

BYLAW NO. 2020-10

Rural Municipality of Piapot No. 110

Animal Control Bylaw

A BYLAW of the Rural Municipality of Piapot No. 110, in the Province of Saskatchewan, to Control Animals.

THE Council for the Rural Municipality of Piapot No. 110, in the Province of Saskatchewan, enacts as follows:

Short Title

1. This Bylaw may be cited as The Animal Control Bylaw.

Purpose

2. The purpose of this Bylaw is to regulate certain animals and to maintain the safety and preserve order with respect thereto within the Village of Piapot.

Definitions

3. In this Bylaw:

- a) "Designated Officer" means the person or persons appointed by the council, the Administrator or designate, to enforce the provisions of this bylaw, or any person authorized to act on their behalf and including but not limited to a bylaw enforcement officer or a peace officer as defined in *The Criminal Code*.
- b) "Administrator" means the administrator for the Rural Municipality of Piapot No. 110;
- c) "Municipality" means the Rural Municipality of Piapot No. 110
- d) "Council" means the Council of the Rural Municipality of Piapot No. 110.
- e) "Dog" means either male or female of the canidae family;
- f) "Owner" includes:
 - i. a person who keeps, possesses, harbors or has charge or control over an animal;
 - ii. the person responsible for the custody of a minor where the minor is the owner of an animal;
- f) "at large" or "running at large" means when an animal is off the premises and boundaries of the land occupied by the owner, possessor or harbourer of said animal, or beyond the boundaries of any lands where the dog may be without the permission of the owner or occupier of the said lands, and is not under control by being:
 - i. directly attached to a leash, or other similar restraining device that is no longer than two meters in length and under the direct and continuous physical charge of a person competent to control it; or
 - ii. securely confined within an enclosure; or
 - iii. securely fastened so that it cannot roam beyond the boundaries of the owner's property.
- g) "Nuisance" means an activity that adversely affects or may adversely affect people's use and enjoyment of their property including:
 - i. barking at or chasing animals, bicycles, automobiles, or other vehicles;
 - ii. barking, or howling causing excessive noise, or otherwise disturbing any person;
 - iii. causing damage to property or other animals;
 - iv. upsetting waste receptacles or scattering the contents thereof either in or about premises not belonging to, or in the possession of the owner of the animal;
 - v. defecating on any public or private property other than the property of the owner, possessor or harbourer of said dog.
- h) "Excessive Noise" means any and all sources of noise from domestic pet(s) that is found to be unnecessary or unreasonable, including but not limited to continuous barking of a dog.

- i) "Aggressive animal" means
 - i. any animal that, without provocation in a vicious or menacing manner, chases, threatens, or approaches and attempts to bite a person or domestic animal;
 - ii. chase or otherwise threaten a person or persons whether on the property of the owner or not, unless the person chased or threatened is a trespasser on the property of the owner;
- i) "Dangerous animal" means:
 - i. the animal has a known propensity, tendency or disposition to attack without provocation, to cause injury or to otherwise threaten the safety of persons or domestic animals;
 - ii. the animal has, without provocation, bitten, inflicted injury, assaulted or otherwise attacked a person or domestic animal;
 - iii. the animal is owned primarily or in part for the purpose of fighting or is trained for fighting.

Running at Large

- 4. No person shall allow their dog to be at large within the Municipality.

Nuisance

- 5. No person shall permit:
 - a) a dog to create excessive noise on any public or private property, or property of the Municipality; or
 - b) the occurrence of any nuisance on any public or private property other than the property of the owner, possessor or harbourer of said dog.

Aggressive Animals

- 6. No person shall permit aggressive behavior by any dog to occur on property owned by that person, any other person, or the Municipality, unless the person chased or threatened is a trespasser on the property of the dog owner.

Dangerous Animals

- 7. No person shall permit dangerous behavior by any dog to occur on property owned by that person, any other person, or the Municipality except Police dogs acting in the line of duty.
- 8. No animal that has been declared dangerous by any Court in Canada or as ascribed by Section 375 of *The Municipalities Act* shall be permitted within the boundaries of the Municipality.
- 9. Upon Notification, any designated officer may seize without warrant any animal that is a dangerous animal, and forthwith deliver such animal to a secure pound.

Interference

- 10. No person shall:
 - a) untie, loosen or otherwise free an animal which has been tied or otherwise restrained; or
 - b) negligently or willfully open a gate, door or other opening in a fence or enclosure in which an animal has been confined and thereby allow an animal to run at large in the Village of Piapot; or
 - c) tease, entice, bait or throw objects at an animal confined within its owner's property.
- 11. Where a person has been found to be in violation of section 10(a), they shall be liable to a fine as set out in Schedule 'A' of this bylaw.

Penalties

12. Where the owner of a dog that has been reported to the municipal office by way of written and signed complaint, with evidence deemed sufficient by the Administrator or Designated Officer, of being in contravention of Section 4, or Section 5 of this Bylaw, the following procedures will be followed:
 - a) First offence - the owner shall be served a Notice of Violation by way of Form 'B' as attached to this Bylaw, in warning, and instruction to remedy the contravention.
 - b) Second offence - the owner shall:
 - i. be served a second Notice of Violation by way of Form 'B' as attached to this Bylaw, and
 - ii. be liable to a fine as set out in Schedule 'A' as attached to this Bylaw;
 - c) Third offence - the owner shall:
 - i. be served a third Notice of Violation Tag by way of Form 'B', as attached to this Bylaw; and
 - ii. be liable to a fine as set out in Schedule 'A' as attached to this Bylaw;
 - d) Subsequent offences - the owner of the offending dog shall be required to dispose of the offending dog or it will be disposed of by the Designated Officer of the Municipality.
13. Where the owner of a dog that has been reported to the municipal office by way of written and signed complaint, with evidence deemed sufficient by the Administrator or Designated Officer, of:
 - a) being in contravention of Section 6 of this Bylaw, or
 - b) owning, possessing or harbouring a dog that has attempted to bite any person or displayed very aggressive behavior, the following procedure will be followed:
 - i. First offence - the owner of the dog shall:
 - 1) be served a Notice of Violation by way Form 'B' attached to this Bylaw; and
 - 2) be liable to a fine as set out in Schedule 'A' attached to this Bylaw, and
 - 3) instructed to confine said dog(s) to the owners property at all times.
 - ii. Second Offence - the owner of said dog shall:
 - 1) be served a second Notice of Violation by Way of Form 'B' attached to this Bylaw; and
 - 2) be liable to a fine as set out in Schedule "A" attached to this Bylaw; and
 - 3) required to dispose of said animal or it will be disposed of by the Designated Officer of the Municipality.
14. Where the owner of a dog that has been reported to the municipal office by way of written and signed complaint, with evidence deemed sufficient by the administrator or Designated Officer, of:
 - a) being in contravention of Section 7 and/or Section 8 of this Bylaw, or
 - b) owning, possessing or harbouring a dog that has bitten any person,
 - i. the owner of said dog, shall:
 - 1) be served a Notice of Violation by way of Form 'B' attached to this Bylaw; and
 - 2) be liable to a fine as set out in Schedule 'A' of this Bylaw; and
 - 3) is required to dispose of said animal, or it will be disposed of by the Designated Officer of the Municipality.
15. Where the Administrator, or Designated Officer believes that a person has contravened any provision of this bylaw, they may serve upon such person a Notice of Violation, by way of Form 'B' attached to this Bylaw, and as provided by this section, either personally, by mail, or by leaving same at his last known address and such service shall be adequate for the purpose of this Bylaw.

16. Any person who contravenes any provisions of this Bylaw is guilty of an offence and if a voluntary payment is not made, is liable upon summary conviction to the penalties provided in the General Penalty Bylaw of this municipality.

Voluntary Payment

17. A violator being served with a Notice of Violation may voluntarily pay the prescribed penalty as set out in Schedule 'A' attached to this bylaw at the office of the administrator.
18. Where the administrator receives voluntary payment of the prescribed amount within thirty (30) days from the date the ticket was issued, the person receiving the ticket shall not be liable for prosecution of the offence.

Severability

19. 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.

Coming Into Force

20. This Bylaw shall come into force on the day of its final passing.






Reeve



Administrator

CERTIFIED A TRUE COPY
OF BYLAW NO. 2020-10
ADOPTED BY COUNCIL OF THE
R.M. OF PIAPOT NO. 110
ON THE 9 DAY OF September 2020


ADMINISTRATOR

SCHEDULE 'A'
ATTACHED TO BYLAW 2020-10

PENALTIES

**If paid within 30 days of date of issue of the notice of violation

Section	Offence	1st violation	2nd and 3 rd violations	4 th Violation
12	Running at large	Warning	\$50.00/\$100.00	Disposal of animal
12	Nuisance	Warning	\$50.00/\$100.00	Disposal of animal
13	attempting to bite, aggressive behavior	100.00	Disposal of animal	N/A
14)	Dangerous Animal-Biting/Attacking	\$ 250.00 & Disposal of animal		N/A
17	Interference	\$25.00	\$50.00	

gpw

FORM 'A'
FORMING PART OF BYLAW NO. 2020-10

Complaint Form

Name of Animal Owner _____

Description of Animal _____

Nature of Complaint: _____

Location of Violation: _____

Date of Violation: _____

Evidence Submitted:

1) Witnesses: _____

2) Video(s) and/or photos submitted: __ YES __ NO

3) Audio submitted: __ YES __ NO

Complainant

Date

Administrator

Date Received

FORM 'B'
FORMING PART OF BYLAW NO. 2020-10

NOTICE OF VIOLATION

This official notice is issued for a breach of
Bylaw No. 2020-10

You may avoid prosecution for this offence by paying to the office of the Administrator, during regular office hours, the penalty stated hereinafter within 30 calendar days of the date served on this notice. Failure to do so will result in prosecution in Provincial Court. Penalty may be remitted to: Rural Municipality of Piapot No. 110, Box 100, Piapot, SK, S0N 1Y0.

Name: _____

Address: _____

Description of Animal: _____

Date of Violation: _____

Violation of Section _____
(Bylaw No. 2020-10)

- First offence
 Second offence
 Third or subsequent (_____) offense

Location of Violation: _____

Penalty for above Violation: \$ _____

Date of issue/service of Notice of Violation: _____

ORDER TO REMEDY:

Designated Officer

Witness

You may make voluntary payment of the above penalty at the municipal office of the Rural Municipality of Piapot No. 110 during regular office hours or by mail within thirty (30) days from the date of service of this Notice of Violation.

If you do not make voluntary payment within the time set out above, you shall be liable to a summons to court and further prosecution.