

Village of Zenon Park

Bylaw 1/18

Animal Control Bylaw

A BYLAW OF THE VILLAGE OF ZENON PARK TO CONTROL ANIMALS WITHIN THE VILLAGE

WHEREAS the Village of Zenon Park is empowered by Sections 374 – 380 *The Municipalities Act* to regulate and control persons owning or harbouring any animal within the Village of Zenon Park

NOW THEREFORE, the Council of the Village of Zenon Park enacts as follows:

1. TITLE

This Bylaw may be referred to as the “Animal Control Bylaw”.

2. DEFINITIONS

In this bylaw the term:

- a) ADMINISTRATOR – means the administrator for the Village of Zenon Park
- b) COUNCIL – means the Council of the Village of Zenon Park.
- c) DOMESTIC PET – shall mean and include every dog or cat of either sex over the age of eight (8) weeks of age.
- d) ANIMAL CONTROL OFFICER – shall mean any person(s) appointed by Council for the enforcement of this bylaw, and any member of the Carrot River R.C.M.P. and any other person or agency appointed by Council.
- e) OWNER – includes:
 - i) A person who keeps, possesses or harbours a domestic pet;
 - ii) The person responsible for the custody of a minor where the minor is the owner of a domestic pet;
- f) POUND – shall mean the premises and facilities, as may be designated by the Village of Zenon Park
- g) POUNDKEEPER – shall mean a person, persons, firm or corporation designated by Council to maintain and administer the pound.
- h) RUNNING AT LARGE – shall mean if the animal is off the premises of its owner and is not on a leash.

3. REGISTERING

- a) Every owner of a domestic pet shall no later than January 31 in each year register for the said domestic pet from the Village of Zenon Park, and shall pay therefore an annual fee as set out in Form “A” of this Bylaw. It is an offence under this bylaw for any person to own, keep, possess or harbor a domestic pet within the limit of the Village of Zenon Park without having registered them.
- b) When registering a domestic pet, the applicant shall provide to the Village a description of the domestic pet, the name and address of the owner or the keeper of the domestic pet, the breed if it is a dog.
- c) All licenses expire on December 31st of the year in which they are issued.
- d) Registrations issued pursuant to the section, are not transferable and non-refundable.

- e) No owner shall be issued, or entitled to hold more than 3 licenses at any given time, and no person or persons other than a veterinarian shall harbour, keep or possess more than 3 domestic pets that are three months of age and older at a residence or any other premises at any time.

4. RUNNING AT LARGE

No person shall allow their domestic pet(s) to be at large within the Village without being restrained by a leash or harness. Owners should ensure that their domestic pet(s) remains on their property by either the means of a leash, harness or adequate enclosure.

5. EXCESSIVE NOISE

A dog shall be deemed to create a nuisance when it creates a disturbance, annoyance or discomfort for or to other persons residing in the neighborhood, or to the public at large, whether barking, howling or yelping, by leaving the premises of its owner or other caretaker, by chasing motor or other manner or way.

6. DEFECATION

If a dog or other animal defecates on any public or private property within the Village of Zenon Park other than on the property of its owner, the owner of the animal shall cause the defecation to be removed immediately. Failure to cause such removal shall be an infraction of this bylaw, and subject to the penalties as set out in Schedule "A" attached hereto.

7. DANGEROUS DOGS

Dangerous dog complaints shall be dealt with under the provisions of *The Municipalities Act*.

8. PENALTY NOTICES

Where the owner of a domestic pet that has been reported to the Village office of being at large and unrestrained and/or of causing excessive noise has been identified, the following procedures will be followed:

- a) For the first offence, the owner will be sent a letter from the Village informing them that their domestic pet(s) has been reported to the Village of being at large and/or causing excessive noise and that they are in non-compliance with the Village Bylaw and are liable to a fine of not less than twenty-five (\$25.00) dollars.

Additional offences received within a one year period of the previous offence, will be considered as subsequent offences and will be dealt with as follows:

- b) For the second offence, the owner will receive a second letter and will be liable to a fine of not less than fifty (\$50.00) dollars.
- c) For any third and subsequent offence, the owner will receive a letter and will be liable to a fine of not less than one hundred (\$100.00) dollars.

9. ANIMAL CONTROL OFFICER

- a) The Animal control officer is authorized to capture and impound all dogs and cats found running at large contrary to the provisions of this bylaw.
- b) Any person may take any dog or cat found running at large contrary to the provisions of this bylaw to a place of impoundment.
- c) Any domestic pets taken to the place of impoundment shall be kept for five days which shall include statutory holidays and weekends unless the owner possessor or harbourer redeems the animal by paying the following:
 - i. A penalty as listed in sections 9(a), 9(b), or 9(c);
 - ii. Any outstanding penalties from previous offences;

- iii. Any unpaid registration fees;
- iv. The sum of \$50.00 per day or partial day for the care and keep of each animal.
- d) The designated municipal officer (administrator or animal control officer) may sell any animal which is not redeemed within the period of time as noted in section 9(c) for a sum of not less than the amount required to redeem the animal under section 9(c).
- e) The animal control officer may dispose of (by adoption or euthanasia) any animal which has not been redeemed within the period of time as noted in section 9(c).
- f) To assist in the seizure of cats at large, cat traps may be utilized by the Animal Control Officer.
- g) No person, whether or not he/she is the owner of a cat or dog which is being or has been pursued or captured shall:
 - i. Interfere with or attempt to obstruct an Animal Control Officer who is attempting to capture or who has captured any dog or cat in accordance with the provisions of this bylaw;
 - ii. Unlock or unlatch or otherwise open the vehicle or cat trap in which dogs or cats captured for impoundment have been placed, so as to allow or attempt to allow any dog or cat to escape therefrom; or
 - iii. Remove or attempt to remove any dog or cat from, the possession of the Animal Control Officer.

10. PENALTY

- a. If the Village receives voluntary payment of the prescribed penalty within thirty (30) days from the date the ticket was issued, the person receiving the ticket shall not be liable for prosecution for the offence.
- b. If the person who has committed or is alleged to have committed a breach of any section of this bylaw fails to pay the specified fine within the time allowed following service of the ticket, the provisions of this section no longer apply and the person shall be liable to summary conviction.

11. SEVERABILITY

- a. A decision of the court that one or more of the provisions of this bylaw are invalid in whole or in part does not affect the validity, effectiveness or enforceability of the other provisions or parts thereof with respect to this bylaw.

12. REPEAL

Bylaw no 2/14 is hereby repealed

13. COMING INTO FORCE

This Bylaw shall come into force and take effect on the date of passing thereof.

Gilbert Huel
Mayor

Lois Kersten
Administrator

September 13, 2018
Date

SEAL



**VILLAGE OF ZENON PARK
ANIMAL CONTROL BYLAW
SCHEDULE "A" TO BYLAW 1/18**

PENALTIES

<u>Section</u>	<u>Offence</u>	<u>First</u>	<u>Second</u>	<u>Subsequent</u>
**if paid within 30 days of date of issue of the notice of violation				
3	Failure to register	\$25.00	\$50.00	\$ 100
4	Running at large	\$25.00	\$50.00	\$ 100
3(e)	Exceeding limits on any one property (for each animal exceeding limits)	\$25.00	\$50.00	\$ 100
9(g)	Interfere with Animal Control Officer	\$25.00	\$50.00	\$ 100
6	Failure to remove defecation	\$25.00	\$50.00	\$ 100

FORM "A" – BYLAW 1/18
SECTION 3(a)

DOMESTIC PET REGISTRATION FORM

Name of Owner: _____

Address (Mailing): _____

(civic)

Phone Number: _____

Breed of Animal: _____

Physical Description: _____

Registration fee paid: \$ 10.00

Receipt # _____

FORM "B" – BYLAW 1/18

NOTICE OF VIOLATION

This official notice is issued for a breach of
Bylaw no.1/18

You may avoid prosecution for this offence by paying to the office of the Administrator, during regular office hours, the penalty stated hereinafter within 30 calendar days of the date served on this notice. Failure to do so will result in prosecution in Provincial Court. Penalty may be remitted to: Village of Zenon Park, Box 278, Zenon Park, SK. S0E 1W0.

Name of Violator _____

Address _____

Description of domestic Pet

Nature of Violation:

Failure to comply with Section _____ Bylaw no. 1/18

☐ First Offence, \$ 25.00

☐ Second Offence, \$ 50.00

☐ Third or Subsequent (_____) Offence, \$ 100.00

Location of Violation _____

Date of Violation _____

Date Served _____

Served By _____

FORM "C" – BYLAW 1/18

COMPLAINT FORM

Name of Domestic Pet Owner _____

Description of Domestic Pet _____

Nature of Complaint:

Location of Violation _____

Date of Violation _____

Complainant

Date

Administrator

Date Received