

A BYLAW OF THE TOWN OF LANGHAM TO REGULATE & LICENSE DOGS AND CATS

The Council of the Town of Langham in the Province of Saskatchewan
Enacts as follows:

1. DEFINITIONS

- a) “Administrator” means the Town Administrator of the Town of Langham, or any person authorized to act on his/her behalf.
- b) “Bylaw Enforcement Officer” means any person appointed by Council to enforce the provisions of this Bylaw.
- c) “Cat” means either male or female or neutered over the age of four (4) months of the feline family.
- d) “Council” means the Council of the Town of Langham.
- e) “Dog” means either male or female or neutered over the aged of four (4) months of the canine family.
- f) “License” means an exterior tag which shall be affixed to the collar of a dog or cat which includes a registered identification number contained in the Towns’ dog and cat license records and is issued for the lifetime of the dog or cat.
- g) “Municipality” means the Town of Langham.
- h) “Owner” means any person or body corporate owning, possessing, harboring or having charge of or control over any dog or cat or who suffers any dog or cat to remain about his residence or premises located within the Town.
- i) “Peace Officer” means any member of the Royal Canadian Mounted Police, the Dalmeny Police Service or any person appointed as a bylaw enforcement officer under this bylaw.
- j) “Person” shall include an individual and one or more persons of a partnership, association or corporation.
- k) “Pound” means such premises and facilities as may be designated by the Council of the Town of Langham for the purpose of safety lodging and securing animals seized pursuant to this Bylaw.

l) "Running at Large" shall mean the dog or cat is beyond the boundaries of the land occupied by the owner, possessor or harbinger or keeper of the said dog or cat, or beyond the boundaries of any lands where it may be with the permission of the owner or occupant of the said land and when it is not under control by being:

- i) in direct and continuous charge of a person competent to control it; or
- ii) securely confined within an enclosure; or
- iii) securely fastened so that it can not roam at will.

2. LICENSING

a) Every person within the Municipality who:

- i) owns, possesses, harbors or keeps a dog or dogs; or cat or cats; or
 - ii) acquires one or more dogs or cats
- shall obtain a license for each dog or cat from the Administrator.

b) The license shall be in effect for the lifetime of the Dog or Cat. A license fee paid pursuant to this bylaw shall not be refundable to the owner on disposal or demise of the dog or cat.

c) The license fee for each license/tag is described in Schedule "A" which forms part of and is included in this Bylaw.

d) Any dog or cat license issued pursuant to the provisions of this bylaw by the Municipality shall not be transferable to any other dog or cat.

e) If any dog or cat license number plate or tag is lost, destroyed or so defaced as to be illegible, the owner, possessor or harbinger of the dog or cat to which the license was issued shall forthwith apply to the Administrator for a replacement tag which shall be issued upon payment of a fee of Five Dollars (\$5.00).

f) A dog owned by a sightless person and used as a guide shall be registered and licensed as provided elsewhere in this Bylaw, but no license fee shall be charged.

3. Every person to whom a license has been issued under this Bylaw shall cause his/her dog or cat to wear a collar or harness which shall be attached to the license tag or number plate issued by the Town pursuant to this Bylaw.

4. When applying for a license under the provisions of the Bylaw, the applicant shall provide the Town Office with a concise description of the dog or cat, the name, address and telephone number of the owner, possessor, keeper or harbinger of said dog or cat and any other information relevant and pertaining thereto and the Administrator shall record all said information as required pertaining to all licenses issued pursuant to this Bylaw.

5. A person residing in the municipality who owns, possesses, keeps or harbors a dog or cat and neglects or refuses to take out a license for the animal, or neglects to cause the dog or cat to wear the license, shall be subject to the penalties as outlined in Schedule "C" of the Bylaw.

NUISANCE

6. If a dog or cat defecates on any public or private property other than on the private property of the owner, possessor or harbinger of the said dog or cat, the owner, possessor, keeper or harbinger of the dog or cat shall cause such defecation to be removed.

7. No person shall, being the owner, possessor, harbinger or keeper of a dog or cat that has defecated within the boundaries of the municipality, neglect or refuse to remove or cause to be removed such defecation;

- a) from public property.
- b) from private property upon complaint from the owner, tenant or other person designated to represent the interests of the owner or tenant of such private property.

8. The owner of a dog or cat shall not permit their dog or cat to do any of the following which constitute being a nuisance: to urinate or spray on, or otherwise damage or interfere with any property other than the property of the owner of the dog or cat.

9. No owner shall permit his dog or cat to cause a disturbance by barking or howling or hissing or fighting or otherwise make disruptive noises deemed to be a nuisance.

PROHIBITED AREAS

10.
 - a) Subject to the provisions of subsections 10 (b) and 10 (c), Council may prohibit the presence of dogs or cats in the areas within the municipality as outlined in Schedule "D" which is attached to an forms part of this Bylaw.
 - b) Council may from time to time permit the presence of dogs or cats in an area specifically designated for the purpose of shows, competitions for other such events.
 - c) Council shall cause to be erected and maintained at every area where the public has access to the entry of every playground and other areas prohibiting the presence of dogs or cats, a sign appropriately identifying such prohibition.

OBSTRUCTION

11. No person, whether or not being the owner, harborer, possessor or keeper of a dog or cat which is being or has been pursued or seized shall;
- a) interfere with or obstruct or attempt to obstruct a Pound Keeper, Bylaw Enforcement Officer or Peace Officer who is attempting to seize or has seized any dog or cat in accordance with the provisions of this Bylaw.
 - b) unlock, unlatch or otherwise open a cage door or vehicle door or such items designed for temporarily lodging dogs or cats in which dogs or cats seized under the provisions of this Bylaw have been placed, so as to allow or attempt to allow any dog or cat to escape there from.
 - c) remove or attempt to remove any dog or cat from the possession of a Pound Keeper, Bylaw Enforcement Officer or Peace Officer.

RUNNING AT LARGE

12. The owner of a dog or cat shall not permit his dog or cat to run at large.
13. When a dog or cat is found to be running at large, its owner is deemed to have failed or refused to comply with the provisions of Sec. 12.
14. When a dog or cat is found to be running at large, the owner or occupant of that property on which the dog or cat is running at large may make a written complaint to the Bylaw Enforcement Officer.

IMPOUNDING

15. A Bylaw Enforcement Office or Peace Officer may seize and impound any dog or cat observed to be at large. A Bylaw Enforcement Officer or Peace Officer may enter onto land surrounding any building in pursuit of any dog or cat which has been observed to be at large.
16. Any impounded dog or cat shall be kept in a pound designated by the Town of Langham for three (3) clear days unless the owner, keeper, harbinger or possessor redeems the dog or cat by paying to the Administrator, the impoundment fee for each dog or cat impounded and the sum per day of the pound fees depicted in Schedule "B" which is attached to and forms part of this Bylaw, for care and keep of the dog or cat. In the event the dog or cat is not licensed, the owner, keeper, harbinger or possessor shall also pay the sum required in accordance with the provisions of this Bylaw to currently license said dog or cat.

QUARANTINE OF SICK ANIMALS

17. Notwithstanding any other provisions of this Bylaw, where any dog or cat is suspected of having rabies or other life-threatening disease, it shall be isolated and may not be claimed, destroyed or otherwise disposed of except after notice to the Medical Health Officer for the Town and then only in compliance with the directions of the Medical Health Officer.

POUND FEES

18. a) The Administrator may sell any dog or cat which is not redeemed within three (3) clear days, provided that the purchaser thereof obtains a license if he/she is a resident of the municipality for the said dog or cat.

b) The Administrator, or at his/her request, any other person, may destroy any dog or cat which has not been redeemed within four (4) clear days or safely deliver the dog or cat to the nearest animal shelter provided and operated by the Society for the Prevention of Cruelty to Animals.

c) Where a dog or cat is injured before or after having been seized or in the opinion of the Bylaw Enforcement Officer, Pound Keeper or Peace Officer, should be destroyed without delay for humane reasons or for reasons of safety to persons or animals, the Bylaw Enforcement Officer, Pound Keeper or Peace Officer may destroy the dog or cat in a humane manner as soon after seizure as he may determine without permitting the owner to reclaim or redeem said dog or cat or without offering it for sale.

d) Where an impounded animal is wearing a collar to which is attached a valid license tag, the Bylaw Enforcement Officer or Peace Officer shall immediately send written notice to the owner at the address as shown in the records made when the license was purchased. No liability whatsoever shall be attached to the Town, the Bylaw Enforcement Officer or the Peace Officer by reason of the failure of the owner to receive such notice.

APPOINTMENT OF BYLAW ENFORCEMENT OFFICERS

19. Any person employed by the Town of Langham as a Bylaw Enforcement Officer shall be deemed appointed to be a Bylaw Enforcement Officer pursuant to Section 373(1) of The Urban Municipalities Act, 2006.

LIABILITY

20. No liability whatsoever shall attach to the Town, Bylaw Enforcement Officer, Pound Keeper, Veterinarian, Peace Officer or other person acting under this Bylaw and in good faith, arising out of the capture, seizure, restraining, impounding, failure to contact the owner, sale or destruction of any dog or cat.

GENERAL PENALTIES

21. Every person who contravenes any provision of this Bylaw is guilty of an offense and liable on summary conviction to:

- a) In the case of an individual, to a fine of not more than \$2,000.00.
- b) In the case of a corporation, to a fine of not more than \$5,000.00.

LIABILITY FOR OFFENSE:

22. Any person charged with an offense under this Bylaw shall be liable on summary conviction for the penalties provided, notwithstanding that the cat or dog in connection with which the offense was committed has been seized, impounded, sold, destroyed or otherwise disposed of.

VOLUNTARY PAYMENT TO AVOID PROSECUTION

- 23.
- a) Notwithstanding Sec. 21, a person who contravenes any provision of this bylaw, upon being served with a ticket as specified in Schedule E may voluntarily pay the prescribed penalty in Schedule C at the Langham Town Office, 230 Main Street East, Langham, Sask.
 - b) If the Town of Langham receives voluntary payment of the prescribed penalty within the time limit specified on the ticket, the person receiving the ticket shall not be liable to prosecution for the alleged contravention.
 - c) 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.
 - d) A ticket as specified in Schedule E may be issued by a Bylaw Enforcement Officer, a Peace Officer of the Town of Langham, or a Public Health Inspector.
 - e) A person to whom the ticket is being issued under this section shall, upon request by the person issuing the ticket, provide his or her name and address.

SEVERABILITY

24. If any section, subsection, sentence, clause, phrase or other portion of the Bylaw is for any reason held invalid or unconstitutional by any Court of competent jurisdiction, that portion shall be deemed a separate, distinct and independent provision and the holding of the Court shall not affect the validity of the remaining portions of the Bylaw.

EFFECTIVE DATE AND REPEAL OF OLD BYLAWS

25. This Bylaw shall come into effect on the 1st day of January, 2009.

26. Bylaws No. 459 and 5-89 are hereby repealed effective January 1, 2009.

INTRODUCED AND READ A FIRST TIME THIS 1ST DAY OF DECEMBER, 2008.

READ A SECOND TIME THIS 1ST DAY OF DECEMBER, 2008.

READ A THIRD TIME AND PASSED THIS 1ST DAY OF DECEMBER, 2008.

Mayor

Administrator

SEAL

SCHEDULE “A” (pursuant to Section 2)

LIFETIME DOG & CAT LICENSE FEES

a) All Dogs & Cats – male or female or neutered. \$ 45.00

SCHEDULE “B” (pursuant to Section 16)

POUND FEES

Impoundment. \$ 50.00

For each day in captivity, including the day on which the animal was seized and the day on which the animal returned. \$ 15.00

SCHEDULE “C” (pursuant to Section 21)

PENALTIES	1ST	2ND	3RD & Subsequent Offences
REFERENCE			
Sec. 12 1. Running at large.	\$ 50	\$100	\$250
Sec. 2 2. Unlicensed animal.	\$100	\$125	\$250
Sec. 3 3. Animal not wearing license.	\$ 30	\$100	\$125
Sec. 9 4. Noises.	\$ 50	\$100	\$250
Sec. 8 5. Spraying, damage.	\$ 50	\$100	\$250
Sec. 10 6. Animal in prohibited area.	\$ 50	\$100	\$250
Sec. 6 7. Failure to remove defecation.	\$ 50	\$100	\$250

SCHEDULE “D” (pursuant to Section 10)

PROHIBITED AREAS

1. Langham Elementary School Yard - weekdays between 8am and 4pm when students are in school.
2. 4th Street Soccer Park.
3. Walter W Brown High School Yard – weekdays between 8am and 4pm when students are in school.

SCHEDULE "E"

NOTICE OF VIOLATION

NAME: _____

ADDRESS: _____

_____ POSTAL CODE _____

DETAILS OF OFFENCE:

DATE: _____ TIME: _____ A.M.
P.M.

LICENSE NO: _____ PROV: _____

VIOLATION:

BYLAW NO: _____ SECTION NO. _____

DESCRIPTION OF VIOLATION: _____

LOCATION OF VIOLATION: _____

OWNER

POSSESSOR OR HARBORER OF DOG OR CAT

YOU ARE CHARGED WITH A VIOLATION OF THE ABOVE NOTED BYLAW.

PENALTY FOR THE ABOVE VIOLATION \$_____.

POLICE OFFICER OR
SPECIAL CONSTABLE

You may make voluntary payment of the above penalty at the Langham Town office (230 Main Street East.) during regular office hours or by mail within seven (7) days from the date of service of the Notice of Violation.

If you do not make such voluntary payment within the time set out above, you shall be liable to prosecution and, upon summary conviction; you shall be liable to the penalty provided under Section _____ of the said Bylaw.