

## BYLAW 1-2020

### A BYLAW TO CONTROL ANIMALS IN THE TOWN OF YELLOW GRASS TITLE

1. This Bylaw may be cited as The Animal Control Bylaw.

### DEFINITIONS

2. In this Bylaw:
  - (a) “bylaw enforcement Officer” means a person appointed by the Town of Yellow Grass to enforce this bylaw;
  - (b) “running at large” means when any animal is beyond the boundaries of the land occupied by the owner, possessor, or harbourer or keeper of the said animal, or beyond the boundaries of any lands where it may be with the permission of the owner or occupant of the said land and is not under control by being:
    - i. in direct and continuous charge of a person competent to control it; or
    - ii. on a leash not to exceed two (2) meters in length or on a retractable leash; or
    - iii. securely confined within an enclosure; or
    - iv. securely fastened so that it cannot roam at will
  - (c) “Town” means the Town of Yellow Grass
  - (d) “administrator” means the administrator for the Town of Yellow Grass
  - (e) “cat” means a male or female cat or a male or female kitten over eight (8) weeks of age
  - (f) “dog” means a male or female dog or a male or female puppy over eight (8) weeks of age
  - (g) “Council” means the Council of the Town of Yellow Grass
  - (h) “Court” means the Provincial Court of Saskatchewan established pursuant to The Provincial Court Act;
  - (i) “owner” includes:
    - (i) a person who owns or who has possession of, or control over, an animal; and
    - (ii) the person responsible for the custody of a minor where the minor is the owner of an animal;  
But does not include
    - (iii) a veterinarian registered pursuant to The Veterinarians Act, 1987 who is keeping or harboring an animal for the prevention, diagnosis or treatment of a disease of or an injury to the animal; and
    - (iv) an animal shelter or pound operated by the Town
  - (j) “Dangerous Dog” shall mean:  
-As per Municipal Act sections 374-380.
  - (k) Exotic pet is a rare or unusual animal **pet**, or an animal kept within human households which is generally thought of as a wild species not typically kept as a pet.

### LICENSING

2. (a) No person shall own or keep any dog within the town unless such dog is licensed as provided in this Bylaw.

### LICENSING OF DOGS

4.
  - (a) Every owner of a dog that is over (2) months old shall within thirty (30) days of becoming the owner obtain a license for each dog.
  - (b) The license referred to in subsection (a) shall not be transferable
  - (c) The license shall be for the lifetime of the dog.
  - (d) When applying for a license under this Section, the owner shall provide the following as set out in Schedule No 3.
    - (i.) a description of the dog, including breed, name, gender, age and a photo of the dog;

- (ii.) A history of any rabies vaccinations for the animal and whether the animal has been spayed or neutered;
  - (iii.) The name, address and telephone number of the owner; and
  - (iv.) Any other relevant information which may be required.
- (e) The owner shall be supplied with a current license tag and a receipt for payment of the license fee when a license is issued. The owner will be issued a replacement tag if the current license tag is lost or destroyed and the owner shall be responsible for the replacement costs.
- (f) The license fee for each dog shall be as set out in Schedule No. 1.

#### **EXEMPTIONS FROM LICENSING DOGS**

4. A person who owns and physically relies on a service dog or emotional support dog trained and used to assist such person shall obtain a license for the dog and there shall be no fee payable by the owner of the license.

#### **REGULATION AND CONTROL OF CATS AND DOGS**

5. (a) No owner of a cat or dog shall permit the cat or dog to be running at large.  
(b) If a dog or cat is found to be running at large the owner shall be deemed to have permitted the cat or dog to be at large unless the owner proves to the satisfaction of the court that at the time of the offence the owner did all that was reasonable to prevent the cat or dog from being at large.  
(c) Where a cat or dog 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 Town Administrator.
6. (a) Where a complaint is received by the Town Office that a dog within the town is dangerous, Section 375 of *The Municipal Act* shall apply.  
(b) The following municipal officials are hereby designated for the purposes of section 375.5(a) (vii):  
Bylaw Enforcement Officer  
(c) The following municipal official is hereby designated for the purpose of section 375.6 of *The Municipal Act* as the person to be notified if an owner sells or otherwise disposes of a dangerous dog:  
(i) The administrator

#### **LIMITS – DOGS AND CATS**

7. (a) No person within the town shall harbor or keep more than two (2) 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 No. 2. Attached hereto.  
(b) No person within the town shall harbor or keep more than two (2) cats on anyone 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 No. 2. Attached hereto.

#### **LITTER – CATS AND DOGS**

8. (a) If a dog or cat defecates on any public or private property other than the property of the owner, possessor or harbourer of the said dog or cat, the owner, possessor or harbourer of the dog or cat shall cause 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) Defecations deposited on the private property of the owner, possessor or harbourer of a dog or cat shall be removed and disposed of in a sanitary manner on a weekly basis.

#### **NUISANCE**

9. (a) The owner, possessor or harbourer 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 harbourer who contravenes this section commits an offense under this bylaw.

(b) the owner, possessor, or harbourer 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 harbourer. Any owner, possessor, or harbourer who contravenes this section commits an offense under this bylaw.

(c) Where a dog or cat is found to be creating a nuisance, the owner or occupant of that property on which the dog or cat is creating a nuisance may make a written complaint to the bylaw enforcement officer.

#### **LIVESTOCK AND POULTRY AND EXOTIC ANIMALS**

10. (a) For purposes of this section, the following definitions shall apply

(A) Livestock – means any domestic animal usually raised for sale and profit, including but not limited to:

(1) an animal as defined in section 1(b) of *The Stray Animals Act*;

or

(2) an animal as defined in Sections 2 and 3 of *The Stray Animals Regulations 1999*.

(B) Poultry – means

(1.) domestic fowl usually propagated and fattened for the table and for their eggs, feathers, etc. including, but not limited to chickens, geese, ducks, turkeys, and guinea fowl; or

(2.) Pigeons of the species *Columbia Livia*, commonly known as the domestic pigeon, and includes pigeons raised for the purpose of racing, show table and pets and includes feral pigeons.

(C) No person shall possess, harbor, confine, herd, graze or allow grazing any livestock or poultry within the limits of town.

(D) Section 13 (a) & (b) shall not apply to livestock and poultry brought into town for the duration of a special event at which the said livestock and poultry will be used for purposes of exhibition or performing at a special event.

(E) No person shall possess, harbor or confine any exotic animals within the limits of Town.

#### **GENERAL PENALTIES**

11. (a) A person who contravenes any provision of this bylaw or neglects or refuses to comply therewith shall be guilty of an offense and liable upon summary conviction to a fine of not less than \$100.00 and not more than \$2000.00.

#### **PENALTY**

12. (a) Where any person has committed or alleged to have committed a breach of any of the provisions of this bylaw, a ticket in the form designated Form “C” attached to and forming a part of this bylaw, may be served on such person by the bylaw enforcement officer.

(b) A person to 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) A person who contravenes any provision of this bylaw, upon being served with a ticket may voluntarily pay the prescribed penalty as set forth in Schedule No. 2. to this bylaw.

(d) If the town receives voluntary payment of the prescribed penalty within fourteen (14) days from the date the ticket was issued, the person receiving the ticket shall not be liable for prosecution of the offence.

(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 the time allowed following service of the ticket, the provisions of this section no longer apply and the person shall be liable to prosecution for the offence.

**SEVERABILITY**

13. A decision of the court that one or more of the provisions of this bylaw are invalid in whole or in part does not affect the validity, effectiveness or enforceability of the other provisions or parts thereof with respect to this bylaw.

14. Bylaws No 6-18 are hereby repealed.

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Mayor

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Administrator

Introduced and read a first time this 8<sup>th</sup> day of April 2020

Read a second time this 8<sup>th</sup> day of April 2020

Read a third time and passes by unanimous consent of Council

Members present this 8<sup>th</sup> day of April 2020

Bylaw 1-2020  
**Schedule No 1**

Lifetime license for Dogs \$25.00

Bylaw 6-18  
**Schedule No 2.**

Offences

Section Offences First Subsequent

***If paid within fourteen (14) days of issue of the Notice of Violation***

4(d) Failure to license	\$100.00
5(a) Running at large	\$100.00
6(a) Owning Possessing or harboring a Dangerous Dog	\$500.00
7(a) & (b) Exceeding limits on any on property (For each animal exceeding limits)	\$100.00
8 Failure to remove defecation	\$100.00
9 (a) & (b) Nuisance Cat & Dog	\$100.00

***If paid after fourteen (14) days of the date of issue of the notice of violation:***

4(d) Failure to license	\$250.00
5(a) Running at large	\$250.00
6(a) Owning Possessing or harboring a Dangerous Dog	\$1000.00
7(a) & (b) Exceeding limits on any on property (For each animal exceeding limits)	\$250.00
8 Failure to remove defecation	\$250.00
9 (a) & (b) Nuisance Cat & Dog	\$250.00

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

2<sup>nd</sup> Offence

2 Times listed penalty

Bylaw 1-2020

**Form "C"**

***Town of Yellow Grass***

***Avoid prosecution by paying promptly***

***Ticket***

Name of Violator: \_\_\_\_\_

Address Postal Code: \_\_\_\_\_

Date: Year Month Day Time: \_\_\_\_\_

Issued: \_\_\_\_\_

Violation – Bylaw No. \_\_\_\_\_

Description of Violation: \_\_\_\_\_

Location of Violation: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_ Owner of Animal \_\_\_\_\_ Possessor or harbor of Animal

YOU ARE CHARGED WITH A VIOLATION OF BYLAW NO. \_\_\_\_\_

SECTIONS: \_\_\_\_\_

PENALTY TO BE PAID DURING REGULAR OFFICE HOURS OR BY MAIL TO  
THE TOWN OFFICE OF YELLOW GRASS  
BOX 270  
YELLOW GRASS, SK  
S0G 5J0

ISSUER TICKET NUMBER

\_\_\_\_\_

\_\_\_\_\_  
Administrator/Bylaw Enforcement Officer

**Bylaw 1-2020  
Schedule no 3**

**Dog License Information**

Date:

Dog Owner:

Phone number of owner:

Address of Owner:

Breed of Dog:

Name:

Gender:

Age:

Rabies Vaccinated date:

License tag Number:

Attach photo of dog here

Signature of Dog

Owner \_\_\_\_\_