

TOWN OF LUSELAND

BYLAW NO. 2022-02

A BYLAW TO LICENSE AND PROHIBIT ANIMALS RUNNING AT LARGE

The council of the Town of Luseland in the Province of Saskatchewan enacts as follows:

1. This Bylaw may be referenced as the "Animal Control Bylaw".
2. For the purpose of this Bylaw the expression:
 - a. "dogs" shall mean members of the Canis genus species;
 - b. "administrator" shall mean the administrator of the municipality;
 - c. "council" shall mean the council of the municipality;
 - d. "designated officer" shall mean that person designated by the council of the municipality;
 - e. "municipality" shall mean the Town of Luseland;
 - f. "poundkeeper" shall mean the person appointed as poundkeeper by the council of the municipality;
 - g. "pound" shall mean such premises and facilities as may be designated by council, from time to time, as the pound; and
 - h. "running at large" shall mean off the premises and boundaries of the land occupied by the owner, possessor or harbourer or beyond the boundaries of any lands where the dog may be with the permission of the owner or occupier of the lands and is not under control by being tied or secured to a leash or chain or other similar restraining device not exceeding two meters in length.

LICENSING

3. Every person in the municipality who owns, possesses or harbours a dog over 6 months old shall obtain a license from the town office.
4. The license shall be in effect from January 1 to December 31 of a calendar year and shall be obtained on or before January 15 or within 30 days of taking possession of the dog. The license fee shall be in accordance with a schedule attached as "Appendix A".
5. Every person to whom a license has been issued under this bylaw shall cause his or her dog to wear a collar to which shall be attached the license tag issued by the municipality pursuant to this bylaw.
6. A person residing in the municipality who owns, possesses or harbours an animal mentioned in this bylaw and neglects or refuses to take out a license therefore shall be deemed guilty of an infraction of 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.
9. Any person may take any dog found running at large contrary to the provisions of this bylaw to the municipal pound where it shall be kept for five days which shall not include statutory holidays and weekends unless the owner, possessor or harbourer redeems the animal by paying at the Administration office a fine in the

amount of \$30.00 in addition to the sum of \$15.00 per day or partial day for the care and keep of each animal.

10. The poundkeeper or person designated by the poundkeeper may destroy any dog which has not been redeemed within the period of time noted in section 9.

DEFECATION

11. If a dog defecates on any public or private property other than the private property of 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
12. The owner or any other person having care or control of an animal shall ensure that defecation on the property of the owner, possessor or harbourer does not accumulate to such an extent that it may cause a nuisance and/or health risk to others.
13. The Designated Officer may serve an owner or occupant of private property with a notice to remove all animal feces from the property within 72 hours of service of the notice.
14. If a notice under section 13 is not served personally on the owner or occupant of private property, then a copy of the notice shall be sent by registered mail to the owner of the property at the mailing address shown on the last revised assessment roll of the Town.
15. A notice served by registered mail is deemed to have been received on the fifth day following the date of mailing.
16. The Town may remove the feces from the property if:
 - a) the person to whom the notice is provided fails to remove the feces within 72 hours; or
 - b) after reasonable inquiry, the whereabouts of the owner or occupant of the property cannot be determined.
17. If the Town carries out the work under section 16, the costs and expenses incurred are a debt due to the Town, and the Town may recover the costs and expenses:
 - a) by action in a court of competent jurisdiction;
 - b) in the same manner as municipal taxes;
 - c) by adding the costs and expenses to, and thereby they form part of, the taxes on the land on which the work was done.

PROHIBITED AREAS

18. The Luseland Legion Park is designated as an area where pets are not permitted, whether or not the pet is on a leash.
 - a) This Section shall not apply to a person who owns and is physically reliant on a guide dog trained and used to assist such person
19. A person who contravenes any of the provisions of this bylaw shall be guilty of an offence and upon summary conviction shall be liable to a maximum penalty as set out in Appendix B.
20. Provision for voluntary payment for contravention of this bylaw is set out in "Appendix C".

21. Bylaw No. 2016-12 is hereby repealed.

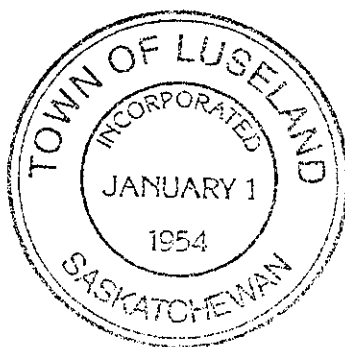
22. This Bylaw shall come into force on the day of its final passing.

Katley Weir
Mayor

K. Richardson
Administrator

Read a third time and adopted this
10th day of May, 2022

K. Richardson
Administrator



Certified true copy of Bylaw 2022-02

adopted by resolution of Council

on the 10th day of May 20 22

K. Richardson
Administrator

APPENDIX "A"
To Bylaw No. 2022-01

LICENSE FEES

1. The basic annual license fee for each dog shall be \$35.00 with an early payment rebate of \$5.00 if paid before January 15 in any year.
2. Notwithstanding section 1, the basic fee for any license purchased after June shall be \$25.00.
3. A rebate of \$15.00 shall be allowed for any fee pursuant to sections 1 and 2 where the owner presents satisfactory proof that the dog has been spayed or neutered.
4. A rebate of \$5.00 shall be allowed for any fee pursuant to sections 1 and 2 where the owner produces a current rabies vaccination certificate issued by a veterinarian for the dog to be licensed.
5. If a tag is lost or destroyed a replacement will be issued by the Administrator at a cost of \$2.00.

APPENDIX "B"
To Bylaw No. 2022-01

PENALTIES

<u>Reference</u>	<u>Offence</u>	<u>Penalty</u>		
Subsequent		1 st Offence	2 nd Offence	3 rd Offence
Section 3	Failure to license dog	\$200.	\$400.	\$600.
Section 5	Failure to attach valid license when a dog is off the premises of the owner	\$ 60.	\$200.	\$300.
Section 7	Dog being at large	\$200.	\$300.	\$500.
Section 11	Failure to immediately remove a dog's excrement (defecation) from public or private property other than the property of the dog owner	\$100.	\$200.	\$500.

APPENDIX "C"
To Bylaw No. 2022-01

VOLUNTARY PAYMENTS

1. Where the Designated Officer believes that a person has contravened any provision of this Bylaw, he may serve upon such person a Bylaw Violation Notice as provided by this section either personally or by mailing or leaving same at his last known address and such service shall be adequate for the purpose of this Bylaw.
2. Such notice shall be deemed to have been served:
 - a) on the fifth day following the date of mailing;
 - b) on the day of actual delivery, if the Notice is served personally; or
 - c) on the business day following the transmission, if given by fax.
3. A Bylaw Violation Notice shall be in such form as determined in Schedule #1 and shall state the section of the Bylaw which was contravened and the amount which is provided in Appendix B that will be accepted by the Municipality in lieu of prosecution.
4. Upon production of a Bylaw Violation Notice issued pursuant to this section within 20 days for the issue thereof, together with the payment of the fee as provided in Appendix B to the Administrator of the Municipality, the person to whom the ticket was issued shall not be liable for prosecution for the contravention in which the ticket was issued.
5. Notwithstanding the provisions of this section, a person to whom a Bylaw Violation Notice has been issued pursuant to this section may exercise his right to defend any charge of committing a contravention of any of the provisions of this Bylaw.