

Bylaw No. 696-23

RESPONSIBLE PET OWNERSHIP BYLAW
AMENDMENT



Adopted by Town of White City Council on September 18, 2023

Introduced and read a first time on September 18, 2023.

Read a second time on September 18, 2023.

Read a third time on September 18, 2023.

BYLAW NO. 696-23

A BYLAW TO AMEND BYLAW NO. 642-19, BEING A BYLAW TO
PROVIDE FOR THE LICENCING, CONTROLLING AND REGULATING OF
PETS AND ANIMALS

Under the authority granted by subsection 8(1) of *The Municipalities Act*, SS 2005, c M-36.1, the Town of White City in the Province of Saskatchewan, by and with the advice and consent of the Town of White City Council, enacts as follows:

1 Bylaw No. 642-19 is amended by:

(1) Adding subsection 2(1.1):

(1.1) **aggressive animal** means an animal who has not been declared dangerous by a judge pursuant to section 375 of the act but has displayed aggressive behavior including, but not limited to:

- (a) without provocation, in a vicious or menacing manner, chases or approaches a person or domestic animal in an apparent attitude of attack;
- (b) any animal having an inclination, tendency or disposition to attack without provocation to cause injury or to otherwise threaten the safety of persons or domestic animals;
- (c) any animal which without provocation has bitten, inflicted injury or otherwise attacked a person or domestic animal;
- (d) any animal owned primarily or in part for the purpose of animal fighting or is trained for animal fighting;

but does not include:

- (e) any animal acting in the performance of police work;
- (f) any animal working as a guard animal on a commercial property that is enclosed on that property to prevent the escape of the animal or entry of children and is defending that property against a person committing an offense;

(2) Deleting and replacing subsection 2(8) with:

dangerous animal means an animal that is declared dangerous by a judge pursuant to section 375 of the act;

(3) Deleting and replacing subsection 2(15) with:

license means a license issued by the town in accordance with the provisions of this bylaw;

(4) Adding section 31.1:

31.1 An owner shall make a report within twenty-four (24) hours if the owner's animal bites or attacks a person or another animal by providing the owner's name and the

animal's license number, or description, to the person, or the person whose animal, who was bit or attacked and by providing that information to a designated officer.

(5) Deleting and replacing section 33 with:

33 No person shall:

- (1) untie, loosen or otherwise free an animal which has been tied or otherwise restrained;
- (2) negligently or willfully open a gate, door or other opening of a fence or enclosure in which an animal has been confined and thereby allow an animal to run at large in the City; or
- (3) tease, entice, bait or throw objects at a confined animal.

(6) Amending the title of Part VI to read "Dangerous and Aggressive Animals".

(7) Deleting and replacing section 41 with:

41 No person shall own or keep a dangerous animal within the limits of the town.

(8) adding sections 41.1, 41.2, 41.3, 41.4, 41.5, 41.6, 41.7, 41.8 and 41.9:

- 41.1 An animal shall be considered an aggressive animal if there is substantiated evidence that an animal meets the definition of an aggressive animal per this Bylaw.
- 41.2 If an animal has been declared aggressive, written notice of the designation will be provided to the animal's owner.
- 41.3 Any person may appeal the designation of an aggressive animal within ten (10) days to the town manager.
- 41.4 Any person who owns or harbours an aggressive animal within the town shall:
 - (1) muzzle and leash the animal at all times the animal is outside of the owner's dwelling or run and keep it under the direct control and supervision of an adult;
 - (2) inoculate the animal against rabies and provide proof to the town of current and future inoculations;
 - (3) report the sale or other disposition of the animal to the town no more than seventy-two (72) hours after the owner has given up possession of the animal;
 - (4) keep the animal in an enclosure which complies with the criteria as set out in section 41.6;

- (5) display a sign on the owner's property warning of the presence of the animal and continue to display that sign in good condition so long as the animal is present on the property; and
 - (7) sterilize the animal within 10 days of the designation.
- 41.5 Where an animal who is required to wear a muzzle and leash pursuant to this part, is removed from the owner's property the animal shall be equipped with a muzzle and be secured by a leash in accordance with the following criteria:
- (1) the animal shall be fitted with a collar or harness for the body that is properly placed and fitted on the animal;
 - (2) the municipal tag shall be clearly displayed on the collar or harness of the animal;
 - (3) the movement of the animal shall be controlled by a person by means of a leash attached to the collar or harness of the animal;
 - (4) the leash shall not exceed 1.2 meters in length and constructed of a material having a tensile strength of at least 140 kilograms;
 - (5) the muzzle shall be properly fitted on the animal to prevent it from biting any animal or person or interfere with the vision or respiration of the animal; and
 - (6) no person not physically able to adequately control the animal on a leash may remove or have the animal removed off the residing property.
- 41.6 Where an animal is required to be kept in an enclosure pursuant to this part, the enclosure shall:
- (1) be constructed of wood or any other building material of sufficient strength and in a manner adequate to:
 - (a) confine the animal; and
 - (b) prevent the entry of young children;
 - (2) the entrances and other areas by which entry to or exit from the enclosure may be made shall be locked or fastened in a manner adequate to prevent the animal from escaping the enclosure;
 - (3) have a top secured to the sides of the enclosure;
 - (4) have a floor secured to the sides of the enclosure or the sides of the enclosure shall be embedded in the ground to a depth of 0.6 meters;

- (5) not use a fence separating the owner's property from an adjacent property as one of the sides of the animal enclosure;
 - (6) be located no closer than five (5) meters from a dwelling unit located on an adjacent property; and
 - (7) the enclosure shall:
 - (a) provide protection from the elements for the animal;
 - (b) provide adequate light and ventilation for the animal; and
 - (c) be kept in a sanitary and clean condition.
- 41.7 No person shall own an animal for the purpose of fighting, or shall train, torment, badger, bait or otherwise use an animal for the purpose of causing or encouraging the animal to make unprovoked attacks on persons or animals.
- 41.8 Designation of an aggressive animal continues to apply if the animal is sold or given to a new owner.
- 41.9 The town may, at any time, order an aggressive animal no longer be kept or harboured within town limits.
- (9) Deleting and replacing section 45 with:
- 45 A person who is guilty of an offence pursuant to Part II or Part VI of this Bylaw may, at the direction of the designated officer, be directed that the animal in question is no longer permitted to be harboured within the limits of the town.
- (1) The animal owner shall, within forty-eight (48) hours, rehome the animal.
- (10) Deleting Schedule "A" and replacing it with Schedule "A" as attached.
- (11) Amending typographical errors or misidentified sections throughout the bylaw.



Mayor

Town Manager

SCHEDULE A

Fines

		1 st Offence	2 nd Offence	3 rd & Subsequent Offence
General Fines				
	Failure to comply with a provision of this Bylaw	250.00	500.00	750.00
	Failure to comply with an order of a designated officer	500.00	750.00	1000.00
Licensing				
s. 3	Failure to register an animal	50.00	100.00	150.00
ss. 4(2)	Failure to affix a valid animal identification tag	50.00	100.00	150.00
s. 8	Providing false information during registration	500.00	500.00	500.00
s. 13	Harbouring more than five (5) animals over the age of six (6) months	100.00	200.00	300.00
Control				
s. 14	Allowing animal to be at large	200.00	300.00	400.00
s. 16	Failure to accompany and control animal in off-leash dog park	50.00	100.00	150.00
ss. 16(5)	Allowing a dangerous animal, or an animal displaying aggressive behaviour in an off-leash dog park	200.00	300.00	400.00
s. 21	Use of cat trap	100.00	200.00	300.00
s. 22	Use of leg hold or foot hold trap	100.00	200.00	300.00
s. 23	Failure to confine a non-sterilized animal during a period of heat	250.00	300.00	350.00
s. 24	Failure to comply with run standards	100.00	200.00	300.00
Nuisance				
s. 26	Failure to remove defecation	500.00	500.00	500.00
s.28	Allowing an animal to bark or howl so as to create a nuisance	100.00	200.00	300.00
ss. 31(1)	Allow animal to bite a person or another animal	1000.00	2000.00	3000.00
ss. 31(3)	Allow animal to chase or otherwise threaten a person or animal	1000.00	2000.00	3000.00
ss. 33	Purposefully release or provoke an animal	500.00	1000.00	1500.00
Regulation and Control of Other Animals				
s. 34	Harbouring prohibited bees, per day	50.00	100.00	150.00

s. 38	Harbouring prohibited pigeons, per day	50.00	100.00	150.00
s. 39	Harbouring prohibited livestock, per day	50.00	100.00	150.00
Dangerous and Aggressive Animals				
s. 41	Harbouring dangerous animal(s)	1000.00	2000.00	3000.00
s. 41.4	Failure to comply with requirements for aggressive animal	500.00	1000.00	1500.00
s. 41.9	Failure to remove animal at the direction of the designated officer, for each day	250.00	250.00	250.00