

Town of Raymore
Bylaw No. 2015- 14

A bylaw to repeal Bylaw 04-04 to be called the Bylaw to provide for the Control and Licensing of Dogs and Cats in the Town of Raymore

The Council of the Town of Raymore as follows:

1. In this Bylaw:

(a) **“Administrator”** means the Administrator of the Town of Raymore, and such person or persons as he or she may from time to time appoint in writing to act on his or her behalf in the enforcement of the licensing provisions of this bylaw;

(b) **“Animal”** includes all species of the animals commonly known as dog’s family canis lupus familiaris or cats, family felis catus male or female;

(c) **“Animal Control Officer”** means that person(s) appointed by the Council or and Administrator for the purposes of this Bylaw;

(d) **“Council”** means the Council of the Town of Raymore

(e) **“Dangerous animal”** shall include any and all of the following purebred breeds and are prohibited in the Town of Raymore; Pit Bull Terriers, American Pit Bull Terrier, Pit Bull, Staffordshire, a Bull Terrier, Rottweiler, Mastiffs, any dog originating from wolf cross breeding, and or any dog with mixed breeding which includes any of the aforementioned breed which can be identified through its physical characteristics by Veterinarian licensed to practise in Saskatchewan.

Or,

Any animal deemed dangerous by council due to a written complaint received regarding any of the following actions or behaviors:

- i. Any animal, 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 animal, whatever its age, with a known propensity, tendency or disposition to attack without provocation, to cause injury to or to otherwise threaten the safety of persons or domestic animals;
- iii. Any animal that, without provocation, has bitten, inflicted injury, assaulted, or otherwise attacked a person or domestic animal;
- iv. Any animal which is owned primarily or in part for the purpose of fighting or is trained for fighting.

(f) **“Kennel”** means any structure used by any person for boarding or otherwise caring for training or helping dogs or cats exceeding three (3) dogs or cats in number over the age of three (3) months, whether or not for reward but does not include:

- i) Any premises occupied by a duly qualified veterinary surgeon for the practices of their profession; or,
- ii) The dwelling house of an ordinary member of the Canadian Kennel Club, where the total number of dogs or cats kept by the member does not exceed (5) in number, and not more than three (3) of the dogs or cats are kept outside the dwelling house;

(g) “**License Year**” means the period from January 1st to December 31st of the same year, both dates inclusive;

(h) “**Judge**” means a Provincial Court Judge;

(i) “**Medical Health Officer**” means the Medical Health Officer for the Town of Raymore;

(j) “**Muzzle**” means a guard that covers an animal’s mouth to prevent the animal from biting.

(k) “**Owner**” includes:

- i) A person, persons, partnership, association or corporation who keeps, possesses, harbours; or has care of or control of animal;
- ii) The person responsible for the custody of a minor where the minor is the owner of an animal; but does not include:
- iii) A veterinarian registered pursuant to The Veterinarian Act, 1987 who is keeping or harbouring an animal for the preservation of the animal or diagnosis or treatment of a disease or an injury to the animal;
- iv) The Town of Raymore or the Saskatchewan Society for the Prevention of Cruelty to Animals in respect of an animal shelter or impoundment facility operated by it;

(l) “**Pound**” means such premises and facilities as may be designated by the Town of Raymore, from time to time, as the pound;

(m) “**Pound Keeper**” means a person, persons, corporations, society, associations designated by the Town of Raymore from time to time to maintain and administer the pound;

(n) “**Running at large**” shall mean when the animal is beyond the boundaries of the land occupied by the owner, possessor, 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 when it is not under control by being:

- i. In 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.

PART I – Licensing of Dogs and Cats

1. That the owner of every dog or cat shall apply to the administrator by January 31 of each year for a license to keep such dog or cat within the Town of Raymore. The required annual license fee as set forth in “Schedule A” be paid to the Town. The administrator shall issue a license and tag for each dog or cat licensed by owner.

2. Every owner of a dog or cat within the Town of Raymore shall on demand by the License Inspector, Dog Catcher, Pound Keeper, or Bylaw Officer produce and show to the individuals making the demand his/her license and failure to do so shall be an offense under this Bylaw and the owner will charged a fine as set forth under “Schedule B”.

3. No owner of any dog or cat shall be in possession of such dog or cat unless such dog or cat has been licensed for the current license year. No dog or cat under the age of 3 months shall require a license. The license shall not be transferrable to any other dog or cat or other owner.

4. The provisions of Section 2 and 3 shall not apply to dogs and cats kept, in the ordinary course of business by the proprietors of the following premises namely:

- i) A veterinary hospital, clinic, boarding kennel or grooming parlor;
- ii) A public pound;
- iii) A shop whose business includes the sale of pets and is licensed as such;
- iv) A shelter operated by an association or society incorporated for the purposes of the protection and humane treatment of animals;
- v) Used for police work;
- vi) Seeing Eye Dog.

5. The owner or possessor of a kennel whose kennel name is registered in the register of the Canadian Kennel Club may in lieu of procuring a license for each dog as herein before required, pay the Town the sum of \$500.00 as the license fee for all dogs in such kennel. Such license shall cover all the registered dogs composing such kennel for the year in which such fee is paid. In applying for a license for such kennel, the person making the application must produce a certificate from the Canadian Kennel Club showing that such kennel has been registered. In all other respects the owner of such kennel shall comply with the provisions of this Bylaw.

6. All license fees required to be paid under this Bylaw shall be paid to the Administrator of Raymore, located at the Town Office, Raymore.

7. The tag issued by the Administrator shall bear a serial number in which it is issued and a record shall be kept by the Administrator showing the name and address of the owner and a description of each dog or cat owned by them including its breed, colour, age, sex and name and the serial number of the tag issued for each dog or cat.

8. The owner shall ensure that a collar, and the tag issued by the Administrator, are worn by the dog or cat when the animal is off the premises of the owner.

9. No unauthorized person shall remove a collar or dog or cat tag from a dog or cat.

PART II – Impounding of Dogs and Cats

10. The owner of a dog shall not at any time allow the dog to run at large within the Town of Raymore and any owner who permits such running at large shall be deemed to be committing an offense under this Bylaw and upon summary conviction shall be subject to the penalties as set forth in “Schedule B”.

11. For the purpose of impounding any dog or cat found running at large in the Town of Raymore, a pound shall be established at such place or places as may from time to time be designated by the Council. Council shall from time to time appoint one or more Pound Keepers, and fix their remuneration.

12. The Animal Control Officer or any peace officer may, capture or seize any dog or cat by any method authorized by Council found running at large contrary to the provisions of this bylaw, and shall deliver such dog or cat to the pound, and it shall be kept for seventy-two (72) hours and if not claimed and redeemed by the owner, the dog or cat may be sold for the cost of boarding, vaccination against rabies and, if applicable, license fees. If such impounded dog or cat is not claimed and redeemed or sold within a period of ninety-six (96) hours, from the time of impoundment, the said dog or cat may be destroyed or disposed of by the Pound Keeper. When any dog or cat is captured and impounded the Administrator shall post a notice on the Notice Board at the Post Office giving a description of the said dog or cat, the date when 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. Hours used in this section shall not include the hours between 4:00p.m. of any Friday, until 9:00a.m. of the following Monday nor the twenty-four hours of any other day celebrated in the Town of Raymore as a holiday.

13. Pound fees shall be prescribed in Schedule "A", and shall be in addition to any charges for food or otherwise, that the Animal Control Officer may need.

PART III – Duties of Dog and Cat Owners

14. Any owner, whose dog or cat chases any pedestrian, vehicle, horse or any other animal on public thoroughfares shall be in violation of this Bylaw.

15. 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 be allowed outside the residence for the sole purpose of permitting the dog or cat to defecate on the premises of the owner.

16. a) If a dog or cat defecated on any public or private property other than the property of its owner, the owner or keeper shall cause such feces to be removed immediately.

(b) Where, under Subsection (a) of this Section, the owner of the dog or cat fails to remove such feces immediately, the owner shall be in violation of this Bylaw.

(c) Section 16 (a) and (b) shall not apply to an owner who is a blind person and who is using the dog in question for a guide or "seeing-eye" dog.

17. No owner or keeper shall permit his or her dog or dogs or cat or cats to damage public or private property other than that of the owner or keeper.

18. No household in the Town of Raymore can harbour or possess cats and dogs to a greater number than three animals. Exempt or "grandfathered" are the existing owners of dogs and cats as of the passing of this bylaw in the Town of Raymore in such a way that they are not expected to get rid of a previously owned dogs or cats with the exception of dangerous animals named in Sec 1(e) of this Bylaw.

19. Every person requested by the Administrator to do so shall forthwith deliver to the administrator a statement in writing of the number of dogs or cats owned by him/her to refuse to give such statement shall be a violation of this bylaw.

PART IV – General

20. Any person teasing a dog or animal, enticing animal, baiting or throwing objects at an animal confined within its owner's property shall be in violation of this Bylaw.

21. The operation of any kennel within the Town of Raymore be subject to approval from the Medical Health Officer for the Town and the kennel shall comply with the provisions of any Town of Raymore Zoning Bylaw relating to the operation of kennels within the Town.

22. The Pound Keeper shall keep a record of all animal impounded and of the disposition made of same and shall make an annual return to the Administrator.

23. The Administrator shall institute a proper accounting system to insure that official receipts are issued in respect of any license fees, pound fees or charges, or other monies received or collected in respect of this Bylaw, and that all records in respect to same are audited at the same time as other Town records.

24. (a) Any owner whose animal has bitten or attempted to bite a person in the Town of Raymore is guilty of an offense and liable on summary conviction to the penalties prescribed in this Bylaw.

(b) If a person is convicted of an offense under Section 24(a) of this Bylaw and it appears to the Judge or the Justice of the Peace hearing the complaint that the animal is dangerous, the Judge or Justice of the Peace may make an order.

i) Directing that the animal be kept by the owner or keeper under proper control; or

ii) Directing that the animal be destroyed; or

iii) When a Judge or Justice of the Peace orders that an animal be destroyed, they may, by the same order direct the appropriate authority to destroy the animal. In addition to assessing any fine upon conviction.

25. (a) Any owner whose animal has bitten, killed or destroyed any other animal in the Town of Raymore is guilty of an offense and liable on summary conviction to the penalties prescribed in this Bylaw.

(b) If a person is convicted of an offense under Section 25(a) of this Bylaw and it appears to the Judge or the Justice of the Peace hearing the complaint that the animal is dangerous, the Judge or Justice of the Peace may make an order.

i) Directing that the animal be kept by the owner or keeper under proper control; or

ii) Directing that the animal be destroyed; or

iii) When the Judge or Justice of the Peace orders that animal be destroyed, they may be the same order direct the appropriate authority to destroy the animal; In addition to assessing any fine upon conviction.

26. Notwithstanding Section 24 and 25 of this Bylaw, where any animal 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 the Medical Health Officer for the Town of Raymore whose instructions shall be carried out.

27. In cases of emergency for any cause, but more particularly for infectious disease cause by animal, the Medical Health Officer is hereby authorized to order that no owner or other person shall suffer or permit his or her animal 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 animal.

28. Every dog or cat that is found off the premises upon which it is habitually kept, without a tag and not under the control of any person, may be destroyed by the Animal Control Officer or designate.

29. Every owner of a dog or cat shall not permit their dog or cat to be or become a nuisance by barking or howling or emitting other sounds. If such sounds can be easily heard by a person not situated on the property where the dog or cat is situated this shall be a violation of this bylaw.

30. No person, whether or not they are the owner of an animal which is being or has been pursued or seized shall;

- (a) Interfere with or attempt to obstruct a Pound Keeper, Animal Control Officer or Peace Officer who is attempting to seize or who has seized any animal in accordance with the provisions of this bylaw;
- (b) Unlock or unlatch or otherwise open the van or vehicle in which any animal seized under this bylaw has been placed so as to allow or attempt to allow any animal to escape therefrom; or
- (c) Remove or attempt to remove any animal from the possession of the Pound Keeper, Animal Control Officer or Peace Officer.

PART V – Penalty Provisions

31. (a) Pursuant to Section 24(a) of this Bylaw, any owner whose animal has bitten or attempted to bite any person in the Town of Raymore is liable on summary convictions to the following penalties:

- i) Where the Judge has directed that the animal be kept by the owner or keeper under proper control a fine of not more than \$500.00;
- ii) Where the Judge has directed that the dog or cat be destroyed, a fine of not more than \$200.00;
- iii) Any person who fails to comply with an order made under Subsection 24(b) is guilty of an offense and is liable to a fine of not more than \$250.00 per day for each day during which the offense continues.

32. (a) Pursuant to Section 25(a) of this Bylaw, any owner whose animal has bitten, killed or destroyed any animal in the Town of Raymore is liable of summary conviction to the following penalties:

- i) Where the Judge has directed that the animal be kept by the owner or keeper under proper control a fine of not more than \$500.00;
- ii) Where the Judge has directed that the dog or cat be destroyed, a fine of not more than \$200.00.

(b) Any person who fails to comply with an order made under Subsection 25(b) is guilty of an offense and is liable to a fine of not more than \$300.00 per day for each day during which the offense continues.

33. (a) Every person who contravenes any provision of this Bylaw where no other penalty is provided, is guilty of an offense and liable on summary conviction and to a fine of not more than:

- i) \$300.00 in the case of an individual;
- ii) \$300.00 in the case of a corporation;

(b) All fines, penalties and forfeitures mentioned in this Bylaw may be recovered and enforced with costs by summary conviction before a Judge and, in default of payment, the person convicted may be imprisoned for a term of not more than 90 days, unless the fine or penalty are paid sooner.

(c) This bylaw may be enforced and the contravention of any provisions of the bylaw restrained, by any court on action brought by the Town of Raymore whether or not any penalty is imposed for the contravention.

(d) Conviction of a person for a contravention of any provision of this bylaw does not relieve their from compliance with the bylaw, and the convicting Judge or Justice of the Peace shall, in addition to any fine imposed, order the person to perform within a specified period any act or work necessary for the proper observance of the bylaw or to remedy the contravention of bylaw.

(e) A person who fails to comply with an order made pursuant to subsection

(d) Hereof with the period specified in the order, is guilty of an offense and liable on summary conviction to a fine of not more than \$500.00 for each day during which the failure continues, to imprisonment for a term of not more than 90 days or to both such fine and imprisonment.

34. (a) Notwithstanding Sections 31, 32, and 33 where an animal control officer or peace officer believe that a person has contravened the provisions of Sections 2,8,9,10,14,15,16(b),17,18,19,20,27,29,30 or any other provisions of this bylaw, they may by personal service, serve or cause to be served upon such person a notice of violation in Form A as provided by this Section.

(b) The notice of violation in Form A shall be in a form similar to provided as Form A of this bylaw and shall indicate thereon the Section of the bylaw which was contravened and the amount of penalty to be paid as provided in Schedule A of this bylaw.

(c) Upon production of the notice of violation in Form A issued pursuant to subsection (a) within seven (7) days from the date of service together with payment as indicated on the notice of violation in Form A

the person to whom the notice of violation was issued shall not be liable for prosecution for the contravention in respect of which the notice of violation in Form A was given.

(d) If payment is not received as provided in subsection (c) hereof within the time prescribed, a summons shall be issued to the person alleged to have committed the offense and thereafter the provisions of this section shall not apply with respect to that offense. A person to whom a Notice of Violation in Form A is being issued pursuant to this section shall furnish any Animal Control Officer or Peace Officer, upon request, with his name and address.

5. Bylaws 04/04 is hereby repealed.

6. Bylaw 2015-14 will come into effect January 1, 2016.

Mayor

Administrator

Seal

Schedule "A"
Bylaw No. 2015-14
Dogs and Cats License Fee

Dogs	\$15.00
Cats	\$15.00
Duplicate License	\$10.00
After March 31	\$50.00

Pound Fees first offence in calendar year \$150.00

Pound Fees second offence & every offense \$150.00

Thereafter in a calendar year all fees must be paid before the animal is surrendered to the owner or owner's representative.

Schedule "B"

THE PENALTY, PURSUANT TO SECTION 28 FOR A PERSON WHO HAS CONTRAVENED THE PROVISION OF SECTION 2,8,9,10,14,15,16(B),17,18,19,20,27,29, OR 30 SHALL BE;

1. Permitting a dog to run at large, a fine of \$200.00, and if convicted more than once in a twelve month period, a fine of \$300.00 for each subsequent conviction.

BYLAW NO.2013-07
FORM "A"
NOTICE OF VIOLATION
TOWN OF RAYMORE
VOLUNTARY PAYMENT OF FINE

DETAILS OF VIOLATION

Name of Owner: _____

Address of Owner: _____

On the _____ day of _____ 20____ at Raymore Saskatchewan at _____

did unlawfully commit the following offense under the Town of Raymore Animal Control Bylaw

No. _____, Section No. _____.

Description of Offense:

Location of Violation:

Description of Animal:

Please pay as indicated

Penalty for the above infraction: _____

Issued By: _____

Date of Issue: _____

The Voluntary Penalty may be paid at the Town of Raymore, Town Office, and Voluntary Payment of the fine within seven (7) days after service of this Notice of Violation upon the owner results in the owner not being liable for prosecution for the offense. Failure to remit the fine within seven (7) days after service of the Notice of Violation may result in issuance of a Summons.