

A Bylaw to Provide for the licensing, prohibiting, regulating and controlling of animals within the Town of Kamsack

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

Title

1. This Bylaw may be referred to as "The Animal Control Bylaw."

Part 1: Interpretation

- 2. In this Bylaw unless the context requires otherwise, the expression:
 - a. "Animal Control Officer" shall mean the Community Safety Officer or Bylaw Enforcement Officer of the Town of Kamsack and/or any such person or persons as may be designated by the Town, from time to time, to enforce the provisions of this Bylaw and includes the agents or employees of that person or those persons so designated.
 - b. "**Aggressive behavior**" shall mean behavior whereby an animal poses a threat to an individual or another animal involving; snarling, growling, snapping, biting, barking or lunging, with intent to harm.
 - c. "Cat" means either male or female cat of the Family Felis Domestica.
 - d. "Chicken" means female animals of the "Gallus Gallus Domesticus" family but does not include the male rooster.
 - e. "Complete control" shall mean controlled by a leash, chain or other similar restraining device.
 - f. "Council" means the Council of the Town of Kamsack.
 - g. "Dangerous Dog" shall mean any dog that;
 - (i) has killed or seriously injured a person without provocation,
 - (ii) has killed or seriously injured another domestic animal without provocation in a public place or on private property, other than property owned or occupied by the person responsible for the dog, or
 - (iii) an Animal Control Officer has reasonable grounds to believe the dog will kill or seriously injure a person.



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- h. "**Dog**" means either male or female dog of the Family Canis Domestica.
- i. "**Dog containment fence**" means a fence constructed for the purpose of containing a dog on private property.
- j. "**Dog run**" means a permanent structure outside of a residential dwelling unit, used for the containment of a dog.
- k. "Effective control" shall mean under the immediate control of the owner or other such person who is with the dog and who is able to control the dog in all respects by means of verbal command.
- 1. "**Kennel**" means any structure used by any person for breeding, boarding or otherwise caring for, training or whelping dogs, whether or not for profit, exceeding five (5) animals over the age of three (3) months, and not more than three (3) of these animals may be kept outside of the owners dwelling.
- m. "Owner" includes:
 - i) a person, persons, partnership, association or corporation who keeps, possesses, harbors; or has care of or control of a dog or cat;
 - ii) the person responsible for the custody of a minor where the minor is the owner of a dog or cat;

but does not include:

- iii) a veterinarian registered pursuant to The Veterinarians Act, 1987 who is keeping or harboring a dog or cat for the prevention, diagnosis or treatment of a disease or an injury to the dog or cat;
- iv) an urban municipality or the Saskatchewan Society for the Prevention of Cruelty to Animals in respect of an animal shelter or impoundment facility operated by it;
- n. "**Poultry**" shall mean domesticated birds kept for eggs or meat Examples include chickens, turkeys, ducks, geese, quail, fowl, pheasants.
- o. "**Pound**" means such premises and facilities as may be designated by the Town, from time to time, as the pound.



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- p. "Running at large" means off the premises and boundaries of the land occupied by the owner or possessor or the animal or beyond the boundaries of any lands where the dog or cat may be with the permission of the owner or occupier of the lands and is not under complete control or effective control of the owner.
- q. "**Town**" means the Town of Kamsack.
- r. "**Livestock**" means non-domesticated animals including but not restricted to pigs, deer, cattle, antelope, camels, llamas, sheep, goats, horses, asses, and mules.
- s. "**Poultry**" shall mean domesticated birds kept for eggs or meat Examples include chickens, turkeys, ducks, geese, quail, guinea, fowl, pheasants, pigeons, ostriches.
- t. "**Prohibited animal**" means any species not native or indigenous to the Kamsack area or as defined in Schedule C.
- u. "Unsanitary conditions" includes an accumulation of fecal matter, an odor, insect infestation or rodent attractants which endanger the health of the dog or cat or any person, or which disturb or are likely to disturb the enjoyment, comfort, or convenience of any person in or about any dwelling, office, hospital or commercial establishment.

<u>Part II: Dogs & Cats:</u> <u>Number of Pets, Care, Control and Licensing</u>

3. Number of Pets

- 3.1. No person shall keep within the Town of Kamsack more than a total of 5 (five) cats/dogs over the age of 6 months, and not more than three (3) of these animals may be kept outside of the owner's dwelling.
- 3.2. Businesses who rely on cats/dogs for their primary income may, at the discretion of the Community Safety Officer, Bylaw Officer or Developmental Officer, obtain a written exemption from the Town of Kamsack for section 3.1.



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4. Care and Control

- 4.1. No animal shall be confined in a way that leads to distress of the animal.
- 4.2. No person shall keep a dog or cat in an unsanitary condition.
- 4.3. If a dog or cat defecates on any public or private property (other than the property of its owner), within the Town of Kamsack, the owner shall remove such feces immediately and dispose of them in a sanitary fashion.
- 4.4. 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 to become unsightly. The owner of a dog or cat shall remove any and all dog or cat feces from said property in a timely manner and dispose of the feces in a sanitary manner.
- 4.5. Failure to cause the removal of all feces as required by subsection 4.3 and 4.4 shall be a breach of this bylaw.
 - 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 to become unsightly.
 - b) An Animal Control Officer or designate may serve an owner or occupant of private property with a notice to remove all animal feces from the property within 72 hours of service of the notice.
 - c) If a notice under subsection 4.5(b) is not served personally on an owner or occupant of private property, then a copy of the notice shall be sent by mail to the owner of the property at the mailing address shown on the last revised assessment roll of the town.
 - d) A notice served by mail is deemed to have been received on the fifth day following the date of its mailing.
 - e) The Town may remove the feces from the property if the person to whom the request is made fails to remove the feces within 72 hours; or after reasonable inquiry, the whereabouts of the owner or occupant of the property cannot be determined.
- 4.6 If the Town carries out the work under subsection 4.5, the cost and expenses incurred are a debt due to the Town and the Town may recover the costs and expenses:
 - a) by action of a court of competent jurisdiction;
 - b) in the same manner as municipal taxes;



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- c) by adding the costs and expenses to, and thereby they form the part of, the taxes on the land on which the work is done.
- 4.7 No owner shall allow for any reason his or her dog or cat to be or become a nuisance by barking, howling, or meowing excessively or in any other manner to the annoyance or discomfort of any person.
- 4.8 No owner of a dog or cat shall permit his or her dog or cat to, without provocation:
 - a) chase, bite or attack any person;
 - b) chase, bite or attack any domestic animal;
 - c) damage public or private property;

4.9 No person shall:

- a) Untie, loosen or otherwise free a dog or cat which has been tied or restrained; or
- b) Negligently or willfully open a gate, door or other opening in a fence or enclosure in which a dog or cat has been confined and thereby allow a dog or cat to run at large in the Town of Kamsack;
- c) Tease, entice, bait or throw objects at a dog or cat confined within its owner's property.
- 4.10 The running at large of dogs or cats is prohibited within the Town of Kamsack.
- 4.11 Owners shall ensure that a dog run, dog leash or dog containment fence on the Owner's property is located no closer than four (4) feet to a property line.
 Owners shall ensure that a dog run or dog containment fence on the Owner's property is constructed of material of sufficient strength and in a manner adequate to:
 - a) Confine the dog; and
 - b) Prevent the entry of children less than 16 years of age.
- 4.12 A dog run or dog containment fence is not permitted to be placed in the front yard of a dwelling unit. Nor are dogs permitted to be leashed in front yards.
- 4.13 If, in the opinion of the Animal Control Officer, the condition or location of a dog run is not in accordance with this Bylaw, the Animal Control Officer may order the owner of the property on which the dog run is located, to clean, alter, demolish or relocate the dog run within a minimum of 30 days or the time specified in the order.

5 Licensing

5.1 The license year for dogs and cats shall be listed in Schedule A.



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- 5.2 The owner of any dog or cat aged six months or more shall, not later than January 31 of each year, or within 10 days after becoming the owner of a dog or cat, obtain a license for the dog or cat from the Town. The license shall not be transferable to any other dog or cat or to another owner. The onus of proof as to the exact date when the owner became the owner of the dog or cat shall be on the owner.
- 5.3 When applying for a license under this section, the applicant shall provide the Town with a description of the dog or cat, the name and address of the owner or the keeper, the breed of the dog, proof of rabies vaccination within two (2) years of the date of application for the license, and any other relevant information which may be required by the Town.
- 5.4 When issuing a license for a dog or cat, the Town shall supply the applicant with a tag, the form of which may be determined by the Town, which shall have stamped or engraved on it numbers or letters indicating a serial number and year of issue. A receipt for payment of the license shall also be supplied to the owner, who will attach the tag to a collar to be worn around the neck of the dog or cat at all times.
- 5.5 No person other than the owner of the dog or cat licensed pursuant to this Bylaw shall remove its collar or tag.
- 5.6 The annual license fee shall be as set out in Schedule "A" attached to and forming part of this Bylaw.
- 5.7 In the event a tag is lost or destroyed, a duplicate will be issued by the Town upon presentation by the owner of a receipt showing payment of the license fee for the current license year and upon payment of the sum of \$5 for the issuance of the duplicate.
- 5.8 The owner of a dog or cat shall ensure the dog or cat wears a collar to which is attached a current license tag whenever the dog or cat is off the premises of the owner, provided that this provision shall not apply while a dog or cat is participating in a recognized show, obedience trial or field trial.
- 5.9 No person shall give false information when applying for a dog or cat license.
- 5.10 The provisions of this section shall not apply to dogs and cats kept, in the ordinary course of business by the proprietors of the following premises namely:
 - a) A veterinary hospital, clinic, boarding kennel or grooming parlor;
 - b) A public pound;
 - c) A shop whose business includes 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.



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6 Kennels

- 6.1 The operation of any kennel within the Town of Kamsack shall be subject to the following conditions:
 - a) Kennels can only be located in C2 Commercial District;
 - b) The kennel operator must be a member in good standing of the Canadian Kennel Club or any other bona fide Kennel Club, proof of membership must be provided to the Town;
 - c) The kennel operator must have the premises inspected annually by the Regional Health Officer or the SPCA; deficiencies from the inspection must be addressed prior to issuance of a business license;
 - d) Accommodations and housing for the animals must conform to the guidelines set out in the "Code of Practice for Canadian Kennel Operators: issued by the Canadian Veterinary Medical Association.
 - e) The kennel operator must hold a valid Town of Kamsack Business Licence.

Seizure, and Nuisances

7 Seizure

- 7.1 An Animal Control Officer or Peace Officer may seize:
 - a) any dog or cat running at large
 - b) any dog or cat not wearing a collar and tag while off the premises of the owner and not accompanied by a person responsible.
- 7.2 An Animal Control Officer or Peace Officer may enter onto the land surrounding any building in pursuit of any dog or cat which has been observed running at large.
- 7.3 No person, whether or not he is the owner of a dog or cat which is being or has been pursued or seized shall:
 - a) interfere with or attempt to obstruct an Animal Control Officer or Peace Officer who is attempting to seize or has seized any dog or cat in accordance with the provisions of this Bylaw.
 - b) unlock or unlatch or otherwise open the vehicle in which dogs or cats seized under this Bylaw have been placed, so as to allow or attempt to allow any dog or cat to escape therefrom.
 - c) remove or attempt to remove any dog or cat from the possession of the Animal Control Officer or Peace Officer.



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- 7.4 The Animal Control Officer shall make all reasonable efforts to identify and contact the owner of every unlicensed animal received, whether the animal is alive or dead.
- 7.5 Where, in the opinion of the Animal Control Officer, in consultation with a veterinarian, a dog or cat seized is injured or ill and should be destroyed without delay for humane reasons or for reasons of safety to persons, the dog or cat may be euthanized humanely. Reasonable efforts shall be made to contact the owner of a dog or cat before the dog or cat is euthanized under this subsection, however no action lies against the Animal Control Officer or Veterinarian solely because the owner of the dog or cat was not contacted.
- 7.6 Where a dog or cat seized is injured or ill and is treated by a veterinarian, the Town shall be entitled to charge the person claiming the animal for the cost of the treatment.
- 7.7 Any dog or cat suspected of having rabies or other life-threatening disease shall be destroyed or otherwise disposed of except after notice to the Medical Health Officer and then only in compliance with the direction of the Medical Health Officer.

8 Nuisance

- 8.1 No owner of a dog or cat shall permit the dog or cat to create a disturbance by barking, howling, meowing excessively, or wailing. For the purpose of this section a dog or cat is creating a disturbance if it can be easily heard by a person not situated on the property where the dog or cat is kept.
- 8.2 On a complaint made in writing to the Animal Control Officer that any dog or cat has been causing a disturbance, the Animal Control Officer, upon being satisfied of the truth of the complaint, may notify the owner of such dog or cat to abate the nuisance within 48 hours after receipt of the notice. The notice shall be in writing and shall be served personally upon the owner or left with some adult person at the residence of the owner. Failure to comply with the terms of the notice shall be a breach of this Bylaw.
- 8.3 Upon receiving a second or subsequent complaint within 30 days after the expiry of the 48-hour period set out in a notice under Subsection 7.2, the Animal Control Officer may order the owner remove the dog or cat from within 48 hours after receipt of the order. In the event that the order requires the dog or cat to be removed from Town and the dog or cat is not removed from Town, the Animal Control Officer may enter onto the property of the owner for the purpose of removing such dog or cat.



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Dangerous and Prohibited Dogs

9. **Dangerous Dogs**

- 9.1. The Animal Control Officer is designated for the purpose of Division 5 of *The Municipalities Act*.
- 9.2. The Animal Control Officer is designated for the purposes of Section 375(5)(vi) of *The Municipalities Act* as the persons to be notified if an owner sells or otherwise disposes of a dangerous dog.
- 9.3. Where the local authority is of the opinion that a dog be labelled Dangerous, that dog shall be deemed a Prohibited Dog.

10. Prohibited Dogs

- 10.1. No person shall own, possess or harbor a prohibited dog within the boundaries of the Town of Kamsack.
- 10.2. Any person who owns, possesses or harbors a prohibited dog within the boundaries of the Town of Kamsack shall be deemed to be guilty of an infraction of this Bylaw. The owner will be given an order, in writing, from the Animal Control Officer, to have the dog removed from Town within 24 hours. If the dog is not removed from Town in the time period indicated, the owner will be given a \$500. fine for each day the dog remains in Town.

11. Prohibited Animals

- 11.1. No person shall keep, either on a temporary or permanent basis, any prohibited animal within the Town of Kamsack.
- 11.2. Notwithstanding Section 11.1, prohibited animals owned prior to the effective date of this bylaw will be allowed to be kept by their owners provided they:



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- a) have the animal registered;
- b) register the animal with the Town as a "Grandfathered Prohibited Animal";
- c) keep the animal(s) enclosed in an escape proof enclosure, aquarium, pen, cage or container:
- d) allow the Animal Control Officer to inspect the animal enclosure;
- e) keep their animals from attacking a person or other animal;
- f) keep their animals from damaging private or public owned property;
- g) maintain the animal's enclosure in a sanitary manner.
- 11.3. Any person found to be harboring a prohibited animal will be subject to the provisions of penalty section 13.1 of this bylaw as well as seizure of the prohibited animal upon summary conviction.

12. Dog/Cat Bites

12.1. When a dog or cat has bitten a person or is suspected of being rabid, the local veterinarian shall be notified immediately. Any charges incurred by the town to have the veterinarian in attendance shall be charged to the owner, and if the dog/cat is impounded, paid prior to the dog/cat being released from the pound. Failure of the owner to pay such fees within the specified period shall be deemed a breach of this Bylaw.

Part III: Bee Keeping

- 13.1 No Person shall own or harbor honeybees without a valid beekeeping license for the current year and pay the corresponding fees as contained in Schedule "A".
- 13.2 The Animal Control Officer may refuse to issue or may revoke a license issued pursuant to this section by providing written notice to the licensee.
- 13.3 No person shall keep more than one active hive with six supers on one property, or two active hives with 12 supers on double lots.
- 13.4 All honey beekeepers must adhere to *The Apiaries Act* and *The Apiaries Regulations*.
- 13.5 All beekeepers must obtain, and produce to the Town, a Saskatchewan Premises Identification number.
- 13.6 A hive must be set up in the rear of the property.
- 13.7 No person shall place the hive within three (3) meters of any property line and a 6-foot hedge/fence must be between neighboring property lines.



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13.8 All beekeepers must:

- a) Place the hive entrance to be directed away from adjacent residential properties.
- b) Not be within 25 meters from any public space or school property.
- c) Provide a water source within the backyard for the bees.
- d) Provide a standard of care to prevent disease and swarms.
- e) Notify all surrounding neighbors within a 25-meter radius of their property with a letter provided by the Town of Kamsack stating their intention of starting a hive.
- f) Notify all surrounding neighbors within a 25-meter radius of their property with a letter from the Town of Kamsack stating their intention of honey extraction days, including when.
- g) Take the Saskatchewan Beekeeping Development Commission Introductory Course and provide documentation to the Animal Control Officer that the course was successfully completed.
- h) Register as a beekeeper, as per *The Apiaries Act* and *Regulations*, with the Saskatchewan Minister of Agriculture.
- 13.9 Beekeepers must make the hive available for inspection when requested by the Animal Control Officer.

Part IV: Urban Chicken Program

- 14. Urban Chicken Program
 - 14.1. The Urban Chicken Program is intended for personal use only and for Eggs only. This program is not designed for commercial businesses.
 - 14.2. No Person shall own or harbor chickens without a valid urban chicken license for the current year and pay the corresponding fees as contained in Schedule "A".
 - 14.3. The Animal Control Officer may refuse to issue or may revoke a license issued pursuant to this section by providing written notice to the licensee.
 - 14.4. All persons who own or harbor chickens must obtain, and produce to the Town, a Saskatchewan Premises Identification number from the Province of Saskatchewan.
 - 14.5. All urban chicken keepers must adhere to *The Animal Production Act, Regulations* and any other provincial and federal legislation required.
 - 14.6. Urban Chicken Producers must make the coop available for inspection when requested by the Animal Control Officer.



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14.7. All Urban Chicken Producers must adhere to the Town of Kamsack Urban Chicken Program Policy.

Part V: Penalties

15. Penalties

- 15.1. Every person who contravenes any provision of this Bylaw not covered under Schedule "B" of this Bylaw is guilty of an offence and liable on summary conviction:
 - a) in the case of an individual, to a fine of not more than \$2000; and
 - b) in the case of a corporation, to a fine of not more than \$5000.
- 15.2. Conviction of a person for breach of any provision of this Bylaw does not relieve him from compliance with the Bylaw, and the convicting Justice of the Peace or Judge of the Provincial Court may, in addition to any fine imposed, order the person to perform, within a specified period, any act or work necessary for the proper observance of this bylaw or to remedy any breach thereof. This may include having the dog or cat removed from Town, or destroyed.
- 15.3. A person who fails within the period specified in an Order under Section 11 to comply with the order is guilty of an offence and liable upon summary conviction to a fine of \$500 for each day during which the breach continues.
- 15.4. Each day of violation of any provision of this Bylaw shall constitute a separate offence.
- 15.5. The applicable penalties for contravention of this Bylaw shall be as provided for in Schedule "B" attached to and forming part of this Bylaw.

Part VI: General

- 16. It shall be unlawful to keep live livestock within the boundaries of the Town of Kamsack, except:
 - 16.1. on the premises of a recognized industry in the business of handling livestock;
 - 16.2. on the premises of, and in association with, shows, fairs, and/or exhibitions held with the permission of the Town of Kamsack.
- 17. It shall be unlawful to herd or graze any livestock within the boundaries of the Town of Kamsack, except on the premises of, and in association with, shows, fairs, and/or exhibitions held with the permission of the Town of Kamsack.



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- 18. If any section, subsection, sentence, clause, phrase or other portion of this Bylaw is for any reason held invalid or unconstitutional by a Court of competent jurisdiction, that portion shall be deemed a separate, distinct and independent provision, and the holding of the Court shall not affect the validity of the remaining portions of the Bylaw.
- 19. Bylaw No. 2024-01 is hereby repealed.
- 20. This Bylaw shall come into force and take effect on the day of final passing thereof.

SEAL		
	Mayor	
	Administrator	



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SCHEDULE "A"

DOG LICENCE

1.	Male or Female	\$25.00
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➤ Lifetime charge

2. Guide/Seeing Eye Dog No charge

3. Replacement Tag \$ 5.00

CAT LICENCE

1	Male or Female	\$25.00
1.	iviale of i ciliale	Ψ23.00

➤ Lifetime charge

2. Replacement Tag \$ 5.00

BEE KEEPING LICENSE

1.	Urban Beekeeping License	\$150.00
2.	Renewal after the first year	\$ 50.00

URBAN CHICKEN LICENSE

1.	Urban Chicken License	\$150.00
2.	Renewal after the first year	\$ 50.00



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SCHEDULE "B"

OFFENCE UNDER	<u>OFFENCE</u>	<u>AMOUNT</u>
Section 4.3	Defecation - property other than owner	\$150.00
Section 4.4	Defecation - owner's property not cleaned daily, accumulation of feces	\$150.00
Section 4.7	Barking	\$150.00
Section 4.9	Untie or free animal, willfully open gate or door, tease or throw things at dog/cat	\$150.00
Section 4.10	Running at large	\$150.00
Section 4.11	Dog run, dog containment fence or dog leashed in front yard	\$150.00
Section 5.2	Unlicensed Dog	\$150.00
Section 5.5	Removing collar or tag	\$ 50.00
Section 5.8	Dog was not wearing license off the owner's property	\$ 25.00
Section 5.9	False Information	\$250.00
Section 8.3	Interference with enforcement	\$250.00
Section 13	Beekeeping without a license	\$200.00
Section 14	Chicken Keeping without a license	\$200.00
Section 16	Livestock	\$200.00

Subsequent Offense committed within three (3) months of the first offense-DOUBLE THE ABOVE SCHEDULE



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SCHEDULE C

The following is a list of prohibited animals within the Town of Kamsack, Saskatchewan:

- (a) All native carnivorous mammals excluding domesticated dogs, cats and ferrets.
- (b) All raptors, such as eagles, hawks and owls.
- (c) All venomous snakes, reptiles and insects.
- (d) ANY snake longer than 3 meters (or 9 feet, 10 inches from snout to tip of tail).
- (e) ANY lizard longer than 2 meters or (6 feet, six inches from snout to tip of tail).
- (f) ANY dog classified as dangerous.