

**TOWN OF PILOT BUTTE
BYLAW NO. 11 - 2017**

**A BYLAW TO LICENSE AND REGULATE DOGS RUNNING AT LARGE;
DOG & CAT CONTROL – OWNERSHIP AND POSSESSION**

The purpose of the Bylaw is to promote the safety, health and welfare of the people and the protection of people and property in the Town of Pilot Butte and to ensure the humane treatment of dogs and cats and by regulating and prohibiting the keeping of dangerous dogs with the Town.

The Council of the Town of Pilot Butte in the Province of Saskatchewan enacts as follows:

1. The bylaw may be referred to as the Dog & Cat Control Bylaw.
2. For the purpose of this bylaw , the expression:
 - (a) "administrator" shall mean the administrator of the municipality;
 - (b) "animal shelter" shall mean the Regina Humane Society or such other premises or facility as may be designated by council, from time to time;
 - (c) "cat" shall mean either male for female small carnivorous mammal with soft fur, a short snout, and retractile claws, usually kept as a pet;
 - (d) "cat trap permit" shall mean a permit issued by the municipality to a person to trap a cat being at large;
 - (e) "council" shall mean the council of the Town of Pilot Butte;
 - (f) "designated officer" shall mean that person designated by the council or the administrator of the municipality;
 - (g) "dangerous dog" shall mean:
 - i. Any dog with provocation, in a vicious or menacing manner, chases or approaches a person or domestic animal in an apparent attitude of attack;
 - ii. Any dog having an inclination, tendency or disposition to attack without provocation, to cause injury or to otherwise threaten the safety of persons or domestic animals;
 - iii. Any dog which has, without provocation, bitten, inflicted injury, assaulted or otherwise attacked a person or domestic animal;
 - iv. Any dog owned primarily or in part for the purpose of dog fighting or is trained for dog fighting;

but shall not include:

- i. Any dog acting in the performance of police work;
- ii. Any dog working as a guard dog on a commercial property:
 - Securely enclosed on a property by a fence or other barrier sufficient to prevent the escape of the dog and the entry of children of tender years;

- Defending that property against a person who was committing an offence.
- (h) "dog" shall mean either male or female carnivorous quadruped of the genus canis, over three months old;
- (i) "dog run" shall mean dedicated area (usually enclosed by a fence) where dogs may be exercised untethered;
- (j) "municipality" shall mean the Town of Pilot Butte;
- (k) "owner" includes:
 - I. A person who is registered on title of a property; or
 - II. A person who keeps, possesses or harbours an animal to the which this bylaw applies; or
 - III. The person responsible for the custody of a minor where the minor is the owner of an animal to which this bylaw applies;
- (l) "pound" shall mean such premises and facilities as may be designated by council, from time to time, as the pound;
- (m) "pound keeper" shall mean the person designated as a pound keeper by the council of the municipality;
- (n) "provocation" means an act done intentionally for the purpose of provoking a dog to which this Bylaw applies;
- (o) "running at large" shall mean off the premises and boundaries of the land occupied by the owner, or beyond the boundaries of any lands where the dog may be with the permission of the owner or occupier of the lands and is not under control by being tied or secured to a leash or chain or other similar restraining device not exceeding two meters in length.

3. Licensing

- a. Every person in the municipality, who owns, possesses or harbors a dog/cat shall obtain a license from the Town Office.
- b. The license shall be in effect for the life of the dog/cat, and shall be obtained within twenty (20) days of taking possession of the dog/cat.
 - i. The license fee shall be in accordance with Schedule "A" of this bylaw.
- c. No person shall harbor, keep or have in his/her possession in or about his/her dwelling unit, more than three (3) dogs. A person residing in the Town who has more that three (3) dogs is guilty of an infraction of this Bylaw.
- d. Every person to whom a license has been issued under this bylaw shall cause his/her dog to wear a collar to which shall be attached to the license tag issued by the municipality pursuant to the bylaw.
- e. A person residing in the municipality, who owns, possess or harbors a dog/cat mentioned in the bylaw, and neglects or refuses to take out a license therefore shall be deemed guilty of an infraction of the bylaw.
- f. A license issued pursuant to this section is non-transferable and non-refundable.

4. Running At Large

- a. No dog/cat shall run at large in the municipality.
- b. A person who owns, possesses or harbors a dog/cat found running at large shall be deemed guilty of an infraction of this bylaw.
- c. Any person may take a dog/cat found running at large contrary to the provisions of this bylaw to the municipal pound where it will be kept for twenty four (24) hours which shall not include statutory holidays or weekends unless the Owner redeems the animal by paying at the Administration office the fees in accordance with Schedule "A" of this bylaw for the care and keep of each animal.
- d. The designated officer shall deliver to the Regina Humane Society, each dog/cat which is not redeemed within twenty four (24) hours for the sum of not less than the amount set out in Schedule "A" to redeem the dog/cat.

5. Defecation

- a. Where a dog/cat has defecated on public property or a private property, without consent of the owner of the property, the owner of the dog/cat shall immediately remove the defecation and dispose of the defecation in a sanitary manner.
- b. An Owner of a dog shall remove the dog's/cat's defecation from the property where the dog is being kept and dispose of the defecation in a sanitary manner.
- c. No Owner of a dog shall allow the dog's/cat's defecation to accumulate on the property where the dog/cat is being kept to such an extent that, in the opinion of the designated officer, it is reasonably likely to annoy or pose a health risk to others.

6. Female Dogs

An owner of a female dog/cat shall keep the dog/cat indoors at all times during the period the dog/cat is in heat where practical.

7. Dog Runs

- a. Where a dog is housed in a dog run, the owner shall ensure that the dog run kept in a sanitary condition protecting the health and safety of the dog and any other living being.
- b. An owner shall ensure a dog run on the owner's property is located no closer than one (1) metre to a property line and no closer than five (5) metres from a dwelling unit located on an adjacent property.
- c. An owner shall ensure that a dog run on the owner's property is constructed of material of sufficient strength and in a manner adequate to:
 - i. Confine the dog; and
 - ii. Prevent the entry of children of tender years.
- d. If, in the opinion of the designated officer the condition or location of a dog run is not in accordance with this Bylaw, the designated officer may order the owner of the property

in which the dog run is located, to clean, alter, demolish, or relocate the dog run within the time period specified in the order.

- e. The person to whom an order is issued pursuant to the subsection (a) shall comply with the order within the time specified in the order.
- f. An order to relocate a dog run issued pursuant to subsection (b) will allow the owner of the property on which the dog run is located, at least thirty (30) days to relocate or remove the dog run.

8. Cat Trap Permits

- a. A person who has been bothered by a cat being at large may apply to the Municipality to receive a cat trap permit and cat trap.
- b. The Municipality shall only approve a cat trap permit and issue a cat trap to a person making an application pursuant to subsection (a) when that person:
 - i. Agrees to all the terms included in the cat trap permit;
 - ii. Executes the cat trap permit; and
 - iii. Pays the cat trap fee set by the Municipality.

9. Requirements Related to Cat Traps

Where a cat trap is issued or a private cat trap is utilized pursuant to the Bylaw, the permittee or private cat trap owner shall;

- a. Abide by the terms of the cat trap permit;
- b. Place the cat trap only on the permittee's or private cat trap owner's property located with the Municipality or on other property with the written consent of the property owner;
- c. Personally check the trap at least once each hour while the trap is set;
- d. In the event, a cat is trapped, contact the Municipality:
 - i. Immediately, if during the hours of operation of the Municipality; or
 - ii. As soon as the Municipality is re-opens;
- e. Not use the trap when the temperature is;
 - i. 0 degrees Celsius or less; or
 - ii. 30 degrees Celsius or more;
- f. Return the cat trap to the Municipality within 72 hours of the cat trap being issued; and
- g. Pay the cost of repair or replacement of the cat trap if the issued cat trap is damaged, lost or stolen.

10. Care of Cat that is Trapped

- a. When a cat has been trapped in a cat trap, the permittee shall, for as long and until the cat has been relinquished to the Municipality;
 - i. Hold the cat for no longer than 24 hours;
 - ii. Treat the cat humanely;
 - iii. Provided shelter for the cat in warm, dry and secure area; and

- iv. Provide water and food for the cat.
- b. If the permittee cannot comply with then conditions in subsection (a), the permittee must release the trapped cat unharmed.
- c. When a cat has been trapped and the cat has been relinquished to the Municipality, the permittee shall provide the Municipality with:
 - i. The name of the owner of the cat, if known; and
 - ii. The location of the cat trap where the cat was trapped.

11. Detainment and Release

- a. Where the designated officer has received or detained a dog/cat whose owner is known, the designated officer shall advise the Town Office immediately. The Town Office shall provide notice to the Owner as soon as possible of the dog's/cat's detainment and the amount required to be paid, as per Schedule "A", in order for the dog to be released.
- b. Notice is subsection (a) may be given by telephone or in writing.
- c. An owner may claim a detained dog by attending the pound with proof of payment of fees.
- d. The designated officer shall not release a detained dog/cat unless the:
 - i. Person claiming the dog/cat can satisfy the designated officer that he or she is the Owner or person entitled to possession of the dog/cat; or
 - ii. Designated Officer has received the detainment fee as set out in Schedule "A".
- e. A dog/cat may be considered to be relinquished to the Animal Shelter when a dog/cat:
 - i. Detained at the pound whose Owner is unknown, is not claimed and released within twenty four (24) hours from the time the dog/cat was received at the pound;
 - ii. Detained at the pound whose Owner is known, is not claimed and released within twenty-four (24) hours from the time the dog/cat was received at the pound.
- f. The time requirements in subsection (a) do not include statutory holidays or weekends.

12. Dangerous Dogs

No person shall possess or harbour a dangerous dog with the Town of Pilot Butte.

13. Penalties

- a. Every person who contravenes or fails to comply with any provision of this Bylaw, is guilty of an offence and liable on summary conviction to:
 - i. A fine set out in Schedule "A"; or
 - ii. Where a fine is not specified, shall be subject to the fine set out in the Town of Pilot Butte's General Penalty Bylaw.

14. Voluntary Payments

- a. Where the Designated Officer believes that a person has contravened any provision of this Bylaw, he may serve upon such person a Bylaw Violation Notice as provided by this section either personally or by mailing or leaving the same at his last known address and such service shall be adequate for the purpose of this Bylaw.
- b. Such notice shall be deemed to have been served:
 - i. On the expiration of twenty four (24) hours after it is posted, if the notice is mailed;
 - ii. On the day of actual delivery if the notice is served personally; or
 - iii. On the business day following the transmission, if given by facsimile or email.
- c. A Bylaw Violation Notice shall be such form as determined in Schedule "B" and shall state the section of the Bylaw, which was contravened, and the amount, provided in Schedule "A", that will be accepted by the Municipality in lieu of prosecution.
- d. Upon production of a Bylaw Violation notice issued pursuant to this section within thirty (30) days from issue thereof, together with the payment of the fee provided in Schedule "A" to the Town Office, the person to whom the ticket was issued shall not be liable for prosecution for the contravention in respect of which the ticket was issued.
- e. Where a person contravenes the same provision of this Bylaw two or more times within one twelve month period, the specified payment payable in respect of the second or subsequent contravention is double the amount shown in Schedule "A" of this Bylaw in respect to the provision.
- f. Notwithstanding the provisions of this section, a person to whom a Bylaw Violation Notice has been issued pursuant to this section may exercise his right to defend any charge of committing a contravention of any of the provision of the Bylaw.

15. Bylaw 4-2001 is hereby repealed.

16. Bylaw 5-2001 is hereby repealed.

This bylaw shall come into force and take effect when adopted by Council.



CERTIFIED TRUE COPY OF A BYLAW PASSED
BY RESOLUTION OF COUNCIL OF THE TOWN
OF PILOT BUTTE AT A MEETING HELD THE

26 DAY OF June, 2017 AD.


ADMINISTRATOR


MAYOR


ADMINISTRATOR

SCHEDULE "A"

Lifetime Licence Fees

ITEM	AMOUNT
Female dog	\$40
Spayed female dog	\$20
Male dog over	\$40
Neutered male dog	\$20
Non -sterilized cat	\$40
Sterilized cat	\$20

Impound Fees

ITEM	AMOUNT
Impound Charge	\$40
Housing Charge	\$20

Fines and Voluntary Payments

OFFENCE	VOLUNTARY PAYMENTS
Allowing a dog/cat to run at large	\$100
Failure to remove defecation	\$20
Failure to keep non-sterilized dog/cat indoors while in heat	\$20
Failure to comply with order of designated officer	\$40
More than three (3) dogs	\$100
Dangerous dog	\$250
Cat trap rental fee (non-refundable)	\$25
Cat trap deposit (refundable)	\$100

SCHEDULE "B"

NOTICE OF VIOLATION

NO.

Name _____

Address _____

Date _____ Time _____

License No. _____ Province _____

Make of Car _____ Year _____

Type of Animal _____

To avoid prosecution for the written mentioned bylaw infraction, you are hereby directed to report to Pilot Butte Town Office during the hours of 9:00 am to 12:00 pm and 1:00 pm to 5:00 pm, Monday to Friday (except holidays) or mail to Box 253, Pilot Butte, Saskatchewan S0G 3Z0 by

_____ and remit the sum of \$ _____ for infraction of

Town of Pilot Butte Bylaw No. _____, namely that:

Failure to appear or remit payment will result in a summons being issued. If payment is made within the above noted time, you will not be liable for prosecution.

Issuing Officer

Penalty remitted by mail must be accompanied by this tag to the:

TOWN OF PILOT BUTTE
Box 253, Pilot Butte, Saskatchewan S0G 3Z0
Phone: (306) 784-4547

WHITE: Offender

YELLOW: Payment

PINK: Town Office

GOLDENROD: Bylaw Enforcement

SCHEDULE "C"

CAT TRAP PERMIT

Schedule "C" to Bylaw 11-2017 (as provided by clause 8, 9 & 10)

TRAP # _____

Date Rented _____ # of Days Rented _____

Date & Time of Expected Return _____

Location of the Trap _____

The undersigned agrees to the following terms and conditions:

- a. Place the cat trap only on the permittee's or private cat trap owner's property located with the Municipality or on other property with the written consent of the property owner;
- b. Personally check the trap at least once each hour while the trap is set;
- c. In the event, a cat is trapped, contact the Municipality;
- d. Immediately, if during the hours of operation of the Municipality; or
- e. As soon as the Municipality is re-opens;
- f. Not use the trap when the temperature is;
 - i. 0 degrees Celsius or less; or
 - ii. 30 degrees Celsius or more;
- g. Return the cat trap to the Municipality within 72 hours of the cat trap being issued; and
- h. Pay the cost of repair or replacement of the cat trap if the issued cat trap is damaged, lost or stolen.
- i. To pay the non-refundable rental fee rental fee of \$25.00, to the Town of Pilot Butte at the time of renting the trap.
- j. To pay the refundable deposit of \$100.00 to the Town of Pilot Butte at the time of renting the trap.

I have read and accept all liability which may arise in connection with use of this cat trap while it is in my possession.

IT IS A CRIMIAL OFFENCE TO HARM ANY DOMESTIC ANIMAL

Signature of Renter _____
 Name (print) _____
 Address _____
 Home # _____ Cell # _____

Trap Returned _____ Date _____ Received By _____