

RESORT VILLAGE OF MELVILLE BEACH

BYLAW NO. 01 - 2021

A BYLAW OF THE RESORT VILLAGE OF MELVILLE BEACH IN THE PROVINCE OF SASKATCHEWAN TO REGULATE AND CONTROL DOGS CREATING A PUBLIC NUISANCE OR RUNNING AT LARGE.

The Council of the Resort Village of Melville Beach (RVMB) in the Province of Saskatchewan enacts as follows:

1. Title:

This Bylaw may be cited as the Dog Control Bylaw.

2. Purpose:

To provide provisions to control dogs to protect, preserve, and perpetuate the enjoyment and safety of RVMB citizens.

3. Definitions in this Bylaw:

- a) **Administrator** means the Administrator of RVMB.
- b) **Council** shall mean the Council of RVMB.
- c) **Designated Officer** shall mean the person(s) designated by the Council.
- d) **At large** means a dog(s):
 - i) being on public property unaccompanied by any person; or
 - ii) being on public property accompanied but not under the complete control of a person by means of a leash; or
 - iii) being on private property without the permission of the owner or occupant of the property; or
 - iv) scattering of garbage or debris; or
 - v) defecating on public or private property other than property of its Owner; or
 - vi) digging in public or private yards, flower beds or gardens.
- e) **Public Nuisance** means with respect to activities of any dog(s):
 - i) repeated barking, howling, whining, or yelping; or
 - ii) repeated chasing of vehicles, persons, or other animals
- f) **Owner** means:
 - i) a person who keeps, possesses or harbors a dog;
 - ii) the person responsible for the custody of a minor if the minor is the owner of a dog; and
 - iii) the parent of a minor living at home, who owns a dog.

4. Regulation and Control of Dogs:

- a) No Owner shall allow a dog to be at large within RVMB.
- b) No Owner shall allow a dog to become a public nuisance, which unreasonably disturbs the quiet, peace, rest, enjoyment, comfort, or convenience of others within RVMB.
 - i) The factors for determining whether the barking or howling of a dog has become a nuisance are as follows:
 - a. the proximity of the barking or howling to sleep facilities;
 - b. the time of day or night the barking or howling occurs;
 - c. the duration of the barking or howling;
 - d. whether the barking or howling is the result of the provocation;
 - e. the volume of the barking and howling;
 - f. whether the barking or howling is recurrent, intermittent or constant; and
 - g. persists for a period of 15 consecutive minutes or longer or 1 hour or longer, intermittently.
- c) If a dog defecates on any public or private property other than the property of its Owner, the Owner of the dog shall remove the defecation immediately.

5. Dangerous Dogs:

- a) No Owner shall keep, possess, or harbor a dog within RVMB that:
 - i) without provocation and in a vicious manner, approached a person or domestic animal in an apparent attitude or attack; or
 - ii) has bitten or attacked a person or domestic animal without provocation.
- b) If a situation occurs as outlined in Section 5 (a), the Designated Officer will issue a Bylaw Violation Notice and will contact the RCMP who will determine further action, if any, against the Owner.

6. Penalties

- a) Where the Designated Officer believes that a person has contravened any provision of this Bylaw, a Bylaw Notice of Violation (Notice) will be served to such person (Owner):
 - i) either personally, or
 - ii) by mailing (physical and/or electronic), or
 - iii) leaving same at Owner's residential address.

- b) Such Notice shall be deemed to have been served (issued):
 - i) on the day of actual delivery if the Notice is served personally, left at Owner’s residential address, or mailed electronically; or
 - ii) on the expiration of forty-eight hours if the Notice is mailed.
- c) The Notice shall be in such form as determined by RVMB, and shall state the section of the Bylaw which was contravened, and the amount which is provided in Schedule “A”, that will be accepted by RVMB in lieu of prosecution.

7. Voluntary Payment

- a) Upon payment of a Notice within seven (7) days from issuance, the Owner shall not be liable for prosecution for the contravention in respect to which the Notice was issued.
- b) An Owner, who has submitted a voluntary payment, may choose to attend a Council meeting to defend themselves against the allegation, and following consideration, Council may issue a refund at its discretion.
- c) Notwithstanding the provisions of Section 6 and 7, an Owner to whom a Notice has been issued, may exercise their right to defend any charge of committing a contravention of any of the provisions of this Bylaw.

8. Effective Date

This Bylaw shall come into force and take effect on the day of final passing thereof.

Introduced and read a first time this 18th day of April, 2021

Read a second time this 18th day of April, 2021

Read a third time and adopted this 18th day of April, 2021

Mayor

Administrator

*Certified true copy of
Bylaw #01 – 2021 adopted
by resolution of council
At regular meeting held on
_____, 2021*

Kayla Hauser, Administrator

RESORT VILLAGE OF MELVILLE BEACH

SCHEDULE "A" – Bylaw No. 01 - 2021

FINES AND VOLUNTARY PAYMENT

Violation	First Offence Amount (if paid within 7 days)	First Offence Amount (if not paid within 7 days)	Second Offence Amount	Subsequent Offence Amount
At Large Section 4 (a)	\$75.00	\$100.00	\$250.00	\$500.00
Public Nuisance Section 4 (b)	\$75.00	\$100.00	\$500.00	\$1,000.00