

Bylaw No. 2023 – 17

RM of Edenwold No. 158

A Bylaw to Regulate Animals-at-Large

Whereas, pursuant to Clause 8(1)(c) of *The Municipalities Act, 2005*, a municipality is authorized to make bylaws respecting people, activities, and things in, on, or near a public place or place that is open to the public.

The Council of the Rural Municipality of Edenwold No. 158, in the Province of Saskatchewan, enacts as follows:

1. DEFINITIONS

In this Bylaw, including this section:

- 1.1 **Administrator** shall mean the employee or representative of the Municipality tasked with enforcing this Bylaw, or their delegate.
- 1.2 **Companion Animal** shall mean a dog, cat, or other domesticated animal maintained in or near the household by an owner, and does not include Farm Animals.
- 1.3 **Council** shall mean the Council of the Municipality.
- 1.4 **Designated Officer** shall mean an employee or representative of the Municipality, a member of the Royal Canadian Mounted Police, a Bylaw Enforcement Officer, Community Safety Officer, Development Officer, Chief Operating Officer, or Administrator.
- 1.5 **Off-Leash Area** shall mean an area indicated through signage where Companion Animals may be allowed off-leash.
- 1.6 **Emerald Park** shall mean the residential subdivision of Emerald Park.
- 1.7 **Farm Animal** shall mean:
 - a. a cow or other animal of the bovine species;
 - b. a horse or other animal of the equine species;
 - c. a sheep, goat, pig, alpaca, bison, or llama; and
 - d. any animal defined as such pursuant to *The Stray Animals Regulations, 1999*, as amended or repealed and replaced from time to time.
- 1.8 **Impound** shall mean the seizure, removal, and confining of a Companion Animal or Farm Animal.
- 1.9 **Leash** shall mean a rope, cord, chain, or other material used to control or restrict a Companion Animal.
- 1.10 **Municipality** shall mean the Rural Municipality of Edenwold No. 158.
- 1.11 **Owner** shall mean:
 - a. any person who keeps, possesses, or harbours a Companion Animal or Farm Animal;
 - b. the person responsible for a Companion Animal or Farm Animal while it is on public property; or
 - c. the person responsible for the custody of a minor if the minor is the owner of an animal.

- 1.12 **Running-at-Large** shall mean, with respect to a Companion Animal or Farm Animal:
- a. being on public property unaccompanied by an owner;
 - b. being on private property without the permission of the owner or occupant of the property; or
 - c. being on public property in Emerald Park accompanied by an owner but not under complete control through a leash, unless otherwise permitted pursuant to this Bylaw.

2. GENERAL REGULATIONS

- 2.1 This Bylaw may be referenced as the "Animal Control Bylaw."
- 2.2 Where a Companion Animal has defecated on public property, including within a designated off-leash area, or on private property without the consent of the property owner, the owner of the Companion Animal shall immediately remove and appropriately dispose of the defecation.

3. RUNNING-AT-LARGE

- 3.1 No person shall at any time allow a Companion Animal to be running-at-large within the Municipality.
- 3.2 Pursuant to 3.1, a Companion Animal shall not be considered running-at-large if:
- a. it is unleashed within a designated off-leash area; and
 - b. it is under the immediate, continuous, and effective control of its owner.
- 3.3 No person shall at any time allow a Farm Animal to be running-at-large within the Municipality.

4. IMPOUNDING OF COMPANION ANIMALS

- 4.1 The Municipality may impound for 72 hours any Companion Animal running-at-large unless the owner redeems the animal and pays the Municipality the cost of removal, impounding, and storage.
- 4.2 Pursuant to 4.1, upon payment of the full cost, the Municipality shall release the Companion Animal to the owner thereof.
- 4.3 Any Companion Animal not redeemed within 72 hours may be adopted or euthanized at the discretion of the Administrator.

5. IMPOUNDING OF FARM ANIMALS

- 5.1 The Municipality may impound for 72 hours at a location designated by the Administrator any Farm Animal running-at-large unless the owner redeems the animal and pays the Municipality the cost of removal, impounding, and storage.
- 5.2 Pursuant to 5.1, upon payment of the full cost, the Municipality shall release the Farm Animal to the owner thereof.
- 5.3 If the owner has not paid the costs of removal, impounding, and storage within 72 hours, the Municipality shall have the right to recover such expenses by:
- a. legal action in a court of competent jurisdiction; or
 - b. sale through private sale or public auction.
- 5.4 Pursuant to 5.3, the proceeds from such sale shall be applied first to all fines and costs, and the remaining balance, if any, shall be paid to the owner.
- 5.5 Pursuant to 5.3, if the proceeds from such sale are insufficient to meet the cost of removal, impounding, and storage, the amount of the shortfall shall be a debt

owed by the owner and enforceable by the Municipality in any manner allowed by law.

6. ENFORCEMENT AND PENALTIES

- 6.1 The administration and enforcement of this Bylaw is hereby delegated to the Administrator.
- 6.2 This Bylaw may be enforced by a Designated Officer.
- 6.3 Any person who contravenes any provision of this Bylaw, or obstructs, interferes with, or hinders a Designated Officer in the performance of their duties is guilty of an offence pursuant to this Bylaw.
- 6.4 A person contravening section 2.2 of this Bylaw shall be guilty of an offence and liable upon summary conviction to a penalty of \$100.00 plus any applicable surcharge imposed pursuant to *The Victims of Crime Regulations*.
- 6.5 A person contravening clause 3.1 of this Bylaw shall be guilty of an offence and liable upon summary conviction to a penalty of:
 - a. First Offence - \$100.00 plus any applicable surcharge imposed pursuant to *The Victims of Crime Regulations*
 - b. Second Offence - \$200.00 plus any applicable surcharge imposed pursuant to *The Victims of Crime Regulations*
 - c. Third Offence - \$300.00 plus any applicable surcharge imposed pursuant to *The Victims of Crime Regulations*
- 6.6 A person contravening clause 3.3 of this Bylaw shall be guilty of an offence and liable upon summary conviction to a penalty of:
 - a. First Offence - \$500.00 plus any applicable surcharge imposed pursuant to *The Victims of Crime Regulations*
 - b. Second Offence - \$1000.00 plus any applicable surcharge imposed pursuant to *The Victims of Crime Regulations*
 - c. Third Offence - \$1500.00 plus any applicable surcharge imposed pursuant to *The Victims of Crime Regulations*
- 6.7 A person contravening any provision of this Bylaw with four or more offences shall be liable on summary conviction to the penalties provided in the General Penalty Bylaw of the Municipality.
- 6.8 Where any person makes payment within 14 days of the date of the offence, the fine shall be 50% of the fine amount.
- 6.9 All disputes arising from the administration of this Bylaw shall be referred to Council, and Council shall be the final authority in all cases.

7. SEVERABILITY

- 7.1 The provisions of this Bylaw shall not apply to Designated Officers.
- 7.2 This Bylaw shall not be construed to hold the Municipality or its agents responsible or liable for any damage to persons or property caused as a result of the administration of this Bylaw.
- 7.3 If a court of competent jurisdiction should declare any part, section, sentence, clause, phrase, or other portion of this Bylaw to be invalid, that portion shall not be construed as having persuaded or influenced Council to pass the remainder of this Bylaw, and the part, section, sentence, clause, phrase or other portion of this Bylaw is to be deemed a separate, distinct, and independent provision, and

the holding of the Court shall not affect the validity of the remaining portions of this Bylaw.

8. COMING INTO FORCE

8.1 This Bylaw shall come into force on the date that it is approved by Council.

9. REPEAL

9.1 Bylaw 2020 – 39 is hereby repealed.

1st Reading: March 28th, 2023

2nd Reading: March 28th, 2023

3rd Reading: March 28th, 2023



Reeve: _____

Administrator: _____

CERTIFIED A TRUE AND CORRECT COPY OF

Bylaw No. 2023-17

Keghawa Administrator

DATED AT EMERALD PARK, SASK.

THIS 28th DAY OF March 2023

