

**Bylaw No. 7860, The Animal Control Bylaw, 1999
Proposed Amendments**

Administration is proposing the following amendments to the *Animal Control Bylaw*:

1. Clarify the usage and terminology of an Off-Leash Recreation Area (OLRA). In order to provide clarity around what these off-leash areas are designed for and to coincide with the language already used throughout the Bylaw, it is proposed that the off-leash recreation area maps be changed to be called off-leash area (OLA).
2. Clarify the names of the OLRA:
 - a) Prior to its official naming, the OLRA located along Richardson Road, east of McClocklin Road, was known as Hampton Village East OLRA. At its' official grand opening on December 1, 2017, the official name was announced as Paul Mostoway OLRA. In order to reflect the actual name of the park, the proposed amendment is to have this identified as the Paul Mostoway OLA.
 - b) The OLRA located along the riverbank, adjacent to the east end of Silverwood Golf Course, is listed as Marquis OLRA in the *Animal Control Bylaw*. However, since 2016 the on-site formal signage and marketing resources refer to this area as Silverwood OLRA. For clarity in referring to specific locations, the proposed amendment is to have this OLRA identified as the Silverwood OLA.
3. Phase II of the Avalon OLRA opened to the public on June 18, 2019. The proposed amendment is to replace the current map of the Avalon OLA, as found in Schedule No. 2, with the revised map, (see Attachment 1).
4. The licensing rates, as appear in Schedule No. 1 require amendment to reflect the 2020 and 2021 rates as approved by City Council at its November 25, 2019, 2020/2021 Multi-Year Preliminary Business Plan and Budget meeting (see Attachment 2).
5. Add Bylaw No. 8286, *The Smoking Control Bylaw, 2004*, be applied in the off-leash areas. An amendment is proposed to add to the Bylaw, a new section stating no smoking or vaping is permitted in any of the off-leash areas as outlined in Bylaw No. 8286, *The Smoking Control Bylaw, 2004*. The current bylaw defines outdoor public places as: "outdoor public place means any outdoor space owned or operated by the City of Saskatoon that is open to the public or to which the public is customarily admitted or invited, and includes parks, swimming pools, playgrounds, outdoor sports-fields, public squares or recreation areas, but does not include streets or sidewalks."

6. Establish a limit to the number of dogs per owner in the off-leash areas. A frequent concern heard by Administration is the timing of response by an owner to inappropriate behavior. The Saskatoon Animal Control Agency has stated owners who bring more than 4 dogs are less likely to maintain voice or sight command, to remove all their dog's defecation, and manage their dog's behavior in a timely manner. The addition of a statement establishing a maximum of 4 dogs per owner at the off-leash areas would support more manageable enforcement and owner responsibility in addressing nuisance behavior.
7. Update the sample Notice of Violation issued for breach of the *Animal Control Bylaw*. The current example of a Notice of Violation, as appears on Schedule No. 6 in the *Animal Control Bylaw* is outdated and requires replacement with the updated version, see Attachment 3

The City Solicitor is proposing the following amendments to the *Animal Control Bylaw*:

8. Broaden how ownership of an animal is defined. There has been some challenges in Bylaw Court where the Justice is unwilling to make the connection between someone being in possession of an animal (and therefore its "owner") at the time that they pick the animal up from the Saskatoon SPCA following an at-large violation, and possession (and therefore "ownership") at the time of the offence. It is proposed that an amendment to the definition of owner be made to add that the person redeeming the animal from the Saskatoon SPCA be presumed to be the owner at the time that it was impounded for being at-large.
9. Broaden the limitations around prohibited dogs in off-leash areas. There are concerns around repeated violations of the prohibited nuisance behavior as defined in the Bylaw. Owners found guilty of this violation continue to bring their dog back to the off-leash area only to have further violations occur. This amendment is proposed to limit safety concerns tied to repeated nuisance behavior violations. It is proposed an amendment be made so a dog found to be guilty of 3 or more nuisance behavior violations be prohibited from entering the off-leash areas.
10. Add a clause to apply the *Dangerous Animals Bylaw* to off-leash areas. Some Justices of the Peace have indicated that because this nuisance related clause is included in the *Animal Control Bylaw*, the *Dangerous Animals Bylaw's* use within an off-leash area is limited or unavailable. At the time these incidences occur within the off-leash area, they are beyond nuisance behavior and are in-line with the dangerous animal offence. In order to ensure the *Dangerous Animals Bylaw* can still be used in proper cases, an additional clause could be added to indicate that in addition to prohibition against nuisance behaviour, set out in clauses 10(3)(b)(i) – (vi), the *Dangerous Animals Bylaw* applies within off-leash areas, when an animal is behaving in an aggressive manner.

11. Provide an example of the prohibited area signage. Signage around the prohibited areas Bylaw should be consistent and recognizable. By providing the Bylaw number on the sign, it refers citizens back to the Bylaw for further clarification. An amendment is proposed to provide an example of what the prohibited area that cats and dogs are not permitted in. Signage looks like (see Schedule No. 9, as appears in Attachment 4), for reference to the prohibited area signage. By providing consistent signage, it promotes awareness of the Bylaws, thus supporting both Saskatoon Animal Control Agency and the public. Clear signage helps the public become more aware of what will be enforced under the bylaw, as a cat or dog prohibited area and what would be enforced as an at large violation. Also, it is important to amend the Bylaw to state a prohibited area; a sign where cats and dogs are not permitted shall be placed at the discretion of the City.
12. Prohibit renting or sale of prohibited animals. There are various businesses that rent or sell exotic and wild animals. For example, there is a “rent a chicken” business that tells people they will only be prosecuted if a neighbour complains. An amendment is proposed to prohibit renting, or sale of any animal or hybrid of any animal of the kind listed in Schedule No. 5. This would further support Administration’s efforts to prioritize safety and keep prohibited animals out of the City.
13. Clarify the barking or howling violation to define the reference to weekdays. The Bylaw currently uses the term weekday and Sunday to define days related to acts of nuisance barking or howling. The term weekday can cause confusion in interpretation of the Bylaw, whereas in this case, weekday was meant to include Saturday. An amendment designed for clarification is proposed to change weekday to read “Monday to Saturday”.
14. Broaden how the accumulation of feces is defined as a violation. The Bylaw currently reads: “An owner or occupant of private property must not allow animal feces to accumulate on the property so as to create a health hazard.” Although the Court has not been difficult about it, Saskatoon Animal Control Agency would not be able to testify as to when animal feces becomes a health hazard. It would be easier for them to testify about the feces becoming a nuisance (quantity, odor, appearance, etc.). It is proposed to amend the bylaw to add “or a nuisance” after “health hazard”. The nuisance is defined by the quantity, odor and appearance created by the feces accumulation.

Schedule No. 2

Areas Where Dogs May Be Off-Leash

Avalon Off-Leash Area

Description:

Area in vicinity of intersection at Glasgow Street and McConnell Avenue, south of Glasgow Street. This off-leash area is fenced.

Location:

Parcel Number:
Title Number:
Reference Land Description



Schedule No. 1

Annual License Fees for Cats and Dogs

Effective January 1, 2020

Cat not spayed or neutered	\$40
Cat under 12 months old	\$18
Cat spayed or neutered	\$18
Dog not spayed or neutered	\$60
Dog under 12 months old	\$30
Dog spayed or neutered	\$30

Effective January 1, 2021

Cat not spayed or neutered	\$40
Cat under 12 months old	\$18
Cat spayed or neutered	\$18
Dog not spayed or neutered	\$60
Dog under 12 months old	\$30
Dog spayed or neutered	\$30

Schedule No. 6

Notice of Violation



This official Notice of Violation is
Issued for breach of Bylaw No. 7860
(The Animal Control Bylaw, 1999)

ANIMAL SERVICES

Activity # _____

Offence

- Section 4 – failure to license an animal Section 13 – failure to remove excrement
 Section 6 – failure to display licence Section 14 – accumulation of animal feces
 Section 9 – being at large Section 15 – barking or howling
 Section 11 – being in a prohibited area Other (specify) _____

PENALTY

\$ _____

If the penalty indicated is not received by _____
a summons requiring your appearance in Provincial Court will be issued.

Date (MM/DD/YY)	TIME	LICENCE No.
DESCRIPTION OF ANIMAL		MALE <input type="checkbox"/> FEMALE <input type="checkbox"/>
LOCATION OF OFFENCE		
NAME OF OWNER		
LAST	FIRST	MIDDLE
STREET ADDRESS		
CITY	PROV.	POSTAL CODE
ISSUER	DATE OF BIRTH Month Day Year	

SAMPLE

PAID BY PAL CARD PAL CARD NOT APPLICABLE

PENALTY

\$ _____

After Hours Deposit
222 – 3rd Avenue North Activity # _____

Penalty may be paid in person at Corporate Revenue, City
Hall, 222 – 3rd Avenue North, Saskatoon, Saskatchewan
S7K 0J5 on any day except public holidays, Saturdays and
Sundays, or by mail (cheque or money order only) and must
be accompanied by this stub.

PAID BY PAL CARD
 PAL CARD NOT APPLICABLE

Bylaw No. 7860

IMPORTANT!

Return this stub with payment

PENALTY

DUE BY _____

Schedule No. 9

