

BYLAW NO. 116

A BYLAW RELATING TO CONTROL OF DOGS AND RABIES

The Council of the Village of Neilburg, Province of Saskatchewan, enacts as follows:

- 1) Every person within the Village who owns, possesses or harbours a dog (which term shall, for the purpose of this bylaw be deemed to mean either a male or female over six months old) shall obtain a license from the Administrator, and shall pay in advance the sum of Fifteen (\$15.00) dollars for each female, or Five (\$5.00) dollars for each male or spayed female. The sum payable for a license required after July 1st shall be three-fifths of the charge for a full year.
- 2) All licenses issued under the provisions of this bylaw shall expire December 31st next following the date of issue.
- 3) A person residing in the Village who owns, possesses or harbours a dog and neglects or refuses to take out a license therefor shall be deemed guilty of an infraction of this bylaw.
- 4) Every person to whom a license has been issued under this bylaw shall cause his dog to wear a collar to which shall be attached the license tag issued by this Village.
- 5) No dog shall run at large in the Village, and for the purpose of this bylaw, a dog shall be deemed to be running at large when it is beyond the boundaries of the land occupied by the owner, possessor or harbourer 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:
  - (a) On a leash and in direct and continuous charge of a person competent to control it; or
  - (b) Securely confined within an enclosure; or
  - (c) securely fastened so that it cannot roam at will.
- 6) A person who owns, possesses or harbours a dog found running at large shall be deemed guilty of an infraction of this bylaw.
- 7) Except as provided for in section 10 any dog found running at large contrary to the provisions of this bylaw may be taken by any person to the Village pound provided by or arranged for by the municipality, where it shall be kept for three days unless the owner, possessor or harbourer redeems the dog by paying to the poundkeeper the sum of \$7.00 dollars for each day impounded per day.
- 8) Any dog which is not redeemed within three days may be sold by the poundkeeper provided the purchaser obtains a license, if he be a resident of the Village. Any dog not redeemed within six days may be killed by the poundkeeper or at his request by any other person.
- 9) When a dog has bitten 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, Canada 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 an officer of the R.C.M.P.
- 10) A medical health officer or licensed veterinarian or an officer of the R.C.M.P., having cognizance that a dog is dangerous or might have been exposed to rabies may order that:

The person owning, harbouring or having in his possession such dog whether vaccinated or not against rabies shall keep it under confinement at a place acceptable to the veterinarian of the Health of Animals Branch, Canada, 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.

11) Where in the opinion of the Medical Health Officer and the district veterinarian, Health of Animals Branch, Canada Department of Agriculture rabies infection has reached proportions where a mass vaccination is indicated every person who owns or harbours or has in his possession within the Village of Neilburg any dog susceptible to rabies shall cause such dog to be inoculated against rabies.

12) A certificate issued by a qualified veterinarian to the effect that a dog has been inoculated against rabies shall be prima facie evidence that such animal has been inoculated.

13) Any such person who violates any provision of this bylaw is guilty of an offence and is liable on summary conviction to the penalties as herein provided, and in default of payment of the fine levied plus costs, to a term of not more than thirty (30) days in the nearest jail.

14) (a) Any person convicted of an offence under this bylaw shall forfeit and pay a fine as set out hereunder exclusive of costs.

Section 3.....	Penalty	\$30.00
Section 6.....	First Offense.....	Penalty \$25.00
	Second and Subsequent Offenses...	Penalty \$50.00

(b) In any proceedings before a Magistrate under the provisions of this bylaw, Ownership established by submission to the Magistrate a Certificate of the Dog Catcher stating on his information and belief as to who is the owner of the dog in question, and upon receipt of such certificate by the Magistrate, the onus of proof of ownership shall be shifted to the person named in the certificate to show that he or she is not the owner of the dog in question.

15) PAYMENT OF PENALTIES

a) (1) Where any person has committed or is alleged to have committed a breach of any of the provisions of Section 3, and/or 6 of this bylaw by a ticket in the form appearing as Schedule "A" to this Bylaw, may be served on such person. Such person may pay to the Administrator of the Village Office during regular business hours, in lawful money of Canada, an amount equal to the fine fixed for the respective offence.

Sections specified in subsection (a) of Section 15, provided that payment must be made within a period of Seventy-two (72) hours from the service of the said ticket. If payment is made within such time and accepted, the person shall not be liable to prosecution for the offence.

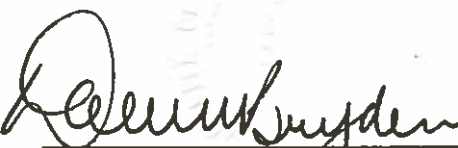
(2) Service of such ticket may be made by Mailing such ticket to the owner, possessor or harbourer of the dog in respect of which the ticket has been issued; or by personal service upon such person; or by delivery to an adult person at the home of such person.

b) If the person who has committed or is alleged to have committed a breach of Sections 3, and/or 6 hereof, fails to pay the specified fine within the time allowed following service of the ticket, then the provisions of this Section shall no longer apply and the person shall be liable to prosecution for the offence in the ordinary way, provided nothing in this Section shall prevent any person served with such ticket from exercising his right to defend any of those particularized offences.

16) This bylaw shall take force and effect as of the 9th of September,

17) Bylaw No. Forty-nine (49) of the Village of Neilburg is hereby repealed.

  
\_\_\_\_\_  
Mayor

  
\_\_\_\_\_  
Administrator

CERTIFIED A TRUE COPY of  
Bylaw 116 Adopted by  
Resolution of Council  
the 8th of September, 1986.

  
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Mayor

  
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Administrator

SCHEDULE "A"

TO BYLAW NO. 116

The dog described below is in Violation of the Village of Neilburg Bylaw

Details of Violation:

Time: \_\_\_\_\_ A.M. \_\_\_\_\_ Date: \_\_\_\_\_ 1  
P.M.

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

Address: \_\_\_\_\_

Desciption of Dog: \_\_\_\_\_  
\_\_\_\_\_

Dog Tag No.: \_\_\_\_\_

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

Violation: \_\_\_\_\_ Secion: \_\_\_\_\_ Penalty: \_\_\_\_\_

- Section 3) Unlicenced Dog.....Penalty \$30.00
- Section 6) Dog running at large...First Offence.....Penalty \$25.00
- Second and Subsequent Offenses...Penalty \$50.00

The Vountary penalty may be paid at the Village Office. Failure to remi  
penalty within seventy-two hours may result in issuance of a summons and  
summary conviction to payment of penalty with all costs of prosecution.

\_\_\_\_\_  
Issuing Officer