

**TOWN OF ASQUITH
PROVINCE OF SASKATCHEWAN
BYLAW NO. 1-2019**

OFF LEASH DOG PARK BYLAW

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

Title

1. This bylaw may be referenced as the “Off Leash Dog Park Bylaw”.

Purpose

2. The purpose of this Bylaw is as follows:
 - (a) to provide for the regulations of dogs in the off-leash dog park;

Exemptions for Police Service Dogs

- 2.1 Bylaw does not apply to police service dogs under the control and supervision of their handler and either on active duty or engaged in training.

**Part I
Definitions**

3. In this Bylaw:

- (a) “Animal Control Agency” means an agency designated by the Town to administer and enforce this Bylaw and may employ an Animal Protection Officer;
- (b) “Animal Protection Officer” means a person employed by the Animal Control Agency or Town to enforce the provisions of this Bylaw. This can include the Pound keeper, any persons appointed by Council for the purpose of bylaw enforcement, any member of the RCMP and any other person or agency appointed by the Council to restrain, receive or impound animals;
- (c) “Town” means the Town of Asquith;
- (d) “Council” means the Council of the Town of Asquith;
- (e) “Court” means the Provincial Court of Saskatchewan established pursuant to *The Provincial Court Act*;
- (f) “owner” includes:
 - i. a person who owns or who has possession of, or control over, and animal; and
 - ii. the person responsible for the custody of a minor where the minor is the owner of an animal;but does not include:
 - iii. a veterinarian registered pursuant to The Veterinarians Act, 1987 who is keeping or harboring an animal for the prevention, diagnosis or treatment of a disease of or an injury to the animal; and
 - iv. an animal shelter or pound operated by the Town or an SPCA;

(g) “peace officer” or “bylaw enforcement officer” means any member of Police Services and any person appointed as a bylaw enforcement officer by the Town to enforce the bylaws of the Town;

(h) “SPCA” means a Society for the Prevention of Cruelty to Animals.

4. Off-Leash Areas

(1) **Dogs Permitted to be Off-Leash**

An owner of a dog is not required to have the dog on a leash in the off-leash areas described in Schedule No. 1, provided the owner complies with this Section.

(1.1) Parking lots are not considered part of the off-leash areas referred to in Subsection (1).

(2) **Prohibited Dogs**

No owner of a dog that:

(a) has been declared dangerous pursuant to the Dangerous Animals Bylaw of the Town of Asquith; or

(b) is a female dog that is in heat;

shall permit the dog to be in an off-leash area at any time whether the dog is on a leash or not.

(3) **Nuisance Prohibited**

(a) No owner of a dog shall permit or allow the dog to become a nuisance to other person or animals in an off-leash area.

(b) For the purposes of this subsection, the behavior of a dog which constitutes a nuisance includes, but is not limited to, the following:

(i) running at such a distance from its owner to be incapable of responding to voice or sight commands;

(ii) doing any act that injures a person or another animal;

(iii) chasing or otherwise threatening a person or another animal;

(iv) biting, barking at, or chasing livestock, bicycles or motor vehicles;

(v) excessive barking or howling or otherwise disturbing any person or other animal; or

(vi) causing damage to property.

(c) In order to prevent a dog from becoming a nuisance in an off-leash area, the owner of the dog shall:

(i) accompany the dog in the off-leash area at all times; and

(ii) carry a leash not exceeding two metres in length for the dog.

- (d) In the event that a dog becomes a nuisance, the owner of the dog shall immediately restrain the dog by placing the dog on a leash not exceeding two metres in length and removing the dog from the off-leash area.
- (e) Any owner of a dog who fails to immediately restrain and remove the dog upon it becoming a nuisance as required by Clause (d) is guilty of an offence, and in such event, an Animal Protection Officer, Pound keeper or Peace Officer may seize and impound the dog.
- (f) All dog feces are to be picked up by the owner or individual who has control over the dog. Failure to do could result in that individual being denied access to the off-leash area.

4.1 General Provisions Apply in Off-Leash Areas

Nothing in this Section shall release the owner of a dog from complying with the general provisions of *The Animal Control Bylaw* pertaining to licensing, displaying a valid license tag or micro-chipping and removal of defecation.

Motorized Vehicles in Off-Leash Areas

- 10.2
- (1) No person shall operate a motorized vehicle in any off-leash area.
 - (2) For the purposes of Subsection (1), motorized vehicle means a vehicle propelled or driven by any means other than by muscular power, and, for greater certainty, includes cars, trucks, all-terrain vehicles, snowmobiles, and motorcycles, but does not include a wheelchair or other similar mobility device being operated by person with a physical disability.
 - (3) Subsection (1) does not apply to Town maintenance vehicles.

Mayor

{SEAL}

Chief Administrative Officer

Read a third time and adopted this
13th day of February, 2019.

Certified a true copy of Bylaw No. 1-2019 passed
on the 13th day of February, 2019.

Chief Administrative Officer

APPENDIX “A”