

BYLAW NO. 2-05

A BYLAW OF THE TOWN OF WOLSELEY, IN THE PROVINCE OF SASKATCHEWAN, FOR THE CONTROL, REGULATION, LICENSING AND PROHIBITION OF DOGS WITHIN THE TOWN OF WOLSELEY.

THE COUNCIL OF THE TOWN OF WOLSELEY, IN THE PROVINCE OF SASKATCHEWAN, ENACTS AS FOLLOWS:

1. That Bylaw No. 1-75 passed on the 8th day of December 1975 and Bylaw No.2-80 passed on June 9, 1980 be hereby repealed.
2. This Bylaw shall be known as the "Dog Bylaw".

Interpretation

1. For the purpose of this bylaw the expression:
 - a) "dog" shall mean either male or female over 6 months old.
 - b) "municipality" shall mean the Town of Wolseley
 - c) "pound" shall mean the compound at the Town Shop
 - d) "running at large" shall mean when the dog is beyond the boundaries of the land occupied by the owner, possessor, or harbored of the said dog, 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.
 - e) "public nuisance" with respect to the activities of any dog includes but is not limited to repeated barking, howling, whining, yelping; chasing of vehicles, persons or other animals; scattering of garbage or debris; defecating on public or private property; digging in public or private flowerbeds or gardens;

License:

- 2.(a) Every person within the municipality who owns, possesses or harbors a dog shall obtain a license from the Town Administrator
 - (b) The license shall be in effect from January 1st to December 31st of a calendar year, and shall be obtained on or before January 31st of the current year.
 - (c) A dog owned by a sightless person and used as a guide, shall be registered and licensed as provided in this Bylaw, but without charge.
 - (d) The license fee shall be:
 - (i) For each dog\$5.00
 - (e) The sum payable for a license required after June 30th shall be one-half of the charge for a full year.
3. Every person to whom a license has been issued under this bylaw shall cause his dog to wear a collar to which shall be attached the license tag issued by the municipality pursuant to this bylaw and a person to do shall be guilty of an infraction of this bylaw.

Dangerous Dogs

4. "Dangerous dog" shall mean:
 - (a) any dog with a known propensity, tendency or disposition to attack without provocation, other domestic animals or humans; or
 - (b) any dog which has bitten another domestic animal or human without provocation, or
 - (c) No person shall keep, possess or harbor a dangerous dog within the

corporate limits of the Town of Wolseley.

5. If a complaint is made that a dog has bitten or attempted to bite a person and it appears to the judge or justice of the peace hearing the complaint that the dog is dangerous the judge or justice of the peace may make an order

(a) directing that the dog be kept by the owner or keeper under proper control,
or

(b) directing that the dog be destroyed or naming a person to destroy the dog.

Control and Care of Dogs

6. No person being the owner or a person in charge of a dog, shall permit such dog to be running at large within the Town of Wolseley.

7. No person, being the owner, or a person in charge of a dog shall permit the dog to be a public nuisance.

8. In the event a complaint is received that a dog is being a public nuisance, the RCMP or the Dog Control Officer shall investigate the complaint and if the complaint is justified, shall notify the owner of the dog of the complaint, and shall request the owner to prevent the dog from doing those things that create a public nuisance.

9.. Every person who, being in charge of a dog, permits or otherwise allows the dog to defecate on any public property or any private property other than his own shall immediately collect and remove any matter so deposited and shall, as soon as practicable, dispose of the fecal matter in a sanitary manner.

10. Any person in charge of a dog, which defecates on public property or on any private property without the owner's permission and who fails to immediately collect, remove and dispose of such fecal matter is guilty of an offense and subject to a fine of \$25.00.

11. Every person who keeps a dog on private property within the Town of Wolseley shall, at least every 48 hours, inspect the area where the dog is kept and shall remove all exposed fecal matter from the area and dispose of it in a sanitary manner.

Regulations Regarding Numbers of Dogs per Household

12. No person shall possess or harbor more than two (2) dogs, in each household, except in the case that if that household has a litter of pups, the said pups need to be sold, given away by the time they are three months old.

13. Any household that already has more than 2 dogs in their household as of the date of the passing of this bylaw, shall be permitted to keep their existing number of dogs. In the event they lose any of their existing dogs to death, etc., they are not permitted to increase the number of dogs in their household to more than two (2).

Infraction of Bylaw

14. Any person residing in the municipality who owns, possesses, or harbors a dog, and neglects or refuses to take out a license therefor shall be deemed guilty of an infraction of this bylaw.

15. No dog shall run at large in the municipality.

16. A person who owns, possesses, or harbors a dog found running at large shall be deemed guilty of an infraction of this bylaw.

17. Any person may take any dog found running at large contrary to the provisions of this bylaw to the pound, where it shall be kept for a period of 3 days unless the owner, possessor, or harbored redeems the dog by paying

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the Town Administrator or poundkeeper the sum of \$50.00 in addition to an impoundment fee of \$50.00 per day, vaccination fees, license fees and/or any other costs which may be charged and levied by the Town of Wolseley.

18. The poundkeeper or at his request, any other person may destroy any dog which has not been redeemed within the 3 day time period as specified in this bylaw.

19. Every person residing in the municipality who owns, possesses or harbors a dog which creates a disturbance to the annoyance or discomfort of other persons residing in the neighborhood, or to the public at large is guilty of an infraction of this bylaw.

Penalties

20. A person found guilty of an infraction of any of the provisions of this bylaw shall be liable on summary conviction to a penalty of \$50.00 for the first infraction and \$50.00 for each additional infraction.

21. 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, and upon payment as so provided, that person shall not be liable to prosecution of the offense.

22. A person who fails to comply with an order made pursuant to section 5 (1) Dangerous Dogs) is liable to a fine of not more than \$40.00 for each day during which the failure continues.

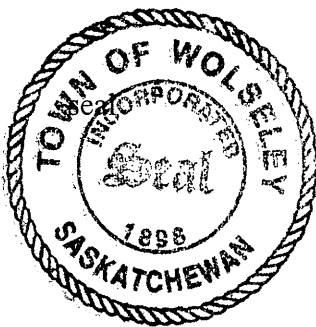
23. The Notice of Violation shall be in Form "A", attached to and forming part of this bylaw.


24. This bylaw shall come into force on the day of final reading.

READ A FIRST TIME this 16th day of February, 2005

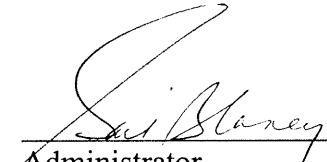
READ a second time this 16th day of February, 2005

READ A THIRD TIME and passed on March 1, 2005



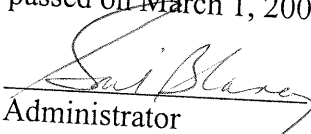


Mayor

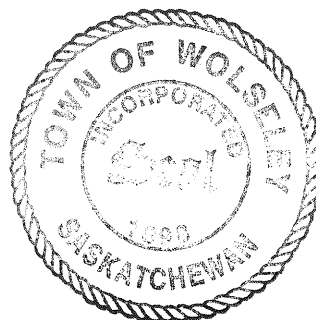


Administrator

Certified to be a true
copy of Bylaw No. 2-05
of the Town of Wolseley
passed on March 1, 2005



Administrator



NOTICE OF VIOLATION

DOGS RUNNING AT LARGE OR OTHER INFRACTION

OWNER'S NAME _____

OWNER'S ADDRESS _____

DETAILS OF OFFENSE

DATE: _____ TIME _____ a.m/p.m.

DESCRIPTION OF DOG _____

LICENSE NO. _____

LOCATION OF VIOLATION _____

SERVED BY: _____

(to be signed by Complainant or person impounding the dog)

You are charged with violation of Bylaw No. 2-05

Section (s) _____

The penalty for violation of Section (s) _____ is \$ _____

You may make Voluntary Payment of the above penalty at the Town Office, Wolseley, Sask. or mail the fine amount to the Town of Wolseley, Box 310, Wolseley, Sask. SOG 5H0 within (3) days from the date of service of the 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 penalties provided under Sections 20 and following of the said Bylaw.

Town Administrator