

TOWN OF EASTEND  
Bylaw No.690/2011

A BYLAW TO PROVIDE FOR THE LICENCING, REGULATING AND CONTROLLING OF DOGS AND CATS.

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

DEFINITIONS

1. In this bylaw, unless the context otherwise requires, the following shall be interpreted as:
  - (a) "Animal Control Officer" means a Bylaw Enforcement Officer, peace officer or a person appointed as a dog and cat catcher for the Town;
  - (b) "Cat" means either the male or female of the feline family;
  - (c) "Council" means the Council of the Town of Eastend;
  - (d) "Dangerous Animal" shall mean:
    - i) an animal that, without provocation, in a vicious or menacing manner, chased or approached a person or domestic animal in an apparent attitude of attack;
    - ii) an animal that 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;
    - iii) an animal that has, without provocation, bitten, inflicted injury, assaulted or otherwise attacked a person or domestic animal; or
    - iv) an animal that is owned primarily or in part for the purpose of fighting or is trained for fighting..
  - (e) "Dog" means either male or female of the Canine family;
  - (f) "Leash" means a chain or other material capable of restraining the dog on which it is being used;
  - (g) "Owner" shall mean any person who keeps, possesses, harbors or has charge of or control over a dog or a cat, or the person responsible for the custody of a minor where the minor is the owner of the animal;
  - (h) "Person" shall include an individual, partnership, association or corporation;
  - (i) "Potentially Dangerous Dog" shall mean:
    - i) a dog that chases or approaches any person or domestic animal, anywhere other than on the property of the owners or custodian in a menacing fashion or apparent attitude of attack, including but not limited to, behavior such as growling or snarling.
    - ii) a dog which, on three separate occasions within a twelve month period, has been issued a violation ticket by the Animal Control Officer for running at large, or which has been properly impounded three times within a twelve month period by the Animal Control Officer.
  - (j) "Pound" means such premises and facilities as may be designated by the Town, from time to time, as the Town pound;
  - (k) "Poundkeeper" means a person, persons or association designated by the Town from time to time to maintain and administer the pound;
  - (l) "Town" means the municipal corporation of the Town of Eastend.



## LICENCING

- 2.a) The licence year shall be from January 1 to December 31 of each year.
- b) Every owner of a dog or cat three (3) months old or older shall, not later than the 31<sup>st</sup> day of January in each year, or within thirty (30) days of becoming an owner of a dog or cat, obtain a licence and shall pay therefore an annual fee as set out in schedule "A" to this bylaw. Said licence shall not be transferable to any other dog or cat or owner. The onus of proof as to the date when the owner actually became the owner of the dog or cat in question shall be on the owner.
- c) Notwithstanding subsection (b) the owner shall obtain a licence for any dog or cat less than three (3) months old found running at large.
- d) When applying for a licence under this section, the applicant shall provide a description of the dog or cat, the name and address of the owner of the dog or cat, and any other relevant information which may be required by the Town to determine the dog or cat's age or that the dog or cat is neutered or spayed.
- e) When issuing a licence for a dog or cat, the Town shall supply the applicant with a tag, the form of which and lettering or numerals inscribed or imprinted thereon as may be determined by the Town.
- f) The owner of a dog and/or cat shall ensure that his dog and/or cat wears the current licence purchased for that dog and/or cat, when the dog and/or cat is off the property of the owner.
- g) No person shall be entitled to a licence rebate under this bylaw.
- h) The amount of any licence fee due and payable on or after August 1<sup>st</sup> of any year shall be one half the licence fee for the full year.
- i) Every owner of a dog or cat within the Town shall, on demand of an Animal Control Officer show his licence, receipt or other evidence that he has paid the licence fee for the dog or cat for the current year.

## RESPONSIBILITY OF DOG OWNERS

3. (a) The owner of a dog shall ensure that such dog is not running at large.
- (b) In this section, a dog shall be "at large" if it is off the premises of its owner, unless the dog is both:
  - i) on a leash not exceeding two (2) metres in length; and,
  - ii) under the proper control of its owner.
- (c) Every female dog in heat shall be house or confined to a kennel.
- (d) If a dog defecates on any public or private property other than the property of its owner, the owner shall remove such defecation immediately and dispose of it in a sanitary manner.



- (e) Any person owning a dog and occupying property in the Town shall remove any and all dog defecation from the said property and shall dispose of the defecation in a sanitary manner.
- (f) Failure to cause the removal of defecation as required by subsection (d) and (e) of this section shall be a breach of this bylaw.
- (g) The owner of a dog shall ensure that such dog shall not;
  - (i) bite a person or persons whether on the property of the owner or not;
  - (ii) do any act to injure a person or persons whether on the property of the owner or not;
  - (iii) chase or otherwise threaten a person or persons whether on the property of the owner or not, unless the person chased or threatened is a trespasser on the property of the owner;
  - (iv) bite, or chase, animals, bicycles, automobiles, or other vehicles;
  - (v) create noise or odor to the annoyance or discomfort of any person;
  - (vi) cause damage to property or other animals;
  - (vii) upset any waste receptacles or scatter the contents thereof either in or about a street, lane, or other public property or in or about premises not belonging to or in the possession of the owner of the dog.

#### POTENTIALLY DANGEROUS DOGS

- 4. (a) A dog shall be declared "Potentially Dangerous" if it acts in a manner as set out in Section 1.(i)i) or is impounded for running at large or issued violation notices for running at large in accordance with Section 1.(i)ii).
- (b) A dog declared "Potentially Dangerous" impounded for running at large or issued a violation ticket for running at large such be deemed to be guilty of an infraction of this Bylaw and liable to a fine as provided in Schedule "B".
- (c) A listing shall be kept of all dogs declared as "Potentially Dangerous".

#### DANGEROUS DOGS

- 5. A complaint of a dog that is dangerous, as set out in Section 1.(d) shall be heard by a Judge or a Justice of the Peace and the proceedings shall be as provided for by the *The Municipalities Act*.
- 6. When a dog has been declared "Dangerous" through the proceedings provided for under Section 5. The owner shall ensure that:
  - (a) it does not bite, chase or attack a person or other animal whether on the property of the owner or not,
  - (b) when it is on the property of the owner it is confined in:
    - (i) an enclosed area or in a fenced yard on a chain capable of restraining the dog which enclosed area or fenced yard is marked with a sign indicating the presence of a Dangerous Dog and prevents in the escape of the Dangerous Dog, or
    - (ii) a dwelling and under the control of a person over the age of sixteen (16) years, and

- (c) when it is off the property of the owner is securely;
  - (i) muzzled, and
  - (ii) harnessed or leashed in a manner that prevents it from biting, chasing or attacking a person or other animal.
- 7. Any person failing to comply with the provisions set out under section 6.(b) and/or (c) when their dog has been declared dangerous shall be liable to a fine not exceeding an amount as provided under Schedule "B", for every day during which failure continues. The owner of a dog that has been declared dangerous shall be liable to a fine as provided in "Schedule B" if the dog bites, chases or attacks a person or other animal whether on the property of the owner or not. When a dog is ordered to be destroyed, the Justice of the Peace or Judge may by the same order direct any person to destroy the dog, any person failing to comply with this order shall be liable to a fine as provided in Schedule "B" to this bylaw, for every day during which the failure continues.
- 8. The following municipal official is hereby designated for the purpose of section 135.2(5)(1) of *The Urban Municipality Act, 1984* as the person to be notified if an owner sells or otherwise disposes of a dangerous dog:
  - The Administrator of the Town of Eastend

#### RESPONSIBILITY OF CAT OWNERS

- 9. (a) The owner of a cat shall ensure that such cat is not running at large.
- (b) In this section, a cat shall be "at large" if it is unlicensed and off the premises of its owner, unless the cat is under the proper control of its owner.
- (c) Every female cat in heat shall be housed or confined to a kennel.
- (d) Every owner of a cat shall ensure that such cat shall not:
  - (i) bite a person or persons whether on the property of the owner or not;
  - (ii) create noise or odor to the annoyance or discomfort of any person;
  - (iii) cause damage to property or other animals;
  - (iv) fight with other cats;
  - (v) defecate or spray on private property without the permission of the owner or occupant of the property;
  - (vi) dig in flower beds or waste receptacles.



## IMPOUNDMENT

10. An Animal Control Officer, or at his request, or the request of the Town Administrator or a Member of Council, any other person may take any dog or cat found running at large contrary to the provisions of this bylaw to the municipal pound, where it shall be kept for ninety-six (96) hours, excluding Saturdays, Sundays and Public Holidays, unless the owner, possessor, or harbored redeems the dog or cat by paying the Administrator the penalty provided in Schedule "B" hereof for each dog or cat impounded, plus the sum as provided in Schedule "C", for each day or part thereof the dog or cat are impounded.
11. Where an impounded animal is required by bylaw to be licenced and a licence has not been obtained, the said licence fee shall be paid in addition to the above charges and the impounding penalty before said dog or cat are impounded.
12. An Animal Control Officer may enter onto the land surrounding any building in pursuit of any dog or cat which has been observed to be at large.
13. For the purpose of impounding any dog or cat found at large in the Town, a pound shall be established at such place as may be designated by resolution of Council as a pound.
14. The Town may from time to time appoint a Poundkeeper to carry out the provisions of this bylaw.
15. Every Poundkeeper shall receive and detain in the pound any dog or cat found running at large and shall detain same until disposal of it in accordance with the provisions of this bylaw.
16. The Administrator shall keep a record of all dogs and cats impounded and the time and manner of their disposal.
17. Where the dog or cat impounded is wearing a collar to which is attached a licence for the current year, or if no licence is present, but the name of owner of the impounded cat or dog is known to the Animal control Officer or the Poundkeeper, the Administrator or Assistant Administrator shall be advised as soon as possible. The Administrator or assistant Administrator shall notify the said owner, advising of the impounding and set forth the required amounts to be paid to have the dog or cat released. No liability whatsoever shall be attached to the Town, by reason of the failure of the owner to receive such notification.

## DISPOSAL OF ANIMALS

18. (a) The Administrator may sell any dog or cat which is redeemed within ninety-six (96) hours, excluding Saturdays, Sundays and Statutory holidays, provided that the purchaser thereof obtains a licence if he is a resident of the Town, and further provided that the dog or cat has been vaccinated against rabies.
- (b) If an impounded dog or cat is not claimed within ninety-six (96) hours, subject to subsection (c), from the time such dog or cat is received at the pound, excluding Saturdays, Sundays and Statutory holidays, and the fees if any, paid as herein provided, said dog or cat may be disposed of in a humane manner by the Poundkeeper, or at his request, any other person, without further notice.



- (c) If a dog or cat wearing a current years licence is impounded, that animal shall be held for an additional ninety-six (96) hours, excluding Saturdays, Sundays and Statutory holidays, to the time set out in subsection (b) to allow the owner to be notified. If the owner is notified within the ninety-six (96) hour time frame set out in subsection (b) this section shall not apply.

#### MICELLANEOUS

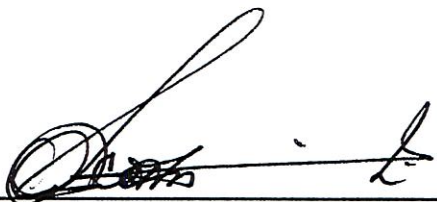
- 19. Any animal suspected of having rabies or other life threatening disease shall be isolated and may not be claimed from the pound, destroyed or otherwise disposed of except after notice to the Medical Health Officer and then only in compliance with the direction of the Medical Health Officer.
- 20. No person shall:
  - (a) untie, loosen or otherwise free an animal which has been tied or otherwise restrained; or
  - (b) negligently or willfully open a gate, door or other opening in a fence or enclosure in which an animal has been confined and thereby allow an animal to run at large in the Town,
  - (c) tease, entice, bait or throw objects at a dog confined within its owner's property.

#### PENALTIES

- 21.
  - (a) A person who contravenes any of the provisions of this bylaw or fails to comply therewith, or with any notice or order given thereunder shall be guilty of an offence and upon conviction, shall be liable to a penalty as set out in Schedule "B", and in default of payment is liable to imprisonment for a term not exceeding thirty (30) days.
  - (b) Where a dog or cat is disposed of as provided under Section 18.(b) and (c) the owner shall be liable for the disposal costs incurred.
  - (c) The levying and payment of any fine or the imprisonment for any period provided in this bylaw shall not relieve a person from the necessity of paying any fees, charges or costs for which he is liable under the provisions of this bylaw.
  - (d) A violator of this bylaw, upon being served with a Notice of Violation, may, during regular office hours, voluntarily pay the penalty at the Town Office, and upon payment as so provided, that person shall not be liable to prosecution for the offence.
  - (e) The Notice of Violation shall be in form "A" as attached herein and forming part of this bylaw.
  - (f) Where an Animal Control Officer believes that a person has contravened any provision of this bylaw, he may serve upon such person a Notice of Violation, as provided by this section either personally or by mailing or leaving same at his last known address and such service shall be adequate for the purpose of this bylaw.
- 22. That Bylaw No. 605/02 is hereby repealed.

COMING INTO FORCE

23. That this bylaw shall come into force and have effect on the 16<sup>th</sup> day of November, 2011.  
Except for the license fees provide for in Schedule "A", which shall come into force and have effect from and after January 1, 2012.  
The fee for licenses issued in accordance with this bylaw from September 1 to December 31, 2012 shall be \$10.00.



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Mayor



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Administrator



Certified a true copy of Bylaw No. 690/2011  
adopted by resolution of the Council of the  
TOWN of EASTEND in the  
Province of Saskatchewan, dated this  
16<sup>th</sup> day of NOVEMBER A.D. 2011.

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Mayor of Reeve  
  
Administrator

TOWN OF EASTEND  
SCHEDULE "A" TO BYLAW 690/2011

ANNUAL LICENCE FEES FOR DOGS AND CATS

DOGS: Male dog - non-neutered	\$20.00
Male dog - neutered	\$10.00
Female dog - non-spayed	\$20.00
Female dog - spayed	\$10.00
CATS: Male cat - non-neutered	\$10.00
Male cat - neutered	\$ 5.00
Female cat - non-spayed	\$10.00
Female cat - spayed	\$ 5.00



TOWN OF EASTEND  
SCHEDULE "B" TO BYLAW 690/2011

PENALTIES

<u>OFFENCE UNDER</u>	<u>OFFENCE</u>	<u>AMOUNT</u>
1. SECTION 4. (B)	DOG DECLARED POTENTIALLY DANGEROUS - impounded or issued Violation notice for running at large	\$100.00 each time
2. SECTION 7	DANGEROUS DOG Failing to comply with Sections 6. (b) and/or (c)	\$ 20.00 per day
	Dog bites, chases or attacks	\$200.00
	Failure to destroy as Ordered	\$ 20.00 per day
3. SECTION 21. (a)	FIRST OFFENCE WITHIN ONE YEAR	\$ 25.00
	SECOND OFFENCE WITHIN ONE YEAR	\$ 50.00
	THIRD OR SUBSEQUENT OFFENCE WITHIN ONE YEAR	\$ 70.00

TOWN OF EASTEND  
SCHEDULE "C" TO BYLAW 690/2011

POUND CHARGES

1. DOG - \$10.00 PER DAY OR PART DAY
  
2. CAT - \$8.00 PER DAY OR PART DAY