

RESORT VILLAGE OF CANDLE LAKE

ANIMAL CONTROL BYLAW

BYLAW NO. 08-2024

The Council of the Resort Village of Candle Lake in the Province of Saskatchewan enacts as follows:

Short Title:

1. This Bylaw may be cited as "The Animal Control Bylaw 08-2024."

Purpose:

2. The Purpose of this Bylaw is as follows:
 - a. To provide for the Identification of owners of Cats and Dogs.
 - b. To control and regulate Bees, Cats , Dogs, Domesticated Animals, Exotic and Wild Animals.
 - c. To provide for the impounding of Cats and Dogs that are at large.
 - d. To discourage the attracting of predators and the spread of diseases that afflict animals in the Resort Village of Candle Lake.

Definitions:

3. a. "Animal Control Officer" means a person employed by the Resort Village of Candle Lake to enforce provisions of this Bylaw.
- b. "At Large" means a cat or dog that is off the premises of its owner, unless the animal is on a leash, not exceeding three meters in length and is under proper control, or is within a designated off-leash area and is under proper control.

- c. "Bees" means any of certain insects, which store up the pollen of flowers for food or that makes honey and wax.
- d. "Bylaw Enforcement Officer" means any person appointed as a Bylaw Enforcement Officer under Section 373 of The Municipalities Act.
- e. "Cat" a feline that is either male or female.
- f. "Court" means the Provincial Court of Saskatchewan established pursuant to the Provincial Court Act.
- g. "Dog" means canine either male or female.
- h. "livestock" means cattle, goats, horses, llamas, alpacas, sheep, or swine.
- i. "Municipality" means the Resort Village of Candle Lake.
- j. "Off Leash Area" means an area designated by the Resort Village of Candle Lake where dogs are permitted to be off leash, provided that they are under control.
- k. "Owner" includes:
 - i. a person who keeps, harbors or has possession, charge or control over an animal and:
 - ii. the person responsible for the custody of a minor where the minor is the owner of an animal.
- l. "Peace Officer" means any member of the Royal Canadian Mounted Police and any person appointed as a Bylaw Enforcement Officer under Section 373 of The Municipalities Act.
- m. "Poultry" means chickens, ducks, geese, turkeys, pheasants, partridge, pigeons, grouse, or peafowl.
- n. "Resident" means person or persons whose primary residence is in the Resort Village of Candle Lake.
- o. "Run" means a permanent structure outside of a residential dwelling unit solely for the containment of an animal.
- p. "Pound keeper" means an agreement with a person, organization or corporation for the purpose of participation in the enforcement of this bylaw or for the purposes of

providing pound keeping services to the Municipality.

q. "Wildlife" shall include any fur bearing mammal that is not normally domesticated, including but not limited to deer, elk, bear, coyotes, fox, lynx, mountain lions, and wolves and not otherwise permitted pursuant to S 4(1) of The Wildlife Regulations, 1981.

Identification Required:

4. No Resident or Non-Resident shall own or keep any cat or dog within the Resort Village of Candle Lake unless such cat or dog is identified who the owner is and an owner's contact information.

5. The identification tag shall be affixed to a collar worn by a cat or dog.

6. A Resident or Non-Resident in the Municipality who owns, possesses, or harbors a cat or dog and fails to have an identification tag with the owner's name and contact information shall be deemed guilty of an infraction of this Bylaw.

Regulations and Control of Cats and Dogs:

7. a. No owner of a cat or dog shall permit the cat or dog to be at large; except as provided in Section 8.

b. For the purpose of court proceedings to enforce the provisions of this Bylaw, if a cat or dog is found to be at large the owner shall be deemed to have permitted the cat or dog 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 cat or dog from being at large.

8. Notwithstanding Section 7., an owner may permit a dog to be at large in an Off Leash Area provided that the dog has not been proven to be dangerous by judicial proceedings and provided that the dog is supervised by the owner or a person on behalf of the owner in such a manner as to prevent any danger, risk or unreasonable interference with any person's lawful use or enjoyment of the area.

9. The provisions of the Bylaw shall not apply to a blind person who is the owner of a dog which is used for guide or seeing eye dog.

10. a. No person shall permit a cat or dog to be:

- i. Within 3 meters of any playground apparatus available for public use;
 - ii. In the Resort Village of Candle Lake Cemetery;
 - iii. In areas posted as prohibited.
 - b. This Section shall not apply to a person who owns and is physically reliant on a guide dog trained and used to assist such persons.
11. a. No property shall house more than five (5) cats over the age of six (6) months within the Resort Village of Candle Lake.
- b. Notwithstanding Clause 11(a), exceptions may be granted at the discretion of the Animal Control Officer for houses fostering cats through a non-profit animal rescue/welfare organization, provided the cats are not a nuisance.
12. a. No property shall house more than three (3) dogs over the age of six (6) months within the Resort Village of Candle Lake.
- b. Notwithstanding Clause 12(a), exceptions may be granted at the discretion of the Animal Control Officer for houses fostering dogs through a non-profit animal rescue/welfare organization, provided the dogs are not a nuisance.

Cleanup of Animal Feces:

13. a. If a cat or dog defecates on any public or private property other than the property of its owner, the owner shall remove the defecation immediately.
- b. This section shall not apply to a person who owns and is physically reliant on a guide dog trained and used to assist such a person.
14. a. An owner or occupant of private property must not allow animal feces to accumulate on their property which unreasonably interferes with the use and enjoyment of adjoining premises by owners and occupants.
- b. A Bylaw Enforcement Officer or Animal Control Officer may 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.

15. a. Where a cat or dog is housed or enclosed in a run, the owner shall ensure that the run is kept in a sanitary condition protecting the health and safety of the dog and/or cat and any other living being.
- b. An owner shall ensure that a cat and/or dog run on the owner's property is located no closer than two (2) meters to a property line.
- c. An owner shall ensure that a cat and/or dog run on the owner's property is constructed of material of sufficient strength and in a manner adequate to:
- i. confine the cat and/or dog;
 - ii. prevent the entry of children of tender years.
- d. If in the opinion of the Bylaw Enforcement Officer, the condition or location of a cat and/or dog run is not in accordance with this Bylaw, the Bylaw Enforcement Officer may order the owner of the property on which the cat and/or dog is located to clean, alter, demolish or relocate the run within the period specified in the order.
- e. The person to whom an order is issued pursuant to subsection (d) shall comply within the time specified in the order.
- f. An order to relocate a cat and/or dog run issued pursuant to subsection (b) will allow the owner of the property on which the run is located, at least thirty (30) days to relocate or remove the run.

Aggressive Animals:

16. The owner of an animal shall ensure that such animal shall not:
- a. Bite a person or persons, whether on the property of the owner or not.
 - b. Do any act to injure a person or persons, whether on the property of the owner or not.
 - c. Chase or otherwise threaten a person or persons, whether on the property of the owner or not, unless the person chased or threatened is a trespasser on the property of the owner.

d. Cause damage to property or other animals.

Interference:

17. No person shall:

- a. Untie, loosen, or free an animal which has been tied or restrained.
- b. Neglectfully or willfully open a gate, door or opening of a fence or enclosure in which an animal has been confined and thereby allow an animal to run at large in the Municipality.
- c. Tease, entice, bait or throw objects at a confined animal.

Impounding of Cats or Dogs:

- 18. a. A Bylaw Enforcement Officer, Pound Keeper or Peace Officer may seize and impound any cat or dog that is at large.
- b. A Bylaw Enforcement Officer, Pound Keeper or Peace Officer may enter onto the land surrounding any building in pursuit of any cat or dog which is found at large.
- c. The Council may, by resolution, enter into an agreement with any person or organization for the purpose of participation in the enforcement of this Bylaw or for the purpose of providing pound-keeping services.

Obstruction of Enforcement:

- 19. a. No person, including the person who is the owner of a cat or dog which is being impounded or has been impounded shall obstruct a Bylaw Officer, Peace Officer or Pound Keeper in the execution of their duties as provided in this Bylaw and the Dangerous Animal Bylaw.

Impoundment of Cats or Dogs:

- 20. a. Subject to the provisions of The Animal Control Bylaw, the Pound keeper shall keep

all impounded cat or dog for a period of ninety-six (96) hours, excluding the day of impounding.

b. During the period of time the owner may reclaim the cat or dog from the pound upon payment of the Pound Keeper fee, as per Schedule 1.

c. No unlicensed cat or dog which is impounded shall be released to its owner until a license has been purchased, as per Schedule 2.

d. If a cat or dog impounded is wearing a valid license tag the Pound keeper shall, as soon as possible, notify, by telephone or writing of the seizure of the cat or dog at the telephone number or address shown in the records. No liability whatsoever shall be attached to the Municipality or the Pound Keeper by reason of the failure of the owner to receive such notice.

e. If a cat or dog is not reclaimed within the period set out in subsection (a) or if the owner of a dog or cat fails or refuses to comply within this period and with the conditions set out in subsections (b) and (c), the Pound Keeper may sell or humanely destroy the cat or dog, as per Schedule 2.

Feeding of Wildlife:

21 a. No person shall intentionally feed a wild animal or leave food or attractants of any type or in any form out of doors in such a manner as to attract, or be accessible by a wild animal, feral or stray domestic animal on private or public property.

b. Section 21(a) does not apply to the feeding of songbirds on a property, provided the following feeding requirements are met by the owner or occupier:

(1) seed is placed in a bird feeding device that is sufficiently above grade as to not attract or be accessible by wild animals; and

(2) bird feeding practices do not attract large flocks of homing birds such as wild, feral or domestic pigeons; and

(3) spillage of seed upon the ground is removed by the property owner or occupier forthwith and disposed of in such a manner that it does not attract wild animals, feral or stray domestic animals

Exotic, Wild and Certain Domesticated Animals.

22. a. No Bees may be kept within the Resort Village of Candle Lake
- b. No Livestock can be raised or grazed within the Resort Village of Candle Lake.
- c. No Poultry can be raised, grazed, or free range within the Resort Village of Candle Lake.
- d. No Domesticated Rabbits shall be kept, caged, or free range on your property within The Resort Village of Candle Lake.

General Penalty:

23. a. Every person who contravenes any provision of this Bylaw is guilty of an offence and liable on summary conviction.
- i. In the case of an individual to a fine of not more than \$1,000.00 and
- ii. In cases of a corporation to a fine of not more than \$2,000.00.

Voluntary Payment to Avoid Prosecution:

24. a. A person who contravenes Section 4, 5, 6, 7, 8, 9, 12,13, 14, 15, 16, 17, 19, 21 upon being served with a "Notice of Violation" as prescribed by the Municipality may voluntarily pay the prescribed penalty in Schedule 2 at the Administration Office of the Municipality.
- b. If the Municipality receives voluntary payment of the prescribed penalty within ten (10) days, excluding the date of the Notice of Violation, the person receiving the Notice of Violation shall not be liable to prosecution for the alleged contravention.
- c. Nothing in this Section shall be construed to prevent any person from exercising the

right to defend a charge for a contravention of this Bylaw

d. A Notice of Violation may be issued by a Bylaw Enforcement Officer or a Peace Officer.

e. A person to whom a Notice of Violation is being issued under this Section shall, upon request by the person issuing the Notice of Violation, provide their name, address and date of birth. Any person who fails to provide this information is guilty of an offence and liable on summary conviction to the penalty contained in Section 24.

MISCELLANEOUS

Designated Pound keeper:

25. The Administrator of the Resort Village of Candle Lake may from time to time, as the need arises, appoint a designated Pound keeper.

Animal Abandonment:

26. a. No person shall willfully fail to provide shelter or care to an animal in such a way as to desert or abandon such animal for which that person is an owner.

b. No person shall willfully fail to claim an animal that is being held by the Pound Keeper and for which he is an owner.

Appointment of Bylaw Enforcement Officer:

27. a. A Peace Officer shall be deemed and is appointed to be a Bylaw Enforcement Officer under Section 373 of The Municipalities Act.

b. A Bylaw Enforcement Officer appointed by the Municipality and under this Section may enforce the Bylaw within the Municipality and may perform other duties that may be imposed by another bylaw regarding the control, licensing, and regulation of animals.

c. A Pound Keeper shall be a designated Bylaw Enforcement Officer for the purpose of this Bylaw.

Severability:

28. If any section, subsection, sentence, clause, phrase, or 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.

Repeal:

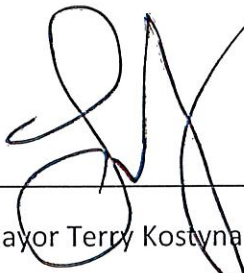
29. Bylaw No. 09-2022 are hereby repealed.

This bylaw shall come into effect upon final reading of Council.

Introduced and read for the first time this 21 day of March 2024.

Read for the second time this 21 day of March 2024.

Read for the third time and adopted this 21 day of March 2024.

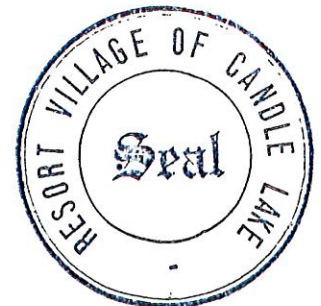


Mayor Terry Kostyna

BYLAW NO. 08-2024



Chief Administrator Brent Lutz



CERTIFIED TRUE COPY
BK

SCHEDULE 1:

Pound Fee:

Care and sustenance fee - \$30.00 per day

or a portion thereof commencing at 12:00 a.m. on the day
immediately following the day of impoundment.

Euthanasia Fee \$500.00 (If required)

Please see the Fees and Charges Bylaw

SCHEDULE 2:

VOLUNTARY SECTION OFFENCE PENALTY PAYMENT

Section 4	FAILURE TO HAVE AN IDENTIFICATION TAG	\$100
Section 5&6	FAILURE TO ATTACH A VALID IDENTIFICATION TAG TO COLLAR	\$100
Section 7	CAT OR DOG AT LARGE	\$100
Section 10	CAT OR DOG IN PROHIBITED AREA	\$100
Section 13	FAILURE TO REMOVE CAT OR DOG EXCREMENTS FROM PUBLIC OR PRIVATE PROPERTY	\$100
Section 14	ALLOW ANIMAL FECES TO ACCUMULATE ON PRIVATE PROPERTY	\$100
Section 15	FAILURE TO CLEAN, ALTER, DEMOLISH OR RELOCATE CAT AND/OR DOG RUN	\$100
Section 16	(a) BITING PERSON OR ANIMAL	\$300
	(b) INJURING A PERSON OR ANIMAL	\$300
	(c) CAUSING DAMAGE	\$300
Section 17	(a) UNTIE OR FREE ANIMAL	\$300
	(b) WILFULLY OPEN CAGE OR DOOR	\$300
	(c) TEASE OR THROW THINGS AT CONFINED ANIMAL	\$300
Section 19	INTERFERENCE WITH ENFORCEMENT SECOND OFFENCE:	\$300
Section 21	FEEDING OF WILDLIFE	First Offence \$100

Second Offence	\$250
Third or there after Offence	\$500

Section 22 EXOTIC, WILD, AND CERTAIN DOMESTICATED ANIMALS

Bees	First Offence	\$100
	Second Offence	\$250
	Third or there after Offence	\$500
Livestock	First Offence	\$100
	Second Offence	\$250
	Third or there after Offence	\$500
Poultry	First Offence	\$100
	Second Offence	\$250
	Third or there after Offence	\$500
Rabbits	First Offence	\$100
	Second Offence	\$250
	Third or there after Offence	\$500

All penalties and voluntary payments shall double for any person receiving second offence within thirty days of first offence.