

TOWN OF COLONSAY

BYLAW NO. 3/02

A BYLAW OF THE TOWN OF COLONSAY TO CONTROL AND REGULATE DOGS

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

1. INTERPRETATION

- a) "Dog" shall mean and include both male and female dogs and whenever the word "dog" is herein used it shall be construed to be referred to dogs, male and female, except where the context precludes such a reference.
- b) "Owner" shall mean any person who owns, possesses, harbours or suffers any dog to remain about his house or premises and includes a keeper thereof.
- c) "Kennel" shall mean a place where at least two or more dogs are kept commercially for breeding, sale or boarding.
- d) "Restricted Dog" shall mean:
 - i) A Pit Bull Terrier, American Pit Bull Terrier, Pit Bull, Staffordshire, Bull Terrier, American Staffordshire Terrier, Doberman Pinscher, German Sheppard, Rott Wieler or any dog of mixed breeding which includes any of the aforementioned breeds or other breed of dog that Council may deem restricted and identified by a Veterinarian.
 - ii) Any dog that has been trained as a guard dog where such training involves physical attack on an intruder when such animal is not engaged in guarding a business premises.
 - iii) Any dog of any breed deemed restricted by the Council of the Town of Colonsay wherein a written complaint has been received with respect to said dog biting or chasing any person or any other domestic animal.
- e) "Bylaw Enforcement Officer" means a person or persons as may be appointed or contracted by the Council of the municipality for the purpose of enforcing the provisions of the Bylaw.
- f) "License Inspector" shall mean the employee or employees of the Town of Colonsay responsible for issuing dog licenses and tags.

2. LICENCES

- a) In each year every person who owns, possesses or harbours any dog shall obtain a license for said dog from the License Inspector.
- b) When applying for a license for a dog the applicant shall furnish the License Inspector with a description of the dog, its name, if any, the name and address of the owner and any other information which may reasonably be required by the License Inspector.
- c) The fee for such license shall be as follows:
 - i) For each neutered male dog, and each spayed female (for which a certificate is produced, from a Veterinary Surgeon that such dog has been neutered or spayed) \$5.00.

- ii) For each male dog not neutered \$15.00
- iii) For each female dog not spayed \$15.00
- iv) For each restricted dog \$25.00
- d) All licenses issued under the provisions of the bylaw shall expire on December 31st next following the date of issue.
- e) Renewals of all Dog Licenses shall be received by the Administrator/Clerk of the Town of Colonsay no later than 5:00 P.M. December 31st of any given year.
- f) The owner of a kennel shall pay to the Town of Colonsay the sum of \$100.00 annually, and shall not be liable to pay any further license fees in respect of such dogs kept or confined commercially for breeding, sale or boarding.
- g) When issuing a license for a dog, the License Inspector shall supply the applicant with a tag, that shall bear such lettering as may be decided by Council, and a receipt of license. The said tag shall be attached by the owner of such dog to a collar to be worn around the neck of the said dog. In the case of a licensed kennel, the License Inspector shall supply the owner or keeper of the kennel with 10 tags.
- h) A person residing in the Town who owns, possesses or harbours a dog and neglects or refuses to take out a license as required by this Bylaw, shall be deemed guilty of an infraction of this Bylaw.
- i) Every Person requested by the Administrator/Clerk or other official authorized to do so, shall deliver to the administrator/Clerk a written statement, of the number of dogs owned by him/her. A person who fails to comply or makes a false statement is guilty of an infraction of the Bylaw.
- j) Any person failing to comply with subsections h) and i) of this section shall be liable on summary conviction to a penalty of \$250.00, however if the fine is paid within five working days, it will be reduced to \$25.00 provided a license is purchased at that time.

3. RUNNING AT LARGE

- a) No person shall allow a dog to run at large in the Town and for the purposes of this Bylaw a dog shall be running at large when it is:
 - i) Beyond the Boundaries of the land occupied by the owner of the said dog.
 - ii) Beyond the boundaries of any lands where it may be with the permission of the owner or occupant of the land,
 - iii) When it is in a place other than those mentioned in sub-paragraphs i) and ii) of this section unless the said dog is securely fastened in or is led on a leash; or
 - iv) The said dog is not under the proper control of its owner.
- b) A person who fails to comply with sub-section a) is guilty of an infraction of this Bylaw and shall be liable upon summary conviction to a fine of

\$50.00 for the first offence, \$100.00 for the second offence and \$150.00 for the third and subsequent offences, payable to the Administrator/Clerk of the Town within 48 hours of the breach of that section. If, after receiving a fine under this section, the owner keeps the dog from any further infractions for the period of one full year from the date of the last infraction, then the charges for this section will revert back to \$50.00 and so on.

- c) It shall be the duty of the Dog Catcher to capture a dog running at large in the most merciful manner practicable and to confine same to a suitable place, said place being at the discretion of the Dog Catcher.
- d) All impounding charges and mileage charges incurred to transport the offending dog to a suitable place are the sole responsibility of the owner of the dog in breach of section 3 a)
- e) In the event that someone other than the Dog Catcher captures a dog running at large, the Dog Catcher shall pick up the offending animal between the hours of 9:00 A.M. and 5:00 P.M., Monday to Friday or may, at his own discretion, pick up the offending animal after these hours.

4. CONFINEMENT OF THE DOG

- a) All confined dogs shall be held for a period of 48 hours after capture, during which time the owner or keeper thereof shall have the right to redeem same by paying in full all of the fines and charges.
- b) A Notice of Impoundment shall be posted by the License Inspector in a prominent place in the Town Office.
- c) All dogs impounded which are not redeemed by the owner within 48 hours of capture may be sold or disposed of in the most merciful manner practicable.
- d) During the period of impoundment of any dog it shall be the duty of the Pound Keeper or Dog Catcher to supply such animal with adequate food and water.
- e) The Dog Catcher or Pound keeper shall keep monthly reports to be presented to Council, which gives adequate information on all dogs picked up, impounded and of their disposition.

5. DANGEROUS DOGS

- a) Section 135 of the Urban Municipality Act, 1984 shall be followed in all matters concerning dangerous dogs.
- b) Between the time of an incident and a court date (waiting period) the offending animal shall be taken to a pound or kennel of Council's choice and impounded at the owner's expense.
- c) If, upon information or complaint it is alleged that a dog has bitten or attempted to bite any person or domestic animal, a Magistrate or the Justice of the Peace or a person designated a judge pursuant to the Urban Municipality Act, 1984 Section 135 (1) (g.1) having cognizance of such complaint, if it appears to him that such dog is dangerous, may either order the owner or keeper of such dog to keep the said dog under proper control or order such owner or keeper to deliver said dog over to any named person to be destroyed. Reference shall be had to the Urban Municipality Act, 1984 Section 135 in all matters concerning dangerous dogs.

6. RESTRICTED DOGS

- a) An owner of a restricted dog shall maintain in force a policy of liability insurance in a form satisfactory to the Town Administrator providing third-party liability coverage in a minimum amount of \$300,000.00 for injuries caused by the owner's restricted dog.
 - i) The insurance policy shall contain a provision requiring the insurer to immediately notify the Town in writing if the policy either expires or is terminated or is cancelled. Further if the insurance policy expires or is terminated or is cancelled the restricted Dog License is rescinded and becomes void.
 - ii) The owner of a restricted dog shall provide the Town Administrator/Clerk with proof that such insurance policy is in force before the owner may obtain a Restricted Dog License.
- b) At all times while a restricted dog is on the premises of its owner, the owner shall either keep such dog confined indoors under the effective control of a person over the age of sixteen (16) years, or confined out of doors in a securely enclosed and locked pen or other structure constructed to prevent the escape of the restricted dog and capable of preventing the entry of young children.
 - i) Such pen or enclosure shall have secure sides and top and if the bottom is not secured to the sides, the sides must be embedded in the ground to minimum depth of one (1) foot. If the animal shows a propensity for trying to escape from the pen or enclosure by digging, the enclosure or pen shall be constructed so as to prevent this.
- c) When any restricted dog is off the premises of the owner, the owner shall securely muzzle such dog and either harness it or leash it securely to effectively prevent it from attacking and injuring a person or other domestic animal. Further, the restricted dog when it is off the premises of the owner shall be walked by a person over the age of sixteen (16) years who shall effectively control the dog at all times.
- d) The owner of a Restricted Dog shall take all necessary steps to ensure that such dog does not bite, chase or attack any person or other domestic animal, whether the person or domestic animal is on the property of the owner or not.
- e) Any person failing to comply with section 6 a), b), c) or d) is guilty of an infraction of this Bylaw and shall be liable upon summary conviction to a penalty of \$250.00 for the first offence, \$500.00 for the second offence and \$750.00 for the third and subsequent offences. Pending payment of any fine assessed pursuant to this section the dog shall be immediately delivered over to the Dog Catcher and impounded at the owner's expense in a kennel of Council's choice for a period not to exceed 48 hours after which time, if the dog is not redeemed by proof of payment of the fine and costs of impoundment, the dog may, at Council's discretion, be sold or disposed of in the most merciful manner practicable. If, after receiving a fine under this section, the owner keeps the dog from any further infractions for the period of one full year from the date of the last infraction, then the charges will revert back to \$250.00 and so on.

7. PUBLIC NUISANCE

- a) No person shall allow a dog to create a nuisance to any person by barking, howling or chasing vehicles or bicycles.
- b) Upon receipt of signed written complaint herein, the Dog Catcher shall investigate the complaint and may, in his/her discretion, issue one written warning to the owner in question.

- c) A person who fails to comply with sub-section a) is guilty of an infraction of this Bylaw and shall be liable upon summary conviction to a fine of \$50.00 for a first offence, \$100.00 for the second offence, \$150.00 for the third and subsequent offences payable to the Administrator/Clerk of the Town within 48 hours of the breach of this section., If, after receiving a fine under this section, the owner keeps the dog from any further infractions for the period of one full year from the date of the last infraction, then the charges for this section will revert back to \$50.00 and so on.

8. LITTER CLEANUP

- a) If a dog defecates 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.
- b) An owner or occupant of private property shall not allow animal feces to accumulate on the property so as to create a health hazard.
 - i) If requested to do so by a representative of the town or a Public Health Inspector, an owner or occupant of private property must remove all animal feces from the property within 72 hours of the time the request is made.
 - ii) If a request under Subsection b) i) is made to an occupant of private property, a copy of the request shall also be sent by certified mail to the owner of the property at the mailing address shown on the last revised assessment roll of the Town.
 - iii) The Town may remove the animal feces from the property if:
 - (a) the person to whom the request is made fails to remove the feces within 72 hours; or
 - (b) after reasonable inquiry, the whereabouts of the owner or occupant of the property cannot be determined.
 - iv) If the Town carries out the work under subsection iii), the costs and expenses incurred are a debt due the Town and the Town may recover the costs and expenses:
 - (a) by action in a court or competent jurisdiction;
 - (b) in the same manner as municipal taxes; or
 - (c) by adding the costs and expenses to and hereby they form part of, the taxes on the land on which the work was done.
- c) A person who fails to comply with sub-sections a) and b) is guilty of an infraction of this Bylaw and shall be liable upon summary conviction to a fine of \$50.00 for a first offence, \$100.00 for the second offence, \$150.00 for the third and subsequent offences payable to the administrator/Clerk of the Town within 48 hours of the breach of these sections. If, after receiving a fine under this section, the owner keeps the dog from any further infractions for the period of one full year from the date of the last infraction, then the charges will revert back to \$50.00 and so on.

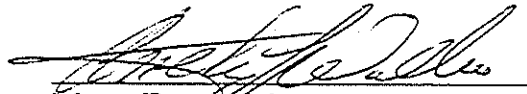
9. OBSTRUCTION

- a) No person, whether or not being the owner, harborer, possessor or keeper of a dog or cat which is being or has been pursued or seized shall;

- i) interfere with or obstruct or attempt to obstruct a poundkeeper, bylaw enforcement officer or peace officer who is attempting to seize or has seized any dog or cat in accordance with the provisions of this bylaw;
- ii) unlock, unlatch or otherwise open a cage door or vehicle door or such item designed for temporarily lodging dogs or cats in which dogs or cats seized under the provisions of 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 a pound keeper, bylaw enforcement officer or peace officer.
- iv) Penalty of \$100.00.

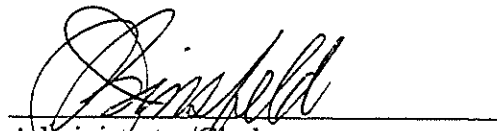
10. Bylaw No 2/02 is hereby repealed.

11. This Bylaw shall come into force and take effect upon the final passing thereof.

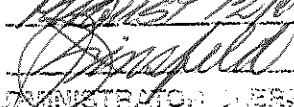


Mayor/Deputy Mayor

(SEAL)



Administrator/Clerk

CERTIFIED A TRUE COPY
OF Bylaw No. 3/02
Passed by Council
at their Regular
Meeting held
August 12/02


ADMINISTRATOR/CLERK