

Village of Quill Lake

BYLAW NO. 2-24

A BYLAW OF THE VILLAGE OF QUILL LAKE IN THE PROVINCE OF SASKATCHEWAN TO REGULATE, CONTROL AND PROHIBIT THE OWNERSHIP AND POSSESSION OF CERTAIN ANIMALS

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

1. This bylaw may be cited as “**The Animal Control Bylaw**”.

DEFINITIONS

2. IN THIS BYLAW:

“**Animal**” means dogs, cats and all other domestic animals;

“**Bylaw Enforcement Officer**” is any corporation, person or persons engaged by or appointed by the Village for the purposes of checking for licenses, capturing and impounding animals under the provisions of this bylaw;

“**At large**” means if the animal is off the premises of its owner, unless the animal is both on a leash not exceeding two meters in length and is under proper control;

“**Administrator**” is the person appointed as the Designated Officer for the Village or his/her duly authorized representative or designate;

“**Dog Run**” shall mean a permanent structure outside of a residential dwelling unit, used for the containment of a dog;

“**Judge**” shall mean a provincial court judge or a justice of the peace;

“**Municipality or Village**” means the corporation of the Village of Quill Lake and the area contained within the boundaries of the Village of Quill Lake, as the context requires;

“**Owner**” includes: A person who owns or who has possession of, or control over, an animal; and the person responsible for the custody of a minor, where the minor is the owner of the animal;

“**Pound keeper**” means a person, corporation, society or organization as may from time to time be appointed by the municipality for the purpose of retaining impounded animals pursuant to this Bylaw;

“**Public Playground**” means the area containing playground equipment in any park or Municipal Reserve owned by the Village or under the management and control of the Village;

“**SPCA**” means the Humboldt and District SPCA

PART III – GENERAL

3. DOGS BARKING OR HOWLING

3.1. No person who owns or keeps a dog or allows it to stay in the owner’s premises shall allow such dog to bark excessively or howl excessively;

3.2. Any person who allows a dog to bark or howl excessively shall be deemed guilty of an infraction of this bylaw;

3.3. Any person who hears a dog barking or howling excessively and can positively identify the animal, can file a written complaint at the Village Office. Written complaints must include information as set out in Form 1 attached to this bylaw;

3.4. The municipality may issue a written order if there is anything in the physical environment that the dog is being kept in that can be remedied that would prevent said dog from barking or howling;

3.5. The municipality may apply to a judge to have a dog that barks or howls excessively muzzled, fitted with a collar or device that deters barking or permanently removed from the municipality at the owner's expense; and,

3.6. The municipality may issue a written infraction notice, in the appropriate Municipal form, under this Bylaw or the Municipal Noise Bylaw.

4. RUNNING AT LARGE AND PROHIBITED AREAS

4.1. No animal shall run at large in the municipality;

4.2. If an animal is found to be running at large the owner shall be deemed to have permitted the animal to be at large unless the owner proves to the satisfaction of the court that at the time of the offence the owner did all that was reasonable to prevent the animal from being at large;

4.3. Any person who sees an animal running at large, and can positively identify the animal, can file a written complaint at the Village Office. Written complaints must include information as set out in Form 1 attached to this bylaw;

4.4. The Bylaw Enforcement Officer or any other person designated by the municipality will attempt to capture any animals found running at large and place them in the Municipal pound; and,

4.5. Any animal found running at large that attacks or bites a person shall be dealt with under the Dangerous Dogs Act, at the owner's expense and;

4.5.1. Destroyed in accordance with any order or recommendation by a medical health officer; or,

4.5.2. Permanently removed from the municipality.

5. ANIMAL LIMITS

5.1. No person within the Village of Quill Lake shall harbor or keep more than a total of three (3) dogs and three (3) cats, on any property. This clause will apply for the lifetime of the animal. If an owner fails or refuses to comply with the provisions of this section, the penalties are as set out in Schedule 'E' attached hereto and which may be amended from time to time by resolution of Council;

5.2. Livestock is not permitted within the Municipality with no exceptions:

6. PROHIBITED ANIMALS

6.1. No person shall own or harbor any animal, or hybrid of any animal, of the kind listed in Schedule A for any purpose.

7. DANGEROUS ANIMALS

7.1 Control of dangerous dogs in Saskatchewan is governed by provincial legislation and all owners must comply with this statute or any orders under this statute.

8. OWNING and HARBOURING OF DOGS

8.1 Where an owner possesses a dog that displays outward signs of aggression such as threatening, barking, growling, snapping, lunging, frothing at the mouth, etc., such owner shall ensure that the dog is properly restrained or contained whether it is on or off its own property; and;

8.2. Where a dog displays aggressive behavior as described in subsection 11.1, the owner shall ensure that proper precautions have been taken to prevent the dog from escaping from its harbored property and that children of tender age cannot gain access to the property or the dog;

8.3. Where a municipality believes an owner has not taken the necessary precautions to contain an aggressive dog as required in subsection 11.2, the municipality may issue a written order requiring the owner of the property to remedy any lack of physical containment as identified by the municipality;

8.4. An order written under subsection 11.3 is not limited to the following but may contain any or all of the following requirements:

8.4.1. Repair or construction of a property line fence;

8.4.2. Repair or construction of a dog run;

- 8.4.3. Physically moving the dog run or containment area of the dog from one area of the property to a more suitable area on the property;
- 8.4.4. Locking of perimeter fences or dog runs; and
- 8.4.5. Posting warning signs on the perimeter of the property advising the public of the presence of a dog of an aggressive nature.

9. LITTER CLEAN UP

- 9.1. If an animal defecates on any public or private property other than property belonging to the owner of the pet, the owner of the animal shall remove the defecation immediately;
- 9.2. Any person who owns, possesses, or harbors an animal and fails to remove the defecation as set out in Subsection 12.1 shall be deemed guilty of an infraction of this bylaw.

10. ACCUMULATION OF ANIMAL FECES

- 10.1. An owner or occupant of private property must not allow animal feces to accumulate on the property so as to create a health hazard;
- 10.2. Any person who owns, possesses, or harbors an animal and fails to clean up as set out in Subsection 13.1 shall be deemed guilty of an infraction of this bylaw;
- 10.3. The Bylaw Enforcement Officer may serve an owner or occupant of private property with a written order to remove all animal feces from the property within seventy-two(72) hours of service of notice;
- 10.4. The municipality may remove the feces from the property at the cost of the property owner's if:
 - 10.4.1. The person to whom the notice is made fails to remove the feces within seventy-two (72) hours; or,
 - 10.4.2. After reasonable inquiry, the whereabouts of the owner or occupant of the property cannot be determined.

11. ORDERS TO REMEDY CONTRAVENTIONS

- 11.1. Inspections to determine if a written order should be issued under this Bylaw shall be carried out in accordance with the Municipalities Act;
- 11.2. Orders given under this Bylaw shall comply with the Municipalities Act;
- 11.3. Orders given under this Bylaw shall be served in accordance with the Municipalities Act;
- 11.4. A person may appeal an order given under this Bylaw in accordance with the procedure set forth in the Municipalities Act;
- 11.5. The municipality may, in accordance with the Municipalities Act, take whatever actions or measures necessary to ensure that an order given under this Bylaw is fully complied with;
- 11.6. In an emergency, the municipality may take whatever actions or measures are necessary to eliminate the emergency in accordance with the Municipalities Act;
- 11.7. Any unpaid expenses and costs incurred by the municipality that an order given under this Bylaw is fully complied with may be recovered either:
 - 11.7.1. By civil action for debt in a court of competent jurisdiction in accordance with the Municipalities Act; or,
 - 11.7.2. By adding the amount to the taxes on the property on which the work is done in accordance with the Municipalities Act.

12. POUND/POUND FEES

- 12.1. The Bylaw Enforcement Officer or Pound keeper may take any animal found running at large, contrary to the provisions of this bylaw, to the municipal pound where it shall be kept for Seventy-Two (72) hours unless the owner, possessor, or harbourer redeems the animal by paying to the Village:
 - 12.1.1. The applicable pound fee as set out in Schedule "B" for the care and keep of each animal; and,
 - 12.1.2. All related fines assessed against the animal; and,
 - 12.1.3. In the case of a dog over the age of six months being impounded, a dog license fee if one has not yet been purchased;
- 12.2. The municipality may, in its sole discretion, destroy, find a suitable home for, or turn over to the SPCA any animal which has not been redeemed within seventy-two (72) hours. The Village may turn an animal over to the SPCA before this period expires if it is determined that the municipality cannot sufficiently provide for the animal's well-being or security.

13. VIOLATIONS

13.1. Except as otherwise provided in this bylaw, every person who contravenes any of the provisions of this bylaw is guilty of an offense and liable on summary conviction:

13.1.1. In the case of an individual, to a fine of not less than the mandatory minimum fine prescribed in Schedule C and not more than \$2,000; and

13.1.2. In the case of a corporation, to a fine of not less than the mandatory minimum fine prescribed in Schedule C and not more than \$5,000.

13.2. Notwithstanding Subsection (1), if no Notice of Violation has been issued for a period of three years or more in relation to a contravention, then a subsequent contravention of the section of the bylaw is deemed to be a first offence;

13.3. Any person convicted of an offence under Section 7 shall, within ten days thereafter, deliver all animals of the kind listed in Schedule A owned, kept or harbored by that person to the Bylaw Enforcement Officer and they shall become the property of the municipality and shall be donated to an approved agency or humanely euthanized;

13.3.1. Any person who fails to deliver an animal as required in Subsection 16.3 is guilty of an offence and liable on summary conviction to the penalty contained in Subsection 16.1.

13.4. At the discretion of the Village Council, a warning ticket may be issued for contravention of any of the provisions of this bylaw.

13.5. A violator of this bylaw, upon being served with the municipality's standard Notice of Violation may, during office hours, voluntarily pay the penalty at the office of the municipality.

13.6. Voluntary payment of a penalty within fourteen (14) days of the issuance of a Notice of Violation will reduce the penalty by 50%.

14. SEVERABILITY

If any section, subsection, sentence, clause, phrase or other portion of this bylaw is for any reason held invalid or unconstitutional by a Court of competent jurisdiction, that portion shall be deemed a separate, distinct and independent provision and the holding of the Court shall not affect the validity of the remaining portions of the Bylaw.

15. REPEAL

Bylaw 7-18 is hereby repealed

16. COMING INTO FORCE

This bylaw shall come into force and take effect on the day of its final passing.

Introduced and read a first time this 12th day of April, 2024

Given Second Reading this 12th day of April, 2024

Given Final Reading and hereby be adopted this 12th day of April, 2024

MAYOR

CAO

**SCHEDULE “B”
POUND FEES**

A. IF HOUSED BY THE MUNICIPALITY ONLY

- a. DOGS - \$90.00 per dog plus \$25.00 per day with a minimum fee of \$105.
- b. CATS - \$90.00 per cat plus \$25.00 per day with a minimum fee of \$105.
- c. DOGS/CATS Unlicensed – Subject to a \$200.00 fee as well as daily charges

B. IF HOUSED BY THE SPCA

All municipal pound fees shall apply, \$100.00 transportation fee and any fees charged by the SPCA.

**SCHEDULE “A”
PROHIBITED ANIMALS**

Being a list of animals the keeping of which is prohibited within the Village of Quill Lake.

- All arachnids dangerous to humans (such as scorpions, tarantulas)
- All Artiodactylous Ungulates, such as domestic goats, sheep, pigs and cattle
- All bats
- All canids, except the domestic dog
- All crocodylians (such as alligators, crocodiles and caimans)
- All Edentates (such as anteaters, sloths and armadillos)
- All felids, except the domestic cat
- All marsupials (Such as kangaroos and opossums)
- All mustelids (such as skunks, weasels, otters and badgers) except the domestic ferret
- All Rodents (such as rats, mice) except gerbil, hamster, guinea pig
- All non-human primates (such as gorillas and monkeys)
- All perissodactyls ungulates, such as the domestic horse, mule and ass
- All pinnipeds (such as seals, fur seals, and walruses)
- All procyonids (such as raccoons, coatis and cacomistles)
- All raptors, diurnal and nocturnal (such as eagles, hawks and owls)
- All ratite birds (such as ostriches, rheas, and cassowaries)
- All snakes
- All ursids (bears)
- All venomous reptiles and amphibians
- 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

SCHEDULE "C"
MINIMUM FINES PURSUANT TO SECTION 14

DESCRIPTION OF OFFENCE (Section 3)	1st OFFENCE	2nd OFFENCE	SUBSEQUENT
Excessive Barking or Howling	\$100	\$200	\$200
(Section 4) Running at Large	\$100	\$200	\$200
(Section 5) Neglects or Refuses to Clean Up Defecation	\$100	\$200	\$200
(Sections 11 & 12) Failure to obey order of Bylaw Enforcement Officer	\$100	\$200	\$200

FORM 1 – COMPLAINT



Village of Quill Lake
60 Main, Box 9
Quill Lake SK S0A 3E0
Ph: (306) 383-2592

NAME OF COMPLAINANT: _____

ADDRESS OF COMPLAINANT: _____

PHONE NUMBER: _____

DATE & TIME OF INCIDENT: _____

NAME & ADDRESS OF PERSON OR PERSONS RESPONSIBLE FOR INCIDENT IF KNOWN:

PARTICULARS OF COMPLAINT:

Date: _____

Signature: _____

OFFICE REFERENCE:
