

TOWN OF HANLEY

BYLAW NO. 17/2011

**A BYLAW TO AMEND BYLAW NO. 8/2009 BEING A BYLAW TO PROVIDE FOR
THE CONTROL OF ANIMALS, 2009**

The Council for the Town of Hanley, in the Province of Saskatchewan, enacts as follows:

- 1) That Bylaw No. 8/2009 be amended by deleting Section 25 and by substituting the following:
 - 25(a) Where the Designated Officer believes that a person has contravened any provision of this Bylaw, he may serve upon such person a Bylaw Violation Notice as provided by this section either personally or by mailing or leaving same at his last known address and such service shall be adequate for the purpose of this bylaw.
 - (b) Such notice shall be deemed to have been served:
 - a. On the expiration of twenty-four hours after it is posted, if the notice is mailed;
 - b. On the day of actual delivery, if the notice is served personal; or
 - c. On the business day following the transmission, if given by facsimile.
 - (c) A Bylaw Violation Notice shall be in such form as determined in Schedule E and shall state the section of the Bylaw, which was contravened, and the amount, which is provided in Schedule B that will be accepted by the Municipality in lieu of prosecution.
 - (d) Upon production of a Bylaw Violation Notice issued pursuant to this section within thirty (30) days from the issue thereof, together with the payment of the fee as provided in Schedule B to the Administrator of the Municipality, the person to whom the notice was issued shall not be liable for prosecution for the contravention in respect of which the notice was issued, with the exception of the Impound Fee as per Schedule C which shall be payable to the Designated Officer prior to the impounded animal being released.
 - (e) Where any person contravenes the same provision of this Bylaw two or more times within one calendar year, namely January 1 to December 31, the specified payment payable in respect of the second or subsequent contravention is stated in Schedule B of this Bylaw in respect of that provision.
 - (f) Notwithstanding the provisions of this section, a person to whom a Bylaw Violation Notice has been issued pursuant to this section may exercise his right to defend any charge of committing a contravention of any of the provisions of this Bylaw.
 - (g) That Schedule E – Animal Bylaw Infraction Report be deleted and substituting Form A as attached hereto and thereby forming a part of this Bylaw.

SEAL

Mayor

Administrator

Form A – Animal Bylaw Infraction Report

Date Of Occurrence: (yyyy/mm/dd)

Estimated Time of Occurrence:

Animal Description:

(include type, colour, size and license number if available)

Suspected Animal Caretaker: (if available)

Description of Incident:

Penalty:

Take notice that you may remit a voluntary payment to the Municipality in the amount stipulated above to avoid prosecution for this offence.

Payment may be made in person at the municipal office or by mail to: Town Office, Box 270, Hanley, SK S0G 2E0

All fines and penalties **not paid within the thirty (30) day** grace period will be subject to 2% per month compounded monthly until paid.

All unpaid fines and penalties which remain unpaid beyond 180 days from the date of issue will be collected through court action and will result in the “Animal” being surrendered to an ANIMAL CONTROL AGENCY (i.e. SSPCA or HUMAINE SOCIETY).

Evidence Collected: (pictures, additional witnesses, video, audio recording)

Name of Complainant:

(will be kept confidential unless otherwise ordered by court of law)

Issued this _____ by _____:

Signature of Designated Officer

For Office Use Only

Enforcement Action:

Enforcement Date: