

Bylaw No. 725-15
Dangerous Animal Bylaw
Town of Esterhazy

A BYLAW OF THE TOWN OF ESTERHAZY TO PROVIDE FOR THE SAFETY AND PROTECTION
OF RESPONSIBLE PET OWNERS BY REGULATING AND PROHIBITING THE KEEPING OF
DANGEROUS ANIMALS.

WHEREAS, pursuant to Chapter S-60 of the Municipalities Act known as the Stray Animals Act, the Town of Esterhazy is hereby authorized to promote the safety, health and welfare of people and the protection of people, animals and property in the Town of Esterhazy, and to ensure the humane treatment of animals.


The Council of the Town of Esterhazy enacts as follows:

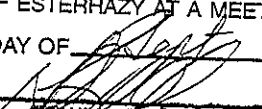
1. "Animal" shall mean all fur bearing species of fauna.
2. "Running at Large" shall mean an animal that is not on the property of the owner and not on a leash and/or under the control of a person responsible.
3. "Provocation" means an act done intentionally for the purpose of provoking an animal.
4. Definition of the term "owner" means any of the following:
 - i. A person or corporation who keeps, possesses or harbors an animal;
 - ii. The parent of a minor living at home, who owns an animal; or
 - iii. The person responsible for the custody of a minor where the minor is the owner of an animal.
5. The term "owner" does not include:
 - i. A Veterinarian registered in accordance to The Veterinarians Act, 1987, who is keeping or harboring a dog for the prevention, diagnosis, or treatment of a disease or injury;
 - ii. An urban or rural municipality, the Saskatchewan Society for the Prevention of Cruelty to Animals, a local Society for The Prevention of Cruelty to Animals, Angels of Hope Animal Rescue or an animal humane society operating pursuant to The Animal Protection Act, with respect to an animal shelter or impoundment facility operated by any of them unless there is negligence.
6. In the context of this Bylaw "Dangerous animal" shall mean:
 - i. An animal that without provocation and in a vicious manner, approached a person or domestic animal in an apparent attitude or attack;
 - ii. Is known to attack without provocation;
 - iii. Has bitten or attacked or killed a person or domestic animal without provocation;
 - iv. Is owned primarily for the purpose of fighting or is trained in fighting;
 - v. That is attack trained;
 - vi. That is kept for the purpose of security or protection, whether residential, commercial or industrial, of persons or property.
7. An animal will not be declared dangerous if the actions occurred while the animal was:
 - i. Performing police work;
 - ii. Working as a guard animal on commercial property, securely enclosed by a fence to prevent the animals escape and children entering;
 - iii. Defending the property from persons committing an offence.
8. No owner of an animal shall permit them to, without provocation;
 - i. Chase, bite or attack any person
 - ii. Chase, bite or attack any other domestic animal
 - iii. Damage public or private property
9. No owner shall knowingly keep, or possess, or purchase, or harbor a dangerous animal within the limits of the Town of Esterhazy, except as permitted in clause 10.
10. The owner of an animal deemed to be dangerous by the Bylaw Enforcement Officer or CAO of the Town of Esterhazy shall ensure that:
 - i. Such animal is licensed with the municipality, if applicable;
 - ii. Such animal is spayed or neutered, if applicable;
 - iii. They comply with any other Bylaws set forward by the Town of Esterhazy, where applicable;
 - iv. At all times the animal must be securely confined indoors or in a securely enclosed and locked pen or structure, suitable to prevent the escape of the dangerous animal and capable of preventing the entry of any person not in control of said animal. Such pen

- or structure must be humane to said animal.
- v. A sign is displayed at each entrance to the property informing people of said animal, if applicable. This sign shall be visible and legible from the nearest road or thoroughfare;
 - vi. At all times when off the property the animal must be under the control of the owner or a responsible and competent person over the age of eighteen (18).
11. The municipality or a person assigned by the municipality shall have the authority to make whatever inquiry is deemed necessary to ensure compliance with the provisions outlined in this Bylaw.
 12. If the owner of a dangerous animal is unwilling or unable to comply with the requirements of this section, said animal shall then be humanely euthanized by an animal shelter, animal control agency or licensed veterinarian. Any animals that have been designated as dangerous under this Bylaw may not be offered up for adoption.
 13. The following situations may result in a fine and/or imprisonment:
 - i. Owning an animal that attacks, bites, injures or kills a person or domestic animal without provocation;
 - ii. Not complying with a court order specifying conditions for keeping a dangerous animal;
 - iii. Owning an animal for the purposes of animal fighting or training and encouraging an animal to make unprovoked attacks on people or domestic animals.
 14. Any owner found guilty of an infraction of this bylaw shall be liable to a penalty according to the General Penalty Bylaw.
 15. Any owner may voluntarily pay the penalty as specified in this Bylaw to the Town of Esterhazy upon being served with summons within the time specified in the summons, and upon payment shall not be liable to further prosecution for that summons under this bylaw.


 Mayor




 Chief Administrative Officer

CERTIFIED A TRUE COPY OF A BYLAW PASSED
 BY RESOLUTION OF THE COUNCIL OF THE
 TOWN OF ESTERHAZY AT A MEETING HELD THE
 9 DAY OF August 2015 A.D.

 TOWN ADMINISTRATOR

