



BYLAW 03-20

A BYLAW TO LICENSE AND REGULATE ANIMALS

The Council of the Town of Aberdeen, in the Province of Saskatchewan, enacts as follows:

PART 1- TITLE AND PURPOSE

1. This BYLAW shall be cited as "The Animal Control Bylaw".
2. The purpose of this BYLAW is:
 - 2.1 To provide for licensing of cats and dogs;
 - 2.2 To control and regulate cats and dogs;
 - 2.3 To control and regulate other animals including exotic and wild animals.

PART 11 - DEFINITIONS

3. In this BYLAW:

"Boarding" an individual who has been approved by the Town of Aberdeen who is in the business of providing a place where dogs or cats are housed temporarily for a fee.

"Breeding" an individual who has been approved by the Town of Aberdeen who is in the business of mating of cats or dogs.

"Bylaw Enforcement Officer" is any corporation, person or persons engaged by or appointed by the Town of Aberdeen for the purposes of checking for licenses, capturing and impounding animals under the provisions of this BYLAW;

"At large" means if the animal is off the premises of its owner, unless the animal is both on a leash not exceeding two metres in length and is under proper control;

"Bee" means any of certain insects which store up the pollen of flowers for food or that makes honey and wax;

"CAO" is the person appointed as the Chief Administrative Officer for the Town of Aberdeen or his/her duly authorized representative or designate;

"Cat" is every cat of either sex or neutered;

"Dog" is every dog of either sex or neutered;

"Dog Park" shall mean a park for dogs to exercise and play off-leash in a controlled environment under the supervision of their owners.

"Dog Run" shall mean a permanent structure outside of a residential dwelling unit, used for the containment of a dog;

"Fostering Dog Owner" shall mean the individual who has been approved in writing by an Approved Foster Organization to foster dogs in a Foster Home and who owns, keeps, possesses, harbours or acts as a guardian of the dog on a temporary basis until a permanent owner can be found. The Fostering Dog Owner shall be considered the owner of the dog under this by-law while the dog is under their care.

“Foster Home” shall mean the dwelling unit of an individual who has been approved in writing by an Approved Foster Organization to foster dogs on a temporary basis until a permanent owner can be found.

“Foster Organization” shall mean an organization that rescues and fosters dogs and that has been approved in writing for the purposes of this By-law by the City Representative, and whose approved status has not been revoked by the City Representative.

"Judge" shall mean a provincial court judge or a justice of the peace;

“License” means an exterior metal tag which shall be affixed to the collar of a cat or dog, and which includes a registered identification number contained in the cat and dog license records.

"Municipality" shall mean the Town of Aberdeen;

“Owner” includes: a person who owns or who has possession of, or control over, an animal; and the person responsible for the custody of a minor where the minor is the owner of the animal;

"Poundkeeper" means a person, corporation, society or organization as may from time to time be appointed by the municipality for the purpose of retaining impounded animals pursuant to this BYLAW;

"Public Playground" means the area containing playground equipment in any park or Municipal Reserve owned by the Town under the management and control of the Town;

"SPCA" means the Saskatoon Society for the Prevention of Cruelty to Animals.

PART 111- GENERAL

4. LICENSES AND LICENSE FEES

4.1 Every person within the municipality who owns or keeps a dog shall obtain an animal license from Administration of the municipality;

4.2 Every person within the municipality who owns or keeps a cat shall obtain an animal license from Administration of the municipality;

4.3 The license fees are set out in Schedule "A" attached;

“The license fee” is an amount payable to the Town of Aberdeen effective from the day the animal begins residency (OR by January 31 of the current year) in the Town of Aberdeen until the day the animal no longer resides in Aberdeen.

4.4 A registration form for the animal shall be completed and updated as set out in Schedule "B" attached;

4.5 “PERMANENT LICENSE” – A permanent license, when so obtained, shall be valid from the date of purchase and until the owner of the cat or dog ceases to reside in the Town or until the owner disposes of the cat or dog, and is not transferable from one animal to another;

4.5 Every person to whom an animal license has been issued under this BYLAW shall cause the animal to wear a collar to which the license tag issued by the municipality is attached; and

4.6 A person residing in the municipality, who owns, possesses or harbors an animal and neglects or refuses to take out a license shall be deemed guilty of an infraction of this BYLAW.

4.7 an individual who has been approved by the Town of Aberdeen to operate a business of breeding, boarding or selling cats or dogs shall not be required to license or register each cat or dog provided they have;

- a) a business license from the Town of Aberdeen.
- b) maintain a record of cats or dogs, raised, boarded or sold.

c) once a cat or dog has reached the age of six (6) months, a license must be obtained from the Town of Aberdeen. Place of breeding is not to exceed 2 litters at one time, should the number of animals exceed the limit of 3 see Schedule “A” fee “Breeding” per animal.

d) a license issued is not transferable to any other cat or dog.

4.8: an individual who has been approved by the Foster Organization to “Foster”, keep or possess a dog or cat and acts as the guardian on a temporary basis until a permanent owner is found, is exempt from obtaining a license for the animals.

a) a term of six months will be placed on all “Foster” Animals over the limit of 3

b) individual will have to apply to council for another term if a home is not found within 6 months

5. DOGS BARKING OR HOWLING

5.1 No person who owns or keeps a dog or allows it to stay in the owner's premises shall allow such dog to bark excessively or howl excessively;

5.2 Any person who allows a dog to bark or howl excessively shall be deemed guilty of an infraction of this BYLAW;

5.3 Any person who allows a dog to bark or howl excessively and can positively identify the animal, can file a written complaint at the Town Office. Written complaints must include information as set out in Form 1 attached to this BYLAW (Policy ABE.17);

5.4 The municipality may issue a written order if there is anything in the physical environment that the dog is being kept in that can be remedied that would prevent said dog from barking or howling;

5.5 The municipality may apply to a judge to have a dog that barks and howls excessively, at the owner's expense, muzzled, fitted with a collar or device that deters barking or permanently removed from the municipality; and

5.6 The municipality may issue a written infraction notice, in the appropriate Municipal form, under this or the Municipal Noise Bylaw.

6. RUNNING AT LARGE AND PROHIBITED AREAS

6.1 No animal shall run at large in the municipality;

6.2 If an animal is found to be running at large the owner shall be deemed to have permitted the animal to be at large unless the owner proves to the satisfaction of the court that at the time of the offence the owner did all that was reasonable to prevent the animal from being at large;

6.3 Any person who sees an animal running at large, and can positively identify the animal, can file a written complaint at the Town Office. Written complaints must include the information as set out in Form 1 attached to this BYLAW (Policy ABE.17);

6.4 The Bylaw Enforcement Officer or any other person designated by the municipality will attempt to capture any animals found running at large and place them in the municipal pound;

6.5 Any animal found running at large that attacks or bites a person shall be dealt with under the *Dangerous Dogs Act*, at the owner's expense;

6.5.1 destroyed in accordance with any order or recommendation by a medical health officer; or,

6.5.2 permanently removed from the municipality; and

6.6 No person shall permit a dog or cat to be:

6.6.1 on any public playground, other than a dog at the Dog Park located on Central Ave (Parcel H);

6.6.2 on public Ball Diamonds or Soccer Fields; and

6.6.3 this section does not apply to a person who owns and is physically reliant on a guide dog trained and used to assist such person.

7. LIMITS - DOGS AND CATS

7.1 No person within the Town shall harbor or keep more than three (3) dogs or cats on any one property. The Town will allow a grandfather clause for existing pets in excess of three (3) prior to the passing of this BYLAW, subject to a requirement that all pets must be licensed and the clause will be for the lifetime of the registered pet. If an owner fails or refuses to comply with the provision of this section, he/she shall be subject to the penalties as set out in Schedule "E" attached hereto and which may be amended from time to time by resolution of Council.

8. PROHIBITED ANIMALS

- 8.1 No person shall own or harbor any animals, or hybrid of any animal, of the kind listed in Schedule "D" for any purpose.

9. DANGEROUS ANIMALS

- 9.1 Control of dangerous dogs in Saskatchewan is governed by provincial legislation and all owners must comply with this statute or any orders under this statute.

10. OWNING and HARBOURING OF DOGS

- 10.1 Where an owner possesses a dog that displays outward signs of aggression such as threatening, barking, growling, snapping, lunging, frothing at the mouth, etc., such owner shall ensure that the dog is properly restrained or contained whether it is on or off its own property.
- 10.2 Where a dog displays aggressive behavior as described in subsection 10.1, the owner shall ensure that proper precautions have been taken to prevent the dog from escaping from its harbored property and that children of tender age cannot gain access to the property or the dog.
- 10.3 Where a municipality believes an owner has not taken the necessary precautions to contain an aggressive dog as required in subsection 10.2, the municipality may issue a written order requiring the owner of the property to remedy any lack of physical containment as identified by the municipality.
- 10.4 An order written under subsection 10.3 is not limited to the following but may contain any or all of the following requirements;
- 10.4.1 repair or construction of a property line fence;
 - 10.4.2 repair or construction of a dog run;
 - 10.4.3 physically moving the dog run or containment area of the dog from one area of the property to a more suitable area on the property;
 - 10.4.4 locking of perimeter fences or dog runs; and
 - 10.4.5 posting warning signs on the perimeter of the property advising the public of the presence of a dog of an aggressive nature.

11. LITTER CLEAN UP

- 11.1 If an animal defecates on any public or private property other than property belonging to the owner of the pet, the owner of the cat or dog shall remove the defecation immediately;
- 11.2 Any person who owns, possesses, or harbors an animal and fails to remove the defecation as set out in Subsection 11.1 shall be deemed guilty of an infraction of this BYLAW;

12. ACCUMULATION OF ANIMAL FECES

- 12.1 An owner or occupant of private property must not allow animal feces to accumulate on the property so as to create a health hazard;
- 12.2 Any person who owns, possesses, or harbors an animal and fails to clean up as set out in Subsection 12.1 shall be deemed guilty of an infraction of this BYLAW;
- 12.3 The Bylaw Enforcement may serve an owner or occupant of private property with a written order to remove all animal feces from the property within seventy-two (72) hours of service of notice.
- 12.4 The municipality may remove the feces from the property if:
- 12.4.1 the person to whom the notice is made fails to remove the feces within seventy-two (72) hours; or,
 - 12.4.2 after reasonable inquiry, the whereabouts of the owner or occupant of the property cannot be determined.

13. ORDERS TO REMEDY CONTRAVENTIONS

- 13.1 Inspections to determine if a written order should be issued under this BYLAW shall be carried out in accordance with the *Municipalities Act*;
- 13.2 Orders given under this BYLAW shall comply with the *Municipalities Act*;
- 13.3 Orders given under this BYLAW shall be served in accordance with the *Municipalities Act*;
- 13.4A person may appeal an order given under this BYLAW in accordance with the procedure set forth in the *Municipalities Act*;

- 13.5 The municipality may, in accordance with the *Municipalities Act*, take whatever actions or measures necessary to ensure that an order given under this BYLAW is fully complied with;
- 13.6 In an emergency, the municipality may take whatever actions or measures are necessary to eliminate the emergency in accordance with the *Municipalities Act*;
- 13.7 Any unpaid expenses and costs incurred by the municipality that an order given under this BYLAW is fully complied with may be recovered either;
- 13.7.1 by civil action for debt in a court of competent jurisdiction in accordance with the *Municipalities Act*; or
- 13.7.2 by adding the amount to the taxes on the property on which the work is done in accordance with the *Municipalities Act*.

14. POUND FEES

- 14.1 The Bylaw Enforcement may take any animal found running at large, contrary to the provisions of this BYLAW, to the municipal pound where it shall be kept for seventy-two (72) hours unless the owner, possessor, or harbinger redeems the animal by paying to the Town;
- 14.1.1 the applicable pound fee as set out in Schedule "C" for the care and keep of each animal; and
- 14.1.2 all related fines assessed against the animal; and
- 14.1.3 in the case of a dog over the age of six months being impounded, a dog license fee if one has not yet been purchased.
- 14.2 The municipality may, in its sole discretion, destroy, find a suitable home for or turn over to the SPCA any animal which has not been redeemed within seventy-two (72) hours. The CAO or Bylaw Enforcement Officer may turn an animal over to the SPCA before this period expires if it is determined that the municipality cannot sufficiently provide for the animal's well-being or security, OR if the impounding day falls on the Friday of the week.

15. RABIES AND OTHER DISEASES

- 15.1 Any dog or cat suspected of having rabies shall not be killed but shall be secured and isolated for seven (7) days and the matter immediately reported to a veterinary clinic whose instructions shall be complied with.
- 15.2 An owner, possessor or harbourer of a dog or cat who neglects or refuses to comply with any order of the veterinary clinic shall be guilty of an infraction of this BYLAW.

16. VIOLATIONS

- 16.1 Except as otherwise provided in this BYLAW, every person who contravenes any of the provisions of this BYLAW is guilty of an offence and liable on summary conviction:
- 16.2.1 in the case of an individual, to a fine of not less than the mandatory minimum fine prescribed in Schedule "E" and not more than \$2,000; and
- 16.2.2 in the case of a corporation, to a fine of not less than the mandatory minimum fine prescribed in Schedule "E" and not more than \$5,000.
- 16.3 Notwithstanding Subsection (1), if no Notice of Violation has been issued for a period of three years or more in relation to a contravention, then a subsequent contravention of the section of the BYLAW is deemed to be a first offence.
- 16.4 Any person convicted of an offence under Section 7 shall, within ten days thereafter, deliver all animals of the kind listed in Schedule "D" owned, kept or harbored by that person to the Bylaw Enforcement Officer and they shall become the property of the municipality and shall be donated to an approved agency or humanely euthanized.
- 16.5 At the discretion of the Bylaw Enforcement Officer, a warning ticket may be issued for contravention of any of the provisions of this BYLAW.

16.6 A violator of this BYLAW, upon being served with the municipality's standard Notice of Violation (Schedule "F") may, during office hours, voluntarily pay the penalty at the office of the municipality.

16.7 Voluntary payment of a penalty within ten (10) days of the issuance of a Notice of Violation will reduce the penalty by 50%.

17. SEVERABILITY

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 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.

PART IV - REPEAL OF PREVIOUS BYLAWS

18. REPEAL, AMEND AND COMING INTO FORCE AND EFFECT

18.1 Bylaw #03-2019 of the Town of Aberdeen is hereby repealed.

This BYLAW shall come into force and take effect when approved by Council.

Read a first time this 19th day of May, 2020
Read a second time this 19th day of May, 2020
Read a third time and adopted, this 19th day of May, 2020



Mayor

Administrator

Certified a true copy of Bylaw 03/2020
passed by resolution of Council May 19, 2020

SCHEDULE "A"
LICENSE FEES FOR EACH ANIMAL

Permanent CAT or DOG License	\$25.00
Breeding CAT or DOG License per animal (over 3 animals)	\$500.00

SCHEDULE "B"
ANIMAL LICENSE REGISTRATION FORM

Name of Owner:

Address of Owner:

Phone No: _____ (home) _____ (cellular)

Cat Dog Spayed or Neutered

Name of Animal:

Breed of Animal:

Description of Animal:

Resign declaration of status of pet:

- 1. Has your dog been aggressive or bitten a person in the last 12 months NO Yes
- 2. Has your dog been aggressive or bitten another animal in the last 12 months NO Yes

If you have answered yes to part one or two your animal is deemed dangerous for the purpose of this BYLAW and the following measures must be taken to ensure public safety.

It is recommended to provide a photo if one is available.

For Office Use Only:	Receipt No. _____	Tag No. _____
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SCHEDULE "C"**POUND FEES****1. IF HOUSED BY THE MUNICIPALITY ONLY**

- a. DOGS - \$40.00 per dog plus \$10.00 per day with minimum fee of \$50.00.
- b. CATS - \$40.00 per cat plus \$10.00 per day with a minimum fee of \$50.00.
- c. ANIMALS OTHER THAN DOGS OR CATS - \$40.00 per animal plus \$10.00 per day with a minimum fee of \$50.00.

11. IF HOUSED BY THE SPCA

All municipal pound fees shall apply in addition to any fees charged by the SPCA.

SCHEDULE "D"
PROHIBITED ANIMALS

The following is a list of animals the keeping of which is prohibited within the Town of Aberdeen:

- I. all animals being reared for the bearing of fur or food;
- II. all animals whose normal habitation is outside of urban centers (such as fox, deer);
- III. all Arachnids dangerous to humans (such as scorpions and tarantulas, except tarantulas of the genera Aphonopelma, Avicularia and Grammostola);
- IV. all Artiodactylus Ungulates (such as goats, sheep, cattle, pigs and llamas);
- V. all Bats;
- VI. all Bees;
- VII. all Canids, except the domestic dog;
- VIII. wild fowl or poultry (unless specifically approved by Council);
- IX. all Crocodylians (such as alligators, crocodiles and caimans);
- X. all Edentates (such as anteaters, sloths and armadillos);
- XI. all Elephants;
- XII. all Felids, except the domestic cat;
- XIII. all Horses;
- XIV. all Hyenas;
- XV. all insects being raised for the purpose of profit or gain;
- XVI. all Livestock;
- XVII. all Marsupials (such as kangaroos and opossums);
- XVIII. all Mustelids (such as skunks, weasels, otters and badgers) except the domestic ferret;
- XIX. all non-human Primates (such as gorillas and monkeys);
- XX. all Perissodactylus Ungulates (such as horses, donkeys, mules and assess);
- XXI. all Pigeons (unless specifically approved by Council);
- XXII. all Pinnipeds (such as seals, fur seals and walruses);
- XXIII. all Procyonids (such as raccoons, coatis and cacomistles);
- XXIV. all Raptors, diurnal and nocturnal (such as eagles, hawks and owls);
- XXV. all Ratite Birds (such as ostriches, rheas, and cassowaries);
- XXVI. all Galliformes (such as chickens, turkeys, grouse, quails and pheasants);
- XXVII. all Anseriformes (such as ducks and geese);
- XXVIII. all snakes of the families Pythonidae and Boidae;
- XXIX. all Ursids (bears);
- XXX. all venomous Reptiles and Amphibians;
- XXXI. all Viven-ids (such as mongooses, civets and genets)

SCHEDULE "E"
MINIMUM FINES PURSUANT TO SECTION 14

	DESCRIPTION OF OFFENCE	1 ST OFFENCE	2 ND OFFENCE	SUBSEQUENT
(a)	Failure to License Cat or Dog (Section 4)	\$100	N/A	N/A
(b)	Excessive Barking or Howling (Section 5)	\$100	\$200	\$200
(c)	Running at Large (Section 6)	\$100	\$200	\$200
(d)	Exceeding limits on any one property (Section 7)	\$100	\$200	\$200
	Neglects or Refuses to Clean Up Defecation (Sections 11 & 12)	\$100	\$200	\$200
(f)	Failure to obey order of BYLAW Enforcement Officer	\$100	\$200	\$200

Schedule "F"

NOTICE OF VIOLATION

TOWN OF _____

AVOID PROSECUTION BY PAYING PROMPTLY

NAME OF VIOLATOR			
ADDRESS			POSTAL CODE
DATE ISSUED	Year	Month	Day Time
LICENCE NUMBER	EXPIRY YEAR		PROV.
VEHICLE MAKE	TYPE OF BODY		COLOR
VIOLATION	<input type="checkbox"/> PARKING BYLAW NO. _____		
	<input type="checkbox"/> DOG BYLAW NO. _____		
	<input type="checkbox"/> OTHER BYLAW NO. _____		
DESCRIPTION OF VIOLATION			
LOCATION OF VIOLATION			
<input type="checkbox"/> OWNER OF DOG		<input type="checkbox"/> POSSESSOR OR HARBORER OF DOG	
YOU ARE CHARGED WITH VIOLATION OF BYLAW NO. _____			
SECTION(S) _____			
PENALTY		PAYMENT INDICATED OR	
REDUCED PENALTY IF PAYMENT			
MADE WITHIN _____ DAYS \$ _____			
OF ISSUE DATE			
NO REDUCTION ALLOWED			
PAY WITHIN _____ DAYS OF ISSUE DATE			
PENALTY TO BE PAID DURING REGULAR OFFICE HOURS OR BY MAIL AT THE MUNICIPAL OFFICE OF THE			
TOWN OF _____			
IF PAYMENT IS NOT MADE WITHIN THE TIME SET OUT ABOVE YOU SHALL BE LIABLE TO PROSECUTION AND UPON SUMMARY OF CONVICTION YOU SHALL BE LIABLE TO THE PENALTY PROVIDED UNDER _____ SAID BYLAW.			
ISSUER		TICKET NO	
BYLAW ENFORCEMENT OFFICER			

FORM 1 (Section 5.3) Page 1 of 2
Town of Aberdeen Policy ABE.2019

The Town has bylaws relating to animal control, noise, parking, nuisance, etc. Understanding that it is important for individuals to be clear with respect to the concerns raised that relate to town bylaws or legislation, we would ask that you identify the type of concern and the time frame in which it occurred. No action will be taken unless a form is completed. It may be necessary to share this information with other individuals, Council or Enforcement Agencies.

Received by phone _____ Delivered in Person _____ Emailed / Mailed _____

Name: _____

Address: _____

Please check applicable box (es):

Noise _____

Animal _____

Nuisance _____

Parking _____

Snow Removal _____

Other (specify) _____

Date & Location of Infraction: _____

Concern: _____

Any Suggestions you may have:

Signature: _____ Today's Date: _____

FORM 1 (Section 5.3) Page 2 of 2
Town of Aberdeen Policy ABE.2019

For Office Use only:

Date Concern Received: _____

Staff Member Receiving Concern: _____

Comments: _____

Action Taken: _____

Signature of Staff Member: _____

Signature of Chief Administrative Officer: _____