



## BYLAW NO. 2024-02

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### A BYLAW OF THE TOWN OF MOOSOMIN IN THE PROVINCE OF SASKATCHEWAN TO PROHIBIT THE OWNERSHIP AND POSSESSION OF CERTAIN ANIMALS

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

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1. This bylaw may be cited as **"Prohibition of Certain Animals Bylaw"**.

#### DEFINITIONS

##### 2. IN THIS BYLAW:

**"Animal"** means domestic and wild animals;

**"Bylaw Enforcement Officer"** is any corporation, person or persons engaged by or appointed by the Town for the purposes of checking for licenses, capturing and impounding animals under the provisions of this bylaw;

**"Bee"** means any of certain insects which store up the pollen of flowers for food or that makes honey and wax;

**"CAO"** is the person appointed as the Chief Administrative Officer for the Town or his/her duly authorized representative or designate;

**"Hen"** shall mean a domesticated female chicken that is at least four months old;

**"Judge"** shall mean a provincial court judge or a justice of the peace;

**"Livestock"** shall mean cattle, goats, horses, swine, and all other fur bearing animals domesticated or wild, not including hens, dogs, cats or other caged household pets;

**"Municipality or Town"** means the corporation of the Town of Moosomin and the area contained within the boundaries of the Town of Moosomin, as the context requires;

**"Owner"** includes:

A person who owns or who has possession of, or control over, an animal; and the person responsible for the custody of a minor, where the minor is the owner of the animal;

**"Poundkeeper"** means a person, corporation, society or organization as may from time to time be appointed by the municipality for the purpose of retaining impounded animals pursuant to this Bylaw;

**"SPCA"** means the Society for the Prevention of Cruelty to Animals.

##### 3. PROHIBITED ANIMALS

3.1. No person shall own or harbour any animal, or hybrid of any animal, of the kind listed in Schedule A for any purpose.



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**4. ORDERS TO REMEDY CONTRAVENTIONS**

4.1. Inspections to determine if a written order should be issued under this Bylaw shall be carried out in accordance with the Municipalities Act;

4.2. Orders given under this Bylaw shall comply with the Municipalities Act;

4.3. Orders given under this Bylaw shall be served in accordance with the Municipalities Act;

4.4. A person may appeal an order given under this Bylaw in accordance with the procedure set forth in the Municipalities Act;

4.5. The municipality may, in accordance with the Municipalities Act, take whatever actions or measures necessary to ensure that an order given under this Bylaw is fully complied with;

4.6. In an emergency, the municipality may take whatever actions or measures are necessary to eliminate the emergency in accordance with the Municipalities Act;

4.7. Any unpaid expenses and costs incurred by the municipality that an order given under this Bylaw is fully complied with may be recovered either:

4.7.1. By civil action for debt in a court of competent jurisdiction in accordance with the Municipalities Act; or,

4.7.2. By adding the amount to the taxes on the property on which the work is done in accordance with the Municipalities Act.

**5. VIOLATIONS**

5.1. Except as otherwise provided in this bylaw, every person who contravenes any of the provisions of this bylaw is guilty of an offence and liable on summary conviction:

5.1.1. In the case of an individual, to a fine of not less than the mandatory minimum fine prescribed in Schedule B and not more than \$2,000; and

5.1.2. In the case of a corporation, to a fine of not less than the mandatory minimum fine prescribed in Schedule B and not more than \$5,000.

5.2. Notwithstanding Subsection (1), if no Notice of Violation has been issued for a period of three years or more in relation to a contravention, then a subsequent contravention of the section of the bylaw is deemed to be a first offence;

5.3. Any person convicted of an offence under Section 3 shall, within ten days thereafter, deliver all animals of the kind listed in Schedule A owned, kept or harboured by that person to the Bylaw Enforcement Officer and they shall become the property of the municipality and shall be donated to an approved agency or humanely euthanized;

5.3.1. Any person who fails to deliver an animal as required in Subsection 5.3 is guilty of an offence and liable on summary conviction to the penalty contained in Subsection 5.1.

5.4. At the discretion of the Bylaw Enforcement Officer, a warning ticket may be issued for contravention of any of the provisions of this bylaw.

5.5. A violator of this bylaw, upon being served with the municipality's standard Notice of Violation may, during office hours, voluntarily pay the penalty at the office of the municipality.

5.6. Voluntary payment of a penalty within fourteen (14) days of the issuance of a Notice of Violation will reduce the penalty by 50%.

**6. SEVERABILITY**

If any section, subsection, sentence, clause, phrase or other portion of this bylaw is for any reason held invalid or unconstitutional by a Court of competent jurisdiction, that portion shall be deemed a separate, distinct and independent provision and the holding of the Court shall not affect the validity of the remaining portions of the Bylaw.



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**8. COMING INTO FORCE**

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

Read a first time this 21<sup>st</sup> day of AUGUST, 2024.

Read a second time this 21<sup>st</sup> day of AUGUST, 2024.

Read a third time and adopted this this 21<sup>st</sup> day of AUGUST, 2024.



MAJOR

CHIEF ADMINISTRATIVE OFFICER

Sections 8 and 380.1 of *The Municipalities Act*



**SCHEDULE "A"**  
**PROHIBITED ANIMALS**

The following is a list of animals the keeping of which is prohibited within the Town of Moosomin:

- 1) wild or domestic fowl or poultry, including chicks, hens, roosters, ducks, geese, and similar;
- 2) all animals being reared for the bearing of fur or food;
- 3) all animals whose normal habitation is outside of urban centers (such as fox, deer)
- 4) all Arachnids dangerous to humans (such as scorpions and tarantulas, except tarantulas of the genera Aphonopelma, Avicularia and Grammostola);
- 5) all Artiodactylus Ungulates (such as goats, sheep, cattle, pigs and llamas);
- 6) all Bats;
- 7) all Bees;
- 8) all Canids, except the domestic dog;
- 9) all Crocodilians (such as alligators, crocodiles and caimans);
- 10) all Edentates (such as anteaters, sloths and armadillos);
- 11) all Elephants;
- 12) all Felids, except the domestic cat;
- 13) all Hyenas;
- 14) all Insects being raised for the purpose of profit or gain;
- 15) all Livestock;
- 16) all Marsupials (such as kangaroos and opossums);
- 17) all Mustelids (such as skunks, weasels, otters and badgers) except the domestic ferret;
- 18) all non-human Primates (such as gorillas and monkeys);
- 19) all Perissodactylus Ungulates (such as horses, donkeys, mules, etc.);
- 20) all Pigeons;
- 21) all Pinnipeds (such as seals, fur seals and walruses);
- 22) all Procyonids (such as raccoons, coatis and cacomistles);
- 23) all Raptors, diurnal and nocturnal (such as eagles, hawks and owls);
- 24) all Ratite Birds (such as ostriches, rheas, and cassowaries);
- 25) all Galliformes (such as turkeys, grouse, quails and pheasants);
- 26) all Anseriformes (such as ducks and geese);
- 27) all snakes of the families Pythonidae and Boidae;
- 28) all Ursids (bears);
- 29) all venomous Reptiles and Amphibians;
- 30) all Viverrids (such as mongooses, civets and genets)

**SCHEDULE "B"**  
**MINIMUM FINES PURSUANT TO SECTION 5**

<b><u>DESCRIPTION OF OFFENCE</u></b>	<b><u>1st OFFENCE</u></b>	<b><u>2nd OFFENCE</u></b>	<b><u>SUBSEQUENT</u></b>
(1) Failure to obey order of Bylaw Enforcement Officer	\$100	\$200	\$200