



## RURAL MUNICIPALITY OF WHEATLANDS NO. 163

# BYLAW NO. 03-2024

## ANIMAL CONTROL BYLAW

### A BYLAW RESPECTING THE REGULATION AND CONTROL OF ANIMALS

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The Council of the Rural Municipality of Wheatlands No. 163 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 Rural Municipality of Wheatlands No. 163.
- b) **Council** – means the Council of the Rural Municipality of Wheatlands No. 163.
- c) **Dog** – means a male or female dog or a male or female puppy over eight (8) weeks of age.
- d) **Dangerous Dog** – means
  - i. Any dog that, without provocation, in a vicious or menacing manner, chases or approaches a person or domestic animal in an apparent attitude of attack;
  - ii. Any dog with a known propensity, tendency or disposition to attack within provocation, to cause injury or to otherwise threaten the safety of persons or domestic animals;
  - iii. Any dog that, without provocation, has bitten, inflicted injury, assaulted or otherwise attacked a person or domestic animal;
  - iv. Any dog which is owned primarily or in part for the purpose of dog fighting or is trained for fighting.
- e) **Designated Officer** – shall mean an employee or representative of the Municipality, a member of the Royal Canadian Mounted Police, a Bylaw Enforcement Officer, Development Officer, Community Safety Officer or Administrator.
- f) **Farm Animal** – shall mean:
  - i. Any cattle or other animal of the bovine family;
  - ii. Any horse or other animal of the equine family;
  - iii. Any chicken or other poultry animal;
  - iv. Any sheep, goat, swine, alpaca, bison or llama;
  - v. Any inter-species hybrid of any animal mentioned in i, ii, iii, and iv; or
  - vi. Any animal defined as such pursuant to *The Stray Animals Regulations, 1978*.
- g) **Municipality** – means the Rural Municipality of Wheatlands No. 163.
- h) **Parkbeg** – means the Hamlet of Parkbeg located in the Rural Municipality of Wheatlands No. 163.
- i) **Owner** – includes:
  - i. A person, persons, partnership, association or corporation who keeps, possesses, harbours or has care of or control of a dog.

- ii. A person, persons, partnership, association or corporation who keeps, possesses, harbours or has care of or control of Farm Animals.
- iii. The person responsible for the custody of a minor where the minor is the owner of a dog or a farm animal.
- j) **Pound** – means such premises and facilities as may be designated by the Council of the Rural Municipality of Wheatlands No. 163 for the purpose of safely lodging and securing animals seized pursuant to this bylaw.
- k) **Person** – means and includes an individual(s), partnership, association or corporation.
- l) **Running at Large** – shall mean, with respect to a dog or farm animal, not being on the premises of its owner, or not being under the immediate, continuous, and effective control of its owner.
- m) **Ticket** – means a notice of violation, summary offence ticket or summons.

### 3. GENERAL REGULATIONS

- a) This Bylaw may be referenced as the “Animal Control Bylaw”

### 4. RUNNING AT LARGE

- a) The owner of a dog shall not at any time allow the dog or farm animal to run at large within the Rural Municipality of Wheatlands No. 163.
- b) When a dog or farm animal 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 or farm animal 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 municipal office for the RM of Wheatlands No. 163.

### 5. SEIZURE AND IMPOUNDING

- a) A designated officer may seize and impound any dog observed to be at large.
- b) A designated officer may enter onto land surrounding any building in pursuit of any dog which has been observed to be at large.
- c) The designated 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) No person whether or not he/she is the owner of a dog which is being or has been pursued or seized, shall:
  - i. Interfere with or attempt to obstruct a designated 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 paced 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 designated officer.

### 6. NUISANCE

- a) The owner, possessor, harbourer of a dog shall not allow the animal to create a nuisance to any person by 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.

## 7. 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.

## 8. DANGEROUS DOGS

- a) Where a complaint is received by the Rural Municipality of Wheatlands No. 163 that a dog within the Municipality is dangerous, Section 375 of *The Municipalities Act* shall apply.

## 9. 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 Act*; or
    - 2. An animal as defined in Sections 2 and 3 of *The Stray Animals Regulations*.
  - 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 Parkbeg.
- c) Section 10(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 or exhibition or performing at a special event.
- d) Parcels of land within Parkbeg, located north of the Canadian Pacific Railway right-of-way, shall be exempt from this section (Section 9).

## 10. ENFORCEMENT AND PENALTIES

- a. The administration and enforcement of this Bylaw is hereby delegated to the Administrator.
- b. This Bylaw may be enforced by a Designated Officer.
- c. Any person who contravenes any provision of this Bylaw, or obstructs, interferes with, or hinders a Designated Officer in the performance of their duties is guilty of an offence pursuant to this Bylaw.
- d. A person contravening section 4 (owner of a dog) of this Bylaw shall be guilty of an offence and liable to a penalty of:
  - i. First Offence      \$100.00 plus any applicable surcharge imposed pursuant to *The Victims of Crime Regulations*
  - i. Second Offence      \$200.00 plus any applicable surcharge imposed pursuant to *The Victims of Crime Regulations*
  - i. Third Offence      \$300.00 plus any applicable surcharge imposed pursuant to *The Victims of Crime Regulations*

- e. A person contravening section 4 (owner of a farm animal) of this Bylaw shall be guilty of an offence and liable to a penalty of:
  - i. First Offence \$500.00 plus any applicable surcharge imposed pursuant to *The Victims of Crime Regulations*
  - i. Second Offence \$1,000.00 plus any applicable surcharge imposed pursuant to *The Victims of Crime Regulations*
  - i. Third Offence \$1,500.00 plus any applicable surcharge imposed pursuant to *The Victims of Crime Regulations*
- f. A person contravening any provision of this Bylaw with four or more offences shall be liable on summary conviction to the penalties provided in the General Penalty Bylaw of the Municipality.
- g. All disputes arising as a result of the administration of this Bylaw shall be referred to Council, and Council shall be the final authority in all cases.

**11. SEVERABILITY**

- a. The provisions of this Bylaw shall not apply to Designated Officers.
- b. This Bylaw shall not be construed to hold the Municipality or its agents responsible or liable for any damage to persons or property caused as a result of the administration of this bylaw.
- c. If a court of competent jurisdiction should declare any part, section, sentence, clause, phrase, or other portion of this Bylaw to be invalid, that portion shall not be construed as having persuaded or influenced Council to pass the remainder of this Bylaw, and the part, section, sentence, clause, phrase or other portion of this Bylaw is to be deemed a separate, distinct, and independent provision, and the holding of the Court shall not affect the validity of the remaining portions of this Bylaw.

**12. COMING INTO FORCE**

- 1. This Bylaw shall come into force and take effect on April 10<sup>th</sup>, 2024.

**13. REPEAL**

- a) Bylaw No. 57 is hereby repealed.



*Kevin Hiden*  
 \_\_\_\_\_  
 Reeve

*Melde*  
 \_\_\_\_\_  
 Administrator

*Read a third time and  
 Adopted this 10<sup>th</sup> day  
 of APRIL, 2024  
 Melde  
 Administrator*

Certified to be a true copy of Bylaw  
 No. 03-2024 adopted by resolution  
 of Council for the Rural Municipality  
 of Wheatlands, No. 163 on the 10  
 day of April, 2024  
 \_\_\_\_\_  
 CAO/Administrator



**NOTICE OF VIOLATION  
of Bylaw 2024-003  
Rural Municipality of Wheatlands No. 163  
Box 129  
Mortlach, SK S0H 3E0**

**TICKET NO:** \_\_\_\_\_

**ISSUED TO:**

**NAME:** \_\_\_\_\_

**ADDRESS:** \_\_\_\_\_

THE OFFICER ISSUING THIS TICKET HAS REASONABLE GROUNDS TO BELIEVE THAT ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_ AT / NEAR \_\_\_\_\_ AT \_\_\_\_:\_\_\_\_, \_\_\_\_ M.

DID UNLAWFULLY COMMIT THE FOLLOWING OFFENCE UNDER SECTION NO. \_\_\_\_\_ OF Bylaw 2024.003 being an Animal Control Bylaw.

DESCRIPTION OF OFFENSE: \_\_\_\_\_

A VOLUNTARY PAYMENT OF \$ \_\_\_\_\_ EXISTS.

IT MUST BE PAID WITHIN \_\_\_\_\_ DAYS OF THIS NOTICE BEING ISSUED TO AVOID PROSECUTION.

To avoid prosecution the payment in full must be received by the Administration office of the Municipality identified above during regular business hours.

I, \_\_\_\_\_ a designated officer authorized to issue this Notice CERTIFY that I do on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ issue this notice.

Signature of Officer: \_\_\_\_\_

Other information not part of the charge but for information: \_\_\_\_\_

**NOTICE RESPECTING VOLUNTARY PAYMENT WITHOUT COURT APPEARANCE**

*Where the penalty for the above allows for a voluntary payment, such payment of the above is payable at the municipal office noted above during regular office hours or by mail within the prescribed time from 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 shall be liable to the full penalty provided or as the court orders.*

