences

	FIRST	SUBSEQUENT
3. Failure to register	\$20.00	\$40.00
4. Running at large	\$25.00	\$50.00
5. Exceeding limits on any property	\$25.00	\$50.00
6. Nuisance cats	\$25.00	\$50.00
7. Failure to remove defecation	\$25.00	\$50.00
8. Nuisance dogs	\$25.00	\$50.00

PENALTIES- RESTRICTED DOGS

1. Failure to obtain and keep in force registration fee	\$250.00	\$500.00
2. Failure to maintain a policy of liability insurance	\$250.00	\$500.00
3. Failure to confine in proper enclosure when on owner, possessor or harborer's premises	\$250.00	\$500.00
4. Failure to muzzle and harness or leash when off premises of owner, possessor or harborer	\$250.00	\$500.00
5. Failure to prevent from running at large	\$250.00	\$500.00


MAYOR


CLERK

SCHEDULE "D"
Village of Lake Lenore
NOTICE OF VIOLATION

Ticket No. _____

This official Notice of Violation is issued for breach of The Animal Control Bylaw 6-2020:

OFFENCE Standard

Section 3
_____ Failure to register

Section 5
_____ Exceeding limits on any one
property (for each animal over limit

Section 4
_____ Running at large

Section 8
_____ Failure to remove defecation

Section 9
_____ Nuisance cats & dogs

OFFENCE for Restricted Dog

Section 12
_____ Failure to confine in
proper enclosure

Section 12
_____ Failure to prevent
from running at large

Section 12
_____ Failure to maintain a
policy of liability
insurance

Section 12
_____ Failure to muzzle and
harness/leash

Section 12
_____ Failure to obtain and
keep in force registration
fee

Penalty \$ _____

If penalty is not received by _____,
Date

a summons requiring your appearance in Provincial Court will be issued.

Notice Issued:

Date: _____ Time: _____ License No _____

Issuer: _____

Description of animal _____ Male/Female

Location Offence _____

Name of Owner _____

Address _____

Penalty may be paid in person by cash or cheque at the Town Office during regular hours, or e-transfer @ lakelenorevil@sasktel.net