

**VILLAGE OF LIPTON
BYLAW #1, 2012**

A BYLAW TO LICENSE, AND TO PROHIBIT THE RUNNING AT LARGE OF, DOGS
The Council of the Village of Lipton, in the Province of Saskatchewan, enacts as follows:

1. This Bylaw may be cited as the Dog Bylaw of the Village of Lipton.

Interpretation

2. For the purpose of this bylaw the expression:
 - (a) **“Bylaw enforcement officer”** shall mean the Administrator, Maintenance men or dog catcher of the Municipality, or a Police Officer.
 - (b) **“administrator”** shall mean the administrator of the municipality;
 - (c) **“council”** shall mean the council of the municipality;
 - (d) **“dangerous dog”** shall mean
 - (i) any dog which without provocation, in a vicious or menacing manner, chased or approached a person or domestic animal in an apparent attitude of attack;
 - (ii) 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;
 - (iii) any dog which is primarily or in part for the purpose of dog fighting or is trained for dog fighting; but shall not include:
 - (i) any dog acting in the performance of police work; or
 - (ii) any dog working as a guard dog on commercial property:
 - (1) securely enclosed on the property by a fence or other barrier sufficient to prevent the escape of the dog and the entry of children of tender years; and
 - (2) defending that commercial property against a person who was committing an offense.
 - (e) **“dog”** shall mean any carnivorous quadruped of the genus Canis either male or female.
 - (f) **“dog run”** shall mean a structure designed ad/or used for the keeping or containment of a dog;
 - (g) **“municipality”** shall mean the Village of Lipton;
 - (h) **“owner”** shall include a person who owns or who has possession of, or control over a dog; and includes a keeper of a dog.
 - (i) **“pound”** shall mean such premises and facilities as may be designated by council, from time to time, as the pound;
 - (j) **“pound keeper”** shall mean the person appointed as pound keeper by the council of the municipality;
 - (k) **“prohibited dog”** shall mean any vicious dog.
 - (l) **“running at large”** shall mean when the dog is beyond the boundaries of the land occupied by the owner 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 by being
 - (i) in the direct and continuous charge of a person competent to control it by means of a leash or chain suitable to the animal’s size and strength, not exceeding two meters in length.
 - (ii) securely confined within an enclosure; or
 - (iii) securely fastened so that it cannot roam at will.

License

3.
 - (a) Every person within the municipality who owns, possesses, or harbours a dog over three months old shall obtain a license from the Village Office.
 - (b) The license shall be in effect from the date of purchase until the dog is deceased or is permanently removed from the municipality.

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- (c) A license is not transferable from one dog to another.
- (d) The license fee shall be **\$10.00** for each dog.
- (e) Every person to whom a license has been issued under this bylaw shall cause his animal to wear a collar to which shall be attached the license tag issued by the municipality pursuant to this bylaw.
- (f) No license shall be issued for a dog kennel and no person shall be permitted to harbour more than two dogs over the age of three (3) months; in one building or residence; at any time within the boundaries of the municipality.
- (g) Every person requested by the Administrator or appointed person to do so shall forthwith deliver to him/her a statement in writing of the number of dogs owned by him.

Control of Animals

- 4. No person that is the owner of a dog shall allow the dog to run at large in the municipality.
- 5. No person being the owner of a dog shall permit the same to create a noise or disturbance to the annoyance or discomfort of other persons residing in the neighborhood or to the public at large.
- 6. No person shall keep a dog within the municipality, tethered on a chain, rope or similar restraining device of less than 3 metres in length and shall ensure the animal has unrestricted movement within the range of the tether.
- 7. (a) No person shall keep or harbour a dangerous dog. Upon complaint that a dog in the municipality is dangerous; all procedures outlined in *Sections 374-380 inclusive* of the *Municipalities Act* shall be followed.

(b) No person shall keep a prohibited dog in the municipality and where such dogs are reported to be and/or found to be in the municipality by a Police Officer, the officer shall forthwith seek out and order the owner to immediately remove the dog from the municipality or destroy it. Any person failing to comply with such order shall be liable to a penalty of **\$100.00 for every day** during which such failure continues in addition to any penalties that may be imposed under **Section 12** of this Bylaw by the Magistrate hearing the complaint.
- 8. Any animal found running at large that **attacks or bites** a person shall be, at the owner's Expense:
 - (1) destroyed in accordance with any order or recommendation by a medical health officer; or
 - (2) permanently removed from the municipality.

Litter

- 9. (a) If a dog defecates on any public or private property within the Village of Lipton other than on the property of its owner, the owner of the dog shall cause the defecation to be removed immediately.

(b) Any person owning or occupying property in the Village of Lipton shall remove any and all defecation from the said property on a weekly basis and shall dispose of the defecation in a sanitary manner.

(c) Failure to cause the removal of defecation as required by subsection (a) or (b) of this section shall be a breach of this Bylaw.

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Dog Run

10. (a) Where a dog is housed in a dog run, the Owner shall ensure that the dog run is kept in a sanitary condition protecting the health and safety of the dog and any other living being.
- (b) An Owner shall ensure a dog run on the Owner's property is located no closer than 2 (two) metres to a property line and **shall not** be placed in the front yard of a dwelling unit.
- (c) An Owner shall ensure that a dog run on the Owner's property is constructed of material of sufficient strength and in a manner adequate to:
 - (i) confine the dog; and
 - (ii) prevent the entry of children of tender years.

Rabies Control

11. (a) When an animal has bitten a person and/or is suspected of being rabid or has been in contact with a rabid animal, the Medical Health Officer and a veterinarian of the Health of Animals Branch, Department of Agriculture, shall be notified immediately. Where the veterinarian of the Health of Animals Branch is not available, the report shall be made to the local veterinarian or a Police Officer.
- (b) A Medical Health Officer or licensed veterinarian or Police Officer having cognizance that an animal is dangerous or might have been exposed to rabies may order that: The person owning or harbouring or having in his possession such animal, whether vaccinated or not against rabies, shall keep it under confinement at a place acceptable to the veterinarian of the Health of Animals Branch, Department of Agriculture for a period of at least two weeks or until such time as the suspicion of rabies has been confirmed or refuted.
- (c) Where in the opinion of the Medical Health Officer and the district veterinarian, Health of Animals Branch, Department of Agriculture, rabies infection has reached proportions where mass vaccination is indicated, every person who own or harbours or has in his possession within the municipality any animal susceptible to rabies shall cause such animal to be inoculated against rabies.
- (d) A certificate issued by a qualified veterinarian to the effect that an animal has been inoculated against rabies shall be prima facie evidence that such animal has been so inoculated.

Infraction of Bylaw

12. (a) A person who owns, possesses, or harbours an animal found running at large shall be deemed guilty of an infraction of this bylaw and shall be liable to the penalties hereinafter provided.
- (b) A person, residing in the municipality who owns, possesses, or harbours a dog, and neglects or refuses to act in accordance with any of the provisions of this Bylaw shall be deemed guilty of an infraction of this Bylaw and shall be liable to the penalties hereinafter provided.

Dog Catching, Impoundment and Redemption

13. (a) Any person may take any dog found running at large contrary to the provisions of this bylaw to the Village pound, where it shall be kept for three days unless the owner, possessor, or harbourer takes out a license and redeems the dog by paying to the village the current costs per day charged by the pound for the care and keep of the dog, for each day impounded and a fine of:
 - (i) **\$100.00 for a first offence**
 - (ii) **\$200.00 for a second offence in the same calendar year**

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(iii) \$500.00 for a third offence and thereafter in the same calendar year.

- (b) The bylaw enforcement officer may enter onto the land surrounding any building in pursuit of any dog which has been observed to be at large.
- (c) The Administrator/pound keeper may sell any dog which is not redeemed within three days, provided that the purchaser thereof obtains a license if the purchaser is a resident of the municipality.
- (d) The Administrator/pound keeper, or any other designated person, may destroy any dog which has not been redeemed within three days.

Penalties

14. (a) Every owner who commits a breach of Section 3(a), 3(e), 3(f), 4, 5, 6, 9(a), 9(b), 9(c), 10 (a), 10(b) or 10(c) of this Bylaw shall be guilty of an offense and liable to a penalty of:

	<i>First Offense</i>	<i>Second Offense</i>	<i>Third and Subsequent Offense</i>
Section 3(a)	\$50.00	\$100.00	\$200.00
Section 3(e)	\$50.00	\$100.00	\$200.00
Section 3(f)	\$50.00	\$100.00	\$200.00
Section 4	\$50.00	\$100.00	\$200.00
Section 5	\$50.00	\$100.00	\$200.00
Section 6	\$50.00	\$100.00	\$200.00
Section 9(a)	\$50.00	\$100.00	\$200.00
Section 9(b)	\$50.00	\$100.00	\$200.00
Section 9(c)	\$50.00	\$100.00	\$200.00
Section 10(a)	\$50.00	\$100.00	\$200.00
Section 10(b)	\$50.00	\$100.00	\$200.00
Section 10(c)	\$50.00	\$100.00	\$200.00

- (b) A violator of this Bylaw, upon being served with a Notice of Violation, may during office hours, voluntarily pay the penalty at the Village Office. Compliance with such notice within the period of time prescribed therein shall relieve such owner from liability to prosecution in respect of such offense.
 - (c) The Notice of Violation shall be in Form "A", attached to and forming part of this Bylaw.
 - (d) If an owner in contravention of this Bylaw does not voluntarily pay the penalty provided in subsection (a) hereof within seventy-two (72) hours, excluding holidays, Saturdays and Sundays, of being served a notice of Violation, the said person shall be liable on summary conviction to the penalty prescribed in Section 11 hereof, and in no case shall the penalty imposed be less than that prescribed in subsection (a) above.
 - (e) At the discretion of the bylaw enforcement officer, a warning ticket may be issued for contravention of any of the provisions of this bylaw.
15. Except as provided in Section 14(b) of this Bylaw every person who is found to be guilty of an infraction of any provisions of this Bylaw shall be liable on summary conviction to:
- (a) a fine of not less than \$1,000.00 and not more than \$10,000.00;
 - (b) imprisonment for not more than six months;
 - (c) a penalty consisting of any combination of clauses (a) or (b).

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Severability

16. If a portion of this bylaw is found by a court of competent jurisdiction to be invalid, the invalid portion will be voided, and the rest of the bylaw remains valid and effective.
17. Bylaw #4, 2008 is hereby repealed.

Marius D. Heel
MAYOR

M. Bausmer
ADMINISTRATOR



Certified a true copy of the bylaw
adopted by resolution of the Council
of the Village of Lipton
on the 16th. day of May, 2012

M. Bausmer

Marlene L. Bausmer, Administrator

FORM A
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NOTICE OF VIOLATION

VILLAGE OF LIPTON

NAME: _____

ADDRESS: _____

POSTAL CODE: _____

DETAILS OF OFFENCE: _____ A.M.

DATE: _____, TIME: _____ P.M.

LICENCE NO. _____

DESCRIPTION OF VIOLATION: _____

LOCATION OF VIOLATION: _____

You are charged with violation of Bylaw No. _____

Section(s) _____

Penalty for the above violation: \$ _____

Special Constable/Bylaw Enforcement
Officer/Designated Official

You may make voluntary payment of the above penalty at the Lipton Village Office during regular office hours or by mail within three (3) days from the date of service of this notice of violation.

If you do not make a voluntary payment within the time set out above, you shall be liable to prosecution and, upon summary conviction; you shall be liable to the penalty provided under Section 15 of the said bylaw.