

BYLAW NO. 6 - 2005

A BYLAW TO PROVIDE FOR THE LICENSING, AND TO
PROHIBIT THE RUNNING AT LARGE OF DOGS

The Council of the Town of Indian Head, in the Province of Saskatchewan, enacts as follows:

DEFINITIONS:

1. For the purpose of this bylaw the expression:
 - (a) **"dog"** shall mean any carnivorous quadruped of the genus *Canis*, either male or female;
 - (b) **"administrator"** shall mean the administrator of the Town of Indian Head;
 - (c) **"municipality"** shall mean the Town of Indian Head;
 - (d) **"running at large"** shall mean when the dog is beyond the boundaries of the land occupied by the owner, possessor, or harbourer of the said dog beyond the boundaries of any lands where it may be with the permission of the owner or occupant of the said land and when it is not under control by being:
 - (i) in the direct and continuous charge of a person competent to control it; or
 - (ii) securely confined within an enclosure; or
 - (iii) securely fastened so that it cannot roam at will.

LICENSES:

2. (a) Every resident within the municipality who owns, possesses, or harbours a dog over three months old shall obtain a licence from the Administrator or specified other official.
- (b) The licence shall remain in effect as long as the licensee owns the specific dog for which the license has been purchased,

or

The licence shall remain in effect from January January 1 to December 31 of the calendar year and shall be obtained on or before January 15th, or within fifteen (15) days of taking possession of the dog.
- (c) The licence fee shall be:

Life Time	Annual Fee
(i) for each dog: \$30.00;	(i) for each dog: \$10.00
3. Every person to whom a licence has been issued under this bylaw shall cause his/her dog to wear a collar to which shall be attached the licence tag issued by the municipality pursuant to this bylaw.
4. A person residing in the municipality who owns, possesses, or harbours a dog and neglects or refuses to take out a licence therefore shall be deemed guilty of infraction of this bylaw.
5. No resident shall own, possess or harbour more than three dogs in the municipality. Any person who owns, possesses, or harbours more than three dogs in the municipality is guilty of an offence under this Bylaw.

PROHIBITIONS:

6. No person shall operate a commercial business dog kennel within the municipality, unless it is permitted by the Municipality's Zoning Bylaw. Any person operating a commercial business kennel within the municipality without a license to operate is guilty of an offence under this Bylaw.

RUNNING AT LARGE:

7. No dog shall run at large in the municipality.
8. A person who owns, possesses, or harbours a dog found running at large shall be deemed guilty of an infraction of this bylaw.

SEIZURE AND IMPOUNDING:

9.
 - (a) Any person may take any dog found running at large contrary to the provisions of this bylaw to the municipal pound. The fee to redeem the dog is **\$200.00** for the first offence and **\$500.00** for the second and subsequent offences within the same calendar year. The fee will be reduced to **\$100.00** for the first offence and **\$250.00** for the second and subsequent offences within the same calendar year if it is paid within the first **three (3) days** of the dog being caught.
 - (b) Where a dog impounded is wearing a collar to which a current license tag is attached, the Animal Control Officer or other official of the municipality, shall contact the owner at the address as shown in the records. Neither the Animal Control Officer, other official of the municipality, nor the Town of Indian Head will be liable for failure of the owner to receive such notice.

RELEASE OR DISPOSING OF IMPOUNDED DOG:

10.
 - (a) The designated municipal official, Administrator, or Animal Control Officer may sell any dog which is not redeemed within **three (3) days**, for a sum of not less than the amount required to redeem the dog under **Section 9**, provided that the purchaser thereof obtains a licence if the purchaser is a resident of the municipality.
 - (b) The designated municipal official, Administrator, Animal Control Officer, or any other person designated by the administrator, may destroy any dog which has not been redeemed within the retention period stated in **Section 9**.
 - (c) Any dog impounded that is seriously injured or ill, may be humanely disposed of at the discretion of a registered veterinarian.
 - (d) No person, whether or not they are the owner of a dog which is being or has been pursued or seized shall:
 - i.) interfere with or attempt to obstruct the Animal Control Officer or other official of the municipality, who is attempting to seize or has seized any dog in accordance with the provisions of this Bylaw;
 - ii.) unlock, unlatch or otherwise open the vehicle or compound in which the dog seized under this Bylaw is confined;
 - iii.) remove any dog from the possession of the Animal Control Officer or other official of the municipality.

- (e) The owner, possessor or harbourer may retrieve the dog, during normal working hours, by paying the fees set out in Section 9(a) of this Bylaw, and if the dog is not licensed, a license must be purchased prior to release.

NUISANCE:

11. (a) An owner, harbourer, or possessor shall not permit their dogs to create a disturbance by barking or howling. For the purposes of this section, a dog is creating a disturbance if it's barking or howling can be easily heard by a person not situated on the property where the dog is.
- (b) On a complaint made in writing to the Animal Control Officer or other official of the municipality, that a dog has been causing a disturbance, the Animal Control Officer or other official of the municipality, upon being satisfied of the truth of the complaint, shall notify the owner, harbourer or possessor to abate the disturbance. The notice shall be in writing and shall be personally served on the owner, harbourer or possessor or left with an adult person at the owner's, harbourer's or possessor's residence.
- (c) Upon receiving a second or subsequent complaint within 30 days after the notice given under Section 11(b), the Animal Control Officer shall order the owner, harbourer or possessor to:
- i) destroy the dog; or
 - ii) remove the dog from Town; or
 - iii) deliver the dog to the Animal Control Officer.
- (d) The notice order shall be provided in the manner set out in Section 11(b).
- (e) In the event the notice/order requires the dog to be delivered to Animal Control Officer, and the dog is not so delivered the Animal Control Officer may enter the owner's, harbourer's or possessor's property for the purpose of removing such dog. Any person failing to comply with the notice/order issued under Section 11 is guilty of an offence under this Bylaw.

LITTER:

12. If a dog defecates on any public or private property within the limits of the Town of Indian Head, the owner of the dog shall cause the defecation to be removed immediately and dispose of the defecation in a sanitary manner.
13. If the property is the property of the dog's owner, the defecation shall be removed on a daily basis and in a sanitary manner.
14. Failure to cause the removal of defecation as required by subsection (12) or (13) of this section shall be a breach of this Bylaw.

PENALTIES:

15. (a) A person who contravenes any of the provisions of sections 4, 5, 6, 10, 11 or 14 of this bylaw, shall be guilty of an offence and upon conviction, shall be liable to a penalty of:

First Offence

- (i) Section 4 - \$ 10.00
- (ii) Section 5 - \$ 50.00
- (iii) Section 6 - \$ 50.00
- (iv) Section 11 - \$25.00
- (v) Section 14 - \$25.00
- (vi) Section 16 - \$25.00

Second and Subsequent Offence

- Section 4 - \$ 20.00
- Section 5 - \$100.00
- Section 6 - \$100.00
- Section 11 - \$50.00
- Section 14 - \$50.00
- Section 16 - \$50.00

- (b) A violator of this bylaw may, during office hours, voluntarily pay the penalty at the Municipal Office, and upon payment as so provided, that person shall not be liable to prosecution of the offence.
- (c) The Notice of Violation shall be in *Form "1"*, attached to and forming part of this bylaw.

GENERAL

16. Persons who tease, entice or bait a dog or cat confined within its owner's property shall be liable to a fine as set out in Section 15 of this Bylaw.
17. Bylaw No. 7 - 2004 is hereby repealed.

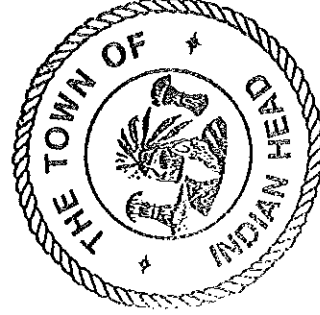


David McCall
Mayor

Wendy Davis
Administrator

Certified a true copy of
Bylaw No. 6 - 2005, adopted
by Council on the 6th, day of
December, 2005.

Wendy Davis
Administrator



TOWN OF INDIAN HEAD

NOTICE OF VIOLATION

No:

NAME:

ADDRESS:

POSTAL CODE:

DETAILS OF OFFENCE:

DATE: _____ TIME _____ A.M.
P.M.

LICENCE NO.

VIOLATION:

____ Parking Bylaw No.
____ Animal Control Bylaw No.
____ Other Bylaw No.

DESCRIPTION OF VIOLATION:

LOCATION OF VIOLATION:

____ Possessor or Harboured of _____

You are charged with violation of Bylaw No. _____ Section(s)

Penalty for the above violation: \$

**Special Constable/Bylaw
Enforcement Officer/Designated Official**

You may make voluntary payment of the above penalty at the office of the Town of Indian Head during regular office hours or by mail within *three (3) days* of the date of service of this Notice of Violation.

If you do not make a voluntary payment 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 15* of the said bylaw.