

DOGS AND CATS, CONTROL OF

II. Responsibility Of Owner

1. No owner shall permit any dog or cat to run at large in the City.

III. Impounding Dogs And Cats

4. The Animal Control Officer or any Police Constable may capture or seize any dog or cat found running at large contrary to the provisions of this Bylaw, and shall deliver such dog or cat to the pound. All dogs or cats impounded in the pound shall be so confined for a period of seventy-two (72) hours, and if not claimed and repossessed by the owner may be sold for the cost of boarding and vaccination against rabies, but if such impounded dog or cat is not claimed and repossessed 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 at the direction of the person designated by the Mayor and the City Manager. Any person claiming and repossessing an impounded dog or cat shall provide proof of current vaccination against rabies. If such proof is not provided, the owner shall be required to pay the cost of vaccination against rabies and pay the pound fees before the dog or cat may be repossessed.
5. Where an Animal Control Officer receives a complaint of a nuisance caused by a cat, the Animal Control Officer may at his discretion, during the period commencing on the 1st day of April and ending on the 1st day of October in each calendar year:
 - (a) issue a trap to the complainant upon execution by the complainant of an agreement as set out in Schedule "A" to this Bylaw; or
 - (b) if deemed necessary by the Animal Control Officer he may seize and impound any cat found causing a nuisance.

Where a trap is issued to the complainant, he shall:

- (a) abide by the terms of the Cat Trap Permit Agreement.
 - (b) personally check the trap each hour while the trap is set.
 - (c) in the event a cat is trapped, immediately contact the Animal Control Officer, who may impound the cat.
6. When any dog or cat is captured and impounded, the Pound Keeper shall post a notice on a Notice Board at the Weyburn Humane Society, 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.
 7. The Pound Keeper shall keep a record of all dogs and cats impounded and of the disposition made of the said dogs and cats and shall make a monthly return to the Chief of Police.

IV. Number Of Dogs And Cats Permitted

1. No person shall possess or harbour more than three (3) dogs or three (3) cats or a combination of both, for a total of three (3), over the age of six months, except for dogs or cats kept in the ordinary course of business by the proprietors of the following premises:
 - (a) a veterinary hospital, clinic, or boarding kennel, or grooming parlour approved under the City of Weyburn Zoning Bylaw.
 - (b) a public pound approved under the City of Weyburn Zoning Bylaw.
 - (c) a shop or breeder whose business includes the sale of pets and who has been approved as a commercial kennel under the City of Weyburn Zoning Bylaw.

- (d) a shelter operated by an association or society incorporated for the purpose of the protection and humane treatment of animals approved under the City of Weyburn Zoning Bylaw.

V. Dangerous Dogs Or Cats

1. If upon information or complaint it is alleged that a dog or cat has bitten or attempted to bite any person, and if it appears to a Judge or Justice of the Peace having disposition of the information or complaint that the dog or cat is dangerous, the Judge or Justice of the Peace may make an Order directing that the dog or cat be kept by the owner or keeper under proper control or destroyed, and that a person failing to comply with such an Order shall be liable of a fine of not less than \$25 per day or more than \$250 for each day during which the failure continues. When a dog or cat is ordered to be destroyed, the Judge may by the same Order direct a named person to destroy the dog or cat.

Provided that in the event the owner or keeper of the dog or cat cannot be ascertained by the Judge or Justice of the Peace, the Judge or Justice of the Peace may direct any person to seize and destroy such dog or cat.

Provided further any dog or cat suspected of having rabies shall not be killed but shall be secured and isolated for ten (10) days and the matter immediately reported to the Medical Health Officer whose instructions shall be carried out.

2. Every dangerous dog or cat that is found off the premises upon which it is habitually kept and not under the control of any person, may be killed by the Chief of Police or his designate.

VII. Animal Abandonment

1. No person shall willfully fail to provide shelter or care to an animal in such a way as to desert or abandon such animal for which that person is an owner.
2. No person shall abandon any animal on the property of the Weyburn Humane Society without formally surrendering such an animal to the Weyburn Humane Society and paying all surrendering fees as charged by the Weyburn Humane Society.
3. No person shall willfully fail to claim an animal that is being held at the Weyburn Humane Society and for which he is an owner.

VIII. Miscellaneous Offences

1. Any owner, possessor or harbourer of any dog that has bitten or attempted to bite any person or animal, or is found chasing or barking at any pedestrian, vehicle or animal on a public thoroughfare, shall be in violation of this bylaw.
2. Any person who owns, keeps or harbours any dog which by loud and frequent howling or yelping, or any cat which by loud and frequent caterwauling, or in any other manner or way causes annoyance or disturbance to inhabitants of the City, shall be in violation of this bylaw.
3. Any person teasing a dog or cat, enticing a dog or cat, or baiting or throwing objects at a dog or cat confined within its owner's property shall be in violation of this bylaw.
4. Every person having ownership or control of a dog or cat shall immediately remove all excrement left by such dog or cat in any public place in the City or in any private place in the City to which access has not been expressly permitted by the owner or occupant thereof. Any such person failing to immediately remove such excrement shall be in violation of this Bylaw.

IX. Penalty

1. Any person guilty of a breach of any of the provisions of this Bylaw shall on conviction thereof, be liable to a penalty of not less than Forty (\$40) Dollars nor more than Five Hundred (\$500) Dollars and, in default of payment of any such fine imposed, be liable to imprisonment for a term not exceeding thirty (30) days.
2. Voluntary Payment - A violator of the Bylaw who has been served with a summons and who wishes to plead guilty may deliver the summons and an amount equal to the specified penalty sum for the offence to a place indicated on the summons on or before the date specified on the summons.
3. The Notice of Violation shall be in such form as provided by the Summary Offence Procedure Act 1990.
4. Any person found in breach of Section IV.1 of this bylaw shall immediately comply with the bylaw or be subject to a penalty as set out in this Section. If deemed necessary by the Animal Control Officer, the Animal Control Officer may seize and impound any cat(s) or dog(s) in excess of the number set out in Section IV.1.