Town of Watson

Bylaw No. 2021-03

A BYLAW TO PROVIDE FOR THE CARE AND CONTROL OF ANIMALS

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

TITLE

1. This Bylaw may be referred to as "The Animal Control bylaw".

DEFINITIONS

2. In this Bylaw unless the context otherwise requires:

a) **"Animal Control Warden"** shall mean the Bylaw Officer and/or any such person or persons as may be designated by the Town, from time to time, to enforce the provisions of this Bylaw and includes the agents or employees of that person or those persons so designated.
b) **"Cat"** means either male or female cat of the Family Felis Domestica.
c) **"Council"** means the Council of the Town of Watson.
d) **"Dog"** means either male or female dog of the Family Canidae.
e) **"Dog Run"** means any enclosure or structure of any kind whatsoever, designed or used for the harboring or containment of a dog or dogs.
f) **"Livestock"** means cattle, goats, horses, sheep, swine and all other fur bearing animals, but does not include "pets"
g) **"Medical Health Officer"** means a veterinarian registered to practice in the Province of Saskatchewan, who is appointed by the Town of Watson for the purposes indicated in Section 8 of this bylaw.
h) **"Owner"** includes:
    i) a person or persons, partnership, association or corporation who keeps, possesses, harbors; or has care of or control of a dog or cat;
    ii) the person responsible for the custody of a minor where the minor is the owner of a dog or cat;

    but does not include:

    iii) a veterinarian registered pursuant to *The Veterinarians Act, 1987* who is keeping or harboring a dog or cat for the prevention, diagnosis or treatment of a disease or an injury to the cat or dog;
    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.

i) **"Pound"** means such premises and facilities, including the Humboldt SPCA, as may be designated by the Town, from time to time, for the purpose of safely lodging and securing animals seized pursuant to this Bylaw.
j) **"Pound keeper"** means a person, persons, or associations designated by the Village from time to time, to maintain and administer the pound.
k) **"Poultry"** means chickens, ducks, geese, turkeys, pheasants, emus and ostriches.
l) **"Pets"** means animals or birds that are:
    i. Domesticated or tamed and kept as a companion;
    ii. Not raised for profit;
    iii. Not customarily raised for human consumption; and
    iv. Not used for the purpose of transportation.
m) **"Running at Large"** means when the dog, cat or other animal is beyond the boundaries of the land occupied by the owner, possessor or keeper of the said dog, cat, dangerous or other 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 is 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 1: CARE, CONTROL AND LICENSING

3. LICENSING

a) Every owner of a dog or cat three months old or older shall, not later than the 1st day of February in each year, or within 10 days after becoming an owner of a dog or cat, obtain a license for the dog or cat from the Town. The license shall not be transferable to any other dog or cat or other owner. The onus of proof as to the exact date when the owner became the owner of the dog or cat shall be on the owner.
b) The license year for dogs and cats shall be from January 1 to December 31 of the same year. If a One Time License is purchased it shall be valid for the lifetime of the animal it was purchased for and is non-refundable and non-transferable.
c) When applying for a license under this section, the applicant shall provide the Town with a description of the dog or cat, the name and address of the owner, and any other relevant information that may be required by the Town.
d) When issuing a license for a dog or cat, the Town shall supply the applicant with a tag, the form of which and lettering or numerals inscribed or imprinted thereon as may be determined by the Town and a receipt for payment of the license, and the owner shall attach the tag to the collar to be worn around the neck of the dog or cat.
e) The annual license fee shall be the fees set out in Schedule "A" of this Bylaw, provided that where a dog has been declared to be a dangerous dog under the provisions of the Town of Watson Bylaw 07 - 2019, the annual license fee shall be $200.00.

f) A dog that is used as a guide or 'seeing eye' dog by a blind person shall be licensed with the Town and the Town shall issue the license without the prescribed fee.
g) In the event that a tag is lost or destroyed, a duplicate will be issued by the Town upon presentation by the owner of a receipt showing payment of the license fee for the current license year and upon payment of the sum of $5.00 for the issuance of the duplicate.
h) The provisions of this section 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 purpose of the protection and humane treatment of animals.

i) The owner of a dog or cat shall ensure that the dog or cat wears a collar to which is attached a current license tag whenever the dog or cat is off the premises of the owner, provided that this provision shall not apply while a dog or cat is participating in a recognized show, obedience trial or field trial.

4. LIMITS

a) No person within the Town shall harbor or keep more than Two (2) dogs on any one property. If an owner fails or refuses to comply with the provisions of this section, he/she shall be subject to the penalties as set out in Schedule "C" attached hereto and which may be amended from time to time by resolution of council.
b) No person within the Town shall harbor or keep more than Town (2) cats on any one property. If an owner fails or refuses to comply with the provisions of this section, he/she shall be subject to the penalties as set out in Schedule "C" attached hereto and which may be amended from time to time by resolution of council.

PART II: OFFENSES

5. RUNNING AT LARGE

a) No owner of a dog or cat shall permit his dog or cat to run at large in the Town of Watson.
b) When a dog or cat is found running at large, its owner shall be deemed to have failed or refused to comply with the requirements of the previous subsection.

6. SEIZURE AND IMPOUNDING

a) An Animal Control Warden, Pound keeper, or Peace Officer may seize and impound any dog or cat running at large.

b) An Animal Control Warden, Pound keeper, or Peace Officer may enter onto the land surrounding any building in pursuit of any dog or cat that has been observed running at large.
c) No person, whether or not they are the owner of a dog or cat which is being or has been pursued or seized shall:
    i) interfere with or attempt to obstruct an Animal Control Warden, Pound keeper, or Peace Officer who is attempting to seize or has seized any dog or cat in accordance with the provisions of this Bylaw.
    ii) unlock or unlatch or otherwise open the van or vehicle in which dogs or cats seized under this Bylaw have been placed, so as to allow or attempt to allow any dog or cat to escape therefrom.
    iii) remove or attempt to remove any dog or cat from the possession of the Animal Control Warden, Pound keeper or Peace Officer.
d) The Pound keeper shall keep impounded dogs and cats for a period of at least 72 hours, excluding the day of impounding. Sundays and statutory holidays shall not be included in the 72 hour period. During this period the owner may reclaim the dog or cat from the pound upon payment to the Town of the fees set out in Schedule 'B' of this Bylaw.
e) No unlicensed dog or cat that is impounded shall be released to its owner or to any other person until a license has been purchased for it.
f) Where the dog or cat impounded is wearing a collar to which is attached a license tag valid for the current year, the Pound keeper or the Animal Control Warden shall immediately contact the owner by telephone, or in writing, of the seizure of the cat or dog at large at the telephone number or address shown in the Town of Watson licensing records or property tax assessment records. No liability whatsoever shall be attached to the Town, the Animal Control Warden or the Pound keeper by reason of the failure of the owner to receive such notice.
g) Where a dog or cat has not been reclaimed within the period set out in Subsection (d) hereof, or where the owner of a dog or cat has failed or refused to comply within said period, with the conditions set out in Subsections (d) and (e) hereof, the Pound keeper may sell or destroy the dog or cat or give the dog or cat to the Society for the Prevention of Cruelty to Animals.

7. <u>LITTER</u>

a) 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 disposed of in a sanitary fashion. Failure to cause such removal shall be a breach of this Bylaw.
b) The property of a dog or cat owner shall be kept at all times in a sanitary condition, and the removal and disposition of all refuse shall be done in a regular and sanitary manner. Failure to cause such removal shall be a breach of this Bylaw.

8. NUISANCE

a) No owner of a dog or cat shall permit the dog or cat to bark, howl, meow, or otherwise make noise so as to create a nuisance. For the purposes of this section, a dog or cat is creating a nuisance if a person not situated on the property where the dog or cat is located can easily hear the noise being made by the animal.
b) On a complaint made in writing to the Animal Control Warden that any dog or cat has been causing a nuisance, the Animal Control Warden, 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 personally upon the owner or left with some adult person at the residence of the owner.
c) An owner shall be deemed to be in breach of section 7(a) if the Town receives a second or subsequent written complaint that any dog or cat has been causing a disturbance, within 30 days after the expiry of the 48 hour period set out in the notice served on the owner under subsection (b).
d) The owner of a female dog or cat in heat shall keep such dog or cat confined to a house or kennel.

9. RABIES AND OTHER DISEASE

a) In the case of an emergency for any cause, but more particularly for the infectious disease, the Medical Health Officer is authorized to order that no owner shall suffer or permit his dog or cat to be on any place beyond or outside the boundary of the place of residence of the owner at any time, whether on a leash or under proper control, until such order is revoked.
b) The Medical Health Officer may order the compulsory inoculation of any dog or cat.
c) An owner of a dog or cat who neglects or refuses to comply with any order of the Medical Health Officer made under the provisions of this section shall be guilty of an infraction of this Bylaw.

10. DOG RUNS

a) No person shall construct or cause to be constructed a dog run on any property in the Town of Watson within one (1) meter of the property line or within five (5) meters of a neighboring dwelling unit.
b) A dog run shall be constructed of only impervious materials or wood, and no person shall place or allow to be placed any pervious materials within a dog run.
c) A dog run shall be kept at all times in a sanitary condition, and the removal and disposition of all refuse shall be done in a regular and sanitary manner.

11. DOG RESTRAINTS

A dog which is restrained on private property by means other than an approved dog run shall be restrained in the following manner:

a) The restraint shall be of sufficient strength and kept in a state of repair so that the dog will not be able to escape.
b) The restraint shall be constructed of a material that will not allow the dog to chew through.
c) The restraint shall be securely situated in the yard such that it will not allow the dog to approach closer than one (1) meter to the owner's property line or any other property line.
d) The restraint shall secure the dog or cat in a humane manner.

12. BEES, LIVESTOCK, POULTRY, EXOTIC AND WILD ANIMALS

No person shall keep bees, livestock, poultry or animals or a hybrid of the animals of the kind listed in Schedule "E" within the Town.

a) Section 12 (a) does not apply to the following places or circumstances;
    i. In a veterinary clinic under the care of a licensed veterinarian;
    ii. A zoo or travelling circus, provided they hold a valid license from the Province of Saskatchewan or the Government of Canada, and have attained a business license from the Town.
    iii. An agricultural display sponsored by a 4-H Club or other similar organization, in a petting zoo, in a community parade, in a pony ride for children, or in another similar activity.

13. HUMANE DESTRUCTION OF SICK AND INJURED ANIMALS

a) The Animal Control Officer, Veterinarian or other person appointed by Council may take immediate action to humanely destroy any sick or injured animal found within the Town where, in their opinion, immediate destruction of the animal is necessary in order to avoid unnecessary suffering by the animal.
b) Reasonable efforts shall be made to contact the owner of an animal before it is destroyed pursuant to section 13(a). However, no action lies against the Animal Control Officer, Veterinarian or other person appointed by Council solely because the owner of the animal was not contacted.

14. ANIMAL TRAPS

Animal traps for use within Town limits must be obtained from the Animal Control Officer. Conditions for the use of animal traps is detailed in Schedule "E", attached hereto and forming a part of this Bylaw.

15. GENERAL VIOLATIONS

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.
b) No person shall keep an animal in an unsanitary condition within the municipality. Conditions shall be considered unsanitary where the keeping of the

animal results in an accumulation of fecal matter, an odor, insect infestation or rodent attractants which endanger the health of the animal or any person, or which disturb or are likely to disturb the enjoyment, comfort or convenience of any person in or about any dwelling, office, hospital or commercial establishment.

c) Any owner of a dog, or any person having responsibility for or custody of a dog which:
    i. Bites or chases a person or other animal;
    ii. Bites, barks at or chases any motor vehicle or bicycle;
    iii. Causes any damage whatsoever to any property or any injury whatsoever to any person or other animal; whether or not the dog is then running at large, shall be in violation of this Bylaw.

16. PENALTIES

a) Any person who contravenes any of the provisions of this Bylaw or neglects or fails to comply therewith or with any notice given thereunder shall be guilty of an offence and liable upon summary conviction to:
    i. In the case of an individual, to a fine of not more than $2,000.00; and;
    ii. In the case of a corporation, to a fine of not more than $5,000.00.
b) Conviction of a person for breach of any provision of this Bylaw does no relieve him/her from compliance with the Bylaw, and the convicting Justice of the Peace or Judge of the Provincial Court may, 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 this Bylaw or to remedy any breach thereof.
c) A person who fails within the period specified in an Order under subsection (b) to comply with the Order is guilty of an offence and liable upon summary conviction to a fine of $200.00 for each day during which the breach continues.

17. PENALTY NOTICE

a) Where an Animal Control Warden or Peace Officer believes that a person has contravened the provision of this Bylaw, he/she may by personal service, serve or cause to be served upon such person a notice as provided by this section.
b) The Notice shall be in a form similar to that provided in Schedule ‘C’ of this Bylaw and shall indicate thereon the Section of the Bylaw that was contravened and the amount of the penalty to be paid.
c) Upon production of the Notice issued pursuant to subsection (a) within ten (10) days from the date of service together with payment as indicated on the Notice from the Animal Control Warden, the person to whom the Notice was issued shall not be liable for prosecution for the contravention in respect of which the Notice 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 offence and thereafter the provisions of this section shall not apply with respect to that offence.

18. REPEAL OF BYLAW

Bylaw No. 06-2019 is hereby repealed.

19. COMING INTO FORCE

This Bylaw shall come into force upon its final reading

Read a third time and adopted
This 11 day of March 2021.

_____
Mayor

_____
Chief Administrative Officer

TOWN OF WATSON
BYLAW 2021-03
SCHEDULE 'A'

LICENSE FEES

DOGS:

a) Male/Female …….	$10.00
b) One Time Dog License (Neutered/Spayed)...	$50.00
c) One Time Dog License (Intact)…….	$100.00
d) Lost Dog License Replacement Fee …….	$5.00

CATS:

a) Male/Female …….	$10.00
b) One Time Cat License (Neutered/Spayed)…	$50.00
c) One Time Cat License (Intact)……..	$100.00
d) Lost Cat License Replacement Fee …….	$5.00

DANGEROUS ANIMAL:

a) Any animal declared dangerous ……...	$500.00
b) Lost License Replacement Fee …….	$5.00

_____
Mayor

_____
Chief Administrative Officer

TOWN OF WATSON
BYLAW 2021-03
SCHEDULE 'B'

1. IMPOUNDMENT FEES
   a)
      i. First Impoundment (In the calendar year) ……...$50.00
      ii. Second Impoundment (In the calendar year) ……..…..…$75.00
      iii. Third Impoundment (In the calendar year) ……$100.00
      iv. Fourth & Subsequent Impoundment (In the calendar year)…$150.00

   b) Care and sustenance Fee - $25.00 per day
   c) Veterinary Expenses – amount expended
   d) Destroying of animal – amount expended
   e) Pick up fee - $50.00

2. The cost for impounding a dangerous animal will be $50.00 per day.

3. In addition to the above costs, if a dog or cat does not have a current and valid license issued pursuant to Section 3 of this bylaw, an additional charge of $10.00 shall be levied to cover additional costs incurred by the Town in attempting to determine the name of the owner of the dog or cat for the purpose of notifying the owner that his dog or cat has been impounded.

_____
Mayor

_____
Chief Administrative Officer

TOWN OF WATSON
BYLAW 2021-03
SCHEDULE 'C'

TOWN OF WATSON
BYLAW ENFORCEMENT DEPARTMENT

Date of Issue: _____

This Official Notice is issued for breach of Bylaw 2021-03, the Dog and Cat Control Bylaw.

OFFENCE

- Section 3 – Failure to obtain a dog or cat license.
- Section 4 – Exceeding animal limits.
- Section 5 – Running at large.
- Section 7 – Failure to remove animal feces on Private Property
- Section 8 – Nuisance by barking, howling, meowing or other noise.
- Other – Specify:

  _____
  _____

Penalty: $_____

If the penalty is not received by: _____ A summons requiring your appearance in Magistrate's Court will be issued.

_____ _____ _____
License NO. Date Time

Description of ( )dog ( )cat ( )female ( )male
_____
_____

Location of Offence_____

Owner Name &
Address:_____
_____

_____
Issued by:

TOWN OF WATSON

BYLAW 2021-03
SCHEDULE 'D'

Offence	**Minimum Fine**		
	1st Offence	2nd Offence	Subsequent
a) Failure to license a cat or dog [Section 3]	$200.00	$400.00	$600.00
b) Failure to attach valid license when a cat, dog or dangerous animal is off the owners premises [Section 3]	$60.00	$200.00	$300.00
c) cat or dog being at large [Section 5]	$100.00	$200.00	$500.00
d) Dangerous Animal at large [Section 5]	$400.00	$800.00	$2000.00
e) Exceeding limit of dogs or cats [Section 4]	$100.00 for each animal exceeding limit		
f) Failure to immediately remove a dog or cat's feces from public or private property other than the property of the dog or cat's owner [Section 7]	$100.00	$200.00	$500.00
g) cat or dog creating a nuisance by barking, howling, meowing, or making some other noise [Section 8]	$100.00	$200.00	$500.00
h) teasing an animal or keeping unsanitary conditions [Section 15]	$100.00	$200.00	$500.00
i) dog bites or chases a person or other animal; causes property damage or any injury whatsoever to any person or other animal [Section 15]	$500.00	$1000.00	$3000.00

TOWN OF WATSON
BYLAW 2021-03
SCHEDULE 'E'

Date: _____

Trap No.: _____

The undersigned agrees to the following terms and conditions:

1. To place the cat trap only on his or her property;
2. To personally check the cat trap regularly where it has been set;
3. In the event a cat is trapped, immediately call the town office at 306-287-3224;
4. To treat the trapped animal humanely until it is picked up by a Town of Watson Employee, Animal Control, or the Bylaw Enforcement Officer;
5. To allow any Town Employee, Animal Control, or Bylaw Enforcement Officer on the property to ensure the trap is being used properly;
6. To return the trap within 7 days from the date of this permit;
7. And to be responsible for the trap, including the cost of repair and replacement if damaged, lost or stolen.

Address of intended location of trap: _____

Name: _____

Phone Number: _____

_____ _____
Signature of Borrower Witness

Date Trap Returned: _____

Received by: _____

TOWN OF WATSON
BYLAW 2021-03
SCHEDULE 'F'

Section 12 – A list of animals the keeping of which is prohibited within the Town of Watson.

- All Arachnids dangerous to humans (scorpion, tarantuals)
- All Artiodactyla Ungulates (goats, sheep, cattle, pigs)
- All Bats
- All Canids, except the domestic dog
- All Crocodilians
- All Edentates (anteater, sloth)
- All Elephants
- All Felids, except the domestic cat
- All Hyenas
- All Marsupials (opossum, kangaroo)
- All Mustelids, except the domestic ferret (skunk, Weasle)
- All non-human Primates (gorilla, monkey)
- All Perissodactyla Ungulates (horse, mule)
- All Pinnipeds (seals)
- All Procyonids (raccoons)
- All Raptors, diurnal and nocturnal (eagle, hawk, owl)
- All Ratite birds (rheas)
- All Galliformes (Poultry)
- All Anseriformes (duck, geese)
- All Snakes of the families Pythonidae and Boidae
- All Ursids
- All venomous Reptiles and Amphibians
- All Viverrids (mongoose)

Examples of animals given in parentheses shall not be construed as limiting the generality of the group.