

BYLAW 12-2008
A BYLAW OF THE TOWN OF CUPAR TO REGISTER, LICENSE, REGULATE AND RESTRAIN DOGS AND CATS

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

1. DEFINITIONS:

For the purpose of this bylaw the expression:

- A. ADMINISTRATOR means the Administrator for the Town of Cupar or an employee of the Town designated by the Administrator or Council to act on behalf of the Town.
- B. COUNCIL means the Council of the Town of Cupar.
- C. PROHIBITED/DANGEROUS/VICIOUS/HIGH RISK DOG shall mean:
- a) any dog which has without provocation, in a vicious or menacing manner, chased or approached a person or domestic animal in an apparent attitude of attack;
 - b) any dog 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 dog which has without provocation, bitten, inflicted injury, assaulted or otherwise attacked a person or domestic animal;
 - d) any dog owned primarily or in part for the purpose of dog fighting or is trained for dog fighting;
 - e) Any dog without provocation, that threatens or creates reasonable apprehension of a threat to other animals or humans;
- But shall not be included:
- f) Any dog acting in the performance of police work;
 - g) Any dog working as a guard dog on commercial property which is:
 - i) securely enclosed on the property by a fence or other barrier sufficient to prevent the escape of the dog and the entry of children of pre-school age; and
 - ii) defending that property against a person who is committing or attempting to commit an offence.
- D. DOG or CAT shall mean and include both male and female dogs and cats wherever the term is used herein except where the context states otherwise.
- E. DOG/CAT CONTROL OFFICER shall mean a person designated and appointed by Council, the RCMP or the Administrator who shall carry out the provisions under this Bylaw.
- F. JUDGE means a judge of the Provincial Court of Saskatchewan, who is authorized to carry out the "Dangerous Dog" provisions of the Municipalities Act and amendments thereto.
- G. LEASH shall mean a leash adequate to control the dog or cat to which it is attached securely to the collar, choke collar or harness.
- H. LICENSE means a Dog or Cat License issued by the Town of Cupar in accordance with the provisions of this Bylaw
- I. LICENSE FEE shall be the fee as set out in Schedule "A" of this Bylaw.
- J. LICENCE PERIOD shall be for one year.
- K. LICENSE TAG shall mean a device bearing a distinctive serial number intended to be attached to the collar of a dog or cat and issued by the Town upon payment of license fee as prescribed in this Bylaw.
- L. MUNICIPALITY shall mean the Town of Cupar.
- M. OWNERS includes:
- a) a person who has care, charge, control, keeps, possesses or harbours a dog or cat;
 - b) the person responsible for the custody of a minor where the minor is the owner of a dog or cat;
 - c) a person who claims any interest in the dog or cat;
 - d) a person whom a License Tag was issued in accordance with this Bylaw;
 - e) the Town of Cupar with respect to an animal shelter or impoundment facility operated by the Town.
- For the purpose of this Bylaw, a dog or cat may have more than one (1) owner.
- N. PARK shall mean any Park or Recreational Area.
- O. PENALTIES shall be as set out in Schedule "B" of this Bylaw.
- P. PROVOCATION means an act done intentionally for the purpose of provoking a dog or cat.
- Q. POUNDKEEPER shall mean a person designated and appointed by Council or the Administrator to maintain a suitable accommodation(pound) for the keeping of impounded dogs or cats.
- R. PROHIBITED DOG means any dog identified in Schedule C of this Bylaw.
- S. RUNNING AT LARGE shall mean a dog or cat which is
- a) off the premises of its owner;
 - b) is not on a leash at the control of its owner;
 - c) is not confined in a secure enclosure.

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- T. TOWN shall mean the Town of Cupar, Saskatchewan.
- U. VIOLATION NOTIFICATION/TICKET means a notice/ticket served to the owner of a dog or cat who has violated this Bylaw.

2. OFFENSES:

- A. Every person that possesses/harbours a dog or cat over the age of six months shall purchase a yearly-dog license from the Town office.
- B. All persons living in the Town of Cupar before January 1, 2009 that owns a prohibited dog must have a eight (8) foot fence or dog kennel to confine the animal.
- C. No person within the boundaries of the Town shall possess or harbor a "prohibited dog"
- D. Every person to whom a license has been issued under this bylaw shall have their animal wear a collar to which shall be attached the license tag issued by the Municipality pursuant to this bylaw. In the case of a lost or damaged tag the Municipality will replace the tag at a charge of \$25.00.
- E. No person shall keep, posses or harbor more than four dogs or cats in one building or residence.
- F. No owner shall permit a dog or cat to create a disturbance by barking, howling, chasing a person or animal or in any other way causing an interference with the lawful use and enjoyment of public or private property by any other person.
- G. No owner shall allow any dog or cat, which without provocation, bites, inflicts injury, assaults or otherwise attacks a person or domestic animal.
- H. An owner or occupant of private property must not allow animal feces to accumulate on the property as to create a health hazard.
- I. If a dog or cat defecates on any public or private property other than the property of its owner, the owner of the dog or cat shall remove the defecation immediately.
- J. No owner shall allow a dog or cat to damage any public or private property not belonging to the Owner within the corporate limits of the Town.
- K. No owner shall allow a dog or cat to cause any damage whatsoever to any floral or vegetation area of any park or destroys any floral or vegetation area of any private property.
- L. No owner shall allow a dog to "Run at Large" within the boundaries of the Town of Cupar.
- M. No owner shall allow a dog or cat to cause garbage retained in waste receptacles or other containers to be scattered on public or private property.
- N. No owner shall allow a dog or cat to chase any person who is on foot or bicycle.
- O. No person shall abuse or injure any dog or cat.
- P. No person shall tease, torment or annoy any dog or cat.
- Q. No person shall kill a dog/cat in which he/she is not the Owner except in the case of a dog/cat Control Officer or in the interest of the public safety.
- R. No person without the permission of the Owner, unties, loosens or otherwise frees a dog or cat which is not in distress.
- S. No person shall interfere with, hinder or impede a Dog/Cat Control Officer in the performance of any duty authorized by this Bylaw.

3. LICENCES:

- A. Every person who owns or harbours a dog or cat over the age of 6 months, within the Town shall no later than the 1st of February each year, obtain either an annual license for the dog(s) or cat(s) from the Town. Failure to do so shall constitute an offense under this Bylaw
- B. When applying for a license the owner shall provide:
 - i) a description of the dog or cat including the breed, color, age, sex ;
 - ii) state if neutered or not;
 - iii) name, telephone number and street address of the owner;
 - iv) name of the dog or cat;
 - v) other relevant information which may be required by the Town in respect to the License application;
- C. Fees are set out in Schedule A of this Bylaw.
- D. In the case of a lost license tag, a replacement tag will be issued at a cost of \$25.00 .

4. ENFORCEMENT:

- A. The Town has the right to declare a dog prohibited/dangerous/vicious/high risk.
- B. Prohibited Dogs are identified by their breed.
- C. The Council has the authority to appoint the Administrator or personal of the Town staff to serve upon such persons who are in offence of this Bylaw a Violation Ticket .

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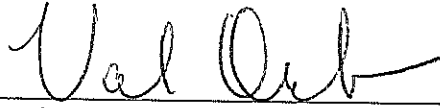
- D. When the appointed person has reasonable grounds to believe that a person has contravened any provision of this Bylaw, he or she may serve upon such person a Violation Ticket allowing payment of a specified penalty as described in Schedule B to the Town within fourteen (14) days of the issuance date of the violation ticket.
- E. The violation ticket may be served to such a person by means of personally contact, delivery to best known address or by mail.
- F. The Violation ticket shall state:
- a) the name, address of the offender;
 - b) offence;
 - c) location, date and time of offence;
 - d) appropriate penalty of the offence as stated in this Bylaw;
 - e) that the penalty shall be paid within fourteen(14) days of the issuance of the violation ticket to avoid prosecution of the offence;

5. **REPEAL:**

This Bylaw shall repeal Bylaw No 7-95

6. **EFFECTIVE DATE:**

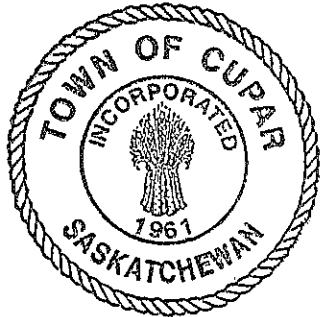
This Bylaw shall come into force upon passing the Third (3rd) reading.



Mayor



Administrator



Certified a True Copy of
BYLAW 12-2008 adopted
By Resolution of Council
14 day of October, 2008



Administrator

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RESTRAIN DOGS AND CATS

SCHEDULE A-FEES

License	Neutered	Annual	\$ 10.00
	Non-neutered	Annual	\$ 50.00
Prohibited		Annual	\$ 250.00

Replacement of tags \$ 25.00

SCHEDULE B-PENALITIES

		Prohibited Dogs
First Offence	\$100.00	\$500.00
Second Offence	\$200.00	\$1000.00
Third or Subsequent Offence	\$400.00	\$2000.00

A second or third or subsequent offence is deemed to be committed if occurs within three(3) months of the previous offence.

SCHEDULE C-PROHIBITED DOGS

1. Pit Bull Terrier
2. American Pit Bull Terrier
3. Pit Bull
4. Doberman
5. Rottweiler
6. German Sheppard
7. Pit Bull Mix
8. American Staffordshire Terrier

10.