

## BYLAW NO 1109

### A BYLAW OF THE TOWN OF OXBOW FOR LICENSING, PROHIBITING, REGULATING AND CONTROL OF ANIMALS

Whereas the Town of Oxbow may, pursuant to Section 8 (1)(k) pass bylaws it considers expedient in relation to “wild and domestic animals and activities in relation to them”;

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

#### Short Title

1. This bylaw may be referenced as the “Animal Control Bylaw”

#### Purpose

2. The purpose of this Bylaw is to promote the safety, health and welfare of the public and the protection of citizens and property in the Town of Oxbow, and to ensure the humane treatment and control of animals.

#### Definitions

3. For the purpose of this bylaw:
  - (a) “administrator” shall mean the administrator of the municipality;
  - (b) “Assist dogs” means a dog used to assist persons with disabilities or dogs used by the Royal Canadian Mounted Police.
  - (c) “council” shall mean the council of the Town of Oxbow;
  - (d) “designated officer” shall mean that person designated by the council of the municipality;
  - (e) “Dog” shall mean a member of the canis genus species and “Cat” shall mean a member of the felis catus species;
  - (f) “municipality” shall mean the Town of Oxbow;
  - (g) “poundkeeper” shall mean the person appointed as poundkeeper by the council of the municipality;
  - (h) “pound” shall mean such premises and facilities as may be designated by council, from time to time, as the pound;
  - (i) “running at large” means:
    - i) on public property, unaccompanied by any person; or
    - ii) on public property accompanied but not under the ‘complete’ control of a person competent to control the animal and/or by means of a leash suitable to the size and strength of the animal; or
    - iii) on private property, unaccompanied or accompanied by any person but not under the complete control of a person by means of a leash suitable to the size and strength of the animal where the property owner has not given permission to the owner of the animal.
  - (j) “shelter” shall have the same meaning as “pound”;

### **Licensing of Dogs**

4. Every person in the municipality who owns, possesses or harbours a dog over three months old shall register the animal and obtain a license from the business office of the Town of Oxbow.
5. The license shall be a one-time, non-transferable, non-refundable fee of Thirty Dollars (\$30.00) for the lifetime of each dog.
6. Upon payment of the license fee the Town of Oxbow shall register the license number and owner in the Town of Oxbow Dog Register and provide the owner with a tag bearing the license number.
7. Upon receiving the tag each owner shall ensure that a collar and the issued tag are worn by the dog when the animal is off the premises of the owner.
8. No unauthorized person shall remove a collar or tag from a dog.
9. 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 shall be deemed guilty of an infraction of this bylaw.

### **Impounding of Dogs and Cats**

10. No owner shall permit any dog or cat to run at large in the municipality.
11. The Town of Oxbow Council has the right to appoint an animal control officer, bylaw enforcement officer, or poundkeeper to restrain and impound any dog or cat running at large in the municipality.
12. A person who owns, possesses or harbours a dog/cat found running at large shall be deemed guilty of an infraction of this bylaw.
13. Any person, on authorization of the Chief Administrative Officer (or designated officer) of the Town of Oxbow, may take any dog found running at large contrary to the provisions of this bylaw to the pound, poundkeeper, or shelter where it shall stay, for a period not to exceed ten (10) working days, unless the owner, harbourer, or possessor redeems the dog by paying the amounts prescribed in Schedule "A" of this bylaw.
14. When any dog or cat is captured and impounded, the municipality shall post a notice at the Town Office, giving a description of the said dog or cat, the date it was impounded and the date and hour when it will be sold or destroyed. Such notice shall be posted seventy-two (72) hours before the said sale or destruction.
15. The poundkeeper may sell any dog or cat which is not redeemed within the time specified in this bylaw provided that the purchaser thereof obtains a license if he/she is a resident of the Town of Oxbow.
16. Pound fees shall be all charges that the poundkeeper may impose as well as any recovery of costs directly associated with the keeping of said dog or cat as set out in Schedule "A".

### **Duties of Dog and Cat Owners**

17. With the exception of an 'assist dog' no owner or keeper of a dog or cat shall permit their dog(s) or cat(s) on any school ground, playground or posted area except when the owner or keeper is attending a recognized training or obedience school for training of the said animal.
18. No owner or keeper shall permit their animals to chase any pedestrian, vehicle or other animal on a public thoroughfare.
19. No owner or keeper shall permit their dog(s) or cat(s) to damage public property.
20. No owner or keeper shall use a choke chain on a dog or cat except when walking the dog or cat on a leash.

21. No owner or keeper shall keep an animal within the town tethered on a chain, rope or similar restraining device of less than three meters in length.
22. Any owner or person who has tethered an animal shall ensure that the tether is secure taking into consideration the size of the animal and shall ensure that the animal has unrestricted movement within the range of the tether.
23. Every owner of a dog or cat shall provide the animal with a collar.
24. A female dog or cat in heat shall be confined and housed in the residence of the owner or person having control of the dog or cat or taken to a licensed kennel during the whole period that the dog or cat is in heat, except that a female dog or cat may be allowed outside the said residence for the sole purpose of permitting the dog or cat to defecate and urinate on the premises of the owner.
25. If a dog or cat defecates on any public property other than the property of its owner, the owner or keeper shall cause such defecation to be removed immediately.
26. Where, under Section 25, the owner or keeper of a dog or cat fails to remove such defecation immediately, the owner shall be in violation of this bylaw.

### **Dog Runs**

27. No dog run shall be located closer than two meters to a property line.
28. Where a dog is housed or kept in a dog run, the owner shall ensure that the dog run is kept in a sanitary condition, to protect the health and safety of the animal.
29. An owner shall ensure that a dog run on the owner's property is constructed of material of sufficient strength and in a manner adequate to confine the dog and prevent the entry of children under twelve years of age.
30. If, in the opinion of a building official or police officer, the condition or location of a dog run is not in accordance with this bylaw, the owner of the property on which the dog run is located may be ordered to clean, alter, demolish or relocate the dog run within thirty (30) days of the issuance of the order.

### **Cat Traps**

31. A person who has been bothered by a cat being at large may apply to the Town of Oxbow to receive a cat trap. Only traps approved and distributed by the Town may be used.
32. Where a cat trap is issued, the permittee shall:
  - (a) Place the cat trap only on the permittee's property;
  - (b) Personally check the trap at least once each hour while the trap is set;
  - (c) When a cat is trapped, contact the Town Office;
  - (d) Return the cat trap to the Town Office within seventy-two (72) hours of the cat trap being issued;
  - (e) Pay for the cost of repair or replacement of the cat trap if the issued trap is damaged, lost or stolen; and
  - (f) Not use the cat trap when the temperature is 0 degrees Celsius or less or when the temperature is 28 degrees Celsius or more.
33. When a cat has been trapped in a cat trap, the permittee shall, for as long as and until the Town of Oxbow can collect the cat or the cat can be conveyed to the pound:
  - (a) Hold the cat for no longer than 24 hours;
  - (b) Treat the animal humanely;

- (c) Provide shelter for the cat in a warm, dry and secure area; and
  - (d) Provide food and water for the cat.
34. If a permittee cannot comply with the conditions in Section 33, the permittee must release the trapped cat unharmed.

### **General**

35. No person shall possess or harbour more than three dogs or three cats or a combination of both, for a total of three over the age of six months, but excluding:
- (a) Dogs or cats kept in the ordinary course of business by the proprietor of any of the following:
    - i. A veterinary hospital, clinic, or boarding kennel or grooming parlour;
    - ii. A public pound;
    - iii. A shop or breeder whose business includes the sale of pets; and
    - iv. A shelter operated by an association or society incorporated for the purpose of the protection of humane treatment of animals.
36. No person shall tease a dog or cat, entice a dog or cat, bait or throw objects at a dog or cat confined within its owner's property.
37. The operation of a kennel within the Town of Oxbow shall be subject to approval from the Medical Health Officer for the Sun Country Health Region, and the kennel shall comply with the provisions of any Town of Oxbow bylaws.
38. Where any dog or cat is suspected of having rabies, such dog or cat shall not be killed but shall be secured and isolated for ten days and the matter immediately reported to the Medical Health Officer for Sun Country Health Region whose instructions shall be carried out.
39. In cases of emergency for any cause, but more particularly for infectious disease caused by dogs or cats, the Medical Health Officer is hereby authorized to order that no owner or other person shall suffer or permit his or her dog or cat to be on any place beyond or outside the boundary of the place of the dwelling of the owner or other person at any time, whether on a leash or under proper control, until such order is revoked or cancelled, and the Medical Health Officer may order compulsory inoculation of dogs or cats.
40. No owner of a dog or cat shall permit his/her animal to be or become a nuisance by barking or howling or emitting other sounds continuously for a period exceeding ten minutes.
41. An individual authorized by the Chief Administrative Officer of the municipality may, in the case of a contravention of this bylaw, capture any dog or cat within the corporate limits of the municipality and impound, destroy, or otherwise dispose of such dog or cat according to the *Animal Protection Act* of Saskatchewan.
42. The Town may pay any costs for which the owner of a dog or cat is responsible pursuant to this bylaw and, if not reimbursed by the owner, add the amount to the tax roll of any assessed parcel of land of that owner and that amount is deemed for all purposes to be a tax imposed pursuant to *The Municipalities Act*, from the date it was added to the tax roll, and forms a lien against the parcel of land in favour of the Town of Oxbow from the date it was added to the tax roll.

### **Other Animals**

40. It shall be unlawful to keep live poultry, livestock, and/or bees within the boundaries of the Town of Oxbow.

41. No person shall own or harbor any animal, or hybrid of any animal, of the kind listed in "Schedule D" for any purpose.
42. No person, partnership or corporation, whether operated separately or in connection with another business enterprise, shall operate a pet store that buys, sells, trades, exhibits or harbors any animal or hybrid of any animal of the kind listed in "Schedule D".

**Penalties:**

43. In the case of contraventions of this bylaw the Chief Administrative Officer of the Town of Oxbow may declare an animal to be a nuisance and require the owner of the animal to remove the animal from the town within fourteen (14) days of the nuisance declaration.
44. Any person who does not comply with any part of an order made against him/her under this bylaw is guilty of an offence.
45. Every person who contravenes any provision of this bylaw is guilty of an offence and liable on summary conviction to a fine of not more than two thousand dollars (\$2,000) in case of an individual or five thousand dollars (\$5,000.00) in the case of a corporation.
46. A person who fails to comply with an order made pursuant to this bylaw within the period specified in the order is guilty of an offence and liable on summary conviction to a fine of not more than two hundred and fifty dollars (\$250.00) for each day during which the failure to comply continues.
47. Every person who contravenes any provision of Section 42 is guilty of an offense and liable on summary conviction:
  - (a) In the case of an individual, to a fine of not more than \$2,000.00.
  - (b) In the case of a corporation, to a fine or not more than \$5,000.00; and
48. In the case of a continuing offence, to a maximum daily fine of not more than \$500.00 per day.

**Repeal of Former Bylaw**

49. Bylaw 1049 and all amendments thereto are hereby repealed.

**Coming into Force:**

50. This bylaw comes into force and takes effect on January 1, 2018.

1<sup>st</sup> Reading: September 25, 2017

2<sup>nd</sup> Reading: September 25, 2017

3<sup>rd</sup> Reading: September 25, 2017

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Mayor

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Chief Administrative Officer

**Schedule "A"**  
**Town of Oxbow Bylaw 1109**  
**License and Pound Fees**

Assist Dogs

No Charge

All Dogs, other than Assist Dogs

\$ 30.00 one-time fee

Fee for impounding Cats or Dogs

All charges that the pound/poundkeeper may impose, as well as any recovery of costs directly associated with the keeping of said dog or cat

**Schedule "B"**  
**Town of Oxbow Bylaw 1109**  
**CAT TRAP PERMIT**

Date:

Trap #

Address of intended location of trap:

I, the undersigned, agree to the following terms and conditions:

- The cat trap will be placed only on my property within the Town of Oxbow.
- I will personally check the cat trap at least once every hour while the trap is set.
- When a cat is trapped, I will contact the Town office immediately if it is during regular office hours.
- When a cat is trapped, I will treat it humanely; I will provide shelter, food and water for the trapped cat. I will leave the cat in the trap and I will place the trap in a warm, dry and secure area (such as a shed, garage or basement) with a blanket placed over the trap to pacify the cat. If I cannot comply with these conditions I will free the trapped cat unharmed.
- I will not allow harm to come to any trapped cat while in my possession including exposure to inclement weather.
- I will not use the cat trap when the temperature falls below 0C or above 28C.
- I give my permission to the Town of Oxbow to enter onto my property to ensure the cat trap is being used properly.
- I will advise the Town of Oxbow of the name and address of the owner of the trapped cat, if known.
- I will pay the cost to repair or replace the cat trap if it is damaged, lost or stolen while in my possession.
- I will not set the trap on statutory holidays or days when the Town office is closed.
- I will return the cat trap to the Town of Oxbow within three days after the cat trap was issued.

I understand that it is a serious offence to harm any domestic animal.

I understand and accept all liability that 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 Oxbow for all such liability.

Name of Permittee (Print): \_\_\_\_\_

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

**Schedule "C"**  
**Town of Oxbow Bylaw 1109**

**Amounts Which Will Be Accepted by the Town of Oxbow  
In Lieu of Prosecution**

<b>Offence under section</b>	<b>Offence</b>	<b>Amount</b>
<b>4</b>	Unlicensed animal	\$100.00
<b>8</b>	Removing license tag	50.00
<b>10</b>	Running at large	100.00
<b>16</b>	Causing damage	100.00
<b>17</b>	Prohibited areas	50.00
<b>18</b>	Chasing other animals or Vehicles	100.00
<b>22</b>	Failure to remove defecation	100.00
<b>24</b>	Failure to Keep Animal in Heat Housed	100.00
<b>28</b>	Unsanitary Dog Runs	100.00
<b>30</b>	Failure to Clean, Alter, Demolish or Relocate Dog Run	250.00
<b>32(f) &amp; 33</b>	Inhumane Treatment of Trapped Cats	100.00
<b>36</b>	Teasing an Animal	100.00
<b>40</b>	Causing a Nuisance to Others	50.00
<b>40 &amp; 41</b>	Other animals	100.00
	Any Other Section of this Bylaw	50.00

For any reoccurrence of offenses by one animal owner within one calendar year:

2<sup>nd</sup> Offence: 2 times listed penalty

3<sup>rd</sup> and Subsequent offences: 3 times listed penalty



**Schedule "D"**  
**Town of Oxbow Bylaw 1109**  
**Animals Prohibited from being kept within the Town of Oxbow**

- (a) All arachnids dangerous to humans (such as scorpions and tarantulas, except tarantulas of the genera Aphonopelma, Avicularia and Grammostola);
- (b) All bats;
- (c) All canids, except the domestic dog;
- (d) All crocodylians (such as alligators, crocodiles and caimans);
- (e) All edentates (such as anteaters, sloths, and armadillos);
- (f) All elephants;
- (g) All felids, except the domestic cat;
- (h) All Hyenas;
- (i) All marsupials (such as kangaroos and opossums);
- (j) All mustelids (such as skunks, weasels, otters and badgers), except the domestic ferret;
- (k) All non-human primates (such as gorillas and monkeys);
- (l) All pinnipeds (such as seals, fur seals, and walruses);
- (m) All procyonids (such as raccoons, coatis, and cacomistles);
- (n) All raptors, diurnal and nocturnal (such as eagles, hawks, and owls);
- (o) All ratite birds (such as ostriches, rheas, and cassowaries);
- (p) All snakes of the families Pythonidae and Boidae;
- (q) All ungulates odd-toed (such as horses, zebras, and rhinoceroses);
- (r) All ungulates even-toed (such as goats, pigs, sheep, and deer);
- (s) All ursids (bears)
- (t) All venomous reptiles and amphibians
- (u) All viverrids (such as mongooses, civets, and genets)

Examples of animals of a particular prohibited group are given in parentheses. They are examples only, and shall not be construed as limiting the generality of the group.