



**PUBLIC AGENDA  
ADVISORY COMMITTEE ON ANIMAL CONTROL**

**Thursday, January 26, 2017, 11:30 a.m.  
Committee Room E, Ground Floor, City Hall  
Committee Members:**

**Ms. B. Ashwin  
Dr. D. Hockley  
Dr. E. Hudson  
Councillor Z. Jeffries  
Dr. K. Sheehan  
Dr. T. Shury  
Ms. K. Shymko  
Ms. J. Thomson  
Ms. A. Ziegler**

**Pages**

**1. CALL TO ORDER**

**1.1 Appointment of Chair and Vice-Chair [CK. 225-9]**

The Committee is requested to appoint a Chair and Vice-Chair for 2017. Ms. Andrea Ziegler was Chair and Ms. Melissa Gieni was Vice-Chair for 2016.

**Recommendation**

That the Advisory Committee on Animal Control appoint a Chair and Vice-Chair for 2017.

**1.2 2017 Membership - Advisory Committee on Animal Control [CK. 225-9]**

City Council, at its meeting held on December 12, 2016, adopted a recommendation of its Governance and Priorities Committee that the following be appointed and reappointed to the Advisory Committee on Animal Control for 2017:

- Ms. Bev Ashwin, Public Representative
- Dr. Duncan Hockley, Western College of Veterinary Medicine
- Dr. Edward Hudson, Public Representative
- Councillor Zach Jeffries
- Dr. Karen Sheehan, SPCA Board Representative
- Dr. Todd Shury, Public Representative
- Ms. Kristin Shymko, Saskatoon Health Region

- Ms. Jill Thomson, Public Representative
- Ms. Andrea Ziegler, Public Representative

**Recommendation**

That the information be received.

**2. CONFIRMATION OF AGENDA**

**Recommendation**

That the agenda be confirmed as presented.

**3. ADOPTION OF MINUTES**

**Recommendation**

That the minutes of Regular Meeting of the Advisory Committee on Animal Control held on November 24, 2016 be approved.

**4. UNFINISHED BUSINESS**

**5. REPORT OF THE CHAIR [CK. 225-9]**

**6. COMMUNICATIONS**

**7. REPORTS FROM ADMINISTRATION**

**7.1 Report of Open Space Consultant [CK. 151-18]**

*Verbal Update - C. Schafer*

**Recommendation**

That the information be received.

**7.2 Court Report - Animal Control Bylaw Prosecutions [CK. 435-17]**

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*Verbal Update - J. Manastyrski*

Attached for the Committee's information are the October, November, and December 2016 reports.

**Recommendation**

That the information be received.

**8. ANNUAL BYLAW REVIEW - BYLAW NO. 7860 - THE ANIMAL CONTROL BYLAW, 1999 AND BYLAW NO. 8176 - THE DANGEROUS ANIMALS BYLAW, 2003 [CK. 151-1]**

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The Committee annually reviews the above-noted bylaws; attached are copies of the bylaws in this regard.

The bylaws can be viewed on the City of Saskatoon website; hard copies of the bylaws are also available for viewing in the City Clerk's Office.

**Recommendation**

That the information be received.

**9. 2016 ANNUAL REPORT - ADVISORY COMMITTEE ON ANIMAL CONTROL [CK. 225-9]**

This matter is on the agenda to determine the writer for the 2016 Annual Report.

**Recommendation**

That the Committee provide direction.

**10. STATEMENT OF EXPENDITURES [CK. 1704-5]**

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Attached is the year-end Statement of Expenditures. The 2017 approved budget is \$21,300.

**Recommendation**

1. That the information be received; and
2. That the Committee allocate its line items for 2017.

**11. ADJOURNMENT**

**Office of the City Solicitor  
October 2016 COURT REPORT  
Animal Control Bylaw Prosecutions - City of Saskatoon**

Convictions/Orders	2016		2015	
	No.	Average Fine	No.	Average Fine
Cat at Large	2	\$100.00 + \$50.00 surcharge	4	\$100.00 + \$50.00 surcharge
Cat at Large	1	\$200.00 + \$50.00 surcharge		
Cat with No License	2	\$250.00 + \$60.00 surcharge	4	\$250.00 + \$60.00 surcharge
Cat with No License			1	\$300.00 + \$60.00 surcharge
Dog at Large	13	\$100.00 + \$50.00 surcharge	16	\$100.00 + \$50.00 surcharge
Dog at Large	1	\$200.00 + \$50.00 surcharge	2	\$200.00 + \$50.00 surcharge
Dog at Large	3	\$300.00 + \$60.00 surcharge	2	\$300.00 + \$60.00 surcharge
Dog with No License	15	\$250.00 + \$60.00 surcharge	14	\$250.00 + \$60.00 surcharge
Dog with No License	6	\$300.00 + \$60.00 surcharge	3	\$300.00 + \$60.00 surcharge
Dog in Prohibited Area	1	\$100.00 + \$50.00 surcharge	1	\$100.00 + \$50.00 surcharge
Dog feces accumulate			1	\$300.00 + \$60.00 surcharge
Dog Collar			1	\$50.00 + \$40.00 surcharge
Dog Attack Animal			2	\$250.00 + \$60.00 surcharge
Fail to Comply with Order			1	\$1,500.00 + \$600.00 surcharge
<b>Total Convictions/Orders</b>	<b>44</b>		<b>52</b>	
<b>Other Outcomes</b>				
Withdrawn	5		0	
Dismissed	5		6	
<b>Total Other Outcomes</b>	<b>10</b>		<b>6</b>	
<b>Total Charges Before Court</b>	<b>54</b>	<b>\$8,950.00 + \$2,460.00 surcharges</b>	<b>58</b>	<b>\$11,150.00 + \$3,410.00 surcharges</b>

Only those violations dealt with by the Court are recorded in this report.  
The number of fines paid voluntarily are not included.

*Jodi Manastyrski*  
Jodi Manastyrski,  
Solicitor /dde

cc: Advisory Committee on Animal Control (Office of the City Clerk)  
Eva Alexandrovici, SACA (306-931-9792)  
City Solicitor

**Office of the City Solicitor  
November 2016 COURT REPORT  
Animal Control Bylaw Prosecutions - City of Saskatoon**

Convictions/Orders	2016		2015	
	No.	Average Fine	No.	Average Fine
Cat at Large	2	\$100 + \$50 surcharge	4	\$100 + \$50 surcharge
Cat at Large	2	\$200 + \$50 surcharge		
Cat with No License	1	\$250 + \$60 surcharge	3	\$250 + \$60 surcharge
Cat with No License	2	\$300 + \$60 surcharge		
Dog at Large	18	\$100 + \$50 surcharge	6	\$100 + \$50 surcharge
Dog at Large	5	\$200 + \$50 surcharge		
Dog at Large	4	\$300 + \$60 surcharge	2	\$300 + \$60 surcharge
Dog with No License	15	\$250 + \$60 surcharge	10	\$250 + \$60 surcharge
Dog with No License	2	\$300 + \$60 surcharge		
Dog with No License	2	\$350 + \$60 surcharge		
Dog Collar	1	\$50 + \$40 surcharge	1	\$50 + \$40 surcharge
Dog Collar	1	\$100 + \$50 surcharge		
Dog Collar	1	\$150 + \$50 surcharge		
Fail to Comply with Order			1	\$1,500 + \$600 surcharge
Dog Attack Dog			2	\$250 + \$60 surcharge
Cat Attack Person	1	\$250 + \$60 surcharge		
Dog Attack Person	1	\$250 + \$60 surcharge		
Dog Defecate on Private Property	1	\$100 + \$50 surcharge		
Dog feces accumulate			1	\$100 + \$50 surcharge
Dog Barking (Nuisance)	1	\$100 + \$50 surcharge		
Dog Nuisance Off-Leash Park	2	\$100 + \$50 surcharge		
<b>Total Convictions/Orders</b>	<b>62</b>		<b>30</b>	
<b>Other Outcomes</b>				
Withdrawn	1			
Dismissed	9			
Total Other Outcomes			0	
<b>Total Charges Before Court</b>	<b>72</b>	<b>\$11,700.00 + \$3,370.00 surcharges</b>	<b>30</b>	<b>\$7,000 + \$2,210 surcharges</b>

Only those violations dealt with by the Court are recorded in this report.  
The number of fines paid voluntarily are not included.

cc: Advisory Committee on Animal Control (Office of the City Clerk)  
Eva Alexandrovici, SACA (306-931-9792)  
City Solicitor

/dde

  
Jodi Manastyrski, Solicitor

**Office of the City Solicitor  
December 2016 COURT REPORT  
Animal Control Bylaw Prosecutions - City of Saskatoon**

	2016		2015	
<b>Convictions/Orders</b>	<b>No.</b>			
Cat at Large			1	\$200.00 + \$50.00 surcharge
Cat with No License			1	\$250.00 + \$60.00 surcharge
Cat with No License	1	\$300.00 + \$60.00 surcharge		
Dog at Large	14	\$100.00 + \$50.00 surcharge	5	\$100.00 + \$50.00 surcharge
Dog at Large	1	\$200.00 + \$50.00 surcharge	1	\$200.00 + \$50.00 surcharge
Dog at Large	1	\$300.00 + \$60.00 surcharge		
Dog with No License	9	\$250.00 + \$60.00 surcharge	6	\$250.00 + \$60.00 surcharge
Dog with No License	1	\$300.00 + \$60.00 surcharge		
Dog Collar	1	\$50.00 + \$40 surcharge	1	\$50.00 + \$40.00 surcharge
Fail to Comply with Order			2	\$500.00 + \$80.00 surcharge
Dog Attack Dog			2	\$250.00 + \$60.00 surcharge
Dog Attack Person	2	\$250.00 + \$60.00 surcharge		
Dog Feces Accumulate				
Dog Barking (Nuisance)				
<b>Total Convictions/Orders</b>	<b>30</b>		<b>19</b>	
<b>Other Outcomes</b>				
Withdrawn	2			
Dismissed	4		3	
<b>Total Other Outcomes</b>			<b>3</b>	
<b>Total Charges Before Court</b>	<b>36</b>	<b>\$5,300.00 + \$1,630.00 surcharges</b>	<b>22</b>	<b>\$4,200.00 + \$890.00 surcharges</b>

Only those violations dealt with by the Court are recorded in this report. The number of fines paid voluntarily are not included.

  
Jodi Manastyrski,  
Solicitor /dde

cc: Advisory Committee on Animal Control (Office of the City Clerk)  
Eva Alexandrovici, SACA (306-931-9792)  
City Solicitor

## **Bylaw No. 7860**

# **The Animal Control Bylaw, 1999**

**Codified to Bylaw No. 9295  
(June 22, 2015)**

## **Bylaw No. 7860**

### **The Animal Control Bylaw, 1999**

The Council of the City of Saskatoon enacts:

#### **Title**

1. This Bylaw may be cited as The Animal Control Bylaw, 1999.

#### **Purpose**

2. The purpose of this Bylaw is as follows:
  - (a) to provide for the licensing of cats and dogs;
  - (b) to control and regulate cats and dogs;
  - (c) to provide for the impounding of cats and dogs that are at large;
  - (d) to control and regulate pigeons; and
  - (e) to control and regulate exotic and wild animals.

#### **Exemptions for Police Service Dogs**

- 2.1 Sections 6, 9, 10, 10.1, 11, 13 and 15 of this Bylaw do not apply to police service dogs under the control and supervision of their handler and either on active duty or engaged in training.

### **Part I Definitions**

3. In this Bylaw:
  - (a) "Animal Control Agency" means the agency designated by the City to administer and enforce this Bylaw;

- (b) "Animal Protection Officer" means a person employed by the Animal Control Agency or Poundkeeper to enforce the provisions of this Bylaw;
- (c) "at large" means if the animal is off the premises of its owner, unless the animal is both on a leash not exceeding two metres in length and is under proper control;
- (c.1) "bee" means the honey bee, *Apis mellifera* belonging to the family Apidae, order Hymenoptera;
- (d) "City" means The City of Saskatoon;
- (e) "Council" means the Council of The City of Saskatoon;
- (f) "Court" means the Provincial Court of Saskatchewan established pursuant to The Provincial Court Act;
- (g) "flight pen" means any pen or enclosed run immediately adjacent to a loft, into which pigeons can only enter directly from the loft;
- (h) "loft" means any building or structure in which pigeons are housed or kept;
- (i) "owner" includes:
  - (i) a person who owns or who has possession of, or control over, an animal; and
  - (ii) the person responsible for the custody of a minor where the minor is the owner of an animal;but does not include:
  - (iii) a veterinarian registered pursuant to The Veterinarians Act, 1987 who is keeping or harbouring an animal for the prevention, diagnosis or treatment of a disease of or an injury to the animal; and
  - (iv) an animal shelter or pound operated by the City or the SPCA;

- (j) "peace officer" means any member of the Saskatoon Police Service and any person appointed as a bylaw enforcement officer under Section 337 of The Cities Act;
- (k) "pigeon" means a bird of the species *Columbia livia*, commonly known as the domestic pigeon, and includes pigeons raised for the purpose of racing or for the purpose of show, but excludes feral or wild pigeons;
- (k.1) "police service dog" means a dog that:
  - (i) is owned by the Saskatoon Police Service or other public law enforcement agency; and
  - (ii) has been specially trained for the performance of police work and is under the control and supervision of a member of the Saskatoon Police Service or other public law enforcement agency.
- (l) "pound" means the premises designated by the City as the City impoundment facility;
- (m) "Poundkeeper" means a person designated by the City to administer the pound;
- (n) "public playground" means the area containing playground equipment in any park or Municipal Reserve owned by the City or under the management and control of the City;
- (o) "SPCA" means the Saskatoon Society for the Prevention of Cruelty to Animals.

## **Part II Licensing**

### **Cat and Dog Licenses Required**

4. No person shall own or keep any cat or dog within the City unless such cat or dog is licensed as provided in this Bylaw.

### **Licensing of Cats and Dogs**

5. (1) Every owner of a cat or dog that is over four (4) months old shall within thirty (30) days of becoming the owner obtain a license for each cat or dog.
- (2) The license referred to in Subsection (1) shall not be transferable.
- (3) The license year shall run for a period of twelve (12) months and the license shall expire 12 months from date of issuance. The owner shall renew the license prior to its expiration.
- (4) When applying for a license under this Section, the owner shall provide the following:
  - (a) a description of the cat or dog, including breed, name, gender and age;
  - (b) a history of any rabies vaccinations for the animal and whether the animal has been spayed or neutered;
  - (c) the name, address and telephone number of the owner; and
  - (d) any other relevant information which may be required.
- (5) The owner shall be supplied with a current license tag and a receipt for payment of the license fee when a license is issued. The license tag must be renewed each year. The owner will be issued a replacement license tag if the current license tag is lost or destroyed and the owner shall be responsible for the replacement costs.
- (6) The annual license fee for each cat or dog shall be as set out in Schedule No. 1.

### **Valid License Tag Attached**

6. (1) The owner of a cat or dog shall ensure that the cat or dog wears a collar to which is attached a valid license tag whenever the cat or dog is off the premises of the owner.
- (2) This Section shall not apply while a cat or dog is participating in a recognized cat or dog show, obedience trial or field trial, or where an electronic identification microchip has been implanted in the animal and

the identification information related to the microchip has been provided to the City.

### **Exemptions from Licensing Cats and Dogs**

7. The following are exempted from the licensing provisions in Section 5:
  - (a) the Animal Control Agency and the Poundkeeper;
  - (b) the Forestry Farm Zoo;
  - (c) a store whose business includes the sale of pets and is licensed as such;
  - (d) the SPCA; and
  - (e) a research institution housing and using cats or dogs for research purposes.
  
8.
  - (1) A person who owns and physically relies on a guide dog trained and used to assist such person shall obtain a license for the dog and there shall be no fee payable by the owner for the license.
  - (2) The Saskatoon Police Service shall obtain a license for all police service dogs who are in active service and there shall be no fee payable for the license.

## **Part III Regulation and Control of Cats and Dogs**

### **Cats and Dogs at Large**

9.
  - (1) No owner of a cat or dog shall permit the cat or dog to be at large, except as provided in Section 10.
  - (2) If a dog or cat is found to be at large the owner shall be deemed to have permitted the cat or dog 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 cat or dog from being at large.

## **Off-Leash Areas**

### 10. (1) **Dogs Permitted to be Off-Leash**

Notwithstanding Section 9, an owner of a dog is not required to have the dog on a leash in any of the off-leash areas described in Schedule No. 2, provided the owner complies with this Section.

### (2) **Prohibited Dogs**

No owner of a dog that:

- (a) has been declared dangerous pursuant to the Dangerous Animals Bylaw, 2003 for the City of Saskatoon; or
- (b) is a female dog that is in heat;

shall permit the dog to be in an off-leash area at any time whether the dog is on a leash or not.

### (3) **Nuisance Prohibited**

- (a) No owner of a dog shall permit or allow the dog to become a nuisance to other persons or animals in an off-leash area.
- (b) For the purposes of this subsection, the behaviour of a dog which constitutes a nuisance includes, but is not limited to, the following:
  - (i) running at such a distance from its owner so as to be incapable of responding to voice or sight commands;
  - (ii) doing any act that injures a person or another animal;
  - (iii) chasing or otherwise threatening a person or another animal;
  - (iv) biting, barking at, or chasing livestock, bicycles or motor vehicles;
  - (v) excessive barking or howling or otherwise disturbing any person or other animal; or
  - (vi) causing damage to property.

- (c) In order to prevent a dog from becoming a nuisance in an off-leash area, the owner of the dog shall:
  - (i) accompany the dog in the off-leash area at all times; and
  - (ii) carry a leash not exceeding two metres in length for the dog.
- (d) In the event that a dog becomes a nuisance, the owner of the dog shall immediately restrain the dog by placing the dog on a leash not exceeding two metres in length and removing the dog from the off-leash area.
- (e) Any owner of a dog who fails to immediately restrain and remove the dog upon it becoming a nuisance as required by Clause (d) is guilty of an offence, and in such event, an Animal Protection Officer, Poundkeeper or peace officer may seize and impound the dog.

### **General Provisions Apply in Off-Leash Areas**

- 10.1 Nothing in this Section shall release the owner of a dog from complying with the general provisions of this Bylaw pertaining to licensing, displaying a valid license tag or micro-chipping and removal of defecation, as set out in Sections 4, 5, 6 & 13 respectively, including the corresponding penalties set out in Schedule No. 7, when the dog is in an off-leash area.

### **Motorized Vehicles in Off-Leash Areas**

- 10.2 (1) No person shall operate a motorized vehicle in any off-leash area.
- (2) For the purposes of Subsection (1), motorized vehicle means a vehicle propelled or driven by any means other than by muscular power, and, for greater certainty, includes cars, trucks, all-terrain vehicles, snowmobiles, and motorcycles, but does not include a wheelchair or other similar mobility device being operated by a person with a physical disability.
- (3) Subsection (1) does not apply to City maintenance vehicles.

### Prohibited Areas

11. (1) The areas listed in Schedule No. 3 are designated as areas where cats and dogs are not permitted, whether or not the cat or dog is on a leash.
- (2) No person shall permit a cat or dog to be:
  - (a) in a prohibited area listed in Schedule No. 3;
  - (b) on any public playground;
  - (c) in any posted area except for a specific activity approved by the City.
- (2.1) No person shall permit a dog to be in any cemetery owned by the City, unless:
  - (a) the dog is present in the cemetery with its owner for a funeral service or interment; or
  - (b) permission has been received from the City for the dog to be present in the cemetery with its owner for other special events or circumstances,and the owner complies with all other provisions of this Bylaw.
- (3) This Section shall not apply to:
  - (a) a person who owns and is physically reliant on a guide dog trained and used to assist such person; or
  - (b) Kiwanis Park during any Saskatoon SPCA "Pet Day in the Park" which has been approved by City Council.

### Transportation of Animals

- 11.1 (1) No person shall transport a cat or dog in a motor vehicle unless the animal is:
  - (a) inside a motor vehicle, fully enclosed trailer or truck bed cap; or

- (b) confined or properly restrained in a manner that will prevent the animal from:
  - (i) falling from the motor vehicle;
  - (ii) being injured during transport; or
  - (iii) causing hazard to the safe operation of other motor vehicles.
- (2) No person shall tether a cat or dog to a motor vehicle that is in operation unless the animal is confined or secured as described in Clause 1(b).
- (3) Subsections (1) and (2) do not apply to a person operating a motor vehicle that is designed for use as a mobility aid for persons with a disability and that is being used for that purpose.

### **Cat Traps**

- 12. (1) A person may obtain a trap for a cat from the Poundkeeper or Animal Control Agency and when requesting a cat trap shall provide the Poundkeeper or Animal Control Agency with the name, address and telephone number of the person requesting the trap.
- (2) A person requesting a trap for a cat shall comply with the terms and conditions for the use of the trap, including the treatment and disposition of any trapped cat, as established by the Poundkeeper or Animal Control Agency. Any person who fails to comply with the terms and conditions is guilty of an offence and liable on summary conviction to the penalty contained in Section 24.

### **Litter Cleanup**

- 13. (1) If a cat or dog defecates on any public or private property other than the property of its owner, the owner of the cat or dog shall remove the defecation immediately.
- (2) This Section shall not apply to a person who owns and is physically reliant on a guide dog trained and used to assist such person.

**Accumulation of Animal Feces**

14. (1) An owner or occupant of private property must not allow animal feces to accumulate on the property so as to create a health hazard.
- (2) An Animal Protection Officer may serve an owner or occupant of private property with a notice to remove all animal feces from the property within 72 hours of service of the notice.
- (3) If a notice under Subsection (2) is not served personally on an owner or occupant of private property, then a copy of the notice shall be sent by registered mail to the owner of the property at the mailing address shown on the last revised assessment roll of the City.
- (4) A notice served by registered mail is deemed to have been received on the fifth day following the date of its mailing.
- (5) The City may remove the feces from the property if:
  - (a) the person to whom the request is made fails to remove the feces within 72 hours; or
  - (b) after reasonable inquiry, the whereabouts of the owner or occupant of the property cannot be determined.
- (6) If the City carries out the work under Subsection (5), the costs and expenses incurred are a debt due to the City and the City may recover the costs and expenses:
  - (a) by action in a court of competent jurisdiction;
  - (b) in the same manner as municipal taxes; or
  - (c) by adding the costs and expenses to, and thereby they form part of, the taxes on the land on which the work was done.

### **Barking or Howling**

15. (1) No owner of a cat or dog shall permit the cat or dog to bark or howl so as to create a nuisance.
- (2) For the purposes of this subsection, the factors for determining whether the barking or howling of a cat or dog has become a nuisance are as follows:
  - (a) the proximity of the barking or howling to sleeping facilities;
  - (b) the land use, nature and zoning of the area from which the barking or howling emanates and the area where it is received or perceived;
  - (c) the time of day or night the barking or howling occurs;
  - (d) the duration of the barking or howling;
  - (e) whether the barking or howling is the result of provocation;
  - (f) the volume of the barking or howling; and
  - (g) whether the barking or howling is recurrent, intermittent or constant.
- (3) The following acts are deemed nuisance barking or howling violations of this Bylaw *per se*:
  - (a) in residential districts, barking or howling between the hours of 11 p.m. and 6 a.m. on a weekday, and 11 p.m. and 8 a.m. on a Sunday or statutory holiday which persists for a period of 15 consecutive minutes or longer; and
  - (b) in residential districts, barking or howling between the hours of 11 p.m. and 6 a.m. on a weekday, and 11 p.m. and 8 a.m. on a Sunday or statutory holiday which persists, intermittently, for a period of one hour or longer.

## **Part IV Impounding of Cats and Dogs**

### **Impounding of Cats and Dogs**

16. (1) An Animal Protection Officer, Poundkeeper or peace officer may seize and impound any cat or dog that is at large.
- (2) An Animal Protection Officer, Poundkeeper, or peace officer may enter onto the land surrounding any building in pursuit of any cat or dog which is found at large.

### **Interference with Enforcement**

17. No person, including the person who is the owner of a cat or dog which is being impounded or has been impounded, shall interfere with a Poundkeeper, Animal Protection Officer, or peace officer who is impounding any cat or dog in accordance with the provisions of this Bylaw.

### **Impounded Cats and Dogs**

18. (1) The Poundkeeper shall keep all impounded cats and dogs for a period of at least ninety-six (96) hours, excluding the day of impounding. Statutory holidays shall not be included in the computation of the ninety-six (96) hour period.
- (2) During this period, the owner may reclaim the cat or dog from the pound upon payment to the Poundkeeper of the fees set out in Schedule No. 4.
- (3) No unlicensed cat or dog which is impounded shall be released to its owner until a license has been purchased.
- (4) If a cat or dog impounded is wearing a valid license tag, the Poundkeeper shall immediately notify the owner, by telephone or in writing, of the seizure of the cat or dog at the telephone number or address shown in the records. No liability whatsoever shall attach to the City, the SPCA, or the Poundkeeper by reason of the failure of the owner to receive such notice.

- (5) If a cat or dog is not reclaimed within the period set out in Subsection (1), or if the owner of a cat or dog fails or refuses to comply within this period with the conditions set out in Subsections (2) and (3), the Poundkeeper may dispose of the cat or dog.

## **Part V Control and Regulation of Pigeons and Bees**

### **Pigeons on Property of Owner Only**

19. The owner of a pigeon shall not permit the pigeon to perch or linger on the property of any person, except that of the owner.

### **Lofts and Flight Pens for Pigeons**

20. (1) No loft or flight pen shall be constructed, erected, placed, altered, renovated, or relocated without having first received the approval of the Animal Services Coordinator for the City of Saskatoon.
  - (1.1) The Animal Services Coordinator shall give approval for the construction, erection, placement, alteration, renovation or relocation of a loft or flight pen where:
    - (a) proof of compliance with the requirements set out in the Zoning Bylaw respecting accessory buildings and structures is demonstrated; and
    - (b) the plans submitted demonstrate that the loft or flight pen will be located a minimum of twenty (20) feet from the area in which the construction or location of a school, church, dwelling, or other premises used for human habitation or occupancy is permitted, excluding the premises occupied by the owner of a loft or flight pen.
- (2) A loft shall be constructed so as to be dry, airy and bright inside and shall have adequate ventilation having regard to the number of pigeons kept therein.
- (3) A loft shall be kept in a reasonable state of repair.

- (4) The inside of a loft shall be disinfected at least twice each year, and at such other times as may be directed by an Animal Protection Officer to standards satisfactory to an Animal Protection Officer.
- (5) All lofts and flight pens shall be cleaned regularly of all excrement and refuse and shall be kept in a sanitary condition satisfactory to an Animal Protection Officer.
- (6) Every person who keeps pigeons shall allow an Animal Protection Officer at any time, to inspect the loft or flight pen in which such pigeons are housed and shall obey all lawful directives regarding same.
- (7) It shall be an offence for any person to fail to obey forthwith any lawful directive of an Animal Protection Officer.

#### **Exemptions to Pigeons Being Inside a Loft or Flight Pen**

21. No person shall permit pigeons owned or under the person's control to be outside the loft or flight pen except:
  - (a) for the purpose of supervised exercise to achieve and maintain muscular condition, provided exercise does not exceed three hours per day; or
  - (b) for the purpose of returning to the loft or flight pen from a supervised race or training flight.

#### **Requirements for the Keeping of Bees**

- 21.1 No person keeping bees, or permitting bees to be kept on his or her property, shall fail to adequately maintain the bees such that the bees exhibit unduly defensive behaviour toward any other person while that person is on his or her own property or public property.

## **Part VI**

### **Control and Regulation of Exotic and Wild Animals**

#### **Owning and Harboursing Exotic and Wild Animals**

22. (1) No person shall own or harbour any animal, or hybrid of any animal, of the kind listed in Schedule No. 5 for any purpose, except as otherwise provided in The City of Saskatoon Zoning Bylaw No. 7800.
- (2) 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 No. 5.

#### **Exemptions to Owning and Harboursing Exotic and Wild Animals**

23. (1) Section 22(1) does not apply to prohibit the harbouring of an animal or a hybrid of an animal of the kind listed in Schedule No. 5 in the following places or circumstances:
- (a) when the animal is in the possession of the Animal Control Agency or on the premises of the Poundkeeper;
  - (b) on the premises or under the auspices of the Saskatoon Forestry Farm;
  - (c) on the premises of the Saskatoon Society for the Prevention of Cruelty to Animals;
  - (d) in a veterinary hospital under the care of a licensed veterinarian;
  - (e) on the premises or under the auspices of the University of Saskatchewan or the Saskatchewan Institute of Applied Science and Technology where such animals are being kept for research, study or teaching purposes;
  - (f) by anyone holding a licence under any statute of the Legislature of Saskatchewan or the Government of Canada, which permits the keeping of animals under stated conditions.

- (g) by anyone holding a license or permit from The City of Saskatoon which permits the harbouring of animals under stated conditions.
  - (2) Section 22(1) does not apply to prohibit the harbouring of an animal or a hybrid of an animal of the kind listed in paragraphs (r) and (s) of Schedule No. 5 on property owned by a school division or conseil scolaire where such animals are being kept for study or teaching purposes.
- 23.1 Section 22(1) does not apply to prohibit the harbouring of an animal or hybrid of an animal of the type listed in paragraphs (b), (m), (r), and (s) of Schedule No. 5 when such animal is used in an agricultural display sponsored by a 4-H Club or other similar organization, in a petting zoo, in a pony ride for children, or in another similar activity, provided the following conditions are met:
- (a) the owner of the animal and the owner of the property on which the animal is harboured shall:
    - (i) comply with the requirements and directives of the Saskatoon Health Region respecting public health, sanitization and waste removal, including:
      - A. providing a hand sanitization station with either hand sanitization gel or soap, running water and paper towels;
      - B. regularly removing animal waste products so they do not accumulate to cause a health hazard; and
      - C. posting a clear and visible sign indicating the location of the hand sanitization station, advising that hand washing is recommended and indicating that food, drink, bottles, pacifiers, and toys are prohibited within the enclosure or around the animals;
    - (ii) comply with *The Animal Protection Act, 1999*;
    - (iii) maintain supervision and control over the animals;
    - (iv) obtain public liability insurance in an amount not less than two million dollars;
  - (b) the display or amusement shall not exceed 72 hours;

- (c) no animal shall be harboured over night in an area not otherwise permitted in The City of Saskatoon Zoning Bylaw No. 7800; and
- (d) no animal shall be sold or given to a member of the public.

## **Part VII Offences and Penalties**

### **General Penalty**

24. (1) Except as otherwise provided in this bylaw, every person who contravenes any provision of this Bylaw guilty of an offence and liable on summary conviction:
- (a) in the case of an individual, to a fine of not less than the mandatory minimum fine prescribed in Schedule No. 7 and not more than \$2,000; and
  - (b) in the case of a corporation, to a fine of not less than the mandatory minimum fine prescribed in Schedule No. 7 and not more than \$5,000.
- (1.1) Notwithstanding Subsection (1), if no Notice of Violation has been issued for a period of three years or more in relation to a contravention, then a subsequent contravention of that section of the bylaw is deemed to be a first offence.
- (2) Any person convicted of an offence under Part VI shall, within ten days thereafter, deliver all animals of the kind listed in Schedule No. 5 owned, kept or harboured by that person to the Poundkeeper and they shall become the property of the City and shall be donated to an approved agency or humanely euthanised.
- (3) Any person who fails to deliver an animal as required by Subsection (2) is guilty of an offence and liable on summary conviction to the penalty contained in Subsection (1).
- (4) The Court may, in default of payment of a fine imposed under this Bylaw, order imprisonment of an individual for a term not exceeding one year.

### **Voluntary Payment to Avoid Prosecution**

25. (1) Notwithstanding Section 24, a person who contravenes Sections 4, 6, 9, 10, 10.2, 11, 11.1, 13, 14, 15, 19, 20, 21 or 21.1 upon being served with a Notice of Violation as specified in Schedule No. 6 may voluntarily pay the prescribed penalty in Schedule No. 8 at the Office of the City Treasurer, City Hall, 222 Third Avenue North, Saskatoon, Saskatchewan.
  - (1.1) For the purpose of determining the prescribed penalty required by Subsection (1), the number of prior offences shall be determined by the number of prior Notices of Violation issued in relation to the specified contravention, with the exception of those which have been cancelled or dismissed by the Court.
  - (2) If the City Treasurer receives voluntary payment of the prescribed penalty within the time limit specified on the Notice of Violation, the person receiving the Notice of Violation shall not be liable to prosecution for the alleged contravention.
  - (3) Nothing in this Section shall be construed to prevent any person from exercising the right to defend a charge for a contravention of this Bylaw.
  - (4) A Notice of Violation as specified in Schedule No. 6 may be issued by a peace officer, the Animal Control Agency or the Poundkeeper.
  - (5) A person to whom a Notice of Violation is being issued under this Section shall, upon request by the person issuing the Notice of Violation, provide their name, address and date of birth. Any person who fails to provide this information is guilty of an offence and liable on summary conviction to the penalty contained in Section 24.

**Part VIII  
Miscellaneous**

**Designated Poundkeeper and Animal Control Agency**

- 26. (1) The SPCA is designated as the Poundkeeper.
- (2) The Saskatoon Animal Control Agency is designated as the Animal Control Agency.
- (3) The Animal Control Agency or Poundkeeper are authorised to delegate the enforcement of this Bylaw to their employees.

**Appointment of Bylaw Enforcement Officers**

- 27. (Repealed – Bylaw No. 8326 – June 21, 2004)

**Dangerous Dogs**

- 28. (Repealed – Bylaw No. 8227 – July 14, 2003)

**Repeal**

- 29. Bylaw 5996 of The City of Saskatoon is repealed.

**Coming Into Force**

- 30. This Bylaw shall come into force and take effect on January 1, 2000.

Read a first time this 12<sup>th</sup> day of July, 1999.

Read a second time this 12<sup>th</sup> day of July, 1999.

Read a third time and passed this 12<sup>th</sup> day of July, 1999.

\_\_\_\_\_  
"Henry Dayday"  
Mayor

\_\_\_\_\_  
"Marlene Hall" (SEAL)  
A/City Clerk

## Schedule No. 1

### Annual License Fees for Cats and Dogs

#### Effective May 5, 2009:

Cat not spayed or neutered	\$30.00
Cat under 12 months old	\$15.00
Cat spayed or neutered	\$15.00
Dog not spayed or neutered	\$40.00
Dog under 12 months old	\$20.00
Dog spayed or neutered	\$20.00

#### Effective May 1, 2010:

Cat not spayed or neutered	\$30.00
Cat under 12 months old	\$15.00
Cat spayed or neutered	\$15.00
Dog not spayed or neutered	\$50.00
Dog under 12 months old	\$25.00
Dog spayed or neutered	\$25.00

#### Effective May 1, 2011:

Cat not spayed or neutered	\$32.00
Cat under 12 months old	\$16.00
Cat spayed or neutered	\$16.00
Dog not spayed or neutered	\$54.00
Dog under 12 months old	\$27.00
Dog spayed or neutered	\$27.00

## Schedule No. 2

### Areas Where Dogs May Be Off-Leash

- (a) Parcel Number: 120066229  
 Title Number: 109769552  
 Reference Land Description: Blk/Par AA-Plan 74S06447 Ext 0  
 As described on Certificate of Title 75S02586

Area in vicinity of intersection at Glasgow Street and Yorath Avenue, south of Glasgow Street. This off-leash area is fenced;

- (b) Parcel Number: 118974730  
 Title Number: 111663637  
 Reference Land Description: Blk/Par A-Plan G375 Ext 0  
 As described on Certificate of Title 86S52822

Area along Junor Avenue, one mile north of 37th Street;

- (c) Parcel Number: 131794027  
 Title Number: 109328104  
 Reference Land Description: SW Sec 29 Twp 36 Rge 04 W3 Ext 2  
 As described on Certificate of Title 90S11417,  
 description 2

Area 0.4 km north of 8th Street on McOrmond Drive on the east side;

- (d) East portion of:  
 Parcel Number: 119062076  
 Title Number: 108820278  
 Reference Land Description: Lot A, Blk/Par 5, Plan 85S42163 Ext 0  
 As described on Certificate of Title 90S11414

Parcel Number: 131598164  
 Title Number: 108897812  
 Reference Land Description: Blk/Par MR1, Plan 85S42163 Ext 0  
 As described on Certificate of Title 91S13754

North portion of:  
 Parcel Number: 119063606  
 Title Number: 108820335  
 Reference Land Description: Blk/Par C, Plan 85S42163 Ext 0  
 As described on Certificate of Title 85S46321

Riverbank area and uplands adjacent to the east end of Silverwood Golf Course north to the City limits and with a southerly border perpendicular to the middle of the east end of Silverwood Golf Course. For reference, the area is identified on the map on the following page as “Marquis Off Leash Area”;

(e) Parcel Number: 136267566  
 Title Number: 111226799  
 Reference Land Description: Lot 1, Plan G128, Ext 0  
 As described on Certificate of Title 62S08916

Parcel Number: 136267544  
 Title Number: 111226777  
 Reference Land Description: Lot 2, Plan G128, Ext 2  
 As described on Certificate of Title 62S08916, description 2

Parcel Number: 136267588  
 Title Numbers: 111226812 and 111226889  
 Reference Land Description: Lot 2, Plan G128, Ext 3  
 As described on Certificate of Title 82S36528, description 3

Parcel Number: 136267601  
 Title Numbers: 111226834 and 111226902  
 Reference Land Description: Lot 3, Plan G128, Ext 0  
 As described on Certificate of Title 82S36528

Parcel Number: 136267612  
 Title Numbers: 111226845 and 111226913  
 Reference Land Description: Lot 4, Plan G128, Ext 0  
 As described on Certificate of Title 82S36528

A portion of the riverbank area and uplands, in the area commonly known as “Sutherland Beach”, located on the east side of the South Saskatchewan River, north of the Circle Drive Bridge and west of the University of Saskatchewan Research Farm. This off-leash area is fenced; and

- (f) Parcel Number: 147244068  
 Title Number: 116294159  
 Reference Land Description: Parcel C, Plan 101398877, Ext 1  
 As described on Certificate of Title 63S17688

The area north of the east/west road between Valley Road and Cedar Villa Estates approximately 1.3 km west of the turnoff from Valley Road to Cedar Villa Estates. This off-leash area is fenced. For reference, the area is identified on the map on the following page as "SW Off-Leash Area".

- (g) Parcel Number: 120284995  
 Title Number: 110774819  
 Reference Land Description: Lot 23, Blk/Par 26, Plan G4296, Ext 0  
 As described on Certificate of Title 71S02153

Caswell Hill area located at 1025 Avenue F North, next to Mayfair Pool. For reference, the area is identified on the subsequent map titled "Caswell Hill Off Leash Recreation Area", located between Avenue F and Avenue G, and 31<sup>st</sup> and 32<sup>nd</sup> Street.

- (h) Portion of Parcel Number: 202767868  
 Title Number: 143377791  
 Reference Land Description: Blk/Par H, Plan 102108653, Ext 1

The area located west of Boychuk Drive and south of Slimmon Road. For reference, the area is identified on the map on the following page as "Hyde Park Off-Leash Recreational Area".

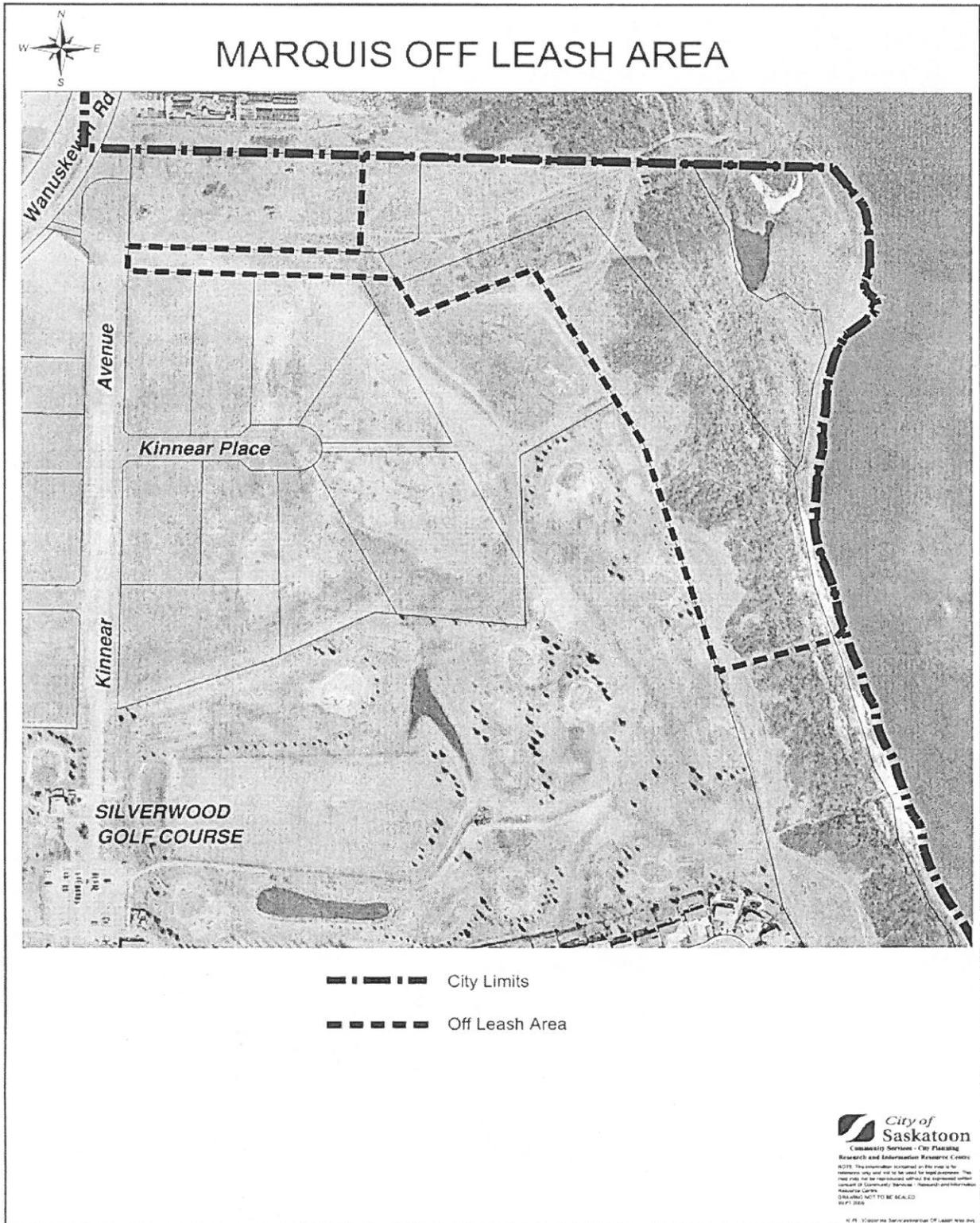
- (i) Parcel Number: 166259616  
 Title Number: 143064356  
 Reference Land Description: Blk/Par MR6, Plan 102108046, Ext 0

Hampton Village neighbourhood along Richardson Road east of McClocklin Road. For reference, the area is identified on the map on the subsequent map titled "Hampton District Park East – OLRA"; and

- (j) North Portion of:  
 Parcel Number: 120011061  
 Title Number: 110480048  
 Reference Land Description: Blk/Par N, Plan 60S16143, Ext 0

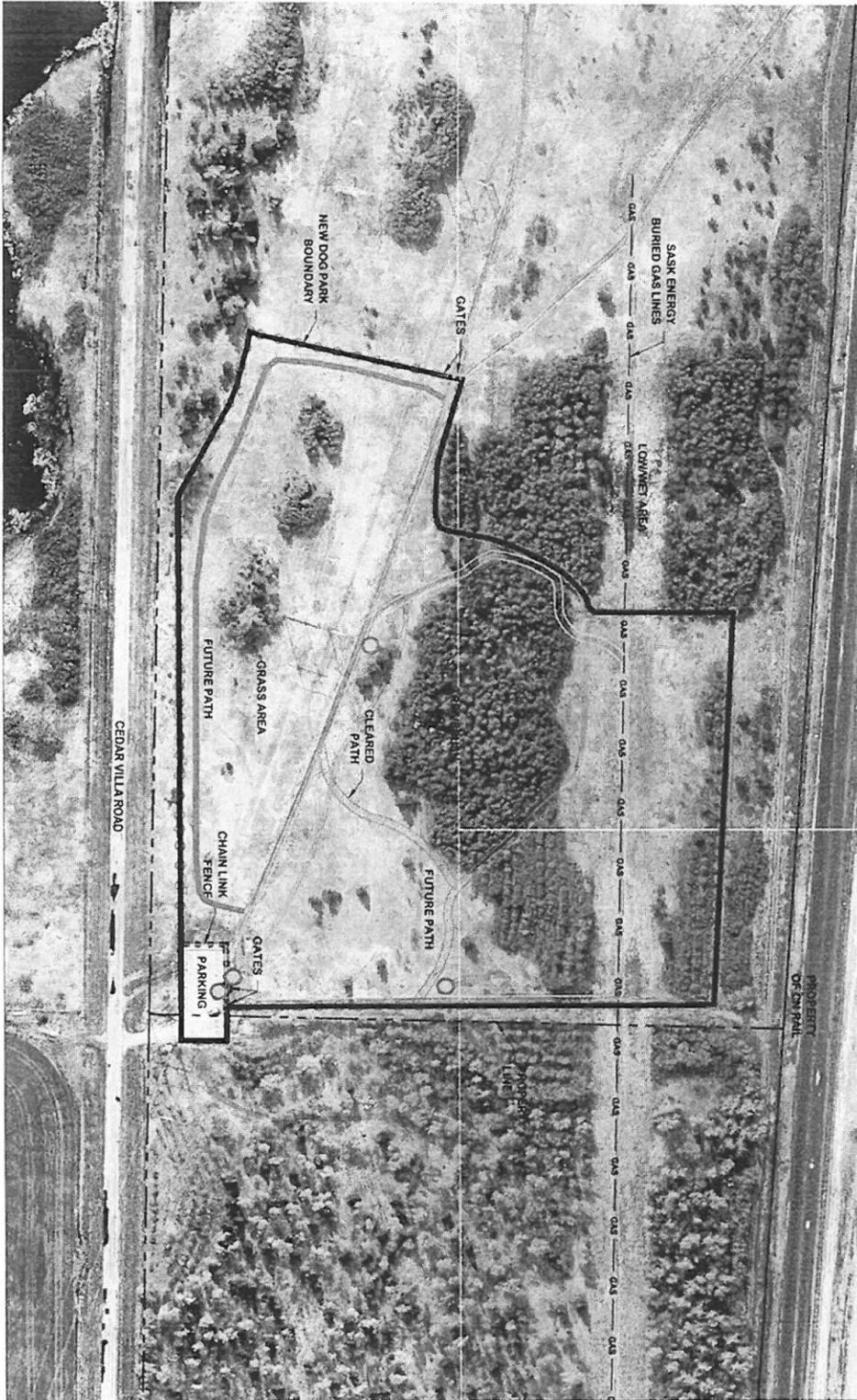
South Portion of:  
Parcel Number: 120025280  
Title Number: 110978219  
Reference Land Description: Blk/Par` L, Plan 60S16143, Ext 0

A section of land in Pierre Radisson Park, between 32<sup>nd</sup> Street and 33<sup>rd</sup> Street. For reference, the area is identified on the map on the subsequent map titled "Pierre Radisson Park – OLRA".



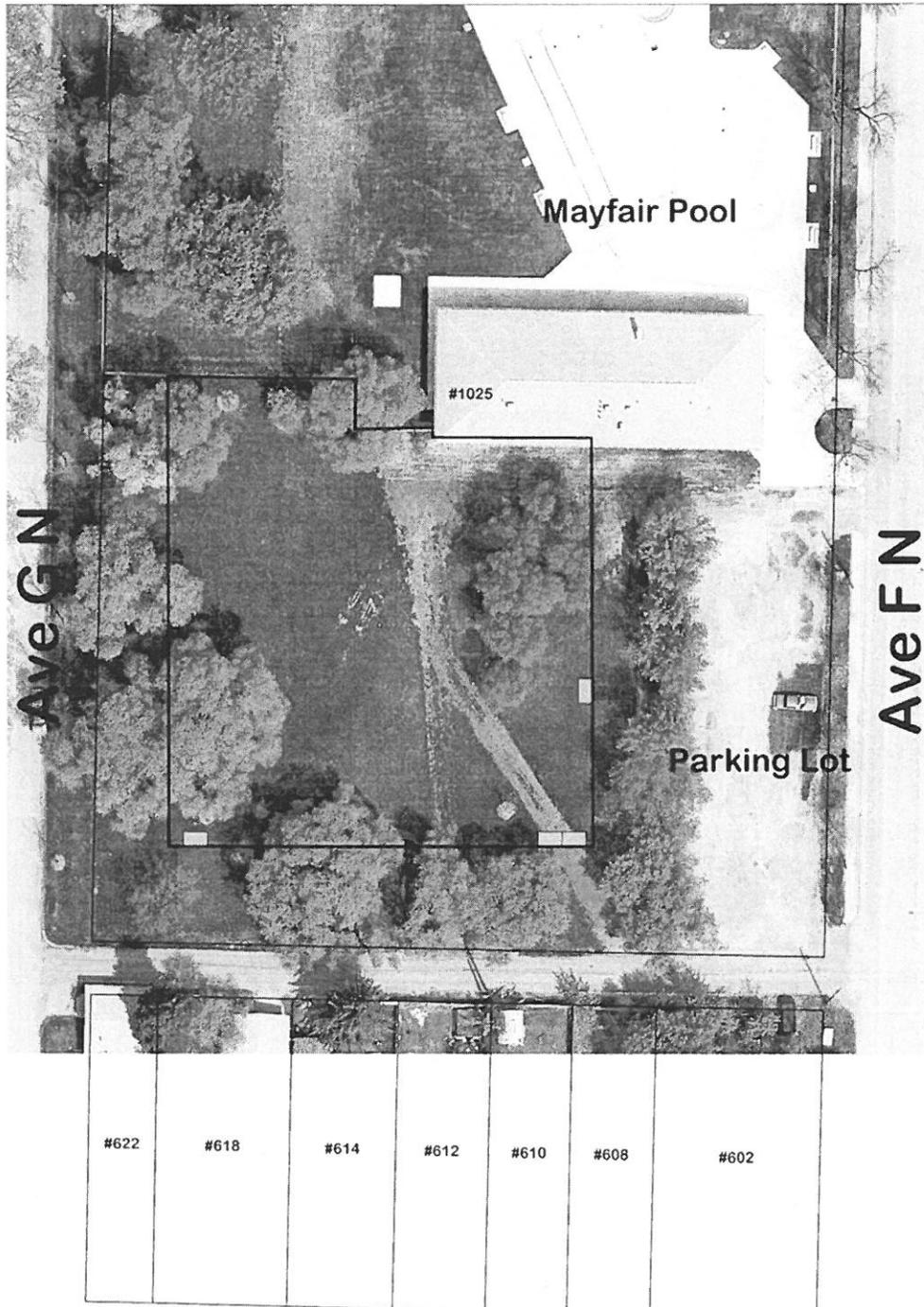
# South West Off Leash Recreation Area

○ Waste Receptacle

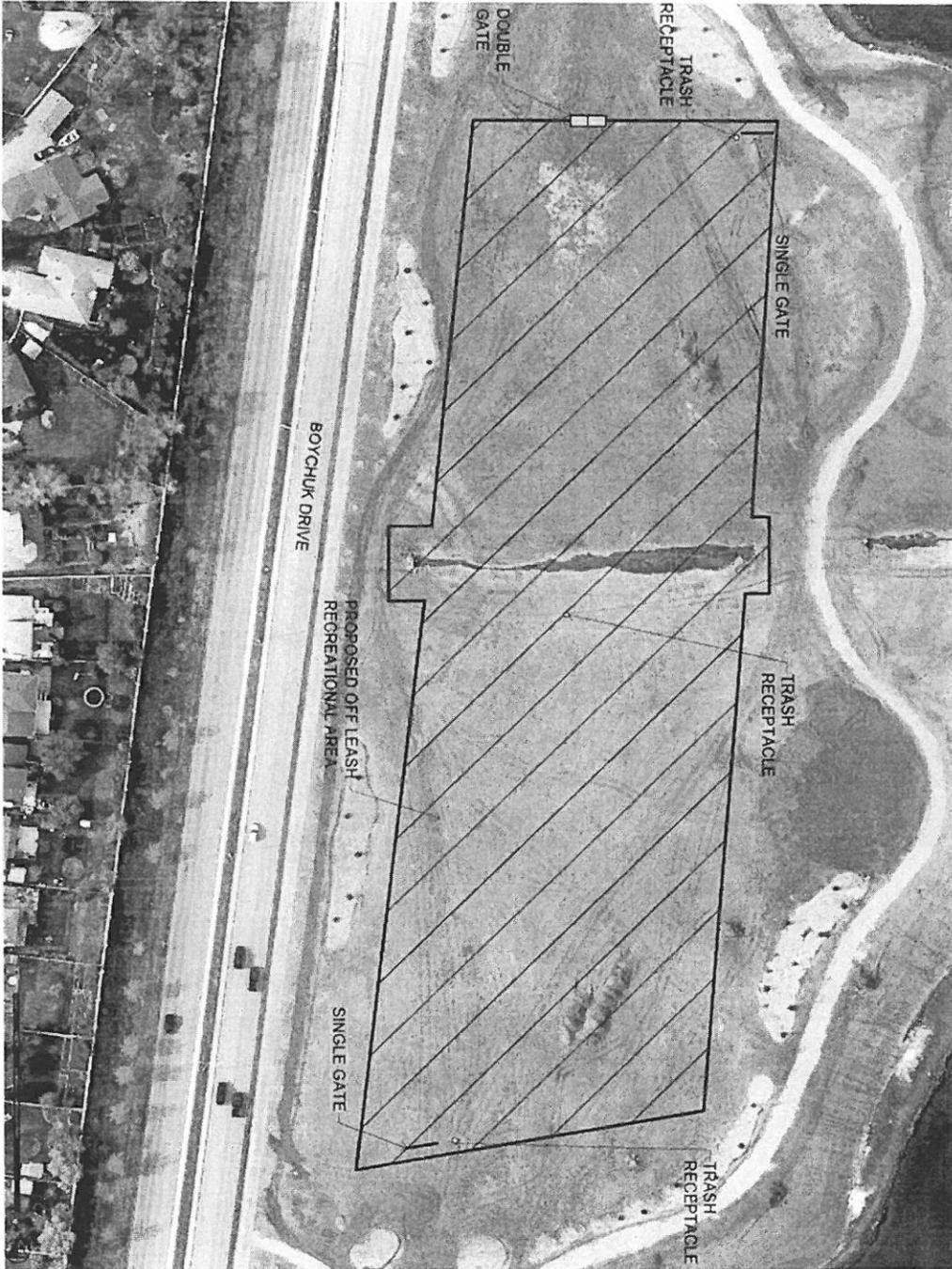


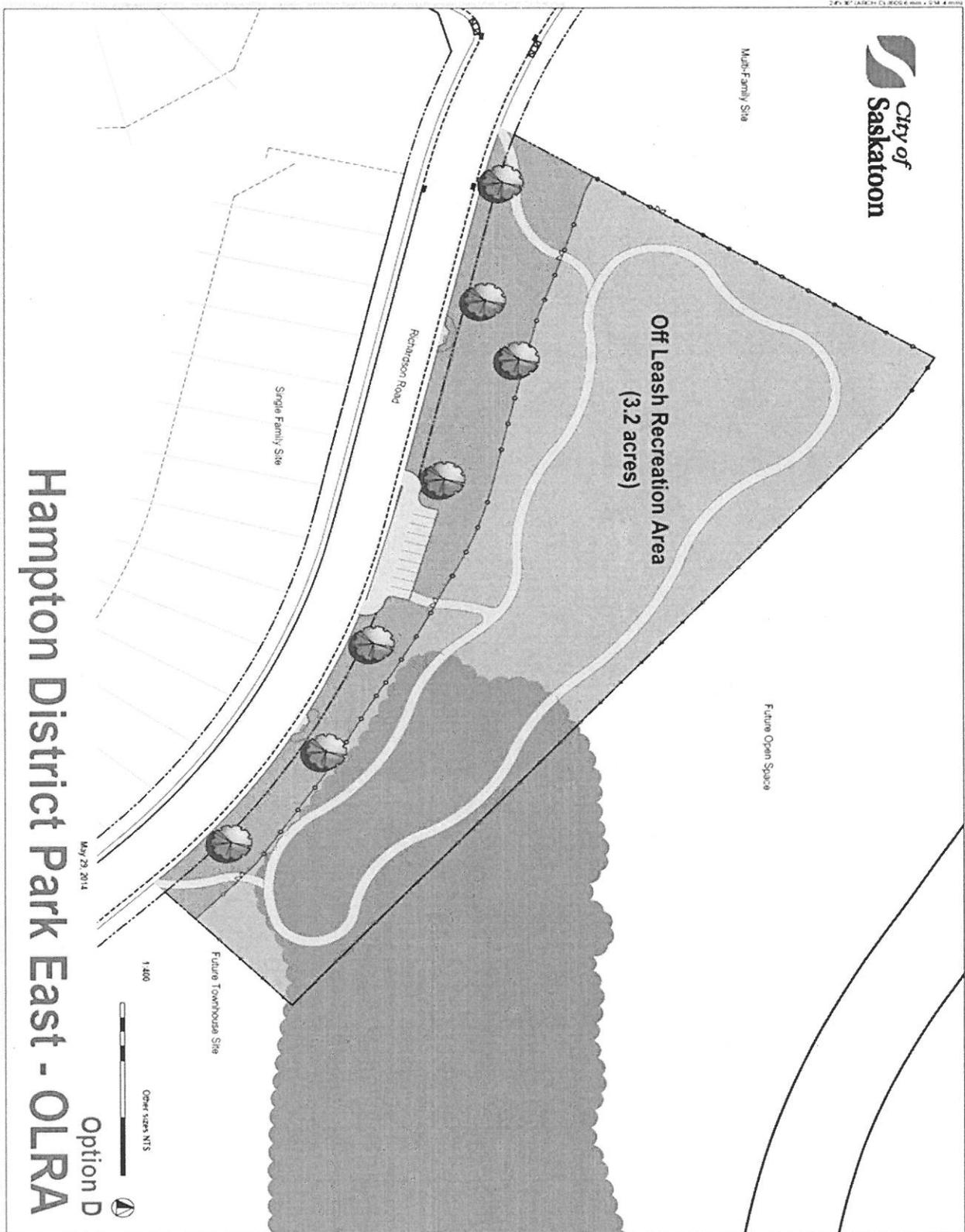
# Caswell Hill Off Leash Recreation Area

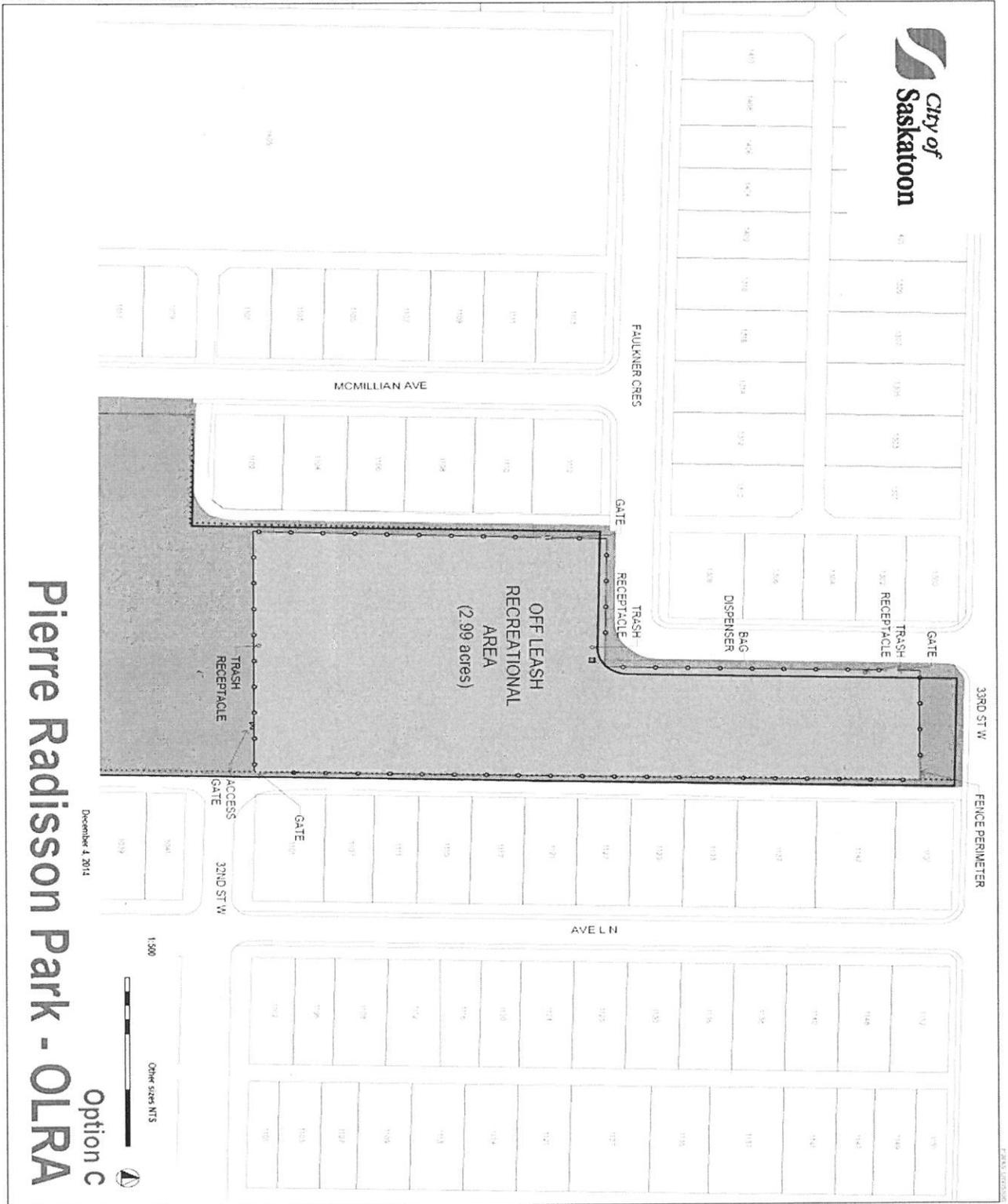
◦ Trash Receptacles



# Hyde Park Off-Leash Recreational Area Map



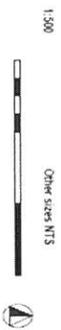




# Pierre Radisson Park - OLRA

Option C

December 4, 2011



## **Schedule No. 3**

### **Prohibited Areas for Cats and Dogs**

- (a) Kiwanis Park
- (b) Kinsmen Park
- (c) Forestry Farm

## Schedule No. 4

### Impoundment Fees for Cats and Dogs

Pound fee	\$ 50.00
Care and sustenance fee	\$ 10.00 (plus Goods and Services Tax) per day or a portion thereof commencing at 12:00 a.m. on the day immediately following the day of impoundment.

## Schedule No. 5

### Prohibited Animals

The following is a list of animals the keeping of which is prohibited within the City of Saskatoon:

- (a) all Arachnids dangerous to humans (such as scorpions and tarantulas, except tarantulas of the genera Aphonopelma, Avicularia and Grammostola);
- (b) all Artiodactylus Ungulates (such as goats, sheep, cattle, pigs and llamas);
- (c) all Bats;
- (d) all Canids, except the domestic dog;
- (e) all Crocodilians (such as alligators, crocodiles and caimans);
- (f) all Edentates (such as anteaters, sloths and armadillos);
- (g) all Elephants;
- (h) all Felids, except the domestic cat;
- (i) all Hyaenas;
- (j) all Marsupials (such as kangaroos and opossums);
- (k) all Mustelids (such as skunks, weasels, otters and badgers) except the domestic ferret;
- (l) all non-human Primates (such as gorillas and monkeys);
- (m) all Perissodactylus Ungulates (such as horses, donkeys, mules and asses);
- (n) all Pinnipeds (such as seals, fur seals and walruses);
- (o) all Procyonids (such as raccoons, coatis and cacomistles);
- (p) all Raptors, diurnal and nocturnal (such as eagles, hawks and owls);

## **Schedule No. 5**

(continued)

- (q) all Ratite Birds (such as ostriches, rheas, and cassowaries);
- (r) all Galliformes (such as chickens, turkeys, grouse, quails and pheasants);
- (s) all Anseriformes (such as ducks and geese);
- (t) all snakes of the families Pythonidae and Boidae;
- (u) all Ursids (bears);
- (v) all venomous Reptiles and Amphibians;
- (w) 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.

# Schedule No. 6

## City of Saskatoon License Department

No. \_\_\_\_\_

Penalty \$ \_\_\_\_\_

This official Notice of Violation is issued for breach of Bylaw No. 7860 (The Animal Control Bylaw, 1999)

Offence	No.
Section 4 - failure to license an animal	Section 13 - failure to remove excrement
Section 6 - failure to display licence	Section 14 - accumulation of animal feces
Section 9 - being at large	Section 15 - barking or howling
Section 11 - being in prohibited areas	Other (specify)

Penalty may be paid in person at the **Office of the City Treasurer**, City Hall, 222 - 3<sup>rd</sup> Avenue North, Saskatoon, Saskatchewan S7K 0J5 on any day except public holidays, Saturdays and Sundays, or by mail (cheque or money order only) and must be accompanied by this stub

Penalty \$ \_\_\_\_\_

If the penalty indicated is not received by \_\_\_\_\_ a summons requiring your appearance in Provincial Court will be issued.

### After Hours Deposit

222 - 3<sup>rd</sup> Avenue North

Date	Time	License No.
Description of Animal	Male/Female	
Location of Offence		
Name of Owner	Address	
Issuer		

### Important

Return this stub with payment

## Schedule No. 7

### Minimum Fines Pursuant to Section 24

Offence	Minimum Fine		
	1st Offence	2nd Offence	Subsequent
(a) failure to license cat or dog [Section 4]	\$250	\$300	\$350
(b) failure to attach valid license tag when a cat or dog is off the premises of the owner [Section 6]	\$50	\$100	\$150
(c) cat or dog being at large [Section 9]	\$100	\$200	\$300
(d) prohibited dog in off-leash area [Section 10(2)]	\$100	\$200	\$300
(e) allow dog to become nuisance in off-leash area [Section 10(3)(a)]	\$100	\$200	\$300
(f) fail to accompany dog in off-leash area [Section 10(3)(c)(i)]	\$100	\$200	\$300
(g) fail to carry leash in off-leash area [Section 10(3)(c)(ii)]	\$100	\$200	\$300
(h) fail to restrain and remove nuisance dog from off-leash area [Section 10(3)(d)]	\$100	\$200	\$300
(i) operate a motor vehicle in an off-leash area [Section 10.2]	\$100	\$200	\$300
(j) cat or dog in prohibited areas [Section 11]	\$100	\$200	\$300
(k) failure to confine or restrain cat or dog during transport [Section 11.1]	\$100	\$200	\$300

**Schedule No. 7**  
(continued)

Offence	Minimum Fine		
	1st Offence	2nd Offence	Subsequent
(l) failure to immediately remove a dog or cat's excrement (defecation) from public or private property other than the property of the dog or cat's owner [Section 13]	\$100	\$200	\$300
(m) allow animal feces to accumulate on private property [Section 14]	\$100	\$200	\$300
(n) cat or dog creating a nuisance by barking or howling [Section 15]	\$100	\$200	\$300
(o) pigeon on other person's property [Section 19]	\$100	\$200	\$300
(p) failure to obey order of Animal Protection Officer [Section 20]	\$100	\$200	\$300
(q) pigeon improperly at large [Section 21]	\$100	\$200	\$300
(r) failure to adequately maintain bees [Section 21.1]	\$100	\$200	\$300

## Schedule No. 8

### Penalties Payable Pursuant to Section 25

Offence	Prescribed Penalty		
	1st Contravention	2nd Contravention	Subsequent
(a) failure to license cat or dog [Section 4]	\$250	\$300	\$350
(b) failure to attach valid license tag when a cat or dog is off the premises of the owner [Section 6]	\$50	\$100	\$150
(c) cat or dog being at large [Section 9]	\$100	\$200	\$300
(d) prohibited dog in off-leash area [Section 10(2)]	\$100	\$200	\$300
(e) allow dog to become nuisance in off-leash area [Section 10(3)(a)]	\$100	\$200	\$300
(f) fail to accompany dog in off-leash area [Section 10(3)(c)(i)]	\$100	\$200	\$300
(g) fail to carry leash in off-leash area [Section 10(3)(c)(ii)]	\$100	\$200	\$300
(h) fail to restrain and remove nuisance dog from off-leash area [Section 10(3)(d)]	\$100	\$200	\$300
(i) operate a motor vehicle in an off-leash area [Section 10.2]	\$100	\$200	\$300
(j) cat or dog in prohibited areas [Section 11]	\$100	\$200	\$300

**Schedule No. 8**  
(continued)

Offence	Prescribed Penalty		
	1st Contravention	2nd Contravention	Subsequent
(k) failure to confine or restrain cat or dog during transport [Section 11.1]	\$100	\$200	\$300
(l) failure to immediately remove a dog or cat's excrement (defecation) from public or private property other than the property of the dog or cat's owner [Section 13]	\$100	\$200	\$300
(m) allow animal feces to accumulate on private property [Section 14]	\$100	\$200	\$300
(n) cat or dog creating a nuisance by barking or howling [Section 15]	\$100	\$200	\$300
(o) pigeon on other person's property [Section 19]	\$100	\$200	\$300
(p) failure to obey order of Animal Protection Officer [Section 20]	\$100	\$200	\$300
(q) pigeon improperly at large [Section 21]	\$100	\$200	\$300
(r) failure to adequately maintain bees [Section 21.1]	\$100	\$200	\$300

**Bylaw No. 8176**

**The Dangerous Animals Bylaw, 2003**

**Codified to Bylaw No. 8988  
(December 19, 2011)**



## BYLAW NO. 8176

### The Dangerous Animals Bylaw, 2003

The Council of The City of Saskatoon enacts:

#### Short Title

1. This Bylaw may be cited as The Dangerous Animals Bylaw, 2003.

#### Purpose

2. The purpose of this Bylaw is to promote the safety, health and welfare of people and the protection of people and property in the City of Saskatoon and to ensure the humane treatment of animals by regulating and prohibiting the keeping of dangerous animals within the City.

#### Definitions

3. In this Bylaw:
  - (a) “**Animal Control Agency**” means the Animal Control Agency appointed pursuant to the Animal Control Bylaw of The City of Saskatoon;
  - (b) “**City**” means The City of Saskatoon;
  - (c) “**judge**” means a judge of the Provincial Court of Saskatchewan or a justice of the peace;
  - (d) “**owner**” includes:
    - (i) a person who keeps, possesses or harbours an animal to which this Bylaw applies;
    - (ii) the person responsible for the custody of a minor where the minor is the owner of an animal to which this Bylaw applies;

but does not include:

- (iii) a veterinarian registered pursuant to *The Veterinarians Act, 1987* who is keeping or harbouring an animal to which this Bylaw applies for the prevention, diagnosis or treatment of a disease or injury to the animal;
- (iv) the City or the Saskatoon Society for the Prevention of Cruelty to Animals with respect to an animal shelter or impoundment facility operated by either of them;
- (e) “**Poundkeeper**” means the Poundkeeper appointed pursuant to the terms of the Animal Control Bylaw of The City of Saskatoon;
- (f) “**provocation**” means an act done intentionally for the purpose of provoking an animal to which this Bylaw applies.

### **Application**

- 4. This Bylaw shall apply to domestic cats and dogs in the City.

### **Dangerous Animals**

- 5. (1) An animal is dangerous where it is proved that:
  - (a) the animal, without provocation, in a vicious or menacing manner, chased or approached a person or domestic animal in an apparent attitude of attack;
  - (b) the animal has a known propensity, tendency or disposition to attack without provocation, to cause injury or to otherwise threaten the safety of persons or domestic animals;
  - (c) the animal has, without provocation, bitten, inflicted injury, assaulted or otherwise attacked a person or domestic animal.
- (2) For the purposes of this Section, an animal is presumed not to have been provoked, in the absence of evidence to the contrary.

### **Exemption for Guard Dogs**

6. No dog shall be considered dangerous where an action described in clause 5(1)(a), (b) or (c) occurred while the dog was:
  - (a) acting in the performance of police work; or
  - (b) working as a guard dog on commercial property:
    - (i) securely enclosed on property by a fence or other barrier sufficient to prevent the escape of the dog and the entry of children of tender years; and
    - (ii) defending that property against a person who was committing an offence.

### **Fighting Dogs Considered Dangerous**

7. Notwithstanding the generality of Section 5, a dog is dangerous where it is proved that the dog is owned primarily or in part for the purpose of dog fighting or is trained for dog fighting.

### **Dangerous Animal Hearings**

8. (1) If a complaint is made that an animal is dangerous, a judge shall hold a hearing to determine if, based upon the evidence adduced at the hearing, the animal is, in fact, dangerous.
- (2) Notice of the hearing referred to in subsection (1) shall be served upon the owner of the animal. The notice shall be served:
  - (a) in the case of an owner who is an individual:
    - (i) by delivering it personally to the owner; or
    - (ii) if the owner cannot conveniently be found by leaving it for the owner at the owner's residence with a person at that residence who appears to be at least 18 years of age;
  - (b) in the case of an owner that is a corporation:
    - (i) by sending it by registered mail to the registered office of the corporation; or

- (ii) by delivering it personally to the manager, secretary or other executive officer of the corporation or the person in charge of any office or other place where the corporation carries on business in Saskatchewan.
- (3) Where an owner does not appear at the time and place appointed for the hearing after having been notified of that time or place, the judge may proceed *ex parte* to hear and determine the proceedings in the absence of the owner as fully and effectively as if the owner had appeared.
- (4) If the judge is satisfied, on the evidence, that the animal is dangerous, the judge shall make an order embodying all of the following terms:
  - (a) if the owner removes the animal from the owner's property, the owner shall muzzle and leash it in accordance with the criteria prescribed in Section 16 and keep it under direct control and supervision;
  - (b) the owner shall inoculate the animal against rabies in accordance with the provisions of Section 17;
  - (c) the owner shall report the sale or other disposition of the animal to a designated officer appointed pursuant to Section 23;
  - (d) where the animal is moved to a different city or municipality, the owner shall notify the clerk of that city or municipality;
  - (e) where the animal is to be sold or given away, the owner shall:
    - (i) notify any prospective owner that the animal has been declared dangerous, before it is sold or given away; and
    - (ii) notify a designated officer appointed pursuant to Section 23 of the name, address and telephone number of any new owner of the animal;
  - (f) if the animal is unlicensed, the owner shall, at the owner's expense and within ten days of the date of the order, purchase the requisite license for the animal;
  - (g) the owner shall have the animal micro chipped in accordance with Section 18.

- (5) An order pursuant to subsection (4) may also include any or all of the following terms:
  - (a) the owner shall keep the animal in an enclosure which complies with the criteria prescribed in Section 19;
  - (b) the owner shall obtain and keep in effect liability insurance in an amount of not less than \$300,000.00 for any bodily injury to or death of any person or domestic animal, or for damage to property, caused by the animal;
  - (c) the owner shall display a sign, which complies with the criteria prescribed in Section 20, on the owner's property warning of the presence of the animal and shall continue to display that sign in good condition so long as the animal is present on the property;
  - (d) the owner shall have the animal spayed or neutered;
  - (e) the owner shall take such other measures as the judge considers appropriate.
- (6) Notwithstanding subsection (4), a judge may, in the alternative, order that the animal be destroyed or otherwise disposed of at the owner's expense and shall give directions with respect to the destruction or other disposition.
- (7) Where an order has been made pursuant to subsection (5) against the owner, the owner may apply to the judge who made the order for an order that compliance with the provisions of clause (5)(b) be waived.
- (8) On an application pursuant to subsection (7), the judge may waive compliance with clause (5)(b), on any terms and conditions that the judge considers reasonable, where the judge is satisfied that the owner is unable to comply with the requirements of that clause for a reason other than the owner's financial circumstances.
- (9) A person desiring to appeal an order pursuant to this Section shall, within seven days of the order being appealed from, file a notice of appeal with Her Majesty's Court of Queen's Bench, and the provisions of Part XXVII of the *Criminal Code* apply with any necessary modification.

## Offences

9. (1) Any person who owns a dog for the purpose of dog fighting, or trains, torments, badgers baits or otherwise uses a dog for the purpose of causing or encouraging the dog to make unprovoked attacks on persons or domestic animals is guilty of an offence.
- (2) Any person who displays a prescribed sign warning of the presence of a dangerous animal and who is not acting in accordance with an order made pursuant to subsection 8(5) or has not received the permission of the City to display the sign is guilty of an offence.
- (3) Any person who does not comply with any part of an order made against him or her pursuant to subsection 8(4), (5) or (6) is guilty of an offence.
- (4) Any person who owns an animal that, without provocation, attacks, assaults, wounds, bites, injures or kills a person or domestic animal, is guilty of an offence.
- (5) (Repealed – Bylaw No. 8988 – December 19, 2011)
- (6) (Repealed – Bylaw No. 8988 – December 19, 2011)
- (7) (Repealed – Bylaw No. 8988 – December 19, 2011)
- (8) (Repealed – Bylaw No. 8988 – December 19, 2011)
- (9) (Repealed – Bylaw No. 8988 – December 19, 2011)

## Penalties

- 9.1 (1) A person who is guilty of an offence pursuant to subsection 9(3) or 9(4) is liable on summary conviction to a fine of not less than the minimum penalty shown in Appendix “B” and:
  - (a) in the case of an individual, not exceeding \$10,000.00 or imprisonment for not more than one year, or both; and
  - (b) in the case of a corporation, not exceeding \$25,000.00, or imprisonment of the directors of the corporation for not more than one year, or both.
- (2) A person who is guilty of an offence for which a minimum penalty is not prescribed in Appendix “B” is liable on summary conviction:

- (a) in the case of an individual, to a fine not exceeding \$10,000.00 or imprisonment for not more than one year, or both; and
  - (b) in the case of a corporation, to a fine not exceeding \$25,000.00, or imprisonment of the directors of the corporation for not more than one year, or both.
- (3) In addition to imposing the penalty under subsection (1) or (2), the convicting judge shall make an order embodying the requirements of subsection 8(4).
  - (4) An order pursuant to subsection (3) may also include the requirements of subsection 8(5).
  - (5) Notwithstanding subsection (3), the judge may, in the alternative, order that the animal be destroyed or otherwise disposed of at the owner's expense and shall give directions with respect to the destruction or other disposition.
  - (6) A person desiring to appeal an order or conviction pursuant to this Section shall, within seven days of the order or conviction being appealed from, file a notice of appeal with the Court, and the provisions of Part XXVII of the *Criminal Code* apply with any necessary modification.

### **Order Binds Subsequent Owner**

- 10. An order issued pursuant to Section 8 or 9 continues to apply if the animal is sold or given to a new owner or is moved to a different municipality.

### **Execution of Destruction Order**

- 11. (1) Unless the owner otherwise agrees, every order for destruction of an animal shall state that it shall not be implemented for eight days.
- (2) Where an appeal is taken against an order for the destruction of an animal, the application of the order is stayed pending the disposition of the appeal.
- (3) Regardless of the outcome of the appeal, the owner shall be responsible for the payment of the costs of impoundment of the animal pending the hearing.

### **Return of Animal**

12. Where the judge on appeal overturns the order for destruction of the animal, the animal shall be released to the owner after the owner has paid the costs of impoundment of the animal pending the hearing.

### **Destruction by Peace Officers**

13. (1) A peace officer as defined by the *Criminal Code* may destroy any animal that the officer finds injuring or viciously attacking a person or domestic animal.  
(2) Where the officer acted in good faith, a peace officer who destroys an animal pursuant to subsection (1) is not liable to the owner for the value of the animal.

### **Entry and Search**

14. If a peace officer as defined by the *Criminal Code* or a designated officer has reasonable grounds to believe that an animal that is dangerous or has been ordered to be destroyed or otherwise disposed of is in or on any premises, the peace officer or designated officer may enter the premises and search for and impound the animal in accordance with Section 327 of *The Cities Act*.

### **Charges May Be Added to Property Taxes**

15. (1) If a person owes the City for costs incurred by the City with respect to a dangerous animal, the City may add the amount owing to the tax roll of any parcel of land for which the person is the assessed person.  
(2) If an amount is added to the tax roll of a parcel of land pursuant to subsection (1), the amount:
  - (a) is deemed for all purposes to be a tax imposed pursuant to *The Cities Act* from the date it was added to the tax roll; and
  - (b) forms a lien against the parcel of land in favour of the City from the date it was added to the tax roll.

### **Criteria for Muzzle and Leash for Dangerous Animals**

16. Where an animal that has been declared dangerous pursuant to Section 8 is removed from the owner's property, the animal shall be equipped with a muzzle and be secured by a leash in accordance with the following criteria:
- (a) the animal shall be fitted with a collar or harness for the body that is properly placed and fitted on the animal;
  - (b) the movement of the animal shall be controlled by a person by means of a leash attached to the collar or harness of the animal;
  - (c) the leash shall not exceed 1.2 metres in length and shall be constructed of a material having a tensile strength of at least 40 kilograms;
  - (d) the muzzle on the animal shall be properly fitted on the animal to prevent it from biting any animal or person;
  - (e) the muzzle shall be fitted on the animal in a manner that it will not interfere with the vision or respiration of the animal.

### **Inoculation of Animals**

17. (1) Where an animal has been declared to be dangerous pursuant to Section 8, the owner of the animal shall, at the owner's expense and within ten days of the date of the order of the judge declaring the animal to be dangerous, have the animal inoculated against rabies by a veterinarian and provide proof to a designated officer that the dog has been inoculated.
- (2) Where the owner of an animal provides proof that the animal has been inoculated against rabies during the period of 12 months prior to the date of the order, the owner is not required to comply with subsection (1) until the expiration of 12 months from the date of inoculation of the animal or as otherwise recommended in writing by a licensed veterinarian.
- (3) The owner of an animal shall have the animal inoculated within each 12-month period following the inoculation mentioned in subsection (1) or (2), or as may otherwise be recommended in writing by a licensed veterinarian during the lifetime of the animal.

### **Micro Chipping of Dangerous Animals**

18. Where an animal has been declared dangerous pursuant to Section 8, the owner of the animal shall, at the owner's expense and within ten days of the date of the order, cause the animal to be micro chipped by the Poundkeeper.

### **Enclosures for Dangerous Animals**

19. If a judge orders pursuant to clause 8(5)(a) that an animal be kept in an enclosure, the enclosure must comply with the following criteria:
- (a) the enclosure shall be constructed of wood or any other building material of sufficient strength and in a manner adequate to:
    - (i) confine the animal; and
    - (i) prevent the entry of children of tender years;
  - (b) the entrances and other areas by which entry to or exit from the enclosure may be made shall be locked or fastened in a manner adequate to prevent the animal from escaping from the enclosure;
  - (c) the enclosure shall be at least 3 metres in length, 1.5 metres in width and 1.8 metres in height;
  - (d) the enclosure shall have a top secured to the sides of the enclosure;
  - (e) the enclosure shall:
    - (i) have a floor secured to the sides of the enclosure; or
    - (ii) the sides of the enclosure shall be embedded in the ground to a depth of at least .6 metres;
  - (f) the enclosure shall:
    - (i) provide protection from the elements for the animal;
    - (ii) provide adequate light and ventilation for the animal; and
    - (iii) be kept in a sanitary and clean condition.

## Signs

20. (1) Where an animal has been declared dangerous pursuant to Section 8, the owner of the animal shall, within ten days of the date of the order of the judge declaring the animal to be dangerous, display a sign on his or her premises warning of the presence of the animal in the form illustrated in Appendix “A”.
- (2) A sign required by subsection (1) shall be placed at each entrance to the premises where the animal is kept and on the enclosure in which the animal is confined.
- (3) A sign required by subsection (1) shall be clearly visible and capable of being read from any adjacent public road.

## Quarantine of Animals

21. Where an animal has bitten a person or domestic animal, the owner of the animal shall, unless the animal is ordered destroyed, quarantine the animal for observation for symptoms of rabies for a period of not less than ten days in accordance with the *Animal Disease and Protection Act* (Canada).

## Rabies Test of Animals

22. (1) Every person who destroys an animal following the non-fatal biting of a person or domestic animal, whether the destruction is pursuant to an order of a judge or court or at the decision of the owner of the animal, shall, if the destruction is carried out before the completion of the quarantine period mentioned in Section 21, retain the head of the animal in a manner usable for testing the animal for rabies.
- (2) Where a person destroys an animal in the circumstances described in subsection (1), the person shall immediately notify a veterinarian or a peace officer that he or she is in possession of the head of an animal to be tested for rabies.

## Appointment of Designated Officers

23. (1) The Poundkeeper and the Animal Control Agency shall be designated officers for the purposes of this Bylaw.
- (2) The Poundkeeper and the Animal Control Agency are authorized to delegate enforcement of this Bylaw to their employees.

**Coming Into Force**

24. This Bylaw shall come into force on the day of its final passing.

Read a first time this 6<sup>th</sup> day of January, 2003.

Read a second time this 6<sup>th</sup> day of January, 2003.

Read a third time and passed this 6<sup>th</sup> day of January, 2003.

“James Maddin”  
Mayor

“Janice Mann”  
City Clerk

“SEAL”

Appendix "A"

**WARNING**



**DANGEROUS ANIMAL ON PREMISES**

City of Saskatoon Bylaw No. 8176

## Appendix "B"

### Mandatory Minimum Penalties

Section	Offence	Mandatory Minimum Penalty		
		1 <sup>st</sup> Offence	2 <sup>nd</sup> Offence	3 <sup>rd</sup> Offence
9(3)	failure to comply with Court Order	\$500.00	\$1,000.00	\$1,500.00
9(4)	owning animal that attacks, assaults, wounds, bites or kills	\$250.00	\$ 500.00	\$ 750.00

