

BYLAW 2010 – 12

ANIMAL CONTROL BYLAW

The Council of the Village of Clavet in the Province of Saskatchewan enacts as follows:

1. This bylaw shall be known as **“THE ANIMAL CONTROL BYLAW”**

2. **DEFINITIONS:**
 - a) **“ANIMAL”** shall mean and includes all dogs, cats, or any other type of household pet that is permissible to harbor within the municipality, except for exclusively indoor or caged animals which are not dogs or cats.
 - b) **“ANIMAL SHELTER”** shall mean such premises and facilities as may be designed by the Council for the purposes of safely lodging and securing cats and dogs seized pursuant to this bylaw.
 - c) **“BYLAW ENFORCEMENT OFFICER”** shall mean the person or persons appointed, employed, or contracted by the council of the Village of Clavet, or a peace officer for the Province of Saskatchewan, for the purpose of enforcing the provisions of this bylaw (Council may combine the bylaw enforcement officer and pound keeper as one).
 - d) **“CAT”** shall mean any male or female feline over the age of six (6) months.
 - e) **“CLERK”** shall mean the administrator of the municipality.
 - f) **“COUNCIL”** shall mean the council of the Village of Clavet.
 - g) **“DOG”** shall mean any male or female dog of any age.
 - h) **“DANGEROUS ANIMAL”** shall mean:
 - i) Any animal, 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 animal, whatever its age, with a know 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.
 - i) **“HOUSEHOLD”** shall mean a dwelling at a residence or street address within the limits of the Village of Clavet where the owner (s) of an animal (s) reside.
 - j) **“KENNEL”** shall mean a facility for raising, breeding, or boarding more than three animals.
 - k) **“MUNICIPALITY”** shall mean the Village of Clavet.

- l) **“OWNER”** includes:
 - i) A person, persons, partnership, association or corporation who keeps, possesses, harbors, or has care of or control of an animal (s).
 - ii) The person responsible for the custody of a minor where the minor is the owner of an animal (s).
- m) **“POUND KEEPER”** shall mean a person (s) appointed, employed, or contracted by the Village of Clavet to maintain, manage and control the animal shelter, to keep records of the animals impounded, released or disposed of and to collect any fees and charges levied under this bylaw as provided herein.
- o) **“RUNNING AT LARGE”** shall mean when any animal is beyond the boundaries of the land occupied by the owner, possessor, or harborer or keeper of the said 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 not under control by being:
 - i) Securely confined within an enclosure; or
 - ii) Securely fastened so that it cannot roam at will.
- p) **“VILLAGE”** shall mean the Village of Clavet.

3. **LICENSING:**

- a) The license for animals shall be from the first day of January to the thirty first day of December of the same year.
- b) Every owner of a dog or cat six months or older shall no later than the 1st of February in each year, or within 30 days of becoming an owner of a dog or cat, apply for a license for the said dog or cat from the Village Office, and failure to do so shall constitute an offense under this bylaw.
- c) When applying for a license under this section, the applicant shall provide the Village with a description of the dog or cat, the name and address of the owner, proof of animal being spayed/neutered, vaccinations, and any other relevant information, which may be required by the Village.
- d) When issuing a license for a dog or cat, the Village shall supply the applicant with a tag, the form of which and lettering or numbers inscribed or imprinted thereon as may be determined by the Village, and the said owner shall attach the said metal tag to the collar to be worn around the neck of the licensed animal at all times.
- e) Any dog or cat license issued pursuant to the provisions of the bylaw by the Village of Clavet shall not be transferable to any other dog or cat.

- f) The annual license fee for a dog or cat license shall be as set out in Schedule "A" attached here to and which may be amended from time to time by resolution of Council.
- g) The sum payable for a license required after the first day of August in the calendar year for new residents or new animal owners shall be prorated and shall expire the thirty-first day of December in the same calendar year.
- h) In the case the original metal tag being lost or destroyed, a duplicate shall be issued at the Village Office or by the Bylaw Enforcement Officer upon presentation by the owner of a receipt showing payment of the license fee of the current dog or cat license year and upon payment of the sum of \$5.00 for the issuance of a duplicate.
- i) The provisions of this section shall not apply to the dogs or cats in the ordinary course of business by the proprietors of the following premises, namely:
 - i) Veterinary clinic or grooming parlor;
 - ii) Public pound;
 - iii) Public park or zoological gardens;
 - iv) Shop whose business includes the sale of pets and is licensed as such;
 - v) A shelter operated by an association or society incorporated for the purpose of the protection and humane treatment of animals.
- j) Notwithstanding Section 3 hereof, no license fee shall be payable by the owner of a dog where the dog being licensed is a guide dog that the owner physically relies on and the guide dog is trained and used to assist such person.
- m) A person residing in the Village of Clavet who owns, possesses, keeps or harbors a dog or cat and neglects or refuses to register and apply for a license for the current year, or neglects to cause the dog or cat to wear the license, shall be subject to the penalties as outlined in the Voluntary Payment Bylaw.

4. RUNNING AT LARGE:

- a)
 - i) Any person who owns or has the care and control of an animal found running at large within the Village of Clavet is in violation of this bylaw.
 - ii) Except for cats, so long as the cat is licensed.
- b) When an animal is found to be running at large, the owner shall be deemed to have failed or refused to comply with the requirements of the provisions of this Section.
- c) Where an animal is found to be running at large, the owner or occupant of the property on which the animal is running at large may make a written complaint to the Bylaw Enforcement Officer or the Village of Clavet.

5. LIMITS – ANIMALS

- a) No person within the Village of Clavet shall harbor or keep more than three (3) animals of one species 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 and which may be amended from time to time by resolution of Council.

6. KENNELS

No kennels of any type or description are permitted within the Village of Clavet.

7. SEIZURE AND IMPOUNDING:

- a) A Bylaw Enforcement Officer may seize and impound any dog or cat observed to be at large.
- b) A Bylaw Enforcement Officer may enter onto land surrounding any building in pursuit of any dog or cat that has been observed to be at large.
- c) The Bylaw Enforcement Officer is hereby authorized to seize and capture, by the use of a tranquilizer gun or any other method authorized by the resolution of council for the Village of Clavet, and impound any dog or cat running at large contrary to the provisions of this Bylaw.
- d) Any person may take any dog or cat found running at large contrary to the provisions of the bylaw to the Village of Clavet Animal Shelter.
- e) No person, whether or not he/she is the owner of a dog or cat which is being pursued or seized shall:
 - i) interfere with or attempt to obstruct the Bylaw Enforcement Officer who is attempting to seize or has seized any dog or cat in accordance with the provisions of this bylaw;
 - ii) Unlock or unlatch or otherwise open the vehicle in which the dog (s) or cat (s) seized under this bylaw have been placed, so as to allow or attempt to allow any dog (s) or cat(s) to escape there from;
 - iii) Remove or attempt to remove any dog(s) or cat(s) from the possession of the Bylaw Enforcement Officer.
- f) When the Bylaw Enforcement Officer or Administrator observes or receives a complaint of a cat causing a nuisance, that may issue a trap to the complainant upon execution of the complainant of the cat trap permit agreement, which includes the regulations for the use of the trap as set out in Schedule “D” of this bylaw and payment of a refundable deposit of \$50 for the use of the trap as set out in Schedule “D” of this bylaw.

8. ANIMAL SHELTER:

- a) The Council of the Village of Clavet shall appoint a Pound Keeper.

- b) All dogs and cats impounded in the Animal Shelter 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 or cat upon paying to the address on the ticket .
- c) No unlicensed 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 a license has been purchased.
- d) When a dog or cat impounded is wearing a collar to which is attached a license tag valid for the current year, the Village Office shall immediately attempt to contact the owner as shown in the records made when the license was purchased at the address shown therein, that unless they said dog or cat is claimed and the fees as provided for with the bylaw are paid within 72 hours from the date of impounding, the said dog or cat shall be dealt with pursuant to the bylaw.
- e) All impounded dogs or cats which are not claimed within 72 hours as aforesaid, may be sold by the Village of Clavet to any person paying for such dog or cat, all pound fees incurred and procure a license for such dog or cat as provided for by this bylaw. In the event any dog or cat is not sold after the 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 during its confinement in the Animal Shelter.
- g) Any dog or cat found in any public place or on any public property or otherwise running at large contrary to the provisions of this bylaw, the Bylaw Enforcement Officer may seize and impound the said animal.

9. LITTER:

- a) If a dog or cat defecates on any public or private property other than the owner's the owner of the dog/cat shall cause such defecation to be removed immediately, and:
 - i) An owner or occupant of private property shall not allow animal feces to accumulate on the property so as to create a health hazard.
 - ii) If requested to do so by the Bylaw Enforcement Officer or public health inspector, the owner or occupant of private property must remove all animal feces from the property within 72 hours of the time request is made;
 - iii) If the request under sub-section 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 Village.

- b) The Village may remove the feces from the property if:
 - i) The person to whom the request is made fails to remove the feces within 72 hours of request; or
 - ii) After reasonable inquiry of the whereabouts of the owner or occupant of the property cannot be determined.
- c) If the Village carries out the work under sub-section b), the costs and expenses incurred are considered a debt due to the Village and the Village may take the appropriate actions necessary to recover the incurred costs for such work.

10. NUISANCE:

- a) Nuisance – Dogs
 - i) The owner, possessor or harbinger 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 harbinger who contravenes this section commits an offense under this bylaw.
- b) Nuisance – Cats
 - i) The owner, possessor, or harbinger 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 harbinger. Any owner, possessor, or harbinger who contravenes this section commits an offense under this bylaw.

11. RESTRICTED AREAS FOR ANIMALS:

- a) Areas prohibited to animals are all public parks including the school ground, sport fields and any public building. Assistance animals are exempt.

12. OFF LEASH AREA:

- a) The area west of Campbell Place is hereby designated an off leash area for running dogs.

13. DANGEROUS DOGS:

- a) Where a complaint is received by the Village of Clavet that a dog within the Village of Clavet is dangerous, Section 375 (5) of The Municipalities Act, 2006 and Section 57 of The Municipalities Regulations, 2006 shall apply.
- b) The owner of dangerous dog shall get a “Dangerous Dog License” from the Village of Clavet within fourteen (14) days of declaration and comply with Section 375 (5) of The Municipalities Act, 2006 at all times.

14. RESTRICTED ANIMALS:

- a) An owner of a restricted animal shall maintain in force a policy of liability insurance in a form satisfactory to the Designated Officer providing third party liability coverage in a minimum amount of \$1,000,000.00 for injuries caused by the owner’s restricted animal.
- b) The insurance policy shall contain a provision requiring the insurer to immediately notify the Village Administrator in writing should the policy expire or be terminated or cancelled.
- c) Within two (2) months after the passage of this bylaw, the owner of a restricted dog shall provide to the Village Administrator proof that such liability policy is in force before he or she may obtain a Restricted Dog license.
- d) Upon request provide to the Designated Officer proof of valid insurance.
- e) Upon expiration, termination or cancellation of the insurance policy the Restricted Dog license is rescinded and becomes null and void.
- f) At all times while a restricted animal is on the premises of its owner, the owner shall either keep such animal confined indoors under the effective control of a person over the age of sixteen (16) years, or confined in a securely enclosed and locked pen or other structure constructed to prevent the escape of the restricted animal and capable of preventing the entry of young children.
- g) 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 a minimum 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,
- h) When any restricted animal is off the premises of the owner, the owner shall securely muzzle such animal and either harness it or leas it securely to effectively prevent it from attacking and injuring a person or other domestic animal.
- i) Subsection h) preceding shall not apply when the restricted animal is in a pen or enclosure meeting the requirements of f) and g) preceding.
- j) The owner of a restricted animal shall take all necessary steps to ensure that such animal 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.

15. OWNING AND HARBOURING EXOTIC AND WILD ANIMALS:

- a) No person shall own or harbor any animal, or hybrid of any animal, of the kind listed in Schedule "C" for any purpose.
- b) No person, partnership or corporation, whether operated separately or in connection with another business enterprise, shall operate a pet store that buys, sells, trades exhibits or harbors any animal or hybrid of any animal of the kind listed in Schedule "C".

16. PENALTIES:

- a) Tickets shall be issued by the Bylaw Enforcement Officer for the Village of Clavet for offenses against this bylaw with the penalty amounts set forth in Voluntary Payment Bylaw.

Introduced and read a first time this 18th day of May, 2010

Given Second Reading this 18th day of May, 2010

Given Final Reading and hereby be adopted this 18th day of May, 2010

BLAIR BENTLEY, MAYOR

JANET PATRY, ADMINISTRATOR

SCHEDULE "A" TO BYLAW 2010-03

ANNUAL LICENSE FEES FOR DOGS

		NEUTERED/SPAYED
1.	First Dog in Household	\$20.00
2.	Second Dog in Household	\$30.00
3.	Third Dog in Household	\$40.00

\$10.00
\$20.00
\$30.00

ANNUAL LICENSE FEES FOR CATS

1.	First Cat in Household	\$20.00
2.	Second Cat in Household	\$30.00
3.	Third Cat in Household	\$40.00

NEUTERED/SPAYED

\$10.00
\$20.00
\$30.00

Lost Dog or Cat License Tag Replacement Fee \$5.00

SCHEDULE "B" TO BYLAW 2010-03

Dog or Cat Pound Fees: (Pursuant to Section 7)

IMPOUNDMENT

1.	First Offence	\$30.00 plus \$10.00 per day or part thereof
2.	Subsequent Offense within the Same calendar year	\$60.00 plus \$10.00 per day or part thereof

SCHEDULE "C" TO BYLAW 2010-03

Being a list of animals the keeping of which is prohibited within the Village of Clavet.

- All arachnids dangerous to humans (such as scorpions , tarantulas
- All Aritodactylus Ungulates, such as domestic goats, sheep and cattle
- All bats
- All canids, except the domestic dog
- All crocodilians (such as alligators, crocodiles and caimans)
- All Edentates (such as anteaters, sloths and armadillos)
- All elephants
- All felids, except the domestic cat
- All hyenas
- 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 perissodactulus ungulates, such as the domestic horse, mule and ass
- All pinnipeds (such as seals, fur seals, and walruses)
- All procyonids (such as raccoons, coatis and cacomistles)
- All raptors, diurnal and nocturnal (such as eagles, hawks and owls)
- All ratite birds (such as ostriches, rheas, and cassowaries)
- 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

**SCHEDULE "D" TO BYLAW 2010-03
VILLAGE OF CLAVET
CAT TRAP PERMIT**

COMPLAINANT: _____ **DATE:** _____

TERMS OF ISSUANCE OF TRAP:

The complainant shall:

1. Personally check the trap each hour while the trap is set.
2. In the event a cat is trapped, immediately deliver the cat and trap into the custody of the Bylaw Enforcement Officer who may seize and impound the cat.
3. Traps must not be set on statutory holidays or weekends as the Village Office is closed.
4. The trap is to be returned to the Village Office three (3) days after issuance, unless an extension has been granted.

*****IT IS A CRIMINAL OFFENCE TO HARM ANY DOMESTIC ANIMAL*****

Address of intended location of trap: _____

Refundable Deposit of \$50.00 is required PAID by cash ____ PAID by cheque ____

Signature: _____

Name of Complainant: _____

Address of Complainant: _____

Phone Number of Complainant: _____

BLEO Advised by _____ Date: _____ Time: _____

TRAP RETURNED

Date: _____

Deposit Refunded: Yes _____ No _____

Received by: _____

Remarks: _____