

A BYLAW TO LICENSE, AND TO PROHIBIT THE RUNNING
AT LARGE OF, DOGS

The Council of the Village of Dysart, in the Province of Saskatchewan, enacts as follows:

1. This Bylaw may be cited as the Dog Bylaw of the Village of Dysart.

Interpretation

2. For the Purpose of this bylaw the expression :

a) "dog" shall mean any carnivorous quadruped of the genus Canis either male or female.

b) "clerk/administrator" shall mean the clerk or administrator of the municipality.

c) "municipality" shall mean the Village of Dysart.

d) "running at large" shall mean when the dog is beyond the boundaries of the land occupied by the owner of the said dog, or beyond the boundaries of any lands where it may be with the permission of the owner or occupant of the said land when it is not under control by being

i) in the direct and continuous charge of a person competent to control it:

or

ii) securely confined within an enclosure: or

iii) securely fastened so that it cannot roam at will.

e) "owner" shall include possessor or harbourer of a dog.

f) "dangerous dog" shall mean

i) any dog which without provocation, in a vicious or menacing manner, chased or approached a person or domestic animal in an apparent attitude of attack:

ii) any dog having an inclination, tendency or disposition to attack without provocation, to cause injury, or to otherwise threaten the safety of persons or domestic animals:

iii) any dog which is primarily or in part for the purpose of dog fighting or is trained for dog fighting;

but shall not include:

i) any dog acting in the performance of police work; or

ii) any dog working as a guard dog on commercial property:

1) securely enclosed on the property by a fence or other barrier sufficient to prevent the escape of the dog and the entry of children of tender years; and

2) defending that commercial property against a person who was committing an offence.

g) "bylaw enforcement officer" shall mean the clerk, maintenance men or dog catcher of the Municipality, or a Police Officer.

h) "prohibited dog" shall mean

i) Pit Bull Terrier

ii) American Pit Bull Terrier

iii) Pit Bull

iv) Rottweiler

v) Any dog of mixed breeding identified as a dog of a partial mix of any of the above indicating breeds or kinds.

vi) Any vicious dog.

License

3) (a) Every person within the Municipality who owns, possesses, or harbours a dog over six months old shall obtain a license from the Village Office.

(b) The license shall be in effect from January 1 to December 31 of a calendar year, and shall be obtained on or before the last day of January each year; or within 10 days of taking possession of the dog.

(c) The license fee shall be \$10.00 for each dog.

(d) The sum payable for a license required after July 1st shall be 3/5 of the charge for a full year.

(e) Every person to whom a license has been issued under this bylaw shall

cause his animal to wear a collar to which be attached the license tag issued by the municipality pursuant to this bylaw.

(f) No license shall be issued for a dog kennel and no person shall be permitted to harbour more than two dogs at any time within the boundaries of the municipality.

Control of Animals

4. No person that is the owner of a dog shall allow the dog to run at large in the municipality.

5. No person being the owner of a dog shall permit the same to create a noise or disturbance to the annoyance or discomfort of other persons residing in the neighborhood or to the public at large.

6. No person being the owner of a dog shall permit the dog to defecate on any public or private property other than the property of its owner; the owner of the dog shall cause such defecation to be removed immediately and dispose of it in a sanitary fashion.

7(a) No person shall keep or harbour a dangerous dog. Upon complaint that a dog in the municipality is dangerous, it shall appear to the Provincial Court Judge as provided under section 135.2 of the Urban Municipality Act, 1984.

(b) No person shall keep a prohibited dog in the municipality and where such dogs are reported to be and/or found to be in the municipality by a Police Officer, the Officer shall forthwith seek out and order the owner to immediately remove the dog from the municipality or destroy it. Any person failing to comply with such order shall be liable to a penalty of \$100.00 for every day during which such failure continues in addition to any penalties that may be imposed under section 11 of this Bylaw by the Magistrate hearing the complaint.

Rabies Control

8.(a) When an animal 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, Department of Agriculture, shall be notified immediately, where the veterinarian of the Health Animals Branch is not available, the report shall be made to the local veterinarian or a Police Officer.

(b) A Medical Health Officer or licensed veterinarian or a Police Officer having cognizance that an animal is dangerous or might have been exposed to rabies may order that:

The person owning or harbouring or having in his possession such animal, whether vaccinated or not against rabies, shall keep it under confinement at a place acceptable to the veterinarian of the Health of Animals Branch, Department of Agriculture for a period of at least two weeks or until such time as the suspicion of rabies has been confirmed or refuted.

(c) Where in the Opinion of the Medical Health Officer and the district veterinarian, Health of Animals Branch, Department of Agriculture, rabies infection has reached proportions where mass vaccination is indicated, every person who owns or harbours or has in his possession within the municipality any animal susceptible to rabies shall cause such animal to be inoculated against rabies.

(d) A certificate issued by a qualified veterinarian to the effect that an animal has been inoculated against rabies shall be prima facie evidence that such animal has been so inoculated.

Infraction of Bylaw

9 (a) A person who owns, possesses, or harbours an animal found running at large shall be deemed to be guilty of an infraction of this bylaw and shall be liable to the penalties hereinafter provided.

(b) A person, residing in the municipality who owns, possesses, or harbours a dog and neglects or refuses to act in accordance with any of the provisions of this

bylaw shall be deemed guilty of an infraction of this bylaw and shall be liable to the penalties hereinafter provided.

Dog Catching, Impounding and Redemption

10. (a) Any person may take any dog found running at large contrary to the provisions of this bylaw to the Village pound, where it shall be kept for three days unless the owner, possessor, or harbourer takes out a license and redeems the dog by paying to the Village the current costs per day charged by the pound for the care and keep of the dog for each day impounded and a fine of:

- (i) \$100.00 for a first offence
- (ii) \$200.00 for a second offence
- (iii) \$500.00 for a third offence and thereafter in the same calendar year.

(b) The clerk/pound keeper may sell the dog which is not redeemed within three day provided that the purchaser thereof obtains a license if the purchaser is a resident of the municipality.

(c) The clerk/pound keeper, or any other designated person, may destroy the dog which has not been redeemed within three days.

Penalties

11. (a) Every owner who commits a breach of Section 3(a), 3(d), 4,5 or 6 of this bylaw shall be guilty of an offence and liable to a penalty of :

- (1) For the first offence, a fine of \$30.00
- (2) For the second offence in the same calendar year, a fine of \$60.00.
- (3) For a third offence and thereafter in the same calendar year, a fine of \$100.00.

(b) A violator of this Bylaw, upon being served with a Notice of Violation, may during office hours, voluntarily pay the penalty at the Village Office. Compliance of such notice within the period of time prescribed therein shall relieve such owner from liability to prosecution in respect of such offence.

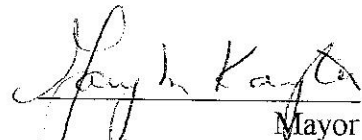
(c) The notice of violation shall be in form "A", attached to and forming part of this Bylaw.

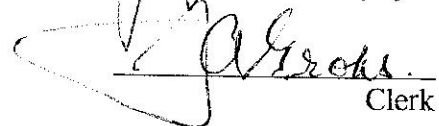
(d) If an owner in contravention of this bylaw does not voluntarily pay the penalty provided in subsection (a) hereof within seventy-two (72) hours, excluding holidays, Saturdays and Sundays, of being served a notice of violation, the said person shall be liable on summary conviction to the penalty prescribed in Section 11 hereof, and in no case shall the penalty imposed be less than that prescribed in subsection (a) above.

12. Except as provided in Section 11(b) of this bylaw every person who is found to be guilty of an infraction of any provisions of this Bylaw shall be liable on summary conviction to:

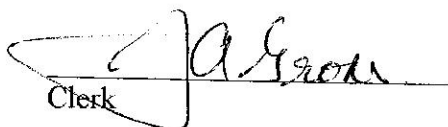
- (a) a fine of not less than \$1,000.00 and not more than \$10,000.00;
- (b) imprisonment for not more than six months;
- (c) a penalty consisting of any combination of clauses (a) or (b).

13. Bylaws 5/95 and 1/02 are hereby repealed.


Mayor


Clerk

Certified a true copy of the
bylaw adopted on APR 8, 2003


Clerk

FORM A
BYLAW # 2/03
NOTICE OF VIOLATION

VILLAGE OF DYSART

NAME _____
ADDRESS _____
POSTAL CODE _____

DETAILS OF OFFENCE:

DATE _____, TIME _____ AM - PM
LICENSE NO. _____

DESCRIPTION OF
VIOLATION: _____

LOCATION OF VIOLATION: _____

You are charged with violation of Bylaw No. _____
Section(s) _____

Penalty for the above violation \$ _____ -.

Special Constable/Bylaw enforcement
Officer/Designated Official.

You may make voluntary payment of the above penalty at the Dysart Village Office during regular office hours or by mail within three (3) days from the date of service of this violation.

If you do not make voluntary payment within the time set out above, you shall be liable to prosecution and, upon summary conviction; you shall be liable to the penalty provided under section 112 of the said bylaw.