

Town of Radisson
Bylaw NO: 08/2019

Animal Control Bylaw

A Bylaw of the Town of Radisson in the Province of Saskatchewan to Control Animals.

The Council of the Town of Radisson 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 Town of Radisson
- b. **Bylaw enforcement officer-** means the person or persons appointed or contracted by the Council of the Town of Radisson for the purpose of enforcing the provisions of this bylaw.
- c. **Cat-** means a male or female cat or a male or female kitten over eight (8) weeks of age.
- d. **Council-** means the Council of the Town of Radisson.
- e. **Dog-** means a male or female dog or a male or female puppy over eight (8) weeks of age.
- f. **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.
- g. **Municipality or town-** means the Town of Radisson
- h. **Owner-** includes:
 - i. a person, persons, partnership, association or corporation who keeps, possesses, harbours or has care of or control of a dog or cat.
 - ii. the person responsible for the custody of a minor where the minor is the owner of a dog or cat.
- i. **Pound-** means such premises and facilities as may be designated by the Council of the Town of Radisson for the purpose of safely lodging and securing animals seized pursuant to this bylaw.
- j. **Pound keeper-** means a person designated by the Town of Radisson from time to time to maintain and administer the pound.
- k. **Person-** means and includes an individual(s), partnership, association or corporation.

- l. Running at large-** means when the dog or cat is beyond the boundaries of the land occupied by the owner, possessor, harbourer or keeper of the said dog or cat, 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 or harness and in 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.

3. REGISTERING

- a.** Every owner of a dog or cat within the town shall cause each such Dog/Cat to be registered with the Town Office. At the time of registering, the applicant shall provide the Town office with a physical description of the dog/cat, the breed of the dog/cat, proof of spay or neuter and the name, address, and telephone number of the owner of the dog/cat, as set out in the form designated Form “A” and attached hereto.
- b.** The registration year for dogs/cats shall be from the first day of January to the thirty-first day of December of the same year.
- c.** Every owner of a dog/cat shall, no later than February first in each year, register the said dog/cat at the Town Office, and failure to do so shall constitute an offence under this bylaw.
- d.** In addition to the registration requirements laid down in Section 3(a)(b)(c), the owner of a dog/cat shall pay an annual registration fee as set out in Schedule “A” attached hereto.
- e.** The sum payable for a registration fee required after the thirty-first day of July in a calendar year shall be calculated at fifty percent of the annual fee and shall expire on the thirty-first day of December in the same calendar year.
- f.** Any dog/cat registration certificate or applicable fee issued pursuant to the provisions of this bylaw by the town shall not be transferable to any other dog/cat.
- g.** Notwithstanding Section 3(d), a dog which has been professionally trained to assist the physically challenged or those suffering from chronic, life-threatening diseases including, but not limited to, epilepsy, diabetes, blindness and wheelchair confinement, shall not be subject to a registration fee.
- h.** The provisions of this section shall not apply to the dogs kept, in the ordinary course of business, by the proprietors of the following premises:
 - i.** A veterinary hospital, clinic, boarding kennel or grooming parlor;
 - ii.** A public pound
- i.** A person residing in the town who owns, possesses, keeps or harbours a dog/cat and neglects or refuses to register or pay any applicable registration fee shall be subject to the penalties as outlined in Schedule “C” of this bylaw.
- j.** A \$10.00 penalty will be added to any unpaid dog/cat licenses as of March 1st of the year in which they are due.
- k.** A license issued is not transferable to any other cat or dog
- l.** A license fee paid pursuant to this Bylaw shall not be refundable to the owner on the disposal or demise of the cat or dog

4. DUTIES OF OWNER

A person who has ownership, possession or control of an animal:

- a. shall ensure that the animal has an adequate source of food and water;
- b. shall provide the animal with adequate medial attention when the animal is wounded or ill;
- c. shall provide the animal with reasonable protection from injurious heat or cold, and;
- d. shall not confine the animal to an enclosure or area;
- e. with inadequate space
- f. with unsanitary conditions
- g. with in adequate ventilation, or
- h. without providing an opportunity for exercise, so as to significantly impair the animal's health and well being

5. RUNNING AT LARGE

No dog/cat shall run at large in the Town at any time whether it is licensed or not, and for the purpose of this bylaw, a dog/cat shall be deemed to be running at large when it is beyond the boundaries of the land occupied by the owner, possessor or harbourer of the said dog/cat, or beyond the boundaries of any lands when it is not under control by being:

- a. in direct and continuous charge (on leash or other way controlled) of a person competent to control the animal; or
- b. securely confined within an enclosure; or
- c. securely fastened so that it cannot roam at will.
- d. a person who owns, possesses or harbours an animal found running at large shall be deemed guilty of an infraction of this bylaw and will be charged a penalty as set out in the attached Schedule "C"

Any dog/cat running at large four or more times shall be disposed of by the police, pound keeper, dog/cat catcher or other person appointed by the Council.

6. LIMITS- DOGS AND CATS

- a. No person or persons within the town shall harbour 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 "C" attached hereto.
- b. No person or persons within the town shall harbour or keep more than two (2) cats on any one 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 "C" attached hereto.

7. SEIZURE AND IMPOUNDING

- a. A bylaw enforcement officer or peace officer or animal catcher as appointed by Council, may seize and impound any dog/cat observed to be at large.
- b. A bylaw enforcement officer or peace officer or animal catcher as appointed by Council may enter onto land surrounding any building in pursuit of any dog/cat, which has been observed to be at large.

- c. The bylaw enforcement officer or animal catcher as appointed by Council is hereby authorized to seize and capture, by any method authorized by resolution of Council, and impound any dog/cat running at large contrary to the provisions of this bylaw.
- d. Any person may take any dog/cat found running at large contrary to the provisions of this bylaw to the Town pound.
- e. No person, whether or not he is the owner of a dog or cat which is being or has been pursued or seized, shall:
 - i. interfere with or attempt to obstruct a bylaw enforcement officer who is attempting to seize or has seized any dog/cat in accordance with the provisions of this bylaw;
 - ii. unlock or unlatch or otherwise open the vehicle in which dogs or cats seized under this bylaw have been placed so as to allow or attempt to allow any dog or cat to escape therefrom.
 - iii. remove or attempt to remove any dog or cat from the possession of the bylaw enforcement officer.

8. POUND

- a. The council shall endeavor to appoint an animal catcher and pound keeper.
- b. All dogs/cats impounded in the pound shall be so confined therein for a period of 72 hours from the time of capture during which time the owner thereof shall have the right to repossess the said dog/cat upon paying to the Town Office the amount set forth in Schedule "B" to this bylaw.
- c. No dog or cat which is impounded shall be released to its owner or to any other person until the appropriate pound fee is paid, and until it has been registered.
- d. When a dog/cat has been impounded, the Town Office shall immediately attempt to contact the owner as shown in the records made when the dog/cat was registered at the address shown therein, that unless the said dog/cat is claimed and the fees as provided for in this bylaw are paid within 72 hours from the date of the impounding, the said dog/cat shall be dealt with pursuant to the provisions of the bylaw. When an animal has been impounded, the Town Office shall immediately post notice in the Town of Radisson Facebook Page and Town Bulletin Board containing a description of the animal along with the terms for release.
- e. All impounded dogs or cats which are not claimed within 72 hours as aforesaid, may be sold by the Town Office to any person paying for such dog or cat, a sum to cover costs for the use of the Town pound and registration as provided for by this bylaw. In the event any dog or cat is not sold after expiration of the said 72 hours, it shall be disposed of in the most humane way possible.
- f. It shall be the duty of the pound keeper to provide each dog or cat impounded under the authority of this bylaw an adequate supply of food and fresh water and proper shelter during its confinement in the pound on a daily basis.
- g. Any dog/cat found in any public street, lane, park, boulevard or other public place or otherwise running at large contrary to the provisions of this bylaw, the bylaw enforcement officer or peace officer animal catcher as appointed by Council may seize and impound by any method authorized by Council.

9. LITTER-DOGS AND CATS

- 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, and subject to the penalties as set out in Schedule “C” attached hereto.

- 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 daily basis. Failure to cause such removal shall be an infraction of this bylaw, and subject to the penalties as set out in Schedule “C” attached hereto.

10. NUISANCE

- a. The owner, possessor or harbourer of a dog shall not allow the animal to create a nuisance 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 offence under this bylaw.
- b. The owner, possessor or harbourer of a cat shall not allow the animal to create a nuisance 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. An owner, possessor or harbourer who contravenes this section commits an offence 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.

11. RABIES AND OTHER DISEASES

- a. Any dog or cat 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 or cat who neglects or refuses to comply with any order of the veterinary clinic shall be guilty of an infraction of this bylaw.

12. DANGEROUS DOGS

- a. Persons who harbour, possess or keep a dangerous dog after it has been declared dangerous shall:
 - i. keep the dog in an enclosure which shall be constructed of wood or any other material of sufficient strength and in a manner adequate to:
 1. confine the dog; and
 2. prevent the entry of children of tender years.
 - ii. if the dog is removed from the enclosure, it shall be muzzled and leashed as follows:
 1. fitted with a collar or harness for the body that is properly placed and fitted on the dog.
 2. the movement of the dog shall be controlled by a person by means of a leash attached to the collar or harness on the dog;
 3. the leash shall not exceed 1.2 meters in length and be constructed of material having a tensile strength of at least 140 kilograms;
 4. the muzzle shall be properly fitted on the dog to prevent it from biting any animal or person;
 - iii. within 10 days of a dog being declared dangerous provide proof to the administrator of the municipality that liability insurance of not less than

\$300,000.00 has been obtained for any bodily injury to or death of any person or domestic animal, or for damage to property caused by the dog.

- iv. display a sign in the prescribed form and manner at each entrance to the premises where the dog is kept and on the enclosure in which the dog is confined. The sign shall be clearly visible and capable of being read from any adjacent public road and shall read “WARNING DANGEROUS DOG ON PREMISES”.
- b. Any complaint that a dog is dangerous shall be made to and heard by a judge.
- c. Where a complaint is received by the Town Office that a dog within the town is dangerous, Section 375 of *The Municipalities Act* shall apply.
- d. The following municipal officials are hereby designated for the purpose of Section 373(1) of *The Municipalities Act* shall apply:
Commissionaires - Bylaw enforcement officer
- e. The following municipal official is hereby designated for the purpose of Section 378(1) of *The Municipalities Act* as the person to be notified if an owner sells or otherwise disposes of a dangerous dog:
Administrator

13.LIVESTOCK AND POULTRY

- a. For purposes of this section, the following definitions shall apply:
 - i. **livestock-** means any domestic animal usually raised for sale and profit, including but not necessarily limited to:
 - 1. an animal as defined in Section 2(b) of *The Stray Animals Act*; or
 - 2. an animal as defined in Sections 2 and 3 of *The Stray Animals Regulations, 1999*.
 - ii. **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, guinea fowl; or
 - 2. pigeons of the species *Columba livia*, commonly known as the domestic pigeon, and includes pigeons raised for the purpose of racing, show, table and pets and includes feral pigeons.
- b. No person shall possess, harbour, confine, herd, graze or allow to graze any livestock or poultry within the limits of the town.
- c. Section 14(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.

14 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 not less than \$50.00 and not more than \$2,000.00.

15. 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 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. Any 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. Notwithstanding Section 14(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 “C” to this bylaw.
- d. If the Town receives voluntary payment of the prescribed penalty within thirty (30) 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.

17. 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.

18. REPEAL

Bylaws No 424, 427 and 479 are hereby repealed.

Mayor:

Administrator

(seal)

Read a third time and finally adopted
this 29th day of July, 2019

SCHEDULE "A" TO BYLAW NO: 08/2019

Annual registration fee {Section 3(d)}

All breed of dogs	\$25.00
Spayed or neutered	\$10.00
Cats	\$25.00
Spayed or neutered cats	\$10.00

SCHEDULE "B" TO BYLAW NO: 08/2019

Section 7(b) Dog/Cat Pound Fees

Impoundment:

First offence

\$40.00 plus \$25.00 per day or part thereof

Subsequent offences within 12 months

\$80.00 plus \$25.00 per day or part thereof

SCHEDULE "C" TO BYLAW NO: 08/2019

PENALTIES

Section	Offence	First	Subsequent
*For the first offence, a warning shall be issued.			
**If paid within 30 days of date of issue of the notice of violation:			
3(i)	Failure to register	\$20.00	\$ 40.00
4	Running at large	\$25.00	\$ 50.00
5	Exceeding limits on any one property (for each animal exceeding limits)	\$25.00	\$ 50.00
9	Failure to remove defecation	\$25.00	\$ 50.00
10(a)	Nuisance dogs	\$25.00	\$ 50.00
10(b)	Nuisance cats	\$25.00	\$ 50.00
3(a)	Falsifying breed of dog when registering	\$50.00	\$100.00
If paid after 30 days of the date of issue of the notice of violation:			
	All offences as listed above	\$150.00	\$300.00

PENALTIES - RESTRICTED DOGS

3(d)	Failure to obtain and keep in force registration fee	\$250.00	\$500.00
12	Failure to maintain a policy of liability insurance	\$250.00	\$500.00
12	Failure to confine in proper enclosure when on owner's, possessor's or harbourer's premises	\$250.00	\$500.00
12	Failure to muzzle and harness or leash when off premises of owner, possessor, or harbourer	\$250.00	\$500.00
12	Failure to prevent from running at large	\$250.00	\$500.00
12 & 13	Failure to prevent a dangerous or restricted dog from attacking or injuring any person	*any amount as determined by Council, not to exceed \$15,000.00	

FORM "A" – BYLAW NO: 08/2019
{SECTION 3(a)}

DOG/CAT REGISTRATION FORM

Name of owner: _____

Address (mailing): _____

(civic) _____

Phone Number: _____



Pet Tag # _____

Breed of Dog/Cat: _____

Physical Description: _____

Registration fee paid _____
(Receipt #)

For restricted dogs only:

Liability insurance policy of \$500,000 in place Yes / No (attached copy)

\$50.00 registration fee paid _____
(Receipt #)

FORM "C" – BYLAW NO: 08/2019

NOTICE OF VIOLATION

This official notice is issued for a breach of
Bylaw No.

You may avoid prosecution for this offence by paying to the office of the Administrator, during regular office hours, the penalty stated hereinafter within 30 calendar days of the date served on this notice. Failure to do so will result in prosecution in Provincial Court. Penalty may be remitted to: Town of Radisson, Box 69, Radisson, Sk S0K 3L0

Name of Violator _____

Address _____

Description of Dog/Cat _____

Nature of Violation:

1. Failure to comply with Section _____, _____
(Bylaw No. _____)

First offence, warning

Second offence, \$25.00

Third or subsequent (_____) offense, \$50.00

2. Failure to comply with Section 12 and 13, Dangerous Dogs and Restricted Dogs
(Bylaw No. _____)

\$ _____, not to exceed \$10,000

Location of Violation _____

Date of Violation _____

Date Served _____

Served By _____

Witness to Server's Signature _____

FORM "D" – BYLAW NO: 08/2019

Complaint Form

Name of Dog/Cat Owner _____

Description of Dog/Cat _____

Nature of Complaint:

Location of Violation _____

Date of Violation _____

Complainant

Date

Administrator

Date Received