

**TOWN OF SPIRITWOOD
BYLAW NO. 517/18**

**A BYLAW TO REGULATE AND CONTROL THE OWNERSHIP AND
POSSESSION OF ANIMALS WITHIN THE TOWN OF SPIRITWOOD.**

The council of the Town of Spiritwood, in the Province of Saskatchewan, in open assembly enact as follows:

Title

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

Definitions

2. "**Administrator**" shall mean the Administrator of the Town of Spiritwood or an employee designated by the Administrator to act on behalf of the Town of Spiritwood.
3. "**Animal**" shall mean any dog, cat, exotic animal and any domestic pet.
4. "**Animal Control Officer**" shall mean any person designated and appointed by the Council or Administrator to restrain and impound animals running at large in the Town of Spiritwood.
5. "**Cat**" shall mean any domestic bred cat, male or female, of the feline family over the age of six (6) months; excluding wild cats such as but not limited to cougars, leopards, and lynx.
6. "**Council**" shall mean the Council of the Town of Spiritwood.
7. "**Dangerous Animal**" means any Animal declared to be dangerous by a Judge pursuant to The Municipalities Act.
8. "**Dog**" shall mean any domestic bred dog, male or female, of every breed or classification or mixture of breeds in the Canidae family over the age of six (6) months; excluding wild dogs such as but not limited to wolves, coyotes, and foxes.
9. "**Excessive Noise**" means any and all sources of noise from a domestic animal that is found to be unnecessary.
10. "**Judge**" means a judge of the Provincial Court of Saskatchewan, a justice of the peace or municipal official designated as a judge in accordance with this bylaw.
11. "**Livestock**" shall mean any domestic animal usually raised for sale and profit.
12. "**Owner**" shall mean any person owning, possessing or harboring an animal.
13. "**Poultry**" shall mean
 - a. Domestic fowl usually propagated and fattened for the table and for their eggs, feathers etc. including but not necessarily limited to chickens, geese, ducks, turkeys, guinea fowl; or
 - b. Pigeons of the species *Columba Livia*, commonly known as the domestic pigeon and includes pigeons raised for the purpose of racing, show, table and pets and included feral pigeons.
14. "**Pound**" shall mean an animal pound or animal shelter as a run by the Town of Spiritwood which shall be under the supervision of the Animal Control Officer or other person as designated by Council or the Administrator.
15. "**Running at large**" shall mean when an animal is beyond the boundaries of the land occupied by the owner, possessor, harbinger or keeper of 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;
 - a. On a leash and in direct and continuous charge of a person competent to control it; or
 - b. Securely confined within an enclosure; or
 - c. Securely fastened so that it cannot roam at will

Prohibited Animals

16. The ownership or harboring of any Prohibited Animal, as outlined in Schedule "B", is strictly banned.
17. No person or corporation shall operate a pet shop that buys, sells, trades, exhibits or harbors any animal or hybrid of any animal of the kinds listed in Schedule "B".

Bees, Livestock & Poultry

18. No person shall keep bees, livestock, or poultry within the limits of Town.
19. Request for exceptions to Section 18 of this bylaw can be made in writing to Council.
20. Section 18 shall not apply to livestock and poultry brought into town for the duration of a special event at which said livestock and poultry will be used for the purposes of exhibition or performing.
21. No person shall own, possess, or harbor a swine, pig or hog of any size, type or variety within the Town of Spiritwood limits.

Dogs/Cats

Licensing

22. Every owner of a dog or cat six (6) months old or older shall register and obtain a Town issued license on or before January 31st in each year, or immediately after the date of possession.
23. Every owner shall cause their dog or cat to wear a collar to which a license tag is attached.
24. The Town of Spiritwood shall furnish a license tag to the owner of the dog or cat showing the words "Town of Spiritwood", license number and the year.
25. When applying for a license the owner must supply the Town of Spiritwood a description of the animal(s) including sex, colour, breed, name and any other information required by the Town of Spiritwood.
26. The license fee for each animal shall be in accordance with the schedule of fees prescribed in Schedule "A" attached to this bylaw.
27. All licenses pursuant to this bylaw expire on the 31st day of December in the year which the license was issued.
28. Licenses issued pursuant to this bylaw are non-transferable and non-refundable.
29. No unauthorized person shall remove a collar or tag from an animal.

Exemptions for Dogs

30. Seeing-eye dogs used as a guide by a blind person shall be licensed, and shall be issued a license without payment of the license fee.
31. Service dogs acting in performance of police work shall not be required to be licensed and shall not be required to pay the license fee.
32. Veterinary clinics, boarding/grooming kennels, and rescue/fostering shelters shall not be required to license animals while said animals are temporarily in their care.

Dog Runs

33. No person shall construct or cause to be constructed an enclosed dog run on any property in the Town of Spiritwood within one (1) meter of the property line.
34. The owner shall ensure that a dog run is kept in a sanitary and structurally sound condition protecting the health and safety of the animal.

Dog Restraints

35. Dogs must be on a leash no longer than 1.8 meters in length at all times when in all public areas.
36. A dog which is restrained on private property by leash or means other than an enclosed dog run shall be restrained in the following manner:
 - i) The restraint shall be of sufficient strength and kept in a good state of repair so that the animal will not escape, and that it cannot be chewed through, and;
 - ii) The restraint shall be securely situated in the yard such that it will not allow the animal to approach closer than (2) meters of any sidewalk, street, or lane.

Animals

Limit of Number of Animals

37. No more than five (5) animals shall be harbored at each residence and/or business within the limits of town.

Defecation

38. If any animal defecates on any public property or private property within the Town of Spiritwood other than on the property of its owner, the owner of the animal shall cause the defecation to be removed immediately.
39. Any person owning or occupying property in the Town of Spiritwood shall remove any and all defecation from said property on a weekly basis and shall dispose of the defecation in a sanitary manner.
40. Failure to remove defecation as required in this section shall be in breach of this bylaw and subject to fines as prescribed in Schedule "A" of this bylaw.

Nuisance

41. The owner, possessor, or harbinger of an animal shall not allow the animal to create a nuisance by making excessive noise including but not limited to barking, howling, hissing, attempting to bite or biting anyone or any domestic animal, chasing vehicles or bicycles. An owner, possessor, or harbinger who contravenes this section commits an offence under this bylaw.
42. Where an animal is found to be creating a nuisance, the owner or occupant of that property on which the animal is creating a nuisance may make a written complaint to the bylaw enforcement officer.
43. The owner of an animal shall not allow the animal to enter the grounds of any School, Cemetery, or Kidzland Park located within the Town of Spiritwood.

Running at Large

44. The owner or any other person having care or control of an animal shall at no time allow the animal to run at large.

45. Any animal found in any public street, lane, park, boulevard or other public area or otherwise running at large contrary to the provisions of this bylaw, the Animal Control officer may seize and impound said animal.
46. Every owner whose animal is running at large is guilty of an offence and liable on summary conviction to the penalties prescribed in this bylaw.

Impounding/Disposal of Animals

47. It shall be the duty of the Animal Control Officer to provide each animal impounded under the authority of this bylaw an adequate supply of food and fresh water and proper shelter during its confinement in the pound.
48. The Town of Spiritwood reserves the right to request reasonable evidence that a person is the owner or the person entitled to possession of any impounded animal.
49. Where an impounded animal is required by bylaw to be licensed and a license fee has not been obtained, that license fee shall be paid in addition to the impoundment fee and fines before the animal is released from the pound.
50. If an impounded animal is licensed, the animal control officer or administrator shall within twenty-four (24) hours, forward to the owner, by telephone or in writing, advising such owner of the impounding and setting forth the amount required to have the animal released.
51. The Animal Control Officer shall keep all impounded animals for a period of seventy-two (72) hours unless all fines, licenses and impoundment fees are paid in full. The seventy-two (72) hour period shall exclude the day of impoundment, statutory holidays and weekends.
52. If an impounded animal is not claimed within seventy-two (72) hours as outlined in Section 51, said animal may be given away, sold or humanely disposed of without further notice.

Dangerous Animals

53. Where a complaint is received by the Town Office that an animal within a Town is dangerous, Sections 374-380 of *The Municipalities Act* shall apply.

Communicable Diseases

54. If an animal is suspected to have communicable disease the owner must:
 - a. Isolate the animal in a manner to prevent further spread of the disease;
 - b. Seek an assessment by a veterinarian; and
 - c. Follow the orders of such veterinarian, and any other government officials who have the authority to issue such orders.
55. Any owner, possessor or harbinger of domestic animal(s) who neglects or refuses to comply with any order from a veterinary clinic shall be guilty of an infraction of this bylaw.

Humane Disposal of Sick and Injured Animals

56. An Animal Control Officer or a Veterinarian may take immediate action to humanely destroy any sick or injured animal found within the Town limits where in his opinion, immediate destruction of the animal is necessary to avoid unnecessary suffering by the animal.
57. Reasonable efforts shall be made to contact the owner of the animal before it is destroyed pursuant to Section 56, however no action lies against the Animal

Control Officer or Veterinarian solely because the owner of the animal was not contacted.

Penalties & Voluntary Payments

- 58. Where a person commits an offence for which a penalty is set out in Schedule "A" of this bylaw a Notice of Violation in "Form 1" of this bylaw shall be issued to such person.
- 59. Upon being served with a Notice of Violation, a violator may voluntarily pay the prescribed penalty.
- 60. Where the Administrator receives voluntary payment of the prescribed amount, the person receiving the Notice of Violation shall not be liable to prosecution for that alleged contravention.
- 61. Any person violating any provision of this bylaw who does not pay the voluntary penalties within the required time as set out in Schedule "A" of this bylaw, shall be charged under *The Summary Offences Procedure Act*.

General Penalty

- 62. Any person who is found guilty of a violation of any provisions of this bylaw, for which no other penalty is imposed, is liable on summary conviction for the first offence to a fine of not more than two hundred fifty (\$250.00) dollars and for a subsequent offence to a fine of not less than two hundred fifty (\$250.00) dollars nor more than one thousand and eighty (\$1,080.00) dollars.

Repealed Bylaws

- 63. Bylaw No. 327/96, 409/05, and 415/05 are hereby repealed, and all previous bylaws regarding dogs, and animal control are repealed.
- 64. This bylaw shall come into force and take effect on the date of the final passing thereof.



Mayor



Administrator

Read a third time and adopted this 9th day of October, 2018

Certified a true copy of
Bylaw No. 517/18 adopted
By Resolution of council
On the 9th day of
October, 2018.



Administrator



Town Of Spiritwood
Bylaw No. 517/18
Schedule "A" - Fees & Fines

Dogs & Cats

ANNUAL FEES	
License	\$25.00
Tag Replacement	\$10.00

Animals

FINES		
	1 st Offence	2 nd Offence & all Subsequent
Failure to obtain a license for dog/cat	\$100	\$200
Unauthorized removal of a license tag	\$50	\$100
Exceeding the maximum number of animals	\$150	\$250
Owning or harboring a prohibited animal listed in Schedule B	\$150	\$250
Interfering with an Animal Control Officer	\$150	\$250
Nuisance Animal	\$50.	\$100
Animal Caught Running at Large		
Licensed Dog/Cat	\$100.00	\$200.00
Animal or Non-Licensed Dog/Cat	\$150.00	\$250.00
Pound Fees		
Fee per day or part thereof to keep an animal in the pound	\$20.00	
Defecation		
Defecation on property other than the Owner's Property	\$150.00	\$250.00
Defecation not removed from the Owner's property weekly	\$100.00	\$200.00

Voluntary Payment (as provided for in Section 62)

If fines are paid within fifteen (15) working days from the date of a "Notice of Violation", the violator will avoid prosecution.

If fines are paid within ten (10) working days from the date of a "Notice of Violation", the voluntary payment will be reduced by fifty percent (50%).

Town Of Spiritwood
Bylaw No. 517/18
Schedule "B" - Prohibited Animals

It is prohibited in the Town of Spiritwood to own the following *(Examples of animals of a particular prohibited group are given in parentheses. They are examples only and shall not be construed as limited the generality of the group):*

- a) Wildlife, as defined in the Wildlife Act, which means a vertebrate Animal of any species, excluding fish that is wild by nature in Saskatchewan and includes:
 - i) Any part, tissue, genetic material, eggs, sperm, embryos or other forms of developmental life; and
 - ii) Any exotic wildlife found in Saskatchewan.
- b) All Arachnids dangerous to humans (i.e. as scorpions and tarantulas except tarantulas of the genera Aphonopelma, Avicularia and Grammostola)
- c) All Artiodactylus Ungulates (i.e. deer and giraffes)
- d) All Vespertilionidae (i.e. bats)
- e) All Canids, except the domestic dog
- f) All Crocodylians (i.e. alligators, crocodiles, and caimans)
- g) All Edentates (i.e. anteaters, armadillos, and sloths)
- h) All Elephants
- i) All Felids, except the domestic cat
- j) All Marsupials (i.e. kangaroos and opossums)
- k) All Mustelids (i.e. skunks, weasels, otters and badgers), except the domestic ferret
- l) All non-human Primates (i.e. gorillas and monkeys)
- m) All Perissodactylus Ungulates, except the domestic horse and mule
- n) All Pinnipeds (i.e. seals and walruses)
- o) All Procyonids (i.e. raccoons)
- p) All Raptors, diurnal and nocturnal (i.e. eagles, hawks and owls)
- q) All Ratite Birds (ostriches and emus)
- r) All snakes of the families Pythonidae (i.e. pythons) and Boidae (i.e. boa-constrictors)
- s) All Ursids (i.e. bears)
- t) All Venomous Reptiles (i.e. rattle snakes and cobras)
- u) All Venomous Amphibians (i.e. toxic toads and toxic salamanders)
- v) All Viverrids (i.e. mongoose, civets and genets)

Town of Spiritwood
Bylaw No. 517/18
Animal Control Bylaw
Form 1

Notice of Violation

This official Notice is issued for breach of Bylaw No. 517/18

You may avoid prosecution for this offence by paying the penalty stated hereinafter within fifteen (15) working days. Failure to do so will result in prosecution in Provincial Court.

Payment may be remitted by mail to: Town of Spiritwood, Box 460, Spiritwood, SK S0J 2M0 or in person at the Town Office (212 Main Street), during regular business hours.

Name of Violator: _____

Address: _____

Date of Violation: _____

Location of Violation: _____

Nature of Violation: _____

Description of Animal: _____

1st Offence 2nd Offence

Fine Amount: _____

Date of Notice: _____

Payment Due (15 working days): _____

If paid by _____, Pay this amount _____
Date (50% of original penalty)

Issued by: _____

Town of Spiritwood
Bylaw No. 517/18
Animal Control Bylaw
Form 2

Complaint Form

Name of Domestic animal Owner: _____

Description of Domestic animal: _____

Tag # if Applicable: _____

Nature of Complaint: _____

Location of Violation: _____

Date of Violation: _____

Complainant

Date

Administrative Officer

Date Received