

VILLAGE OF WASECA

BYLAW NO. 125-06

DOG BYLAW

A BYLAW of the Village of Waseca in the Province of Saskatchewan to provide for the Licensing and Regulating of Dogs within the Village of Waseca

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

1. This bylaw shall be known as the “**Dog Bylaw**”.

2. **DEFINITIONS:**

- a. **ANIMAL CONTROL OFFICER:** Shall mean the person or persons appointed by:
 - i. The Council, or
 - ii. An Organization or Company which the Village of Waseca has an agreement with and/or is retained by the Village of Waseca to catch and control pets: dog/cat and for the enforcement of provisions of this bylaw.
- b. **DOG:** Shall mean all species of the canine animal commonly known as DOGS and includes all breeds or mixture of breeds or classifications over the age of three (3) months of age and shall be used to describe single or multiple number of dogs.
- c. **COUNCIL:** Shall mean the Council of the Village of Waseca.
- d. **LICENSE YEAR:** Shall mean the period of time from January 1st to December 31st of the same year.
- e. **MAGISTRATE:** Shall mean a Judge of the Provincial Magistrate’s Court.
- f. **OWNER:** Shall mean any person, group of people, firm, corporation owning, possessing or harboring a dog.
- g. **VILLAGE:** Shall mean the Village of Waseca, Saskatchewan.
- h. **KENNEL:** Shall mean any structure or place situated within the Village including any premises used by any person for boarding or otherwise caring for, training or whelping dogs exceeding two (2) in number, whether or not for reward but shall not include any premises occupied by a duly qualified Veterinary Surgeon for the practice of his profession.
- i. **TREASURER:** Shall mean the Administrator or clerk for the Village of Waseca.
- j. **RUNNING AT LARGE:** Shall mean a dog when it is beyond the boundaries of land owned or occupied by the owner, harbored or possessor of the said cat or dog,

Or beyond the boundaries of any lands where it may be with the permission of the owner or occupant of the said land

Or when the dog is not under control of being:

- i. On a leash and in direct and continuous charge of a person competent to control the said animal.
- ii. Securely confined within a closure.
- iii. Securely fastened so as not to roam at will.

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3. LICENSES:

- a. Fee Rates: as per Schedule 'A' attached and forming part of this bylaw.

Male	- \$15.00	Neutered Male	- \$10.00
Female	- \$15.00	Neutered Female	- \$10.00
- b. Every person who owns or harbors a dog within the Village of Waseca shall, no later than the 1st day of February cause such dog to be registered with and obtain a pet tag from the Village. Failure to do so constitutes an offense under this Bylaw.
- c. Registration shall include: description of each dog, breed, color, sex and age. Village shall keep on record the registration showing the owner's name, address, phone number, tag number and description of the dog.
- d. All dog tags issued under this Bylaw shall expire on the 31st day of December following the date of issue and shall be of a size and form, which can conveniently be attached to a dog collar.
- e. Replacement cost for a lost tag shall be two dollars (\$2.00).
- f. Every applicant for a dog tag for a neutered male or spayed female dog shall produce, if so requested to do so, a certificate of a Veterinary Surgeon that such dog has been neutered or spayed.
- g. Any unauthorized person who removes a tag, which is required by the provisions of this Bylaw from a dog shall be in violation of this Bylaw.
- h. Tags: Every person to whom a Pet Tag has been issued under this Bylaw shall cause his or her dog to wear a collar to which shall be attached the dog tag issued by the Village

4. DOGS:

No person shall own, possess, harbor or confine more than two (2) dogs or permit more than two (2) dogs over the age of six (6) months.

5. RUNNING AT LARGE:

No dog shall be allowed to run at large within the Village of Waseca. Any dog found running at large shall be in violation of this Bylaw.

6. KENNELS:

A Kennel License may be granted to an applicant that satisfies the Village that he/she is in the dog raising business, that he has been assessed therefor or has paid a Kennel License Fee and that proper books for recording of dogs raised, boarded and/or sold are being maintained by him. The Kennel License fee shall be two hundred and fifty dollars (\$250.00) per year and shall expire on the 31st day of December of each year.

7. SEIZURE OF DOGS:

The Animal Control Officer or any other person authorized by the Council may seize, capture and impound any dog found 'running at large' contrary to the provisions of this Bylaw.

8. POUND:

- a. For the purpose of impounding a dog, a place may be designated by Council from time to time.
- b. To assist in the seizure of animals at large, humane traps, muzzles or snares shall be utilized.
- c. No person shall:
 - i. Entice a dog except through the use of bait to enter a trap.
 - ii. Use poison bait.
 - iii. Tease or poke any object into the trap or in any way harm a dog caught therein.
- d. Animals may be held for a maximum three (3) days at the designated pound, after which the animal may be humanely disposed as per the Prevention and Cruelty to Animals guidelines. The owner, harbored or possessor of such an animal is responsible for all costs associated with the care, transportation and disposal of the animal.

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9. POUNDKEEPER:

- a. Council may appoint a Pound-Keeper who shall hold office at the pleasure of the Council.
- b. Whenever any dog is impounded the Village of Waseca or designate shall as reasonably possibly, notify the owner in person or by telephone. If the owner is unknown the dog, a notice shall be posted in the Village Office and on Public Bulletin boards.
- c. To obtain the release of a dog from impound the owner must pay the Village of Waseca \$10.00 per day - the FEE as per Schedule 'B' attached and forming part of this bylaw, plus the FINE as per Section #12 of this Bylaw.
- d. Any dog impounded shall be kept confined for a period of seventy-two (72) hours and if not redeemed within the seventy-two (72) hours from the time of impoundment, the dog shall be released to the Lloydminster Society For The Prevention and Cruelty To Animals or shall be at the discretion of the Village of Waseca or the Animal Control Officer, be destroyed in a humane manner.
- e. Any dog impounded by the Village of Waseca, shall not be adopted by a resident of the Village.
- f. No action for damages shall be taken against any person appointed by Council and acting under authority of this Bylaw for the destruction or other disposal of a dog.

10. GENERAL VIOLATIONS:

- a. Any person, who owns, possesses or harbors any dog, which by loud and frequent barking, yowling, yelping or chasing motor vehicles or in any other manner creates a disturbance; annoyance or discomfort to others residing in the neighborhood or public at large is guilty of an offence under this bylaw.
- b. Every female dog in heat shall be confined to a house or kennel.
- c. Any person, who owns, possesses or harbors any dog, which causes injury to any person, is guilty of an offence under this bylaw.
- d. Any person who breaks open, attempts or assists to break open a pound where an impounded animal is being held is guilty of an offence under this bylaw.
- e. Any person, who entices, baits or torments any dog that is confined within the owner or possessor's property is guilty of an offence under this bylaw.
- f. Any person who owns, possesses or harbors a dog within the Village of Waseca shall when such dog is out of boundaries of the owner or has permission from the owner to be, or on any public property within the Village be responsible for the cleanup and removal of feces dropped by such animal to a proper waste receptacle.

11. RABIES:

When a dog has bitten a person and/or is suspected of being rabid, the Medical Health Office of the region and a Veterinarian of the Health of Animals Branch, Canada Department of Agriculture shall be notified immediately.

12. PENALTY AND FINES:

- a. Unless otherwise specified in the Bylaw, a person committing a breach of this Bylaw or neglecting or refusing to comply therewith, is guilty of an offense and liable on summary conviction or the penalties as herein provided, whether or not the dog in connection with which breach or neglect or refusal was committed has been impounded or destroyed; and in the event that the amount of the fine has not been paid with respect to the dog in

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connection with which the breach or neglect or refusal was committed the amount of such fine shall be assessed and directed to be paid by the summary conviction court and the same shall be enforced and recovered and in default of payment of the fine, plus costs to a term of not more than sixty (60) days in the nearest jail.

- b. Any person guilty of an offense under this Bylaw shall forfeit and pay a fine set out hereunder exclusive of costs:

i. Section 3 a.	Unlicensed Dog	Penalty	\$20.00
ii. Section 3 b.	False Registration	Penalty	\$20.00
iii. Section 3-g	Removal of Tag/Collar	Penalty	\$20.00
iv. Section 10-d	Bait/Entice/Torment	Penalty	\$50.00
v. Section 10-b.	Disturbance	Penalty	\$50.00
vi. Section 4	Dog 'Running at Large'		
	a) First Offense	Penalty	\$50.00
	b) Second Offense	Penalty	\$75.00
	c) Third Offense & Subsequent Offense	Penalty	\$100.00

- c. In any proceedings before a magistrate under the provisions of this Bylaw, Ownership shall be established by submission to the Magistrate, a Certificate from the Animal Control Officer stating on his/her information and belief as to who is the owner of the dog in question, and upon receipt of such a certificate by the Magistrate, the onus of proof of ownership shall be shifted to the person named in the certificate to show that he/she is not the owner of the dog in question.

13. NOTICE OF VIOLATION AND PAYMENT:

- a. A Ticket in the form appearing a "Schedule C" to this Bylaw may be served on any person who has committed or is alleged to have committed a breach of any of the provisions in this Bylaw.
- Such person may pay to the treasurer of the Village Office, during regular business hours, an amount as specified in Section #12 for the respective violations.
 - Payment must be made within seventy-two (72) hours of service of the Notice by letter.
 - Provided payment is made and accepted within the specified time, the person shall not be liable for prosecution for the specified violation.
 - If the person who has committed or alleged to have committed a breach of Section 3, 4, 8, and/or 10 hereof, fails to pay the specified fine within the time allowed following service of the ticket, then the provisions of this Section shall no longer apply and the person shall be liable to prosecution for the offense in the ordinary way, providing that nothing in this Section shall prevent any person served with such ticket from exercising his/her right to defend any of those particularized offenses.

14. **Bylaw No. 104-99 is hereby repealed.**


Mayor


Administrator/Clerk



Read a 3rd time and adopted
this 22nd day of February, 2006.

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**SCHEDULE ‘A’
LICENSE FEES FOR:
DOG**

B. Dog	Male	\$15.00
	Female	\$15.00
	Neutered Male	\$10.00
	Spayed Female	\$10.00

**SCHEDULE ‘B’
IMPOUND FEES FOR:
DOG**

Dog: \$40 plus \$10/day plus costs = \$50 minimum to a \$145.00 maximum, which shall include the SPCA fees.

Section 8-d: After the maximum time three (3) days the said animal may be humanely disposed as per the Prevention and Cruelty to Animals guidelines. The owner, harbored or possessor of such an animal is responsible for all costs associated with the care, transportation and disposal of the animal.



Mayor



Administrator/clerk

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SCHEDULE 'C'
BYLAW _____

TICKET NO. _____

The dog described below is in Violation of the Village of Waseca’s Dog Bylaw _____.

DETAILS OF VIOLATION: _____ **DATE:** _____ **TIME:** _____

NAME OF OWNER: _____

Address of Owner: _____

Description of Dog: _____

TAG NO: _____

Location of Violation: _____

Other Information: _____

Violation: **Section** _____ **Penalty** _____

Voluntary payment may be paid at the Village of Waseca office. Failure to remit penalty within seventy-two (72) hours may result in issuance of a summons and on summary conviction to payment of penalty with all costs of prosecution.

Issuing Officer: _____.