

Town of Hafford

**BYLAW NO. 2021-13
ANIMAL CONTROL BYLAW**

**A BYLAW OF THE TOWN OF HAFFORD, IN THE PROVINCE OF SASKATCHEWAN, FOR THE PURPOSE OF
REGULATING AND CONTROLLING ANIMALS**

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 2021-13”
2. In this bylaw, the following definitions apply:
 - a) **“Administrator”** means the administrator for the Town of Hafford.
 - b) **“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.
 - c) **“Cat”** means a male or female cat or a male or female kitten over eight(8) weeks of age.
 - d) **“Council”** means the Council of the Town of Hafford.
 - e) **“Dog”** means a male or female dog or a male or female puppy over eight(8) weeks of age.
 - f) **“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.
 - g) **“Municipality or Town”** means the Town of Hafford.

- h) **"Owner"** includes:
1. a person, persons, partnership, association or corporation who keeps, possesses, harbors, or has care of or control of a dog or cat.
 2. the person responsible for the custody of a minor where the minor is the owner of a dog or cat.
- i) **"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.
- j) **"Pound keeper"** means a person designated by the Town of Hafford from time to time to maintain and administer the pound.
- k) **"Person"** means and includes an individual(s), partnership, association or corporation.
- l) **"Property"** means the occupied dwelling as per the definition in the *Town of Hafford Zoning Bylaw* by the owner, possessor, harbourer and keeper
- m) **"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.
- n) **"Running at large"** means when the dog or cat is beyond the boundaries of the land occupied by the owner, possessor, harborer 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 be 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.

- o) **“Service Animal”** means an animal that is designated to have been legitimately trained and certified to provide assistance to a person with a disability that relates to that person’s disability.

3. **PITBULL TERRIER BREEDERS PROHIBITED**

Whereas Pit Bull Terriers, American Pit bull Terriers, Pit Bull Terriers, Staffordshire Bull Terriers, Bull Terriers, American Staffordshire Terriers are commonly known to be unpredictable and dangerous breeds of dogs, Council hereby prohibits anyone from possessing or harboring these breeds of dogs within the municipality

4. **REGISTERING**

- a) Every owner of a dog or cat within the town shall cause each such dog or cat to be registered with the Town Office. At the time of registering, the applicant shall provide the Town Office with a physical description of the animal, a picture, the breed of the animal, and the name, proof of Spay/Neuter, address and telephone number of the owner of the animal, as set out in the form designated Form “A” and attached hereto.
- b) The registration year for dogs and cats shall be from the first day of January to the thirty-first day of December of the same year.
- c) Every owner of a dog or cat shall, no later than February first in each year, register the said dog or cat at the Town Office, and failure to do so shall constitute an offence under this bylaw.
- d) Any dog or cat registration certificate or applicable fee issued pursuant to the provisions of this bylaw by the town shall not be transferable to any other dog or cat.
- e) A **“Service”** dog which has been professionally trained to assist the physically challenged or those suffering from chronic, life-threatening diseases including, but not limited to, epilepsy, diabetes, blindness and wheelchair confinement, shall not be subject to a registration fee upon proof of Certification.
- f) The provisions of this section shall not apply to the dogs kept, in the ordinary course of business, by the proprietors of the following premises.
 - 1. A veterinary hospital, clinic, boarding kennel or grooming parlor;
 - 2. A public pound
- g) A person residing in the town who owns, possesses, keeps or harbors a dog or cat and neglects or refuses to register or pay any application registration fee shall be subject to the penalties as outlined in Schedule “C” of this bylaw.

5. RUNNING AT LARGE

No dog or cat shall run at large in the Town at any time whether it is licensed or not, and for the purpose of this bylaw, a dog or cat 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 cat, or beyond the boundaries of any lands when it is not under control by being.

- a) in direct and continuous charge of a person competent to control the animal; or
- b) securely confined within an enclosure; or
- c) securely fastened so that it cannot roam at will.
- d) No owner of an animal shall permit his animal on any public playground, park, roadway or public area without a leash;
- e) a person who owns, possesses or harbours an animal found running at large shall be deemed guilty of an infraction of this bylaw and will be charged a penalty as set out in the attached Schedule "C".

Any dog or cat running at large four or more times shall be disposed of by the police, pound keeper, dog catcher or other person appointed by the Council.

6. LIMITS-DOGS AND CATS

- a) No person or persons within the town shall harbour or keep more than two(2) Dogs on any one property where he or she physically resides. 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.
- b) No person or persons within the town shall harbour or keep more than two (2) cats on any one property where he or she physically resides. 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

- a) A bylaw enforcement officer or peace officer may seize and impound any dog or cat observed to be at large.
- b) A bylaw enforcement officer or peace officer may enter onto land surrounding
 - a. any building in pursuit of any dog or cat, which has been observed to be at large.
- c) 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.

- d) Any person may take any dog or cat found running at large contrary to the provisions of this bylaw to the Town pound.
- e) 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 terms for release.
- f) 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 there from remove
 - 3. or attempt to remove any dog or cat from the possession of the bylaw enforcement officer.

8. POUND

- a) The Council shall endeavor to appoint a pound keeper.
- b) 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.
- c) 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.
- d) 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.
- e) All impounded dogs or trapped cats which are not claimed within 72 hours as foresaid, may be sold by the Town Office to any person paying for such dog or cat, a sum to cover costs for the

use of the Town pound and in the case of a dog, registration as provided for by this bylaw. In the event any dog or cat is not sold after expiration of the said 72 hours, it shall be disposed of in the most humane way possible.

- f) It shall be the duty of the pound keeper to provide each dog or cat impounded under the authority of this bylaw an adequate supply of food and fresh water and proper shelter during its confinement in the pound on a daily basis.
- g) Any dog or cat found in any public street, lane, park, boulevard or other public place or otherwise running at large contrary to the provisions of this bylaw the bylaw enforcement officer or peace officer may seize and impound by any method authorized by council.

9. STERILIZATION OF CATS

- a) It shall be unlawful for any person to be or become an owner of a cat that is actually or apparently over nine months of age unless the cat has been sterilized.
- b) If a cat, with or without identification, has not been sterilized, the person claiming ownership may be cited by the bylaw enforcement officer for a violation of Section 9(a). The penalty for violating Section 9(a) shall be waived upon proof that the cat has been sterilized being furnished to the bylaw enforcement officer within 30 days after the date the citation was issued.

10. LITTER-DOGS AND CATS

- a) If a dog or cat defecates on any public or private property other than the property of the owner, possessor or harbourer of the said dog or cat, the owner, possessor or harbourer of the dog or cat 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, and subject to the penalties as set out in Schedule "C" attached hereto.
- b) Defecations deposited on the private property of the owner, possessor or harbourer of a dog or cat shall be removed and disposed of in a sanitary manner on a daily basis. Failure to cause such removal shall be an infraction of this bylaw, and subject to the penalties as set out in Schedule "C" attached hereto.

11. NUISANCE

- a) All dogs are banned from the school yard for safety and health reasons except for seeing eye dogs.
- b) The owner, possessor or harbourer of a dog shall not allow the animal to create a nuisance 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.

- c) The owner, possessor or harbourer of a cat shall not allow the animal to create a nuisance by howling, hissing or otherwise making disruptive noises or by urinating, defecating or spraying on or otherwise damaging or interfering with any property other than the property of the owner, possessor or harbourer. An owner, possessor or harbourer who contravenes this section commits an offence under this bylaw.
- d) Where a dog or cat is found to be creating a nuisance, the owner or occupant of that property on which the dog or cat is creating a nuisance may make a written complaint to the Bylaw Enforcement Officer.

12. RABIES AND OTHER DISEASES

- a) Any dog or cat 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 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

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

- a) 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.
- b) 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;

- c) 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.
- d) 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".
- e) Any complaint that a dog is dangerous shall be made to and heard by a judge.
- f) 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.
- g) The following municipal officials are hereby designated for the purpose of section 378 of the *Municipality Act 2005*: **Bylaw enforcement officer**
- h) 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

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

- a) 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.
- b) 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.
- c) 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.
- d) 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.

- e) When any restricted dog is off the premises of the owner, the owner shall securely muzzle such dog and either harness it or leash it securely to effectively prevent it from attacking and injuring any person or domestic animal and ensure that it is under the complete control of a competent person.
- f) The owner shall display a sign on his/her property warning of the presence of the dog. Example – “BEWARE OF DOG”.

15. LIVESTOCK AND POULTRY

For purposes of this section, the following definitions shall apply:

- a) **“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, 1999*.
- b) **“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 domestica*, commonly known as the domestic pigeon, and includes pigeons raised for the purpose of racing, show, table and pets and includes feral pigeons
- c) No person shall possess, harbour, confine, herd, graze or allow to graze any livestock or poultry within the limits of the town
- d) Section 15(c) shall not apply to livestock and poultry brought into town for the duration of a special event at which the said livestock and poultry will be used for purposes of exhibition or performing at a special event.

16. GENERAL PENALTY

A person who contravenes any provision of this bylaw or neglects or refuses to comply therewith shall be guilty of an offence and liable upon summary conviction to a fine of not less than \$50.00 and not more than \$2,000.00.

17. PENALTY

- a) Where any person has committed or alleged to have committed a breach of any of the provisions of this bylaw, a ticket in the form designated Form "C" attached to and forming a part of this bylaw, may be served on such person by the bylaw enforcement officer.
- b) Any person to whom a ticket is being issued pursuant to this section shall furnish the bylaw enforcement officer with his/her name and address upon request.
- c) A person who contravenes any provision of this bylaw, upon being served with a ticket, may voluntarily pay the prescribed penalty as set forth in Schedule "C" to this bylaw.
- d) If the Town receives voluntary payment of the prescribed penalty within thirty (30) days from the date the ticket was issued, the person receiving the ticket shall not be liable for prosecution for the offence.
- e) If the person who has committed or is alleged to have committed a breach of any section of this bylaw fails to pay the specified fine within the time allowed following service of the ticket, the provisions of this section no longer apply, and the person shall be liable to prosecution for the offence.

18. SEVERABILITY

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 2017-06 is hereby repealed.



Mayor:



Administrator



**SCHEDULE "A" TO
BYLAW 2021-13**

Annual registration fee Section 4(1)

Restricted dogs	\$50.00
Non-restricted Intact dogs	\$20.00
License fee for spayed or neutered non-restricted dogs	\$10.00
<i>*Proof of Spay/Neuter must be provided*</i>	

**SCHEDULE "B"
TO BYLAW 2021-13**

Section 8(b) Dog Pound Fees

Impoundment First Offence	\$40.00
plus \$5.00 per day or part thereof	
Subsequent offences within 12 months	\$80.00
plus \$5.00 per day or part thereof	

**SCHEDULE "C"
TO BYLAW 2021-13**

PENALTIES – NON-RESTRICTED DOGS

*For the first offence, a warning shall be issued.

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

<u>Section</u>	<u>Offence</u>	<u>First</u>	<u>Subsequent</u>
4(c)	Failure to register	\$20.00	\$40.00
5	Running at large	\$25.00	\$50.00

6	Exceeding limits on any one property (for each animal exceeding limits)	\$25.00	\$50.00
9	Failure to sterilize cat	\$25.00	\$50.00
10	Failure to remove defecation	\$25.00	\$50.00
11(b)	Nuisance dogs	\$25.00	\$50.00
11(c)	Nuisance cats	\$25.00	\$50.00
4	Falsifying breed of dog when registering	\$50.00	\$100.00

*****If paid after 30 days of the date of issue of the notice of violation:**

All offences as listed above	\$150.00	\$300.00
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PENALTIES – RESTRICTED DOGS

<u>Section</u>	<u>Offence</u>	<u>First</u>	<u>Subsequent</u>
4	Failure to obtain and keep in force registration fee	\$250.00	\$500.00
14(a)	Failure to maintain a policy of liability insurance	\$250.00	\$500.00
14(d)	Failure to confine in proper enclosure when on owner's possessor's or harbourer's premises	\$250.00	\$500.00
14(e)	Failure to muzzle and harness or leash when off premises of owner, possessor, or harbourer	\$250.00	\$500.00
14(c)	Failure to prevent from running at large	\$250.00	\$500.00

**Failure to prevent a dangerous or restricted dog from attacking or injuring any person
*any amount as determined by Council, not to exceed \$15000.00***

FORM "A" – BYLAW 2021-13

{SECTION 4}
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: SECTION 14

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

\$50.00 registration fee paid _____
(Receipt #)

FORM "B" – BYLAW 2021-13

{SECTION 7(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:

Signature of Complainant or Agent

Form "C" – Bylaw 2021-13

NOTICE OF VIOLATION

This official notice is issued for a breach of
Bylaw No. 2021-13

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: 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. 2021-13)

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. 2021-03)

\$_____, not exceed \$10,000

Location & Date of Violation: _____

Date Served: _____

Served By: _____

Witness: _____

FORM "D" – BYLAW 2021-13

Complaint Form

Name of Dog Owner

Description of Dog

Nature of Complaint:

Location of Violation

Date of Violation

Complainant

Date

Administrator
