

TOWN OF PREECEVILLE

BYLAW NO. 4 - 2022

A BYLAW TO PROVIDE FOR THE LICENSING, REGULATION, AND CONTROLLING OF ANIMALS WITHIN THE TOWN OF PREECEVILLE.

The Council of the Town of Preeceville in the Province of Saskatchewan enacts as follows:

PART I TITLE, PURPOSE, STATUTORY AUTHORITY AND DEFINITIONS

Title and Purpose

1. (1) This Bylaw may be referred to as "The Animal Control Bylaw".
- (2) The purpose of this Bylaw is to:
 - (a) promote the safety, health and welfare of people and the protection of people, animals and property in the Town of Preeceville;
 - (b) ensure the humane treatment of domestic animals;
 - (c) regulate and prohibit the keeping of dangerous animals within the Town of Preeceville; and
 - (d) prohibit dog fighting.

Statutory Authority

2. The authority for this Bylaw is subsections 8(1), 8(2) and 8(3) of *The Municipalities Act*.

Definitions

3. In this Bylaw:
 - (a) "ADMINISTRATOR" means the Chief Administrative Officer of the Town of Preeceville.
 - (b) "ANIMAL CONTROL OFFICER" means any person appointed by Council of the Town of Preeceville for the enforcement of this Bylaw, including but not limited to Bylaw Enforcement Officers, Administrator, Pound Keepers and License Inspectors, and/or any member of the RCMP.
 - (c) "ANIMAL SHELTER" means any facility designated by the Town as the facility where surrendered, relinquished or abandoned animals, animals apprehended by Animal Control Officers, and animals requiring impoundment may be taken and kenneled;
 - (d) "CAT" means any cat, male or female, and/or neutered or spayed, of the feline family over the age of four (4) months;
 - (e) "COUNCIL" means the Council of the Town of Preeceville.
 - (f) "DOG" means any dog, male or female, and/or neutered or spayed, of the canine family over the age of four (4) months.
 - (g) "JUDGE" means a provincial court judge or a justice of the peace, or, in the case of an appeal or further application, a judge of the Court of King's Bench for Saskatchewan.
 - (h) "LICENSE INSPECTOR" means the Administrator and other employees of the Town of Preeceville, who will be responsible for the issuing of dog tags and/or licenses.

- (i) “LIVESTOCK” means cattle, horses, mules, asses, sheep, goats, swine and/or all other animals that are kept for agricultural purposes, but does not include cats or dogs.
- (j) “OWNER” Includes:
 - (i) any person(s), who keeps, possesses or harbors an animal; or
 - (ii) the person responsible for the custody of a minor if 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; or
- (iv) a 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, with respect to an animal shelter or impoundment facility operated by any of them.
- (k) “POULTRY” means chickens, turkeys, ducks, geese, pigeons, pheasants and/or other domestic fowl.
- (l) “POUND KEEPER” means a person, persons or association designated by the Town from time to time to maintain and administer the Animal Shelter;
- (m) “PROVOCATION” means an act done intentionally for the purpose of provoking an animal to which this Bylaw applies.
- (n) “RUNNING AT LARGE” means the animal is off the premises of its owner and is on:
 - (i) public property unaccompanied by any person;
 - (ii) public property accompanied by a person, but is not on a leash and under the physical/verbal complete control of that person, unless otherwise permitted by this Bylaw; or
 - (iii) private property without the permission of the owner or occupant of the property.
- (o) “TOWN” means the Town of Preeceville in the Province of Saskatchewan.

PART II DOGS

Licensing

4. (1) Every owner of a dog shall, no later than January 31 in each year, register and obtain a license for such dog from the Town, and failure to do so shall constitute an offense under this bylaw.
- (2) Any dog licenses issued pursuant to the provisions of this Bylaw shall not be transferable to any other dog.
- (3) When applying for a license, the applicant shall provide the Administrator or License Inspector with a description of the dog, the name and address of the owner or the keeper of the dog, the breed of the dog, a certificate from a veterinary surgeon if the dog has been neutered or spayed, and any other relevant information that may be required by the Town and set out in Schedule “D” to this Bylaw.

- (4) When applying for a license, the applicant shall provide the Administrator or License Inspector with a certificate of a veterinary surgeon indicating that the dog has been vaccinated against rabies within two (2) years of the date of application.
- (5) Any owner who physically and/or mentally relies on a guide dog trained and used to assist such person, including but not limited to service dogs, police dogs and mental health dogs, shall obtain a license for the dog at the same fee payable for an annual license. No license exemption or fee exemptions will be made.
- (6) The annual license fee for all dogs shall be:
 - (a) \$10.00 for each female; and
 - (b) \$5.00 for each male or spayed female.
- (7) When issuing a license for a dog, the Administrator or License Inspector shall provide the applicant with a tag and a receipt for the license fee. The owner of such dog shall attach the license tag to a collar to be worn around the neck of the said dog.
- (8) The license tags shall be of such form and bear such lettering as may be determined by the Town. Each tag shall be valid from the 1st day of January to the 31st day of December the year that the license is issued. The license will be half price if purchased after September 1st in any year.
- (9) No person other than the owner of the dog licensed pursuant to this Bylaw, shall remove its collar or tag.
- (10) Where a person becomes an owner of a dog after the 31st day of January in any year, he/she shall immediately thereafter cause such dog to be licensed pursuant to this Bylaw.
- (11) Every owner of a dog within the Town of Preeceville shall on demand of the Animal Control Officer, show his/her license receipt or other evidence that he/she has paid the fee provided for the bylaw for the current year.

Running at Large

5. (1) No owner of a dog shall permit his/her dog to be running at large at any time in the boundaries of the Town or any property located outside of the Town boundaries that is owned and operated by the Town. If a dog is found to be running at large, the owner shall be deemed to have permitted the dog to be running at large, and shall be guilty of an offence under this Bylaw.
- (2) The Animal Control Officer may seize and impound any dog found running at large and may enter onto the land surrounding any building in pursuit of any dog which has been observed running at large.

Defecation

6. (1) If a dog or other animal defecates on any public or private property within the Town boundaries, or any property located outside of the Town boundaries that is owned and operated by the Town, other than the property of its owner, the owner of the animal shall cause the defecation to be removed immediately.
- (2) Failure to cause the removal of defecation as required by subsection 6(1), shall be a violation of this Bylaw.

Prohibited Areas

7. (1) No owner shall permit his/her dog to be on the premises of the Preeceville Cemetery or Preeceville Lions Park. If a dog is found to be running on these

premises, the owner shall be deemed to have permitted the dog to be running on the premises and shall be guilty of an offence under this Bylaw.

- (2) The Animal Control Officer may seize and impound any dog found running on these premises and may enter onto the land surrounding any building in pursuit of any dog which has been observed running on these premises.
- (3) This Section shall not apply to an owner who is physically reliant on a service dog trained and used to assist such person.

Impoundment

8. (1) All dogs impounded at the Animal Shelter shall be so confined therein for a period of at least 72 hours, from the time of capture, during which time the owner thereof shall have the right to reclaim the said dog upon paying the Pound Keeper, the amount set forth in Schedule "B" to this Bylaw.
- (2) No unlicensed dog which is impounded shall be released to its owner or to any other person until the appropriate pound fee is paid and a license has been purchased for it, with the requirements for said license completed therein.
- (3) When a dog impounded is wearing a valid license tag for the current year, the Pound Keeper shall immediately notify the owner by telephone or in writing of the impoundment of the dog at the telephone number or address as shown in the license records, and that unless the said dog is claimed and the fees paid as provided for in subsections 8(1) and (2), the said dog shall be dealt with pursuant to the provisions of this Bylaw. No liability whatsoever shall attach to the Town, Animal Control Officer or Pound Keeper by reason of the failure of the owner to receive such notice.
- (4) All impounded dogs which are not claimed within the period set out in subsection 8(1), or if the owner of a dog fails or refuses to comply within this period with the conditions set out in subsection 8(1) or (2), the dog(s) may be adopted out by the Pound Keeper, Animal Control Officer or any other person authorized by Council to any person paying the adoption fee for such dog and procuring a license for such dog in accordance with this Bylaw. In the event any dog is not claimed within the expiration of the said 72 hours and is not adopted, it shall be disposed of in the most humane way possible, and no liability whatsoever, shall attach to the Town, Pound Keeper, Animal Control Officer or appointed representative.
- (5) The Pound Keeper shall keep a record of all dogs impounded in accordance with the provisions of the Bylaw and the disposal of such dogs and supply the town with a monthly report and any other information which may, from time to time, be required respecting the enforcement of the provisions of this Bylaw and the maintenance of the Animal Shelter.
- (6) It shall be the duty of the Pound Keeper to provide to each dog impounded under the authority of this Bylaw, an adequate supply of food and fresh water during its confinement in the Animal Shelter and to maintain clean and properly ventilated pens or enclosures for impounded dogs.
- (7) When the owner of a dog is re-claiming it within the period indicated in subsection 8(1), and the dog has been impounded for failure to have a tag and for no other reason, no fee shall be charged if the owner satisfies the Animal Control Officer that the collar and/or tag for the current year has been lost or stolen and that he/she had notified the Animal Control Officer within 24 hours after the discovery of the loss.

Nuisance

9. (1) No owner of a dog shall permit his/her dog to be or become a nuisance by the sound of howling, whining or excessive barking which can be heard by a person not on the same premises and which unreasonably disturbs or is likely to

disturb the quiet, peace, rest, enjoyment, comfort or convenience of that person.

- (2) No owner of a dog shall permit his/her dog to be or become a nuisance by chasing bicycles or motor vehicles.
- (3) Failure to comply with subsections 9(1) and (2) shall constitute an offence under this Bylaw.
- (4) A Judge, after convicting the owner of a dog of an offence under subsection 9(1) or (2) may, in addition to any other penalties, impose the following:
 - (a) Direct the Animal Control Officer to give notice to such owner requiring the nuisance complained of to be abated so as to prevent the recurrence of any nuisance,
 - (b) Removal of the dog from the Town boundaries; or
 - (c) If such nuisance continues, order said dog to be destroyed upon notice being given to the owner, unless the owner otherwise agrees.

Miscellaneous

10. (1) Any person teasing a dog, enticing a dog, or baiting or throwing objects at a dog confined within its owner's property, shall be in violation of this Bylaw.
- (2) Every owner of a female dog in heat shall keep the dog housed at all times during the whole period that the dog is in heat.
- (3) Any dog suspected of having rabies shall not, if possible, be killed but shall be secured and isolated for 7 days and the matter immediately reported to the Health Officer for the Town whose instructions shall be complied with.

PART III CATS

11. (1) A license shall not be required to harbor or keep a cat or cats in the Town.
- (2) The Town shall provide a registration program for identification of cats.
- (3) No owner of a cat shall permit his/her cat to be or become a nuisance by the sound of howling, hissing or making otherwise disruptive noises which can be heard by a person not on the same premises and which unreasonably disturbs or is likely to disturb the quiet, peace, rest, enjoyment, comfort or convenience of that person, or by urinating, defacating or spraying on or otherwise damaging or interfering with any property other than the property of the owner.
- (4) No owner of a cat shall permit his/her cat to be running at large at any time in the boundaries of the Town or any property located outside of the Town boundaries that is owned and operated by the Town. If a cat is found to be running at large, the owner shall be deemed to have permitted the cat to be running at large, and shall be guilty of an offence under this Bylaw.
- (5) Failure to comply with subsections 11(3) and 11(4) shall constitute an offence under this Bylaw.
- (6) Where an Animal Control Officer receives a complaint of a nuisance caused by a cat and/or a cat running at large, the Animal Control Officer may:
 - (a) seize and impound any cat found causing a nuisance and/or running at large; or
 - (b) issue a trap to the complainant upon execution by the complainant of the agreement as set out in Schedule "A" to this Bylaw.
- (7) Where a trap is issued pursuant to clause 11(6)(b), the complainant shall:

- (a) abide by the terms of the Cat Trap Permit agreement;
 - (b) personally check the trap each hour while the trap is set;
 - (c) in the event a cat is trapped, immediately deliver it to the Animal Shelter.
- (8) Notwithstanding subsections 11(6) and (7), any person 18 years of age or more may restrain any cat found running at large in the Town and shall deliver the cat to the Animal Shelter. The person shall leave a statement in writing with the Pound Keeper which includes the name of the owner of the cat, if known, and the place and time of restraint.
- (9) The Pound Keeper shall receive and detain in an Animal Shelter any cat found running at large pursuant to subsection 11(8) and shall detain the cat until the Pound Keeper disposes of it in accordance with this Bylaw.
- (10) Where a cat is impounded, the Pound Keeper shall:
- (a) hold the cat for three days, unless earlier claimed by the owner of the cat; and
 - (b) attempt to notify the owner of the cat, if known, of the impoundment, however, no liability whatsoever shall attach to the Town, the Animal Control Officer or the Pound Keeper by reason of failure in contacting the owner.
- (11) An owner of a cat which has been impounded may claim the cat by:
- (a) providing reasonable proof of ownership to the Pound Keeper; and
 - (b) paying the impoundment charge as set forth in Schedule "B" of this Bylaw.
- (12) Where a cat is not claimed by the owner within three (3) business days of impoundment, the Pound Keeper may dispose of the cat by public adoption or by humane destruction.
- (13) Notwithstanding the above, any cat suspected of having rabies or other life-threatening disease shall be isolated and may not be claimed, destroyed or otherwise disposed of except after notice to the Medical Health Officer of the Town. The cat is then only to be dealt with in compliance with the direction(s) of the Medical Health Officer.
- (14) No owner of a cat shall fail on request to immediately remove any defecation of the cat from private property, other than property owned or occupied by the owner, and shall dispose of the defecation in a sanitary manner.

PART IV LIMITATION

12. That a maximum number of mature cats and dogs (four months or older), be limited to a combined total of four per household. Any owner who fails to comply with this section shall constitute an offence under this Bylaw.

PART V LIVESTOCK

13. No person shall keep livestock, poultry and/or bees within the boundaries of the Town, except:
- (a) on the premises of a recognized industry in the business of handling livestock and/or poultry.

PART VI DANGEROUS ANIMALS

Dangerous Animals

- 14.(1) An animal is dangerous where it is proven that:
- (a) the animal, without provocation, in a vicious or menacing manner, chased or approached a person or domestic animal in an apparent attitude of attack;
 - (b) the animal has a known propensity, tendency or disposition to attack without provocation, to cause injury or to otherwise threaten the safety of persons or domestic animals;
 - (c) the animal has, without provocation, bitten, inflicted injury, assaulted or otherwise attacked a person or domestic animal; or
 - (d) the animal is owned primarily or in part for the purpose of fighting or is trained for fighting.
- (2) For the purposes of this section, an animal is presumed not to have been provoked, in the absence of evidence to the contrary.

Dangerous Animal Hearings

- 15.(1) If, in the opinion of an Animal Control Officer, an animal is dangerous or a complaint is made that an animal is dangerous, a judge shall hold a hearing to determine if, based upon the evidence adduced at the hearing, the animal is, in fact, dangerous.
- (2) Notice of the hearing referred to in subsection 14(1) shall be served upon the owner of the animal.
- (3) The notice shall be served:
- (a) in the case of an owner who is an individual:
 - (i) by delivering it personally to the owner; or
 - (ii) if the owner cannot conveniently be found by leaving it for the owner at the owner's residence with a person at that residence who appears to be at least 18 years of age.
 - (b) in the case of an owner that is a corporation:
 - (i) by sending it by registered mail to the registered office of the corporation; or
 - (ii) by delivering it personally to the manager, secretary or other executive officer of the corporation or the person in charge of any office or other place where the corporation carries on business in Saskatchewan.
- (4) Where an owner does not appear at the time and place appointed for the hearing after having been notified of that time or place, the judge may proceed ex parte to hear and determine the proceedings in the absence of the owner as fully and effectively as if the owner had appeared.
- (5) If the judge is satisfied, on the evidence, that the animal is dangerous, the judge may make an order including any or all of the following terms:
- (a) if the owner removes the animal from the owner's property, the owner shall muzzle and leash it in accordance with the criteria set out in section 24 and keep it under direct control and supervision;
 - (b) the owner shall inoculate the animal against rabies in accordance with the provisions of section 25;

- (c) the owner shall report the sale or other disposition of the animal to a designated officer no more than 72 hours after the owner has given up possession of the animal;
 - (d) where the animal is moved to a different town, city or municipality, the owner shall notify the clerk of that town, city or municipality no more than 72 hours after the animal is moved to that town, city or municipality;
 - (e) where the animal is to be sold or given away, the owner shall:
 - (i) notify any prospective owner that the animal has been declared dangerous, before it is sold or given away; and
 - (ii) notify a designated officer of the name, address and telephone number of any new owner of the animal no more than 10 days after the new owner has taken possession of the animal;
 - (f) the owner shall have the animal identified by either microchip or tattoo in accordance with section 26.
 - (g) the owner shall keep the animal in an enclosure which complies with the criteria set out in sections 27 and 28;
 - (h) the owner shall obtain and keep in effect liability insurance in an amount of not less than \$300,000.00 for any bodily injury to or death of any person or domestic animal, or for damage to property, caused by the animal and shall provide proof of such insurance to a designated officer within 10 days of the order;
 - (i) the owner shall display a sign, which complies with the criteria set out in section 29, on the owner's property warning of the presence of the animal and shall continue to display that sign in good condition so long as the animal is present on the property;
 - (j) the owner shall have the animal spayed or neutered within 10 days of the date of the order;
 - (k) the owner shall take such other measures as the judge considers appropriate.
- (6) Notwithstanding subsection 15(5), a judge may, in the alternative, order that the animal be destroyed, removed from the Town boundaries or otherwise disposed of at the owner's expense and shall give directions with respect to the destruction or other disposition.
 - (7) Where an order has been made pursuant to subsection 15(5) against the owner, the owner may apply to the judge who made the order for an order that compliance with the provisions of clause 15(5)(i) be waived.
 - (8) On an application pursuant to subsection 15(7), the judge may waive compliance with clause 15(5)(i), on any terms and conditions that the judge considers reasonable, where the judge is satisfied that the owner is unable to comply with the requirements of that clause for a reason other than the owner's financial circumstances.
 - (9) A person desiring to appeal an order pursuant to this section shall, within seven days of the issuance of the order, file a notice of appeal with His Majesty's Court of King's Bench, and the provisions of Part XXVII of the *Criminal Code* apply with any necessary modification.

Owning or Training an Animal for a Dangerous Purpose

- 16. Any person who owns an animal for the purpose of fighting, or trains, torments, badgers, baits or otherwise uses an animal for the purpose of causing or

encouraging the animal to make unprovoked attacks on persons or domestic animals is guilty of an offence.

Dangerous Animal Sign Where Not Ordered

17. Any person who displays a sign warning of the presence of a dangerous animal and who is not acting in accordance with an order made pursuant to subsection 15(5) or has not received the permission of the Town to display the sign is guilty of an offence.

Threatening Behaviour by Animal

- 18.(1) Any person who owns an animal that, without provocation, attacks, assaults, wounds, bites, injures or kills a person or domestic animal, is guilty of an offence.
- (2) Where a person has been found guilty of an offence pursuant to subsection 18(1), the convicting judge may make an order including any or all of the requirements of subsection 15(5) or may make an order for destruction or removal of the animal from the Town boundaries, pursuant to subsection 15(6).

Non-Compliance with an Order

19. Any person who does not comply with any order or part of an order issued pursuant to this Part is guilty of an offence.

Order Binds Subsequent Owner

20. An order issued pursuant to this Part continues to apply if the animal is sold or given to a new owner or is moved to a different town, city or municipality.

Execution of Destruction Order

- 21.(1) Unless the owner otherwise agrees, every order for destruction of an animal shall state that it shall not be implemented for eight (8) days.
- (2) Where an appeal is taken against an order for the destruction of an animal, the application of the order is stayed pending the disposition of the appeal.
- (3) Regardless of the outcome of the appeal, the owner shall be responsible for the payment of the costs of impoundment of the animal pending the hearing.

Return of Animal

22. Where an order for destruction is overturned on appeal, the animal shall be released to the owner after the owner has paid the costs of impoundment of the animal.

Charges May be Added to Property Taxes

- 23.(1) If a person owes the Town for costs incurred by the Town with respect to a dangerous animal, the Town may add the amount owing to the tax roll of any parcel of land for which the person is the assessed person.
- (2) If an amount is added to the tax roll of a parcel of land pursuant to subsection 23(1), the amount:
 - (a) is deemed for all purposes to be a tax imposed pursuant to *The Municipalities Act* from the date it was added to the tax roll; and
 - (b) forms a lien against the parcel of land in favour of the Town from the date it was added to the tax roll.

Criteria for Muzzle and Leash for Dangerous Animals

24. Where an animal that has been ordered to wear a muzzle or leash pursuant to this Part, is removed from the owner's property, the animal shall be equipped with a muzzle and be secured by a leash in accordance with the following criteria:
- (a) the animal shall be fitted with a collar or harness for the body that is properly placed and fitted on the animal;
 - (b) the movement of the animal shall be controlled by a person by means of a leash attached to the collar or harness of the animal;
 - (c) the leash shall be capable of restraining the animal on which it is being used;
 - (d) in the case of a dog, the leash should not exceed 1.2 metres in length and shall be constructed of a material having a tensile strength of at least 140 kilograms;
 - (e) the muzzle on the animal shall be properly fitted on the animal to prevent it from biting any animal or person;
 - (f) the muzzle shall be fitted on the animal in a manner that it will not interfere with the vision or respiration of the animal; and
 - (g) no person not physically able to adequately control the animal on a leash may remove or have the animal removed off the residing property.

Inoculation

25. (1) Where an animal has been ordered to be inoculated against rabies pursuant to this Part, the owner of the animal shall, at the owner's expense and within ten (10) days of the date of the order of the judge, have the animal inoculated against rabies by a veterinarian and provide proof to a designated officer that the animal has been inoculated.
- (2) Where the owner of an animal provides proof that the animal has been inoculated against rabies during the period of twelve (12) months prior to the date of the order, the owner is not required to comply with subsection 25(1) until the expiration of twelve (12) months from the date of inoculation of the animal.
- (3) The owner of an animal shall have the animal inoculated within each twelve-month (12-month) period following the inoculation mentioned in subsection 25(1) or (2) during the lifetime of the animal.

Identification of Dangerous Animals

26. (1) Where an animal has been ordered to be identified by either microchip or tattoo pursuant to this Part, the owner of the animal shall, at the owner's expense and within ten (10) days of the date of the order, cause the animal to be either microchipped by a veterinarian registered pursuant to *The Veterinarians Act, 1987* or tattooed by means of indelible or permanent ink.
- (2) Where an owner is required to have an animal tattooed, the owner shall cause the animal to be tattooed on its ear or inside flank by the veterinarian.

Enclosures for Dangerous Animals

27. Where an animal has been ordered to be kept in an enclosure pursuant to this Part, the owner must ensure that an enclosure is constructed within ten (10) days of the date of the order and that the enclosure complies with the following criteria:
- (a) the enclosure shall be constructed of wood or any other building material of sufficient strength and in a manner adequate to:
 - (i) confine the animal; and

- (ii) prevent the entry of young children;
- (b) the entrances and other areas by which entry to or exit from the enclosure may be made shall be locked or fastened in a manner adequate to prevent the animal from escaping from the enclosure;
- (c) in the case of a dog, the enclosure shall be at least 3 metres in length, 1.5 metres in width, and 1.8 metres in height;
- (d) the enclosure shall have a top secured to the sides of the enclosure;
- (e) the enclosure shall:
 - (i) have a floor secured to the sides of the enclosure; or
 - (ii) the sides of the enclosure shall be embedded in the ground to a depth of at least 0.6 metre;
- (f) the enclosure shall be located no closer than 5 metres from a dwelling unit located on an adjacent property; and
- (g) the enclosure shall:
 - (i) provide protection from the elements for the animal;
 - (ii) provide adequate light and ventilation for the animal; and
 - (iii) be kept in a sanitary and clean condition.

Enclosure Cannot Include Adjacent Fence as Side

28. An owner shall not use a fence separating the owner's property from an adjacent property as one of the sides of the animal enclosure.

Signs

29. (1) Where an animal has been declared dangerous pursuant to this Part, the owner of the animal shall, within ten (10) days of the date of the order of the judge, display a sign on his or her premises warning of the presence of the animal.
- (2) The sign required pursuant to subsection 29(1) shall be in a form acceptable to the Animal Control Officer.
- (3) A sign required by subsection 29(1) shall be placed at each entrance to the premises where the animal is kept and on the enclosure in which the animal is confined;
- (4) A sign required by subsection 29(1) shall be clearly visible and capable of being read from any adjacent public road.

Quarantine

30. (1) Where an animal has bitten a person or domestic animal, the owner of the animal shall, unless the animal is ordered destroyed, quarantine the animal for observations for symptoms of rabies for a period of not less than ten (10) days.
- (2) During the quarantine period required by subsection 30(1), a designated officer may attend to confirm the animal's health or remove the animal to complete the quarantine period at the animal shelter.

PART VII – ENFORCEMENT, OFFENCES AND PENALTIES

Notice of Violation

- 31.(1) When an Animal Control Officer has reason to believe that a person has contravened the provisions of any section of this Bylaw, the Animal Protection Officer may issue a notice of violation to the person in contravention.
- (2) Where a notice of violation is issued, a person may make a voluntary payment of the fine amount listed in Schedule "B" to this Bylaw for that violation if the person does so before the specified date set out in the notice of violation.
- (3) Where the Town Administrator or any other designated agency or person receives voluntary payment of the prescribed amount in Schedule "B" within the prescribed time, or before a summons is issued, the person receiving the notice of violation shall not be liable to prosecution for the alleged contravention.
- (4) Nothing in this section shall be construed to prevent any person from exercising his/her right to defend a charge of contravention of this Bylaw.
- (5) The notice of violation shall be in a form similar to that provided in Schedule "C" of this Bylaw and shall indicate thereon the amount of the fine to be paid in accordance with subsection 31(2) of this Bylaw.
- (6) If payment is not received as provided in subsection 31(3) hereof within the time prescribed, a summons may 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.
- (7) A person to whom a notice of violation is being issued pursuant to this section shall furnish any Animal Control Officer upon request, with his/her name and address.

Penalties

- 32.(1) Any person who contravenes or fails to comply with any provision of Part II, Part III, Part IV or Part V of this Bylaw or fails to comply with an order issued by an Animal Protection Officer, is guilty of an offence and liable on summary conviction to a fine of up to \$1,000.00.
- (2) Any person who is guilty of an offence pursuant to Part VI of this Bylaw is liable on summary conviction to a fine not exceeding \$5,000.00, or imprisonment for not more than one year, or both.

Right of Appeal

33. A person desiring to appeal a conviction pursuant to this Bylaw shall, within seven (7) days of the conviction, file a notice of appeal with the Court, and the provisions of Part XXVII of the *Criminal Code* apply with any necessary modification.

General

- 34.(1) Any payment required pursuant to this Bylaw may be made at the Town Office or at the Animal Shelter.
- (2) The Council may, by resolution, enter into an agreement with any person or organization for the purpose of participation in the enforcement of this Bylaw or for the purpose of providing pound keeping services.

PART VIII – REPEAL AND COMING INTO FORCE

Repeal

35. Bylaw No. 1-2009 is hereby repealed.

Effective Date

36. This bylaw shall come into force and take effect from the date of final passing hereof.

Read a first time this 19th day of October, 2022.

Read a second time this 19th day of October, 2022.

Read a third time and passed this 19th day of October, 2022.

MAYOR

Kenji Karucha

TOWN ADMINSTRATOR

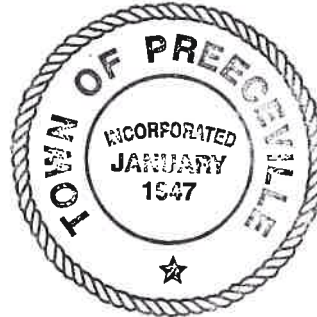


CERTIFIED A TRUE AND CORRECT COPY OF
BY LAW No. 4-2022 OF THE TOWN OF
PREECEVILLE.

DATED AT PREECEVILLE, SASKATCHEWAN THIS
19th DAY OF October AD 2022

Kenji Karucha

TOWN ADMINISTRATOR



SCHEDULE "A"
BYLAW NO. 4 – 2022
Cat Trap Permit

Date: _____ Trap No. _____

The undersigned agrees to the following terms and conditions:

- (a) to place the cat trap on his or her property which is within the Town of Preeceville;
- (b) to personally check the cat trap each hour while the trap is set;
- (c) in the event a cat is trapped, to immediately deliver the cat to the Pound Keeper at 547- 2105. In the event that the Town pound is closed, the cat may be held until the pound re-opens, but in no event for longer than twenty-four (24) hours. Where a cat is held, the undersigned is responsible for 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 not attempt to remove an unfamiliar cat from the trap – this will be done by an Animal Control Officer or Pound Keeper. If the undersigned cannot comply with this condition, the trapped cat must be freed unharmed;
- (d) to ensure that no harm comes to any trapped cat while in their possession including exposure to inclement weather;
- (e) cat traps are not to be used when the temperature falls below 0 degrees or rises above +30 degrees Celsius;
- (f) an Animal Control Officer may enter the property of the undersigned to ensure the trap is being used properly;
- (g) to advise the Pound Keeper or Animal Control Officer of the ownership of any cat trapped, if known;
- (h) to be responsible for the trap, including the cost of repair or replacement if damaged, lost or stolen. The trap is to be returned in a good and clean condition;
- (i) traps must not be set on statutory holidays as the Town Office and Town pound is closed; and
- (j) The trap is to be returned to the Animal Control Officer two days after issuance.

IT IS A SERIOUS OFFENCE TO HARM ANY DOMESTIC ANIMAL

Address of intended location of trap: _____

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 Town of Preeceville for all such liability.

Signature: _____

Name of Complainant: _____

Address of Complainant: _____

TRAP RETURNED

Date: _____

Received by: _____

Remarks: _____

SCHEDULE "B"

Bylaw No. 4 - 2022

Voluntary payment:

- (a) The voluntary payment for a first offence of any section of this Bylaw shall be \$50.00, payable within twenty (20) calendar days of receiving the Notice of Violation.
- (b) Subsequent offences within twelve (12) months of the first offence of any section of this Bylaw:
 - (i) For a second offence of any section of this Bylaw shall be \$100.00 payable within twenty (20) calendar days of receiving the Notice of Violation; and
 - (ii) For a third offence of any section of this Bylaw shall be \$200.00 payable within twenty (20) calendar days of receiving the Notice of Violation.
- (c) The Impoundment Fee under any section for this Bylaw shall be:
 - (i) \$25.00 plus pound fees for the first offence;
 - (ii) \$50.00 plus pound fees and any other cost incurred, for the second offence;
 - (iii) \$100.00 plus pound fees and any other cost incurred, for the third offence.

SCHEDULE "C"

BYLAW NO. 4 - 2022

THE ANIMAL DESCRIBED IS IN VIOLATION OF THE TOWN OF PREECEVILLE BYLAW NO. 4 - 2022:

Name of Owner or keeper: _____

Address of Owner or keeper: _____

Date: _____ Time: _____

Description of Animal: _____

Location of Violation: _____

Issued by: _____

You as the owner or keeper of the above animal are charged with a violation of:

SECTION:

DESCRIPTION:

PENALTY:

The Voluntary penalty may be paid at the Town Office, between 8:00 am and 5:00 p.m. Monday through Friday, or by mail to P.O. Box 560, Preeceville Saskatchewan, S0A 3B0.

Failure to remit the penalty indicated within twenty (20) days may result in the issuance of a summons requiring your appearance in Provincial Court.

SCHEDULE "D"

BYLAW NO. 4 – 2022

**TOWN OF PREECEVILLE
DOG LICENSE
FOR THE YEAR _____**

LICENSE # _____

DOG INFORMATION:

NAME: _____

BREED OF DOG: _____

DOG DESCRIPTION: _____

FEMALE: SPAYED _____ NOT SPAYED _____

MALE: NEUTERED _____ NOT NEUTERED _____

_____ VETERINARY CERTIFICATE OF PROOF PROVIDED THAT THE DOG IS SPAYED OR NEUTERED.

_____ VETERINARY CERTIFICATE OF PROOF PROVIDED THAT THE DOG HAS BEEN VACINATED AGAINST RABIES WITHIN TWO (2) YEARS OF THE DATE OF THIS APPLICATION. (This condition must be met prior to issuing a license.)

_____ THE DOG HAS NOT BEEN DECLAIRED A DANGEROUS DOG BY ANY OTHER MUNICIPALITY, CITY, TOWN ETC. OR BY ANY PROVINCIAL COURT JUDGE. (This condition must be met prior to issuing a license.)

OWNER OR KEEPER OF THE DOG:

NAME: _____

CIVIC ADDRESS: _____

CONTACT PHONE NUMBER: _____

SECONDARY CONTACT PHONE NUMBER: _____
(A secondary phone number must be provided.)

I CERTIFY THAT THE ABOVE INFORMATION IS TRUE.

SIGNED THIS _____ DAY OF _____, _____.

LICENSE FEE:

DOG LICENSE FEE PAID: _____

THIS LICENSE IS VALID TO DECEMBER 31ST, _____.