

## RESORT VILLAGE OF PELICAN POINTE

### Bylaw No. 1/2001

#### A BYLAW TO REGULATE DOGS AND CATS

**WHEREAS** There is deemed to be a requirement to control the running at large of dogs and cats in the Resort Village of Pelican Pointe so as to protect the amenities of the area and the health, safety and general welfare of the inhabitants, and

**WHEREAS** the Resort Village of Pelican Pointe has authority to enact local bylaws under Section 83 of the Urban Municipality Act (1984)

**THEREFORE** The Council of the Resort Village of Pelican Pointe in the Province of Saskatchewan enact as follows:

#### 1.0 INTERPRETATION:

1.1 For the purpose of the bylaw the expression:

- a) "dog" means a domesticated animal, either male or female, usually kept as a pet
- b) "cat" means a domesticated animal, either male or female usually kept as a pet
- c) "running at large" shall mean when the dog or cat is beyond the boundaries of the land occupied by the owner, possessor, or harbinger of the said dog or cat, 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 direct and continuous charge of a person competent to control it, or
  - ii Securely confined within an enclosure; or
  - iii Securely fastened so that it cannot roam at will.
- d) "nuisance" with reference to dogs includes, fighting with other dogs or cats, excessive barking day or night, defecating or spraying on private and/or public property and/or generally trespassing on private property.
- e) "nuisance" with reference to cats includes, fighting with other dogs or cats, howling or hissing, night, defecating or spraying on private and/or public property, digging in flower beds or garbage containers, and/or generally trespassing on private property.
- f) "owner" means any person owning, possessing or harboring a dog or cat
- g) "Local Authority" means the council of the Resort Village of Pelican Pointe
- h) "Pest Control Officer" is an individual appointed by the Local Authority to administer enforcement of the bylaw including any other individual appointed as deputy pest control officer from time to time to act as assistant or replacement

#### 2.0 INFRACTION

- 2.1 A person who owns, possesses, or harbors a dog or cat found 'running at large' will be deemed guilty of an infraction of this bylaw.
- 2.2 A person who owns, possesses, or harbors a dog or cat that is creating excessive noise to the annoyance or discomfort of any person and/or threatens the safety of any person and/or causes damage to public or private property in and around the Village will be deemed guilty of an infraction of this bylaw.

#### 3.0 COMPLAINTS

- 3.1 Any person wishing to lay a complaint against the owner of a dog or cat deemed to be in contravention of any provision of this bylaw may complete Form "A" Appendix 1 as attached and forming part of this bylaw.

- 3.2 Upon receipt of a complaint of a violation of this bylaw, the Local Authority may serve a Notice of Violation on the owner with Form "B" Appendix 2 attached and forming part of this bylaw.
- 3.3 Where a complaint has been duly registered indicating that the dog has bitten or attempted to bite a person, such dog will be deemed dangerous by the Pest Control Officer resulting in the complaint forwarded to the local detachment of the RCMP for further action.
- 3.4 Where a complaint has been duly registered regarding a dog or cat running at large and/or for being a nuisance and the owner of such animal cannot be located, the Pest Control Officer will catch and hold such animal for 24 hours after which time it will be delivered to the Regina Humane Society.

**4.0 PENALTIES**

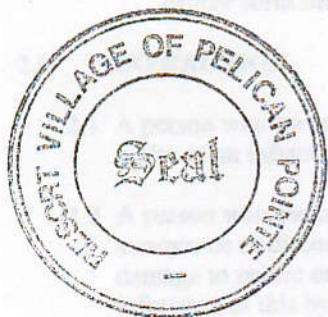
- 4.1 A person who, after having been given an official Notice of Violation on Form "B", Appendix 2, again contravenes any of the provisions of this bylaw or fails to comply with any notice or order given there under is guilty of an offence and upon conviction, shall be liable to a penalty of:
  - 4.1.1 \$50.00 for the second offence
  - 4.1.2 \$100.00 for the third offence
  - 4.1.3 \$200.00 for the fourth and subsequent offences
- 4.2 Should a violator of this bylaw, upon being served with a Notice of Violation refuse to rectify the violation and/or does not pay the prescribed penalty as set forth in this bylaw, the penalty therefore shall be applied to and form part of the taxes of the person who owns, possesses or harbors a dog or cat on the land occupied.

**5.0 SEVERABILITY**

A decision of a Court that one or more provisions of this Bylaw are invalid in whole or in part does not affect the validity, effectiveness or enforceability of the other provisions or parts of the provisions on this Bylaw.

THIS BYLAW shall come into force and take effect immediately after having received Third and Final reading.

Received First Reading this 9<sup>th</sup> day of June 2001, A.D.  
 Received Second Reading this 9<sup>th</sup> day of June 2001, A.D.  
 Received Third Reading this 9<sup>th</sup> day of June 2001, A.D.



*John Unrau*  
 .....  
 Mayor: John Unrau

*Lynda Stack*  
 .....  
 Clerk: Lynda Stack

Certified to be a true copy of  
 Bylaw 1/2001 adopted by resolution  
 Of Council on the 9<sup>th</sup> Day  
 Of June, 2001, A.D.