

Bylaw 01/14

A BYLAW OF THE VILAGE OF BUENA VISTA TO CONTROL, LICENCE, REGULATE AND IMPOUND DOGS, HEREINAFTER CALLED "The Dog Bylaw"

The Dog Bylaw

The Council of the village of Buena Vista, in the Province of Saskatchewan enacts as follows:

1. Definitions:
 - (a) **At Large** or **Running at Large** means beyond the boundaries of the land occupied by the owner, possessor or harbourer 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. Securely confined within an enclosure; or
 - ii. Securely fastened so that it cannot roam at will.
 - (b) The **Council** means the council of the Village of Buena Vista.
 - (c) **Dangerous animal** is one that: without provocation and in a vicious manner, approached a person or domestic animal in an apparent attitude or attack; is known to attack without provocation; has bitten or attacked a person or domestic animal without provocation; is owned primarily for the purpose of fighting or is trained for fighting.
 - (d) **Dog** means all species of the animal commonly known as dogs and includes the female as well as male of every breed or classification or mixture of breeds.
 - (e) **Dog Controller** means a person appointed by Council to enforce the Village dog bylaw.
 - (f) **Judge** means a provincial court judge or a justice of the peace.
 - (g) **Owner** means and includes any person owing, possession of harbouring a dog within the village or the parent of a minor if they are the owner.
 - (h) **Provocation** means an act done intentionally for the purpose of provoking an animal.
 - (i) **Pound** means an appropriate place designated by Council.
 - (j) **Resident** means any person occupying any accommodation of any kind in the Village of Buena Vista.
 - (k) **Service Dog** means Mobility Assistance Dogs for persons with disabilities, and Guide dogs for persons with visual impairment.
 - (l) **Village** means the Village of Buena Vista.
2. Council may at its discretion, appoint a dog controller.

LICENSING OF DOGS

3. A dog owner must obtain a license for each dog owned, with the exception of a Service Dog.
 - (a) no person shall keep more than 3 dogs within the limits of the Municipality except for purebred and/or registered dogs used for breeding.
4.
 - (a) No owner, possessor or harbourer of any dog over six (6) months of age shall be in possession of it unless it has a current licence.
 - (b) The annual licence fee charged for all kinds, species or breeds of dogs, owned, possessed or harboured by any persons while resident in the Village of Buena Vista, shall be in accordance with the schedule of fees prescribed in Schedule "A" attached and forming part of this bylaw. In the case of lost licence tags, a duplicated must be obtained from the Village office.
5. Seasonal residents who own a dog that is registered in another municipality are required to provide registration information to the Village Office for identification purposes. Dogs not registered elsewhere are required to purchase a Village of Buena Vista license.
6. All Licences shall expire on the 31st day of December of the year issued.
7. Any resident who owns a dog in the Village and neglects or refuses to take out a licence for the said dog shall be deemed guilty of an infraction of this bylaw.
8. Every licence and corresponding licence tag issued under this Bylaw is valid only in respect of the dog for which it was issued and is not transferable to another dog.

RESPONSIBILITY OF DOG OWNERS

9. The owner of a dog shall ensure that such dog is not running at large. Also that it is under the proper control of a person able to control the dog.

NUISANCE

10. The owner of a dog shall ensure that such dog shall not:
 - (a) bite a person whether on the property of the owner or not.
 - (b) bite another dog, which is under the control of the owner or in an enclosure on private property.
 - (c) do any act to injure a person whether on the property of the owner or not.

- (d) chase or otherwise threaten a person whether on the property of the owner or not, unless the person chased or threatened is a trespasser on the property of the owner.
- (e) bite, bark at, or chase, animals, bicycles, automobiles, or other vehicles.
- (f) become a nuisance by barking or howling or otherwise disturbing any person.

11. Every female dog in heat shall be housed or confined to a kennel.

ACCUMULATION OF DEFECATION

- 12. (a) If a dog defecates on any public or private property other than the property of its owner, the owner shall remove such defecation immediately.
- (b) Any dog owner occupying property in the Village must not allow dog defecation to accumulate for more than one week on the property so as to create a health hazard and shall dispose of the defecation in a sanitary manner.
- (c) An animal control officer may serve an owner or occupant of private property with a notice to remove all dog defecation from the property within 72 hours of service of the notice.

DANGEROUS ANIMAL

The interpretation of this section is covered by Legislation.

The following situations are offences under the legislation and may result in a fine and/or imprisonment:

- owning an animal that attacks, bites, injures or kills a person or domestic animal without provocation.
- not complying with a court order specifying conditions for keeping a dangerous animal.
- owning an animal for purposes of animal fighting or training and encouraging an animal to make unprovoked attacks on people or domestic animal.

A person found guilty of any of these offences may be liable to a fine of up to \$10,000, imprisonment for up to six months, and an order for destruction of the animal.

An animal will not be declared dangerous if the actions occurred while the animal was:

- performing police work; or
- working as a guard animal on commercial property, securely enclosed by a fence to prevent the animal's escape and children entering.

What happens if a complaint is made?

Once a complaint has been made, the animal owner is served notice of a hearing. If the owner does not appear at the hearing the court may proceed without the owner.

Once an animal is declared dangerous by the court, an order may be issued stating the terms under which the owner must keep the animal. For example, the owner may be required to do one or more of the following:

- If you remove the animal from your property, you shall muzzle and leash the animal. The leash shall be capable of restraining the animal and will not exceed 1.2 meters. The muzzle shall be properly fitted to prevent biting of any persons.
- No person not physically able to adequately control the animal on a leash may remove it from the property.
- The animal shall be inoculated against rabies.
- The owner shall obtain and keep in effect no less than 300,000 dollars of liability insurance for any bodily injury caused by the animal.
- The owner shall display a sign warning of presence of animal
- If the animal has unencumbered access to public areas while on the owner's property, it must be muzzled. An electric fence or invisible dog fence is not considered an unencumbered boundary.
- If the animal is not muzzled or leashed while on the owner's property, it must be placed in an enclosure. This enclosure must both confine the animal and prevent entry of young children.
- The residents of Buena Vista will be notified a dangerous animal is living at your address.
- If another attack occurs OR these rules are not followed the Village of Buena Vista will petition the courts to have the dog put down.

IMPOUNDING OF DOGS

13. (a) No owner shall permit any dog to run large in the Village.
- (b) For the purpose of impounding any dog found running at large a pound shall be established at an appropriate place designated by Council and Council shall from time to time appoint one or more pound keepers, and fix their remuneration.
- (c) The controller, or any person aged eighteen or over, may catch or seize any dog found running at large and deliver such dog to the Village office where it will be impounded and kept for 48 hours if not claimed by the owner. After 48 hours the dog will be transported to the Regina Humane Society and any charges accrued will become the responsibility of the owner.
- (d) Pound fees shall be described in Schedule "A" attached which forms part of this bylaw.

(e) Any person who restrains a dog running at large in the Village, being of the full age of eighteen (18) years, shall deliver the dogs so restrained to the dog controller and provide a statement in writing describing the type of dog, the owner (if known), the place and time the dogs was restrained.

14. Subject to Legislation when a complaint is received that a dog has bitten or attempted to bite a person and it appears that the Justice of the Peace, having cognizance of the complaint that the dog is dangerous, the Justice may make an order directing that the dog be kept by the owner under proper control or destroyed.

(a) Any person failing to comply with the order will be liable to a fine not exceeding \$50 each day the failure continues.

(b) When a dog is ordered to be destroyed the Justice may, by the same order, direct any person to destroy the dog.

(c) If a peace officer or an officer designated by the municipality has grounds for believing that an animal is dangerous or has been ordered destroyed, the officer may, under certain circumstances, enter the premises to search for the animal and impound it. If the animal has been ordered destroyed, the officer may deliver the animal to the person appointed to destroy it.

15. In cases of emergency for any cause, but more particularly for infectious disease caused by dogs, the medical health officer is authorised to order that no person shall allow the dog to be anywhere outside the boundary of the of the place of dwelling at any time until the order is revoked or cancelled. The medical health officer may order compulsory inoculation of dogs, which must be carried out at the expense of the owner.

16. The following are offences for which a summary fine is issued. Fees shall be described in Schedule "A" attached which forms part of this bylaw.

(a) Every person who owns, or is responsible for, a dog found running at large will be liable for a summary conviction.

(a) Every owner of a dog who neglects to obtain a licence and tag to be kept securely fixed on the dog's collar; or every owner who uses a tag on a dog other than that for which it was issued shall be liable on summary conviction for a fine.

(b) Any unauthorized person who removes a dog tag which is required by the provisions of Section 4 (a) and 7 of this Bylaw shall be liable on summary conviction for a fine.

(c) Any violator of this bylaw issued with a notice of violation to pay voluntarily that does not do so within seven (7) days will be served with a Notice of Violation and a summons issued.

COMING INTO FORCE

17. This Bylaw comes into force on the day of its final passing.

MAYOR

CHIEF ADMINISTRATIVE OFFICER

Read a first time this 11 day of March, 2014
Read a second time this 11day of March, 2014
Read a third time and adopted this 11day of March, 2014

Certified a true copy of Bylaw 1/14
adopted by resolution of Council
on the 11 day of March, 2014

CAO

SCHEDULE "A"
OF BYLAW NO. 01/14

DOG LICENSES: All dogs in the Village of Buena Vista shall be licenced. The annual fee is \$5.00

UNLICENSED DOGS: \$20.00 per dog

REPLACEMENT TAGS: \$2.00

UNLAWFUL REMOVAL OF DOG TAG: \$20.00

POUND FEES: The owner of any dog impounded shall be required to pay the appropriate pound fee and any other applicable fee or fine in order to have the dog released.

The pound fee is \$75.00 plus \$10.00 for each day the animal is housed.

REGINA HUMANE SOCIETY: If after 48 hours the dog is taken to the Humane Society, the owner will be responsible for all their charges, plus the cost of transporting the dog. Current mileage costs will be used.

DOG RUNNING AT LARGE: \$75.00 per dog

FAILURE TO CLEAN UP DEFECATION: \$75.00

SCHEDULE "B"
OF BYLAW NO. 01/14

Dog bite complaint procedure

All complaints are taken seriously and will be investigated by the Bylaw Officer. To ensure the complaint is dealt with in a timely and efficient manner the following information must be provided.

The complaint can be made in person at the Village Office, by Mail or email. The complaint must be in writing and contain the following:

- Your name, address, current contact number and date of complaining.
- The date the occurrence happened
- The place it occurred
- The name and address of the person who owns the dog (if known)
- The name and address of the person who was responsible for the dog when the event occurred
- Name and contact details of any witnesses.

Complaint forms are available at the Village office.

We will not respond to complaints made anonymously.



VILLAGE OF BUENA VISTA – DOG COMPLAINT FORM

Name of complainant:		Date:	
Address:			
Phone No's:		Cell:	
Place of event:		Date:	
Description of event:			
Signed:			
Name of dog owner:			
Address:			
Witness details:			
Complaint reported to:			

<p><u>This Section to be Completed by Bylaw Enforcement Officer:</u></p> <p>How was the complaint resolved:</p>
Date Completed:
Bylaw Enforcement Officer's Signature: