

CONSOLIDATED COPY

November 25, 2019

CITY OF MEADOW LAKE

DOG BYLAW

BYLAW NO. 9/2019

With amendments up to and including Bylaw No. 19/2019 passed November 25, 2019 by City Council.

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NOTE:

All persons making use of this consolidation are reminded that this document has no legal status, that the amendments have been embodied for convenience of reference, and that the original bylaws should be consulted for all purposes of interpretation and application of the law. **Red highlighted entries indicate the amendments to the bylaw.**

**CITY OF MEADOW LAKE
BYLAW NO. 9/2019
DOG BYLAW**

A BYLAW OF THE CITY OF MEADOW LAKE TO REGISTER, LICENSE, REGULATE, RESTRAIN AND IMPOUND DOGS CITED AS THE DOG BYLAW.

The Council of the City of Meadow Lake, In the Province of Saskatchewan, enacts as follows:

DEFINITIONS:

For the purpose of this bylaw the expression:

1. AT LARGE shall mean a dog which is off the premises of its owner and is not on a leash.
2. CITY shall mean the City of Meadow Lake.
3. CITY MANAGER shall mean the City Manager for the City of Meadow Lake or an employee of the City designated by the City Manager to act on behalf of the City.
4. COUNCIL means the Council of the City of Meadow Lake.
5. DOG shall mean and include both male and female dogs and wherever the term is used herein, it shall be construed to mean both male and female dogs except where the context precludes such reference.
6. EXCESSIVE BARKING shall mean 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. As a guideline, barking which persists for a period of fifteen (15) consecutive minutes or intermittently for a period of one hour or longer may be considered excessive.
7. HIGH RISK DOG shall mean:
 - (a) any dog which has without provocation, in a vicious or menacing manner, chased or approached a person or domestic animal in an apparent attitude of attack;
 - (b) any dog having an inclination, tendency, or disposition to attack without provocation, to cause injury or to otherwise threaten the safety of persons or domestic animals;
 - (c) any dog which has without provocation, bitten, inflicted injury, assaulted or otherwise attacked a person or domestic animal;
 - (d) any dog owned primarily or in part for the purpose of dog fighting or is trained for dog fighting;
 - (e) any dog without provocation, that threatens or creates reasonable apprehension of a threat to other animals or humans;but shall not include:
 - (f) any dog acting in the performance of police work;
 - (g) any dog working as a guard dog on commercial property which is:
 - (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 is committing or attempting to commit an offence.
8. JUDGE means a judge of the Provincial Court of Saskatchewan, who is authorized to carry out the 'Dangerous Animals' provisions of *The Cities Act* and amendments thereto.
9. OWNER includes:
 - (a) a person who keeps, possesses or harbours a dog;
 - (b) the person responsible for the custody of a minor where the minor is the owner of the dog;but does not include:
 - (c) a veterinarian registered in accordance with The Veterinarians Act, S.S. 1987 and amendments thereto who is keeping or harbouring a dog for the prevention, diagnosis or treatment of a disease or injury;
 - (d) the City of Meadow Lake, its agents and employees, the Saskatchewan Society for the Prevention of Cruelty to Animals, a local society for the prevention of cruelty to animals or a humane society operation pursuant to the provisions of the Animal Protection Act, and amendments thereto with respect to an animal shelter or impoundment facility operated by any of them.
10. PEACE OFFICER shall mean a person designated and appointed by Council or the City Manager for regulation and enforcement of this bylaw or a member of the RCMP.
11. PROVOCATION means an act done intentionally for the purpose of provoking a dog.

12. POUNDKEEPER shall mean a person or organization designated and appointed by Council or the City Manager to maintain a suitable accommodation (pound) for the keeping of impounded dogs.
13. SERVICE DOG means an animal that is trained and certified 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

OFFENCES:

14. No OWNER shall allow a high risk dog to be anywhere except:
 - (a) on the owner's property which shall be visibly marked with a sign indicating the presence of a high risk or aggressive dog ,
 - (b) in an enclosure that confines the dog,
 - (c) in a closed vehicle when being transported, or muzzled and under the control of a person 18 years of age or older by means of a harness or lead not exceeding one metre, in a manner that prevents it from chasing, injuring or biting other animals or humans, as well as preventing damage to public or private property. No high risk dog shall be allowed in any park, playground or school property.
15. No person shall keep, possess or harbour any dog which is not licensed in accordance with section 29 of this Bylaw.
16. No person shall keep, possess or harbour more than four dogs in one building or residence, excluding licensed dog kennels.
17. No owner, excluding high risk dogs, shall permit any dog to be outside the boundary of any premises or lands occupied by the owner unless:
 - (a) the dog is kept in an enclosure which confines the dog or
 - (b) the dog is fitted with a collar or a harness for the body that is properly placed and fitted on the dog and the movement of the dog is controlled by a person by means of a leash attached to the collar or harness on the dog; and
 - (c) the leash is less than 1.2 metres in length and is constructed of a material having a tensile strength of at least two times the weight of the dog.
 - (d) the owner accompanies the dog at a designated off leash park
18. No owner shall permit a dog to create a disturbance by chasing a person or animal or in any other way causing an interference with the lawful use and enjoyment of public or private property by any other person.
19. No dog owner shall permit the dog to bark or howl so as to create a nuisance. For the purposes of this section, the factors for determining whether the excessive 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) the duration of the barking or howling;
 - (e) whether the barking or howling is the result of provocation;
 - (f) the volume of the barking or howling; and
 - (g) whether the barking or howling is recurrent, intermittent or constant.

The complainant will be requested to fill out a Barking Complaint Form Appendix "C" and Barking Log Sheet Appendix "D" of this bylaw.
20. No owner shall allow a dog to defecate on any public or private property other than the property of its owner, and the owner of the dog shall remove the defecation immediately,
21. Section 20 shall not apply to a person who owns and is physically reliant on a guide dog trained and used to assist such person.
22. No owner or occupant of private property shall allow animal feces to accumulate on the property as to create a health hazard.
23. The Peace Officer or City Manager may personally serve an owner or occupant of private property with a notice to remove all animal feces from the property within 72 hours of service of the notice. Failure to comply with the order may result in the City cleaning up the feces at the property owner's expense in addition to any other fines as specified in the Schedule of Penalties in Appendix "B" of this bylaw.
24. No owner shall allow any dog, without provocation, to bite, inflict injury, assault or otherwise attack a person or domestic animal.

25. No owner shall allow a high risk dog, without provocation, to bite, inflict injury, assault or otherwise attack a person or domestic animal.
26. No owner shall neglect to place the license tag on the collar of the dog.
27. An owner of a dog who fails to immediately restrain and remove their dog from the off-leash dog park upon it becoming a nuisance, as defined in Section 53(d), is guilty of an offence in accordance with Section 18.
28. No person shall give false information when applying for a dog license.

LICENSING:

29. Every person who owns, possesses or harbors a dog within the City limits shall register and obtain a license for the said dog from the Peace Officer or City Hall on or before February 28th in each year or immediately after the date of possession.
30. The Peace Officer is authorized to register, record the registration and issue licenses in conformity with this Bylaw.
31. When applying for a license, the applicant must furnish a description of the dog including sex, color, breed, if spayed or neutered, and any other identification information which may be required by the City.
32. The City shall furnish a license tag to be attached to the dog's collar showing the words "Meadow Lake", license number and year to the owner of the dog or applicant.
33. The owner of any dog within the City shall, on demand of the City Manager or Peace Officer, show his/her license receipt or other evidence that he/she has paid the license fee provided in this Bylaw for the current year.
34. If the dog tag becomes lost, the dog owner shall purchase a replacement tag from the City.
35. All licenses expire on December 31st of the year in which they are issued.
36. The license fee for each intact, neutered male or spayed female dog shall be according to the Schedule of Fees in Appendix "A".
37. If an unaltered dog because of age or medical reasons should not be neutered or spayed, the Peace Officer or City Manager may exempt the owner from paying the higher license fee.
38. The provisions of the section for LICENSING shall not apply to dogs kept in the ordinary course of business by the proprietors of a pet shop in a commercial zoned district.:
39. A license issued pursuant to this bylaw is non-refundable and automatically revoked if the payment is returned to the City of Meadow Lake for any reason.
40. A Service Dog must be licensed, as provided by this Bylaw, but at no charge for the license.
41. RCMP Service Dogs trained for duty are exempt from this bylaw.

IMPOUNDING:

42. For the purpose of impounding any dog found at large in the City, a pound shall be established at such place as may from time to time be designated by Council as a pound.
43. The City may appoint a Poundkeeper to carry out the provisions of this Bylaw.
44. The City is authorized to appoint a Peace Officer or Peace Officers to apprehend, restrain and impound any dog or dogs at large in the City; to issue violation notices and to carry out additional duties in the enforcement of this Bylaw.
45. Notwithstanding the provisions of section 44, any person of legal age may restrain any dog at large in the City and deliver the dog restrained to the Peace Officer. Such person shall provide a statement in writing, which includes the following information:
 - (a) their name, address and phone number;
 - (b) a description of the dog restrained;
 - (c) the time and place of restraint; and
 - (d) the name of the owner, if known.
46. The Poundkeeper shall keep a record of all dogs impounded including the date and time of impound.
47. Each dog impounded under the authority of this Bylaw shall be kept by the Poundkeeper in the City pound for at least three (3) business days, unless the owner claims the dog and pays all related fines and penalties.

48. Effective January 1, 2020, a dog owner shall receive one pass for a "free ride" with no charge when their dog is found at large and/or a waiver of the impound fee if their dog qualifies under the "Get Out of Pound Free" Program Policy 700-019-001.

RELEASE OF IMPOUNDED DOGS:

49. All dogs impounded in the dog pound shall be confined therein for a period of up to three (3) business days from the time of capture, during which time the owner shall have the right to claim and repossess the dog upon paying all outstanding fees at City Hall.
50. For the purpose of section 49 above, the daily charge for housing, feeding and watering a dog and a high risk dog while in the pound shall be as specified in the Schedule of Penalties in Appendix "B" of this bylaw.

DOGS SUSPECTED OF HAVING RABIES:

51. (a) Any dog suspected of having rabies shall not be killed but shall be secured and isolated for ten (10) days and the matter immediately reported to the Medical Health Officer for the City.
- (b) Where, in the opinion of the Medical Health Officer, rabies infection has reached proportions where mass vaccination is indicated, every person who owns, harbors or possesses a dog within the City, shall cause such dog to be inoculated against rabies.
- (c) A certificate issued by a qualified veterinarian certifying that a dog has been inoculated against rabies shall be prima facie evidence that such animal has been inoculated.

UNCLAIMED DOGS:

52. In case a dog is impounded and is not claimed within three (3) business days as here before mentioned in section 47, the dog may be disposed of without further notice in the following manner:
- (a) Transfer of ownership of the dog to the Humane Society, SPCA or the College of Veterinary Science, University of Saskatchewan.
- (b) Disposal by euthanasia.

OFF-LEASH DOG PARK

53. An owner of a dog is not required to have the dog on a leash in the Jillian Doucet Community Dog Park, provided the owner of the dog complies with the following regulations:
- (a) The vehicle parking area is not considered part of the off-leash area.
- (b) The owner of a dog that has been declared high risk shall not permit the dog to be in the off-leash dog park as defined in Section 14.
- (c) No owner of a female dog that is in heat shall permit the dog to be in the off-leash dog park.
- (d) No owner of a dog shall permit or allow the dog to become a nuisance to other persons or animals in the off-leash area. For the purposes of this sub-section, the behaviour of a dog which constitutes a nuisance includes, but is not limited to, the following:
- (i) doing any act that injures a person or another animals;
- (ii) chasing, biting, barking at or otherwise threatening a person or another animal;
- (iii) excessive barking, howling or otherwise disturbing any person or other animal; or
- (iv) causing damage to property.
- (e) In order to prevent a dog from becoming a nuisance in the off-leash area, the owner of the dog shall:
- (i) accompany the dog in the off-leash area at all times; and
- (ii) carry a leash not exceeding 1.2 metres in length for the dog.
- (f) In the event that a dog becomes a nuisance, the owner of the dog shall immediately restrain the dog by placing the dog on a leash not exceeding 1.2 metres in length and removing the dog from the off-leash area.
54. Nothing in this Section shall release the owner of a dog from complying with the general provisions of this Bylaw pertaining to high risk dogs, creating a disturbance or interference, licensing, displaying a valid license tag, and removal of defecation, as set out in Sections 14, 18, 20, 29, and 32 respectively, including the corresponding penalties set out in the Schedule of Penalties in Appendix "B" of this bylaw or the General Penalty Bylaw of the City of Meadow Lake;

ENFORCEMENT AND PENALTIES:

55. (a) Any person who contravenes this bylaw is guilty of an offence and is liable, in addition to any other penalties which may be imposed, pursuant to the "Dangerous Animals" provisions of *The Cities Act* and amendments thereto set out in the penalties specified in the Schedule of Penalties in Appendix "B" of this bylaw or the General Penalty Bylaw of the City of Meadow Lake;
- (b) A dog owner is deemed not to wish to dispute the charge if:
- (i) the dog owner has been served with a **Summons** and has not responded in the manner provided for in the **Summons**;
 - (ii) the dog owner pleads not guilty to the offence but fails to appear in court in person or by an agent on the trial date; or
 - (iii) the dog owner obtains an adjournment of the proceedings but fails to appear in court in person or by an agent on the adjournment date.
- (c) In the circumstances described in section 55(b) a justice shall examine:
- (i) the **Summons**;
 - (ii) proof of service of the **Summons**; and
 - (iii) proof with respect to the ownership of the dog.
- And if satisfied that the **Summons**, the proof of service and proof with respect to the ownership of the dog is complete and regular, the justice may, without a hearing, enter a conviction in the dog owner's absence and impose the specified penalty sum set out in the **Summons**, if any, or when the **Summons** does not set out a specified penalty sum, shall impose a fine.
- (d) Any parent or guardian of a minor who contravenes this bylaw is guilty of an offence and is liable to the penalties specified in the Schedule of Penalties in Appendix "B" of this bylaw or the General Penalty Bylaw of the City of Meadow Lake.
56. (a) Where any person has committed or alleged to have committed a breach of the provisions of this bylaw, it shall not be necessary for the Peace Officer to catch the dog, but the Peace Officer may serve on such person a **Summons**. Such person may pay to the Provincial Court of Saskatchewan, during regular business hours, a penalty as specified in the Schedule of Penalties in Appendix "B" of this bylaw.
- (b) Service of such ticket shall be by personal service upon such person or by mail as required by the *Cities Act*.
57. The following municipal officials have the authority to declare a dog high risk:
- (a) the Peace Officer; and
 - (b) the City Manager
58. Any complaint that any person has committed or is alleged to have committed a breach of any of the provisions of this bylaw or a complaint that a dog is high risk may be made to a Peace Officer.
59. If upon information of complaint, it is alleged that a dog has bitten or attempted to bite any person, the matter will be dealt with as set out in *The Cities Act*.

GENERAL

60. SEVERABILITY:
If any section, subsection, sentence, clause, phrase or other portion of this 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.:
61. Bylaw No. 18/2012 is hereby repealed.
62. This Bylaw shall come into force and take effect on the day of its final passing.
- Introduced and read a first time this 22nd day of July, 2019.
- Read a second time this 26th day of August, 2019.
- Read a third time and adopted this 26th day of August, 2019.

 Acting City Clerk

 Acting Mayor

APPENDIX "A"
CITY OF MEADOW LAKE
DOG BYLAW NO. 9/2019
SCHEDULE OF FEES

Section	Description	Column A		
29	Licensing:	Fee		
	Spayed/neutered dog	20.00		
	High risk spayed/neutered dog	50.00		
	Intact dog	40.00		
	Intact high risk dog	100.00		
34	Replacement tag	5.00		
40	Service dog (license required)	No Fee		

APPENDIX "B"
CITY OF MEADOW LAKE
DOG BYLAW NO. 9/2019
SCHEDULE OF PENALTIES

Section	Description	Column A	Column B	Column C
		Fee/Penalty - 1st Offence	Penalty - 2nd Offence	Penalty - Subsequent
	Offences:			
14	High Risk Dog - At large	100.00	500.00	1,000.00
15	Failure to license a dog	50.00	100.00	500.00
16	More than four (4) dogs in one building/residence	50.00	100.00	500.00
17	At large	50.00	100.00	500.00
18, 27	Creating a disturbance/interference on public or private property	50.00	100.00	500.00
19	Excessive barking or howling to create a nuisance	50.00	100.00	500.00
20	Defecating on any public or private property other than the property of the dog owner	50.00	100.00	500.00
22	Accumulation of animal feces on private property as to create a health hazard	50.00	100.00	500.00
23	Failure to remove animal feces on private property within 72 hours of service of notice	50.00	100.00	500.00
24	Allowing any dog, without provocation, to bite, inflict injury, assault or otherwise attack a person or domestic animal	500.00	N/A	N/A
25	Allowing a high-risk dog, without provocation, to bite, inflict injury, assault or otherwise attack a person or domestic animal	1,000.00	N/A	N/A
26	Failure to attach a valid dog tag to a collar	20.00	40.00	60.00
28	Giving false information when applying for a dog license	Liable to under Penalty	prosecute General Bylaw	
49	Impound Fees	50.00	100.00	250.00
49	Impound Fees - High Risk Dog	200.00	500.00	1,000.00
50	Poundkeeper Fees	As per the City Lake from keeper	invoice to of Meadow the Pound-keeper	

**APPENDIX "C"
CITY OF MEADOW LAKE
DOG BYLAW NO. 9/2019
BARKING COMPLAINT FORM
PART I**

Complainant Information:

Last Name: _____ Given Names: _____

Address: _____ Phone #: _____

Barking/Howling Complaint Questionnaire

Animal Owner Information, if known:

Name: _____

Address: _____ Phone #: _____

Description of Offending Animal(s); ie size, color, bred, sex, age, name

1) _____

2) _____

3) _____

A) Type of residence:

House Duplex Basement Suite Condominium Apartment Other

B) Where on the owner's property is the animal located? ie) inside house, backyard, dog pen, garage

C) When does the nuisance barking specifically occur?

D) Why do you think the dog(s) is/are barking? ie) loneliness, strangers, hunger, etc.

E) How long has the barking/howling been a problem?

F) How long has the animal resided at the address? _____ years _____ months

G) Have you observed the dog(s) barking? Yes No

H) Can you identify the owner of the animal(s)? Yes No

I) Does the problematic barking occur when the owner is home? Yes No

J) Does the problematic barking occur when the owner is away? Yes No

K) Is the dog left outside when the owner is away? Yes No

L) When is the dog owner usually home? _____

M) Have you discussed the problem with the owner? Yes No If yes, what was the result of the discussion? _____

N) Has the owner taken any action to prevent or stop the barking/howling? Yes No

If yes, what action was taken? _____

O) Are you prepared to testify in court? Yes No

I, (name) _____ of (civic address) _____

hereby certify that the information recorded in this log is accurate and true and would testify to its accuracy before a court of law.

Signature: _____ Date: _____

**APPENDIX "D"
CITY OF MEADOW LAKE
DOG BYLAW NO. 9/2019
BARKING LOG SHEET**

This log should document the duration of each barking episode including start and stop time, the intensity of the episode, whether it is intermittent or continual, the type and nature of barking and any events that may have initiated the barking.

PLEASE NOTE: This form should be completed by one person, the record being made at the time of the barking episodes. Additional witnesses should complete their own log on a separate form. If you have made notation elsewhere and transferred them, please retain the original notes.

BARKING/HOWLING LOG

DATE	TIME FRAME	DESCRIPTION/DETAILS EPISODE

I, (name) _____ of (civic address) _____ hereby certify that the information recorded in this log is accurate and true and would testify to its accuracy before a court of law.

Signature: _____ Date: : _____