

RURAL MUNICIPALITY OF EXCEL NO. 71

BYLAW NO. 4-2022

A BYLAW TO PROVIDE FOR THE CONTROL OF LIVESTOCK IN HAMLETS

The Council of the Rural Municipality of Excel No. 71, in the Province of Saskatchewan, enacts as follows:

1. Title

This bylaw shall be referred to as the Livestock Control Bylaw.

2. Definitions

In this bylaw, the following definitions apply:

- a) "At large" means, with respect to livestock, not being within the boundaries of the land that is fenced for the purpose of keeping the livestock.
- b) "Dwelling, structure, or well" means any dwelling, structure, or well that is existing or newly constructed.
- c) "Livestock" means domesticated animals used primarily as beasts of burden or for the production of fur, hides, meat, milk, eggs, or other product, or as breeding stock, but excluding companion animals.
- d) "Parcel" means an area of land registered in the Land Titles Office by Certificate of Title.
- e) "Parcel size" means the area of a parcel and for purposes of administration of this bylaw may include the combined area of one or more contiguous parcels owned or leases by the registered owner of a parcel of land.
- f) "Peace officer" means any member of the RCMP and any person appointed as a Bylaw Enforcement Officer for municipality.

3. Regulation and Control of Livestock

- a) Animal units mentioned in this bylaw refer to the definition in Section 2 of the Zoning Bylaw.
- b) No person shall keep any livestock in any Hamlet except in accordance with this bylaw.
- c) Keeping of livestock shall be permitted in any Hamlet District (H) in accordance with the following schedule:

Parcel Size	Maximum Number of Livestock Animal Units Permitted
Minimum 11,500 ft ²	1
Greater than 23,000 ft ²	2
For each additional 8,625 ft ²	1 additional animal unit

- d) Livestock shall not be pastured within 15 metres of any new or existing dwelling, structure, or well not owned by the owner of the animal(s), and no shelters or structures erected for the purpose of keeping livestock shall be located within 30 metres of any new or existing dwelling, structure, well, or property line not owned by the owner of the animal(s).
- e) Any shelter or structure erected for the purpose of keeping livestock shall be erected in accordance with the provisions of the building and zoning bylaws of the municipality.
- f) Manure shall be removed and appropriately discarded or composted on a regular basis and the owner or occupant of the livestock must not burn manure or allow manure to accumulate on the property so as to create a health hazard or a nuisance.
- g) For the purposes of Section 6., an accumulation of manure becomes a nuisance if it is unsightly, odorous, or of a quantity that is likely to annoy or aggravate others.
- h) Livestock carcasses shall be removed and disposed of immediately and in accordance with provincial regulations.
- i) Livestock must be confined to the property by a lawful fence as described in *The Stray Animals Regulations, 1999*.
- j) A pound keeper or peace officer may seize and impound any livestock that is at large.

- k) All livestock kept in accordance with the above provisions shall be properly cared for according to *The Animal Protection Act, 2018*.

4. Offences and Penalties

- a) Every person who contravenes any provision of this bylaw or Notice of Violation is guilty of an offence and liable on summary conviction to a fine of \$200 minimum for a first offence, \$400 minimum for a second offence, and \$500 minimum for subsequent offences, and up to a maximum of those set out in the General Penalty Bylaw of the municipality.
- b) A peace officer shall serve a Notice of Violation for first and second offences and a Notice of Violation may be issued for subsequent offences.
- c) A Notice of Violation shall give the owner, possessor or harbourer of the livestock 72 hours to remedy the contravention stated in the notice and shall be served on Form "A" attached to and forming part of this bylaw.
- d) If a Notice of Violation is not followed, the municipality may take necessary action to remedy the contravention, or seize and impound the livestock.
- e) Notwithstanding subsection a), a person who contravenes this bylaw may voluntarily pay the prescribed penalty and, upon receipt of payment, shall not be liable to prosecution for the contravention.

5. Coming Into Force

That this bylaw shall come into effect on the day of its final passing.

Read a third time and adopted this 7th day of June, 2022.



Arnold Montgomery
Reeve

Jan M. G.
Administrator

CERTIFIED A TRUE COPY OF
BYLAW NO. 4-2022, ADOPTED BY
RESOLUTION OF COUNCIL ON
JUNE 7, 2022.

Arnold Montgomery
Reeve

Jan M. G.
Administrator



FORM A to BYLAW 4-2022

**NOTICE OF VIOLATION
LIVESTOCK CONTROL BYLAW
Rural Municipality of Excel No. 71**

NAME: _____

ADDRESS: _____

DETAILS OF OFFENCE: 1st _____ 2nd _____ Subsequent _____

Date: _____ Time: _____ a.m./p.m.

VIOLATION:

DESCRIPTION: _____

LOCATION: _____

You are charged with a violation of Bylaw No. 4-2022, A Bylaw to Provide for the Control of Livestock in Hamlets. If necessary, the appropriate authorities will be notified.

You have 72 hours to remedy the contravention stated in this notice, after which time the municipality may take necessary action to remedy the contravention, or seize and impound the livestock.

The penalty for the above violation is \$ _____.

Peace Officer

You may make voluntary payment of the above penalty at the municipal office of the Rural Municipality of Excel No. 71 during regular office hours or by mail within 2 weeks from the date of service of this Notice of Violation.

If you do not make a voluntary payment within the time set out above, you shall be liable to a summons to court and further prosecution.

You may appeal this Notice of Contravention within 15 days after the date of the notice to the council of the Rural Municipality of Excel No. 71. Note that an appeal does not operate as a stay of the appealed notice unless the council, on an application by the appellant, decides otherwise.