

# **ANIMAL CONTROL**

## **TOWN OF GRAND COULEE**

### **BYLAW NO 18-2017**

#### **ANIMAL CONTROL BYLAW**

##### **PART I- GENERAL**

###### **1. Purpose:**

The purpose of this Bylaw is to promote the safety, health and welfare of people and the protection of people, animals and property in the Town of Grand Coulee and to ensure the humane treatment of animals.

###### **2. Definitions:**

- a) **“ADMINISTRATOR”** means the Administrator of the Town of Grand Coulee, or any person authorized to act on his or her behalf.
- b) **“ANIMAL”** means any mammal excluding humans or any reptile or amphibian.
- c) **“BYLAW ENFORCEMENT OFFICER”** means the Administrator or any person appointed by the Council to enforce the provisions of this Bylaw.
- d) **“CAT”** means either the male or female of the feline family, immediately after it is weaned.
- e) **“COUNCIL”** means the Council of the Town of Grand Coulee.
- f) **“DOG”** means either male or female of the canine family, immediately after it is weaned.
- g) **“LICENCE”** means an exterior metal tag which shall be affixed to the collar of a cat or dog, and which includes a registered identification number contained in the Town cat and dog licence records.
- h) **“OWNER”** means any person owning, possessing, harbouring or having charge of or control over any cat or dog, or who permits any cat or dog to remain about his or her residence or premises located within the limits of the Town.
- i) **“RUNNING AT LARGE”** means being on:
  - i. Public property unaccompanied by any person;
  - ii. Public property accompanied by a person but not under the complete control of a person by means of leash, unless otherwise permitted by this Bylaw; or
  - iii. Private property without the permission of the owner or occupant of the property.
- j) **“TOWN”** means the Town of Grand Coulee in the Province of Saskatchewan.

###### **3. Severability:**

If any section, subsection, sentence, clause, phrase or other portion of the Bylaw is for any reason held invalid or unconstitutional by any Court of competent jurisdiction, that portion shall be deemed a separate, distinct and independent provision and the holding of the Court shall not affect the validity of the remaining portions of the Bylaw.

## **PART II- LICENCES**

4. (a) Every owner of a dog within the Town shall:
  - i. Obtain a permanent licence from the Town; and
  - ii. Cause the dog to wear, around the neck, the licence issued.

(b) Where a dog can be identified by a tattoo, the owner is not required to comply with subsection 4(a) (ii).
5. Licences shall be issued free of charge.
6. When applying for a licence, the owner shall supply the Town with a description of the dog, the name and address of the owner, and any other relevant information which may be required by the Town.
7. A licence issued is not transferable to any other dog.
8. A licence shall be valid from the date thereof and until the owner of the dog ceases to reside in the Town.

## **PART III- DUTIES OF AN OWNER**

9. An owner shall not allow his or her animal to be at large.
10. An owner shall have complete control of their animal at all times.
11. An owner of an animal:
  - a) Shall ensure that the animal has an adequate source of food and water;
  - b) Shall provide the animal with adequate medical 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:
    - i. With inadequate space;
    - ii. With unsanitary conditions;
    - iii. With inadequate ventilation; or
    - iv. Without providing an opportunity for exercise, so as to significantly impair the animal's health and wellbeing.
12. No owner of an animal shall permit the animal to be or become a nuisance by barking or howling or by making any other offensive noise to the annoyance or discomfort of any person at any time of the day or night. For the purpose of this section, an animal is creating a disturbance if a person not situated on the property where the animal is located can easily hear the noise made by the animal.
13. No owner of an animal shall fail to immediately remove any defecation of the animal from private or public property, other than the property owned or occupied by the owner.
14. No owner of an animal shall fail to dispose of all defecation from the animal whether located on the owner's property or otherwise, in a sanitary manner so as to prevent odor and sanitation complaints.
15. Every female cat or dog in heat shall be confined to a house or enclosure by the owner.

## **PART IV- ENFORCEMENT, OFFENCES AND PENALTIES:**

### **Notice of Violation**

16. When a Bylaw Enforcement Officer has reason to believe that a person has contravened any provisions of Part II or Part III of this Bylaw, the Bylaw Enforcement Officer may issue a notice of violation to the person in contravention.

17. When a notice of violation is issued, a person may make voluntary payment of the fine amount listed in Schedule "A" for that violation if the person does so before the specified date set out in the notice of violation.
18. Where the Administrator receives voluntary payment of the prescribed amount in Schedule "A" before a summons is issued, the person receiving the notice of violation shall not be liable to prosecution for the alleged contravention.

**Penalties for Offences under Part II and Part III**

19. Any person who contravenes or fails to comply with any provision of Part II or Part III of this Bylaw or fails to comply with an order issued by a Bylaw Enforcement Officer, is guilty of an offence and liable on summary conviction to:
  - a) A fine in the amount set out in Schedule "A"; or
  - b) Where a fine is not specified, to a fine of up to \$2,000 in the case of an individual, and \$5,000 in the case of a corporation.
20. For the purpose of determining the applicable fine required by clause 19(a), the number of offences shall be determined by the number of previous Notices of Violation that are not subject of an appeal, issued in relation to that particular animal.
21. Notwithstanding section 20, for offences relating to defecation, the applicable fine required by clause 19(a) shall be determined by the number of Notices of Violation issued in relation to the same address.
22. A Notice of Violation issued over twelve months prior to the offence for which a fine is being determined shall not be used to calculate the number of offences for the purpose of clause 19(a).

**Right of Appeal**

23. A person desiring to appeal a conviction pursuant to this Bylaw shall, within seven days of the conviction being appealed from, file a notice of appeal with the Court, and the provisions of Part XXVII of the Criminal Code apply with any necessary modification.

**General**

24. Any payment required pursuant to the Bylaw shall be made at the Town Office.
25. Bylaw No.009/84 is repealed.
26. This Bylaw comes into force on the day of passage.

(SEAL)

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Administrator

Read a third time and adopted  
this 20<sup>th</sup> day of June, 2017.

\_\_\_\_\_  
Administrator

**SCHEDULE "A"**  
**FINES**

<b>Offence</b>	<b>Fine for 1<sup>st</sup> Offence</b>	<b>Fine for 2<sup>nd</sup> Offence</b>	<b>Fine for 3<sup>rd</sup> and Subsequent Offences</b>
Failure to cause the animal to have a valid licence	50.00	100.00	150.00
Allowing an Animal to be at Large	100.00	200.00	300.00
Failure to control an Animal	100.00	200.00	300.00
Allowing an animal to become a nuisance by barking, howling or by making any other offensive noise	200.00	300.00	400.00
Failure to remove defecation	100.00	200.00	300.00