

TOWN OF LEROY

BYLAW NO. 5/07

A BYLAW RESPECTING ANIMAL CONTROL

1. This Bylaw shall be known as the "Animal Control Bylaw"
2. For the purpose of this bylaw the expression:
 - a) COUNCIL - shall mean the Council of the Town of LeRoy
 - b) DOG - shall mean any dog, male or female, immediately after it has been weaned,
 - c) CAT - shall mean any cat, male or female, immediately after it has been weaned,
 - d) DOG & CAT CATCHER - shall mean the person authorized by the council to catch dogs and cats and for the enforcement of the provisions of this bylaw, or any person authorized to act on his behalf,
 - e) TOWN - shall mean the Town of LeRoy.

PART I

3. RUNNING AT LARGE

- a) No dog or cat shall run at large in the Town, and for the purpose of this bylaw, a dog or cat shall be deemed to be running at large when it is beyond the boundaries of the land occupied by the owner, possessor, or harbourer of the said cat or dog, or beyond the boundaries of any lands where it may be with the permission of the owner or occupant of the said land, and when it is not under direct control by being:
 - i) in direct and continuous charge of the person competent to control it; or
 - ii) securely confined within an enclosure; or
 - iii) securely fastened so that it cannot roam at will.
- b) A person who owns, possesses or harbors a dog or cat found running at large shall be deemed guilty of an infraction of this bylaw.

4. SEIZURE OF DOGS & CATS

- a) Except as provided by Section 8 of this Bylaw, any dog or cat found running at large contrary to the provisions of this bylaw may be taken by any person to the Dog and Cat Pound provided by the Town, or to the Dog and Cat Catcher.
- b) The Dog and Cat Catcher, or any other person authorized by the Council, is hereby authorized to seize and capture, by the use of a tranquilizer gun or other method authorized by the Resolution of Council, and impound any dog or cat running at large contrary to the provisions of this bylaw.

5. POUND

For the purpose of impounding dogs and cats, a Pound shall be established at such place or places as may be designated by the council from time to time.

6. POUNDKEEPER

- a) The Council shall appoint a Poundkeeper who shall hold office at the pleasure of Council.
- b) Whenever any dog or cat found running at large contrary to the provisions of this bylaw, it will be confined to the Town Pound, where it shall be kept for three days, unless the owner, possessor or harbourer pays the required fees to redeem the animal. A notice will be delivered to the owner, to the effect that unless the said dog or cat is redeemed and the fees provided by this bylaw are paid within forty-eight (48) hours from the time of delivery or mailing of the said notice, the said dog or cat shall be sold or destroyed as provided herein. If the animal's owner cannot be ascertained a notice will be posted in the Town office and will serve as notice to the owner and forty-eight (48) hours after the posting of such notice, if the animal is not redeemed, the animal will be sold or destroyed as provided herein.
- c) When the owner, possessor or harbourer of a dog or cat impounded produces, within forty-eight (48) hours of service, or posting of the notice as required by Subsection b of this Section, or before such a dog or cat is sold or destroyed, satisfactory evidence that he has complied with the provision of this bylaw with respect to payment of such impounding fees as are provided for, in respect of such dog or cat, he shall be entitled to remove such dog or cat.
- d) The owner, possessor or harbourer of any dog or cat impounded as aforesaid shall pay the Town or poundkeeper in advance of release of the said dog or cat all cost incurred by the Town as a result of the impounding of the said dog or cat and the sum of \$10.00 for

each day impounded for each said dog or cat.

7. LITTER

a) If a dog or cat defecates on any public or private property other than the property of its owner, the owner of the dog or cat shall cause such defecation to be removed immediately and dispose of the litter in a sanitary fashion. Failure to cause such removal shall be a breach of this Bylaw.

8. NUISANCE

a) No owner of a dog or cat shall permit the dog or cat to create a disturbance by ululating, by loud or frequent barking, howling or yelping or chasing motor or other vehicles or in any manner or way, create a disturbance to the annoyance or discomfort of other persons residing in the neighborhood, or to the public at large; or which causes injury to any person. For the purpose of this section a dog or cat is creating a disturbance if its ululating can be easily heard by a person not situated on the property where the dog or cat is.

b) On a complaint made in writing to the Animal Control Warden that any dog or cat has been causing a disturbance, the Animal Control Warden, upon being satisfied of the truth of the complaint, may notify the owner of such dog or cat to abate the nuisance within 48 hours after receipt of the notice. The notice shall be in writing and shall be served personally upon the owner or left with some adult person at the residence of the owner. Failure to comply with the terms of the notice shall be a breach of this Bylaw.

c) Upon receiving a second or subsequent complaint within 30 days after the expiry of the 48 hour period set out in a notice under subsection (b), the Animal Control Warden may order the owner to destroy the dog or cat, remove the dog or cat from the Town or deliver the dog or cat to the Animal Control Warden within 48 hours of receipt of the notice. Such notice shall be provided in the manner set out in subsection (b). In the event that the notice requires the dog or cat to be delivered up to the Animal Control Warden and the dog or cat is not so delivered, the Animal Control Warden may enter on the property of the owner for the purpose of removing such dog or cat.

9. RABIES AND OTHER DISEASES

a) When a dog or cat has bitten a person and/or is suspected of being rabid, or has been in contact with a rabid animal, the Medical Health Officer and a Veterinarian of the health of Animals Branch, Canada Department of Agriculture, shall be notified immediately. Where a veterinarian of the Health of Animals branch is not available, the report shall be made to the local Veterinarian or an officer of the RCMP

b) A Medical Health Officer or licensed Veterinarian or officer of the R.C.M.P. having cognizance that a dog or cat is dangerous or might have been exposed to rabies or other infectious disease, may order that:

The person owning, harboring or possessing such dog or cat, whether vaccinated or not against rabies, or other infectious disease, shall keep it under confinement at a place acceptable to the Veterinarian of the Health of Animals Branch, Canada Department of Agriculture, for a period of at least two (2) weeks or until such a time a suspicion of rabies or other infectious disease has been confirmed or refuted.

c) Where, in the opinion, of the Medical Health Officer and the district Veterinarian, Health of Animals Branch, Canada Department of Agriculture, rabies infection or other infectious disease has reached proportions where mass vaccination is indicated, every person who owns or harbors or has in his possession within the Town of LeRoy any dog or cat susceptible to rabies, shall cause such dog or cat to be inoculated against rabies or other infectious disease.

d) A certificate issued by a qualified Veterinarian to the effect that a dog or cat has been inoculated against rabies shall be prima facie evidence that such animal has been so inoculated.

e) An owner of a dog or cat who neglects or refuses to comply with any order of the Medical Health Officer made under the provisions of this section shall be guilty of an infraction of this Bylaw.

10. DANGEROUS DOGS

Where a complaint is received by the Town Office that a dog within the Town of LeRoy is dangerous, Part XII, Division 5 of The Municipalities Act shall apply.

PART II: RESTRICTED DOGS

11. DEFINITIONS

a) Restricted Dog shall mean any dog, whatever its age, of the following breeds or

kinds:

- Pit Bull Terrier
- American Pit Bull Terrier
- Pit Bull
- Staffordshire
- Bull Terrier
- American Staffordshire Terrier
- Doberman Pinscher
- Rottweiler
- Wolf Hound
- Wolf Cross
- Coyote Cross
- or any dog of a mixed breeding, which can be identified through its physical characteristics as a dog partially of the above mentioned breeds or kinds by a veterinarian licensed to practice in Saskatchewan.

12. LICENSES

- a) An owner shall obtain and keep in force a restricted license for his or her restricted dog.
- b) The restricted license fee for a restricted dog shall be Two Hundred Dollars (\$200.00) per year.

13. LIABILITY INSURANCE

- a) An owner shall obtain and keep in force a policy of liability insurance in a form satisfactory to the Town's Animal Control Warden providing third party liability coverage in a minimum amount of \$500,000.00 for injuries caused by the owner's restricted dog.
- b) The liability policy shall contain a provision requiring the insurer to immediately notify the Town in writing should the policy expire or be canceled or terminated.
- c) Within 2 months after the passage of this Bylaw, the owner shall provide to the Animal Control Warden, proof that such liability policy is in force before he may obtain a restricted dog license.

14. CONTROL OF RESTRICTED DOGS

- a) The owner shall keep the restricted dog in an enclosure, he shall muzzle and leash it in accordance with the prescribed criteria set out in the regulations as passed and amended from time to time pursuant to section 375(5) of The Municipalities Act.
- b) If the owner removes the restricted dog from the enclosure, he shall muzzle and leash it in accordance with the prescribed criteria set out in the regulations as passed and amended from time to time pursuant to section 375(5) of The Municipalities Act.
- c) The owner shall display a sign on his property warning of the presence of the dog and the sign shall be displayed in the form and manner set out in the regulations as passed and amended from time to time pursuant to section 375(5) of The Municipalities Act.
- d) The owner shall report a sale or other disposition of the dog to the Town's Animal Control Warden in accordance with section 375(5) of The Municipalities Act.

15. GENERAL

- a) Every female dog or cat in heat shall be confined to a house or kennel.
- b) No person shall feed, shelter in their home or in any way harbor at one time more than two (2) animals.

16. PENALTIES

- a) In addition to the fines otherwise provided in this Bylaw, a person who commits offenses under Part II are subject, upon conviction to the following fines:
 - i) failure to obtain and keep in force a restricted dog license - \$500.00
 - ii) failure to maintain and keep in force a policy of liability insurance pursuant to section 13 - \$1500.00.
 - iii) failure to confine a restricted dangerous dog when on the premises of the owner in accordance with section 14 - \$500.00
 - iv) failure to muzzle a restricted dog when off the premises of the owner - \$500.00.
 - v) permitting or failure to prevent a restricted dog from running at large - \$500.00.
- b) For a second offense within a six month period regardless of which offense as set forth in subsection (a), the penalty amount shall double the amount set out in subsection (a).

17. PENALTY

- a) A person who contravenes any of the provisions of sections 3,7,8 or 9 of this bylaw, shall be guilty of an offense and upon conviction, shall be liable to a penalty of:

- i) Section 3,7,8 or 9 - \$20.00 first offense
- \$50.00 second offense
- b) A violator of this bylaw, upon being served with a notice of violation, may pay the penalty to the Poundkeeper, and upon payment as so provided, that person shall not be liable to prosecution of the offense.
- c) The Notice of Violation shall be in Form A, attached to and forming part of this bylaw.

18. REPEAL

Bylaw No. 5/02 is hereby repealed.

19. COMING INTO FORCE

This Bylaw shall come into force and take affect on the date of final adoption by the Council of the Town of LeRoy.

Mayor: Morris Hartman

S E A L

Administrator: Ann Block

Pursuant to section 16 and 17 of Bylaw No. 5/07 of the Town of LeRoy

NOTICE OF VIOLATION

TOWN OF LEROY

Date of Issue: _____

This Official Notice is issued for breach of Bylaw No. 5/07, The Animal Control Bylaw.

OFFENCE

- Section 3 – Running at Large
- Section 7 – Failure to remove and dispose of litter (defecation)
- Section 8 – Nuisance by ululating
- Section 12 – Failure to obtain and keep in force a restricted dog licence
- Section 13 – Failure to maintain a liability insurance policy
- Section 14 – Failure to confine a restricted dog
- Section 14 – Failure to muzzle a restricted dog when off the owner’s premises
- Section 14 – Failure to prevent a restricted dog from running at large
- Other – Specify _____

Penalty: _____

If the penalty indicated is not received by: _____
a summary requiring your appearance in Magistrate’s Court will be issued.

_____ Date _____ Time _____

Description of () Dog or () Cat () Male () Female

Location of Offence: _____

Owner Name: _____

Address: _____

Issued by: _____

Administrator/Poundkeeper

You may make a voluntary payment of the above penalty to the Poundkeeper, Lloyd Taphorn, or to the Town Administrator during regular office hours, within Forty-eight (48) hours from the date of service or mailing of this Notice of Violation.