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## TOWN OF BIG RIVER

### BYLAW 2022 - 03

#### A BYLAW TO CONTROL ANIMALS IN THE TOWN OF BIG RIVER

The Council of the Town of Big River in the Province of Saskatchewan enacts as follows:

1. This bylaw shall be known as the “Animal Control Bylaw”.

#### 2. DEFINITIONS

In this bylaw, the following definitions apply:

- a) **Administrator** – means the administrator for the Town of Big River.
- b) **Bylaw enforcement officer**- means the person or persons appointed or contracted by the Council of the Town of Big River for the purpose of enforcing the provisions of this bylaw.
- c) **Council**- means the Council of the Town of Big River.
- d) **Dog**- means a male or female dog or a male or female puppy over eight (8) weeks of age.
- e) **Municipality or Town**- means the Town of Big River.
- f) **Owner**- includes:
  - i) a person, persons, partnership, association or corporation who keeps, possesses, harbours or has care of or control of a dog;
  - ii) the person responsible for the custody of a minor where the minor is the owner of a dog.
- g) **Pound**- means such premises and facilities as may be designated by the Council of the Town of Big River for the purpose of safely lodging and securing animals seized pursuant to this bylaw.
- h) **Pound keeper**- means a person designated by the Town of Big River from time to time to maintain and administer the pound.
- i) **Person**- means and includes an individual(s), partnership, association or corporation.
- j) **Running at large**- means when the dog is beyond the boundaries of the land occupied by the owner, possessor, harbourer or keeper of the said dog, 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) on a leash and in direct and continuous charge of a person competent to control it; or
  - ii) securely confined within an enclosure; or
  - iii) securely fasten so that it cannot roam at will.
- k) **Ticket**- means a notice of violation, summary offence ticket or summons.

#### 3. REGISTERING

- a) Every owner of a dog within the Town must have each such dog to be registered with the Town Office. At the time of registering, the applicant must provide the Town Office with a physical description of the dog, the breed of the dog, the name, address, provide a photo of the dog and telephone number of the owner of the dog, as set out in the form designated Form “A” and attached hereto, and a rabies certificate valid for the registration year.
- b) The registration year shall be from the first day of January to the thirty-first day of December of the same year.

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- c) Every owner of a dog must, no later than February first in each year, register the said dog at the Town Office, and failure to do so shall constitute an offence under this bylaw.
- d) In addition to the registration requirements laid down in Section 3(a)(b)(c), the owner of a dog must pay an annual registration fee as set out in Schedule "A" attached hereto.
- e) The sum payable for a registration fee required after the thirty-first day of July in a calendar year shall be calculated at fifty percent of the annual fee and shall expire on the thirty-first day of December in the same calendar year.
- f) Any dog registration certificate or applicable fee issued pursuant to the provisions of this bylaw by the Town shall not be transferable to any other dog.
- g) Notwithstanding Section 3(d), a restricted dog which has been professionally trained to assist the physically challenged or those suffering from chronic, life-threatening diseases including, but not limited to, epilepsy, diabetes, blindness and wheelchair confinement, shall not be subject to a registration fee.
- h) The provisions of this section shall not apply to the dogs kept, in the ordinary course of business, by the proprietors of the following premises:
  - i) a veterinary hospital, clinic, boarding kennel or grooming parlor;
  - ii) a public pound;
  - iii) a shop whose business includes the sale of pets;
  - iv) a shelter operated by an association or society incorporated for the purpose of the protection and humane treatment of animals.
- i) A person residing in the town who owns, possesses, keeps or harbours a dog and neglects or refuses to register or pay any applicable registration fee shall be subject to the penalties as outlined in Schedule "C" of this bylaw.

4. **RUNNING AT LARGE**

- a) The owner of a dog must not at any time allow the dog to run at large within the town.
- b) When a dog is found to be running at large, its owner is deemed to have failed or refused to comply with the provisions of this section.
- c) Where a dog is found to be running at large, the owner or occupant of that property on which the dog is running at large may make a written complaint to the bylaw enforcement officer.
- d) Owners who possess or harbor a dog(s) that is kept outside at a residence shall keep the dog(s) in an enclosure of adequate strength and height to confine the dog.

5. **LIMITS**

- a) No residence within the town shall harbor or keep more than three (3) dogs 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.

6. **SEIZURE AND IMPOUNDING**

- a) A bylaw enforcement officer or peace officer may seize and impound any dog observed to be at large.
- b) A bylaw enforcement officer or peace officer may enter onto land surrounding any building in pursuit of any dog which has been observed to be at large.

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- c) The bylaw enforcement officer is hereby authorized to seize and capture, by any humane method, and impound any dog running at large contrary to the provisions of this bylaw.
- d) Any person may take any dog found running at large contrary to the provisions of this bylaw to the Town pound.
- e) No person, whether or not he is the owner of a dog which is being or has been pursued or seized, shall:
  - i) interfere with or attempt to obstruct a bylaw enforcement officer who is attempting to seize or has seized any dog in accordance with the provisions of this bylaw;
  - ii) unlock or unlatch or otherwise open the vehicle in which dogs seized under this bylaw have been placed so as to allow or attempt to allow any dog to escape therefrom.
  - iii) remove or attempt to remove any dog from the possession of the bylaw enforcement officer.

7. **POUND**

- a) The Council shall endeavor to appoint a pound keeper.
- b) All dogs impounded in the pound shall be so confined therein for a period of three (3) clear days from the time of capture during which time the owner thereof shall have the right to repossess the said dog upon paying to the Town Office the amount set forth in Schedule "B" to this bylaw.
- c) No dog which is impounded shall be released to its owner or to any other person until the appropriate pound fee is paid, and until it has been registered.
- d) When a dog has been impounded, the Town Office shall immediately attempt to contact the owner as shown in the records made when the dog was registered at the address shown therein, that unless the said dog is claimed and the fees as provided for in this bylaw are paid within three (3) clear days from the date of the impounding, the said dog shall be dealt with pursuant to the provisions of the bylaw.
- e) All impounded dogs which are not claimed within three (3) clear days as aforesaid, may be sold by the Town Office to any person paying for such dog, a sum of not less than \$35.00 for the use of the Town pound and the cost of registering as provided for by this bylaw. In the event any dog is not sold after expiration of the said three (3) clear days, 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 impounded under the authority of this bylaw an adequate supply of food and fresh water and proper shelter during its confinement in the pound on a daily basis.
- g) Any dog found in any public street, lane, park, boulevard or other public place or otherwise running at large contrary to the provisions of this bylaw, the bylaw enforcement officer or peace officer may seize and impound by any humane method.

8. **LITTER**

- a) If a dog defecates on any public or private property other than the property of the owner, possessor or harbourer of the said dog, the owner, possessor or harbourer of the dog shall cause such defecation to be removed immediately and disposed of in a sanitary fashion. Failure to cause such removal shall be an infraction of this bylaw.

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b) Defecations deposited on the private property of the owner, possessor or harbourer of a dog shall be removed and disposed of in a sanitary manner on a weekly basis.

9. **NUISANCE**

a) The owner, possessor or harbourer of a dog shall not allow the animal to create a nuisance to any person by excessive barking, howling, attempting to bite or biting anyone or any domestic animal, chasing vehicles or bicycles and any owner, possessor or harbourer who contravenes this section commits an offence under this bylaw.

b) Where a dog is found to be creating a nuisance, the owner or occupant of that property on which the dog is creating a nuisance may make a written complaint to the bylaw enforcement officer.

10. **RABIES AND OTHER DISEASES**

a) Any dog suspected of having rabies shall not be killed but shall be secured and isolated for ten (10) days and the matter immediately reported to a veterinary clinic whose instructions shall be complied with.

b) An owner, possessor or harbourer of a dog who neglects or refuses to comply with any order of the veterinary clinic shall be guilty of an infraction of this bylaw.

11. **LIVESTOCK AND POULTRY**

a) For purposes of this section, the following definitions shall apply:

i) **livestock** – means any domestic animal usually raised for sale and profit, including but not necessarily limited to:

(1) an animal as defined in Section 2(b) of *The Stray Animals Regulations, 1999*.

(ii) **poultry**- means:

(1) domestic fowl usually propagated and fattened for the table and for their eggs, feathers, etc. including, but not limited to chickens, geese, ducks, turkeys, guinea fowl; or

(2) 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 includes feral pigeons.

b) No person shall possess, harbor, confine, herd, ride, walk or graze or allow to graze any livestock or poultry within the limits of the town.

c) Section 11(b) shall not apply to livestock and poultry brought into town for the duration of a council authorized special event at which the said livestock and poultry will be used for purposes of exhibition or performing at a special event.

12. **PENALTY**

a) Where any person has committed or alleged to have committed a breach of any of the provisions of this bylaw, a ticket in the form designated “B” attached hereto and forming a part of this bylaw may be served on such person by the bylaw enforcement officer in person or by regular mail.

b) A person to whom a ticket is being issued pursuant to this section shall furnish the bylaw enforcement officer with his/her name and address upon request.

c) Notwithstanding Section 13, a person who contravenes any provision of this bylaw, upon being served, may voluntarily pay the prescribed penalty as set forth in Schedule "C" to this bylaw.

d) If the Town receives voluntary payment of the prescribed penalty within seven (7) days from the date the ticket was issued, the person receiving ticket shall not be liable for prosecution for the offence.

e) If the person who has committed or is alleged to have committed a breach of any section of this bylaw fails to pay the specified fine within the time allowed following service of the ticket, the provisions of this section no longer apply and the person shall be liable to prosecution for the offence.

13. **SEVERABILITY**

a) A decision of the court that one or more of the provisions of this bylaw are invalid in whole or in part does not affect the validity, effectiveness or enforceability of the other provisions or parts thereof with respect to this bylaw.

14. **REPEAL**

Bylaw 2013 - 06 is hereby repealed.

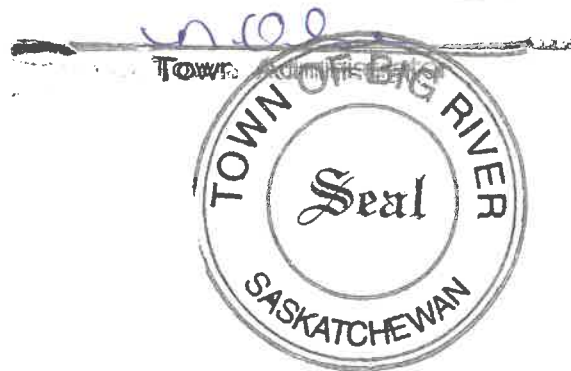
Read a Third Time and Adopted  
this 18<sup>th</sup> day of April, 2022



  
\_\_\_\_\_  
Mayor

  
\_\_\_\_\_  
Administrator

Certified A True Copy  
of Bylaw # 2022-03



**SCHEDULE "A" TO BYLAW 2022 - 03**

Annual registration fee {Section 3(d)} \$ 10.00

**SCHEDULE "B" TO BYLAW 2022 - 03**

Section 7(b) Dog Pound Fees

Impoundment: \$200.00 plus \$25.00 per day or part thereof

**SCHEDULE "C" TO BYLAW 2022 - 03**

**PENALTIES**

<u>Section</u>	<u>Offence</u>	<u>First</u>	<u>Subsequent</u>
<i>If paid within 7 days of date of issue of the notice of violation:</i>			
3(c)	Failure to register	\$ 20.00	\$100.00
4(b)	Running at large	\$100.00	\$500.00
5	Exceeding limits on any one property (for each animal exceeding limits)	\$ 25.00	\$100.00
8	Failure to remove defecation	\$ 25.00	\$100.00
9	Nuisance dogs	\$ 25.00	\$100.00
	Falsifying breed of dog when registering	\$ 50.00	\$200.00

Form "A" – Bylaw 2022 - 03  
{Section 3(a)}

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**DOG REGISTRATION FORM**

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Date: \_\_\_\_\_

Name of Owner: \_\_\_\_\_

Address (mailing): \_\_\_\_\_

\_\_\_\_\_

(civic): \_\_\_\_\_

Phone number: \_\_\_\_\_

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Tag # \_\_\_\_\_

Name of dog: \_\_\_\_\_

Breed of dog: \_\_\_\_\_

Physical description: \_\_\_\_\_  
(colour/small/large/distinguishing marks/short or long hair)

Photo of dog provided: \_\_\_\_\_

Rabies certificate provided: YES / NO (attached copy)

Male or Female

Neuter or Spay



**NOTICE OF VIOLATION**  
**TOWN OF BIG RIVER**  
*AVOID PROSECUTION BY PAYING PROMPTLY*

NAME OF VIOLATOR \_\_\_\_\_  
ADDRESS \_\_\_\_\_ POSTAL CODE \_\_\_\_\_

DATE ISSUED	Year	Month	Day	Time
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DESCRIPTION OF VIOLATION:  
\_\_\_\_\_

LOCATION OF VIOLATION:  
\_\_\_\_\_

OWNER OF ANIMAL \_\_\_\_\_ POSSESSOR OR HARBOURER OF ANIMAL \_\_\_\_\_  
YOU ARE CHARGED WITH VIOLATION OF BYLAW NO. \_\_\_\_\_ SECTION(S) \_\_\_\_\_

PENALTY		PAYMENT INDICATED OR
\$		REDUCED PENALTY IF PAYMENT MADE WITHIN DAYS OF ISSUE DATE \$
		NO REDUCTION ALLOWED PAY WITHIN DAYS OF ISSUE DATE

PENALTY TO BE PAID DURING REGULAR OFFICE HOURS OR BY MAIL AT THE MUNICIPAL OFFICE OF THE

**TOWN OF BIG RIVER**  
**Box 220**  
**Big River SK S0J 0E0**  
**BIG RIVER COMMUNITY CENTRE 606 1<sup>ST</sup> ST NORTH**

**IF PAYMENT IS NOT MADE WITHIN THE TIME SET OUT ABOVE, YOU SHALL BE LIABLE TO PROSECUTION AND UPON SUMMARY CONVICTION, YOU SHALL BE LIABLE TO THE PENALTY PROVIDED UNDER SECTION \_\_\_\_\_ OF SAID BYLAW.**

ISSUER _____ BYLAW ENFORCEMENT OFFICER/COUNCILLOR	TICKET NUMBER
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