

# TOWN OF SPRINGSIDE

## Bylaw Number 2019-07

### ***A BYLAW OF THE TOWN OF SPRINGSIDE TO PROVIDE FOR THE CARE AND CONTROL OF ANIMALS***

**WHEREAS** Section 8(1) of *The Municipalities Act* authorizes a council to pass any bylaw that is considered expedient for promoting the safety, health and welfare of the inhabitants;

**WHEREAS** the Council of the Town of Springside deems it expedient to provide for the licensing, regulation, and control of animals within the Town of Springside;

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

#### **1. TITLE**

This Bylaw shall be referred to as the "Animal Control Bylaw".

#### **2. DEFINITIONS**

In this Bylaw, unless the context otherwise requires, the word(s):

- a) "Administrator" means the Administrator of the Town of Springside.
- b) "Animal" means and includes all dogs, cats or any type of household pet that is permissible to harbour within the municipality.
- c) "Animal Control Officer" means the person(s) appointed or contracted by Council for the purposes of enforcing the provisions of this Bylaw.
- d) "Cat" means any cat, male or female, neutered or spayed, of the feline family over the age of six (6) months.
- e) "Council" means the Council of the Town of Springside.
- f) "Dog" means any dog, male or female, neutered or spayed, of the canine family over the age of six (6) months.
- g) "Dangerous Animal" means:
  - i. Any 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. Any animal whatever its age 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 animal that, without provocation, has bitten, inflicted injury, assaulted or otherwise attacked a person or domestic animal;
  - iv. Any animal which is owned primarily or in part for the purpose of dog fighting or is trained for fighting.

- h) "Livestock" means cattle, goats, horses, sheep, swine, and all other fur bearing animals, but does not include "pets".
- i) "Owner" includes:
  - i. A person who keeps, possesses or harbours an animal
  - ii. The person responsible for the custody of a minor where the minor is the owner of the animal;  
but does not include:
  - iii. A veterinarian registered pursuant to *The Veterinarian Act, 1987* who is keeping or harbouring an animal for the prevention, diagnosis or treatment of a disease or injury to the animal;
  - iv. An urban 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 operating pursuant to *The Animal Protection Act*, with respect to an animal shelter or impoundment facility operated by any of them.
- j) "Pets" means animals or birds that are:
  - i. Domesticated or tamed and kept as a companion;
  - ii. Not raised for profit;
  - iii. Not customarily raised for human consumption; and
  - iv. Not used for the purpose of transportation.
- k) "Poultry" means chickens, ducks, geese, turkeys, pheasants, emus and ostriches.
- l) "Running at Large" means when the dog, cat, dangerous animal or other animal is beyond the boundaries of the land occupied by the owner, possessor or harbourer or keeper of the said dog, cat, dangerous or other animal, 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 under control by being:
  - i. 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.
- m) "Stockyard" means a yard with pens where cattle are kept ready for shipping or slaughter.
- n) "Town" means Town of Springside in the Province of Saskatchewan.

### **3. LICENSING OF DOGS, CATS OR DANGEROUS ANIMALS**

- a) Every owner of a dog, cat or dangerous animal within the Town shall cause each such dog, cat or dangerous animal to be registered with and obtain a licence for it from the Town. When applying for a licence, the applicant shall provide the Town with a physical description of the dog, cat or dangerous animal, the breed in case of a dog, the sex, the name and any other relevant information required with respect to the dog, cat or dangerous animal for which the licence is sought and shall provide the name, address and telephone number of the owner of the dog or cat by completing the Animal Registration Application as specified in Form "A" to this Bylaw.
- b) The licence year for dogs, cats or dangerous animals 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 or cat six months old or older shall no later than February 1 of each year obtain a licence for the said dog or cat from the Town and failure to do so shall constitute an offence under this Bylaw.
- d) When issuing a licence for a dog, cat or dangerous animal, the Town shall supply the applicant with a tag, the form of which the lettering or numbering inscribed or imprinted thereon as may be determined by the Town, and a receipt for payment of the licence.
- e) The annual licence fee for a dog, cat or dangerous animal licence shall be as set out in Schedule "A", attached hereto
- f) Any dog, cat or dangerous animal licence issue pursuant to the provisions of this Bylaw shall not be transferable to any other dog, cat or dangerous animal.
- g) If a dog, cat or dangerous animal licence number plate or tag is lost, destroyed or so defaced as to be illegible, the owner, possessor or harbourer of the dog, cat or dangerous animal to which the licence was issued shall forthwith apply to the Town for a replacement which shall be issued upon payment of the fee as set out in Schedule "A", attached hereto.
- h) A dog that is used as a guide or "seeing eye" dog by a blind person shall be registered and licensed with the Town and the Town shall issue a licence without the prescribed fee.
- i) The owner of a dog, cat or dangerous animal shall ensure that the dog wears a collar and a cat wears a quick-release collar to which is attached a current licence tag whenever the dog, cat or dangerous animal is off the premises of the owner, provided that this provision shall not apply while a dog or cat is participating in a recognized show, obedience trial or field trial. No person other than the owner of a dog, cat or dangerous animal licensed under this bylaw shall remove its collar or tag and to do so shall be an offence under this Bylaw.
- j) Every applicant, at the time of making an application for a licence for a neutered dog, cat or dangerous animal, may be required to provide the Town with a certificate from a veterinary surgeon that such dog, cat or dangerous animal has been neutered.
- k) The provisions of this section shall not apply to the dogs, cats or dangerous animals kept, in the ordinary course of business, by the proprietors of the following premises:
  - i. A veterinary hospital, clinic, boarding kennel or grooming parlour;
  - ii. A public pound;
  - iii. A shop whose business included the sale of pets and is licensed as such;
  - iv. A shelter operated by an association or society incorporated for the purpose of the protection and humane treatment of animals.
- l) The owner or possessor of a kennel whose kennel is registered in the Register of the Canadian Kennel Club may in lieu of procuring a licence for each dog as hereinbefore required, pay the Town a sum of \$100.00 as the licence fee for all dogs in such kennel.
- m) A person residing in the Town who owns, possesses or keeps or harbours a dog, cat or dangerous animal and neglects or refuses to register and apply for a licence for the current year, or neglects to cause the dog, cat or dangerous animal to wear the licence, shall be subject to the penalties as outlined in Schedule "B", attached hereto.

- n) Every owner of a dog, cat or dangerous animal within the Town shall on demand by the Animal Control, Bylaw Enforcement Officer or Peace Officer produce and show his or her licence receipt or other evidence that he or she has a licence for the current year.

#### **4. RUNNING AT LARGE**

- a) The owner of a dog/cat or dangerous animal shall not at any time allow the dog, cat or dangerous animal to run at large within the Town.
- b) When a dog/cat or dangerous animal is found to be running at large, the owner is deemed to have failed or refused to comply with the provisions of this section.
- c) Where a dog/cat or dangerous animal is found to be running at large, the owner or occupant of the property on which the dog/cat or dangerous animal is running at large may make a written complaint to the Animal Control Officer or Administrator.

#### **5. DOG AND CAT LIMITS**

- a) No person within the Town, other than those identified in Section 3(k), shall harbour or keep more than three (3) dogs, over the age of four (4) months, on any one property with the exception of Registered Rescue Groups. 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 "B", attached hereto.
- b) No person within the Town, other than those identified in Section 3(k), shall harbour or keep more than three (3) cats, over the age of four (4) months, on any one property with the exception of Registered Rescue Groups. 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 "B", attached hereto.

#### **6. DOG AND CAT LITTER**

- 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.
- b) This section shall not apply to a person who owns and is physically reliant on a guide dog trained and used to assist such person.

#### **7. NUISANCE**

- a) Nuisance – Dogs:
  - i. The owner, possessor or harbourer of a dog shall not allow the animal to create a nuisance to any person 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.
  - ii. Every female dog in heat shall be confined to a house or kennel.
  - iii. For the purpose of this section a dog is being loud if a person not situated on the property where the dog is located can easily hear its barking or howling or whining.

b) Nuisance – Cats:

- i. The owner, possessor or harbourer of a cat shall not allow the animal to create a nuisance to any person 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. Any owner, possessor or harbourer who contravenes this section commits an offence under this Bylaw.

c) On a complaint made in writing to the Animal Control Officer, Bylaw Control Officer or Peace Officer that any animal has been creating a nuisance, the Animal Control Officer, upon being satisfied of the truth of the complaint, may notify the owner of such animal to abate the nuisance within 48 hours after receipt of the notice. The notice shall be in writing and shall be served personally upon the owner or left with an adult person at the residence of the owner. Failure to comply with terms of the notice shall be a breach of the Bylaw.

d) Upon receiving a second or subsequent complaint within 30 days after the expiry of the 48-hour period set out in the notice under Subsection (c), the Animal Control Officer may order the owner to remove the animal from the Town or deliver the animal to the Animal Control Officer within 48 hours after receipt of the notice. Such notice shall be provided in the manner set out in Subsection (c). In the event that the notice requires the animal to be delivered up to the Animal Control Officer and the animal is not delivered, the Animal Control Officer may enter on the property of the owner for the purpose of removing such animal.

e) When an animal is known to have bitten a person or other animal the owner shall ensure that when not confined to their property that this animal is muzzled at all times.

## **8. RABIES**

- a) Any dog/cat or dangerous animal suspected of having rabies shall be secured and isolated for a period of ten (10) days and the matter shall be immediately reported to a Veterinary Clinic for further instructions. If the dog/cat or dangerous animal has bitten a person, the Public Health Officer shall also be notified immediately.
- 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.

## **9. DANGEROUS ANIMALS**

- a) Where a complaint is received by the Town that an animal within the Town of Springside is dangerous, Section 375 of *The Municipalities Act*, shall apply.

## **10. BEES, LIVESTOCK, POULTRY, EXOTIC AND WILD ANIMALS**

- a) No person shall keep bees, livestock, poultry or animals or a hybrid of the animals of the kind listed in Schedule "C" within the Town.
- b) Section 10 (a) does not apply to the following places or circumstances:
  - i. in a veterinary clinic under the care of a licensed veterinarian;
  - ii. a zoo or travelling circus, provided they hold a valid license from the Province of Saskatchewan or the Government of Canada, and have attained a business license from the Town.

- iii. an agricultural display sponsored by a 4-H Club or other similar organization, in a petting zoo, in a community parade, in a pony ride for children, or in another similar activity.

## **11. HUMANE DESTRUCTION OF SICK AND INJURED ANIMALS**

- a) The animal Control Officer, Veterinarian or other person appointed by Council may take immediate action to humanely destroy any sick or injured animal found within the Town where, in their opinion, immediate destruction of the animal is necessary in order to avoid unnecessary suffering by the animal.
- b) Reasonable efforts shall be made to contact the owner of an animal before it is destroyed pursuant to Section 11(a). However, no action lies against the Animal Control Officer, Veterinarian or other person appointed by Council solely because the owner of the animal was not contacted.

## **12. GENERAL VIOLATIONS**

- a) Any person teasing an animal, enticing an animal, baiting or throwing objects at an animal confined within its owner's property shall be in violation of this Bylaw.
- b) No person shall keep an animal in an unsanitary condition within the municipality. Conditions shall be considered unsanitary where the keeping of the animal results in an accumulation of fecal matter, an odor, insect infestation or rodent attractants which endanger the health of the animal or any person, or which disturb or are likely to disturb the enjoyment, comfort or convenience of any person in or about any dwelling, office, hospital or commercial establishment.
- c) Any owner of a dog, or any person having responsibility for or custody of a dog which:
  - i. bites or chases a person or other animal;
  - ii. bites, barks at, or chases any motor vehicle or bicycle;
  - iii. causes any damage whatsoever to any property or any injury whatsoever to any person or other animal; whether or not the dog is then running at large, shall be in violation of this Bylaw.

## **13. PENALTIES**

- a) Any person who contravenes any of the provisions of this Bylaw or neglects or fails to comply therewith or with any notice given thereunder shall be guilty of an offence and liable upon summary conviction to:
  - i. in the case of an individual, to a fine of not more than \$2,000.00; and;
  - ii. in the case of a corporation, to a fine of not more than \$5,000.00;
- a) A Notice of Violation, as specified in Form "B" to this Bylaw, may be issued by the Bylaw Enforcement Officer or the Administrator for the Town for offences against this Bylaw in the penalty amount set forth in Schedule "B" to this Bylaw.
- b) Notwithstanding Section 13(a) a person who contravenes any provision of this bylaw, upon being served with a Notice of Violation, as specified in Form "B", may voluntarily pay the prescribed penalty in Schedule "B" at the Town Office, 18 Main Street. If the Town receives

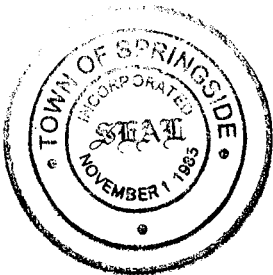
voluntary payment within the time specified on the Notice of Violation, the person receiving the Notice of Violation shall not be liable for prosecution for the alleged contravention.

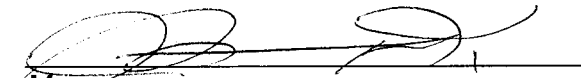
- c) If payment is not received as provided in subsection 13(c) hereof within the time prescribed, a summons shall be issued to the person alleged to have committed the offence, and thereafter, the provisions of this section shall not apply with respect to that offence.
- d) A person to whom a Notice of Violation is being issued pursuant to this Section shall, upon request, provide their name and address. Any person who fails to provide this information is guilty of an offence and liable on summary conviction to the penalty contained in Section 13(a).


**14. EFFECTIVE DATE**

This Bylaw shall come into force and have effect from and after the date of the final reading.

Bylaws No. 1-1999 and 2016-08 are hereby repealed.



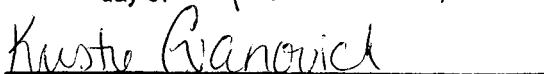
  
\_\_\_\_\_  
Mayor

  
\_\_\_\_\_  
Administrator

Introduced and read a first time this 8<sup>th</sup> day of July, 2019.

Read a second and third time and adopted this 12<sup>th</sup> day of August 2019.

Certified a true copy of Bylaw No. 2019-07  
of the Town of SpringSide passed by resolution of Council this  
12<sup>th</sup> day of August, 2019

  
\_\_\_\_\_  
TOWN ADMINISTRATOR

**TOWN OF SPRINGSIDE  
BYLAW NO. 2019 - 07  
SCHEDULE "A"**

**ANNUAL LICENSE FEES FOR DOGS**

1. For each male or female dog \$5.00
2. Lost Dog License Replacement Fee \$ 5.00

**ANNUAL LICENSE FEES FOR CATS**

1. For each male or female cat \$5.00
2. Lost Dog License Replacement Fee \$ 5.00

**ANNUAL LICENSE FEES FOR DANGEROUS ANIMAL**

1. Any animal declared dangerous \$500.00
2. Lost Dog License Replacement Fee \$ 5.00



**TOWN OF SPRINGSIDE  
BYLAW NO. 2019 - 07  
SCHEDULE "B"**

**PENALTIES**

Reference	Offence	Penalty		
		First offence	Second offence	Third and/or subsequent
Section 3(a)	Failure to license cat, dog or dangerous animal	\$200.00	\$400.00	\$600.00
Section 3(i)	Failure to attach valid license when a cat, dog or dangerous animal is off the owners' premises	\$ 60.00	\$200.00	\$300.00
Section 4(a)	Cat or dog being at large	\$100.00	\$200.00	\$500.00
Section 4(c)	Dangerous animal at large	\$400.00	\$800.00	\$2,000.00
Section 5(a) & (b)	exceeding limit of dogs or cats	\$100.00 for each animal exceeding the limit		
Section 8(a)	Failure to immediately remove dog or cat excrement (defecation) from public or private property	\$100.00	\$200.00	\$500.00
Section 9 (a) & (b)	cat or dog creating a nuisance by barking or howling or hissing	\$100.00	\$200.00	\$500.00
Section 15(a) & (b)	teasing an animal or keeping unsanitary conditions	\$100.00	\$200.00	\$500.00
Section 15(c)	Dog bites or chases a person or or other animal; causes property damage or any injury whatsoever to any person or other animal	\$500.00	\$1,000.00	\$3,000.00

**TOWN OF SPRINGSIDE  
BYLAW NO. 2019 - 07  
SCHEDULE "C"**

Section 12 – A list of animals the keeping of which is prohibited within the Town of Springside.

- All Arachnids dangerous to humans (such as scorpions and tarantulas, except tarantulas of the genera Aphonopelma, Aviculari and Grammostola)
- all Artiodactylus Ungulates, except domestic goats, sheep and cattle
- all Bats
- all Canids, except the domestic dog
- all Crocodylians (such as alligators, crocodiles and caimans)
- all Edentates (such as anteaters, sloths and armadillos)
- all Elephants
- all Felids, except the domestic cat
- all Hyaenas
- all Marsupials (such as kangaroos and opossums)
- all Mustelids (such as skunks, weasels, otters and badgers) except the domestic ferret
- all non-human Primates (such as gorillas and monkeys)
- all Perissodactylus Ungulates, except the domestic horse, mule and as
- all Pinnipeds (such as seals, fur seals and walruses)
- all Procyonids (such as raccoons, coatis and cacomistle)
- all Raptors, diurnal and nocturnal (such as eagles, hawks and owls)
- all Ratite Birds (such as rheas and cassowaries, except ostriches and emus)
- all Galliformes (such as chickens, turkeys, grouse, quails and pheasants)
- all Anseriformes (such as ducks and geese)
- all snakes of the families Pythonidae and Boidae
- all Ursids (bears)
- all venomous Reptiles and Amphibians
- all Viverrids (such as mongooses, civets and genets)

Examples of animals of a particular prohibited group are given in parentheses. They are examples only and shall not be construed as limiting the generality of the group.

TOWN OF SPRINGSIDE  
BYLAW 2019 – 07  
FORM "A"

ANIMAL REGISTRATION APPLICATION

Name of Animal Owner: \_\_\_\_\_

Animal:  
Cat \_\_\_  
Dog \_\_\_

Address: \_\_\_\_\_

Box #

Street Address

Town

Postal Code

Phone – home

Phone – cellular/work

Email address

Is this animal a working guide dog? Yes \_\_\_\_\_ No \_\_\_\_\_

This animal is: sterilized \_\_\_\_\_ non-sterilized \_\_\_\_\_

Description of Animal:

Breed: \_\_\_\_\_

Distinct Markings: \_\_\_\_\_ Color: \_\_\_\_\_

Sex: Male Female Age: \_\_\_\_\_ Name: \_\_\_\_\_

Has this animal been deemed a dangerous animal by any jurisdiction? yes no

I certify the above information to be correct. I agree to allow the above information to be contained in a registry/database which may be held by the Town of Springside. I further agree to allow the Town of Springside or appointed designate to contact me via any of the above means.

\_\_\_\_\_  
Signature of Applicant

\_\_\_\_\_  
Date

FOR OFFICE USE ONLY DATE

DATE LICENSE ISSUED: \_\_\_\_\_ REGISTRATION FEE: \$ \_\_\_\_\_ TAG #: \_\_\_\_\_

**TOWN OF SPRINGSIDE  
BYLAW NO. 2019 - 07  
FORM "B"**

Number: \_\_\_\_\_

Pet Tag Number: \_\_\_\_\_

The dog, cat or animal described below is in Violation of the Town of Springside  
Bylaw No. 2019 - 07:

Details of Violation: \_\_\_\_\_

Time: \_\_\_\_\_

Date: \_\_\_\_\_

Name of Owner: \_\_\_\_\_

Address: \_\_\_\_\_

Description of animal: \_\_\_\_\_

Male or female: \_\_\_\_\_

Location of Violation: \_\_\_\_\_

Violation: Section \_\_\_\_\_

Voluntary penalty \$ \_\_\_\_\_

The Voluntary penalty may be paid at the Town Office. Failure to remit penalty within seventy-two (72) hours may result in issuance of a summons and on the summary conviction to payment of penalty with all costs of prosecution.

\_\_\_\_\_  
Issuing Officer