

**Rural Municipality of Estevan No. 5  
Estevan, Saskatchewan**

**BYLAW NO. 2022-01**

**A BYLAW TO REGULATE ANIMALS RUNNING AT LARGE**

The Council of the Rural Municipality of Estevan No.5 in the Province of Saskatchewan enacts as follows:

**SHORT TITLE**

1. This bylaw may be cited as the “Animal Control Bylaw”

**DEFINITIONS**

2. For the purpose of this Bylaw, the expression:

2.1 **Administrator** shall mean the employee or representative of the Municipality tasked with enforcing this Bylaw, or their delegate.

2.2 **Companion Animal** shall mean to include all dogs, cats, and any other domesticated animal maintained in or near the household by the owner, and does not include Farm Animals.

2.3 **Council** shall mean the Council of the R.M. of Estevan No. 5

2.4 **Designated Officer** shall mean an employee or representative of the Municipality, a member of the Royal Canadian Mounted Police, a Bylaw Enforcement Officer, Development Officer, or Administrator.

2.5 **Farm Animal** shall mean:

2.5.1 Any cattle or other animal of the bovine family;

2.5.2 Any horse or other animal of the equine family;

2.5.3 Any chicken or other poultry animal;

2.5.4 Any elk or other animal of the deer family;

2.5.5 Any sheep, goat, swine, alpaca, bison, or llama;

2.5.6 Any inter-species hybrid or any animal mentioned in 2.5.1, 2.5.2, 2.5.3, 2.5.4 and 2.5.5; or

2.5.7 Any animal defined as such pursuant to *The Stray Animals Regulations, 1999*.

2.6 **Impound** shall mean the seizure, removal, and confining of a Companion Animal or Farm Animal.

2.7 **Municipality** shall be the Rural Municipality of Estevan No. 5.

2.8 **Owner** shall mean:

2.8.1 A person who keeps, cares for, possesses, or harbours a Companion Animal or Farm Animal;

2.8.2 The person responsible for the custody of a minor if he minor is the owner of an animal; or

2.8.3 The parent of a minor living at home, who owns an animal.

2.9 **Running-at-Large** shall mean, with respect to a Companion Animal or Farm Animal, not being on the premises of its owner, or not being under the immediate continuous, and effective control of its owner.

**COMPANION ANIMALS**

- 3. No owner shall at any time allow a Companion Animal to be Running-at-Large within the Municipality.

**FARM ANIMALS**

- 4. No owner shall at any time allow a Farm Animal to be Running-at-Large within the Municipality.

**IMPOUNDING OF COMPANION ANIMALS**

- 5. Any Companion Animal found running-at-large contrary to the provision of this Bylaw may be impounded at the location designated by Council for 72 hours unless the owner redeems the animal and pays to the Municipality the cost of removal, impounding, and storage; upon payment of the full costs herein, the Companion Animal shall be released to the owner thereof.

- 5.1 Any Companion Animal not redeemed within 72 hours may be adopted or euthanized, at the sole discretion of Council.

**IMPOUNDING OF FARM ANIMALS**

- 6. Any Farm Animal found running-at-large contrary to the provisions of the Bylaw may be impounded at a location designated by Council for 72 hours unless the owner redeems the animal and pays to the Municipality the cost of removal, impounding, and storage; upon payment of the full cost herein, the Farm Animal shall be released to the owner thereof.

- 6.1 If the costs of removal, impounding, and storage are not paid within 72 hours, the Municipality shall have the right to recover such expenses by:
  - a) Legal action in a court of competent jurisdiction; or
  - b) Sale through private sale or public auction.

- 6.2 The proceeds from such sale shall be applied first to all fines and costs, and the balance remaining, if any, shall be paid the last registered owner.

- 6.3 If the proceeds from such sale are insufficient to meet the cost of impounding, the amount of the shortfall shall be a debt owned by the owner and enforceable by the Municipality in any manner allowed by law.

**ENFORCEMENT AND PENALTIES**

- 7. The administration and enforcement of this Bylaw is hereby delegated to the Administrator.

- 7.1 This Bylaw may be enforced by a Designated Officer.

- 7.2 Any person who contravenes any provision of this Bylaw, or obstructs, interferes with, or hinders a Designated Officer in the performance of their duties is guilty of an offence pursuant to this Bylaw.

- 7.3 A person contravening section 3 of this Bylaw shall be guilty of an offence and liable to a penalty of:
  - a) First Offence      \$100.00
  - b) Second Offence    \$200.00
  - c) Third Offence      \$300.00

7.4 A person contravening section 4 of this Bylaw shall be guilty of an offence and liable to a penalty of:

- d) First Offence \$500.00
- e) Second Offence \$1,000.00
- f) Third Offence \$1,500.00

7.5 A person contravening any provision of this Bylaw with four or more offences shall be liable on summary conviction to the penalties provided in the General Penalty Bylaw of the Municipality.

7.6 Where any person makes payment within 14 days of the date of the offence, the fine shall be 50% of the penalty amount.

7.7 All disputes arising as a result of the administration of this Bylaw shall be referred to Council, and Council shall be the final authority in all cases.

**SEVERABILITY**

8. The provisions of this Bylaw shall not apply to Designated Officers.

8.1 This Bylaw shall not be construed to hold the Municipality or its agents responsible or liable for any damage to persons or property caused as result of the administrator of this Bylaw.

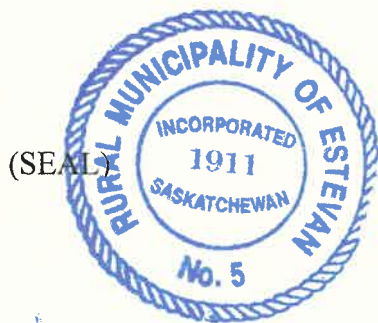
8.2 If a court of competent jurisdiction should declare any part, section, sentence, clause, phrase or other portion of this Bylaw to be invalid, that portion shall not be construed as having persuaded or influenced Council to pass the remainder of this Bylaw, and the part, section, sentence, clause, phrase or other portion of this Bylaw is to be deemed a separate, distinct, and independent provision, and the holding of the Court shall not affect the validity of the remaining portions of this Bylaw.


**REPEAL**


9. Bylaw 2003-006 is hereby repealed.

**COMING INTO FORCE**

10. This bylaw shall come into force and take effect on the date of its final passing.



  
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 Reeve

  
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 Administrator

First Reading Passed: January 26, 2022  
 Second Reading Passed: January 26, 2022  
 Third Reading Passed: January 26, 2022

Certified a true copy of Bylaw 2022-01  
Passed by Council on January 26, 2022.

  
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 Administrator

