

TOWN OF EATONIA

BYLAW NO. 6/23

A BYLAW TO PROVIDE FOR THE CARE AND CONTROL OF
ANIMALS, BEES, LIVESTOCK AND POULTRY

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

SECTION I – SHORT TITLE

1. This bylaw may be cited as the “Animal Control Bylaw”.

SECTION II – DEFINITIONS

2. In this bylaw the following definitions apply:
 - (a) “**Administrator**” means the Administrator of the Municipality.
 - (b) “**Animal Control Officer**” means a person, corporation, society, or organization as may from time to time be appointed by the Municipality for the purpose of retaining impounded animals pursuant to this Bylaw.
 - (c) “**Animal**” means all dogs, cats, and/or any type of common household pet that is deemed permissible by the Bylaw to harbour within the municipality of the Town of Eatonia, but shall exclude:
 - (i) fish, small amphibians, and reptiles which are normally contained in an aquarium;
 - (ii) hamsters, gerbils, mice, guinea pigs and other small rodents normally kept in a cage; and
 - (iii) any animal which is a Restricted Animal.
 - (d) “**Animal Run**” means an enclosure or structure outside of a residential dwelling unit used for the harbouring or containment of a dog or dogs, or a cat or cats.
 - (e) “**At Large**” means circumstances where an animal is:
 - (i) on public property unaccompanied by any person;
 - (ii) on public property accompanied but not under the complete control of a person by means of a leash or other reasonable means of physical restraint; or
 - (iii) on private property without the permission of the owner or occupant of that property.
 - (f) “**Bylaw Enforcement Officer**” means the person or persons appointed or contracted by the Council of the Town of Eatonia for the purpose of enforcing the provisions of this Bylaw.
 - (g) “**Cat**” means any domestic bred cat, male or female, neutered or spayed, of the feline family over the age of six (6) months; excluding hybrid, wild and exotic cats.
 - (h) “**Council**” means the Council of the Town of Eatonia.
 - (i) “**Dangerous Animal**” means any animal declared to be dangerous by a Judge pursuant to *The Municipalities Act*.
 - (j) “**Dog**” means any dog, male or female, neutered or spayed, of the canine family over the age of six (6) months.
 - (k) “**Judge**” means a judge of the Provincial Court of Saskatchewan or a Justice of the Peace.
 - (l) “**Kennel**” means any structure or place situated within the Town including any premises used by a person for boarding or otherwise caring for, training, or breeding of animals exceeding two in number, whether or not for reward but shall not include any premises occupied by a duly qualified Veterinary Surgeon for the practice of his profession.
 - (m) “**Leash**” means a chain, rope, or strap attached to the collar or harness of an animal, especially a dog, and used to lead it or hold it in check.
 - (n) “**License**” means the registration of an animal with the Town accompanied by the required payment.
 - (o) “**Livestock**” means cattle, goats, horses, sheep, swine, and all other fur bearing animals, but does not include “Pets”.
 - (p) “**Medical Health Officer**” means the Medical Health Officer or designate and shall include the Senior Public Health Inspector and anyone under the instructions of the Medical Health Officer for the Health Region containing the Town of Eatonia in carrying out the provisions of this Bylaw.
 - (q) “**Microchip Implant**” means an identifying integrated circuit placed under the skin of a dog, cat, or other animal by a licenced technician, usually a veterinarian. The chip about the size of a large grain of rice, uses passive RFID (Radio Frequency Identification) technology to store information about the animal, and may also be known as a PIT tag (for Passive Integrated Transponder).
 - (r) “**Municipality**” means the Town of Eatonia.
 - (s) “**Nuisance Animal**” means an animal that has repeatedly exhibited threatening and nuisance behaviours.

- (t) **"Owner"** means the person who has custody and/or control of an animal, but shall not include:
 - (i) a veterinarian registered pursuant to *The Veterinarians Act, 1987* who is keeping or harbouring an animal for the prevention, diagnosis, or treatment of a disease or of an injury to the animal;
 - (ii) 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.
- (u) **"Pets"** means any animals, fish, birds, or reptiles that are:
 - (i) domesticated or tamed and kept as a companion and deemed permissible by this Bylaw to harbour within the Town;
 - (ii) not raised for profit;
 - (iii) not customarily raised for human consumption; and
 - (iv) not used for the purpose of transportation.
- (v) **"Poultry"** means any bird normally raised for the consumption of the meat, eggs or other products from the animal.
- (w) **"Pound"** means such premises and facilities as may be designated by the Council for the purpose of safely lodging and securing animals seized pursuant to this Bylaw.
- (x) **"Pound Keeper"** means the Bylaw Enforcement Officer, or any person appointed by the council for the purpose of operating the pound.
- (y) **"Prohibited Animals"** means any animal as listed in Schedule "E".
- (z) **"Service Dog"** means any dog with specialized training to assist any person with a recognized disability. This may include physical, psychiatric, intellectual, or mental disabilities and/or limitations. Emotional support animals or therapy animals, which provide therapeutic benefits, but do not have specialized training to provide services for a disabled person, are not considered a service dog under this Bylaw.
- (aa) **"Tag"** means a device bearing a distinctive serial number intended to be attached to the collar of the animal and issued by the Town upon payment of license fee as prescribed in this Bylaw.
- (bb) **"Town"** means the Town of Eatonia, in the Province of Saskatchewan.

SECTION III – APPLICATION

- 3. This Bylaw applies to the ownership of all animals within the Town of Eatonia.

SECTION IV – LICENSING OF ANIMALS

- 4. (a) Every owner of an animal six (6) months old or older shall register that animal with the Town Office.
- (b) As set out in Schedule "B", when applying for a license, the applicant shall provide the Town with:
 - (i) a physical description of the animal;
 - (ii) a photo of the animal;
 - (iii) the breed or type of the animal;
 - (iv) the sex, and information regarding whether the animal is spayed/neutered or intact;
 - (v) any other relevant information such as tattoo, microchip, unique markings, or medical conditions required with respect to the animal;
 - (vi) the name, address, and telephone number(s) of the owner of the animal.
- (c) The provision of this section shall not apply to any animal 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 animal pound;
 - (iii) any incorporated business that includes the sale of pets;
 - (iv) a shelter operated by an association or society incorporated for the purpose of the protection and humane treatment of animals;
 - (v) a recognized animal show or obedience training.
- (d) The owner will be required to pay a one-time fee to license their animal with the Town as set out in Schedule "A".
- (d) When issuing a license for an animal, the Town shall supply the applicant with a tag, the form of which and lettering or numbers inscribed or imprinted thereon as may be determined by the Town, and a receipt for payment of the license.
- (e) Any license issued pursuant to the provisions of this Bylaw shall not be transferrable to any other animal.
- (f) If a tag is lost or becomes illegible, it must be replaced pursuant to this Bylaw at a cost outlined in Schedule "A".
- (g) All animals require a license within the Town regardless of whether an animal has a microchip or not and subject to a one-time license fee as per Schedule "A".
- (h) A service dog shall be licensed as provided by this Bylaw, but without charge.

- (i) The owner of an animal shall ensure that it wears a collar to which is attached a tag whenever the animal is off the premises of the owner. This provision shall not apply while an animal is participating in a recognized show, obedience trial or field trial.

SECTION V – BEES, LIVESTOCK AND POULTRY, EXOTIC AND WILD ANIMALS

- 5. (a) No person shall keep bees, livestock, or poultry within the Town.
- (b) No person, partnership or corporation shall own or harbour on private property any animal or hybrid of any animal of the kind listed in Schedule "E", attached hereto, and forming part of this Bylaw, for sale, or exhibition, as a pet or for any other purpose prohibited by the Town.
- (c) Sections V and VI do not apply to the following places or circumstances:
 - (i) in a veterinary clinic under the care of a licensed veterinarian;
 - (ii) by anyone holding a license under any statute of the Legislature of Saskatchewan or the Government of Canada, which permits the keeping of animals under stated conditions;
 - (iii) a zoo or traveling circus, provided they hold a valid license from the Province of Saskatchewan or the Government of Canada and have attained a business license from the Town.

SECTION VI – PROHIBITED ANIMALS

- 6. (a) The ownership or harbouring of any prohibited animal, as outlined in Schedule "E", is strictly prohibited.
- (b) No person or corporation shall operate a pet shop that buys, sells, trades, exhibits or harbours any animal or hybrid of any animal of the kinds listed in Schedule "E".

SECTION VII – RUNNING AT LARGE

- 7. (a) The owner or any other person having care or control of an animal shall at no time allow the animal to run at large.
- (b) The animal shall be considered to be at large when:
 - (i) the animal is beyond the boundaries of the land occupied by the owner or any other person having care or control of an animal;
 - (ii) a public pound;
 - (iii) a shop whose business includes 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;
 - (v) a recognized animal show or obedience training.

SECTION VIII – MAXIMUM NUMBER OF DOGS AND CATS ALLOWED

- 8. (a) No more than three (3) dogs over the age of six (6) months and no more than three (3) cats over the age of six (6) months shall be owned and/or harboured in a single dwelling, excluding:
 - (i) a veterinary hospital, clinic, boarding kennel, or grooming parlor;
 - (ii) a public pound;
 - (iii) a shop whose business includes 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;
 - (v) a recognized animal show or obedience training.

SECTION IX – ANIMAL RUNS

- 9. (a) Where an animal is kept in an animal run the owner shall ensure that the animal run is kept in a sanitary and structurally sound condition protecting the health and safety of the animal.
- (b) The following should be taken into consideration for the construction of an animal run:
 - (i) light;
 - (ii) ventilation;
 - (iii) protection from the elements including adequate roofing and flooring (if used) that is secured firmly to the sides of the enclosures to ensure stability;
 - (iv) use of weather resistant wood or materials;
 - (v) a latch or fastener to prevent the animal from escaping and which may prevent the entry of unauthorized persons and young children.

SECTION X – RESTRAINTS

10. (a) An animal which is restrained on private property by leash or means other than an approved animal run shall be restrained in the following manner:
- (i) the restraint shall be of sufficient strength and kept in a state of good repair so that the animal will not escape, and that it cannot be chewed through; and
 - (ii) the restraint shall be securely situated in the yard such that it will not allow the animal to approach closer than two (2) metres of any sidewalk, street, or lane.

SECTION XI – DEFECATION

11. (a) Any person having care or control of an animal, shall immediately remove any defecation left by it on public or private property other than the private property of the animal's owner and dispose of it in a sanitary condition.
- (b) The owner or any other person having care or control of an animal, shall ensure that the defecation on the property of the owner does not accumulate to such an extent that it may cause a nuisance and/or health rise to others.

SECTION XII – ANIMAL BITES AND RABIES

12. (a) If an animal has bitten an individual or another animal, the individual shall provide the full details of the animal(s) and its owner(s) to the Bylaw Enforcement Officer.
- (b) If an animal is suspected of being rabid, or has been in contact with a rabid animal, it shall be reported to the Medical Health Office, and/or the veterinary clinic for further instructions.

SECTION XIII – THREATENING AND NUISANCE BEHAVIOR OFFENCES

13. (a) No animal shall, without provocation:
- (i) bite a person or other animal whether on the property of the owner or not;
 - (ii) engage in an act that injures a person or other animal, whether on the property of the owner or not;
 - (iii) chase or otherwise threaten a person or other animal whether on the property of the owner or not, unless the person or animal being chased or threatened is a trespasser on the property of the owner;
 - (iv) bark at, or chase people or other animals, bicycles, automobiles, or other vehicles;
 - (v) bark, howl, or hiss at night in such a manner or duration that disturbs any person acting reasonably;
 - (vi) cause damage to property;
 - (vii) defecate, urinate, or spray on private property, except with respect to the private property of the animal's owner;
 - (viii) dig in flowerbeds and gardens or waste receptacles that are not that of the owner;
 - (ix) upset waste receptacles or scatters the contents thereof;
 - (x) trespass on private property whether or not the animal is running at large or is leashed.
- (b) The owner of an animal shall take all measures to prevent any nuisance behaviour.

SECTION XIV – DANGEROUS ANIMALS

- 14 (a) No person shall keep or harbour an animal that has been declared by a judge to be a dangerous animal within Town limits.
- (b) Sections 374 – 380 of *The Municipalities Act* applies in all circumstances.

SECTION XV – SEIZURE AND IMPOUNDING

15. (a) Authority to seize and impound:
- (i) if any animal has acted in contravention, or if the Bylaw Enforcement Officer believes on reasonable grounds that the animal has acted in contravention of this Bylaw, then that animal may be seized and impounded;
 - (ii) the Bylaw Enforcement Officer may enter onto any land surrounding any building in pursuit of any animal observed behaving contrary to the provisions of this Bylaw.
- (b) No person, whether or not they are the owner of an animal shall:
- (i) interfere with, or attempt to obstruct, the Bylaw Enforcement Officer who is attempting to seize or has seized any animal in accordance with the provisions of this Bylaw;
 - (ii) intentionally allow any animal to escape by opening any vehicle or facility in which an animal has been seized or impounded under this Bylaw.
- (c) When an impounded animal is wearing a tag, the Bylaw Enforcement Officer or the Administrator shall make every reasonable effort to contact the owner registered in the Town licensing records.

- (d) Any animal seized pursuant to this Bylaw shall be impounded until such time that any fines are paid. Impoundment fees will be charged to the owner as set forth in Schedule "D".
- (e) Any unlicensed animal which is impounded shall not be released until the outstanding fees and fines are paid and the owner meets the requirements set out in Section IV – Licensing of Animals.
- (f) Any animal seized pursuant to this Bylaw shall be impounded for a period of up to seventy-two (72) hours excluding the day of impoundment, weekends, and statutory holidays.
- (g) Where an animal has been reclaimed within seventy-two (72) hours, or where the owner of the animal has failed or refused to comply with subsections 15 (d) and 15 (e), the owner forfeits all ownership rights and the animal shall become the property of the Town.

SECTION XVI – POUND

- 16. (a) Any animal seized pursuant to this Bylaw shall be impounded and kept at a place approved by the Council.
- (b) It shall be the duty of the Pound Keeper to provide each impounded animal with an adequate supply of food, fresh water, and shelter from the elements during confinement in the pound.

SECTION XVII – COMMUNICABLE DISEASE, GRAVE INJURIES AND EUTHANASIA

- 17. (a) If an animal is suspected to have a communicable disease, the owner must:
 - (i) isolate the animal in a manner that will prevent further spread of the disease;
 - (ii) seek an assessment by a veterinarian; and
 - (iii) follow the orders of such veterinarian, the Bylaw Enforcement Officer and any government officials who have authority to issue such orders.
- (b) The Bylaw Enforcement Officer, veterinarian or any other person appointed by Council may take immediate action to euthanize any sick or gravely injured animal found within the Town where, in the opinion of a veterinarian, immediate euthanizing of the animal is required in order to avoid unnecessary suffering of the animal.
- (c) Reasonable efforts shall be made to contact the owner of an animal before it is euthanized. No liability lies against the Town, the Administrator, the Bylaw Enforcement Officer, Veterinarian, or any other person appointed by Council if the owner cannot be contacted.

SECTION XVIII – GENERAL VIOLATIONS

- 18. (a) Any person teasing an animal, enticing an animal, baiting, or throwing objects at an animal confined within its owner's property shall be in violation of this Bylaw.
- (b) No person shall keep an animal in an unsanitary condition within the Town. Conditions shall be considered unsanitary where the keeping of the animal results in an accumulation of fecal matter, an odor, insect or infestation or rodent attractants which endanger the health of the animal 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.

SECTION XIX – PENALTIES AND NOTICES OF VIOLATION

- 19. (a) Any person who contravenes any of the provisions of this Bylaw or neglects or fails to comply therewith or with any notice given thereunder is guilty of an offence and is liable to the penalties as hereinafter provided. Said offences and penalties shall be listed on Schedule "C".
- (b) Any person who contravenes the provisions of this Bylaw as NOT specifically set out in Schedule "C" or fails to comply therewith, or with any notice given thereunder, is guilty of an offence and is liable on summary conviction to a fine in an amount not exceeding that provided for by the Town of Eatonia General Penalty Bylaw.

SECTION XX – PAYMENT OF NOTICES OF VIOLATION

- 20. (a) Where any person has committed or is alleged to have committed a breach of any of the provisions of this Bylaw, a ticket, notice or summons may be served on such person by a Police Officer, Bylaw Enforcement Officer or any person duly authorized by Council. Such person served with a ticket or notice may voluntarily pay same at the Eatonia Town Office between the hours of 9:00 a.m. to 12:00 p.m. and 1:00 p.m. to 5:00 p.m., excepting Saturdays, Sundays, and public holidays, provided that payment is made within a period of ten (10) days from the service of the said ticket or notice. If payment is made within such time and accepted, then that person shall not be liable for prosecution for the offence.

- (b) Service of a ticket, notice or summons pursuant to this Bylaw may be made by:
 - (i) by personally delivering the ticket, notice or summons to the person committing the breach of the violation of this Bylaw; or
 - (ii) by mailing such ticket, notice or summons to the last known address of the owner of said animal by registered mail.
- (c) A person to whom a Notice of Violation is being issued pursuant to this Section shall, upon request, provide their name and address. Any person who fails to provide this information is guilty of an offence and liable on summary conviction to be assessed a fine as outlined in the most current Town of Eatonia General Penalty Bylaw.

SECTION XXI – REPEAL AND COMING INTO FORCE

- 21. (a) Schedules “A”, “B”, “C” and “D” referred to herein and attached shall form part of this Bylaw.
- (b) Bylaw No. 2/20 is hereby repealed.
- (c) This bylaw shall come into force and be in effect on January 1, 2024.

Given 1st reading this 10th day of October 2023.

Given 2nd reading this 10th day of October 2023.

Given 3rd reading and hereby adopted this 10th day of October 2023.



Darcy Scott
Mayor

Cheryl Bailey
Administrator

Certified a true copy of Bylaw No. 6/23
adopted by resolution of Council on the
10th day of October, 2023.

Cheryl Bailey
Administrator



**TOWN OF EATONIA
SCHEDULE "A"
ANIMAL LICENSE FEES
FORMING PART OF BYLAW NO. 6/23**

DESCRIPTION	FEE
Neutered Dog or Cat	\$15.00
Dog or Cat (Intact/Not Neutered)	\$20.00
Replacement Tag	\$5.00

**TOWN OF EATONIA
DOG & CAT LICENSE APPLICATION
SCHEDULE "B"
FORMING PART OF BYLAW NO. 6/23**

Name of Owner: _____

Address (mailing): _____

(civic): _____

Phone Number: _____

Email : _____

Internal (Office Use)

Dot/Cat Tag #: _____

Dog/Cat Name: _____

Breed of Dog/Cat: _____

Physical Description: _____

Dog/Cat Spayed or Neutered: Yes No

Rabies Certificate: Yes No (attach copy)

Photo of Dog/Cat: Yes No (attach copy)

Signature

Date

**TOWN OF EATONIA
SCHEDULE "C"
PENALTIES
FORMING PART OF BYLAW NO. 6/23**

OFFENCE		PENALTY (FINE)	
		TIME OF ISSUANCE (PAID WITHIN 10 DAYS)	AFTER 10 DAYS
Failure to license an animal	1 st Offence	\$50	\$100
	2 nd Offence	\$100	\$200
	3 rd Offence	\$250	\$500
Failure to attach a valid license tag when an animal is off the premises of the owner	1 st Offence	\$50 plus license fee	\$100 plus license fee
	2 nd Offence	\$100	\$200
	3 rd Offence	\$200	\$400
Owning or harbouring any prohibited animals	1 st Offence	\$100	\$250
	2 nd Offence	\$250	\$500
	3 rd Offence	\$500	\$1000
Exceeding limit of allowable animals on any one property (harbouring)		\$250 for each animal exceeding the limit per year	\$500 for each animal exceeding the limit per year
Animals at large	1 st Offence	\$50	\$100
	2 nd Offence	\$100	\$200
	3 rd Offence	\$250	\$500
Failure to immediately remove an animal's excrement (defecation) from public property or private property other than the property of the animal's owner	1 st Offence	\$50	\$100
	2 nd Offence	\$100	\$200
	3 rd Offence	\$250	\$500
Animal creating a nuisance or acting in a threatening manner	1 st Offence	\$50	\$100
	2 nd Offence	\$100	\$200
	3 rd Offence	\$250	\$500
Dog attack		Fines ranging from \$100 to \$2,500 depending on implied severity	

**TOWN OF EATONIA
SCHEDULE "D"
COSTS OF IMPOUNDING AND MAINTAINING ANIMALS
FORMING PART OF BYLAW NO. 6/23**

1. The cost of impounding and maintaining animals shall be as follows:

DESCRIPTION	FIRST OFFENCE	SUBSEQUENT OFFENCE
Impound Fees – Spayed/Neutered Dog/Cat	\$25.00	\$50.00
Impound Fees – Not Spayed/Neutered Dog/Cat	\$50.00	\$100.00
Care and Sustenance	\$20.00/day + \$2.50 for food per day	
Veterinary Expense	Amount Expended	
Euthanizing a Dog or Cat	Amount Expended	
Pick Up Fee	\$50.00	\$100.00

2. In addition to the above costs, if an animal does not have a current and valid license issued pursuant to Section IV of this Bylaw, an additional charge of \$20.00 per day shall be added to cover additional costs incurred by the Town in attempting to determine the name of the owner of the animal for the purpose of notifying the owner that the animal has been impounded.

**TOWN OF EATONIA
SCHEDULE "E"
PROHIBITED ANIMALS
FORMING PART OF BYLAW NO. 6/23**

It is prohibited in the Town of Eatonia to own the following:

- a) Wildlife as defined in *The Wildlife Act*, which means a vertebrate animal of any species, excluding fish that is wild by nature in Saskatchewan and includes:
 - (i) any part, tissue, genetic material, eggs, sperm embryos or other forms of developmental life; and
 - (ii) any exotic wildlife found in Saskatchewan.
- b) all Arachnids dangerous to humans (such as scorpions and tarantulas except tarantulas of the genera *Aphonopelma*, *Avicularia* and *Grammostola*)
- c) all Artiodactylous Ungulates including domestic goats, sheep, cattle
- d) all domestic chickens, ducks, geese, or turkeys
- e) all Bats
- f) all Crocodylians (such as alligators, crocodiles, and caimans)
- g) all Edentates (such as anteaters, sloths, and armadillos)
- h) all Elephants
- i) all Felids, except domestic cats
- j) all Hyenas
- k) all Marsupials (such as kangaroos and opossums)
- l) all Mustelids (such as skunks, weasels, otters, and badgers) except the domestic ferret
- m) all non-human Primates (such as gorillas and monkeys)
- n) all Perissodactyl Ungulates including horses, mules, and asses
- o) all Pinnipeds (such as seals, fur seals and walruses)
- p) all Procyonidae (such as raccoons, coatis, and cacomistles)
- q) all Raptors, diurnal and nocturnal (such as eagles, hawks, and owls)
- r) all Ratite birds (such as rheas, cassowaries, ostriches, and emus)
- s) all snakes of the families Pythonidae (such as pythons) and Boidae (such as boa-constrictors)
- t) all Ursids (bears)
- u) all Venomous Reptiles and amphibians (such as rattle snakes and cobras)
- v) all Venomous Amphibians (such as toxic toads and toxic salamanders)
- w) all Viverrids (such as mongooses, civets, and genets)

Examples 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.