

## RESORT VILLAGE OF MANITOU BEACH

### BYLAW NO. 13/2001

A bylaw of the Resort Village of Manitou Beach to amend Bylaw No. 84/71.

WHEREAS, The Urban Municipality Act S. S. 1983-84 c. U-11 as amended, provides that a Council may by bylaws.

- (a) License any animal or class of animal;
- (b) Regulate and control persons owning or harbouring any animal, or prohibit the harbouring of any animal or class of animal within the Urban Municipality or any specified portion of the Urban Municipality,
- (c) Restrict, within the Urban Municipality or any specified portion of the Urban Municipality:
  - i) The number of animals or of any class of animal that may be kept by any person.
  - ii) The number of animals or of any class of animal that may be kept in or about any dwelling unit or class of dwelling units, as defined in the bylaw
- (d) Regulate establishments for the breeding or boarding of any animal or class of animal within the Urban Municipality or any specified portion of the Urban Municipality.
- (e) Classify animals for licensing purposes, establish a schedule of fees to be paid by persons owning or harbouring animals, which fees may vary as between the different classifications or animals, and require a person owning or harbouring an animal to disclose the number and class of animals kept on or in his land or buildings.
- (f) Regulate or prohibit the running at large of animals or any class of animals in the whole or any part of the Urban Municipality and prohibit any person who owns any such animal from allowing it to run at large.
- (g) Provide for seizing and impounding animals running at large within the boundaries of the Urban Municipality and determine the compensation to be allowed for carrying out the provisions of the bylaw and for services rendered with respect to and sustenance supplied for, animals seized or impounded;
- (h) Provide for the sale, destruction or other disposition of animals impounded or seized if they are not claimed within a time specified in the bylaw or if the claimant does not comply with any conditions and respecting payment of costs, expenses and removal within that time.
- (i) For the purposes of clauses (f) and (g), define, enlarge or restrict the meaning of the phrase "running at large";

NOW THEREFORE, The Council of the Resort Village of Manitou Beach enacts as follows:

1. In this Bylaw:

- (a) "Administrator" means the Administrator of the Resort Village of Manitou Beach, and such person or persons as he may from time to time appoint in writing to act on his behalf in the enforcement of the licensing provisions of this bylaw;
- (b) "Animal Control Officer" means that person(s) appointed by the Mayor and Administrator for the purposes of this Bylaw;
- (c) "Council" means the Council of the Resort Village of Manitou Beach.
- (d) "Dogs" or "Cats" includes all species of the animals commonly known as dogs family canidae or cats, family felis domestica male or female, and of every breed or classification or mixture of breeds;
- (e) "Kennel" means any structure used by any person for boarding or otherwise caring for training or helping dogs or cats exceeding three (3) dogs or cats in number over the age of three (3) months, whether or not for reward but does not include:
  - i) Any premises occupied by a duly qualified veterinary surgeon for the practices of his profession or

- ii) The dwelling house of an ordinary member of the Canadian Kennel Club, where the total number of dogs or cats kept by the member does not exceed (5) in number, and not more than three (3) of the dogs or cats are kept outside the dwelling house;
- (f) "License Year" means the period from January 1<sup>st</sup> to December 31<sup>st</sup> of the same year, both dates inclusive;
- (g) "Judge" means a Provincial Court Judge;
- (h) "Medical Health Officer" means the Medical Health Officer for the Resort Village of Manitou Beach;
- (I) "Owner" includes:
- i) A person, persons, partnership, association or corporation who keeps possesses, harbours; or has care of or control of a dog or cat;
  - ii) The person responsible for the custody of a minor where the minor is the owner of a dog or cat;
- but does not include:
- iii) A veterinarian registered pursuant to The Veterinarian Act, 1987 who is keeping or harbouring a dog or cat for the preservation of the animal or diagnosis or treatment of a disease or an injury to the cat or dog;
  - iv) The Resort Village of Manitou Beach or the Saskatchewan Society for the Prevention of Cruelty to Animals in respect of an animal shelter or impoundment facility operated by it;
- (j) "Pound" means such premises and facilities as may be designated by the Resort Village, from time to time, as the pound;
- (k) "Pound Keeper" means a person, persons, corporations, society, associations designated by the Resort Village from time to time to maintain and administer the pound;
- (l) "Running at Large" means 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 or cat 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 meters in length;

#### PART I - LICENSING OF DOGS AND CATS

2. No owner of any dog or cat shall be in possession of such dog or cat unless such dog or cat has been licensed for the current license year. No dog or cat under the age of 3 months shall require a license. The license shall not be transferable to any other dog or cat or other owner.
3. The owner of every dog or cat shall apply to the administrator on or before January 1 of each year for a license to keep such dog or cat within the Resort Village, tendering with such application, the required annual fee therefore, according to Schedule "A" attached to this Bylaw and upon the receipt thereof the Administrator shall issue license and a tag for each dog or cat by the owner.
4. The provisions of Section 2 and 3 shall not apply to dogs and cats kept, in the ordinary course of business by the proprietors of the following premises namely;
  - i) A veterinary hospital, clinic, boarding kennel or grooming parlor;
  - ii) A public pound;
  - iii) A shop whose business includes the sale of pets and is licensed as such;
  - iv) A shelter operated by an association or society incorporated for the purposes of the protection and humane treatment of animals;
  - v) Used for police work
  - vi) Seeing Eye Dog

5. The owner or possessor of a kennel whose kennel name is registered in the register of the Canadian Kennel Club may in lieu of procuring a license for each dog as hereinbefore required, pay the Village the sum of \$50.00 as the license fee for all dogs in such kennel. Such license shall cover all the registered dogs composing such kennel for the year in which such fee is paid. In applying for a license for such kennel, the person making the application must produce a certificate from the Canadian Kennel Club showing that such kennel has been registered. In all other respects the owner of such kennel shall comply with the provisions of this Bylaw.
6. All license fees required to be paid under this Bylaw shall be paid to the Administrator of Manitou Beach, located at the Village Office, Manitou Beach.
7. The tag issued by the Administrator shall bear a serial number in which it is issued and a record shall be kept by the Administrator showing the name and address of the owner and a description of each dog or cat owned by him including its breed, colour, age, sex and name and the serial number of the tag issued for each dog or cat.
8. The owner shall ensure that a collar, and the tag issued by the Administrator, are worn by the dog or cat when the animal is off the premises of the owner.
9. No unauthorized person shall remove a collar or dog or cat tag from a dog or cat.

## PART II - IMPOUNDING OF DOGS AND CATS

10. No owner shall permit any dog or cat to be running at large in the Resort Village of Manitou Beach.
11. For the purpose of impounding any dog or cat found running at large in the Resort Village of Manitou Beach, a pound shall be established at such place or places as may from time to time be designated by the Council. Council shall from time to time appoint one or more Pound Keepers, and fix their remuneration.
12. The Animal Control Officer or any peace officer may, capture or seize any dog or cat by any method authorized by Council found running at large contrary to the provisions of this bylaw, and shall deliver such dog or cat to the pound, and it shall be kept for seventy-two (72) hours and if not claimed and redeemed by the owner, the dog or cat may be sold for the cost of boarding, vaccination against rabies and if applicable, license fees, but if such impounded dog or cat is not claimed and redeemed or sold within a period of ninety-six (96) hours, from the time of impoundment, the said dog or cat may be destroyed or disposed of by the Pound Keeper. When any dog or cat is captured and impounded the Administrator shall post a notice on the Notice Board at the Manitou Beach Village Office giving a description of the said dog or cat, the date when it was impounded and the date and hour when it will be sold or destroyed. Such notice shall be posted seventy-two (72) hours before the said sale or destruction. Hours used in this section shall not include the hours between 5:00 p.m. of any Friday, until 8:00 a.m. of the following Monday nor the twenty-four hours of any other day celebrated in the Resort Village of Manitou Beach as a holiday.
13. Pound fees shall be prescribed in Schedule "A", and shall be in addition to any charges for food or otherwise, that the Animal Control Officer may need.

## PART III - DUTIES OF DOG AND CAT OWNERS

14. Any owner, whose dog or cat chases any pedestrian, vehicle, horse or any other animal on a public thoroughfares shall be in violation of this Bylaw.
15. A female dog or cat in heat shall be confined and housed in the residence of the owner or person having control of the dog or cat, or taken to a licensed kennel during the whole period that the dog or cat is in heat, except that a female dog or cat be allowed outside the residence for the sole purpose of permitting the dog or cat to defecate on the premises of the owner.
16.
  - (a) If a dog or cat defecated on any public or private property other than the property of its owner, the owner or keeper shall cause such feces to be removed immediately

(b) Where, under Subsection (a) of this Section, the owner of the dog or cat fails to remove such feces immediately, the owner shall be in violation of this Bylaw.

(c) Section 16 (a) and (b) shall not apply to an owner who is a blind person and who is using the dog in question for a guide or "seeing-eye" dog.

17. No owner or keeper shall permit his or her dog or dogs or cat or cats to damage public or private property other than that of the owner or keeper.

18. No household in the Resort Village of Manitou Beach, shall harbour or possess cats and dogs to a greater number than six animals.

19. Every person requested by the Administrator to do so shall forthwith deliver to him a statement in writing of the number of dogs or cats owned by him. To refuse to give such statement shall be a violation of this bylaw.

#### PART IV – GENERAL

20. Any person teasing a dog or cat, enticing a dog or cat, baiting or throwing objects at a dog or cat confined within its owner's property shall be in violation of this Bylaw.

21. The operation of any kennel within the Resort Village be subject to approval from the Medical Health Officer for the Village and the kennel shall comply with the provisions of any Resort Village of Manitou Beach Zoning Bylaw relating to the operation of kennels within the Resort Village.

22. The Pound Keeper shall keep a record of all dogs and cats impounded and of the disposition made of same and shall make an annual return to the Administrator.

23. The Administrator shall institute a proper accounting system to insure that official receipts are issued in respect of any license fees, pound fees or charges, or other monies received or collected in respect of this Bylaw, and that all records in respect to same are audited at the same time as other Resort Village records.

24.

(a) Any owner whose dog or cat has bitten or attempted to bite a person in the Resort Village of Manitou Beach is guilty of an offense and liable on summary conviction to the penalties prescribed in this Bylaw.

(b) If a person is convicted of an offense under Section 24(a) of this Bylaw and it appears to the Judge of the Justice of the Peace hearing the complaint that the dog or cat is dangerous, the Judge or Justice of the Peace may make an order.

i) Directing that the dog or cat be kept by the owner or keeper under proper control; or

ii) Directing that the dog or cat be destroyed; or

iii) When a Judge or Justice of the Peace orders that a dog or cat be destroyed, he may, by the same order direct the appropriate authority to destroy the dog or cat.

In addition to assessing any fine upon conviction.

25.

(a) Any owner whose dog or cat has bitten, killed or destroyed any other animal in the Resort Village of Manitou Beach is guilty of an offense and liable on summary conviction to the penalties prescribed in this Bylaw.

(b) If a person is convicted of an offense under Section 25(a) of this Bylaw and it appears to the Judge or the Justice of the Peace hearing the complaint that the dog or cat is dangerous, the Judge or Justice of the Peace may make an order.

i) Directing that the dog or cat be kept by the owner or keeper under proper control; or

ii) Directing that the dog or cat be destroyed; or

- ii) When the Judge or Justice of the Peace orders that a dog or cat be destroyed, he may be the same order direct the appropriate authority to destroy the cat or dog;

In addition to assessing any fine upon conviction.

26. Notwithstanding Section 24 and 25 of this Bylaw, where any dog or cat is suspected of having rabies, such dog or cat 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 Resort Village of Manitou Beach whose instructions shall be carried out.
27. In cases of emergency for any cause, but more particularly for infectious disease cause by dogs or cats, the Medical Health Officer is hereby authorized to order that no owner or other person shall suffer or permit his or her dog or cat to be on any place beyond or outside the boundary of the place of the dwelling of the owner or other person at any time, whether on a leash or under proper control, until such order is revoked or cancelled, and the Medical Health Officer may order compulsory inoculation of dogs or cats.
28. Every dog or cat that is found off the premises upon which it is habitually kept, without a tag and not under the control of any person, may be destroyed by the Animal Control Officer or designate.
29. Every owner of a dog or cat shall not permit his dog or cat to be or become a nuisance by barking or howling or emitting other sounds if such sounds can be easily heard by a person not situated on the property where the dog or cat is situate.
30. No person, whether or not he is the owner of a dog or cat which is being or has been pursued or seized shall;
- (a) Interfere with or attempt to obstruct a Pound Keeper, Animal Control Officer or Peace Officer who is attempting to seize or who has seized any dog or cat in accordance with the provisions of this bylaw;
  - (b) Unlock or unlatch or otherwise open the van or vehicle which any dog or cat seized under this bylaw has been placed so as to allow or attempt to allow any dog or cat to escape therefrom; or
  - (c) Remove or attempt to remove any dog or cat from the possession of the Pound Keeper, Animal Control Officer or Peace Officer.

#### PART V – PENALTY PROVISIONS

- 31.
- (a) Pursuant to Section 24 (a) of this Bylaw, any owner whose dog or cat has bitten or attempted to bite any person in the Resort Village of Manitou Beach is liable on summary convictions to the following penalties;
    - i) Where the Judge has directed that the dog or cat be kept by the owner or keeper under proper control a fine of not more than \$200.00
    - ii) Where the Judge has directed that the dog or cat be destroyed, a fine of not more than \$200.00
  - (b) Any person who fails to comply with an order made under Subsection 24(b) is guilty of an offense and is liable to a fine of not more than \$250.00 per day for each day during which the offense continues.
- 32.
- (a) Pursuant to Section 25(a) of this Bylaw, any owner whose dog or cat has bitten, killed or destroyed any animal in the Resort Village of Manitou Beach is liable of summary conviction to the following penalties.
    - i) Where the Judge has directed that the dog or cat be kept by the owner or keeper under proper control a fine of not more than \$200.00
    - ii) Where the Judge has directed that the dog or cat be destroyed, a fine of not more than \$200.00

- (b) Any person who fails to comply with an order made under Subsection 25(b) is guilty of an offence and is liable to a fine of not more than \$200.00 per day for each day during which the offence continues.

33.

- (a) Every person who contravenes any provision of this Bylaw where no other penalty is provided, is guilty of an offence and liable on summary conviction and to a fine of not more than;
- i) \$60.00 in the case of an individual
  - ii) \$60.00 in the case of a corporation
- (b) All fines, penalties and forfeitures mentioned in this Bylaw may be recovered and enforced with costs by summary conviction before a Judge and, in default of payment, the person convicted may be imprisoned for a term of not more than 90 days, unless the fine or penalty are paid sooner.
- (c) This bylaw may be enforced and the contravention of any provisions of the bylaw restrained, by any court on action brought by the Resort Village of Manitou Beach whether or not any penalty is imposed for the contravention.
- (d) Conviction of a person for a contravention of any provision of this bylaw does not relieve him from compliance with the bylaw, and the convicting Judge or Justice of the Peace shall, in addition to any fine imposed, order the person to perform within a specified period any act or work necessary for the proper observance of the bylaw or to remedy the contravention of bylaw.
- (e) A person who fails to comply with an order made pursuant to subsection (d) hereof with the period specified in the order, is guilty of an offence and liable on summary conviction to a fine of not more than \$200.00 for each day during which the failure continues, to imprisonment for a term of not more than 90 days or to both such fine and imprisonment.

34.

- (a) Notwithstanding Sections 31, 32, and 33 where an animal control officer or peace officer believe that a person has contravened the provisions of Sections 2, 8, 9, 10, 11, 14, 15, 16(b), 17, 18, 19, 20, 27, 29, 30 or any other provisions of this bylaw, he may personally serve or cause to be served upon such person a notice of violation in Form A as provided by this Section.
- (b) The notice of violation in Form A shall be in a form similar to provided as Form A of this bylaw and shall indicate thereon the Section of the bylaw which was contravened and the amount of penalty to be paid as provided in Schedule B of this bylaw.
- (c) The notice of violation in Form A shall be in a form similar to provided as Form A of this bylaw and shall indicate thereon the Section of the bylaw which was contravened and the amount of penalty to be paid as provided in Schedule B of this bylaw;
- (d) Upon production of the notice of violation in Form A issued pursuant to subsection (a) within seven (7) days from the date of service together with payment as indicated on the notice of violation in Form A to the person whom the notice of violation was issued shall not be liable for prosecution for the contravention in respect of which the notice of violation in Form A was given.
- (e) If payment is not received as provided in subsection (c) hereof within the time prescribed, a summons shall be issued to the person alleged to have committed the offence and thereafter the provisions of this section shall not apply with respect to that offence. A person to whom a notice of violation in Form A is being issued pursuant to this section shall furnish any Animal Control Officer or Peace Officer, upon request, with his name and address.

35. Bylaw 84/71 is hereby repealed.

36. This Bylaw comes into force and effect on the date of final reading.



RESORT VILLAGE OF MANITOU BEACH

  
MAYOR

  
ADMINISTRATOR

READ a first time this 18 day of July, A.D., 2001.

READ a second time this 18 day of July, A.D., 2001.

READ a third time and adopted this 18 day of July, A.D., 2001.

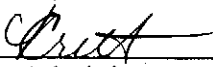
  
ADMINISTRATOR

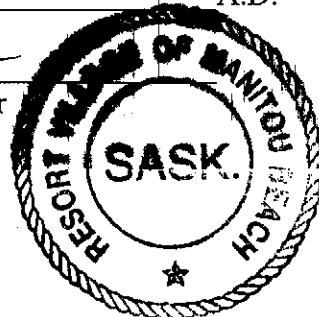
Certified a true copy of

Bylaw # 13/2001 passed by Council on

July 18, 2001

A.D.

  
Administrator



**SCHEDULE "A" TO BYLAW NO. 13/2001**

<b>DOGS AND CATS</b>	<b>LICENSE FEE</b>
<b>1. All dogs and cats</b>	<b>\$10.00</b>
<b>Duplicate license</b>	<b>\$ 2.00</b>
<b>License Transfer</b>	<b>\$ 2.00</b>
<b>POUND FEES</b>	
<b>All dogs and cats - first offense in a calendar year</b>	<b>\$100.00</b>
<b>- second offense &amp; every offense thereafter in a calendar year</b>	<b>\$100.00</b>

**Pursuant to Section 4 and Section 12 of Bylaw No. 84/71, the License Fees and Pound Fees prescribed in this Section are in addition to \$5.00 the Pound Keeper may impose.**



**SCHEDULE "B"**

**THE PENALTY, PURSUANT TO SECTION 28 FOR A PERSON WHO HAS  
CONTRAVENED THE PROVISION OF SECTION 2, 8, 9, 10, 14, 15, 16(b), 17, 18, 19, 20, 27,  
29, or 30 SHALL BE \$60.00**

BYLAW NO.13/2001

FORM "A"  
NOTICE OF VIOLATION OF BYLAW NO. \_\_\_\_\_

RESORT VILLAGE OF MANITOU BEACH  
VOLUNTARY PAYMENT OF FINE

DETAILS OF VIOLATION

Name of Owner: \_\_\_\_\_  
Address of Owner: \_\_\_\_\_

On the \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_ at Manitou Beach, Saskatchewan at \_\_\_\_\_  
did unlawfully commit the following offence under the Resort Village of Manitou Beach Animal  
Control Bylaw No. \_\_\_\_\_, Section No. \_\_\_\_\_.

Description of Offence: \_\_\_\_\_  
\_\_\_\_\_

Location of Violation: \_\_\_\_\_  
\_\_\_\_\_

Description of Dog or Cat: \_\_\_\_\_  
\_\_\_\_\_

Please pay as indicated

Penalty for the above infraction: \_\_\_\_\_

Issued By: \_\_\_\_\_

Date of Issue: \_\_\_\_\_

The Voluntary Penalty may be paid at the Resort Village of Manitou Beach, Village Office,  
Voluntary Payment of the fine within seven (7) days after service of this Notice of Violation  
upon the owner results in the owner not being liable for prosecution for the offense.

Failure to remit the fine within seven (7) days after service of this Notice of Violation may result  
in issuance of a Summons.