

VILLAGE OF PRUD’HOMME

BYLAW #2021-2

A BYLAW FOR THE VILLAGE OF PRUD’HOMME, SASKATCHEWAN ESTABLISHING REGULATIONS FOR THE CONTROL OF ANIMALS WITHIN THE VILLAGE OF PRUD’HOMME

The council of the Village of Prud’homme in the Province of Saskatchewan hereby enacts as follows:

That bylaw #47-14 is hereby repealed and replaced with Bylaw #2021-2 Animal Control Bylaw

1. DEFINITIONS:

In this Bylaw, unless the context otherwise requires:

(a) “Village”	shall mean the Village of Prud’homme.
(b) “Council”	shall mean the Council of the Village of Prud’homme;
(c) “License inspector”	shall mean any one appointed by Council as animal license inspector;
(d) “Animal control officer”	shall mean the person appointed by Council to catch and control dogs and cats and to enforce the provisions of the bylaw or any person authorized to act on their behalf;
(e) “Animal”	shall mean dog, cat or exotic animal;
(f) “At large”	shall mean off the premises of the owner and not on a leash no longer than six (6) feet and held by a person able to control the dog or cat;
(g) “Cat”	Shall mean both the male or female of the animal known as house cat or <i>Felis Domestica</i> ;
(h) “Dog”	shall mean both the male and female of the animal commonly known as dog or <i>Canis lupis familiaris</i> and includes every breed or mixture of breeds;
(i) “Service animal”	shall extend to and include any animal specially trained for assisting persons with disabilities:
(j) “Exotic animal”	shall mean the list as per appendix “A”:
(k) “License year”	shall mean the period from January 1 st to December 31 st ;
(l) “Magistrate”	shall mean a judge of the Magistrate’s Court:
(m) “Owner”	Includes; i) a person, persons, partnership, association or corporation who keeps, possesses, harbours; or has care or control of an animal or animals ii) the person who is responsible for the custody of a minor where the minor is the owner of an animal iii) a veterinarian registered pursuant to The Veterinarians Act, 1987 who is keeping or harbouring

	<p>an animal for the preservation, diagnosis or treatment of a disease or an injury to the animal;</p> <p>iv) an urban municipality or the Saskatchewan Society for the Prevention of Cruelty to Animals in respect of an animal shelter or impoundment facility operated by it;</p>
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2. LICENSES:

- (a) Every person who owns, and/or harbours or possesses an animal within the Village shall ensure such animal is registered with the Village and obtain a license for the animal for the current year. Failure to do so shall constitute an offense under this bylaw, and will be subject to the penalty as listed on Schedule "A" of this bylaw.
- (b) When applying for a license the applicant will fill out "Form A" provided by the License Inspector with a description of each animal owned by the applicant including its breed, color, sex, age, and name as well as the name and address of the owner and any other relevant information that may be required by the License Inspector. Council will be presented with new license applications and council will review applications for approval or rejection.
- (c) Renewal of licenses may be granted by the License Inspector in cases where the animal has not had offenses during the previous year and after the applicant has confirmed the animal remains offence free.
- (d) Annual license fees are due no later than June 30th of current year and for lifetime licensing a verification of rabies shots is required by June 30th of every year to ensure the ongoing eligibility of the license.
- (e) The owner shall place and keep around the neck of every animal a collar to which the current license tag issued by the License Inspector shall be securely fastened. Failure to comply shall be subject to penalty under Schedule A.
- (f) Every animal owner must produce, before a license is issued, a Certificate of Vaccination for Rabies for that animal from a licensed Veterinary Surgeon that verifies that the animal is protected from rabies for the current license year.
- (g) An exception to the above will be made by the production of a statement in writing from a licensed Veterinary Surgeon stating that the animal cannot be vaccinated for rabies for medical reasons.
- (h) The license is not transferrable from one animal to another and there is no refund.
- (i) Where a license tag is lost or damaged the animal owner shall apply for a new license tag the cost of which will be \$5.00

3. LICENSING FEES:

- a) Before a new license will be issued, Council must approve it.
- b) The annual license fee for every animal shall be \$25.00 annually. Proof of sterilization shall be a certificate from a licensed Veterinary to that effect and a copy must be submitted to the Administrator to qualify for the sterile animal rate. The annual license fee for a non-sterilized male or female animal shall be \$50.00. Breeding animals for sale

purposes is prohibited and will fall under Section 13 of this Bylaw. Animals not vaccinated for rabies will not be approved for a license. The annual license fee for animals deemed dangerous shall be \$1,000.

- c) No license fee shall be charged for any animal specially trained as a “service animal” providing that the owner produces proof of animal training for assistance to the owner of animal as defined in Sec. 2 subsection (j).

4. SPECIAL RESTRICTIONS:

- a) No owner shall permit their licensed animal to be anywhere other than on the owner’s property without wearing a collar and the proper license tag or plate or unless the animal is on a leash and is under the immediate charge and control of a competent person.
- b) If a female animal in heat creates a nuisance, the owner of the dog shall will be responsible for any applicable costs or penalties due to the nuisance created.
- c) Exotic/Wild animals are prohibited within the boundaries of Prud’homme and are listed in Appendix “A”

5. RESPONSIBILITY OF OWNERS:

- a) Owners shall accept full responsibility, liability and control of their animals.
No owner shall:
 - i. Permit their animal to run at large. When an animal is found running at large, its owner shall be deemed to have failed or refused to comply with this subsection, and is subject to penalty stated on Schedule A;
 - ii. Permit their animal to defecate on any public or private property other than the property of its owner. Where an animal defecates on property, other than the property of its owner, the owner shall cause such excrement to be removed immediately. The owner will also make all reasonable attempts to negate any effects of excessive excrement on the owner’s property;
 - iii. Permit their animal to damage public or private property other than that of its owner. Where public or private property has been damaged by an animal, its owner shall be deemed to have failed or refused to comply with this subsection and is subject to penalty stated on Schedule A;
 - iv. Own, keep or harbour any animal for which a license has not been issued for the current license year, or be subject to penalty stated on Schedule A;
 - v. Harbour or keep any dog unless such dog is securely fastened, except within the confines of the owners own property, in such a place and in such manner that it does not endanger the safety of any person or any other animal. Failure to do so is subject to penalty stated on Schedule A;
 - vi. Permit their animal to pursue, bite, or wound any person or animal or is subject to penalty stated on Schedule A;
 - vii. Permit an animal on any school ground or playground or is subject to penalty stated on Schedule A;
 - viii. Permit an animal on parkland area unless the animal is on a leash (no longer than 6 feet) and in the actual custody and control of the owner or is subject to penalty stated on

- Schedule A;
- ix. Allow an animal to be unattended without it being securely controlled or is subject to penalty stated on Schedule A;
 - x. Permit an animal to upset waste receptacles and scatter the contents thereof in or about a street, lane or other public or private property not belonging to the owner or is subject to a penalty listed in Schedule A;
 - xi. Permit an animal to bark excessively.
- b) An owner who can demonstrate need for a specialized trained animal to assist the owner in daily living shall not be subject to the restrictions imposed under subsections 7(iv)(viii)(ix)

6. IMPOUNDING:

- a) It shall be the duty of the animal control officer or agent thereof:
- i. To attempt to contact the owner of animal running at large and if owner is unknown or the owner is not available to retrieve the animal, the animal control officer shall deliver the animal to the SPCA at their own discretion.
 - ii. To issue a penalty ticket to an owner alleged to have committed an offense of permitting their animal to run at large. A penalty ticket may be served on the owner personally or upon a person apparently over the age of sixteen years old at the residence of the owner.
 - iii. To provide sufficient food, water and shelter to every animal captured and impounded during the time such animal remains the custody of the Village.
 - iv. To take into custody and take any animal to the SPCA that they have reason to believe has bitten a person whether on private premises or elsewhere and whether or not the skin was directly punctured or lacerated by the bite. This provision shall not apply to police dogs owned by a police force.
 - v. Notwithstanding subsection (3) and (4), where the owner of an impounded animal has identified the animal, the animal control officer may charge a fee of no less than \$45.00.
 - vi. No liability shall be attached to the animal control officer, employee of the village, or the Village of Prud'homme for any animal destroyed or injured while being captured or during impoundment.
 - vii. No person shall break open or assist in breaking open any pound in which an animal may be impounded or hinder or delay or obstruct any person in the performance of their duties hereunder.

7. SEIZURE OF ANIMALS:

- a) Any person designated by the animal control officer may take any animal found running at large to the SPCA.

8. ANIMALS DEEMED DANGEROUS:

- a) Owners, possessors or harbors' of animals deemed dangerous:

- i. Shall report to the License Inspector to fill out a license application form, providing \$1,000 for the yearly license fee.
- ii. Must have signs posted on their property stating that there is an animal deemed dangerous.
- iii. Must muzzle, leash and harness the animal at all times, even while on the owner's property. Failure to muzzle, leash and harness the animal is an offense and is subject to a penalty listed in Schedule A.
- iv. Must prevent the animal from running at large or are guilty of an offense and are subject to a penalty listed in Schedule A.
- v. Must provide proof of liability insurance to License Inspector. Failure to maintain a policy of liability insurance is an offense and is subject to a penalty listed in Schedule A.
- vi. Must confine animal in a proper enclosure when on owner, possessor or harbinger's premises. Failure to do so is subject to a penalty listed in Schedule A.

9. INTERFERENCE WITH ENFORCEMENT:

- a) No person shall interfere or attempt to obstruct an animal control officer, license inspector, employee of the village or a peace officer who is attempting to capture or who has captured any animal in accordance with the provisions of this bylaw.

10. RIGHT OF ENTRY:

- a) The animal control officer or peace officer, or any person authorized by this bylaw to enforce the provisions contained herein may enter into any land surrounding any building in pursuit of any animal which has been observed running at large.
- b) Upon approval of Council or any other person authorized by this bylaw, the animal control officer may capture and impound any animal in respect of which he believes or has reasonable grounds to believe that an offense under this bylaw is being or has been committed by any animal which is required to be impounded or pursuant to the provisions of any Statutes of Canada or of the Province of Saskatchewan or any regulation made there under.

11. REMOVING COLLAR OR TAG PROHIBITED:

- a) No unauthorized person shall remove the collar or license plate or tag of any licensed animal.

12. NUISANCE:

- a) Upon receiving a written and signed complaint, Council, upon being satisfied of the truth of the complaint, may notify the owner of such animal to abeyance. The notice shall be in writing and shall be served personally upon the owner or left with some adult person at the residence of the owner. Failure to comply with the terms of the notice shall be in breach of this bylaw.

13. RESTRICTION AS TO THE NUMBER OR ANIMALS TO BE KEPT

- a) No person within the Village shall harbor or keep more than 2 (two) dogs and/ or 2 (two) cats on any one property for a maximum of 4 (four) animals. All pets must be licensed. If an owner fails to comply or refuses this provision, a penalty will be issued from Schedule A.

14. MISREPRESENTATION:

- a) If any person applying for an animal license falsely describes the animal to the license inspector, or misrepresents or fraudulently omits to communicate any circumstances that are material to the license inspector to enable it to judge of the risk to be undertaken, the license shall be void.

15. RABIES:

- a) When an animal has bitten a person and/or is suspected of being rabid, or has been in contact with a rabid animal, Saskatchewan Health Authority and the RCMP shall be notified immediately.
 - i. A Medical Health Officer or licensed veterinarian or officer of the RCMP, having cognizance that an animal is dangerous or might have been exposed to rabies, may order that:
 - i. The person owning harbouring or having possession of such animal, whether vaccinated or not against rabies, shall keep it under confinement at a place acceptable to the Veterinarian of the Health of Animals Branch, Canada Department of Agriculture, for a period of at least two (2) weeks or until such time as the suspicion of rabies has been confirmed or refuted.
 - ii. A certificate issued by a qualified veterinarian to the effect that an animal has been inoculated against rabies shall be prime facie evidence that such animal has been inoculated.

16. GENERAL PENALTIES:

- a) Any person teasing an animal, enticing an animal, baiting or throwing objects at an animal confined within its owner's property shall be in violation of this bylaw. The owner must file a complaint in writing to the license inspector.
- b) Any person who willfully unties or frees an animal shall be in violation of this bylaw. The owner must file a complaint in writing to the license inspector.
- c) Any person who willfully opens a gate or door to allow an animal to escape shall be in violation of this bylaw. The owner must file a complaint in writing to the license inspector.
- d) Any person who contravenes or disobeys, or refuses or neglects to obey any provision of this bylaw for which no penalty is provided, is guilty of an offense and liable, on summary

- conviction to a fine as determined by Council
- e) Notwithstanding any other section of this bylaw, where an order for the destruction of an animal is being sought, the said animal shall be impounded, at the owner's expense, until the order is granted or refused.

Certified a true copy of Bylaw #2021-2
adopted by resolution of Council on the
___ day of _____, 2021.

MAYOR

ADMINISTRATOR

APPENDIX "A"

BEING A LIST OF ANIMALS THE KEEPING OF WHICH IS PROHIBITED WITHIN THE LIMITS OF THE VILLAGE OF PRUD'HOMME

- all Marsupials (such as kangaroos and opossums);
- all non-human Primates (such as gorillas and monkeys);
- all Felids, except the domestic cat;
- all Canids, except the domestic dog;
- all Viverrids (such as mongooses, civets and genets);
- all Mustelids (such as skunks, weasels, otters, badgers, ferrets);
- all Ursids (bears);
- all Artiodactylus Ungulates, except domestic goats, sheep and cattle
- all Procyonids (such as raccoons, coatis and cacomistles);
- all Hyaenas
- all Perissodactyl us Ungulates, except the domestic horse, mule and ass
- all Elephants
- all Pinnipeds (such as seals, fur seals and walruses);
- all snakes of the families Pythonidae and Boidae;
- all venomous Reptiles and Amphibians;
- all Arachnids dangerous to humans (such as scorpions and tarantulas);
- all Ratite birds (such as ostriches, rheas and cassowaries);
- all Diurnal and Nocturnal Raptors (such as eagles, hawks and owls);
- all Edentates (such as anteaters, sloths and armadillos);
- all Bats;
- all Crocodylians (such as alligators, crocodiles and caimans);

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.

Renewal? _____
Year _____
Lifetime? _____

Issuing office

VILLAGE OF PRUD'HOMME
ANIMAL CONTROL BYLAW
BYLAW # 47-14
FORM "A"
APPLICATION FOR ANIMAL LICENSE
*****Note this is an application only*****

1. Name of Dog/Cat Owner _____
2. Physical Address of dog/cat owner: _____
3. Mailing Address of dog/cat owner: _____
Phone: _____
4. Description of Dog/Cat:
 - (1) Breed: _____
 - (2) Distinct Markings or tattoos: _____
 - (3) Color: _____
 - (4) Sex: _____
 - (5) Age: _____
 - (6) Name: _____
 - (7) Sterilized: ____ Yes ____ No **Please provide a copy of Vet. Certificate certifying sterilization**
 - (8) Rabies shot date: _____ **Please provide copy of valid rabies shot receipt**
5. Previous Owner: _____
6. Address of Previous owner: _____

7. History of Animal (offenses): _____
8. Has the animal exhibited any aggressive behaviour in the past ____ Yes ____ No.
9. If yes; explain: _____
10. Has there been ANY dangerous animal hearings pertaining to this animal? ____
11. Was the animal in a previous jurisdiction? ____ If yes, list municipality _____
12. Amount of License fee \$ _____ Date paid _____

Note all licenses are subject to approval of council, if council does not approve the animal you will be required to remove the animal within 30 days and animal license fees will be refunded.

Approved by council on _____

Animal License No. _____

I understand that at any time I or my animal commits an offense under this Bylaw, I will be subject to penalties, license revocation depending on offense and that any future animal license applications that I make may not be approved. I am further aware that if any person applying for an animal license falsely describes the animal to the license inspector, or misrepresents or fraudulently omits to communicate any circumstances which is material to be made known to the license inspector in order to enable it to judge the risk to be undertaken, the license shall be void as to which the misrepresentation or omission is material. I am further aware that cheques returned to the Village of Prud'homme for any reason shall make licenses VOID and I shall be subject to penalties. I further understand that council has the right to limit the amount of animals that are owned, harboured or possessed by any person and that it is my financial and physical responsibility to remove the animal(s) within a timeframe if ordered by council from the Village of Prud'homme. Failure to provide requested proper documentation such as veterinarian letter to verify information contained within this application makes this application void and subject to penalty.

Signature of applicant: _____ Date _____