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which includes
Bylaw No. 5/2018, Bylaw
No. 10/2022

CITY OF YORKTON

BYLAW NO. 5/2018

A BYLAW OF THE CITY OF YORKTON IN THE PROVINCE OF SASKATCHEWAN TO PROVIDE FOR THE LICENSING, PROHIBITING, REGULATING AND CONTROLLING OF ANIMALS WITHIN THE CITY OF YORKTON

Known as ‘The Animal Control Bylaw’

04/02/2018

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**City of Yorkton
Saskatchewan**

Bylaw No. 5/2018

**A Bylaw to Provide for the Licensing, Prohibiting,
Regulating and Controlling of Animals and the Being at Large of Animals Within the City
of Yorkton**

WHEREAS, Section 8 of *The Cities Act* authorizes a Council to license, regulate and control any animal or class of animals; and

THEREFORE, the Council of the City of Yorkton in Council assembled enacts as follows:

PART 1: INTERPRETATION

Title and Purpose

1. (1) This Bylaw may be referred to as “THE ANIMAL CONTROL BYLAW”.
- (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 Yorkton, to ensure the humane treatment and control of animals and to regulate or prohibit the keeping of vicious animals within the City.

Definitions

2. In this Bylaw, unless otherwise specified:

“**Aggressive dog**” means any dog, whatever its age, whether on public or private property which has without provocation;

- (a) 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
- (b) caused serious injury which means a physical injury to another domestic animal or person that results in lacerations that may require sutures; and/or
- (c) bitten a person or persons whether on the property of the owner or not; and/or
- (d) done any act to injure a person or persons whether on the property of the owner or not; and/or
- (e) chased or otherwise threatened 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; and/or
- (f) caused death to an animal or person;

“**Animal Control Officer**” means the City Poundkeeper, any person appointed by Council for the purpose of bylaw enforcement, any member of the Yorkton Detachment of the RCMP and any other person or agency appointed by Council to restrain, receive or impound dogs;

“Animal Shelter” means any facility designated as such by the City, and shall include the Pound;

“At Large” means, if the animal is off the premises of its owner, and/or not on a leash under immediate, continuous and effective control of its owner;

“Business Day” means any day that the City Office is open for business;

“Cat” means either the male or female of the feline family;

“City” means the municipal corporation of the City of Yorkton and the area contained within its boundaries;

“Council” means the Council of the City of Yorkton;

“Dog” means either male or female of the canidae family that is domesticated ~~and includes every dog of either sex; and, shall include pups under six (6) months not spayed or neutered and any female dog that has been spayed and any male dog that has been neutered;~~

“Dog Run” means a permanent structure outside of a residential dwelling unit, used for the containment of a dog;

“Excessive Barking” means barking or any noise that persistently occurs or continues to such a degree or extent that it unreasonably interferes with the comfortable enjoyment of life or property in the neighbourhood.

“Judge” means a Provincial Court Judge or a Justice of the Peace designated to hear Bylaw hearings;

“Kennel” means any structure used by any person for boarding or otherwise caring for, training or whelping dogs ~~exceeding three (3) dogs in number over the age of three (3) months, whether or not for payment,~~ but does not include:

- (a) any premises occupied by a duly qualified veterinary surgeon for the practice of his profession; or
- (b) the dwelling house of an ordinary member of the Canadian Kennel Club, or any other Bona fide Kennel Club, ~~where the total number of dogs kept by the member does not exceed five (5) in number.~~

“Leash” means a chain or other material capable of restraining the dog on which it is being used;

“License Year” means the period from January 1 to December 31 of the same year, both dates inclusive;

“Livestock” shall mean cattle, horses, mules, asses, sheep, goats, or swine;

“Non-profit animal rescue/welfare organization” means a non-profit corporation that is incorporated, continued or registered pursuant to *The Non-Profit Corporation Act* or equivalent from other provinces or federally incorporated non-profit corporation; and which is approved and registered by Canada Revenue Agency as a charity;

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“Nuisance” means an animal which is behaving in a manner that interferes with the personal comfort or amenities of a neighborhood;

“Nuisance Dog” means a dog declared to be a nuisance by the Animal Control Officer in accordance with Section 18 of this Bylaw;

“Owner” includes:

- (a) a person(s) who keeps, possesses, harbours or has charge of or control over an animal;
- (b) the person(s) responsible for the custody of a minor where the minor is the owner of an animal;

but does not include:

- (c) a veterinarian registered pursuant to *The Veterinarians Act, 1987*;
- (d) the City or the Saskatchewan Society for the Prevention of Cruelty to Animals in respect of an animal shelter or impoundment facility operated by it;

“Person” includes an individual, partnership, association or corporation;

“Poultry” means a chicken, turkey, duck, goose, or other domestic fowl;

“Pound” means such premises and facilities as may be designated by the City, from time to time, as the City pound;

“Poundkeeper” means a person, persons, or association designated by the City from time to time to maintain and administer the pound;

“Provocation” means an act done intentionally for the purpose of provoking an animal to which this Bylaw applies;

“Public Health Officer” means a public health officer appointed under the *Public Health Act*;

“Public Playground” means the fallzone safety surface immediately surrounding the play equipment plus a three metre buffer around the fallzone safety surface, specifically in a park or municipal reserve owned by the City or under the management and control of the City (*see Figure 1.1*);

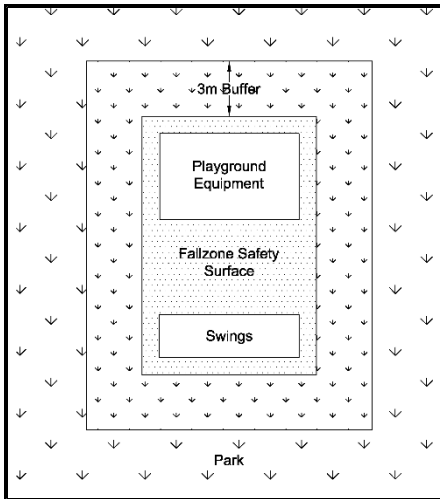


Figure 1.1

“Service Dog” means an animal that is trained to be used by:

- (a) a person with a disability for reasons relating to his or her disability;
- (b) a peace officer in the execution of his or her duties; or
- (c) a person who is authorized by a peace officer to assist peace officers in their duties;

“Sports Field” means a ball diamond playing field or soccer pitch playing field, plus a three metre buffer around the playing field, and shall only mean ball diamonds and soccer pitches owned by the City or under the management and control of the City.

PART 2: CATS

For the purposes of Part 2 of this Bylaw, “nuisance or at large” includes, but not limited to, fighting with other cats, defecating or spraying on private property without permission of the owner or occupant of the property, howling or hissing at night, digging in flower beds or garbage containers ~~and trespassing on private property.~~

Nuisance or at Large

3. (1) The owner of a cat shall ensure that the cat is not being a nuisance or at large.

~~(2) Where a cat is at large, the owner or occupant of the property on which the cat is at large may file a complaint to the Animal Control Officer or designate.~~

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Harbouring Cats

3.1 (1) No property shall house more than five (5) cats over the age of six (6) months within the City of Yorkton.

~~(2) Notwithstanding Clause 3.1(1), exceptions may be granted at the discretion of the Animal Control Officer for houses fostering cats through a non-profit animal rescue/welfare organization, provided the cats are not a nuisance.~~

Impoundment

4. (1) ~~Where~~ an Animal Control Officer ~~receives a complaint of a nuisance caused by a cat, the Animal Control Officer~~ may at ~~their his~~ discretion:

- (a) Issue a trap to the complainant following completion of a Cat Trap Permit by the complainant (as set out in Schedule “A”); or
- (b) If deemed necessary by the Animal Control Officer, he may seize and impound any cat found causing a nuisance.

(2) Any person may restrain any cat found at large or becoming a nuisance in the City of Yorkton and shall deliver the cat so restrained to the Poundkeeper for impoundment. The person shall leave with the Poundkeeper a statement in writing, describing the name of the owner (if known), and the place and time of restraint.

(3) Where a trap is issued pursuant to clause 4(1)(a), the complainant shall:

- (a) Abide by the terms of the Cat Trap Permit agreement;
- (b) Personally check the trap every two hours while the trap is set;
- (c) In the event a cat is trapped, immediately deliver the cat to the Poundkeeper, who may impound the cat.

(4) Where a cat is impounded, the Poundkeeper shall:

- (a) Hold the cat until claimed by the owner of the cat or disposed of in accordance with Section 5~~(5)~~ and/or Section 6;
- (b) Attempt to notify the owner of the cat (if known) of the impoundment. However, no liability whatsoever shall attach to the City, the Animal Control Officer or the Poundkeeper by reason of failure in contacting the owner.

(5) An Animal Control Officer or a Veterinarian may take immediate action to humanely destroy any sick or injured cat found within the City where, in his opinion immediate destruction of the cat is necessary to avoid unnecessary suffering by the animal.

(6) It shall be the duty of the Poundkeeper to provide each cat impounded under the authority of this Bylaw, an adequate supply of food and fresh water during its confinement in the animal shelter and to maintain clean and properly ventilated pens or enclosures for impounded cats.

Release

5. (1) The Poundkeeper shall keep all impounded cats for a period of at least 72 hours, excluding the day of impounding. Sundays and statutory holidays shall not be included in the computation of the 72 hour period. Where a cat is not claimed within the 72 hours, the Poundkeeper may dispose of the cat by public adoption or by euthanasia, in accordance with Section 6.

(2) An owner of a cat which has been impounded may claim the cat by:

- (a) Providing reasonable proof of ownership to the Poundkeeper;
- (b) Paying the impoundment charge and a housing charge, as set forth in Schedule “B”;
and
- (c) Payment of any fines received due to the incident that cause the cat to be impounded.

(3) Notwithstanding the above, any cat suspected of having rabies or other life threatening disease shall be isolated and may not be claimed, destroyed or otherwise disposed of except

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after notice to the Public Health Officer and then only in compliance with the direction of the Public Health Officer and the Veterinarian or Rabies Risk Assessment Veterinarian.

Disposal of Unclaimed Cats

6. (1) A cat will be considered disposed of and become the property of the Poundkeeper if the impounded cat is not claimed in accordance with Section 21 of the Bylaw or if an owner relinquishes the cat to the Pound. The cat may be disposed of by the Poundkeeper without further notice in the following manner:
 - (a) Disposal by adoption, where in the opinion of the Poundkeeper, the cat is suitable for adoption;
 - (b) Disposal by euthanasia where in the opinion of the Poundkeeper, the cat is not suitable for adoption;
 - (c) Disposal by euthanasia if the cat is not adopted within a reasonable time, at the discretion of the Poundkeeper.
- (2) The proceeds received from the adoption are kept by the Poundkeeper as provided for in the agreement between the City and the Poundkeeper.
- (3) The Council may, by resolution, enter into an agreement with any person or organization for the purpose of participation in the enforcement of this Bylaw or for the purpose of providing pound keeping services.

Cat Runs

7. (1) Where cats are housed or kept in a cat run, the owner of the cats shall:
 - (a) Remove all defecation from the cat run daily and dispose of in a sanitary manner;
 - (b) Ensure that the cat run meets the following minimum requirement:
 - i. Base and flooring constructed or composed of impervious material or wood;
 - ii. Located no closer than one metre of any property line and no closer than five metres of any neighbouring dwelling unit.

Defecation

8. (1) ~~No owner of a cat shall fail, on request, to immediately remove any defecation of the cat from private property, other than property owned or occupied by the owner, and dispose of the defecation in a sanitary manner.~~ No owner shall allow an animal's defecation to accumulate on the property where the animal is kept to such an extent that, in the opinion of the Animal Control Officer, it is reasonably likely to annoy or pose a health risk to others.
- (2) An owner of an animal shall remove the animal's defecations from the property where the animal is kept and shall dispose of the defecation in a sanitary manner.

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PART 3: DOGS

Responsibility of Dog Owners

Dog Licenses Required

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9. No person shall own or keep any dog within the City ~~have care and control of a dog~~ unless it has ~~been a valid licensed for the current year~~ as provided in this Bylaw.

Licensing

10. (1) Every owner of a dog over the age of six months shall obtain a license within 30 days of becoming the owner and pay an annual fee as set out in Schedule “C”.

(2) The license year for dogs shall be from January 1st to December 31st of the same year. Licenses must be renewed by March 1st of each year.

(3) The license will not be transferable to any other dog or other owner.

~~(4) No property shall house more than three dogs over the age of three months within the City of Yorkton.~~

~~(5) Any property that is registered with the Canadian Kennel Club or any other bona fide kennel club shall keep no more than five dogs.~~

(6) When applying for a license, the applicant must provide the following information:

- (a) Name and address of the owner or the keeper of the dog;
- (b) Description of the dog;
- (c) Breed of the dog;
- (d) Proof that the dog has been vaccinated against rabies within two years of the date of application for the license; and
- (e) Other relevant information that may be required for the Animal Control Officer or appointed representative.

(7) The provisions of Section 10 shall not apply to dogs kept in the ordinary course of business by the proprietors of the following premises, namely:

- (a) A veterinary hospital, clinic, boarding kennel, or grooming parlor;
- (b) A public pound;
- (c) A shop whose business includes the sale of pets and is licensed as such;
- (d) A shelter operated by an association or society incorporated for the purpose of the protection and humane treatment of animals;
- (e) RCMP – Police Service dogs acting in performance of Police work;
- (f) **Non-profit animal rescue/welfare organizations.**

(8) A license issued pursuant to this bylaw is non-refundable and automatically revoked if the payment is returned to the City of Yorkton for any reason.

(9) A Service Dog, must be licensed as provided by this Bylaw, but at no charge for the license.

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(40) No person shall give false information when applying for a dog license.

Harbouring Dogs

10.1 (1) No property shall house more than three (3) dogs over the age of six months within the City of Yorkton.

(2) Any property that is registered with the Canadian Kennel Club or any other bona fide kennel club shall keep no more than five (5) dogs.

(3) Notwithstanding Clause 10.1(1), exceptions may be granted at the discretion of the Animal Control Officer for houses fostering dogs through a non-profit animal rescue/welfare organization. The non-profit animal rescue/welfare organization shall be required to follow all other requirements of this Bylaw.

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Dog Tag

11. (1) When issuing a license for a dog, the City of Yorkton will provide the applicant with a tag and a receipt for the license fee.

(2) The owner must ensure that the dog wears the ~~current~~-valid dog tag when the dog is off the property of the owner.

(3) The owner must notify the City immediately if the dog tag is lost.

(4) The owner must notify the City immediately if the address the dog resides at changes.

Nuisances

General

12. (1) All dogs, when off the premises of its owner, must not be at large.

(2) If a dog is found to be at large the owner shall be deemed to have permitted the dog to be at large, and shall be guilty of an offence.

(3) Notwithstanding subsection (1), a dog may be off-leash at the off-leash dog park listed in Schedule "D".

13. The owner of a dog must ensure that his/her dog will not upset any waste receptacles or scatter the contents on a street, lane, or other public property, or on property not belonging to the owner of the dog.

14. (1) The owner of a dog must ensure that his/her dog 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 or other domestic animals;
- (e) Cause death to people or other domestic animals.

Barking and Howling

~~15. (1) No owner of a dog shall allow the animal to become a nuisance by the sound of howling, whining or excessive barking, which can be heard by a person not on the same premises and which unreasonably disturbs or is likely to disturb the quiet, peace, rest enjoyment, comfort or convenience of that person.~~

~~(2) A Judge, after convicting the owner of a dog of an offence under Section 15(1) may, in addition to any other penalties, impose the following:~~

~~(a) Direct the Animal Control Officer dog owner to give notice to such owner requiring the nuisance complained of to be abated so as to prevent the recurrence of any nuisance;~~

~~(b) Removal of the dog from city limits; or~~

~~(c) If such nuisance continues, Order said dog to be destroyed upon notice being given to the owner, unless the owner voluntarily agrees to dispose of the dog.~~

~~(3) Failure to comply with this section will constitute an offence under this Bylaw.~~

15. (1) No owner of a dog shall permit the dog to bark or howl so as to create a nuisance.

(2) For the purposes of this section, the factors for determining whether the barking or howling of a 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) whether the barking or howling is the result of provocation;

(e) the volume of the barking or howling; and

(f) whether the barking or howling is recurrent, intermittent or constant.

(3) Barking or howling in a residential area is deemed to be a nuisance if the barking or howling persists for a period of:

(a) 15 consecutive minutes or longer; or

(b) 1 hour or longer, intermittently.

(4) Failure to comply with this section will constitute as an Offence under this Bylaw. The fine for barking or howling shall be set out in Schedule "L".

Defecation

16. (1) If a dog defecates on any property other than the owners, the dog owner shall remove such feces immediately.

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- (2) Any dog owner shall remove any and all dog feces ~~from their property~~ on a daily basis and shall dispose of the feces in a sanitary manner.
- (3) An owner or occupant of private property must not allow animal feces to accumulate on the property.
- ~~(4) An Animal Control Officer may serve an owner or occupant of private property with a notice to remove all animal feces from the property within 24 hours of service of the notice in accordance with Section 51.~~
- ~~(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 24 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.~~

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~~Dogs in Vehicles~~

- ~~17. Dogs shall not be left unattended in any motor vehicle unless the dog is secured and is provided with suitable ventilation.~~

Nuisance Dogs

18. (1) An Animal Control Officer may declare a dog a Nuisance Dog after three Notice of Violation tickets have been issued for offences under Sections 12, 13, 14, 15, 16, or 17 of this Bylaw, within a period of one year.
- (2) The declaration of a dog as a Nuisance Dog shall be reviewed annually by the Animal Control Officer, who shall remove the declaration after a period of two years has passed with no Notice of Violation tickets issued.

Impoundment of Dogs

Detainment

19. (1) The Animal Control Officer may seize and impound:
 - a) Any dog found at large;
 - b) Any unlicensed dog found to be subject of a complaint; and/or
 - c) Any dog that has caused or alleged to have caused injury to a person or domestic animal.
- (2) The Animal Control Officer may enter onto the land surrounding any building in pursuit of any dog which has been observed at large.

- (3) No person, including the person who is the owner of a dog which is being impounded or has been impounded, shall interfere with a Poundkeeper or Animal Control Officer who is impounding any dog in accordance with the provisions of this Bylaw.

Ability to Restrain Dog

20. Any person may restrain any dog at large in the City and must deliver such dog to the Animal Control Officer or Poundkeeper for impoundment. The Animal Control Officer or Poundkeeper may request a statement in writing describing the dog restrained, the name of the owner (if known) and the place and time of restraint.

Detainment and Release

21. (1) The Poundkeeper shall keep all impounded dogs for a period of at least 72 hours, excluding the day of impounding. Sundays and statutory holidays shall not be included in the computation of the 72 hour period.

- (2) During this period, the owner may reclaim the dog from the pound following:

- a) Payment to the Poundkeeper of the fees set out in Schedule “B”;
- b) Payment of any fines received due to the incident that caused the dog to be impounded;
- c) Purchase of a dog license (if the dog is unlicensed), unless the dog is not required to be licensed in accordance with Section 10;
- d) A certificate being produced that the dog has been vaccinated against rabies within the last two years;
- e) If a dog has not been vaccinated for rabies in the last two years, requirements of subsection (d) may be met by the dog owner completing a declaration as provided in Schedule “E” and pre-paying the Poundkeeper for the cost of the rabies vaccination.
- f) **Failure to carry out the requirements specified on a declaration made pursuant to section 21(2)(f) shall constitute a contravention of this Bylaw.**

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- (3) If a dog impounded is wearing a valid license tag ~~for the current year~~, the Poundkeeper shall immediately notify the owner by telephone or in writing of the impoundment of the dog at the telephone number or address shown in the license records. No liability whatsoever shall attach to the City or the Poundkeeper by reason of the failure of the owner to receive such notice.

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

Disposal of Unclaimed Dogs

22. (1) An animal will be considered disposed of and become the property of the Poundkeeper if the impounded animal is not claimed in accordance with Section 21 of the Bylaw or if an owner relinquishes the dog to the Pound. The dog may be disposed of by the Poundkeeper without further notice in the following manner:

- (a) Disposal by adoption, where in the opinion of the Poundkeeper, the dog is suitable for adoption;
 - (b) Disposal by euthanasia where in the opinion of the Poundkeeper, the dog is not suitable for adoption;
 - (c) Disposal by euthanasia if the dog is not adopted within a reasonable time, at the discretion of the Poundkeeper.
- (2) The proceeds received from the adoption are kept by the Poundkeeper as provided for in the agreement between the City and the Poundkeeper.
- (3) The Council may, by resolution, enter into an agreement with any person or organization for the purpose of participation in the enforcement of this Bylaw or for the purpose of providing pound keeping services.

Responsibility of Poundkeeper

23. It shall be the duty of the Poundkeeper to provide to each dog impounded under the authority of this Bylaw, an adequate supply of food and fresh water during its confinement in the animal shelter and to maintain clean and properly ventilated pens or enclosures for impounded dogs.

Miscellaneous

Dog Runs

24. (1) Where a dog is housed or kept in a dog run, the owner must ensure that the dog run is kept in a sanitary condition protecting the health and safety of the dog.
- (2) An owner must ensure the dog run on the owner's property is not located in the front yard and is a minimum of one metre from the property line and a minimum of five meters from a dwelling unit located on an adjacent property.
- (3) An owner must ensure that a dog run on the owner's property is constructed of material of sufficient strength and in a manner adequate to:
- (a) Confine the dog; and
 - (b) Prevent the entry of children.
- (4) If, in the opinion of the Animal Control Officer, the condition or location of a dog run is not in accordance with this Bylaw, the Animal Control Officer may order the owner of the property on which the dog run is located, to clean, alter, demolish or relocate the dog run ~~within the time period specified in the Order~~. **Failure to Comply with the Order is deemed an Offence.**
- (5) The person to whom an Order is issued pursuant to subsection (4) must comply with the Order within the time specified in the Order.

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- (6) An Order to relocate a dog run issued pursuant to subsection (4) will allow the owner of the property on which the dog run is located, at least 15 days to relocate or remove the dog run.

Kennels

25. The operation of any kennel within the City must comply with the provisions of all Bylaws regulating the operation of kennels and businesses within the City.

Humane Destruction of Sick and Injured Animals

26. (1) An Animal Control Officer or a Veterinarian shall take immediate action to humanely destroy any sick or injured animal found within the City where, in his/her opinion, immediate destruction of the animal is necessary to avoid unnecessary suffering by the animal.
- (2) Reasonable efforts will be made to contact the owner of an animal before it is destroyed; however no action lies against the Animal Control Officer or Veterinarian solely because the owner of the animal was not contacted.

Prohibited Areas

27. (1) The areas listed in Schedule “G” are designated as areas where dogs are not permitted.
- (2) This section does not apply to a service dog.

Miscellaneous

28. (1) No person may:
- (a) Untie, loosen or otherwise free an animal which has been tied or otherwise restrained;
 - (b) Negligently or willfully open a gate, door or other opening in a fence or enclosure in which an animal has been confined and thereby allow an animal to be at large in the City; or
 - (c) Tease, entice, bait or throw objects at a dog confined within its owner’s property.
29. Every female dog in heat must be housed or confined to a kennel.

Quarantine of Animals

30. Where a dog has bitten a person, the owner of the dog shall, unless the dog is ordered destroyed, quarantine the dog for observation for symptoms of rabies for a period of not less than ten days in accordance with the *Health of Animals Act* (Canada).

Rabies Test of Animals

31. (1) Any dog suspected of having rabies or other life threatening disease will be isolated and may not be claimed from the pound, destroyed or otherwise disposed of except after notice to the Public Health Officer, and then only in compliance with the direction of the Public Health Officer and the Veterinarian or Rabies Risk Assessment Veterinarian.

- (2) Every person who destroys a dog 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 dog, shall, if the destruction is carried out before the completion of the quarantine period mentioned in Section 30, retain the head of the dog in a manner usable for testing the dog for rabies.
- (3) Where a person destroys a dog in the circumstances described in subsection (2), the person shall immediately notify a Veterinarian or an Animal Control Officer that he is in possession of the head of a dog to be tested for rabies.

Aggressive Dogs

32. (1) A dog may be deemed aggressive:

- (a) After the Animal Control Officer receives a written report of an aggressive dog incident. The Animal Control Officer shall complete an investigation ~~and report~~. After the investigation, if there is sufficient evidence, the Animal Control Officer may deem the dog an aggressive dog where he/she feels it is in the best interest of public safety; or
- (b) After any dog **owner** is found guilty of an offence listed under Section 14 of this Bylaw either on Summary Conviction or by paying a Voluntary Fine for an offence listed under Schedule “L”, specifically for offences relating to Section 14 of this Bylaw.

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(2) Any owner of an aggressive dog must ensure that:

- (a) It does not bite, injure, chase, attack or cause death to a person or other domestic animal whether on the property of the owner or not;
- (b) When it is on the property of the owner it is confined in:
 - (i) An enclosed area as described in Schedule “J” marked with a sign as illustrated in Schedule “H” indicating the presence of an aggressive dog; or
 - (ii) A dwelling and under the control of a person over the age of 16 years; and
- (c) When it is off the property of the owner it is securely:
 - (i) Muzzled, and
 - (ii) Harnessed or leashed in a manner that prevents it from biting, chasing, attacking or causing death to a person or other animal.

(3) After a period of two years after a dog has been deemed an “aggressive dog” the owner may apply in writing to the Animal Control Officer requesting that the dog no longer be deemed aggressive. This may only be granted after the owner proves the following:

- (a) That the dog did not, during the preceding two years:
 - (i) Bite a person or persons whether on the property of the owner or not;
 - (ii) Do any act to injure a person or persons whether on the property of the owner or not;

- (iii) 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;
 - (iv) Cause damage to property or other domestic animals; or
 - (v) Cause death to an animal or person; and
- (b) Provide proof the dog has successfully completed an obedience training class.
- (4) Where the aggressive dog is moved to a different city or municipality, the owner shall notify the City of where the aggressive dog is being moved to.
- (5) Where the aggressive dog is to be sold or given away, the owner shall:
- (a) Notify any prospective owner that the dog has been declared aggressive before it is sold or given away as the aggressive dog designation will apply to new owners as well; and
 - (b) Notify the City of the name, address and telephone number of any new owner of the aggressive dog.
- (6) An approved enclosure must be erected or in place within 15 days of receiving an aggressive dog Order. Failure to erect an enclosure within the time period allowed is an offence under this Bylaw.
- (7) For the purposes of this section, an animal is presumed not to have been provoked, in the absence of evidence to the contrary.
- (8) No dog shall be considered aggressive 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 the property by a fence or other barrier sufficient to prevent the escape of the dog and the entry of children; and
 - (ii) Defending that property against a person who was committing an offence.

PART 4: DANGEROUS ANIMALS

Dangerous Animals

33. (1) A dog is dangerous where it is proven **in Court** 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; or
 - (d) The animal is owned primarily or in part for the purpose of fighting or is trained for fighting.

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- (2) For the purpose of this Section, an animal is presumed not to have been provoked, in the absence of evidence to the contrary.
- (3) No dog shall be considered dangerous 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; and
 - (ii) defending that property against a person who was committing an offence.

Fighting Dogs Considered Dangerous

34. Notwithstanding the generality of Section 33, 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

35. (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 in accordance with Section 51.
- (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 owners property, the owner shall muzzle and leash it in accordance with the criteria prescribed in Section 42 and keep it under direct control and supervision;
 - (b) The owner shall inoculate the animal against rabies in accordance with the provisions of Section 43;
 - (c) The owner shall report the sale or other disposition of the animal to the Bylaw Services Office;
 - (d) Where the animal is moved to a different city or municipality, the owner shall notify the Bylaw Services Office of the City of Yorkton and the Bylaw Services Office of the municipality where the animal is being moved to;
 - (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 the Bylaw Services Office of the name, address and telephone number of any new owner of the animal;
 - (f) If the animal is unlicensed, the owner shall purchase the requisite license for the animal within ten days of the date of the Order;

- (g) The owner shall have the animal micro chipped in accordance with Section 44.
- (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 45;
 - (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 46, on the owners 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; and/or
 - (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, 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 owners financial circumstances.
- (9) A person desiring to appeal an Order pursuant to this section shall, within seven days of the order being issued, 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.
- (10) A Judge may also impose penalties for Offences noted in Section 36.

Offences and Penalties for Dangerous Animals

36. (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 34(5)(c) 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 Section 35(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) A person who is guilty of an offence pursuant to this section 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;
- (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.

Order Binds Subsequent Owner

37. An Order issued pursuant to Section 35 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

38. (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.
- (4) 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

39. (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

40. If a Peace Officer as defined by the *Criminal Code*, an Animal Control Officer 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, Animal Control 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

41. (1) In accordance with Section 333(2)(c) of *The Cities Act*, 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

42. (1) Where an animal that has been declared dangerous pursuant to Section 35 is removed from the owners 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 meters 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.

Requirements for Inoculation of Animals

43. (1) Where an animal has been declared to be dangerous pursuant to Section 35, the owner of the animal shall, at the owners 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 the Animal Control 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.
- (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) during the lifetime of the animal.

Requirements for Microchipping of Dangerous Animals

44. Where an animal has been declared dangerous pursuant to Section 35, 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 microchipped by a veterinarian and provide proof of the same to the Animal Control Officer.

Requirements for Enclosures for Dangerous Animals

45. (1) If a Judge orders, pursuant to Section 35, 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
 - (ii) Prevent the entry of children;
 - (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 meters in length, 1.5 meters in width and 1.8 meters 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 0.6 meters;
 - (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.

Requirement for Signage

46. (1) Where an animal has been declared dangerous pursuant to Section 35, 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 Schedule "I".
- (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.

PART 5: CONTROL AND REGULATION OF EXOTIC, ~~AND WILD AND CERTAIN DOMESTICATED~~ ANIMALS

Keeping of Bees

- 46.1 (1) (a) No person shall own or harbour honeybees without a valid beekeeping licence for the current year and pay the corresponding fee as contained in Schedule "C".
(b) The Bylaw & Safety Supervisor may refuse to issue or may revoke a licence issued pursuant to this section by providing written notice to the licensee.
- (2) No person shall keep more than one active hive with six supers on one property.

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(3) All honey beekeepers must adhere to *The Apiaries Act* and *The Apiaries Regulations*.

(4) The hive must be set up in the rear of the property.

(5) No person shall place the hive within three (3) metres of any property line or a 6 foot hedge/fence must be between neighbouring property lines.

(6) All beekeepers must:

(a) Place the hive entrance to be directed away from adjacent residential properties.

(b) Not be within 25 metres from any public space or school property.

(c) Provide a water source within the backyard for the bees.

(d) Provide a standard of care to prevent disease and swarms.

(e) Notify all surrounding neighbours within a 25 metre radius of their property with a letter provided from the City of Yorkton.

(f) Notify all neighbours adjacent to their property with a letter provided from the City of Yorkton to notify them prior to honey extraction days.

(g) Take the Saskatchewan Beekeeping Development Commission Introductory Course and provide documentation to the Bylaw & Safety Supervisor that this was completed successfully.

(h) Register as a beekeeper, as per *The Apiaries Act and Regulations*, with the Saskatchewan Ministry of Agriculture.

(7) Beekeepers must make the hive available for inspection when requested.

Owning and Harboring Exotic, ~~and~~ Wild and Certain Domesticated Animals

47. (1) No person may own or harbour any animal, or hybrid of any animal, of the kind listed in Schedule “K” for any purpose.

(2) No person may buy, sell, trade, or exhibit any animal or hybrid of any animal of the kind listed in Schedule “K”.

(3) Any person found responsible for allowing an animal or hybrid of any animal of the kind listed in Schedule “K” to be at large will be guilty of an offence and liable on summary conviction to the penalty contained in Schedule “L”.

48. (1) It shall be unlawful to keep any bird in the Columbidae family (such as pigeons, etc.), live poultry, ~~and/or~~ livestock, ~~and/or bees~~, within the boundaries of the City of Yorkton, except:

(a) On the premises of a recognized industry in the business of handling livestock;

(b) On the premises of the Yorkton ~~Agricultural and Industrial~~ Exhibition Association ~~Ltd.~~ in connection with shows, fairs, and/or exhibitions held with the permission of, or under the auspices of such association;

(c) Upon receiving written approval from the Council or the City Manager ~~for periods not to exceed 24 hours~~.

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Exemptions to Owning and Harboursing Exotic, ~~and~~ Wild and Certain Domesticated Animals

49. (1) Section 47(1) shall not prohibit the harboursing of an animal or a hybrid of an animal of the kind listed in Schedule “K” in the following places or circumstances:

- (a) On the premises of the Yorkton Society for the Prevention of Cruelty to Animals;
- (b) In a veterinary hospital under the care of a licensed veterinarian;
- (c) By anyone holding a license under any statute of the Legislature of Saskatchewan or the Government of Canada, which permits the keeping of animals under stated conditions.
- (d) Upon receiving written approval from City Council or the City Manager.

Amended by
Bylaw No.
10/2022

PART 6: PENALTIES AND OFFENCES

Offences, Penalties and Order to Comply

50. (1) Subject to subsection (2), any person who contravenes any provision of this Bylaw is guilty of an offence punishable on summary conviction by a fine in an amount not less than (\$100.00) dollars and not exceeding:

- (a) \$10,000.00 dollars in the case of an individual;
- (b) \$25,000 dollars in the case of a corporation;

(2) Where an Animal Control Officer or the Peace Officer has reason to believe that a person has contravened any provision of this Bylaw, that Officer may issue a Notice of Violation or a Summary Offence Ticket to the person and/or an Order to Comply.

(3) A Notice of Violation may indicate that the City will accept voluntary payment at Yorkton City Hall for the amount listed, or in the case of a Summary Offence Ticket, that the City will accept voluntary payment at the Provincial Court House.

(4) Voluntary payment amounts for voluntary payment to avoid prosecution for the offences in this Bylaw are found in Schedule “L”.

(5) Notwithstanding subsection (2), where an Animal Control Officer or Peace Officer has reason to believe that a person has contravened any provision of this Bylaw and the dog has been declared a Nuisance Dog, the voluntary payment shall be double the amount shown in Schedule “L”.

(6) Where a Notice of Violation is issued for a contravention under Section 14, the prescribed amount may be reduced by \$100.00, upon completion of a “Declaration to Successfully Complete Obedience Class”, as shown in Schedule “F”. Failure to comply with the conditions of the Declaration will constitute an Offence.

(7) A Judge, in addition to the penalties provided in this section, may if he or she considers the offence sufficiently serious, direct or order the owner of the dog to stop the animal from doing mischief or causing the disturbance or nuisance complained of, to have the animal removed from the City, or have the animal destroyed.

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(8) A Judge, after convicting the owner of a dog of an offence under Section 35(1) may, in addition to any other penalties imposed or orders made, and without further notice or hearing, declare the subject dog a dangerous dog.

(9) An Animal Control Officer may serve an owner or occupant of private property with a notice to remove all animal feces from the property within 24 hours of service of the notice in accordance with Section 51.

(10) 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 24 hours;
- or
- (b) After reasonable inquiry, the whereabouts of the owner or occupant of the property cannot be determined.

(11) If the City carries out the work under subsection (10), the costs and expenses incurred are a debt due to the City.

Amended by
Bylaw No.
10/2022

Service of Orders

51. (1) Except where otherwise provided in this Bylaw, any notice, Order or other document required by this Bylaw to be given or served may be served:

- (a) Personally;
- (b) By registered mail to the last known address of the person being served;
- (c) By hand delivering a copy of the notice, order or document to the last known address of the person being served; or
- (d) By posting a copy of the notice, order or document at the land, building or structure or on a vehicle to which the notice, order or document relates.

(2) A notice, order or document served in accordance with clause (1)(b) is deemed to have been served on the tenth day after the date of its mailing, unless the delivery date shown on the signed post office receipt card is a date earlier than the tenth day, then the notice, Order or document is deemed delivered on the delivery date.

(3) A notice, Order or document served in accordance with clause (1)(c) or (d) is deemed to have been served on the day after the date of its delivery of posting.

(4) If service cannot be effected in accordance with subsection (1):

- (a) The notice, order or other document may be served by publishing it in two issues of a newspaper circulating in the city; and
- (b) For the purposes of clause (a), the second publication must appear at least three days before any action is taken with respect to the matter to which the notice, order or document relates.

Severability

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

Repeal of Former Bylaw

53. Bylaw No. 23/2011, 5/2012, and 23/2003 are hereby repealed.

Effective Date of Bylaw

54. (1) This Bylaw shall come into force and take effect on the day of final passing thereof, excepting Schedule “C”, which shall come into effect on January 1st, 2019.

- 1. An existing license issued under the Animal Control Bylaw No. 23/2011 remains valid until the term of such license expires.

MAYOR

CITY CLERK

Introduced and read a first time this 2nd day of April, A.D. 2018.

Read a second time this 2nd day of April, A.D. 2018.

Read a third time and adopted this 2nd day of April, A.D. 2018.

SCHEDULE "A"

CAT TRAP PERMIT

Date: _____

Trap No. _____

The undersigned agrees to the following terms and conditions:

- to place the cat trap on his or her property which is within the City of Yorkton;
- to personally check the cat trap every two (2) hours while the trap is set;
- in the event a cat is trapped, to immediately deliver the cat to Yorkton Society for the Prevention of Cruelty to Animals at 79 Seventh Avenue South (Phone No. 783-4080). In the event that the Society for the Prevention of Cruelty to Animals is closed, the cat may be held until the Society for the Prevention of Cruelty to Animals re-opens, but in no event for longer than twenty-four (24) hours. Where a cat is held, the undersigned is responsible for the humane treatment and shelter of the cat including feeding and watering. A captured cat should be left in the trap and placed in a shed, garage, basement or other place that is warm, dry and secure with a blanket placed over the trap to pacify the animal. Do not attempt to remove an unfamiliar cat from the trap – this will be done by the Poundkeeper. If the undersigned cannot comply with this condition, the trapped cat must be freed unharmed.
- to ensure that no harm comes to any trapped cat while in their possession including exposure to inclement weather;
- cat traps are not to be used when the temperature falls below 0 degrees Celsius or rises above 25 degrees Celsius;
- an Animal Control Officer may enter the property of the undersigned to ensure the trap is being used properly;
- to advise the Poundkeeper or Animal Control Officer of the ownership of any cat trapped, if known;
- to be responsible for the trap, including the cost of repair or replacement if damaged, lost or stolen. The trap is to be returned in a good and clean condition;
- traps must not be set on statutory holidays as the Animal Control Office is closed; the trap is to be returned to the Poundkeeper two days after issuance.

*** IT IS A CRIMINAL OFFENCE TO HARM ANY DOMESTIC ANIMAL**

Address of intended location of trap: _____

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

Signature: _____

Name of Complainant: _____

Address of Complainant: _____

TRAP RETURNED

Date: _____

Received by: _____

Remarks: _____

**YORKTON SOCIETY FOR THE PREVENTION
OF CRUELTY TO ANIMALS INC.**

79 – Seventh Avenue South
P.O. Box 87, Yorkton, Saskatchewan S3N 2V6
783-4080

Hours of Operation

Monday – Friday 12:00 p.m. – 4:30 p.m.
Thursday Evenings 6:00 – 8:00 p.m.
Saturday 12:00 p.m. – 4:30 p.m.

SCHEDULE "B"

CHARGES FOR THE RELEASE OF IMPOUNDED CATS

Impoundment Charges

| | |
|---|---------|
| Neutered/spayed cat – 1 st Offence | \$20.00 |
| Neutered/spayed cat – 2 nd and Subsequent Offence within a 12 month period | \$40.00 |
| Unneutered/unspayed cat – each offense | \$50.00 |

Housing Charges

| | |
|-------------------------|----------------|
| Per day or part thereof | \$8.00 minimum |
|-------------------------|----------------|

CHARGES FOR THE RELEASE OF IMPOUNDED DOGS

- a) First Offence:
\$50.00 plus minimum \$10.00 per day or part thereof, plus license fee if unlicensed.
- b) Second and Subsequent Offences Within One 12 Month Period:
\$100.00 plus minimum \$10.00 per day or part thereof.

SCHEDULE "C"

DOG LICENCE FEES

| DOG LICENSE | ANNUAL | 5YEAR | PERMANENT |
|---|---------------|---------------|------------------|
| Puppy - all dogs between the age of 6 months and 1 year at the time the license is purchased; such dog license being valid for the current licensing period | \$10.00 | Not Available | Not Available |
| All dogs Spayed or Neutered | \$10.00 | \$30.00 | \$50.00 |
| All dogs not spayed or neutered | \$20.00 | \$60.00 | \$100.00 |
| All dogs declared Aggressive or Dangerous | \$300.00 | Not Available | Not Available |
| Service Dog | No Charge | No Charge | No Charge |
| Replacement Dog Tag | \$5.00 | \$5.00 | \$5.00 |

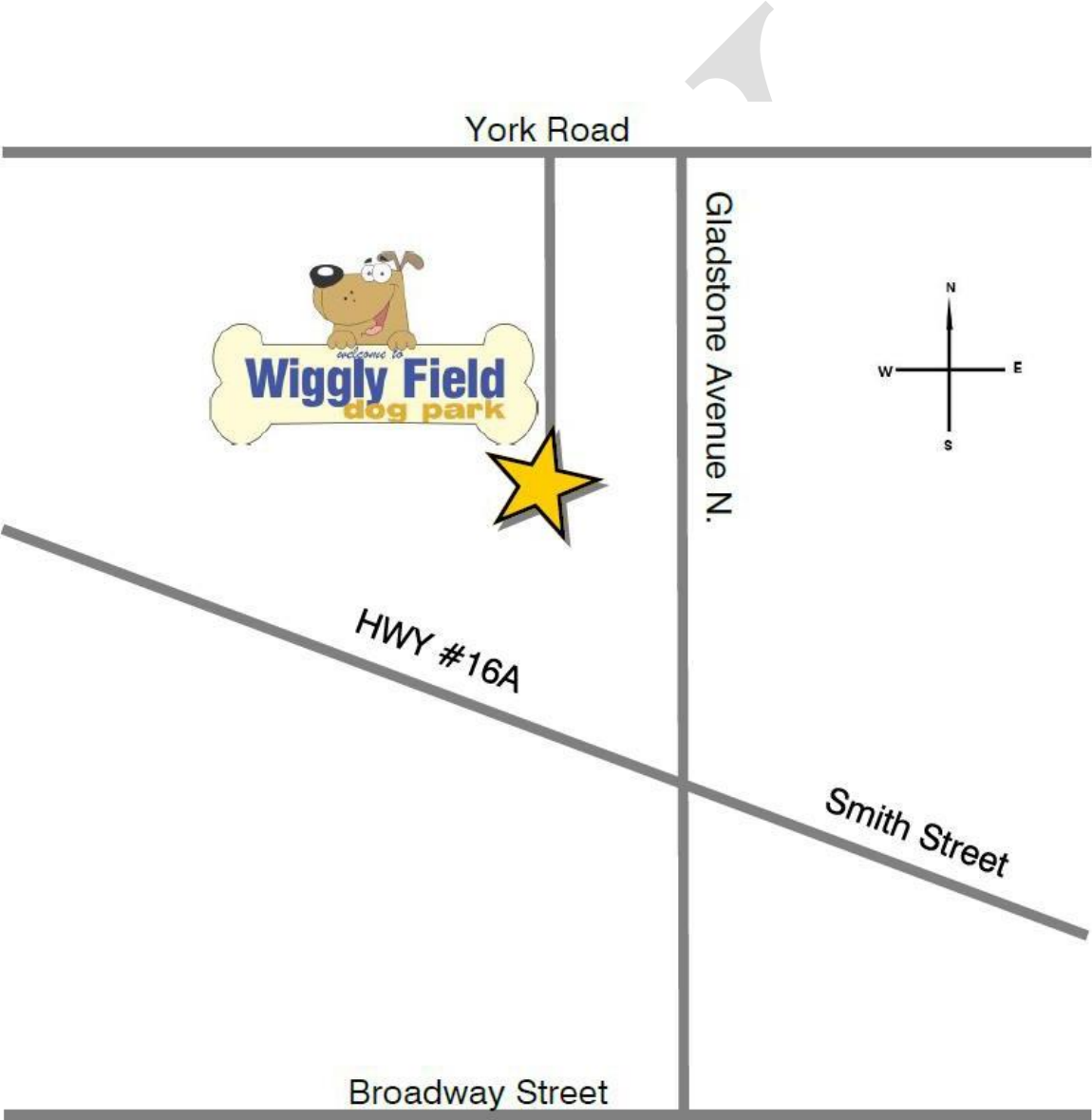
BEE LICENCE FEES

Annual Urban Beekeeping Licence - \$50.00

SCHEDULE "D"

OFF-LEASH DOG PARK LOCATION

- Wiggly Field Dog Park



SCHEDULE "E"

DECLARATION TO HAVE DOG VACCINATED

I, _____ of _____
Hereby declare that the dog, which is released to me by the SPCA on this date, will be vaccinated for rabies as required by the City of Yorkton Animal Control Bylaw within 30 days.

I acknowledge that failure to comply with this declaration may result in prosecution under Section 21(2)(f) of the Animal Control Bylaw.

Dog Owner

Description of Dog

Address

Date

Witness

SCHEDULE "F"

DECLARATION TO SUCCESSFULLY COMPLETE OBEDIENCE CLASS

I, _____ of _____
Hereby declare that I will enroll my dog, listed below, in an Obedience Class from a reputable/certified trainer and provide the Animal Control Officer the start and end date the Obedience Class within 30 days.

I will provide the Animal Control Officer a copy of the Certificate of Successful Completion of the Obedience Class within 30 days of the completion of the Class.

I acknowledge that failure to comply with this declaration may result in prosecution under Section 50 of the Animal Control Bylaw.

Dog Name

Dog Breed

Description of Dog

Dog License Number

Dog Owner Name (Printed)

Address

Address

Owner Signature

Date

Witness

SCHEDULE “G”

PROHIBITED AREAS FOR DOGS

- All Public Playgrounds
- Deer Park Municipal Golf Course
- All Sports Fields

COPY

SCHEDULE "H"

BEWARE



Aggressive Dog

on
Premises

SCHEDULE "I"

BEWARE



Dangerous Dog
on
Premises

SCHEDULE "J"

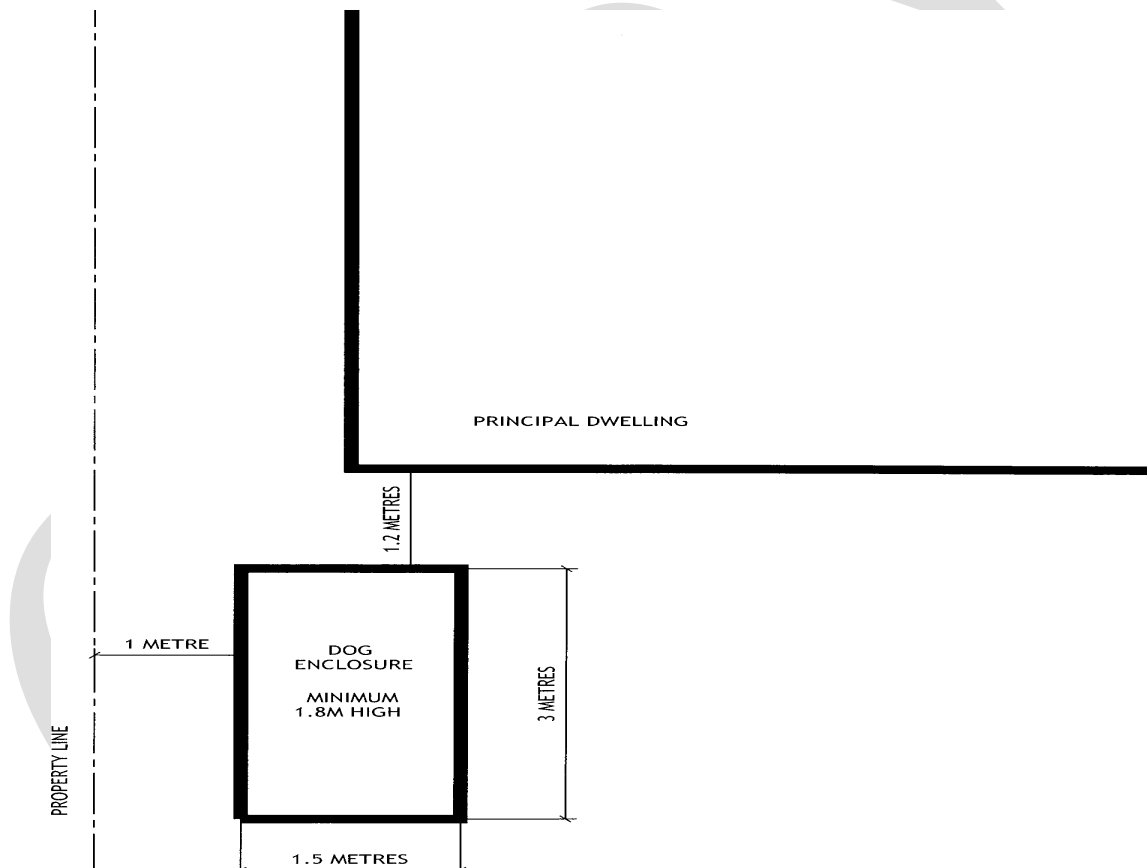
ENCLOSURES FOR AGGRESSIVE/DANGEROUS DOGS

DIMENSIONS (minimum dimensions)

- 3 meters in length
- 1.5 meters in width
- 1.8 meters in height

LOCATION OF ENCLOSURE

- located in rear yard only
- no closer than 1 meter to the property line
- no closer than 1.2 meters from any other building on your property
- no closer than 5 meters from a dwelling unit located on an adjacent property



ADDITIONAL REQUIREMENTS

- must be constructed of wood or any other building material of sufficient strength and in a manner adequate to prevent the animal from jumping, climbing or digging out of the enclosure
- the roof and floor must be secured to the sides of the enclosure
- the sides of the enclosure must be embedded in the ground to a depth of at least 0.6 meters
- the entrances to the enclosure must be locked or fastened in a manner adequate to prevent the animal from escaping, and prevent the entry of unauthorized persons
- must provide adequate light, ventilation and protection from the elements for the animal must be kept in a sanitary and clean condition

SCHEDULE "K"

LIST OF PROHIBITED ANIMALS

- All Arachnids dangerous to humans (such as scorpions and tarantulas, except tarantulas of the genera *Aphonopelma*, *Avicularia* and *Grammostola*)
- All Artiodactylus Ungulates, except domestic goats, sheep, cattle, and pigs
- 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 Hyaenas
- 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 Perissodactylus Ungulates, except the domestic horse, mule, and ass
- 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.

SCHEDULE "L"

AMOUNTS WHICH WILL BE ACCEPTED BY CITY IN LIEU OF PROSECUTION

| <u>OFFENCE UNDER</u> | <u>OFFENCE</u> | <u>AMOUNT</u> |
|----------------------|--|---------------|
| Section 3 (1) | Allowing cat to become a nuisance | \$100.00 |
| Section 3.1 | Exceeding maximum number of cats | \$200.00 |
| Section 7 (1) | Failure to clean, alter, demolish or Relocate cat run | \$200.00 |
| Section 8 | Failure to remove defecation upon request | \$100.00 |
| Section 9 | Unlicensed dog | \$100.00 |
| Section 10(10) | False information | \$100.00 |
| Section 10.1(1) | Exceeding maximum number of dogs | \$100.00 |
| Section 10.1(2) | Canadian Kennel Club member exceeding maximum number of dogs | \$100.00 |
| Section 11(2) | Dog was not wearing dog tag off the owner's property | \$100.00 |
| Section 12 | Dog at large | \$100.00 |
| Section 13 | Upset waste receptacle | \$100.00 |
| Section 14(1)(a) | Biting a person(s) | \$200.00 |
| (b) | Injure a person(s) | \$200.00 |
| (c) | Chase or otherwise threaten a person(s) | \$150.00 |
| (d) | Cause damage to property or other animals | \$200.00 |
| (e) | Cause death to a person or other animal | \$400.00 |
| Section 15(1) | Permitting a dog to become a nuisance | \$100.00 |
| (2) | Disobeying Judges order | \$200.00 |
| Section 16(1) | Defecation - property other than owner | \$100.00 |
| (2) | Defecation - owner's property not cleaned daily | \$100.00 |
| (3) | Allowing animal feces to accumulate on property | \$150.00 |

*Subsequent Offence committed within twelve (12) months of the first offence -
DOUBLE THE ABOVE SCHEDULE*

SCHEDULE "L" Continued

**AMOUNTS WHICH WILL BE ACCEPTED BY CITY
IN LIEU OF PROSECUTION**

| <u>OFFENCE UNDER</u> | <u>OFFENCE</u> | <u>AMOUNT</u> |
|-----------------------------|---|----------------------|
| Section 19(3) | Interference with enforcement | \$500.00 |
| Section 21(2) | Fail to license or vaccinate dog pursuant to Section 21(2) | \$100.00 |
| Section 24(4) | Failure to clean, alter, demolish or relocate dog run | \$200.00 |
| Section 27(1) | Permitting a dog in prohibited areas | \$100.00 |
| Section 28(a) | Untie or free an animal | \$100.00 |
| (b) | Willfully open gate or door | \$100.00 |
| (c) | Tease; throw things at dog | \$100.00 |
| Section 29 | Failed to keep female dog in heat housed | \$100.00 |
| Section 31 | Failure to allow dog to be isolated | \$100.00 |
| Section 32(2)(a) | Failure to prevent aggressive dog biting, injuring, chasing or attacking a person or animal whether on the property of the owner or not | \$400.00 |
| (2)(a) | Failure to prevent aggressive dog causing death to a person or domestic animal, whether on the property of the owner or not | \$500.00 |
| (b)(i) | Aggressive dog not fenced and chained or signed | \$300.00 |
| (ii) | Aggressive dog in dwelling not under control by person over 16 years of age | \$400.00 |
| (c)(i) | Aggressive dog not muzzled | \$400.00 |
| (ii) | Aggressive dog not harnessed or leashed | \$400.00 |
| (4) | Failure to notify change of address | \$300.00 |
| (5) | Failure to report sale, move or giving away of aggressive dog | \$300.00 |
| (6) | Failure to erect enclosure within 30 days | \$300.00 |

*Subsequent Offence committed within twelve (12) months of the first offence
DOUBLE THE ABOVE SCHEDULE*

SCHEDULE "L" Continued

**AMOUNTS WHICH WILL BE ACCEPTED BY CITY
IN LIEU OF PROSECUTION**

| <u>OFFENCE UNDER</u> | <u>OFFENCE</u> | <u>AMOUNT</u> |
|-----------------------------|---|----------------------|
| Section 36(1) | Own a dog for dog fighting | \$500.00 |
| (2) | Failure to post dangerous dog signs | \$400.00 |
| (3) | Failure to comply with Order | \$500.00 |
| (4) | Failure to prevent dangerous dog from attacking, biting, chasing, or injuring another person or domestic animal | \$500.00 |
| (4) | Failure to prevent dangerous dog from killing a person or domestic animal | \$600.00 |
| Section 46.1 (1) | Keeping honeybees without licence | \$200.00 |
| Section 46.1 (2) | Exceeding number of hives or supers | \$100.00 |
| Section 47(1) | Owning and harbouring Exotic and/or Wild Animals | \$400.00 |
| (2) | Buying, selling, trading or exhibiting Exotic and/or Wild Animals | \$500.00 |
| (3) | Exotic and Wild Animals at large | \$200.00 |
| Section 48 | Owning a Columbidae family bird, poultry, or Livestock | \$200.00 |
| Section 50 (6) | Failure to comply with the conditions of the Declaration to Successfully Complete Obedience Class | \$150.00 |

*Subsequent Offence committed within twelve (12) months of the first offence -
DOUBLE THE ABOVE SCHEDULE*