

A Bylaw of the Town of Hafford in the Province of Saskatchewan to Control Animals.

*File*

The Council of the Town of Hafford in the Province of Saskatchewan enacts as follows:

1. This bylaw shall be known as the "Animal Control Bylaw 2017-06"

## 2. DEFINITIONS

In this bylaw, the following definitions apply:

1. **Administrator** – means the administrator for the Town of Hafford.
2. **Bylaw enforcement officer** – means the person or persons appointed or contracted by the Council of the Town of Hafford for the purpose of enforcing the provisions of this bylaw.
3. **Cat** – means a male or female cat or a male or female kitten over eight(8) weeks of age.
4. **Council** – means the Council of the Town of Hafford.
5. **Dog** – means a male or female dog or a male or female puppy over eight(8) weeks of age.
6. **Dangerous dog** - means
  1. 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;
  2. any dog with a known propensity, tendency or disposition to attack without provocation, to cause injury or to otherwise threaten the safety of persons or domestic animals;
  3. any dog that, without provocation, has bitten, inflicted injury, assaulted or otherwise attacked a person or domestic animal;
  4. any dog which is owned primarily or in part for the purpose of dog fighting or is trained for fighting.
7. **Municipality or town** – means the Town of Hafford.
8. **Owner** – includes:
  1. a person, persons, partnership, association or corporation who keeps, possesses, harbours, or has care of or control of a dog.
  2. the person responsible for the custody of a minor where the minor is the owner of a dog
9. **Pound** – means such premises and facilities as may be designated by the Council of the Town of Hafford for the purpose of safely lodging and securing animals seized pursuant to this bylaw.
10. **Pound keeper** – means a person designated by the Town of Hafford from time to time to maintain and administer the pound.
11. **Person** – means and includes an individual(s), partnership, association or corporation.
12. **Restricted dog** – means:
  1. , Doberman pinscher, rottweiler, Rhodesian ridgeback, wolf hound, wolf cross, coyote cross, bulldog, bull mastiff or any dog of mixed breeding which includes any of the aforementioned breeds (which can be identified through its physical characteristics) or, a dog declared dangerous under Section 375 of *The Municipality Act, 2005*.
  2. any dog that has been trained as a guard dog where such training involves physical attack on an intruder when such animal is not engaged in guarding a business premise.
13. **Running at large** – means when the dog or cat is beyond the boundaries of the land occupied by the owner, possessor, harbourer or keeper of the said animal, or beyond the boundaries of any lands where it may be with the permission of the owner or occupant of the said land and is not under control being:
  1. on a leash or harness and in direct and continuous charge of a person competent to control it; or
  2. securely confined within an enclosure; or
  3. securely fastened so that it cannot roam at will.

## 6. LIMITS-DOGS AND CATS

1. No person or persons within the town shall harbour or keep more than two(2) Dogs on any one property. If an owner fails or refuses to comply with the provisions of this section, he/she shall be subject to the penalties as set out in Schedule "C" attached hereto.
2. No person or persons within the town shall harbour or keep more than two (2) cats on any one property. If an owner fails or refuses to comply with the provisions of this section, he or she shall be subject to the penalties as set out in Schedule "C" attached hereto.

## 7. SEIZURE AND IMPOUNDING

1. A bylaw enforcement officer or peace officer may seize and impound any dog or cat observed to be at large.
2. A bylaw enforcement officer or peace officer may enter onto land surrounding any building in pursuit of any dog or cat, which has been observed to be at large.
3. The bylaw enforcement officer is hereby authorized to seize and capture, by any method authorized by resolution of Council, and impound any dog or cat running at large contrary to the provisions of this bylaw.
4. Any person may take any dog or cat found running at large contrary to the provisions of this bylaw to the Town pound.
5. Any person may be issued a cat trap upon execution of an agreement as set out in designated Form "B" and such person shall abide by the terms of the cat trap permit agreement. When a cat has been trapped, the Town Office shall immediately post notice in the Town Office, Post Office and on the Chamber of Commerce bulletin board containing a description of the cat along with the the terms for release.
6. No person, whether or not he is the owner of a dog or cat which is being or has been pursued or seized shall:
  1. interfere with or attempt to obstruct a bylaw enforcement Officer who is attempting to seize or has seized any dog in accordance with the provisions of this bylaw;
  2. unlock or unlatch or otherwise open the vehicle in which dogs or cats seized under this bylaw have been placed so as to allow or attempt to allow any dog or cat to escape therefrom.
  3. remove or attempt to remove any dog or cat from the possession of the bylaw enforcement officer.

## 8. POUND

1. The Council shall endeavor to appoint a pound keeper.
2. All dogs or cat impounded in the pound shall be so confined therein for a period of 72 hours from the time of capture during which time the owner thereof shall have the right to repossess the said dog upon paying to the Town Office the amount set forth in Schedule "B" to this bylaw.
3. No dog or cat which is impounded shall be released to its owner or to any other person until the appropriate pound fee is paid, and in the case of a dog, until it has been registered.
4. When a dog has been impounded, the Town Office shall immediately attempt to contact the owner as shown in the records made when the dog was registered at the address shown therein, that unless the said dog is claimed and the fees as provided for in this bylaw are paid within 72 hours from the date of the impounding, the said dog shall be dealt with pursuant to the provisions of the bylaw. When a cat has been impounded, the Town Office shall immediately post notice in the Town Office, Post Office, and on the Chamber of Commerce bulletin board containing a description of the cat along with the terms for release.

*BE*

b. An owner, possessor or harbourer of a dog or cat who neglects or refuses to comply with any order of the veterinary clinic shall be guilty of an infraction of this bylaw.

### 13. DANGEROUS DOGS

a. Persons who harbour, possess or keep a dangerous dog after it has been declared dangerous shall:

i. keep the dog in an enclosure which shall be constructed of wood or any other material of sufficient strength and in a manner adequate to:

1. confine the dog; and
2. prevent the entry of children of tender years.

ii. if the dog is removed from the enclosure, it shall be muzzled and leashed as follows:

1. fitted with a collar or harness for the body that is properly placed and fitted on the dog.
2. the movement of the dog shall be controlled by a person by means of a leash attached to the collar or harness on the dog;
3. the leash shall not exceed 1.2 meters in length and be constructed of material having a tensile strength of at least 140 kilograms;
4. the muzzle shall be properly fitted on the dog to prevent it from biting any animal or person;

iii. within 10 days of a dog being declared dangerous provide proof to the administrator of the municipality that liability insurance of not less than \$300,000.00 has been obtained for any bodily injury to or death of any person or domestic animal, or for damage to property caused by the dog.

iv. display a sign in the prescribed form and manner at each entrance to the premises where the dog is kept and on the enclosure in which the dog is confined. The sign shall be clearly visible and capable of being read from any adjacent public road and shall read "WARNING DANGEROUS DOG ON PREMISES".

b. Any complaint that a dog is dangerous shall be made to and heard by a judge.

c. Where a complaint is received by the Town Office that a dog within the town is dangerous, Section 375 of the Municipality Act 2005 shall apply.

d. The following municipal officials are hereby designated for the purpose of section 378 of the Municipality Act 2005:

Bylaw enforcement officer

e. The following municipal official is hereby designated for the purpose of Section 378 of the Municipality Act 2005 as the person to be notified if an owner sells or otherwise disposes of a dangerous dog:

Administrator

### 14. RESTRICTED DOGS

a. Requirements for obtaining and maintaining a registration for a restricted dog are as follows:

i. An owner of a restricted dog shall maintain in force a policy of liability insurance providing third-class liability coverage in a minimum amount of \$500,000.00. The owner shall provide a photocopy of the said liability insurance policy to the Town Office when applying for a restricted dog registration.

ii. Within one month after the passage of this bylaw, the owner of a restricted dog shall provide the Town Office with a photocopy of such liability policy before he or she may register a restricted dog.

iii. At all times while a restricted dog is on the premises of its owner, the owner shall either keep such dog confined indoors under the effective control of a person over the age of sixteen (16) years, or confined in a securely enclosed and locked pen or other structure built to prevent the escape of the restricted dog, and capable of preventing the entry of young children.

iv. Such pen or enclosure shall have secure sides and top, and if the bottom is not secured to the sides, the sides must be embedded in the ground to a minimum depth of one (1) foot. If the dog shows a propensity for trying to escape from the pen or enclosure by digging, the enclosure or pen shall be constructed so as to prevent this.

**18. SEVERABILITY**

a 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.

**19. REPEAL**

Bylaw No 2013-13 is hereby repealed.

  
\_\_\_\_\_  
Mayor:

  
\_\_\_\_\_  
Administrator  
(seal)



Read a third time and finally adopted this 14<sup>th</sup> day of November , 2017.

FORM "A" - BYLAW 2017-06

{SECTION 3(a)}

DOG REGISTRATION FORM

Name of owner: \_\_\_\_\_

Address(mailing): \_\_\_\_\_

(civic) \_\_\_\_\_

Phone Number: \_\_\_\_\_

Dog Tag # \_\_\_\_\_

Breed of Dog: \_\_\_\_\_

Physical Description: \_\_\_\_\_

Registration fee paid \_\_\_\_\_  
(Receipt#)

**For restricted dogs only:**

Liability insurance policy of \$500,000 in place Yes/No (attached copy)

\$50.00 registration fee paid \_\_\_\_\_  
(Receipt #)

FORM "B" - BYLAW 2017-06

{SECTION 6(e)}

CAT TRAP PERMIT

Date: \_\_\_\_\_  
\_\_\_\_\_

Trap #: \_\_\_\_\_

The undersigned agrees to the following terms and conditions:

1. to place the cat trap only on his or her property which is within the Town of Hafford
2. to personally check the cat trap each hour while the trap is set;
3. in the event a cat is trapped, to immediately phone the animal control officer or the Town Office. Where a cat is held, the undersigned is responsible for the humane treatment and shelter of the cat, including feeding and watering. A captured cat should be left in the trap and placed in a shed, garage, basement or other place that it is warm, dry and secure with a blanket over the trap to pacify the animal. Do not attempt to remove an unfamiliar cat from the trap-this will be done by the animal control officer. If the undersigned cannot comply with this condition, the trapped cat must be freed unharmed;
4. to ensure that no harm comes to any trapped cat while in their possession, including exposure to inclement weather;
5. cat traps are not to be used when the temperature falls below -10C or rises above +30 C;
6. any animal control officer may enter the property of the undersigned to ensure the trap is being used properly;
7. to advise the animal control officer of the ownership of any cat trapped, if known;
8. to be responsible for the trap, including the cost or repair or replacement if damaged, lost or stolen;
9. the trap is to be returned to the animal control officer three days after issuance.

**\*\*IT IS A SERIOUS OFFENCE TO HARM ANY DOMESTIC ANIMAL\*\***

Address of intended location of trap:

\_\_\_\_\_  
I understand and accept all liability which may arise in connection with the use of this cat trap while it is in my possession, and will save and indemnify the Town of Hafford for all such liability.

Signature: \_\_\_\_\_

Name of complainant: \_\_\_\_\_  
\_\_\_\_\_

**TRAP RETURNED:**

Date: \_\_\_\_\_

Received by: \_\_\_\_\_

Remarks: \_\_\_\_\_

Signature of Complainant or Agent

Form "C" - Bylaw 2017-06

NOTICE OF VIOLATION

This official notice is issued for a breach of  
Bylaw No. 2017-06

You may avoid prosecution for this offence by paying to the office of the Administrator, during regular office hours, the penalty stated herinafter 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: Town of Hafford, Box 220, Hafford, S0J 1A0.

Name of Violator

\_\_\_\_\_

Address

\_\_\_\_\_

Description of Dog

\_\_\_\_\_

Nature of Violation:

1. Failure to comply with Section \_\_\_\_\_,  
\_\_\_\_\_

(Bylaw No. 2017-06)

First offence, warning

Second offence, \$25.00

Third or subsequent (\_\_\_\_\_) offense, \$50.00

1. Failure to comply with Section 12 and 13, Dangerous Dogs and Restricted Dogs

(Bylaw No. 2017-06)

\$ \_\_\_\_\_, not exceed \$10,000

Location of Violation \_\_\_\_\_

Date of Violation

\_\_\_\_\_

Date Served

\_\_\_\_\_

Served By

\_\_\_\_\_

Witness to Server's Signature

\_\_\_\_\_

FORM "D" – BYLAW 2017-06

**Complaint Form**

**Name of Dog Owner**

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**Description of Dog**

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**Nature of Complaint:**

**Location of Violation**

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**Date of Violation**

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**Complainant** \_\_\_\_\_

**Date**

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**Administrator**