

A BYLAW OF THE TOWN OF HAFFORD TO PROVIDE FOR THE CONTROL AND LICENSING OF DOGS.

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

1. This Bylaw shall be known as the "Dog Bylaw".

2. DEFINITIONS

In this Bylaw the term:

- (a) Administrator - means the Administrator of the Town of Hafford.
- (b) Council - means the Council of the Town of Hafford.
- (c) Dog - means any dog, male or female over six months old.
- (d) Dog Catcher - means the Town of Hafford Maintenance Men.
- (e) Dog Pound - shall mean the Town of Hafford Workshop and/or the fenced area at the Town of Hafford Water Treatment Property.
- (f) Municipality - shall mean the Town of Hafford.
- (g) "public health inspector" means a public health inspector within the meaning of The Public Health Act.

3. LICENSES

- (a) Every person who owns, possess or harbours a dog within the Town of Hafford boundary shall not later than the 1st day of January, cause such dog to be registered with and obtain a license for it from the Town Office. Failure to do so shall constitute an offence under this bylaw. A record of the License Number of the dog and the name and address of the owner shall be kept at the Town Office.
- (b) License fees shall be payable in advance and shall be \$5.00 for each dog.
- (c) All licenses issued under this Bylaw shall expire on December 31st next following the date of issue, and shall be in a form and of a size which can conveniently be attached to a dog collar.
- (d) Every person to whom a license has been issued under this Bylaw shall cause their dog to wear a collar to which shall be attached the license tag issued by the Administrator. Upon satisfactory proof that the license tag originally issued has been lost, the Administrator shall issue a replacement tag for a fee of \$1.00.
- (e) A dog owned by a sightless person and used as a guide shall be registered and licensed as provided in this Bylaw but without charge.

4. PIT BULL TERRIERS PROHIBITED

Whereas Pit Bull Terriers are commonly known to be an unpredictable and dangerous breed of dog, Council hereby prohibits anyone from possessing or harbouring this breed of dog within the municipality.

5. RUNNING AT LARGE

- (a) No dog shall run at large in the municipality, and for the purposes of this Bylaw, a dog shall be deemed to be running at large when it is beyond the boundaries of the land occupied by the owner, possessor or harbourer of the said dog, or beyond the boundaries of any lands where it may be with the permission of the owner or occupant of the said land, and when it is not under control by being:
 - (1) on a leash and in direct and continuous charge of a person competent to control it; or
 - (2) securely confined within an enclosure: or
 - (3) securely fastened so that it cannot roam at will.

6. STRAY DOGS

Any dog found running at large, not wearing a collar and tag, may be considered as a stray dog and may be impounded and at the expiration of Seventy-two (72) hours, it may be destroyed forthwith at the discretion of the Dog Catcher or Administrator.

7. SEIZURE OF DOGS

- (a) Any dog found running at large contrary to the provisions of this Bylaw may be taken by any person to the Dog Pound provided by the Town of Hafford or to the Dog Catcher.
- (b) The Dog Catcher, or any other person authorized by the Council, is hereby authorized to seize and capture impound any dog running at large contrary to the provisions of this Bylaw; or where the owners, possessors or harbourers thereof have not complied with the provisions of this Bylaw.

8. POUNDKEEPER

- (a) Whenever any dog with a collar and license tag is impounded, the Administrator or Dog Catcher shall forthwith deliver or cause to be delivered to or at the place of residence of the owner, possessor or harbourer, as shown by the record maintained by the Administrator, a notice to the effect that unless the said dog is redeemed and the fees provided in this Bylaw are paid within Seventy-Two (72) hours from the time of delivery or mailing of the said notice registered mail, the said dog shall be sold or destroyed as provided herein.
- (b) When any dog, not wearing the said license tag as provided in this Bylaw is impounded, the Administrator or Dog Catcher shall immediately post a notice in the Town of Hafford Administrative Office and Town of Hafford Bulletin Board, giving a description of such dog, the date and time when it was impounded, and the date and hour when it will be sold or destroyed; such notice shall be posted at least Seventy-two (72) hours before the said sale or destruction taken place.
- (c) During the period of impounding of any dog, it shall be the duty of the Dog Catcher to supply such dog with adequate food, water and shelter.
- (d) When the owner, possessor or harbourer of a dog impounded has complied with the provisions of the Bylaw with respect to the payment of license fees in respect of such dog, within the Seventy-two (72) hours of service, or posting of the notice as required by Subsection (a) and (b) of this Section, or before such dog is sold/destroyed, he/she shall be entitled to remove such dog upon payment of such impounding fees as are provided for.
- (e) The owner, possessor or harbourer of any dog impounded as aforesaid, shall pay the Municipality Office, in advance of the release of the said dog, the sum of Twenty-five (\$25.00) Dollars for the first impounding of such dog, the sum of Fifty (\$50.00) Dollars for the second impounding of the same dog, and the sum of Seventy-five (\$75.00) Dollars for the third and all subsequent impoundings of the same dog, plus a sum of Ten (\$10.00) Dollars per a day or part thereof for each day that the dog shall have remained in the said pound.
- (f) If a dog impounded is not redeemed within the time prescribed by this Section, it may be sold by the Administrator. Any dog not redeemed within the time prescribed by this section may be destroyed by the Administrator or Dog Catcher, or by any other person, at the Administrator's request.

9. LITTER CLEANUP

- (a) If a dog defecates on any public or private property other than the property of its owner, the owner of the dog shall cause such defecation to be removed immediately.
- (b) An owner or occupant of private property must not allow animal feces to accumulate on the property so as to create a health hazard.

- (c) If requested to do so by the Administrator or a public health inspector, an owner or occupant of private property must remove all animal feces from the property within 72 hours of the time the request is made.
- (d) If a request under Subsection (b) is made to an occupant of private property, a copy of the request shall also be sent by certified mail to the owner of the property at the mailing address shown on the last revised assessment roll of the Town.
- (e) The Town may remove the feces from the property if;
 - (1) the person to whom the request is made fails to remove the feces with 72 hours; or
 - (2) after reasonable inquiry, the whereabouts of the owner or occupant of the property cannot be determined.
- (f) If the Town carries out the work under Subsection (e), the costs and expenses incurred are a debt to the Town and the Town may recover the costs and expenses:
 - (1) by action in a court of competent jurisdiction;
 - (2) in the same manner as municipal taxes; or
 - (3) by adding the costs and expenses to, and thereby they form part of, the taxes on the land on which the work was done.

10. GENERAL

- (a) No unauthorized person shall remove from the dog a collar or license tag.
- (b) No person shall own, possess or harbour any dog which by loud and frequent barking, howling or yelping or chasing motor or other vehicles or in any other manner or way, creates a disturbance to the annoyance or discomfort of other persons residing in the neighbourhood, or to the public at large; or which causes injury to any person.
- (c) No person shall break open or assist in breaking open any Pound in which a dog may be impounded, or hinder or delay or obstruct any person in the performance of his duties hereunder.

11. PENALTY

Unless otherwise specified in this Bylaw, any person committing a breach of this Bylaw or neglecting or refusing to comply therewith, is guilty of an offence and liable on summary conviction to the penalties as herein provided, whether or not the dog in connection with which the breach or neglect or refusal was committed has been impounded, sold or destroyed, and in the event that the amount of the fine has not been paid with respect to the dog in connection with which the breach or neglect or refusal was committed, the amount of such fine shall be assessed and directed to be paid by the summary conviction Court and the same be enforced and recovered.

- (a) Subject to Subsection (b) of this Section, any person convicted of an offence under this Bylaw shall be liable to the penalties provided in the General Penalties Bylaw of the Town of Hafford.
- (b) Any person convicted of an offence under Section 3,5,9 and/or 10 of this Bylaw shall forfeit and pay a fine of Fifty (\$50.00) Dollars for each offence.
- (c) In any proceedings before a Magistrate under the provisions of this Bylaw, ownership of a dog shall be prima facie established by submission to the Magistrate of a Ticket of the Dog Catcher or Administrator setting forth his information and belief as to who is the owner of the dog in question, and upon receipt of such Ticket by Magistrate, the onus of proof of ownership shall be shifted to the person named in the Ticket to show that he/she is not the owner of the dog in question.

12. PAYMENT OF PENALTIES

(a) Where any person has committed or is alleged to have committed a breach of any of the provisions of Section 3, 5,9 and/or 10 of this Bylaw, a voluntary payment ticket in the form appearing as Schedule "A" to this Bylaw, may be served on such person.

Such person may pay to the Administrator in the Town of Hafford Administrative Office during the regular business hours, in lawful money of Canada, an amount equal to the fine fixed for the respective Sections specified in Subsection (b) of Section 11, provided that payment must be made within a period of Seven (7) days from the service of the ticket. If payment is made within such time and accepted, then the person shall not be liable to prosecution for the offence. Service of such ticket may be made by mailing such ticket to the owner, possessor or harbourer of the dog, by registered mail, in respect of which the ticket has been issued; or by personal service upon such person; or by delivery to an adult person at the home of such person.


(b) If the person who has committed or is alleged to have committed a breach of Section 3,5,9 and/or 10 hereof, fails to pay the specified fine within the time allowed following service of the ticket, then the provisions of this Section shall no longer apply and the person shall be liable to prosecution for the offence in the ordinary way, provided that nothing in this Section shall prevent any person served with such ticket from exercising his right to defend any of these particularized offences.

13. REPEAL

Bylaws 90-11 and 93-1 are hereby repealed.

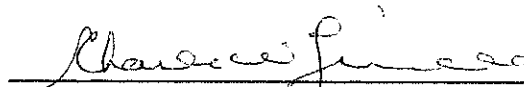
14. COMING INTO FORCE

This Bylaw shall come into force and take effect on the final passing thereof.



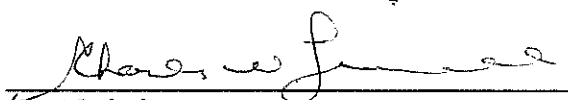
Mayor

(S E A L)



Administrator

Certified a true copy of Bylaw 97-2
Adopted by Council Resolution on
the 25th day of March, 1997.



Administrator