



Unity

TOWN OF UNITY

BYLAW NUMBER 1141-P-23

Being a Bylaw to License and Control Animals in the Town of Unity.

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

PART 1 SHORT TITLE

1. This bylaw may be cited as a bylaw to provide for the licensing, regulating, controlling, and prohibiting of animals and the being at large of animals in the Town of Unity.

PART II INTERPRETATION

1. “CAO” shall mean the person appointed as Chief Administrative Officer by the Council of the Town of Unity.
2. “Cat” shall mean any cat, male or female over 5 weeks of age.
3. “Council” shall mean the duly elected Council of the Town of Unity.
4. “Dog” shall mean any dog, male or female over 10 weeks of age.
5. “Animal Control Officer” shall mean the person appointed as Animal Control Officer by the Council of the Town of Unity.
6. “Peace Officer” shall mean a member of the RCMP, Bylaw Enforcement Officer, Special Constable or other person duly authorized or appointed by Council to preserve and maintain the public peace.
7. “Running at Large” shall mean when the animal is beyond the boundaries of the land occupied by the owner, possessor, or harbourer of the said animal and not:
 - a. In direct and continuous charge of a person competent to control such a animal, or
 - b. Securely confined within an enclosure, or
 - c. Securely fastened so that it cannot roam at will.
8. “Owner” includes:
 - a. A person who keeps possesses or harbors an animal.
 - b. The person responsible for the custody of a minor where the minor is the owner of an animal.

But does not include:

- c. A veterinarian registered pursuant to the Veterinarian Act, 1987, which is keeping or harboring an animal for the prevention, diagnosis or treatment of a disease or of an injury to the animal.
- d. An urban municipality, 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 Animal Protection Act, with respect to an animal shelter or impoundment facility operated by any of them.

9. "Dangerous Dog" means:
 - a. Any dog that without provocation in a vicious or menacing manner, chases or approaches a person or domestic animal in an apparent attitude of attack.
 - b. Any dog with a known propensity, tendency, or disposition to attack without provocation, to cause injury or to otherwise threaten the safety of persons or domestic animals.
 - c. Any dog that, without provocation has bitten, inflicted injury, assaulted or otherwise attacked a person or domestic animal.
 - d. Any dog which is owned primarily or in part for the purpose of dog fighting or is trained for fighting.
10. "Exotic and/or Wild Animal" means those set out in Schedule "D"
11. "Domestic Animal" means those set out in Schedule "D"
12. "Excessive Noise" means Howling, Barking, Meowing, Yowling, Etc

PART III DOGS

1. License:
 - a. The license year for dog licenses shall be from January 1 to December 31 of the same year.
 - b. Every owner of a dog shall obtain a license for the said dog from the Town Office and failure to do so shall constitute an offense under this bylaw. Such licenses shall not be transferable to any other dog.
 - c. When applying for a license, the applicant shall provide the Town with a description of the dog, the name, and address of the owner or keeper of the dog, the breed, and sex of the dog, and any other relevant information that may be required by the Town.
 - d. A dog, which is used as a guide or Seeing Eye dog by a blind person, shall be licensed, however the Town shall issue such a license without payment of the prescribed license fee.
 - e. The annual license fee for all dogs shall be as set out in Schedule "A: as attached.
 - f. The provisions of this section shall not apply to the dogs kept, in the ordinary course of business by the proprietors of the following premises:
 - i. A veterinary hospital, clinic, boarding kennel, or grooming parlor.
 - ii. A public pound.
 - iii. A shop whose business included 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.
2. When issuing a license for a dog, the Town shall provide the applicant with a tag and a receipt for the license fee. The owner of such dog shall attach the tag to a collar to be worn around the dog's neck at all times.
3. The said tag shall be of such form and bear such lettering as may be determined by the Town from time to time and shall have an inscribed registration number.
4. When a dog license is lost the town may upon application from the owner replace such a license at a cost as listed in Schedule "A".
5. Any person who is in possession of any dog, or who harbors or who suffers any dog to remain about his house or premises shall be deemed to be the owner or keeper of such dog within the meaning of this bylaw.

6. At large:
 - a. No owner of a dog shall permit his dog to run at large.
 - b. When a dog is found running at large its owner shall be deemed to have failed or refused to comply with the requirements of Subsection 6a herein.
7. Impound:
 - a. A peace officer may seize and impound any dog running at large.
 - b. A peace officer may enter onto the land surrounding any building in pursuit of any dog, which has been observed running at large.
 - c. Any dog picked up shall be confined in a suitable location as may be specified by Council from time to time.
 - d. If an Animal Control Officer reasonably believes that a dog is ill or injured, the Animal Control Officer shall report to a veterinarian of choice and act upon his/her recommendations with respect to treatment or possible immediate euthanasia. The owner, if known shall be responsible for payment of all costs incurred by the town with respect to any medical treatment received by the owner's dog pursuant to this paragraph. The owner will be responsible whether or not the dog is retrieved from the pound.
 - e. Where a dog or cat is found to be running at large, the owner or occupant of that property on which the animal is running at large may make a written complaint to the Animal Control Officer.
8. Subject to the provisions of Subsection 7c all dogs placed in the pound shall be confined therein for a period up to 72 hours from the date of capture, during which time the owner thereof shall have the right to reclaim the said dog upon paying to the Town any outstanding tickets plus costs incurred in impounding or keeping the said dog in the pound. The Town will provide a receipt, which is to be presented to the pound.
9. When a dog is impounded that is wearing a collar to which is attached a license tag, the town or its representative shall immediately give notice, by posting a description of the dog in public locations, such description shall state the reasons for the notice, unless the said dog is claimed within 72 hours from the date of the notice, the said dog shall be dealt with pursuant to the provisions of this bylaw. If the owner is known, he /she will be contacted by telephone or in person.
10. Subject to Subsection 7c the town may dispose of a dog after expiration of the 72 hours as required in sections 8 and 9 herein by.
 - a. Euthanasia or,
 - b. By finding a new owner for said dog, subject to the new owner obtaining a license for the dog, if the dog is to remain in the Town of Unity. In the event that any dog is not sold within 24 hours after the expiration of the said 72 hours it may be disposed of by euthanasia.
 - c. Notwithstanding subsection 10a and 10b the appointed animal pound or Animal Control Agency will be given the opportunity to claim the dog at the expiration of 72 hours for no cost, provided the owner has not been located. If the owner has been located and does not wish to claim the dog, the dog will be given to a **Veterinary Clinic** located within the Town of Unity at no cost.
11. If a complaint is made that a dog has bitten or attempted to bite a person, the provision of The Municipalities Act as amended and regulations thereto shall apply.
12. No owner of a dog shall permit his dog to be or become a nuisance by barking or howling to the annoyance or discomfort of any person.

13. A person who contravenes a provision of this bylaw or neglects or refuses to comply therewith shall be guilty of an offence and shall be liable upon conviction to a fine of not more than \$300.00 and costs, and in default of payment, the person convicted may be imprisoned for a term of not more than 90 days, unless the fine or penalty or fine and license is paid.
14. Notwithstanding section 13 herein, where a peace officer believes that a person who has contravened this bylaw, **hereto he may be personal service**, serve or cause to be served upon such a ticket as provided in this section.
 - a. The ticket shall be in a form similar to that provided in Schedule “B” of this Bylaw and shall indicate thereon the amount of the penalty to be paid pursuant to Schedule “C” of this bylaw.
 - b. Upon production of the ticket issued pursuant to Section 14 within 7 days from the date of service together with payment as indicated on the ticket to the Town of Unity, the person to whom the ticket was issued shall not be liable for prosecution for the contravention in respect of which the ticket was given.
 - c. If payment is not received as provided in Section 14(b) 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.
 - d. A person to whom a ticket is being issued pursuant to this section shall furnish any peace officer, upon request with his/her name and address.
15. Trapping dogs or cats at large by public citizens is not permitted in the Town of Unity and is considered an offence. The appointed animal control agency/or bylaw enforcer reserves the right to carry out humane trapping according to acceptable standards.
 - a. Penalty for citizens trapping dogs or cats are as follows:

i. 1 st offence	\$50.00
ii. 2 nd offence	\$75.00
iii. 3 rd offence	\$110.00
16. That council may by resolution enter into an agreement with any person or organization for the purpose of participation in the enforcement of this bylaw or for the purpose of providing pound keeping or dog catching services.
17. Off-Leash Areas – Paw Park (Parcel C Plan #101296087 Extension 68 most Northwesterly 1 acre. An owner of a dog is not required to have the dog on a leash within the confines of the off-leash area.
18. Prohibited Dogs – No owner of a dog that:
 - a. has been declared dangerous
 - b. is a female dog that is in heat.

shall permit the dog to be in an off-leash area at any time whether the dog is on a leash or not.
19. 1) Nuisance Prohibited
 - a. No owner of a dog shall permit or allow the dog to become a nuisance to other persons or animals in an off-leash area.
 - b. For the purposes of this subsection, the behavior of a dog which constitutes a nuisance includes, but is not limited to, the following:
 - i. running at such a distance from its owner so as to be incapable of responding to voice or sight commands.
 - ii. doing any act that injures a person or another animal.
 - iii. chasing or otherwise threatening a person or another animal.
 - iv. biting, barking at, or chasing livestock, bicycles or motor vehicles.

- v. excessive barking or howling or otherwise disturbing any person or other animal; or
 - vi. causing damage to property.
- c. In order to prevent a dog from becoming a nuisance in an off-leash area, the owner of the dog shall:
- i. accompany the dog in the off-leash area at all times; and
 - ii. carry a leash not exceeding two meters in length for the dog.
- d. In the event that a dog becomes a nuisance, the owner of the dog shall immediately restrain the dog by placing the dog on a leash not exceeding two meters in length and removing the dog from the off-leash area.
- e. Any owner of a dog who fails to immediately restrain and remove the dog upon it becoming a nuisance, is guilty of an offence, and in such event, an Animal Protection Officer, Pound Keeper or Peace Officer may seize and impound the dog.

2) General Provisions Apply in Off-Leash Areas

Nothing in this Section shall release the owner of a dog from complying with the general provisions of this Bylaw pertaining to licensing, displaying a valid license tag or micro chipping and removal of defecation as set out in Section 1(b), Section 21, Schedule “A”, including the corresponding penalties set out in Schedule “C”.

20. Motorized Vehicles in Off-Leash Area

- a. No person shall operate a motorized vehicle in any off-leash area.
- b. For the purposes of Subsection, a, motorized vehicle means a vehicle propelled or driven by any means other than by muscular power, and, for greater certainty, includes cars, trucks, all-terrain vehicles, snowmobiles, and motorcycles, but does not include a wheelchair or other similar mobility device being operated by a person with a physical disability.
- c. Subsection (a) does not apply to Town maintenance vehicles.

PART IV LITTER CLEAN UP

21. If a **dog and/or cat** defecates on any public or private property other than the property of its owner, the owner of the dog and/or cat shall cause such defecation to be removed immediately:
- a. An owner or occupant of private property must not allow animal feces to accumulate on the property so as to create a health hazard or continuous foul/unpleasant odor.
 - b. If requested to do so by an Animal Control Officer or a public health inspector, an owner or occupant of private property must remove all animal feces from the property within 72 hours of the time the request is made.
 - c. If a request under Subsection 21a is made to an occupant of private property, a copy of the request shall also be sent by registered mail to the owner of the property at the mailing address shown on the last revised assessment roll of the Town.
 - d. The town may remove the feces from the property if.
 - i. The person to whom the request is made fails to remove the feces within 72 hours; or
 - ii. After reasonable inquiry, the whereabouts of the owner or occupant of the property cannot be determined.
 - e. If the town carried out the work under Subsection 21d, the costs and expenses incurred are a debt due to the town and the town may recover the costs and expenses;

- i. By action in a court of competent jurisdiction;
- ii. In the same manner as municipal taxes; or
- iii. By adding the costs and expenses to, and thereby they form part of, the taxes on the land on which the work was done.

PART V CATS

License:

22. The license year for cat licenses shall be from January 1 to December 31 of the same year.
23. Every owner of a cat, shall for each calendar year, obtain a license for the said cat from the Town Office and failure to do so shall constitute an offense under this bylaw. Such licenses shall not be transferable to any other cat.
24. When applying for a license, the applicant shall provide the Town with a description of the cat, the name, and address of the owner or keeper of the cat, descriptive colouring, gender of the cat, and any other relevant information that may be required by the Town.
25. The annual license fee for all cats shall be as set out in Schedule "A: as attached.
26. The provisions of this section shall not apply to the cat kept, in the ordinary course of business by the proprietors of the following premises:
 - a. A veterinary hospital, clinic, boarding kennel, or grooming parlor.
 - b. A public pound.
 - c. A shop whose business included the sale of pets and is licensed as such.
 - d. A shelter operated by an association or society incorporated for the purpose of the protection and humane treatment of animals.
27. When issuing a license for a cat, the Town shall provide the applicant with a tag and a receipt for the license fee. The owner of such cat shall attach the tag to a collar to be worn around the cat's neck at all times.
28. The said tag shall be of such form and bear such lettering as may be determined by the Town from time to time and shall have an inscribed registration number.
29. When a cat license is lost the town may upon application from the owner replace such a license at a cost as listed in Schedule "A".
30. Any person who is in possession of any cat, or who harbors or who suffers any cat to remain about his house or premises shall be deemed to be the owner or keeper of such cat within the meaning of the bylaw.
31. At large:
 - a. The owner of a cat that is at large is responsible to ensure the cat does not adversely interfere with their neighbours property by urinating, defecating or otherwise damaging any property other than that of the owner's.
 - b. When a cat is found running at large, its owner shall be deemed to have failed or refused to comply with the requirements of Section 31a herein.
 - c. Cats may be permitted where neighbors are in agreement and caregivers are present to run at large for rodent control. Such cats are the property of KC Rescue and can be identified by a tattoo in their left ear. These cats have received their rabies vaccine and are sterilized.

32. Impound
 - a. A peace officer may seize and impound any cat running at large.
 - b. A peace officer may enter onto the land surrounding any building in pursuit of any cat, which has been observed running at large.
 - c. Any cat picked up shall be confined in a suitable location as may be specified by council from time to time.
 - d. If the Animal Control Officer reasonably believes that a cat is ill or injured, the Animal Control Officer shall report to a veterinarian of choice and act upon his/her recommendation with respect to treatment or possible immediate euthanasia. The owner, if known, shall be responsible for payment of all costs incurred by the town with respect to any medical treatment received by the owner's cat pursuant to this paragraph. The owner will be responsible whether or not the cat is retrieved from the Pound.
 - e. Where a cat is found to be running at large, the owner or occupant of that property on which the animal is running at large may make a written complaint to the Animal Control Officer.
33. Subject to the provisions of section 32c all cats placed in the pound shall be confined therein for a period of up to 72 hours from the date of capture, during which time the owner thereof shall have the right to reclaim the said cat upon paying to the town any outstanding tickets plus costs incurred in impounding or keeping the said cat in the pound. The town will provide a receipt, which is to be presented to the pound.
34. When a cat is impounded that is wearing a collar to which is attached a license tag, the town or its representative shall immediately give notice, by posting a description of the cat in at least 4 public places, such description shall state the reasons for the notice, unless the said cat is claimed within 72 hours from the date of the notice, the said cat shall be dealt with pursuant to the provisions of this bylaw. If the owner is known, he/she shall be contacted by telephone or in person.
35. Subject to section 32c the town may dispose of a cat after expiration of the 72 hours as required in sections 33 and 34 herein by:
 - a. Euthanasia; or
 - b. By finding a new owner for said cat, subject to the new owner obtaining a license for the cat, if the cat is to remain in the Town of Unity. In the event that any cat is not sold within 24 hours after the expiration of the said 72 hours, it may be disposed of by euthanasia;
 - c. Notwithstanding subsection 35a and 35b the appointed animal pound or animal control agency will be given the opportunity to claim the cat at the expiration of 72 hours for no cost provided the owner has not been located. If the owner has been located and does not wish to claim the cat, the cat will be given to the appointed animal pound or animal control agency at no cost.
36. No owner of a cat shall permit his cat to be or become a nuisance by meowing or yowling to the annoyance or discomfort of any person.
37. A person who contravenes a provision of this bylaw or neglects or refuses to comply therewith shall be guilty of an offence, and shall be liable upon conviction to a fine of not more than \$300.00 and costs, and in default of payment, the person convicted may be imprisoned for a term of not more than 90 days, unless the fine or penalty or fine and license is paid.

- 38.
- a. Notwithstanding section 37 herein where a peace officer believes that a person has contravened this bylaw, **hereto he may be personal service**, serve or cause to be served upon such a ticket as provided in this section.
 - b. The ticket shall be in a form similar to that provided in Schedule “B” of this bylaw and shall indicate thereon the amount of the penalty to be paid pursuant to Schedule “C” of this bylaw.
 - c. Upon production of the ticket issued pursuant to Section 38 within 7 days from the date of service together with payment as indicated on the ticket to the Town of Unity, the person to whom the ticket was issued shall not be liable for prosecution for the contravention in respect of which the ticket was given.
 - d. If payment is not received as provided in Section 38c 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.
 - e. A person to whom a ticket is being issued pursuant to this section shall furnish any peace officer, upon request with his name and address.
39. Trapping of cats at large by public citizens is not permitted in the Town of Unity and is considered an offence. The appointed animal control agency/or bylaw enforcer reserves the right to carry out humane trapping according to acceptable standards.
- a. Penalty for citizens trapping dogs or cats are as follows:

iv. 1 st offence	\$50.00
v. 2 nd offence	\$75.00
vi. 3 rd offence	\$110.00
40. That council may by resolution enter into an agreement with any person or organization for the purpose of participation in the enforcement of this bylaw or for the purpose of providing pound keeping or dog catching services.

PART VI LIMITS DOGS AND CATS

41. No person within the Town other than those identified in Part III Section 1(f) shall harbor or keep more than **two (2) dogs, over the age of four (4) months**, 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.
42. No person with the Town other than those identified in Part V; Section 26 shall harbor or keep **more two (2) cats, over the age of four (4) months**, 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.

PART VIII DOMESTIC, EXOTIC AND/OR WILD ANIMALS

43. All domestic, exotic and/or wild animals to be harbored in or on property within the limits of the Town of Unity shall firstly be approved by resolution of Council on an individual basis upon application of the owner.
44. All domestic, exotic and/or wild animals for which approval is obtained from council shall be registered by the owner at the Town Office upon payment of the registration fee set out in Schedule "A"

45. Notice of all registrations of potentially dangerous exotic and/or wild animals and domestic animals shall forthwith be provided in writing by the owner to **ALL** of the following:
- a. Unity Fire Department
 - b. Royal Canadian Mounted Police - Unity/Wilkie/Macklin Detachments
 - c. Ambulance responders/providers for the Town of Unity
46. Domestic, exotic and/or wild animals shall be maintained in a humane manner within the boundaries of the owner's property and shall not be at large.
47. All provisions of the Animal Bylaw currently in place shall apply to domestic, exotic and/or wild animals excluding registration fees and penalties. These are separate and unique from dog/cat registrations and penalties.

PART IX IMPLEMENTATION

- 1. This Bylaw shall come into effect on the date of final passage thereof.
- 2. Bylaw 1088-P-19 is hereby repealed.
- 3. Schedules "A", "B", "C", "D" and "E" referred to herein and attached hereto shall form part of this Bylaw.

MAYOR

CAO

SCHEDULE "A"

BYLAW 1141-P-23

LIFETIME LICENSE FEE FOR DOGS

- | | |
|---------------------------------|----------|
| 1. For each male and female dog | \$ 30.00 |
| 2. Lost tag replacement | \$ 5.00 |

LIFETIME LICENSE FEE FOR CATS

- | | |
|--------------------------------|----------|
| 1. For each male or female cat | \$ 30.00 |
| 2. Lost tag replacement | \$ 5.00 |

ANNUAL LICENSE FEES FOR DOMESTIC, EXOTIC AND/OR WILD ANIMALS

- | | |
|---|----------|
| 1. Registration Fee per Animal per year | \$100.00 |
|---|----------|

SCHEDULE “C”

BYLAW 1141-P-23

PENALTIES:

First Offence

Part III

Section 1(b), Section 23	No License	\$100.00
Section 6, Section 31	Running at Large	\$100.00
Section 12, Section 36	Excessive Noise	\$100.00
Section 21	Litter Cleanup/Urinating	\$100.00

Plus License fee if dog or cat is not licensed and from Town

Subsequent offences within 12 months of first offence

Second Offence & Subsequent Offences

Section 6, Section 31	Running at Large	\$150.00
Section 12, Section 36	Excessive Noise	\$150.00
Section 21	Litter Cleanup/Urinating	\$150.00

Plus License fee if dog or cat is not licensed

PART VI – Annual fee per additional animal

Section 41 & 42 (Exceeding Limit of 2 dogs or 2 cats)

1 st year additional fee per animal exceeding the limit	\$50.00
2 nd year additional fee per animal exceeding the limit	\$100.00
3 rd and subsequent years additional fee per animal exceeding the limit	\$150.00

First Offence -Exotic and/or Wild Animals and Domestic Animals

Section 44 No Registration	\$100.00
Section 47 Running at Large	\$100.00
Section 47 Creating Excessive Noise	\$100.00
Section 47 Litter Cleanup/Urinating	\$100.00

Second Offence - Exotic and/or Wild Animals and Domestic Animals

Section 44 No Registration	\$200.00
Section 47 Running at Large	\$200.00
Section 47 Creating Excessive Noise	\$200.00
Section 47 Litter Cleanup/Urinating	\$200.00

Third Offence & Subsequent Offences - Exotic and/or Wild Animals and Domestic Animals

Section 44	No Registration	\$500.00
Section 47	Running at Large	\$500.00
Section 47	Creating Excessive Noise	\$500.00
Section 47	Litter Cleanup/Urinating	\$500.00

SCHEDULE “D”

BYLAW 1141-P-23

DOMESTIC ANIMALS

- Cattle / horses / mules / donkeys / asses / oxen
- Chickens / turkeys
- Ducks / geese / guinea / pheasant / peacock / pigeons
- Pigs / hogs
- Sheep / goats

EXOTIC AND/OR WILD ANIMALS

- All Marsupials (such as Kangaroos and opossum)
- All Non - Human Primates (such as gorillas and monkeys)
- All Felids, except the domestic cat
- All Cnids, except the domestic dog
- All Viverrids (such as mongooses, civets and genets)
- All Mustelids (such as skunks, weasels, otters, badgers), except the domestic ferret
- All Ursids (Bears)
- All Artiodactylus Ungulates, except domestic goats, sheep and cattle
- All Procyonids (such as raccoons, coatis and cacomistles)
- All Hyenas
- All Perissodactylus Ungulates, except the domestic horse, mule and ass
- All Elephants
- All Pinnipeds (such as seals, fur seals and walruses)
- All Snakes in the families of boas and pythons
- All Venomous Reptiles and Amphibians
- All Arachnids dangerous to humans (such as scorpions and tarantulas, except tarantulas of the general Aphonopelma, Avicularia and Grammostola)
- All Ratite Birds (such as ostriches, rheas and cassowaries)
- All Diurnal and Nocturnal Raptors (such as eagles, hawks and owls)
- All Edentates (such as anteaters, sloths and armadillos)
- All Bats
- All Crocodylians (such as alligators, crocodiles and caimans)

*****Note: 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 "E"

BYLAW 1141-P-23

APPLICATION TO KEEP, POSSESS OR HARBOR DOMESTIC, EXOTIC
AND/OR WILD ANIMALS

Name of Applicant: _____

Mailing and Civic Address: _____

Phone Number: _____

Email Address: _____

Description of Animal (Please include pictures with this application):

I am aware that the annual fee to keep, possess or harbor a domestic, exotic and/or wild animal is \$100.00 per animal.

Signature of Applicant

Date