TOWN OF EATONIA
BYLAW NO. 03/26
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:

1. SHORT TITLE

This bylaw may be cited as the "Animal Control Bylaw".

2. DEFINITIONS

In this bylaw the following definitions apply:

a) **"Administrator"** means the Administrator of the Municipality.
b) **"Animal Control Officer"** means a person, corporation, 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 harbor 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 harboring 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;
    iii. On private property without the permission of the owner or occupant of that property.
f) **"Authorized Supervisor"** means an adult or person 15 years or older who has been granted permission from the owner of the animal to supervise and provide care for the animal.
g) **"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
h) **"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.
i) **"Competent"** means having the necessary ability, knowledge, skill, capability, or maturity to do something adequately and to a level that fully meets the requirements; this definition includes that a competent person is 15 years or older.
j) **"Council"** means the Council of the Town of Eatonia.
k) **"Court"** means Bylaw Court, or Court of King's Bench, as the case may be.
l) **"Dangerous Animal"** means any animal declared to be dangerous by a Judge pursuant to *The Municipalities Act.* Furthermore, a "Dangerous Animal" is a dog that has, on three or more occasions, displayed behavior that has resulted in a Notice of Violation being issued.
m) **"Dog"** means any dog, male or female, neutered or spayed, of the canine family six (6) months or older.
n) **"Judge"** means a judge of the Provincial Court of Saskatchewan or a Justice of the Peace.
o) **"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.
p) **"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.
q) **"License"** means the registration of an animal with the Town accompanied by the required payment.
r) **"Livestock"** means cattle, goats, horses, sheep, swine, and all other fur bearing animals, but does not include "Pets".
s) **"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.
t) **"Microchip Implant"** means an identifying integrated circuit placed under the skin of a dog, cat, or other animal by a licensed 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).
u) **"Municipality"** means the Town of Eatonia.
v) **"Nuisance Animal"** means an animal that has repeatedly exhibited threatening and nuisance behaviors.
w) **"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 harboring 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.

w) **"Off-Leash Area"** means permitted areas, as designated by Schedule "F" attached and forming part of this Bylaw, for use by dogs accompanied by their owners, an authorized supervisor, or any other person having care or control of the animal.
x) **"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 harbor within the Town;
   ii. Not raised for profit;
   iii. Not customarily raised for human consumption; and
   iv. Not used for the purpose of transportation.
y) **"Poultry"** means any bird normally raised for the consumption of meat, eggs or other products from the animal.
z) **"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.
aa) **"Pound Keeper"** means the Bylaw Enforcement Officer, or any person appointed by the council for the purpose of operating the pound.
bb) **"Prohibited Animals"** means any animal as listed in Schedule "E".
cc) **"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.
dd) **"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.
ee) **"Town"** means the Town of Eatonia, in the Province of Saskatchewan.

3. APPLICATION

This Bylaw applies to the ownership and care of all animals within the Town of Eatonia.

4. LICENSING OF ANIMALS

a) Every owner of an animal six (6) months old or older shall register and license the animal with the Town.
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 gender, 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 "B".
e) 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.
f) Any license issued pursuant to the provisions of this Bylaw shall not be transferred to any other animal.
g) If a tag is lost or becomes illegible, it must be replaced pursuant to this Bylaw at a cost outlined in Schedule *"B".*
h) 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 "B".
i) A service dog shall be licensed as provided by this Bylaw, but without charge.
j) 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.

5. BEES, LIVESTOCK AND POULTRY, EXOTIC AND WILD ANIMALS

a) No person shall keep bees, livestock, or poultry within the Town.
b) No person, partnership or corporation shall own or harbor on private property any animal or hybrid of any animal of the kind listed in Schedule "C", 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 5 and 6 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.

6. PROHIBITED ANIMALS

a) The ownership or harboring of any prohibited animal, as outlined in Schedule "C", is strictly prohibited.
b) No person or corporation shall operate a pet shop that buys, sells, trades, exhibits, or harbors any animal or hybrid of any animal of the kinds listed in Schedule "C".

7. AT LARGE

a) The owner, authorized supervisor, or any other person having care or control of an animal shall at no time allow an animal to run at large. Failure to keep animals under the care or control of the owner shall result in penalties as outline in Schedule “A”.
b) The animal shall be considered at large when the animal is beyond the boundaries of the land occupied by the owner or any other person having care, supervision, or control of an animal;
c) The owner, authorized supervisor, or any other person having care or control of an animal shall be deemed to have permitted the animal to be at large unless able to prove to the satisfaction of the Court or Council that, at the time of the offense, the supervisor of the animal did all that was reasonable to prevent the animal from being at large.
d) The animal shall <u>not</u> be considered to be at large when the animal is:
    i. At a public pound;
    ii. At a shop whose business includes the sale of pets and is licensed as such;
    iii. At a shelter operated by an association or society incorporated for the purpose of the protection and humane treatment of animals;
    iv. A licensed, certified, qualified, legitimate specialized and trained service animal as documented by the owner;
    v. Participating in a recognized animal show or obedience training.

8. PERMITTED OFF-LEASH AREA

a) Notwithstanding Section 7, a dog in a designated and described Permitted Off-Leash Area, as identified in Schedule “D” shall not be considered at large as long as the owner or an authorized and competent supervisor, or any other person having care or control of the animal meets all of the following requirements:
    i. The owner or supervisor and dog(s) are respectful of other users and the area;
    ii. Ensure gates are securely closed after entering and exiting;
    iii. The dog does not display any signs of aggressive behavior;
    iv. The owner or supervisor shall remove the dog from the area at the first sign of aggression or unruliness;
    v. The dog has not been deemed a “Dangerous Animal” or a “Nuisance Animal”;
    vi. The owner or supervisor must always have a leash within easy reach and the dog must be leashed when outside the boundaries of the Off-Leash Area;
    vii. Supervisors are responsible for picking up and properly disposing of dog waste;
    viii. The dog is always supervised by an authorized supervisor to prevent any danger, risk or unreasonable interference with any person’s lawful use or enjoyment of the Off-Leash Area;
    ix. Supervisors shall have complete control of dogs by either physical or verbal means and keep the animal in sight at all times;
    x. Supervisor is able to reasonably regain immediate charge and control of the dog;
    xi. Dogs under the age of 6 months are not allowed in the area;
    xii. Children under 15 years old must be accompanied and supervised by a competent person;
    xiii. Children must not run, scream or approach dogs without permission from the dog’s supervisor;
    xiv. Glass or breakable materials are not permitted in the Off-Leash Area;
    xv. Food and alcoholic drinks are prohibited in the Off-Leash Area;
    xvi. Water may be brought to the Off-Leash Area to keep people and dogs hydrated;
    xvii. An owner or supervisor shall be responsible for all actions of the dog under their control and care;
    xviii. Dog toys are permitted but shall be promptly put away if they are a source of disagreement between dogs; supervisors are to use and allow dog toys at their own risk and discretion;
    xix. Any digging or other destruction or physical disturbance to the area shall be restored to its original condition by the owner or supervisor as soon as practicable;

xx. Operating hours of the Off-Leash Area are 7:00 a.m. through to 11:00 p.m. Monday to Saturday. Sundays and public holiday operating hours are from 9:00 am through to 11:00 pm.
xxi. The maximum number of dogs under the supervision of one person shall not exceed three (3);
xxii. The number of dogs in the Off-Leash Area at one time shall not exceed six (6);
xxiii. Sick or injured dogs are not permitted to use the park;
xxiv. Dogs in heat are not permitted to use the park;
xxv. A supervisor must be compliant with all signs posted at the Off-Leash Area and this Bylaw;
xxvi. Smoking and vaping are prohibited in Off-Leash Areas;
xxvii. Determining whether a dog is 'small' or 'large' shall be at the discretion of the supervisor and in collaboration between other supervisors present through respectful discussion;
xxviii. No person shall cause or permit any animal other than a dog in an Off-Leash Area;
xxix. A supervisor shall comply with this Bylaw – any violation thereof shall constitute an offence under this Bylaw.
xxx. A supervisor and their dog(s) who fail to comply with the rules will be expelled from the park;
xxxi. For emergencies or situations requiring police, fire or medical assistance, call 911;

b) The Town is not responsible in any way for supervision of the Off-Leash Area, the patrons thereof, or their animals, and the Town shall bear no liability whatsoever in respect of any damage to personal property or injury or death to any individuals or animals using the Off-Leash Area.
c) No owner of a dog shall allow the dog to become a nuisance to other persons or animals in the Off-Leash Area. For the purpose of this subsection, the behavior of a dog which constitutes a nuisance behavior includes, but is not limited to, the following;
    i. Running at such a distance from its supervisor so as to be incapable of responding to voice or sight commands;
    ii. Doing any act that injures a person or another dog;
    iii. Chasing or otherwise threatening a person or another dog;
    iv. Excessive barking or howling or otherwise disturbing people or other animals;
    v. Causing damage to property.
d) In the event a dog becomes a nuisance, the owner of the dog shall immediately restrain the dog by placing the dog on a leash and remove the dog from the Off-Leash Area.
e) Any owner or supervisor of a dog in the Off-Leash Area who fails to immediately restrain and remove the dog upon it becoming a nuisance as required in subsection 8.d) is guilty of an offence, and in such event, may be issued a Notice of Violation, including fines as indicated in this Bylaw or its attachments.
f) Nothing in this Section shall release the owner or supervisor of a dog from complying with the general provisions of this Bylaw. This Bylaw supersedes the rules of the park, as altered from time to time.
g) Failing to comply with this Bylaw shall result in penalties as outlined in Schedule "A".

9. ANIMAL ABANDONMENT

a) No person shall willfully fail to provide shelter or care to an animal in such a way as to desert or abandon such animal for which that person is an owner;
b) No person shall abandon any animal on the property of the Town.

10. MAXIMUM NUMBER OF DOGS AND CATS ALLOWED INSINGLE DWELLING

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. Veterinary hospitals, clinics, boarding kennels, or grooming parlors;
    ii. Public pounds;
    iii. Shops whose business includes the sale of pets and is licensed as such;
    iv. Shelters operated by an association or society incorporated for the purpose of the protection and humane treatment of animals;
    v. Recognized animal shows or obedience training classes.

11. ANIMAL RUNS

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, ventilation, and the use of weather resistant materials used for the construction;
    ii. Protection from the elements including adequate roofing and flooring (if used) that is secured firmly to the sides of the enclosures to ensure stability;
    iii. A latch or fastener to prevent the animal from escaping and prevent the entry of unauthorized persons and young children.

12. RESTRAINTS

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) meters of any sidewalk, street, or lane.

13. DEFECATION

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. Failure to comply will result in penalties as outlined in Schedule “A”.
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.

14. ANIMAL BITES AND RABIES

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.

15. THREATENING AND NUISANCE BEHAVIOR OFFENCES

a) No owner or supervisor of an animal shall, without provocation, allow the animal to:
   i. Bite a person or other animal whether on the property of the owner or not;
   ii. 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;
   iv. Bark at, or chase people or other animals, bicycles, automobiles, or other vehicles;
   v. Bark, howl, or hiss 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 receptables 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 leased.
b) The owner of an animal shall take all measures to prevent any nuisance behavior. For the purposes of this subsection, factors determining whether an animal has become a nuisance are as follows:
   i. The time of day or night the barking or howling occurs;
   ii. The duration of the barking or howling;
   iii. Whether the barking or howling is the result of provocation;
   iv. The volume of the barking or howling;
   v. Whether the barking or howling is recurrent, intermittent or constant.
   vi. Barking or howling in a residential area is deemed a nuisance if barking or howling (1) occurs between the hours of 11:00 p.m. to 9:00 a.m. on Sundays or public holidays or occurs between the hours of 11:00 p.m. to 7:00 a.m. on any other day of the year, and (2) persists consecutively for 15 minutes or longer, or intermittently for 1 hour or longer.
c) If at the time of an offence, the owner is not available to stop a continuation of a nuisance or threatening behavior, the Animal Control Officer or other delegate may seize the animal and deliver such animal to the pound. All dogs or cats seized and kept in the pound shall be so confined for a period of seventy-two (72) hours, and if not claimed and repossessed by the owner may be sold for the cost of boarding. If such impounded animal is not claimed or repossessed or sold within a period of seventy-two (72) hours from the time of impoundment, the said animal may be destroyed or disposed of at the discretion of the Town. The owner shall be required to pay the cost of the pound fees and any other fines as applicable under this Bylaw before the animal may be repossessed.
d) Incidents or nuisance reports shall be reported using the Barking or Howling Complaint Package found in Schedule “E” or the Incident Report found in Schedule “F”.

16. DANGEROUS ANIMALS

a) No person shall keep or harbor an animal that has been declared by a judge to be a dangerous animal within Town limits.
b) If upon information or complaint it is alleged that a dog or cat has bitten or attempted to bite any person or domestic animal, and if it appears to a Judge or Justice of the Peace having disposition of the information or complaint that the dog or cat is dangerous, the Judge or Justice of the Peace may make an Order directing that dog or cat be kept by the owner or keeper under proper control or destroyed, and that a person failing to comply with such an Order shall be liable of a fine as indicated in Schedule "A" of this Bylaw for each day during which the failure continues. When a dog or cat is ordered to be destroyed, the Judge may by the same Order direct a named person to destroy the dog or cat.
c) Provided in the event the owner or keeper of the dog or cat cannot be ascertained, the Judge or Justice of the Peace may direct any person to seize and destroy such dog or cat.
d) Every dangerous dog or cat that is found off the premises upon which it is habitually kept and not under the control of any person that has bitten or attempted to bite any person or domestic animal, may be seized and destroyed by the Town.
e) Sections 374 - 380 of *The Municipalities Act* applies in all circumstances.

17. SEIZURE AND IMPOUNDING

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 any land surrounding any building in pursuit of any animal observed behaving contrary to the provisions of this Bylaw.
b) No person, whether they are the owner of an animal or not, 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 will 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 "A".
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 4 – 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 Section 15 or 16, the owner forfeits all ownership rights, and the animal shall become the property of the Town.
h) If the seized animal is suspected of having rabies the animal shall be secured and isolated for ten (10) days and the matter immediately reported to the Medical Health Officer, whose instructions shall be carried out.

18. POUND

a) Any animal seized pursuant to this Bylaw shall be impounded and kept **at a** place approved by 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.

19. COMMUNICABLE DISEASE, GRAVE INJURIES AND EUTHANASIA

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.

20. GENERAL VIOLATIONS

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 personal 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.

21. PENALTIES AND NOTICES OF VIOLATION

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 "A".
b) Any person who contravenes the provisions of this Bylaw as NOT specifically set out in Schedule "A" 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.

22. PAYMENT OF NOTICES OF VIOLATION

a) 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.
b) Service of a ticket, notice, or summons pursuant to this Bylaw may be made by:
    i. Personally delivering the ticket, notice, or summons to the person committing the breach of the violation of this Bylaw; or
    ii. Mailing such ticket, notice, or summons to the last known address of the owner of said animal by registered mail.
    iii. Emailing, with a read receipt, such ticket, notice, or summons to the last known address of the owner of said animal.
c) 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.
d) Such person served with a ticket or notice may voluntarily pay same at the Eatonia Town Office during office hours, provided that payment is made within a period of ten (10) days from the service of the said ticket or notice.
e) If payment is made within such time and accepted, then that person shall not be liable for prosecution for the offence.
f) If payment of the amount specified on the Notice of Violation is not made on or before the date indicated on the Notice of Violation, an authorized person may issue a Summons.
g) The Summons shall be in the subscribed form, and shall provide for the voluntary payment of a penalty in the amount set forth in Schedule “A” for the offence which the person is alleged to have committed. The Summons shall be served by an authorized person.
h) Voluntary payment of a penalty specified in the Summons shall be made on or before the date indicated on the Summons. Voluntary payment shall be made in person at the Town Office during normal business hours.
i) If payment in the amount specified on the Summons is made on or before the date indicated on the Summons, neither the person alleged to have committed the offence nor owner of the dog shall be liable to prosecution for the offence indicated.
j) If payment of the amount specified on the Summons is not made on or before the date indicated on the Summons, the person to whom the Summons has been issued shall be liable to prosecution of the alleged contravention of the Bylaw.
k) Nothing in this section shall be construed to prevent any person from exercising their right to defend a charge of contravention of any provision of this Bylaw.
l) On a case-by-case basis, the alleged offender and the Town of Eatonia may reach a mutual agreement to reduce the amount specified on the Summons. Such mutual agreement will be in writing and signed by both parties and at least one witness.

23. REPEAL AND COMING INTO FORCE

a) Schedules "A", "B", "C" , "D", “"E”, and “F” referred to herein and attached shall form part of this Bylaw.
b) Bylaw No. 6/23 is hereby repealed.
c) This bylaw shall come into force and be in effect on July 14, 2026.

Given 1st reading this 14th day of July 2026.

Given 2nd reading this 14th day of July 2026.

Given 3rd reading and hereby adopted this 14th day of July 2026.

Seal

Mayor

Administrator

Certified a true copy of Bylaw No. 03/26 adopted by Resolution of Council on the 14th day of July, 2026.

Administrator

Seal

TOWN OF EATONIA
SCHEDULE "A"
PENALTIES
FORMING PART OF BYLAW NO. 03/26

OFFENCE		PENALTY (FINE)	
		PAID WITHIN 10 DAYS	PAID AFTER 10 DAYS
Failure to license an animal or Failure to attach a valid license tag when an animal is off the premises of the owner	1st Offence	$50 plus license fee	$100 plus license fee
	2nd Offence	$100	$200
	3rd Offence	$250	$500
Exceeding limit of allowable animals on any one property (harboring)	Annually	$250 for each animal exceeding the limit per year	$500 for each animal exceeding the limit per year
Owning or harboring any prohibited animals	1st Offence	$100	$250
	2nd Offence	$250	$500
	3rd Offence	$500	$1,000
Animals at large or Failure to control an animal	1st Offence	$50	$100
	2nd Offence	$100	$200
	3rd Offence	$250	$500
Failure to accompany an animal in a Permitted Off-Leash Area	1st Offence	$50	$100
	2nd Offence	$100	$200
	3rd Offence	$250	$500
Exceeding the maximum number of dogs permitted in an Off-Leash Area or Exceeding the maximum number of dogs under supervision of one (1) competent person	1st Offence	$50	$100
	2nd Offence	$100	$200
	3rd Offence	$250	$500
Failure to carry a leash in an Off-Leash Area	1st Offence	$50	$100
	2nd Offence	$100	$200
	3rd Offence	$250	$500
Cause or permit an animal other than a dog in an Off-Leash Area	1st Offence	$50	$100
	2nd Offence	$100	$200
	3rd Offence	$250	$500
Allowing a dangerous or nuisance animal or animal displaying aggressive behavior in a Permitted Off-Leash Area	1st Offence	$100	$200
	2nd Offence	$200	$400
	3rd Offence	$500	$1,000
Failure to immediately remove an animal's excrement (defecation) from public property or private property other than the property of the animal's owner	1st Offence	$50	$100
	2nd Offence	$100	$200
	3rd Offence	$250	$500
Animal creating or behaving in a nuisance manner or acting in a threatening manner	1st Offence	$100	$200
	2nd Offence	$200	$400
	3rd Offence	$500	$1,000
Dog attack (knock person to the ground, teeth or claw breaks skin, injury to person or another animal)	Any Offence	Fines ranging from $250 to $2,500 depending on implied severity	

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

DESCRIPTION	FIRST OFFENCE	SUBSEQUENT OFFENCE
Impound Fees -Spayed/Neutered Dog/Cat	$50.00	$100.00
Impound Fees - Not Spayed/Neutered Dog/Cat	$100.00	$200.00
Care and Sustenance	$40.00/day + $5.00 for food per day	
Veterinary Expense	Amount Expended	
Euthanizing a Dog or Cat	Amount Expended	
Pick Up Fee	$100.00	$200.00

In addition to the above costs, if an animal does not have a current and valid license issued pursuant to Section 4 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 "B"

DOG & CAT PET LICENSE APPLICATION & FEES

FORMING PART OF BYLAW NO. 03/26

DESCRIPTION	FEE	TAX
Neutered Dog or Cat	$15.00	EXEMPT
Dog or Cat (Intact/Not Neutered)	$20.00	EXEMPT
Replacement Pet Tag	$5.00	GST

Owner Information	
Name of Owner	
Address (mailing)	
Address (civic)	
Phone Number	
Email	

Pet Information	
Pet Type	❒ Dog ❒ Cat ❒ Male ❒ Female ❒ Intact ❒ Spayed/Neutered
Pet Name	
Physical Description	*Breed, Color, Size, Unique Markings, etc.*
Other Information	*Animal tattoos, microchips, medical conditions, etc.*

Signature

Date

(Office Use Only)	
Pet Tag #	
Rabies Certificate	Copy Attached: ❒ Yes ❒ No
Photo of Pet	Photo Attached: ❒ Yes ❒ No

TOWN OF EATONIA
SCHEDULE "C"
PROHIBITED ANIMALS
FORMING PART OF BYLAW NO. 03/26

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 Gramm stola)
c) All Artiodactylous Ungulates including domestic goats, sheep, and cattle
d) All domestic chickens, ducks, geese, or turkeys
e) All Bats
f) All Crocodilians (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, Coalisland 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.

TOWN OF EATONIA
SCHEDULE "D"

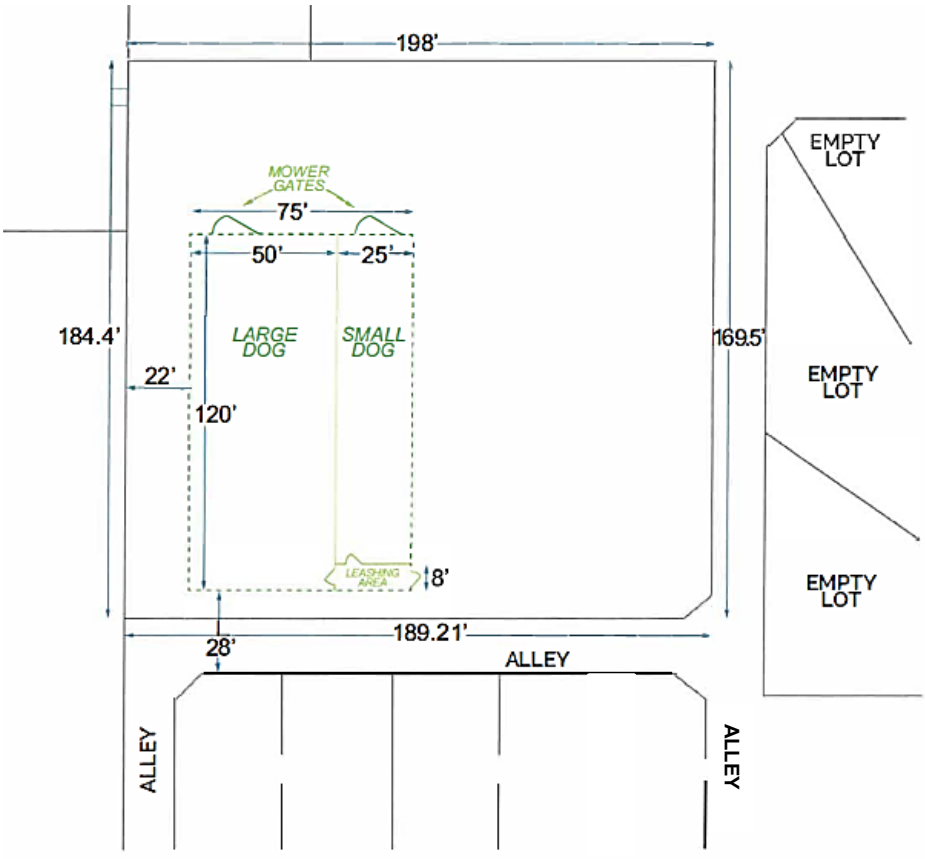
OFF-LEASH DOG PARK

FORMING PART OF BYLAW NO. 03/26

The Town of Eatonia Off-Leash Dog Park is a safe outdoor space where dogs are permitted to roam, run and play. The Off-Leash Dog Park is available thanks to the generous support of donors, volunteers, and the Paws & Play Park Committee.

The Off-Leash Dog Park is located on Block R3, Plan 82MJ15180, Ext 9 as identified in the images below:





TOWN OF EATONIA
SCHEDULE "E"

BARKING OR HOWLING COMPLAINT PACKAGE

FORMING PART OF BYLAW NO. 03/26

PLEASE READ CAREFULLY AND COMPLETE THE ENTIRE PACKAGE

To effectively deal with barking or howling animal complaints, the Town of Eatonia asks residents to assist by providing the information detailed below.

This Package acknowledges your complaint about the nuisance created by barking or howling animals in your neighborhood. **Based on the information you provide, the owner of the animal will be notified of your complaint.**

Should our communication with the owner fail to bring about the desired results relative to the behavior of their animal, we encourage you to complete the following forms and submit it for further Bylaw processing, including fines and possible court appearances.

Instructions:

1. When the attached Complaint Form and Daily Barking/Howling Record are completed for consideration of enforcement purposes, please mail, email or return all forms to the Town Office.
2. All forms in this package must be completed and submitted at the same time, including the Record of Disturbance.
3. **Each person who complete the form must print and sign their name, be over 18 years of age, and be willing to testify in court as a witness should the ticket be challenged in Court.**
4. When completing the Record of Disturbance the following points must be precisely followed:
    a. Please wait 1 week after receiving these forms to begin completing the Record of Disturbance to allow the dog owner time to address the dog's behavior.
    b. All incidents of nuisance barking or howling by the offending dog(s) must be documented. Include the dates, times of day the dog started and stopped barking and a brief description of the type of disturbance. Be specific – dogs DO NOT bark all day and night non-stop. An example Record of Disturbance and a blank Record of Disturbance are attached for your use. If needed, multiple pages of the Record of Disturbance can be submitted.
    c. The documentation completed by yourself must be from personal observations of the offending dog(s).
    d. Documentation should show several days of noise to prove there is a frequent occurrence.
    e. **If the owner of the offending dog(s) is fined and a plea of "Not Guilty" is entered, it will be necessary for you and any other witness(es) to testify "Under Oath".** You must be able to state you **personally observed** the dog(s) and a brief description of what took place.

TOWN OF EATONIA
SCHEDULE "E"

BARKING OR HOWLING COMPLAINT PACKAGE

FORMING PART OF BYLAW NO. 03/26

Information of Complainant	
Name	
Mailing Address	
Civic Address	
Email Address	
Phone Number	

Complaint Form:

1. How long has the barking or howling been a disturbance? (ex. 1 month, 1 year, etc.)

2. What prior steps or measures have you taken to correct the situation? (ex. Prior conversations with the owner, etc.)

3. What is the frequency of the disturbance? Can you see a pattern? (ex. Every day, most morning at 5:45 a.m., most evenings from 5:30 p.m. to 8:30 p.m., etc.)

4. What is the duration of the disturbance? (ex. Number of minutes or hours each night, etc.) (ex. Recurrent, intermittent, constant, etc.)

5. What effect does this disturbance have on you? (ex. Disturbs sleep, unable to spend time in yard, etc.)

6. Are you prepared to testify in Court? ❒ YES ❒ NO

Print Name	
Signature	
Date	

TOWN OF EATONIA
SCHEDULE "E"

BARKING OR HOWLING COMPLAINT PACKAGE

FORMING PART OF BYLAW NO. 03/26

Daily Barking Record	
Description of Dog(s)	
Breed(s)	
Colour(s)	
Name(s), if Known	
Address of Alleged Barking Dog(s)	

Every notation must be 100% factual and 100% truthful.

Upon completion of several days of records, return this fully completed package to the Town of Eatonia.

Date	**Start Time** (AM / PM)	**End Time** (AM / PM)	**Comments** (ex. barking continuous/sporadic, how did it disturb you, etc.)

(use multiple pages, if necessary)

Print Name	
Signature	
Date	

TOWN OF EATONIA
SCHEDULE "F"
INCIDENT REPORT
FORMING PART OF BYLAW NO. 03/26

Reported by:

Name (Printed)	Signature	Date of Report

Incident Date(s): _____

Incident Description:

(attach additional pages, if necessary)

TOWN OF EATONIA
SCHEDULE "F"
INCIDENT REPORT
FORMING PART OF BYLAW NO. 03/26

Additional Items Attached:

- Please list any attached items, if applicable.
  (ex. Screen shots, emails, text messages, images, receipts, etc.)