

BYLAW #9-02
A BYLAW TO CONTROL DANGEROUS DOGS

The council of the Town of Porcupine Plain in the Province of Saskatchewan enacts as follows:

1. For the purpose of this Bylaw the expressions:

a) **"dangerous dog"** shall mean:

- i) any dog which without provocation, in a vicious or menacing manner, chased or approached a person or domestic animal in an apparent attitude of attack;
- ii) any dog having an inclination, tendency or disposition to attack without provocation, to cause injury, or to otherwise threaten the safety of persons or domestic animals;
- iii) any dog without provocation has bitten, inflicted injury, assaulted or otherwise attacked a person or domestic animal;
- iv) any dog which is owned primarily or in part for the purpose of dog fighting or is trained for dog fighting;
- v) any Pitt Bull or Rottweiler or any dog of these mixed breeds;

but shall not include:

- i) any dog acting in the performance of police work; or
- ii) any dog working as a guard dog on commercial property:
 - 1) securely enclosed on the property by a fence or other barrier sufficient to prevent the escape of the dog and the entry of children of tender years; and
 - 2) defending that property against a person who was committing an offence.

b) **"judge"** means a judge of the Provincial Court of Saskatchewan, a justice of the peace or a person designated pursuant to Section 3 of this bylaw;

c) **"owner"** includes:

- i) a person who keeps, possesses or harbours a dog;
- ii) the person responsible for the custody of a minor where the minor is the owner of a dog;

but does not include:

- iii) a veterinarian registered pursuant to *The Veterinarians Act, 1987* who is keeping or harbouring a dog for the prevention, diagnosis or treatment of a disease of or an injury to the dog;
- iv) a municipality, the Saskatchewan Society for the Prevention of Cruelty to Animals, a local society for the Prevention of Cruelty to Animals or a Humane Society operating pursuant to *The Animal Protection Act*, with respect to an animal shelter or impoundment facility operated by any of them.
- v) **"provocation"** means an act done intentionally for the purpose of provoking a dog. A dog is presumed not to have been provoked, in the absence of evidence to the contrary.

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2. (a) An owner who keeps, possesses or harbours a dangerous dog as specified in section 1(a) shall:

i) keep the dog in an enclosure which shall be constructed of wood or any other material of sufficient strength and in a manner adequate to:

a) confine the dog; and

b) prevent the entry of children of tender years.

ii) if the dog is removed from the enclosure, it shall be muzzled and leashed as follows:

a) fitted with a collar or a harness for the body that is properly placed and fitted on the dog;

b) the movement of the dog shall be controlled by a person by means of a leash attached to the collar or harness on the dog;

c) the leash shall not exceed 1.2 meters in length and shall be constructed of a material having a tensile strength of at least 140 kilograms;

d) the muzzle shall be properly fitted on the dog to prevent it from biting any animal or persons;

iii) within 10 days of a dog being declared dangerous, provide proof to the administrator of the Town of Porcupine Plain that liability insurance of not less than \$300,000 has been obtained for any bodily injury to or death of any person or domestic animal, or for any damage to property caused by the dog.

iv) display a sign in the prescribed form and manner at each entrance to the premises where the dog is kept and on the enclosure in which the dog is confined. The sign shall be clearly visible and capable of being read from any adjacent public road and shall read **"WARNING DANGEROUS DOG ON PREMISES"**.

3. The following municipal official(s) are hereby designated as judge in accordance with this bylaw and are authorized to carry out the "Dangerous Dog" provisions of *The Urban Municipalities Act, 1984*.

- 1) Administrator
- 2) Mayor
- 3) Chairman of Public Works

4. Any complaint that a dog is dangerous shall be made to and heard by a judge.

5. Any person found guilty of an infraction of this bylaw shall be liable on summary conviction to:

a) a fine of not more than \$10,000;

b) imprisonment for not more than six months;

c) a penalty consisting of any combination of clauses (a) or (b).

Mayor

Administrator
Certified true copy of Bylaw #9-02 passed by the council of the
Town of Porcupine Plain on the 24th day of September, 2002.

Administrator

