

RURAL MUNICIPALITY OF DUCK LAKE No. 463

BYLAW 12-2020

A BYLAW OF THE RURAL MUNICIPALITY OF DUCK LAKE NO. 463 TO REGARDING DOGS WITHIN THE RURAL MUNICIPALITY OF DUCK LAKE NO. 463

The Council of the Rural Municipality of Duck Lake No. 463 in the Province of Saskatchewan enacts as follows:

1. This bylaw shall be known as the “Animal Control Bylaw”.

2. DEFINITIONS

In this bylaw, the following definitions apply:

- a) **Administrator** – means the administrator for the RM of Duck Lake No 463.
- b) **Bylaw enforcement officer** – means the person or persons appointed or contracted by the RM of Duck Lake for the purpose of enforcing the provisions of this bylaw.
- c) **Council** – means the Council of the RM of Duck Lake.
- d) **Dog** – means a male or female dog or a male or female puppy over eight (8) weeks of age.
- e) **Dangerous dog** – means
 - i) any dog that, without provocation, in a vicious or menacing manner, chases or approaches a person or domestic animal in an apparent attitude of attack;
 - ii) any dog with 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) any dog that, without provocation, has bitten, inflicted injury, assaulted or otherwise attacked a person or domestic animal;
 - iv) any dog which is owned primarily or in part for the purpose of dog fighting or is trained for fighting.
- f) **Municipality** – means the Rural Municipality of Duck Lake.
- g) **Owner** – includes:
 - i) a person, persons, partnership, association or corporation who keeps, possesses, harbours or has care of or control of a dog;
 - ii) the person responsible for the custody of a minor where the minor is the owner of a dog.
- i) **Person** – means and includes an individual(s), partnership, association or corporation.
- h) **Running at Large** – means when the dog is beyond the boundaries of the land occupied by the owner, possessor, harbourer or keeper 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 and is not under control by being:

- i) on a leash and in direct and continuous charge of a person competent to control it; or
 - ii) securely confined within an enclosure; of
 - iii) securely fasten so that it cannot roam at will.
- i) **Ticket** – means a notice of violation, summary offence ticket or summons.

3. **RUNNING AT LARGE**

- a) The owner of a dog shall not at any time allow the dog to run at large within the Municipality.
- b) When a dog is found to be running at large, its owner is deemed to have failed or refused to comply with the provisions of this section.
- c) Where a dog is found to be running at large, the owner or occupant of that property on which the dog is running at large may make a written complaint to the bylaw enforcement officer.

4. **LITTER**

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

5. **NUISANCE**

- a) The owner, possessor or harbourer of a dog shall not allow the animal to create a nuisance to any person by barking excessively, 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 offence under this bylaw.
- b) Where a dog is found to be creating a nuisance, the owner or occupant of that property on which the dog is creating a nuisance may make a written complaint to the bylaw enforcement officer.

6. **RABIES AND OTHER DISEASES**

- a) Any dog suspected of having rabies shall not be killed but shall be secured and isolated for ten (10) days and the matter immediately reported to a veterinary clinic whose instructions shall be complied with.
- b) An owner, possessor or harbourer of a dog who neglects or refuses to comply with any order of the veterinary clinic shall be guilty of an infraction of this bylaw.

7. **DANGEROUS DOGS**

- a) Where a complaint is received that a dog within the municipality is dangerous, Section 375 of *The Municipalities Act* shall apply.

8. GENERAL PENALTY

- a) A person who contravenes any provision of this bylaw or neglects or refuses to comply therewith shall be guilty of an offence and liable upon summary conviction to a fine of \$200.00 for first offence and \$400.00 for second or subsequent offences.

9. PENALTY

- a) Where any person has committed or alleged to have committed a breach of any of the provisions of this bylaw, a ticket in a form provided by the local authority, or a summary offence ticket information, 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, address and date of birth upon request.
- c) Notwithstanding Section 14, 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 "C" to this bylaw.
- d) If the Rural Municipality receives voluntary payment of the prescribed penalty within seven (7) days from the date the ticket was issued, the person receiving the ticket shall not be liable for prosecution for 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.
- f) It shall be an offence for any person to harass, threaten, use excessive profanity towards, or to disobey a "bylaw enforcement officer".

10. SEVERABILITY

- a) 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.

11. REPEAL OF FORMER BYLAWS

Bylaw 13-2018 known as the Animal Control Bylaw; and all amendments thereto are hereby repealed.

READ THREE TIMES BY UNANIMOUS vote and passed by Council of the R.M. of Duck Lake No. 463 in the Province of Saskatchewan this 9th day of September, 2020.

Rural Municipality of Duck Lake No. 463

(seal)

Reeve

Administrator

SCHEDULE "C" TO BYLAW 12-2020

PENALTIES

<u>Section</u>	<u>Offence</u>	<u>Offences</u>	
		<u>First</u>	<u>Subsequent</u>

If paid within 7 days of date of issue of the notice of violation:

3	Running at large	\$ 200.00	\$400.00
4	Failure to remove defecation	\$ 200.00	\$400.00
5	Nuisance dogs	\$ 200.00	\$400.00

If paid after 7 days of the date of issue of the notice of violation:

Individual offences as listed above	\$300.00
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PENALTIES – GENERAL

Harass, threaten, use excessive profanity or disobey a "bylaw enforcement officer"	\$200.00
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