

TOWN OF CARLYLE

BYLAW NO. 2020-01

A Bylaw to Provide for the Licensing, Prohibiting, Regulating and Control of Animals

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

Title and Purpose:

1. a) This bylaw may be referred to as The Animal Control Bylaw.
- b) The purpose of this Bylaw is to promote the safety, health and welfare of people and the protection of people and property in the Town of Carlyle, and to ensure the humane treatment and control of animals.

Definitions:

2. In this Bylaw, unless the context otherwise requires, the term:
 - a) "Assist Dog" means a dog used to assist persons with disabilities or dogs used by the Royal Canadian Mounted Police.
 - b) "Dogs" or "Cats" include all species of the animals commonly known as dogs or cats, male or female, and of every breed or classification or mixture of breeds.
 - c) "Judge" means a provincial court judge or a justice of the peace
 - d) "Municipality" shall mean the Town of Carlyle "Owner" means any persons, partnership, association, or corporation owning, possessing, harboring, having charge of or control over any animal, and includes a keeper of a dog or cat.
 - e) "Nuisance" means an animal which is behaving in a manner that interferes with the personal comfort or amenities of a neighbourhood.
 - f) "Pound" shall mean premises and facilities as may be designated by council, from time to time, as the pound.
 - g) "Pound Keeper" means a person, persons, corporation, society, or associations designated by the Town, from time to time, to maintain and administer the pound.
 - h) "Running at large" means:
 - i) being on public property unaccompanied by any person; or
 - ii) being on public property accompanied but not under the "complete" control of a person by means of a leash suitable to the size and strength of the animal; or
 - iii) being on private property unaccompanied or accompanied by any person but not under the complete control of a person by means of a leash suitable to the size and strength of the animal where the property owner has not given permission to the owner of the animal.
 - i) "Vicious" means any dog, whatever its age, whether on public or private property which has without provocation;
 - i) exhibited threatening behavior which creates a reasonable threat of physical injury and may include growling, lunging, snarling or chasing in a menacing fashion; and/or
 - ii) caused serious injury which means a physical injury which means a physical injury to another domestic animal or person that results in lacerations that may require sutures; and/or
 - iii) bitten a person or person whether on the property of the owner or not; and/or
 - iv) done any act to injure a person or persons whether on the property of the owner or not; and/or
 - v) chased or otherwise threatened a person or persons whether on the property of the owner of or not; and/or
 - vi) chased or otherwise threatened a person or persons whether on the property of the owner of the owner or not, unless the person chased or threatened is a trespasser on the property of the person; and/or
 - vii) caused death to an animal and/or person.

Licensing of Dogs:

3. No owner of any dog shall be in possession of a dog unless such dog has been licensed. No dog under the age of three months shall require a license. The license shall be a one time fee for the lifetime of the dog.
4. Registration of dogs and payment of dog license fees shall be made at the business office of the Town of Carlyle.
5. The license fee shall be Fifteen Dollars (\$15.00) for each dog.
6. Upon payment of the license fee, the Town of Carlyle will issue a tag that bears a serial number. The owner shall ensure that a collar and the tag issued are worn by the dog when the animal is off the premises of the owner.
7. No unauthorized person shall remove a collar or tag from a dog.

Impounding of Dogs and Cats:

8. No owner shall permit any dog or cat to be running at large in the Town of Carlyle.
9. When any dog or cat is captured and impounded, the Town of Carlyle shall post a notice on the Notice Board at the Town Office, giving a description of the said dog or cat, the date when it was impounded and the date and hour when it will be sold or destroyed. Such notice shall be posted seventy-two hours before the said sale or destruction.
10. Pound Fees shall be as prescribed in "Schedule B", and shall be in addition to any other charges that the Pound Keeper may impose.

Duties of Dog and Cat Owners:

11. a) No owner or keeper of a dog or cat shall permit their dog(s) or cat(s) on any school ground, playground, or posted area except when the owner or keeper is attending a recognized training or obedience school for training his dog or cat.
b) Section 11 a) does not apply to an owner who is using the dog in question for an assist dog.
12. No owner or keeper shall permit their animals to chase any pedestrian, vehicle or any other animal on a public thoroughfare.
13. A female dog or cat in heat shall be confined and housed in the residence of the owner or person having control of the dog or cat or taken to a licensed kennel during the whole period that the dog or cat is in heat, except that a female dog or cat may be allowed outside the said residence for the sole purpose of permitting the dog or cat to defecate and urinate on the premises of the owner.
14. A kennel owner shall not locate a dog run closer than two meters to a property line.
15. a) If a dog or cat defecates on any public property other than the property of its owner, the owner or keeper shall cause such defecation to be removed immediately.
b) Where, under section 15 a) the owner of a dog or cat fails to remove such defecation immediately, the owner shall be in violation of this bylaw and subject to the fines as prescribed.
16. No owner or keeper shall permit his dog(s) or cat(s) to damage public or private property.
17. Every owner of a dog or cat shall provide his or her dog or cat with a collar.
18. No owner shall use a choke chain on a dog or cat except when walking a dog or cat on a leash.
19. No person shall keep an animal within the town tethered on a chain, rope or similar restraining device of less than three meters in length.
20. Every person who has tethered an animal shall ensure the animal has unrestricted movement within the range of the tether.
21. The owner or keeper of a dog or cat must ensure that their animal will not:
 - a) bite a person or persons whether on the property of the owner or not;
 - b) do any act to injure a person or persons whether on the property of the owner or not;
 - c) chase or otherwise threaten a person or persons whether on the property of the owner or not, unless the person chased or threatened is a trespasser on the property of the owner;
 - d) cause damage to property
 - e) cause death to people or other animals.
22. Any owner whose dog or cat has bitten or attempted to bite a person in the Town of Carlyle is guilty of an offence and liable on summary conviction to the penalties prescribed in this bylaw.
23. Any owner whose dog or cat has bitten, killed, or destroyed any other animal in the Town of Carlyle is guilty of an offence and liable on summary conviction to the penalties prescribed in this bylaw.

24. Notwithstanding Sections 22 and 23 of this bylaw, where any dog or cat is suspected of having rabies, such dog or cat shall not be killed but shall be secured and isolated for ten (10) days and the matter immediately reported to the Medical Health Officer for the Saskatchewan Health Authority whose instructions shall be carried out.

Dog Runs:

25. Where a dog is housed or kept in a dog run, the owner shall ensure that the dog run is kept in a sanitary condition, to protect the health and safety of the animal.
26. An owner shall ensure a dog run on the owner's property is located no closer than two meters to a property line.
27. An owner shall ensure that a dog run on the owner's property is constructed of material of sufficient strength and in a manner adequate to confine the dog and prevent the entry of children under twelve years of age.
28. If, in the opinion of a building official or police officer, the condition or location of a dog run is not in accordance with this bylaw, the owner of the property on which the dog run is located may be ordered to clean, alter, demolish or relocate the dog run with a specified time period.
29. The person to whom the order is issued pursuant to section 28 shall comply with the order within the time specified in the order.
30. An order to relocate a dog run issued pursuant to section 28 will allow the owner of the property on which the dog run is located at least 30 days to relocate or remove the dog run.

Cat Traps:

31. A person who has been bothered by a cat being at large may apply to the Town of Carlyle to receive a cat trap. Only traps approved and distributed by the Town may be used.
32. Where a cat trap is issued, the permittee shall:
 - a) place the cat trap only on the permittee's property;
 - b) personally check the trap at least once each hour while the trap is set;
 - c) when a cat is trapped, contact the Town Office;
 - d) not use the trap when the temperature is:
 - i) 0° C or less; or
 - ii) 28° C or more
 - e) return the cat trap to the Town of Carlyle within 72 hours of the cat trap being issued; and
 - f) pay for the cost of repair or replacement of the cat trap if the issued cat trap is damaged, lost or stolen.
33. When a cat has been trapped in a cat trap, the permittee shall, for as long as and until the Town of Carlyle can collect the cat or the cat can be conveyed to the pound:
 - a) hold the cat for no longer than 24 hours;
 - b) treat the cat humanely;
 - c) provide shelter for the cat in a warm, dry and secure area; and
 - d) provide food and water for the cat.
34. If a permittee cannot comply with the conditions in section 33, the permittee must release the trapped cat unharmed.

General:

35. No person shall possess or harbour more than four dogs or four cats or a combination of both, for a total of four over the age of six months, except for dogs or cats kept in the ordinary course of business by the proprietors of the following premises:
 - a) a veterinary hospital, clinic, or boarding kennel or grooming parlour
 - b) a public pound
 - c) a shop or breeder whose business includes the sale of pets
 - d) a shelter operated by an association or society incorporated for the purpose of the protection and humane treatment of animals.
36. No person shall tease a dog or cat, entice a dog or cat, bait or throw objects at a dog or cat confined within its owner's property.

37. The operation of any kennel within the Town of Carlyle shall be subject to approval from the Medical Health Officer for the Saskatchewan Health Authority, and the kennel shall comply with the provisions of any Town of Carlyle bylaws.
38. In cases of emergency for any cause, but more particularly for infectious disease caused by dogs or cats, the Medical Health Officer is hereby authorized to order that no owner or other person shall suffer or permit his or her dog or cat to be on any place beyond or outside the boundary of the place of the dwelling of the owner or other person at any time, whether on a leash or under proper control, until such order is revoked or cancelled, and the Medical Health Officer may order compulsory inoculation of dogs or cats.
39. No owner of a dog or cat shall permit his animal to be or become a nuisance by barking or howling or emitting other sounds continuously for a period exceeding ten minutes if such sounds can be easily heard by a person not situated on the property where the dog or cat is situated.
40. The Bylaw Enforcement Officer may capture pests within the corporate limits of the Town of Carlyle and impound, destroy, or otherwise dispose of such pests according to the Animal Protection Act of Saskatchewan.
41. a) The Town may pay any costs for which the owner of a dog is responsible pursuant to this bylaw and may add the amount to the tax roll of any assessed parcel of land of that owner.
 a) If an amount is added to the tax roll pursuant to section 41 a), the amount is deemed for all purposes to be a tax imposed pursuant to The Municipalities Act, from the date it was added to the tax roll, and forms a lien against the parcel of land in favour of the Town of Carlyle from the date it was added to the tax roll.

Vicious Dogs:

42. a) The Town may deem any dog vicious where it feels it in in the best interest of the public safety.
 b) Any owner of a vicious dog must ensure that:
 - i. It does not bite, injure, chase or attack a person or other animal whether on the property of the owner or not;
 - ii. When it is on the property of the owner it is confined in:
 1. an enclosed area or in a fenced yard and indicating the presence of a vicious dog, or
 2. a dwelling and under the control of a person over the age of sixteen (16) years, and
 - iii. When it is off the property of the owner, it is securely:
 1. muzzled, and
 2. harnessed or leashed in a manner that prevents it from biting, chasing or attacking a person or other animal, and
 3. harnessed or leashed in a manner that prevents it from causing death to a person or other animal
 - iv. The Town may order any dog removed from town limits for the benefit of public safety.

Other Animals:

43. It shall be unlawful to keep live poultry, livestock and/or bees within the boundaries of the Town of Carlyle.
44. No person shall own or harbour any animal, or hybrid of any animal, of the kind listed in Schedule C for any purpose.
45. No person, partnership or corporation, whether operated separately or in connection with another business enterprise, shall operate a pet store that buys, sells, trades, exhibits or harbours any animal or hybrid of any animal of the kind listed in Schedule C.

Penalties:

46. Any person who does not comply with any part of an order made against him or her under this bylaw is guilty of an offence.
47. Every person who contravenes any provision of this bylaw is guilty of an offence and liable on summary conviction to a fine of not more than \$2,000 in the case of an individual or \$5,000 in the case of a corporation.

48. A person who fails to comply with an order made pursuant to this bylaw within the period specified in the order is guilty of an offence and liable on summary conviction to a fine of not more than \$250.00 for each day during which the failure to comply continues.

Repeal of Bylaw:

49. Bylaw No. 2911 is hereby repealed.

50. This bylaw comes into force and takes effect on the date of final reading thereof.





Mayor/Deputy Mayor



Administrator

Schedule A

Assist Dogs No Charge
All Dogs, other than Assist Dogs \$15.00 One Time Fee
Pound Fees, Cats or Dogs First Offence: \$50.00
..... Second or subsequent offence: \$100.00
..... Plus \$15.00 per day for food

**Form B
CAT TRAP PERMIT**

Date: _____

Trap #: _____

Address of intended location of trap:

I, the undersigned, agree to the following terms and conditions:

- The cat trap will be placed only on my property within the Town of Carlyle.
- I will personally check the cat trap at least once every hour while the trap is set.
- When a cat is trapped, I will contact the Town office immediately if it is during regular office hours.
- When a cat is trapped, I will treat it humanely; I will also provide shelter, food and water for the trapped cat. I will leave the cat in the trap and I will place the trap in a warm, dry and secure area (such as a shed, garage or basement) with a blanket placed over the trap to pacify the cat. If I cannot comply with these conditions, I will free the trapped animal unharmed.
- I will not allow harm to come to any trapped cat while in my possession including exposure to inclement weather.
- I will not use the cat trap when the temperature falls below 0°C or rises above 28°C.
- I give my permission to the Town of Carlyle to enter onto my property to ensure the cat trap is being used properly.
- I will advise the Town of Carlyle of the name and address of the owner of the trapped cat, if known.
- I will pay the cost to repair or replace the cat trap if it is damaged, lost or stolen while in my possession.
- I will not set the trap on statutory holidays or days when the Town office is closed.
- I will return the cat trap to the Town of Carlyle within three days after the cat trap was issued.

It is a serious offence to harm any domestic animal.

I understand and accept all liability that may arise in connection with the use of this cat trap while it is in my possession and will save and indemnify the Town of Carlyle for all such liability.

Signature: _____

Name of Permittee: _____

(Please print clearly)

Schedule B
Amounts Which Will be Accepted by the Town of Carlyle
In Lieu of Prosecution

Offence Under:	Offense	Amount
Section 3	Unlicensed Animal	\$100.00
Section 7	Removing License Tag	\$ 50.00
Section 8	Running at Large	\$100.00
Section 11	Prohibited Areas	\$ 50.00
Section 12	Chasing Other Animals or Vehicles	\$100.00
Section 13	Failure to Keep Animal in Heat Housed	\$100.00
Section 15	Causing Damage or Litter	\$100.00
Section 22	Dog or Cat has Bitten	\$200.00
Section 22	Animal has injured a person	\$200.00
Section 25	Unsanitary Dog Runs	\$100.00
Section 28	Failure to Clean, Alter, Demolish or Relocate Dog Run	\$250.00
Section 33	Inhumane Treatment of Trapped Cats	\$100.00
Section 36	Teasing an Animal	\$100.00
Section 39	Causing a Nuisance to Others	\$100.00
Section 43/44	Other Animals	\$100.00
Other	Any other section of this bylaw	\$50.00
For any reoccurrence of offenses by one animal owner within one calendar year:		
2 nd Offence		2 times listed penalty
3 rd & Subsequent Offenses:		3 times listed penalty

Schedule C
Animals Prohibited from being Kept within the Town of Carlyle

- All arachnids dangerous to humans (such as scorpions and tarantulas, except tarantulas of the genera Aphonopelma, Avicularia and Grammostola)
- All bats
- All canids, except the domestic dog
- All crocodylians (such as alligators, crocodiles and caimans)
- All edentates (such as anteaters, sloths, and armadillos)
- All elephants
- All felids, except the domestic cat
- All Hyenas
- All marsupials (such as kangaroos and opossums)
- All mustelids (such as skunks, weasles, otters, and badgers), except the domestic ferret
- All non-human primates (such as gorillas and monkeys)
- All pinnipeds (such as seals, fur seals, and walruses)
- All procyonids (such as raccoons, coatis, and cacomistles)
- All raptors, diurnal and nocturnal (such as eagles, hawks, and owls)
- All ratite birds (such as ostriches, rheas, and cassowaries)
- All snakes of the families Pythonidae and Boidae
- All ursids (bears)
- All venomous reptiles and amphibians
- All viverrids (such as mongooses, civets, and genets)

Examples of animals 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.