

BYLAW NO. 12 - 84

A BYLAW OF THE NORTHERN VILLAGE OF DENARE BEACH IN THE PROVINCE OF SASKATCHEWAN TO PROVIDE FOR THE CONTROL AND LICENCING OF DOGS.

The Council of the Northern Village of Denare Beach, in the Province of Saskatchewan, and By Authority of Section 100 of the Northern Municipalities Act N. 5. 1., enacts as follows:

1. DEFINITIONS

In this Bylaw the term:

- (a) COUNCIL - means the Council of the Northern Village of Denare Beach.
- (b) DOG - means any dog, male or female, immediately after it has been weaned.
- (c) DOG CATCHER - means the person appointed by the Council to catch dogs and for enforcement of provisions of this Bylaw, or any person authorized to act on his behalf.
- (d) CLERK - means the Clerk of the Northern Village of Denare Beach or any person authorized to act on his behalf.

2. LICENCES

- (a) Every person who owns, possesses or harbours a dog within the boundaries of the Northern Village of Denare Beach shall obtain a licence for such dog from the Clerk.
- (b) Licence fees shall be payable in advance and shall be:

For each male	\$ 50.00
For each neutered male	\$ 20.00
For each female	\$ 50.00
For each spayed female	\$ 20.00
- (c) All licences issued under this Bylaw shall expire on December 31st next following the date of issue, and shall be in a form and of a size which can conveniently be attached to a dog collar.
- (d) A dog owned by a sightless person and used as a guide, shall be registered and licenced as provided in this Bylaw, but without charge.
- (e) A female dog shall be considered "spayed", when a document to that effect signed by a Veterinary surgeon is provided to the Clerk.
- (f) A male dog shall be considered "neutered", when a document to that effect signed by a Veterinary surgeon is provided to the Clerk.

4. WEARING OF TAGS

Every person to whom a licence has been issued under this Bylaw shall cause his dog to wear a collar to which shall be attached the licence tag issued by the Clerk. Upon satisfactory proof that the licence tag originally issued has been lost, the Clerk shall issue a replacement tag for a fee of \$ 5.00

M 11

5. KENNELS

Any person except a retail outlet in the business of breeding, boarding, and/or selling dogs may, in lieu of registering each dog as herein required, obtain a kennel licence from the Clerk. No kennel licence shall be granted until the applicant has satisfied the licence issuer that he is engaged in such business and that he has been assessed therefore or has paid a licence fee with respect thereto and that proper books for the recording of dogs raised, boarded and/or sold, are being maintained by him.

6. RUNNING AT LARGE

- (a) No dog shall run at large in the Northern Village of Denare Beach, and for the purpose of this Bylaw, a dog shall be deemed to be running at large when it is beyond the boundaries of the land occupied by the owner, possessor or harbourer 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 when it is not under control by being:
- (i) in 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.
- (b) A person who owns, possesses or harbours a dog found running at large shall be deemed guilty of an infraction of this Bylaw.

7. SEIZURE OF DOGS

- (a) Except as provided by Section 12 of this Bylaw, any dog found running at large contrary to the provisions of this Bylaw may be taken by any person to the Dog Pound provided by the Northern Village of Denare Beach or to the Dog Catcher.
- (b) The Dog Catcher, or any other person authorized by the Council, is hereby authorized to seize and capture, by use of a tranquilizer gun or other method authorized by Resolution of the Council, and impound any dog running at large contrary to the provisions of this Bylaw; or where the owners, possessors or harbourers thereof have not complied with the provisions of this Bylaw.

8. POUND

For the purpose of impounding dogs, a Pound shall be established at such place as may be designated by the Council from time to time.

9. POUNDKEEPER

- (a) The Council shall appoint a Poundkeeper who shall hold office at the pleasure of the Council.
- (b) Whenever any dog with a collar and licence tag is impounded, the Poundkeeper shall forthwith deliver or cause to be delivered to or at the place of residence, as shown by the record maintained by the Clerk, of the owner, possessor or harbourer, a notice to the effect that unless the said dog is redeemed and the fees provided in this Bylaw are paid within Forty-Eight (48) Hours from the time of delivery or mailing of the said notice, the said dog shall be sold or destroyed as provided herein.
- (c) Any dog not wearing a said licence tag as required in this Bylaw when impounded, the Poundkeeper shall immediately post a notice in the Office of the Northern Village of Denare Beach giving a description of such dog, the date and time when it was impounded, and the date and hour when it will be sold or destroyed; such notice shall be posted at least 24 hours before the said sale or destruction takes place.

- M 11
- (d) During the period of impounding of any dog, it shall be the duty of the Poundkeeper to supply such dog with adequate food, water, and heated shelter.
 - (e) When the owner, possessor, or harbourer of a dog impounded produces, within Forty-Eight (48) Hours of service, or posting of the notice as required by Subsection (b) and (c) of this Section, or before such dog is sold or destroyed, satisfactory evidence that he has complied with the provisions of this Bylaw with respect to the payment of the licence fees, in respect of such dog, he shall be entitled to remove such dog upon proof of his eligibility to redeem such dog and upon payment of such impounding fees as are provided for.
 - (f) The owner, possessor or harbourer of any dog impounded as aforesaid shall pay the poundkeeper in advance of release of the said dog the sum of Twenty-Five (\$25.00) Dollars for the first impounding of such dog in a 12 month period, the sum of Fifty (\$50.00) Dollars for the second impounding of the same dog in a 12 month period, the sum of One Hundred (\$100.00) Dollars for the third and all subsequent impoundings of the same dog in a 12 month period; plus the sum of Ten (\$10.00) Dollars per day or part thereof for each day that the dog shall have remained in the said pound.
 - (g) If a dog impounded is not redeemed, with the time prescribed by this Section, it may be sold by the Poundkeeper provided the purchaser, if he is a resident of the Northern Village of Denare Beach, obtains a licence. Any dog not redeemed within the time prescribed by this Section may be destroyed by the Poundkeeper, or at his request by any other person.
 - (h) The Poundkeeper shall keep a record of all dogs impounded and the manner in which they are disposed of, and shall make a return to the Clerk on or before the 15th day of each month, of all fees paid to him and monies collected by him, in respect to the preceding month; and all fees collected shall be turned over to the Clerk with the return.

10. SURPLUS FROM SALE

Any money turned over to the Clerk less pound fees and licence fees for the current year shall form a part of the general revenue of the Northern Village of Denare Beach for the purpose of animal control.

11. DANGEROUS DOGS

Subject to the Public Health Act and any regulation thereunder, providing that when, upon complaint that a dog has bitten or attempted to bite a person, it appears to the Justice of the Peace having cognizance of the complaint, that the dog is dangerous, the Justice may make an order directing that the dog be kept by the owners or keeper, under proper control or destroyed, and that a person failing to comply with the order shall be liable to a fine not exceeding Ten (\$10.00) Dollars for every day during which the failure continues; and providing that when a dog is ordered to be destroyed, the Justice may by the same order, direct any person to destroy the dog.

12. RABIES

- (a) When a dog has bitten a person and/or is suspected of being rabid, or has been in contact with a rabid animal, the Director and Medical Health Officer and a Veterinarian of the Health of Animals Branch, Canada, Department of Agriculture, shall be notified immediately. Where a Veterinarian of the Health of Animals Branch is not available, the report shall be made to the local Veterinarian or an Officer of the R.C.M.P.

- M 11
- (b) A Medical Health Officer or licenced Veterinarian or Officer of the R.C.M.P., having cognizance that a dog is dangerous or might have been exposed to rabies, may order that:

The person owning, harbouring or having in his possession such dog, whether vaccinated or not against rabies, shall keep it under confinement at a place acceptable to the Veterinarian of the Health of Animals Branch, for a period of at least Two (2) Weeks or until such time as the suspicion of rabies has been confirmed or refuted.

- (c) Where in the opinion of the Medical Health Officer and the district Veterinarian, Health of Animals Branch, Canada, Department of Agriculture, rabies infection has reached proportions where mass vaccination is indicated, every person who owns or harbours or has in his possession within the Northern Village of Denare Beach any dog susceptible to rabies, shall cause such dog to be inoculated against rabies.
- (d) A certificate issued by a qualified Veterinarian to the effect that a dog has been inoculated against rabies shall be prima facie evidence that such an animal has been so inoculated.

13. GENERAL

- (a) No unauthorized person shall remove from a dog a collar or licence tag.
- (b) No person shall own, possess or harbour any dog which by loud and frequent barking, howling or yelping or chasing motor or other vehicles or in any other manner or way, creates a disturbance to the annoyance or discomfort of other persons residing in the neighbourhood, or to the public at large; or which causes injury to any person
- (c) Every female dog in heat shall be confined to a house or a kennel.
- (d) No person shall break open or assist in breaking open any Pound in which a dog may be impounded, or hinder or delay or obstruct any person in the performance of his duties hereunder.

14. PENALTY

Unless otherwise specified in this Bylaw, any person committing a breach of this Bylaw or neglecting or refusing to comply therewith, is guilty of an offence and liable on summary conviction to the penalties as herein provided, whether or not the dog in connection with which the breach or neglect or refusal was committed has been impounded, sold or destroyed and, in the event that a licence has not been obtained and the fee therefore paid as required by this Bylaw with respect to the dog in connection with which the breach or neglect or refusal was committed, the amount of such licence fee shall be assessed and directed to be paid by the summary convicting Court in addition to the said fine, and the same shall be enforced and recovered in the same manner as such fine and in default of payment of the fine, plus costs and licence fees, to a term of not more than Thirty (30) days in the nearest prison.

- (a) Subject to Subsection (b) of this Section, any person convicted of an offence under this Bylaw shall be liable to the penalties provided in the General Penalty Bylaw of the Northern Village of Denare Beach.
- (b) Any person convicted of an offence under Section 3 and/or 6 of this Bylaw shall forfeit and pay a fine of Twenty (\$20.00) Dollars, exclusive of costs.

15. PAYMENT OF PENALTIES

- (a) Where any person has committed or is alleged to have committed a breach of any of the provisions of Section 3 and/or 6 of this Bylaw, a ticket in the form appearing as Schedule "A" to this Bylaw, or as may be used by the Dog Catcher and approved by Council, may be served on such person. Such person may pay to the Clerk in the Northern Village of Denare Beach Office during the regular business hours, in lawful money of Canada, an amount equal to the fine fixed for the respective Sections specified in Subsection (b) of Section 14, provided that payment must be made within a period of Forty-Eight (48) Hours from the service of the ticket. If payment is made with such time and accepted, then the person shall not be liable to prosecution for the offence.
- (b) Service of such ticket may be made by mailing such ticket to the owner, possessor or harbourer of the dog in respect of which the ticket has been issued; or by personal service upon such person; or by delivery to an adult person at the home of such person.

16. REPEAL

Bylaw No. 8/79 hereby repealed, provided, however that the repeal thereof shall not affect any right or rights accrued or accruing thereunder at the time of the coming into force of this Bylaw.

17. COMING INTO FORCE

This Bylaw shall come into force and take effect on the date of the approval and signature of the Minister or the Deputy Minister of the Department of Urban Affairs.

Read a first time this 18 day of December, 1984, A.D.
 Read a second time this 18 day of December, 1984, A.D.
 Read a third time this 18 day of December, 1984, A.D.
 Passed this 18th day of December, 1984, A.D.



Joe Shwaga
 MAYOR

Geo. Macklin
 CLERK

APPROVED: [Signature]
 DEPUTY MINISTER,
 DEPARTMENT OF URBAN AFFAIRS

SCHEDULE "A"

DOG BYLAW TICKET

NUMBER _____

This ticket has been issued for breach of provisions of the Dog Bylaw No. 12/84

TIME _____ a.m.
p.m.

DATE _____, 19__

TO:
NAME _____

ADDRESS _____

Owner, Possessor or Harbournor of a dog described as follows:

OFFENCE AND SECTION

LOCATION OF OFFENCE

FINE:

\$ _____

Payment may be made to the Office of the Northern Village of Denare Beach. Voluntary payment should be made within Forty-Eight (48) Hours, otherwise prosecution proceedings may be commenced. Any person in receipt of a Dog Bylaw Ticket may elect to await prosecution and defend himself in Court.

Dog Catcher/Enforcement Officer