

RURAL MUNICIPALITY OF LAKE LENORE NO. 399

BYLAW NO. 10/2020

A BYLAW TO CONTROLLING OF ANIMALS

The Council of the Rural Municipality of Lake Lenore #399 in the Province of Saskatchewan enacts as follows:

1. Short Title

1.1. This Bylaw may be referenced as the "Animal Control Bylaw".

2. Definitions

For the purposes of this bylaw, the following terms and words shall have the following meanings:

2.1. *Act* – shall mean *The Municipalities Act*, as amended from time to time.

2.2. *Administrator* – shall mean the Administrator for the municipality.

2.3. *Companion Animal* – shall mean cats, dogs, and any other domesticated animal maintained in or near the household by the owner who cares for such domesticated animals but shall not include any farm animal.

2.4. *Council* – shall mean the council of the municipality.

2.5. *Dangerous Animal* – shall have the meaning as ascribed in Section 375 of *The Municipalities Act*.

2.6. *Designated Officer* – shall mean the person or persons appointed by the council, administrator, or administrator designate, to enforce the provisions of this bylaw, or any person authorized to act on his/her behalf and including but not limited to a bylaw enforcement officer or a peace officer as defined in *The Criminal Code*.

2.7. *Owner* – shall mean:

2.7.1. a person, partnership, association, or organization who keeps, possesses, harbours, or has care or control of a companion animal; or

2.7.2. the person responsible for the custody of a minor where the minor is the owner of a companion animal.

2.8. *Municipality* – shall mean the Rural Municipality of Lake Lenore No. 399.

2.9. *Running at Large* – shall mean when a companion animal is beyond the boundaries of the land occupied by the owner, possessor, or harbourer of the animal, or beyond the boundaries of any land where it may be with the permission of the owner or occupant of said land, and when it is not under control by being:

2.9.1. directly attached to a leash and that leash is under the direct and continuous physical charge of a person competent to control it; or

2.9.2. securely confined within an enclosure; or

2.9.3. securely fastened so that it cannot roam at will.

I HEREBY CERTIFY THAT THIS IS A TRUE AND EXACT COPY OF THE ORIGINAL DOCUMENT.
Certified by [Signature] (ADMINISTRATOR)
this 19 day of NOVEMBER, 2020.

3. Running at Large

- 3.1. No owner of a companion animal shall permit that animal to be running at large in the municipality.
- 3.2. For the purposes of Court proceedings to enforce the provisions of this bylaw, if a companion animal is found to be running at large, the owner shall be deemed to have permitted that animal to be at large unless the owner proves to the satisfaction of the Court that at the time of the offence, the owner did all that was reasonable to prevent the animal from being at large.
- 3.3. No person shall own, possess, or harbour any companion animal 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 causes injury to any person or domestic animal.

4. Dangerous Animals

- 4.1. No person shall keep, harbour, or possess any dangerous animal within the boundaries of the municipality unless the dangerous animal is kept in accordance with an order as declared by a provincial court judge or a justice of the peace.

5. Order to Remedy Contravention

- 5.1. If a designated officer finds that an owner or person is contravening this bylaw, the designated officer may, by written order, require the owner or occupant of the property to which the contravention relates to remedy the contravention.
- 5.2. Orders given under this bylaw shall be in accordance with Section 364 of the Act.
- 5.3. Orders given under this bylaw shall be served in accordance with Subsection 390(1) (a) (b) or (c) of the Act.
- 5.4. A designated officer may seize and impound any animal which is in contravention of this bylaw.

6. Penalties

- 6.1. No person shall:
 - 6.1.1. fail to comply with an order made pursuant to this bylaw;
 - 6.1.2. obstruct or interfere with a designated officer or any other person acting under the authority of this bylaw; or
 - 6.1.3. fail to comply with any other provision of this bylaw.
- 6.2. Every person who contravenes any provision of this bylaw is guilty of an offence and liable on summary conviction:
 - 6.2.1. in the case of an individual, to a fine of not less than \$100 and not more than \$10,000 or imprisonment for not more than one year, or both; and
 - 6.2.2. in the case of a corporation, to a fine of not less than \$150 and not more than \$25,000, or imprisonment of the directors of the corporation for not more than one year, or both; and
 - 6.2.3. in the case of a continuing offence, to a maximum daily fine of not more than \$2,500 per day or any portion thereof.

- 6.3. Notwithstanding Section 6.2 of this bylaw, a designated officer who has reason to believe that a person contravened any provision of this bylaw may serve on that person a Notice of Violation as set out in Schedule 'A' attached to this bylaw.
- 6.4. A violator being served with a Notice of Violation may voluntarily pay the prescribed penalty as set out in Schedule 'B' at the office of the administrator.
- 6.5. Where the administrator receives voluntary payment of the prescribed amount within the time specified in the Notice of Violation, the violator shall not be liable to prosecution for the alleged contravention.
- 6.6. Nothing in this section shall be construed to prevent any person from exercising his/her right to defend a charge of contravention of this bylaw.

7. Coming into Force

- 7.1. This bylaw shall come into effect upon the third reading.

[SEAL]



Read a third time and adopted
this 10 day of NOVEMBER 2020.

Administrator Jolynne Gallays

Reeve – Jean Kernalguen

Administrator – Jolynne Gallays

RURAL MUNICIPALITY OF LAKE LENORE NO. 399

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Schedule A

**Animal Control Bylaw
Notice of Violation**

Name: _____

Address: _____

DETAILS OF OFFENCE:

Date: _____

Time: _____ a.m. / p.m.

VIOLATION:

Nature of Violation:

Location of Violation: _____

Penalty for above violation: \$ _____ Date of issuance of Notice: _____

ORDER TO REMEDY:

Designated Officer

You may make voluntary payment of the above penalty at the office of the administrator of the Rural Municipality of Lake Lenore No. 399 during regular office hours or by mail within two (2) weeks from the date of service of this Notice of Violation.

If you do not make voluntary payment within the time set out above, you shall be liable to a summons to court and further prosecution.

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Schedule B

**Animal Control Bylaw
Voluntary Payments**

Voluntary Payment	
\$ 50.00	First Offence
\$ 75.00	Second Offence in a 12-month period
\$400.00	Third & subsequent offences in a 12-month period (each)