

RURAL MUNICIPALITY OF BRITANNIA NO. 502

BYLAW NO. 20-2024

A BYLAW TO PROHIBIT ANIMALS RUNNING AT LARGE

The Council of the Rural Municipality of Britannia No. 502 in the Province of Saskatchewan enacts as follows:

1. This Bylaw may be referenced as the “Animal Control Bylaw”
2. DEFINITIONS:

For the purpose of this Bylaw, the expression:

- (a) “dog” shall mean a member of the Canis Genus species;
- (b) “Council” shall mean the Council of the Municipality;
- (c) “Designated municipal official” shall mean that person designated by the Council of the Municipality;
- (d) “Municipality” shall mean the Rural Municipality of Britannia No. 502;
- (e) “Pound keeper” shall mean the person appointed as pound keeper by the Council of the Municipality;
- (f) “Municipal pound” or “pound” shall mean Border Paws Animal Shelter Society located at 5206 63 Street, Lloydminster, Alberta T9V 2E6
- (g) “Running at large” shall mean off the premises and boundaries of the land occupied by the owner, possessor, or harbourer or beyond the boundaries of any lands where the dog may be with the permission of the owner or occupier of the lands and is not under control by being tied or secured to a leash or chain or other similar restraining device not exceeding two metres in length.

3. RUNNING AT LARGE

- (a) No dog shall run at large in the municipality.
- (b) No person who owns, possesses, or harbors a dog, shall permit that dog to be running at large.
- (c) For the purpose of court proceedings to enforce the provisions of the Bylaw, if a dog is found to be running at large, the person who owns, possesses, or harbors the dog shall be deemed to have permitted that dog to be at large unless the person proves to the satisfaction of the court that at the time of the offence, the person did all that was reasonable to prevent the dog from being at large.
- (d) Any person may take any dog found running at large within the municipality, contrary to the provisions of this bylaw, to the municipal pound. The owner, possessor, or harbourer may



redeem the animal by making a voluntary payment totaling the amount shown in Schedule A. An animal that has been detained in the municipal pound, may be considered to be relinquished to the pound if it is not claimed and released within 72 hours from the time the animal was received at the municipal pound, which shall include statutory holidays and weekends.

- (e) The designated municipal official may take any dog found running at large, contrary to the provisions of this bylaw, to the municipal pound. The owner, possessor, or harbourer may redeem the animal by making a voluntary payment totaling the amount shown in Schedule A. An animal that has been detained in the municipal pound, may be considered to be relinquished to the pound if it is not claimed and released within 72 hours from the time the animal was received at the municipal pound, which shall include statutory holidays and weekends.
- (f) If a dog defecates on any public or private property other than the property of the owner, possessor, or harbourer of the said dog, the owner, possessor, or harbourer of the dog shall cause such defecation to be removed immediately and disposed of in a sanitary fashion.
- (g) The owner, possessor, or harbourer of a dog shall not allow the animal to create a nuisance to any person by:
 - (1) excessive barking, howling, or otherwise making disruptive noises;
 - (2) attempting to bite or biting anyone or any domestic animal, chasing vehicles or bicycles;
 - (3) causing damage to any property;
 - (4) urinating, defecating or spraying on or otherwise damaging or interfering with any property other than the property of the owner, possessor, or harbourer.

4. REDEMPTION OF ANIMAL

- (a) The municipal pound may sell or adopt out any animal which is not redeemed within the period of time noted in Section 3 (d) or (e) of this Bylaw.
- (b) The municipal pound may destroy any dog which has not been redeemed within the period of time noted Section 3 (d) or (e) of this Bylaw.

5. PENALTY

- (a) A designated municipal official who has reason to believe that a person has contravened any provision under section 6 or 7 of this bylaw without having made voluntary payment to the municipal pound, may serve on that person a Notice of Violation, which Notice of Violation shall indicate that the municipality will accept voluntary payment as outlined in Schedule A, to be paid to the municipality within twenty-eight days.
- (b) A designated municipal official who has reason to believe that a person has contravened any provision under section 11 of this bylaw may serve on that person a Notice of Violation, which Notice of Violation shall indicate that the municipality will accept voluntary payment as outlined in Schedule A, to be paid to the municipality within twenty-eight days.



- (c) Where the municipality receives voluntary payment of the amount prescribed under sections 6, 7, 12 or 13 within the time specified, the person receiving the Notice of Violation shall not be liable to prosecution for the alleged contravention.
- (d) Payment of any Notice of Violation does not exempt the person from a further Notice of Violation under any section of this bylaw.
- (e) Every person who contravenes any provision of section 4 is guilty of an offence and liable on summary conviction:
 - (1) in the case of an individual, to a fine of not more than \$2,000;
 - (2) in the case of a corporation, to a fine of not more than \$5,000; and
 - (3) in the case of a continuing offence, to a maximum daily fine of not more than \$500 per day.

6. ORDER TO REMEDY CONTRAVENTIONS

- (a) If a Designated Officer finds that a person is contravening this Bylaw, the Designated Officer may, by written order, require the owner or occupant of the property to which the contravention relates to remedy the contravention.
- (b) Orders given under this Bylaw shall be in accordance with Section 364 of The Municipalities Act.
- (c) Order given under this Bylaw shall be served in accordance with Section 390(1)(a), (b) or (c) of The Municipalities Act.
- (d) The following forms are to be used when controlling animals in accordance with this bylaw:
 - (1) Schedule "B" - Animal Surrender and Release Form
 - (2) Schedule "C" - Witness Statement Form
 - (3) Schedule "D" - Request to Prosecute
 - (4) Schedule "E" - Request for Dangerous Dog Hearing

Bylaw 05-2022 and any amendments are hereby repealed.

Read a first time, this 14 day of August, 2024.

Read a second time, this 14 day of August, 2024.

Read a third time, this 14 day of August, 2024.

Certified to be a true and correct copy
 of Bylaw No. 20-2024 passed by
 Resolution of Council on August 14/24
 Administrator _____

 Reeve

 Administrator

SCHEDULE "A"
FEEES

Bylaw Section	Fee for 1st Occurrence	Fee for 2nd Occurrence	Fee for 3rd and any Subsequent Occurrences
Section 6	\$50.00	\$100.00	\$150.00
Section 7	\$100.00	200.00	300.00
Section 12	\$150.00	\$300.00	\$450.00
Section 13	\$100.00	\$200.00	\$300.00



**Schedule B
Animal Surrender and Release Form**

I, _____ (the owner), hereby certify that I am the rightful owner/keeper/caretaker/custodian of the following animal(s) and that no other person has a right of property to the animal:

[DESCRIBE THE ANIMAL(S)]

(hereinafter referred to as the “animal”)

I acknowledge that the animal was involved in an incident on [INSERT DATE] within the boundaries of the Rural Municipality of Britannia No. 502 (the RM) whereby the animal exhibited conduct consistent with a “dangerous animal”, as contemplated by section 375(1)[select clause (a), (b), (c) or (d) depending on the circumstances] of *The Municipalities Act*, SS 2005, c M-36.1 (the Act).

I understand that:

- 1) the RM intended to make an application in the Provincial Court of Saskatchewan to have the animal declared dangerous;
- 2) I would receive notice of a hearing to be held regarding said declaration in the Provincial Court of Saskatchewan pursuant to section 375(4) of the Act; and
- 3) I would have the opportunity to be heard by the official presiding over the hearing.

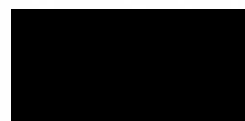
In consideration of the RM taking ownership of and making appropriate arrangements for the animal, I hereby voluntarily waive any rights I have under the Act and irrevocably surrender the animal to the RM, in lieu of the RM pursuing an application in the Provincial Court of Saskatchewan.

I understand and agree that the RM will become the owner of the animal and will have sole discretion to make arrangements for the animal, which may include actions up to and including euthanasia. By signing this Form, I am waiving any claim I had, have or may have to the animal. I hereby release the RM from any and all claims, demands, costs, expenses, damages or any other actions of any kind or nature arising out of the surrender of the animal.

Address of owner _____

Date _____

Signature of owner _____



Schedule "D"
REQUEST TO PROSECUTE

Any person who owns a dog that, without provocation, attacks, assaults, wounds, bites, injures or kills a person or domestic animal is guilty of an offence.
Subsection 376(4), *The Municipalities Act*

DOG OWNER:

Name _____

Address _____

Phone (res) _____ (bus) _____

DETAILS OF INCIDENT:

Date/Time _____

Location _____

Description of dog (type, colour)

COMPLAINANT: (attach statement)

Name _____

Address _____

Phone (res) _____ (bus) _____

OTHER WITNESSES: (attach statements)

Name _____

Address _____

Phone (res) _____ (bus) _____

MUNICIPAL EMPLOYEE INVOLVED: (attach file, if any)

"I (We) request that the dog owner be prosecuted for the above incident. I (We) understand that Council will review the incident and make a decision on whether to proceed with a prosecution. If a trial is held, I (we) understand that I (we) will be required to give evidence."

Signed: _____ **Date:** _____



Schedule "E"
REQUEST FOR DANGEROUS DOG HEARING
SECTION 375, THE MUNICIPALITIES ACT

DOG OWNER:

Name _____

Address _____

Phone (res) _____ (bus) _____

Description of dog (type, colour)

HISTORY OF INCIDENTS:

COMPLAINANTS: (attach statements)

1) Name _____

Address _____

Phone (res) _____ (bus) _____

2) Name _____

Address _____

Phone (res) _____ (bus) _____

3) Name _____

Address _____

Phone (res) _____ (bus) _____

MUNICIPAL EMPLOYEE INVOLVED: (attach file, if any)

"I (We) request that an application be made to have the above dog declared dangerous. I (We) understand that if the dog is declared dangerous, the court may issue a control order or a destruction order. I (We) also agree to attend a hearing as a witness(es) and testify."

Signed: _____ **Date:** _____

