

**CITY OF MELVILLE  
BYLAW NO. 09/2008**

**A BYLAW TO PROVIDE FOR THE LICENSING AND CONTROLLING OF CATS AND DOGS IN THE CITY OF MELVILLE.**

The Council of the City of Melville in the Province of Saskatchewan, enacts as follows:

1. This Bylaw may be cited as **The Cat and Dog Bylaw** of the City of Melville.

**Interpretation**

2. Wherever in this Bylaw the following words or terms are used they shall, unless the context otherwise provides, be held to have the following meaning:
  - a. **dog and cat** shall mean either male or female over six months old;
  - b. **municipality** shall mean the City of Melville;
  - c. **owner** shall include possessor or harbourer of a cat or dog;
  - d. **person** shall include a corporation and a partnership;
  - e. **running at large** shall mean when the cat or dog is beyond the boundaries of the land occupied by the owner, possessor, or harbourer of the said cat or 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 direct and 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.

**License**

3.
  - a. Subject to subsections (g) and (h) of this section, below, every person within the municipality who owns, possesses, or harbours a cat or dog shall obtain a license from City Hall.
  - b. The license shall be in effect from January 1 to December 31 of a calendar year, and shall be obtained on or before the last day of January each year.
  - c. The license fee payable with the registration of a cat or dog shall be each male/female \$16.00 and neutered male or spayed female \$8.00. There is a \$2.00 charge for a lost tag.
  - d. Every applicant for a license for a spayed female cat or dog shall produce

to the License Inspector, at the time of making the application, a Certificate of a Veterinary Surgeon that such animal has been spayed or neutered. Provided that where the License Inspector has otherwise satisfied himself in the matter, the production of the Certificate of the Veterinary Surgeon may be dispensed with.

- e. Every person to whom a license has been issued under this bylaw shall cause his cat or dog to wear a collar to which shall be attached the license tag issued by the municipality pursuant to this bylaw.
- f. No unauthorized person shall remove a collar or plate provided in accordance with this Section of this Bylaw from a licensed cat or dog.
- g. Dogs used as a guide by a blind person shall be licensed and the License Inspector shall issue the license without payment of license fee.
- h. Notwithstanding anything in this Bylaw contained, the owner of a kennel or pure bred dogs which is registered in the register of the Canadian Kennel Club may be lieu of obtaining a license for each dog, obtain a license for each kennel. Such license shall cover all the registered dogs composing such kennel for one year from the 1<sup>st</sup> day of January in the year in which the license was issued. No license shall be granted under this Section until the applicant produces a certificate from the keeper of the register of the Canadian Kennel Club or a certified extract from the said register showing that all dogs comprising such kennel have been registered with the Canadian Kennel Club.
- i. The license shall be non-refundable or transferable.

### **Control of Cats and Dogs**

- 4. No person that is the owner of a cat or dog shall allow the cat or dog to run at large in the municipality; and furthermore shall not allow the cat or dog to be present, whether on a leash or not in any City of Melville indoor recreational facility which shall also include the outdoor swimming pool building and the fenced pool area, excepting for a dog assisting a visually impaired or handicapped person, and excepting for cats and/or dogs involved in a performance being held in any of the facilities.
- 5. No person that is the owner of a cat or dog shall permit the same to create a noise or disturbance to the annoyance or discomfort of other persons residing in the neighborhood or to the public at large.

6. Every owner of a female cat or dog in heat shall confine such cat or dog to a house or kennel and shall not suffer or permit such cat or dog to run or to be at large.
7. No person being the owner of any cat or dog shall permit the same to defecate on any public or private property other than the property of its owner; the owner of the dog or cat shall cause such defecation to be removed immediately and dispose of in a sanitary fashion.
8. No person shall knowingly keep or harbour a vicious cat or dog; provided, that when upon complaint that a cat or dog has bitten, or attempted to bite, any person, it appears to the Provincial Court Judge may make an order directing that the cat or dog be kept by the owner under proper control, the cat or dog be kept by the owner under proper control, or destroyed, and that any person failing to comply with such order shall be liable to a penalty not exceeding \$50.00 for every day during which such failure continues. When a cat or dog is ordered to be destroyed, the Magistrate may be the same order direct any person to destroy the cat or dog.

### **Rabies Control**

9. a. When a cat or dog has bitten a person 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, 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 a Police Officer.
- b. A Medical Health Officer or licensed veterinarian or Police Officer having cognizance that a cat or dog is dangerous or might have been exposed to rabies may order that:

The person owning, harbouring or having in his possession such cat or 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, 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.

- c. Where in the opinion of the Medical Health Officer and the district veterinarian, Health of Animals Branch, Department of Agriculture, rabies infection has reached proportions where mass vaccination is indicated every person who owns or harbours or has in his possession within the City any cat or dog to be inoculated against rabies.
- d. A certificate issued by a qualified veterinarian to the effect that a cat or dog has been inoculated against rabies shall be prima facie evidence that such animal has been so inoculated.

### **Infraction of Bylaw**

- 10.
  - a. A person who owns, possesses, or harbours a cat or dog found running at large shall be deemed guilty of an infraction of this bylaw and shall be liable to the penalties hereinafter provided.
  - b. A person residing in the municipality who owns, possesses, or harbours a cat or dog, and neglects or refuses to act in accordance with any of the provisions of this Bylaw shall be deemed guilty of an infraction of this Bylaw and shall be liable to the penalties hereinafter provided.
- 11.
  - a. The City Council may appoint one or more persons as Cat and Dog Catchers, who may also be the Poundkeeper, whose duties shall included capturing and impounding all cats and dogs found running at large contrary to the provisions hereof.
  - b. For the purpose of impounding cats and dogs captured by a Cat and Dog Catcher, or any other person, a pound shall be established at such place or places as may from time to time be designated by the City Council and said pound shall be "City Pound" and the City Council shall appoint a Poundkeeper therefore who may also be the Cat and Dog Catcher.
  - c. Besides a Cat and Dog Catcher any person may take any cat or dog found running at large contrary to the provisions of this bylaw to the City Pound, where is shall be kept for 72 hours unless the owner, possessor, or harbourer redeems that cat or dog by satisfying the Poundkeeper by reasonable evidence that he is the lawful owner of the said cat or dog and in addition to the other applicable fees stated in this Bylaw.
  - d. Where any cat or dog is impounded and carries a tag supplied for the current year by the License Inspector, the License Inspector shall duly notify the owner, as appears from his records, of the impounding of the said cat or dog.

- e. The Poundkeeper shall keep a record of all cats and dogs impounded and of the time and manner of their disposal. All fees and penalties must be paid at the front office at City Hall during normal business hours.
- f. The Poundkeeper appointed in accordance with the provisions hereof shall be entitled to such remuneration for his service as may from time to time be authorized by the City Council.
  - (i) The Poundkeeper may give away any cat or dog which is not redeemed within 72 hours, provided that the new owner thereof obtains a license and pays any impoundment fees if he is a resident of the municipality.
  - (ii) The Poundkeeper, or at his request any other person, may destroy any cat or dog which has not been redeemed within 72 hours.

### **Penalties**

- 12. a. Every owner who commits a breach of Section 2, 3 (a), 3 (e), 4, 5, 6, or 7 of this Bylaw shall be guilty of an offence and liable to a penalty of:
  - (1) For the first offence, a fine of \$50.00;
  - (2) For the second offence in the same calendar year, a fine of \$100.00;
  - (3) For a third offence and thereafter in the same calendar year, a fine of \$200.00;
  - (4) In addition, where a dog or cat found running at large has no current license tag, the license fee is to be doubled;
  - (5) Impoundment fees \$50.00 after 24 hours.
- b. Any owner in contravention of this Bylaw, upon being served with a Notice of Violation may voluntarily pay his penalty at the City Hall of the City of Melville. Compliance with such notice within the period of time prescribed therein shall relieve such owner from liability to prosecution in respect of such offence.
- c. The Notice of Violation shall be in Form 'A' attached to and forming a part of this Bylaw.

- d. If an owner in contravention of this Bylaw does not voluntarily pay the penalty provided in subsection (a) hereof within seventy-two (72) hours, excluding holidays, Saturdays and Sundays, of being served a Notice of Violation, the said person shall be liable on summary conviction to the penalty prescribed in Section 12 hereof, and in no case shall the penalty imposed be less than that prescribed in subsection (a) above.
- 13. Except as provided in Section 12 (b) of this Bylaw every person who is found to be guilty of an infraction of any of the provisions of this Bylaw shall be liable to a penalty not exceeding \$500.00 exclusive of costs and to any other fees and penalties imposed under this Bylaw including the costs of committal and conveyance to jail, and in default of payment of the said penalties and costs, to imprisonment not exceeding a period of five (5) days.
- 14. This Bylaw shall come into force and take effect on, from and after the final passing thereof.
- 15. Bylaw No. 07/06 and Bylaw No. 17/95 are hereby repealed.

**INTRODUCED** and **READ** a First time this 20<sup>th</sup> Day of May, 2008.

**READ** a Second time this 20<sup>th</sup> Day of May, 2008.

**READ** a Third time and **PASSED** this 20<sup>th</sup> Day of May, 2008.

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Mayor

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City Manager

**CITY OF MELVILLE  
NOTICE OF VIOLATION  
OF THE  
CAT AND DOG BYLAW**

OWNER'S NAME \_\_\_\_\_

OWNER'S ADDRESS \_\_\_\_\_

YOU AS THE OWNER OF THE (DOG) OR (CAT) DESCRIBED BELOW ARE  
CHARGED WITH VIOLATION OF BYLAW NO. \_\_\_\_\_.

SECTION

THE PENALTY OF VIOLATION OF: SECTION(S) \_\_\_\_\_ IS \$ \_\_\_\_\_  
SECTION(S) \_\_\_\_\_ IS \$ \_\_\_\_\_  
SECTION(S) \_\_\_\_\_ IS \$ \_\_\_\_\_

DETAILS OF OFFENCE:

DATE: \_\_\_\_\_ TIME \_\_\_\_\_ A.M. P.M.

DESCRIPTION OF (DOG) OR (CAT)

LOCATION OF VIOLATION: \_\_\_\_\_

NATURE OF VIOLATION: \_\_\_\_\_

LICENSE NO. (if applicable) \_\_\_\_\_

SERVED BY: \_\_\_\_\_

(To be signed by complainant and/or Police Officer)

Dated at the City of Melville this \_\_\_\_ Day of \_\_\_\_\_ 20\_\_\_\_

YOU MAY MAKE VOLUNTARY PAYMENT OF THE ABOVE PENALTY AT THE CITY  
GENERAL OFFICE AT THE CITY HALL OF THE CITY OF MELVILLE AT 430 MAIN  
STREET, BETWEEN 9:00 A.M. AND 4:00 P.M. MONDAY THROUGH FRIDAY.

FAILING TO REMIT THIS PENALTY WITHIN 72 HOURS YOU SHALL BE LIABLE TO  
PROSECUTION AND, UPON SUMMARY CONVICTION, YOU SHALL BE LIABLE TO  
PENALTIES PROVIDED UNDER SECTION 12 OF THE SAID BYLAW WITH ALL  
COSTS OF PROSECUTION.

\_\_\_\_\_  
Special Constable