



Responsible Pet Owner Bylaw

The Council of the TOWN of ST. WALBURG in the Province of Saskatchewan enacts the following:

PART I: INTERPRETATION

Purpose of Bylaw

1. The purpose of this Bylaw is to regulate registration, care, and control of pets within the Town of St. Walburg.
2. This Bylaw may be cited as the *Pet Bylaw*.

Responsibility

3. The Bylaw Enforcement Officer(s) as appointed by Council and set out in Bylaw 2021-06 shall be responsible to inform and consult with Council in matters regarding Nuisance Animals, Dangerous Animals, and Seizure and Impounding of Pets.

PART II: REGISTRATION, CARE, AND CONTROL OF PETS

Registration of Pets

4. Every owner of a dog or cat within the Town will receive a valid Pet licence tag at no charge; this is a one-time registration and does not require renewal.
5. In the case that a licence tag is lost or damaged or becomes illegible, a replacement licence tag may be requested from the Town Office and a fee charged as per Appendix A.
6. Pet owners may provide the Town Office with a description and/or photograph of the animal to ensure that, if they get loose without a collar and tag, they are easily returned to their owner.

Housing and Control of Pets

7. The owner or any other person having care or control of a Pet shall at no time allow the Pet to run at large.
8. When not on the owner's private property, Pets must be under a person's control at all times.
9. A Pet will be considered to be at large when:
 - a. The Pet is beyond the boundaries of the land occupied by the owner or any other person having care or control of the Pet;
 - b. The Pet is beyond the boundaries of any lands where the Pet may be, with the permission of the owner or occupant of said land, and not securely confined within an enclosure;
 - c. Not securely fastened or leashed, thereby enabling the Pet to roam at will.
10. Defecation:
 - a. Any person having care or control of a Pet will immediately remove any defecation left that animal on public or private property other than the private property of the animal's owner and dispose of it in a sanitary fashion;

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- b. The owner or any other person having care or control of a Pet will ensure that defecation on the property of the owner does not accumulate to such an extent that it may cause a nuisance and/or health risk to others.

Abandoned and Nuisance Animals


- 11. Pets not living with their Owner and at a vacant property shall be considered abandoned and subject to seizure and impoundment.
- 12. Nuisance Animals:
 - a. The owner of a Pet shall take all measures to prevent any nuisance behavior;
 - b. The Bylaw Enforcement Officer may declare any animal to be a nuisance animal;
 - c. The declaration of a Pet as a nuisance animal shall be reviewed annually by the Bylaw Enforcement Officer.

Dangerous Animals

- 13. No person shall keep or harbour a Pet or animal that has been declared by a Judge to be a Dangerous Animal within Town limits, except as permitted by the Town.
- 14. Sections 374 – 380 of *The Municipalities Act* applies in all circumstances.
- 15. Where a Pet or animal has been declared dangerous pursuant to Section 375 of *The Municipalities Act*, the owner of the Pet or animal shall:
 - a. Within ten (10) days of the date of the order of the Judge declaring the Pet or animal to be dangerous, or within ten (10) days of the Pet or animal being kept or harboured with the Town of St. Walburg in accordance with subsection (a), at the owner's expense, display a sign on the owner's premises warning of the presence of the Pet or animal;
 - b. Ensure a sign required by subsection (i) shall be placed and maintained, in good condition, at each entrance to the premises and residence where the Pet or animal is kept and on the enclosure in which the Pet or animal is confined;
 - c. A sign required by subsection (i) shall be clearly visible and capable of being read from any adjacent public road.

Seizure and Impounding

- 16. The Bylaw Enforcement Officer or designate is authorized to capture and impound, using a humane trap or by such other means as are deemed reasonable:
 - a. Pets found in contravention to this Bylaw;
 - b. Pets which are found wounded, distressed, abandoned or diseased.
- 17. The Bylaw Enforcement Officer or designate may humanely house impounded Pets.
- 18. Any person may restrain any Pet running at large or injured and deliver the Pet to the Bylaw Enforcement Officer or Town Office.
- 19. The Bylaw Enforcement Office will keep a record of all impounded Pets.
- 20. In the event a Bylaw Enforcement Officer or designate is required to release a distressed Pet from a locked vehicle, any cost associated with the release of said animal shall be at the owner's expense.
- 21. Any impounded Pets requiring veterinarian attention will be provided all reasonable care at the owner's expense.
- 22. Notification of Seizure or Impounding:
 - a. If the Bylaw Enforcement Officer knows or can ascertain the owner of any impounded Pet, whether licenced or unlicenced, they will notify the owner as soon as possible;

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- b. If the Pet's owner cannot be determined or located, the Bylaw Enforcement Officer will post notice by all public means available giving a description and/or photograph of the Pet with details as to when and where it was impounded.
- 23. Interfering with the seizure or impounding of a Pet:
 - a. No person will interfere with the Bylaw Enforcement Officer who is attempting to seize or has seized any Pet within the provisions of this Bylaw;
 - b. Remove or attempt to remove impounded Pets.
- 24. If the Bylaw Enforcement Officer is unable to determine the owner of an impounded Pet within a minimum period of 72 hours, not including weekends and holidays, they may release the Pet to a recognized rescue agency, SPCA, or local veterinarian.

Communicable Diseases

- 25. If a Pet is suspected to have a communicable disease, the owner or Bylaw Enforcement Officer must:
 - a. Isolate the Pet in a manner that will prevent further spread of the disease;
 - b. Seek an assessment by a veterinarian;
 - c. Follow the orders of such veterinarian and any government officials who have authority to issue such orders.

PART III: ENFORCEMENT, INSPECTIONS, OFFENCES, AND PENALTIES

General Provisions


- 26. Animals found within the Town in contravention of this Bylaw may be impounded and released to an appropriate person or agency.
- 27. No action shall be taken against any person acting under the authority of this Bylaw for damages, injury, destruction, or other disposal of any Pet or other animal captured, impounded or otherwise in the care of the Town.

Inspections

- 28. The inspection of property by the Municipality is authorized to determine Bylaw compliance.
 - a. Inspections under this Bylaw shall be carried out in accordance with Section 362 of *The Municipalities Act*.
 - b. No obstruction or interference with any Designated Officer(s) acting under the authority of this Bylaw shall be permitted.
 - c. Notwithstanding subsections 1 of Section 362 of *The Municipalities Act*, a Designated Officer shall not enter any place that is a private dwelling without:
 - i. The consent of the owner or occupant of the private dwelling; or
 - ii. A warrant issued pursuant to Section 363 of *The Municipalities Act*, authorizing entry.

Order to Remedy Contravention

- 29. If a Designated Officer finds a contravention of this Bylaw, the Designated Officer may, by written order, require the owner or occupant of the property to which the contravention relates, to remedy the contravention according to Section 364 of *The Municipalities Act*.

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30. The Designated Officer may direct an owner or occupant to take any action or measures necessary to remedy the contravention of this Bylaw, in accordance with Section 364 of *The Municipalities Act*, so as to prevent a recurrence of the contravention.
31. If an Order to Remedy Contravention is issued, the Municipality may give notice of the existence of the order by registering an interest against the title to the property and land that is the subject of the order, in accordance with Section 364 of *The Municipalities Act*.

Appeal of Order to Remedy Contravention

32. An owner or occupant may appeal an order in accordance with Section 365 of *The Municipalities Act*.

Municipality Remedying Contraventions

33. The Municipality may, in accordance with Section 366 of *The Municipalities Act*, remedy contraventions to this Bylaw as follows:
- a. If any person has failed to comply with an Order to Remedy Contravention, the Designated Officer will, at the direction of Council, serve a Notice of Violation as per Bylaw 2022-xx, requiring the owner or occupant of the property to immediately remedy the contravention;
 - b. Failure to comply with a Notice of Violation allows the Municipality to take whatever actions or measures are necessary to remedy a contravention of this Bylaw;
 - c. Orders given under this Bylaw shall comply with Section 364 of *The Municipalities Act* and shall be served in accordance with Section 390 of *The Municipalities Act*.

Enforcement of Bylaw

34. Enforcement of this Bylaw is hereby delegated to the Designated Officer of the Municipality.
35. Enforcement, inspections, orders, and penalties will be administered as per Sections 364 to 380 of *The Municipalities Act* and in consultation with Council.

Emergencies

36. The Municipality may take whatever actions or measures are necessary to eliminate the emergency in accordance with Section 367 of *The Municipalities Act*.

Severability

37. In the event that any portion of this Bylaw is declared to be *Ultra Vires* by a Court of competent jurisdiction, then such portion shall be deemed to be severed from the Bylaw to that extent and the remainder of the Bylaw shall continue in force and effect.

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PART IV: DEFINITIONS:

1. In this bylaw, the following definitions apply:
 - a. **Bylaw Enforcement Officer** means a person appointed by Council for enforcement of the Town of St. Walburg Bylaws and the provisions of Section 373 of *The Municipalities Act*;
 - b. **CAO** means the Chief Administrative Officer of the Town St. Walburg or designate;
 - c. **Council** means the Municipal Council of the Town of St. Walburg;
 - d. **Court** means the Provincial Court of Saskatchewan established pursuant to the Provincial Court Act;
 - e. **Dangerous Animal** means any animal declared to be dangerous by a Judge pursuant to Section 375 of *The Municipalities Act*;
 - f. **Pet** means an animal that has been domesticated by humans so as to live and breed in tame condition as a Pet and is not classified as livestock;
 - g. **Judge** means a judge of the Provincial Court of Saskatchewan or a Justice of the Peace;
 - h. **Kennel** means a facility for breeding or keeping of Dogs or Cats for commercial purposes.
 - i. **Leash** means a chain, rope, or strap attached to the collar or harness of a Pet, especially a dog, and used to lead or hold the Pet in check;
 - j. **Licence Tag** means a permit issued under the provisions of this Bylaw for the keeping of a Pet within the Town;
 - k. **Livestock** means animals kept for agricultural purposes and not normally kept as Pets;
 - l. **Municipality or Town** means the Town of St. Walburg;
 - m. **Nuisance Animal** means any Pet which the Enforcement Officer has deemed to be exhibiting Nuisance Behaviour;
 - n. **Nuisance Behavior** means any behaviour of a Pet which is deemed by the Enforcement Officer to constitute a nuisance, including but not limited to excessive barking or other noises, aggressive behaviour even if that behaviour is entirely within an Owner's property, offensive odors, or any other action that reasonably affects the use and enjoyment of neighbouring property or persons lawfully passing the property on laneways or sidewalks;
 - o. **Owner** means the person who has custody and/or control of a Pet but shall not include:
 - i. A veterinarian registered pursuant to *The Veterinarians Act 1987* who is keeping or harboring a Pet for the prevention, diagnosis or treatment of disease or injury;
 - ii. The Town of St. Walburg, its agents and employees, the Saskatchewan Society for the Prevention of Cruelty to Animals, a local Society for the Prevention of Cruelty to Animals, or a Humane Society operating pursuant to the provisions of *The Animal Protection Act*, with respect to an animal shelter or impoundment facility operated by any of them;
 - p. **Pet** means an animal that has been domesticated by humans so as to live and breed in tame condition as a Pet, is reliant on humans for care, and is not classified as livestock;
 - q. **Service Animal** means any certified assistance animal that helps their handler with a disability pursuant to *The Saskatchewan Human Rights Code* and the Saskatchewan Human Rights Commission's *Policy on Service Animals*;
 - r. **Vacant property** means any property where it is neither the owner's primary dwelling nor occupied by any other person as approved by the owner.



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This Bylaw shall come into force and take effect upon the final passing thereof.

The following Bylaw and all Amendments are hereby repealed:

- Bylaw 2017-08




Mayor


Chief Administrative Officer

This Bylaw given first at the June 22, 2022, Regular Meeting of Council.

Chief Administrative Officer

This Bylaw given second and third readings with adoption at the July 14, 2022, Regular Meeting of Council.


Chief Administrative Officer