

BYLAW NO. 267/18

RURAL MUNICIPALITY OF MOOSOMIN NO 121

A BYLAW TO PROVIDE FOR THE CONTROL OF DOGS RUNNING AT LARGE IN THE MUNICIPALITY

The Council of the Rural Municipality of Moosomin No. 121 in the Province of Saskatchewan enact as follows:

This bylaw shall be known as the Dog Control Bylaw:

Definitions:

1. "Running at Large" means:

a) A dog shall be deemed to be "running at large" when it is beyond the land owned and/or occupied by the owner, possessor or harbourer of the said dog, 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 of the owner, possessor, of harbourer.

2. "Control" means:

- a) in direct and continuous charge of a person competent to control it; or
- b) securely confined within in an enclosure;
- c) securely fastened so that it cannot roam at will.

3. "Public Nuisance" means any of the following:

- a) harmful, offensive, annoying, troublesome, and/or pest
- b) noise that is continuous, unreasonably loud and or excessive.
- c) Factors for determining whether a sound is unreasonably loud or excessive include, but are not limited to, the following:
 - (i) the proximity of the sound to sleeping facilities, whether residential or commercial;
 - (ii) the time of day or night the sound occurs;
 - (iii) the duration of the sound;
 - (iv) the volume of the sound;
 - (v) whether the sound is recurrent, intermittent or constant.

4. A person who owns, possesses or harbors a dog found "running at large", and/or in addition found to be a "Public Nuisance" shall be deemed guilty of an infraction of this Bylaw.

5. Upon receipt of a fully completed and signed complaint that a dog was "running at large" and/or deemed a "public nuisance", the Administrator shall notify the offender by registered mail that a complaint has been received, and that in the event of failure to pay the appropriate voluntary fine relevant to the infraction within Seven (7) days of receipt of notice, the Administrator shall take the steps necessary to prosecute the owner, possessor, harbourer. The complaint shall be in the form attached hereto and marked as "Schedule A" and forming part of this bylaw.

6. Penalties:

a) Any dog found "running at large" and/or a "Public Nuisance" may be taken by the Animal Control Officer to the RM pound where it shall be kept for 72 hours (3days) excluding Saturdays, Sundays and Statutory Holidays unless the owner, possessor or harbourer redeems the dog by paying at the RM office during regular business hours, the appropriate fine, and in addition the expenses of the care of the animal.

b) Any dog which is not redeemed within 72 hours (3days) excluding Saturdays, Sundays and Statutory Holidays may be sold by the pound keeper, or if not sold, may be otherwise disposed of, or as a last resort may be destroyed by a veterinarian.

c) A person who contravenes any of the provisions of this bylaw or fails to comply there with, or with related notice or order given there under shall be liable to a penalty of \$250.00 for first offence; \$500.00 per second offence; \$500.00 per any other offence occurring.

d) A person who contravenes any of the provisions of this bylaw as per Section 6 (c), after third offence the animal will be seized and restrained at the designated pound location. A summons will be served to attend court and a judicial decision will be requested as to if the animal should be put down due to non- responsible pet ownership/management.

e) A violator of this bylaw may during regular business hours, voluntarily pay the penalty at the RM office; and that upon payment as provided, the person shall not be liable to prosecution of the offence.

7. This Bylaw shall come into force and take effect on the date of the final passing thereof.

REEVE

ADMINISTRATOR

Dog Control Bylaw

Notice of Violation

Rural Municipality of Moosomin No. 121

Name: _____

Address: _____

Details of offence:

Date: _____ **Time:** _____ a.m/p.m

VIOLATION:

Unlawfully Allow Dog(s) to Run at Large and/or be a Public Nuisance

Description of Dogs Running at Large/Public Nuisance: _____

Location of Violation: _____

You are charged with a violation of Bylaw No. 246-17.

Penalty for above violation is \$ 250.00

Bylaw Enforcement Officer

You may make voluntary payment of the above penalty at the municipal office of the RM of Moosomin during regular office hours within 2 weeks from the date of service of this Notice of Violation.

If you do make voluntary payment within the time set out above, you shall be liable to a summons to court and further prosecution