

TOWN OF CUPAR

BYLAW NO. 07-2023 ANIMAL CONTROL BYLAW

A BYLAW OF THE TOWN OF CUPAR, IN THE PROVINCE OF SASKATCHEWAN, TO REGISTER, LICENSE, REGULATE AND RESTRAIN DOGS AND CATS

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

1. DEFINITIONS:

1.1 In this Bylaw:

- a. **Administrator:** The person appointed as Administrator pursuant to Section 111 of *The Municipalities Act*.
- b. **Council:** means the Council of the Town of Cupar.
- c. **Aggressive/Dangerous/Vicious/High Risk Dog** shall mean:
 - a) any dog which has without provocation, in a vicious or menacing manner, chased or approached a person or domestic animal in an apparent attitude of attack;
 - b) any dog having an inclination, tendency, or disposition to attack without provocation, to cause injury or to otherwise threaten the safety of persons or domestic animals;
 - c) any dog which has without provocation, bitten, inflicted injury, assaulted or otherwise attacked a person or domestic animal;
 - d) any dog owned primarily or in part for the purpose of dog fighting or is trained for dog fighting;
 - e) Any dog without provocation, that threatens or creates reasonable apprehension of a threat to other animals or humans;
 - i. But shall not be included:
 - f) Any dog acting in the performance of police work;
 - g) Any dog working as a guard dog on commercial property which is:
 - i. securely enclosed on the property by a fence or other barrier sufficient to prevent the escape of the dog and the entry of children of pre-school age; and
 - ii. defending that property against a person who is committing or attempting to commit an offence.
- d. **Dog or Cat** shall mean and include both male and female dogs and cats wherever the term is used herein except where the context states otherwise.
- e. **Dog/Cat Control Officer** shall mean a person designated and appointed by Council, the RCMP or the Administrator who shall carry out the provisions under this Bylaw.
- f. **Judge** means a judge of the Provincial Court of Saskatchewan, who is authorized to carry out the "Dangerous Dog" provisions of the Municipalities Act and amendments thereto.
- g. **Leash** shall mean a leash adequate to control the dog or cat to which it is attached securely to the collar, choke collar or harness.
- h. **License** means a Dog or Cat License issued by the Town of Cupar in accordance with the provisions of this Bylaw.
- i. **License Fee** shall be the fee as set out in Schedule "A" of this Bylaw.
- j. **License Period** shall be for the lifetime of the dog or cat that is licensed.
- k. **License Tag** shall mean a device bearing a distinctive serial number intended to be attached to the collar of a dog or cat and issued by the Town upon payment of license fee as prescribed in this Bylaw.
- l. **Municipality** shall mean the Town of Cupar.
- m. **Owners** includes:
 - a) a person who has care, charge, control, keeps, possesses, or harbours a dog or cat;
 - b) the person responsible for the custody of a minor where the minor is the owner of a dog or cat;
 - c) a person who claims any interest in the dog or cat;
 - d) a person whom a License Tag was issued in accordance with this Bylaw;
 - e) the Town of Cupar with respect to an animal shelter or impoundment facility operated by the Town.

For the purpose of this Bylaw, a dog or cat may have more than one (1) owner.



- n. **Park** shall mean any Park or Recreational Area.
- o. **Penalties** shall be as set out in Schedule "B" of this Bylaw.
- p. **Provocation** means an act done intentionally for the purpose of provoking a dog or cat.
- q. **Poundkeeper** shall mean a person designated and appointed by Council or the Administrator to maintain suitable accommodation (pound) for the keeping of impounded dogs or cats pursuant to the Bylaw.
- r. **Running At Large** shall mean a dog or cat which is off the premises of its owner;
 - a) is not on a leash at the control of its owner;
 - b) is not confined in a secure enclosure.
- s. **Town** shall mean the Town of Cupar, Saskatchewan.
- t. **Violation Notification/Ticket** means a notice/ticket served to the owner of a dog or cat who has violated this Bylaw.

2. OFFENSES:

- 2.1 Every person that possesses/harbours a dog or cat over the age of six months shall purchase a license from the Town office.
- 2.2 Every person to whom a license has been issued under this Bylaw shall have their animal wear a collar to which shall be attached the license tag issued by the Municipality pursuant to this Bylaw. In the case of a lost or damaged tag the Municipality will replace the tag at a charge of \$5.00.
- 2.3 No person shall keep, own or harbor more than four dogs or cats in one building or residence.
- 2.4 No owner shall permit a dog or cat to create a disturbance by barking, howling, chasing a person or animal or in any other way causing an interference with the lawful use and enjoyment of public or private property by any other person.
- 2.5 No owner shall allow any dog or cat, which without provocation, bites, inflicts injury, assaults, or otherwise attacks a person or domestic animal.
- 2.6 An owner or occupant of private property must not allow animal feces to accumulate on the property as to create a health hazard.
- 2.7 If a dog or cat defecates on any public or private property other than the property of its owner, the owner of the dog or cat shall remove the defecation immediately.
- 2.8 No owner shall allow a dog or cat to damage any public or private property not belonging to the Owner within the corporate limits of the Town.
- 2.9 No owner shall allow a dog or cat to cause any damage whatsoever to any floral or vegetation area of any park or destroys any floral or vegetation area of any private property.
- 2.10 No owner shall allow a dog or cat to "Run at Large" within the boundaries of the Town of Cupar.
- 2.11 No owner shall allow a dog or cat to cause garbage retained in waste receptacles or other containers to be scattered on public or private property.
- 2.12 No owner shall allow a dog or cat to chase any person who is on foot or bicycle.
- 2.13 No person shall abuse or injure any dog or cat.
- 2.14 No person shall tease, torment, or annoy any dog or cat.
- 2.15 No person shall kill a dog or cat in which he/she is not the Owner except in the case of a dog/cat Control Officer or in the interest of the public safety.
- 2.16 No person without the permission of the Owner, unties, loosens, or otherwise frees a dog or cat which is not in distress.
- 2.17 At all times while a dog is on the premises of its owner and left unattended, the owner shall either keep such dog confined indoors, or confined in a securely enclosed and locked pen or other structure built (i.e., fence) to prevent the escape of the dog and capable of preventing the entry of young children.
- 2.18 When any dog is off the premises of the owner, the owner shall harness it or leash it securely to effectively prevent it from attacking or injuring any person or domestic animal and ensure that it is under the complete control of a competent person.
- 2.19 Where a dog or cat is suspected of having rabies, such dog or cat shall not be killed but shall be secured and isolated for ten (10) days and the matter immediately reported to a Veterinarian, whose instructions shall be carried out.
- 2.20 No person shall interfere with, hinder, or impede a Dog/Cat Control Officer in the performance of any duty authorized by this Bylaw.

3. LICENCES:

- 3.1** Every person who owns or harbours a dog or cat over the age of 6 months, within the Town shall no later than the 1st of February each year, obtain an annual license for the dog(s) or cat(s) from the Town of Cupar. Failure to do so shall constitute an offense under this Bylaw.
- 3.2** When applying for a license the owner shall provide:
- a) a description of the dog or cat including the breed, color, age, sex;
 - b) state if neutered or not;
 - c) name, telephone number and street address of the owner;
 - d) name of the dog or cat;
 - e) other relevant information which may be required by the Town in respect to the License application;
- 3.3** Fees are set out in Schedule A of this Bylaw.
- 3.4** In the case of a lost license tag, a replacement tag will be issued at a cost of \$5.00.

4. SEIZURE AND IMPOUNDING:

- 4.1** The Administrator may seize and impound any dog or cat observed to be at large.
- 4.2** The Administrator may enter into land surrounding any building in pursuit of any dog or cat which has been observed to be at large.
- 4.3** The Administrator 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.
- 4.4** Any person may take any dog or cat found running at large contrary to the provisions of this Bylaw to the Pound.
- 4.5** No person, whether or not they are the owner of a dog or cat which is being or has been pursued or seized, shall:
- a) Interfere with or attempt to obstruct the Administrator who is attempting to seize or has seized any dog or cat in accordance with the provisions of this Bylaw;
 - b) Unlock or unlatch or otherwise open the vehicle in which dog or cats seized under this Bylaw have been placed so as to allow or attempt to allow any dog or cat to escape.
 - c) Remove or attempt to remove any dog or cat from the possession of the Administrator.

5. POUND:

- 5.1** The Council shall endeavour to appoint a Poundkeeper.
- 5.2** All dogs and cats impounded in the Pound shall be so confined therein for a period of forty-eight (48) hours from the time of capture during which time the owner thereof shall have the right to repossess the said dog or cat upon paying to the Administration Office the amount set forth in Schedule "A" of this Bylaw.
- 5.3** 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 until it has been registered.
- 5.4** When a dog or cat has been impounded, the Administration Office shall immediately attempt to contact the owner as shown in the records made when the dog or cat was registered at the address shown therein, that unless the said dog or cat is claimed and the fees as provided for in this Bylaw are paid within forty-eight (48) hours from the date of the impounding, the said dog or cat shall be dealt with pursuant to the provisions of this Bylaw. Failing to find said owner by internal records, the Administration Office shall immediately post notice in a visible place and on social media containing a description of the dog or cat along with the terms of release.
- 5.5** All impounded dogs or cats not claimed with forty-eight (48) hours as aforesaid shall be disposed of by:
- a) Transfer to the nearest available animal shelter ie. Wynward Rescue.
- 5.6** It shall be the duty of the Poundkeeper to provide each dog or cat impounded under the authority of the Bylaw with an adequate supply of food, fresh water, and proper shelter during its confinement in the Pound on a daily basis.
- 5.7** All owners of dogs and cats with licenses shall receive one waived impound fee and one waived running at large fee per year provided the animal is claimed by the owner within twenty-four (24) hours.

6. ENFORCEMENT:

- 6.1 The Town has the right to declare a dog aggressive/dangerous/vicious/high risk.
- 6.2 The Council shall endeavour to appoint a Poundkeeper.7.2 The Council has the authority to appoint the Administrator to serve upon such persons who are in offence of this Bylaw a Violation Ticket (Schedule C – Notice of Violation).
- 6.3 When the appointed person has reasonable grounds to believe that a person has contravened any provision of this Bylaw, he or she may serve upon such person a Violation Ticket allowing payment of a specified penalty as described in Schedule B to the Town within fourteen (14) days of the issuance date of the violation ticket.
- 6.4 The violation ticket may be served to such a person by means of personal contact, delivery to best known address or by mail.
- 6.5 The Violation ticket shall state:
 - a) the name, address of the offender;
 - b) offence;
 - c) location, date, and time of offence;
 - d) appropriate penalty of the offence as stated in this Bylaw;
 - e) that the penalty shall be paid within fourteen (14) days of the issuance of the violation ticket to avoid prosecution of the offence;

7. REPEAL:

Bylaw No. 07-2022 is hereby repealed.

8. EFFECTIVE DATE:

This Bylaw shall come into effect on 15 November 2023, the day of its final passing.

SEAL





Deputy Mayor



Chief Administrative Officer

Read a third time and adopted
this 15th day of November 2023



Chief Administrative Officer

 

SCHEDULE A - FEES			
License	Neutered	Lifetime Fee	\$50.00
	Non-neutered	Lifetime Fee	\$100.00
Tag Replacement		Per tag	\$5.00

SCHEDULE B - PENALTIES	
First Offence	\$150.00
Second Offence	\$250.00
Third Offence or Subsequent Offence	\$500.00
A second or third or subsequent offence is deemed to be committed if it occurs within three (3) months of the previous offence	

SCHEDULE C – NOTICE OF VIOLATION TICKET

NOTICE OF VIOLATION	
	Ticket No. _____
Issued by:	_____
Date of Offence:	_____
Name of Accused:	_____
Address of Accused:	_____
Location of Violation:	_____
Description of Violation:	_____ _____
Description of dog/cat:	_____ _____
Payment Amount Due:	_____
Deadline Date for Payment:	_____
<p>You are charged with a violation of the Town of Cupar’s BYLAW TO REGISTER, LICENSE, REGULATE AND RESTRAIN DOGS AND CATS.</p> <p>Payment may be made at the Town Office (instructions on the back)</p> <p>If payment is received on or before the deadline date, you will not be prosecuted for this violation.</p> <p>Non-payment of fine will result in the matter being referred to Credit Bureau Collections Agency for collection. This may lead to prosecution; we recommend prompt payment. If payment is not received by the Town of Cupar in accordance with the instructions contained herein, a Criminal Code (Canada) Summons may be issued commanding you to appear in Court with respect to this matter.</p>	



SCHEDULE C – NOTICE OF VIOLATION TICKET

PAYMENT INSTRUCTIONS

1. Make all cheques payable to the Town of Cupar.
2. Do not mail cash. The Town of Cupar assumes no responsibility for cash sent through the mail, including the drop box on our building.
3. Where a receipt is required, payment may be made in person to the Town Office during normal business hours, being Monday to Friday from 8:30am to 12 noon and from 1pm to 4pm.
4. Where a receipt is not required, payment can be:
 - i. mailed to Town of Cupar, Box 397, Cupar SK S0G 0Y0, enclosing ticket and payment in the envelope; or
 - ii. sent by e-Transfer to townofcupar1@sasktel.net with your name and Violation Ticket number as the Reference.
5. Avoid prosecution by paying promptly. If prompt payment is not received in accordance with the instructions contained herein, a Criminal Code (Canada) Summons will be issued commanding you to appear in Court with respect to this matter.
6. For inquiries, please contact Town Office on 306-723 4324.

