

BYLAW NO. 6 - 2005
RURAL MUNICIPALITY OF SHELLBROOK NO. 493

**A BYLAW OF THE RURAL MUNICIPALITY OF SHELLBROOK NO. 493
TO PROVIDE FOR THE RESTRAINING AND CONTROLLING OF DOGS**

1. This bylaw shall be known as "The Dog Control Bylaw".
2. This bylaw shall apply to all of the Rural Municipality of Shellbrook No. 493 with the exception of the areas within the Hamlets of Holbein and Crutwell.
3. Definitions:

In this bylaw the term:
 - (a) "council" shall mean the Council of the Rural Municipality of Shellbrook No. 493;
 - (b) "dog" shall mean any dog, male or female, of every breed or classification or mixture of breeds;
 - (c) "owner" shall mean and include any person owning, possessing, harbouring or having custody or control of a dog, within the limits of the Rural Municipality of Shellbrook No. 493;
 - (d) "municipality" shall mean the Rural Municipality of Shellbrook No. 493;
 - (e) "administrator" shall mean the administrator of the Rural Municipality of Shellbrook No. 493 or any other person authorized to act on this behalf;
 - (f) "at large" or "running at large" shall mean off the premises of the owner and not under the direct control of any person, and includes a dog which is tied to a leash or chain so long, although one end thereof is tied to a post or similar restraining object within the boundaries of the owner's premises, the other end is capable of being extended beyond the said boundaries, thus enabling the dog to get out of the boundaries of the owner's premises;
4. Running at large:
 - (a) No dog shall be at large in the municipality.
 - (b) The owner of a dog found running at large shall be deemed guilty of an infraction of this Bylaw.
 - (c) No person shall own, possess or harbour any dog which chases a motor vehicle or any other vehicle, or is at large in the municipality and who, while at large, creates a disturbance to the annoyance or discomfort of other persons, or which causes injury to any person or domestic animal.
 - (d) No person shall abandon a dog within the Municipality.
5. Where a dog has been running at large on more than three occasions (as evidenced by the number of times the owner has paid the pound keeper to release the dog, the number of times the owner has paid a voluntary penalty and/or the number of times the owner has been served a Notice of Violation for a contravention of Section 4(a) of this Bylaw) the police, pound keeper, dog catcher or other person appointed by Council may seize the dog and sell or otherwise dispose of the dog as they see fit.

6. Any dog running at large contrary to the provisions of this bylaw may be taken by any person to the Pound or it may be captured by the Bylaw Enforcement Officer (or other person appointed by the Council) and placed in the Pound where it shall be kept for seventy-two (72) hours, unless in the meantime the owner, possessor or harbinger redeems such animal from the pound by:
 - (a) paying to the Pound Keeper the sum of Twenty Dollars (\$20.00) for the first time any dog is impounded, Thirty Dollars (\$30.00) on the second time any dog is impounded and Fifty Dollars (\$50.00) for the third time any dog is impounded; and
 - (b) paying to the Pound Keeper the sum of Two Dollars (\$2.00) for each day or portion thereof that each dog has been impounded;
7. Any dog which is not redeemed as provided in Section 6, within seventy-two (72) hours after it is captured or taken to the pound, may be sold or disposed of by the police, pound keeper, dog catcher or other person appointed by Council.
8. Dangerous dogs:

Subject to the Public Health Act, and any regulations thereunder, providing that when, upon complaint that a dog has without provocation bitten inflicted injury, assaulted or otherwise attacked a person or domesticated animal, it appears to a Justice of the Peace or a Judge of the Provincial Court for Saskatchewan having cognizance of the complaint, may declare that the dog is dangerous, and may make an Order directing that the dog be kept by the owners or keeper under proper control or destroyed; and, that a person failing to comply with the Order shall be liable to a fine not exceeding \$5.00 for every day during which the failure continues; and providing that when a dog is ordered to be destroyed, the Justice or Judge may, by the same Order, direct any person to destroy the dog.
9. Exceptions:

This Bylaw shall not apply to dogs transported to the Municipality expressly for the purpose of participating in any Dog Event sanctioned by the council.
10. Penalties:
 - (a) Every person who contravenes any of the provisions of this bylaw, or fails to comply therewith, or with any notice or order given hereunder, shall be guilty of an offence and liable to the penalty as herein provided.
 - (b)
 - (i) Any person convicted of a breach of this bylaw shall forfeit and pay a penalty at the discretion of the Provincial Magistrate or Justice of the Peace having jurisdiction in the municipality.
 - (ii) A violator of Section 4 upon being served with a Notice of Violation may voluntarily pay the prescribed penalty in Schedule "A" to this bylaw at the office of the administrator of the municipality.
 - (iii) Where the administrator receives voluntary payment of the prescribed amount, the person receiving the Notice of Violation shall not be liable to prosecution for the alleged contravention.
 - (iv) Nothing in this section shall be construed to prevent any person from exercising his right to defend a charge of contravention of this bylaw.
 - (v) The "Notice of Violation" mentioned in clause (ii) above shall be in the format set out in Schedule "B" attached to this bylaw.

11. Bylaw 1-2005 is hereby repealed.

Read three times and passed by unanimous consent of council this
6th day of July, 2005.

R. M. of Shellbrook No. 493

“Robert Strube”

REEVE

“Ken Danger”

ADMINISTRATOR

Certified a True and Accurate Copy
of Bylaw 6 – 2005, Passed by
Resolution of Council this 6th Day
of July 2005.

ADMINISTRATOR

R. M. OF SHELLBROOK NO. 493 BYLAW NO. 6-2005

SCHEDULE "A"

Voluntary payments (as provided for in Section 10 (b)(ii)).

1. The voluntary payment for section 4(b) of the bylaw shall be Eighty Dollars (\$80.00), or Forty Dollars (\$40.00) if paid within 10 calendar days of receiving a Notice of Violation.
2. The voluntary payment for section 4(c) of the bylaw shall be Sixty Dollars (\$60.00), or Thirty Dollars (\$30.00) if paid within 10 calendar days of receiving a Notice of Violation.
3. The voluntary payment for section 4(d) of the bylaw shall be Forty Dollars (\$40.00), or Twenty Dollars (\$20.00) if paid within 10 calendar days of receiving a Notice of Violation.

**R.M. OF SHELLBROOK NO. 493
BYLAW NO. 6-2005**

SCHEDULE "B"

NOTICE OF VIOLATION

RE: DOGS

THIS NOTICE IS ISSUED FOR BREACH OF BYLAW NO. 6 - 2005

You may avoid prosecution for this offence by paying to the administrator of the municipality on regular office days, the penalty stated hereinafter within 10 calendar days of the date of issue. Failure to do so will result in prosecution in Provincial Court. Penalty may be remitted by mail to: R.M. of Shellbrook No. 493, Box 40, Shellbrook, Sask. S0J 2E0, but must be accompanied by this notice.

NAME OF VIOLATOR _____

ADDRESS _____

NATURE OF VIOLATION:

- () Dog running at large (section 4(b) of Bylaw 6-2005)
 - Penalty is \$80.00, or \$40.00 if payment is made within 10 calendar days of date of issue of Notice.

- () Dog creating a nuisance (section 4(c) of Bylaw 6-2005)
 - Penalty is \$60.00, or \$30.00 if payment is made within 10 calendar days of issue of this Notice.

- () Abandoning a dog (section 4(d) of Bylaw 6-2005)
 - Penalty is \$40.00, or \$20.00 if payment is made within 10 calendar days of issue of Notice.

LOCATION OF VIOLATION _____

DATE OF VIOLATION _____

DATE OF ISSUE OF NOTICE _____

ISSUED BY _____