

TOWN OF ARCOLA
BYLAW NO. 10-2007
A BYLAW OF THE TOWN OF ARCOLA TO LICENSE AND REGULATE
THE DOGS IN ARCOLA.

The Council of the Town of Arcola, in the Province of Saskatchewan, enacts as follows:

Interpretation:

1. For the purpose of this Bylaw the expression:
 - (a) “dog” means either a male or female over three months of age;
 - (b) “dwelling unit” means a separate set of living quarters for one or more persons with a private entrance from outside or from a common hallway or stairway inside the building, provided that for the purposes of this bylaw, one or more persons must actually be using the premises as his principal residence;
 - (c) “municipality” means the Town of Arcola;
 - (d) “nuisance” means any of the following: harmful, offensive, annoying, troublesome, and/or pest. Nuisance includes howling or barking, digging in garbage containers, trespassing on private property, urinating or defecating on private property without the permission of the owner or occupant of the property or on any public property.
 - (e) “owner” means anyone owning, possessing, or harboring a dog;
 - (f) “prohibited dog” means:
 - (i) Pit Bull or Pit Bull Cross;
 - (ii) Rottweiler;
 - (iii) Any mix of the above.
 - (g) “running at large” means when the dog 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:
 - (i) in the direct & 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.
2.
 - (a) Every person within the municipality who owns, possesses, or harbors a dog shall obtain a license from the Town Administrator.
 - (b) The license shall be in effect from January 1 to December 31 of a calendar year, and shall be obtained on or before January 31 each year.
 - (c) The license fee shall be \$10 for each dog.
 - (d) The license for a “prohibited dog” which is within the Town of Arcola as of January 1, 2006 shall be \$250 per year.
 - (e) Every person to whom a license has been issued under this bylaw shall cause his/her dog to wear a collar to which shall be attached the license tag issued by the municipality.
 - (f) A person residing in the municipality who owns, possesses, or harbors a dog and neglects or refuses to take out a license therefore shall be deemed guilty of an infraction of this bylaw.
3.
 - (i) No dog shall run at large within the municipality.
 - (ii) A person who owns, possesses, or harbors a dog found running at large shall be deemed guilty of an infraction of this bylaw.
4.
 - (i) Any dog found running at large contrary to the provisions of this bylaw may be taken and put in the Dog Pound where it shall be kept for three (3) business days unless the owner, possessor, or harbinger of the dog pays the pound fees to the Administrator for the care and keep of each dog and any other costs incurred.
 - (ii) Any dog which is not redeemed within three (3) business days may be sold by the Administrator or Mayor, provided the purchaser obtains a license, if he/she is a resident of the Town of Arcola.
 - (iii) Any dog not redeemed within three (3) business days may be disposed of by the Administrator or Mayor, or at his/her request by any other person and costs shall be charged to the owner, possessor, or harbinger of the dog.
 - (iv) The charge for the first offence of impoundment shall be \$50 per dog per business day.
 - (v) Where the same dog has been impounded more than once in any current year, then in addition to the sum imposed under section 4(iv) hereof, there shall be an additional charge of \$50 per dog per business day.

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5. (i) No dog shall be a nuisance, as described in Section 1, within the municipality at any time.
(ii) A person who owns, possesses, or harbors a dog found being a nuisance shall be deemed guilty of an infraction of this bylaw.
6. (i) No person shall at any time have in his/her possession, or keep within the Town of Arcola, more than two dogs over the age of three months, per dwelling unit.
(ii) A person who has in his/her possession or is keeping more than two dogs over the age of three months, within the Town of Arcola, shall be deemed guilty of an infraction of this bylaw.
7. (i) No person shall within the boundaries of the Town of Arcola own, possess or harbour a “prohibited dog” after January 1, 2006 with the exception of those dogs already within the Town of Arcola.
(ii) Any person who owns, possesses, or harbors a “prohibited dog” within the boundaries of the Town of Arcola after January 1, 2006 shall be deemed to be guilty of an infraction of this bylaw and is liable to a fine of \$500 for each day that an infraction of this subsection occurs.
8. Any person who owns, possesses, or harbors a “prohibited dog” as of January 1, 2006 shall comply with the following:
 - (i) provide an enclosed adequate dog run or a 6’ chain link fence to house the animal within their property;
 - (ii) provide liability insurance in the amount of \$1,000,000;
 - (iii) if the owner removes the dog from the enclosure, they shall muzzle & leash it and keep it under his/her direct control and supervision;
 - (iv) the owner shall display a sign, not less than 8” x 12” with 1 ¼” lettering, on his/her property warning of the presence of the dog.
 - (v) Any person who fails to comply with section 8 of this bylaw shall be deemed to be guilty of an infraction of this bylaw and is liable to a fine of \$500 for each day that an infraction of this section occurs.
9. (i) In the case where a dog has bitten or attempted to bite a person, the owner or harbinger of such a dog, on complaint being made, may be required, if it appears that the dog is dangerous, to have the dog destroyed at the owner, possessor, or harbinger’s expense.
(ii) A person who fails to comply with section 9 of this bylaw shall be liable to a fine of not more than \$250 for each day during which the failure continues.
10. Where a dog has bitten a person or domestic animal, the owner of the dog shall, unless the dog is ordered destroyed, quarantine the dog for observation for symptoms of rabies for a period of not less than ten days in accordance with the Health of Dogs Act(Canada).
11. (i) Every person who destroys a dog following the non-fatal biting of a person or domestic dog, whether the destruction is pursuant to an order of a judge or court or at the decision of the owner of the dog shall, if the destruction is carried out before the completion of the quarantine period mentioned in Section 10, retain the head of the dog in a manner usable for testing the dog for rabies.
(ii) Where a person destroys a dog in the circumstances described in Subsection (i), the person shall immediately notify the Bylaw Enforcement Officer that he or she is in possession of the head of a dog to be tested for rabies.
12. (i) Any person who contravenes any of the provisions of sections 2, 3, 5 and 6 of this bylaw or fails to comply therewith, or with any notice or order given therewith, shall be guilty of an offence and upon conviction, shall be liable to a penalty of \$50 for each offence or \$25 for the first offence if the dog was licensed for the current year.
13. Appendix “A” as attached to this bylaw is the form used for offence of the bylaw.
14. **Bylaw No. 6-2006 is hereby repealed when this bylaw comes into force this 25th day of October, 2007.**

Mayor

Seal

Administrator

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