

VILLAGE OF ANNAHEIM

BYLAW NO. 4, 2021

A BYLAW TO LICENSE AND PROHIBIT ANIMALS RUNNING AT LARGE.

The Council of the Village of Annaheim in the Province of Saskatchewan enacts as follows:

PART I - INTERPRETATION

1. This bylaw may be referenced as the “Animal Control Bylaw”
2. For the purpose of this bylaw, the expression:
 - (a) “animal” means and includes every male and female of the feline and canine family;
 - (b) “administrator” shall mean the administrator of the municipality;
 - (c) “council” shall mean the council of the municipality;
 - (d) “municipality” shall mean the Village of Annaheim;
 - (e) “running at large” shall mean when the animal is beyond the boundaries of the land occupied by the owner, possessor or harbourer 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 lands and when it is not under control by being:
 - (i) Direct and continuous charge of a person competent to control it;
 - or
 - (ii) securely confined within an enclosure; or
 - (iii) securely fastened so that it cannot roam at will.
 - (f) Any “dangerous dog” defined below:
 - (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, whatever its age, with a known propensity, tendency or disposition to attack without provocation, to cause injury to or 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;
 - (v) Any dog that, without provocation, threatens or creates reasonable apprehension of a threat to other animals or humans.

PART II – GENERAL PROVISIONS

3. Every person in the municipality who owns, possesses or harbours an animal over 6 months of age shall obtain a license from the administrator.
4. The license shall be in effect from January 1 to December 31 of a calendar year and shall be obtained on or before January 15 or within 10 days of taking possession of the animal.
 - (a) The license fee shall be:

(i) for each animal	\$10.00
(ii) for each neutered animal	\$10.00
 - (b) A sum payable for a license required after June 30 shall be 60% of the charge for a full year.
5. Every person to whom a license has been issued under this bylaw shall cause his or her animal to wear a collar to which shall be attached the license tag issued by the municipality pursuant to this bylaw.
6. 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 therefore shall be deemed guilty of an infraction of this bylaw.

PART III – RUNNING AT LARGE

7. No animal shall run at large in the municipality.
8. A person who owns, possesses or harbours an animal found running at large shall be deemed guilty of an infraction of this bylaw.

PART IV – SEIZURE OF ANIMALS AND POUND FEES

9. Any person may take any animal found running at large contrary to the provisions of this bylaw to the Animal Services Management Services in Humboldt, where it shall be kept for 3 days unless the owner, possessor or harbourer redeems the animal by paying the fee at the Administration office of the Village of Annaheim the sum of \$50.00 and also by paying all impounding costs and expenses at Animal Management Services in Humboldt.
10. The pound keeper or at his request, any other person designated by the pound keeper may destroy any animal which has not been redeemed within three days.

PART V – PENALTIES

11. A person who contravenes any of the provisions of sections 5, 6, 8, 14, or 17 of this bylaw shall be guilty of an offence and upon summary conviction, shall be liable to a maximum penalty of:
 - (a) Section 5 - \$50.00
 - (b) Section 6 - \$50.00
 - (c) Section 8 - \$50.00
 - (d) Section 14 - \$50.00 first offense
-\$100.00 second offense
 - (e) Section 17 - \$50.00
12. A violator of this bylaw, upon being served with a Notice of Violation, may, during office hours, voluntarily pay the penalty at the Municipal Office, an upon payment as so provided, that person shall not be liable to prosecution of the offence.
13. The Notice of Violation shall be in Form “1”, attached to and forming part of this bylaw.

PART VI – NUSANCE

14. No owner of a dog or cat shall permit the dog or cat to create a disturbance by ululating, by loud or frequent barking, howling or yelping or chasing motor or other vehicles or in any manner or way, create a disturbance to the annoyance or discomfort of other persons residing in the neighborhood, or to the public at large; or which causes injury to any person. For the purpose of this section a dog or cat is creating a disturbance if its ululating can be easily heard by a person not situated on the property where the dog or cat is.
15. On a complaint made in writing to the Council that any dog or cat has been causing a disturbance, the Council, upon being satisfied of the truth of the complaint, may notify the owner of such dog or cat to abate the nuisance within 48 hours after receipt of the notice. The notice shall be in writing and shall be served by regular mail. Failure to comply with the terms of the notice shall be a breach of this Bylaw.
16. Upon receiving a second or subsequent complaint within 30 days after the expiry of the 48 hour period set out in a notice under subsection 15, the Council may order the owner to destroy the dog or cat, remove the dog or cat from the Village of Annaheim.

PART VII – LITTER

17. 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 cause such defecation to be removed immediately and dispose of the litter in a sanitary fashion. Failure to cause such removal shall be a breach of this Bylaw.

PART VIII – DANGEROUS DOGS

18. No person shall keep, possess, or harbor a dangerous dog within the boundaries of the Village of Annaheim.
 - (a) Any “dangerous dog” defined below:
 - (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, whatever its age, with a known propensity, tendency or disposition to attack without provocation, to cause injury to or 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;
 - (v) Any dog that, without provocation, threatens or creates reasonable apprehension of a threat to other animals or humans.

PART IX – RESTRICTED DOGS

- a. An owner shall obtain and keep in force a restricted license for his/her restricted dog.
- b. The owner of a restricted dog shall maintain in force a policy of liability insurance providing third party liability coverage in a minimum amount of \$500,000 for injuries and damages caused by the owner’s restricted dog. The liability policy shall contain a provision requiring the insurer to immediately notify the Municipality in writing should the policy expire or be cancelled or terminated.
- c. The owner shall provide a photocopy of the said liability insurance policy to the Village Office when applying for a restricted dog license.
- d. 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.
- e. 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.
 - f. 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.
 - g. The owner shall display a sign on his/her property warning of the presence of the dog. Example – “Beware of Dog”.

PART IX – LIMITS ANIMALS

- (j) No person shall, within the Village of Annaheim, harbour or keep more than three (3) animals on any one property.

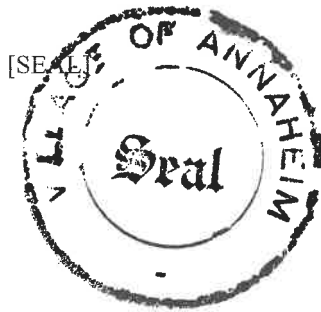
PART X – PENALTY

- (k) Any person who contravenes the provision of Part VIII and Part IX of this bylaw or neglects or refuses to comply therewith shall be guilty of an offense and liable upon summary conviction to a fine of not less than \$25.00 and not more than \$2000.00. This person, upon being served with a violation ticket, may voluntarily pay to avoid prosecution the prescribed penalty at the Village of Annaheim Office during regular office hours.

PART XI - COMING INTO FORCE

This Bylaw shall come into force and take effect on the date of the final adoption by the Council of the Village of Annaheim.

Bylaw No. 2, 2020 is hereby repealed.



Renee Peake

Mayor / Reeve

Hebra Pany

Clerk / Administrator

Subsection 8(1)(k) *The Municipalities Act*

Read a third time and adopted
this 19th day of November, 2021.

Hebra Pany
Administrator

Form "1"

NOTICE OF VIOLATION

VILLAGE OF ANNAHEIM

NAME: _____

ADDRESS: _____

POSTAL CODE: _____

Details of Offence:

Date: _____ Time: _____ Licence No: _____

Violation: Animal Control Bylaw No. 4, 2021

Description of Violation: _____

Location of Violation: _____

You are charged with violation of Bylaw No. 4, 2021
Section(s) _____

Penalty for the above violation: _____

ADMINISTRATOR

You may make voluntary payment of the above penalty at the municipal office of the Village of Annaheim during regular office hours or by mail within _____ days 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, you shall be liable to the penalty provided under Section _____ of the said bylaw.