

The Stray Animals Regulations, 1999

being

Chapter S-60 Reg 1 (effective June 9, 1999)
as amended by Saskatchewan Regulations 74/2009.

NOTE:

This consolidation is not official. Amendments have been incorporated for convenience of reference and the original statutes and regulations should be consulted for all purposes of interpretation and application of the law. In order to preserve the integrity of the original statutes and regulations, errors that may have appeared are reproduced in this consolidation.

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CHAPTER S-60 REG 1

The Stray Animals Act

Title

- 1** These regulations may be cited as *The Stray Animals Regulations, 1999*.

Interpretation

- 2** In these regulations:

- (a) “**Act**” means *The Stray Animals Act*;
- (b) “**domestic game farm animal**” means a domestic game farm animal as defined in *The Domestic Game Farm Animal Regulations*;
- (c) “**fur animal**” means a fur animal as defined in *The Fur Farming Regulations*.

18 Jun 99 cS-60 Reg 1 s2.

Designated animals

- 3** Pursuant to subclause 2(b)(v) of the Act, the following are designated as animals for the purposes of the Act:

- (a) any llama, alpaca or other animal of the camelid species;
- (b) any emu, ostrich, rhea or other animal of the ratite species;
- (c) any inter-species hybrid of any of the animals mentioned in clauses (a) and (b);
- (d) any domestic game farm animal;
 - (d.1) any bison;
 - (d.2) any wild boar;
- (e) any fur animal.

18 Jun 99 cS-60 Reg 1 s3; 11 Sep 2009 SR 74/
2009 s3.

Fees

- 4** The fees and other compensation payable for services performed pursuant to the Act are set out in Part I of the Appendix.

18 Jun 99 cS-60 Reg 1 s4.

Form of municipal bylaw

- 5** A municipal bylaw pursuant to sections 4 and 5 of the Act is to be in Form A of Part II of the Appendix.

18 Jun 99 cS-60 Reg 1 s5.

S-60 REG 1**STRAY ANIMALS****Memorandum of stray animals restrained**

6(1) The administrator of a municipality who is notified of a stray by the finder in accordance with section 15.1 or 15.2 of the Act shall complete and sign a Memorandum of Stray Animals Restrained in Form B of Part II of the Appendix.

(2) The finder shall countersign the Memorandum of Stray Animals Restrained, and the administrator of the municipality shall give a copy of the memorandum to the finder.

18 Jun 99 cS-60 Reg 1 s6.

Advertising restraint of stray

7 For the purposes of subsection 15.2(2) of the Act, on being notified that a stray has been restrained and that the owner of the stray is unknown to the finder, the administrator shall advertise the restraint of the stray and give a description of the stray as recorded in the Memorandum of Stray Animals Restrained completed in accordance with section 6:

- (a) in one issue of a newspaper of general circulation in the municipality; or
- (b) for two consecutive days in any radio or television broadcast in the municipality, at a time between 7:00 a.m. and 10:00 p.m.

18 Jun 99 cS-60 Reg 1 s7.

Notification of impounded animals

8 Where a stray is impounded pursuant to section 17 of the Act and the owner of the stray is known to the administrator, the administrator shall cause a Notification of Impounded Animals in Form C of Part II of the Appendix to be delivered to the owner.

18 Jun 99 cS-60 Reg 1 s8.

Receipt for impounded animals

9 A poundkeeper, on receiving a stray, shall:

- (a) complete a Receipt for Impounded Animals in Form D of Part II of the Appendix; and
- (b) give a copy of the completed Receipt for Impounded Animals to:
 - (i) the finder; and
 - (ii) the administrator of the municipality in which the stray was discovered.

18 Jun 99 cS-60 Reg 1 s9.

Notice of impounded animals if owner unknown

10 If a stray is impounded pursuant to section 17 of the Act and the owner of the stray is not known to the administrator, the administrator shall:

- (a) post a Notice of Impounded Animals in Form E of Part II of the Appendix:
 - (i) at two conspicuous places within the municipality; and
 - (ii) at the livestock auction market at which the stray is to be sold if a sale is required; and
- (b) send a copy of the notice mentioned in clause (a) to the local livestock inspector or to the nearest detachment of Royal Canadian Mounted Police.

11 Sep 2009 SR 74/2009 s4.

Notice of sale of impounded animals

11 If a stray is to be sold pursuant to section 22 of the Act, the administrator shall:

- (a) if the owner of the impounded stray to be sold is known, send a Notice of Sale of Impounded Animals in Form F of Part II of the Appendix to the owner; and
- (b) if the owner of the impounded stray to be sold is not known:
 - (i) post a Notice of Sale of Impounded Animals in Form F of Part II of the Appendix:
 - (A) at two conspicuous places within the municipality; and
 - (B) at the livestock auction market at which the stray is to be sold; and
 - (ii) send a copy of the notice mentioned in subclause (i) to the local livestock inspector or to the nearest detachment of Royal Canadian Mounted Police.

11 Sep 2009 SR 74/2009 s5.

Sale of impounded animal

12 A stray not released from a pound within 14 days after it has been impounded is to be sold by public auction after a Notice of Sale of Impounded Animals has been given by the administrator in accordance with section 11.

18 Jun 99 cS-60 Reg 1 s12.

Release of impounded animal to owner

13(1) Any time before the sale of an impounded stray, the owner is entitled to obtain the animal on payment of all fees and other compensation payable pursuant to section 18 of the Act.

(2) For the purposes of subsection 20(2) of the Act, a Statutory Declaration of Ownership is to be in Form G of Part II of the Appendix.

18 Jun 99 cS-60 Reg 1 s13.

Penalty against owner

14 Any penalty assessed by the administrator of a municipality against the owner of a stray in accordance with section 21 of the Act is not to exceed \$100 per day for each day that the animal is restrained or impounded, to a maximum of \$2,000 per animal.

11 Sep 2009 SR 74/2009 s6.

Record of sale

15 For the purposes of section 23 of the Act, the Record of Sale maintained by the administrator is to be in Form H of Part II of the Appendix.

18 Jun 99 cS-60 Reg 1 s15.

Remaining proceeds of sale to owner

16 For the purposes of subsection 24(5) of the Act, the Statutory Declaration of Ownership is to be in Form I of Part II of the Appendix.

18 Jun 99 cS-60 Reg 1 s16.

Maintenance and operation of pounds

17(1) Every poundkeeper shall:

- (a) at his or her own cost, keep the pound to which the poundkeeper is appointed clean and in good repair; and
 - (b) supply impounded animals with sufficient wholesome sustenance and shelter as is commonly provided at the time and in the vicinity for animals of similar age and class, and with veterinary care if necessary.
- (2) A poundkeeper may send impounded animals out of the pound at fit times and to fit places for grazing or watering.

18 Jun 99 cS-60 Reg 1 s17.

Lawful fences

18 Subject to section 29 of the Act and sections 19 and 20 of these regulations, a fence must meet the following minimum requirements to be a lawful fence:

- (a) for cattle:
 - (i) three or more barbed or high tensile wire strands secured to substantial posts that are not more than 20 metres apart, the wire being fastened to droppers not more than five metres apart, and the strands of wire being 35 to 40 centimetres apart, with the lowest strand being 35 to 40 centimetres from the ground; or
 - (ii) three or more barbed or high tensile wire strands secured to substantial posts that are not more than 7.5 metres apart, the strands of wire being 30 to 35 centimetres apart, with the lowest strand being not more than 30 to 35 centimetres from the ground;
- (b) for bison, five or more barbed or high tensile wire strands secured to substantial posts that are not more than 7.5 metres apart, the strands of wire being 30 to 35 centimetres apart, with the lowest strand being not more than 30 to 35 centimetres from the ground;
- (c) for llama and alpaca, four or more barbed or high tensile wire strands secured to substantial posts that are not more than 7.5 metres apart, the strands of wire being 30 to 35 centimetres apart, with the lowest strand being not more than 30 to 35 centimetres from the ground;

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- (d) for goats, woven wire not less than 1.5 metres high, secured to posts not more than five metres apart;
- (e) for horses:
 - (i) two strands of barbed wire, one strand at chest height of a mature horse and the other strand at half distance between the top strand and the ground; or
 - (ii) a single strand of electric wire at a height equal to the top of a horse's front leg;
- (f) for domestic sheep:
 - (i) woven wire not less than 1.1 metres high;
 - (ii) four strands of electric wire, evenly spaced not less than 1.1 metres high with the lowest strand being not more than 10 centimetres from the ground; or
 - (iii) woven wire and one strand of electric wire or high tensile wire not less than 1.1 metres high;
- (g) for domestic pigs:
 - (i) woven wire 1.2 metres high, buried in the ground 45 centimetres down and 45 centimetres into the pen, and secured to posts not more than five metres apart; or
 - (ii) electric wire 15 centimetres from the ground and secured to posts not more than five metres apart;
- (h) for wild boar, woven wire 1.2 metres high, buried in the ground 45 centimetres down and 45 centimetres into the pen, and secured to posts not more than five metres apart;
- (i) for emu, woven wire 1.5 metres high, secured to posts not more than five metres apart, and anchored at the top and bottom with a tension wire;
- (j) for ostrich, woven wire 1.8 metres high, secured to posts not more than five metres apart, and anchored at the top and bottom with a tension wire;
- (k) for rhea, woven wire 1.5 metres high, secured to posts not more than five metres apart, and anchored at the top and bottom with a tension wire;
- (l) for the species and interspecies hybrids of mule deer and white-tailed deer, an enclosure at least 2.44 metres high;
- (m) for bighorn, American thinhorn or mouflon sheep, an enclosure of 2.1 metres high;
- (n) for domestic game farm animals other than those mentioned in clauses (l) and (m), an enclosure at least 2.1 metres high;
- (o) for fur animals, an enclosure in accordance with *The Fur Farming Regulations*.

S-60 REG 1**STRAY ANIMALS****Fence adjacent to crops or feed**

19(1) A fence adjacent to crops growing or being harvested is not deemed a lawful fence as described in section 18 unless it is situated at least 2.5 metres from the crop.

(2) A fence adjacent to hay stacks or loose grain is not deemed a lawful fence as described in section 18 unless it is situated at least six metres from the stacks or grain.

18 Jun 99 cS-60 Reg 1 s19.

Corral or enclosure used as a pound

20 The fence of a corral or an enclosure, other than a building, used as a pound must consist of rails, boards, slabs, or at least three strands of woven, smooth or barbed wire, secured to posts not more than five metres apart, substantially erect and kept in good state of repair so as to keep and prevent any animals impounded from escaping from the corral or enclosure.

18 Jun 99 cS-60 Reg 1 s20.

Sask. Reg. 304/77 repealed

21 The Stray Animals Regulations, being Saskatchewan Regulations 304/77, are repealed.

18 Jun 99 cS-60 Reg 1 s21.

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Appendix**PART I****Fees***[Section 4]*

<u>Service Provided</u>	<u>Fee or Other Compensation</u>
impounding a stray	maximum \$50 per animal
aiding in restraining or impounding a stray	maximum \$20 per hour per person
providing veterinary services with respect to a stray, including a valueless or dangerous stray	all reasonable charges
providing care and sustenance for restrained or impounded stray	(a) maximum \$25 per day per head for the first 50 head restrained or impounded at one time; and (b) \$20 per day per head for each animal over 50 head restrained or impounded at one time
transporting strays and disposing of carcasses of dead strays	(a) \$100 for up to 20 kilometres travelled; and (b) maximum of \$5 per kilometre travelled in excess of 20 kilometres
loading carcass of dead stray	maximum of \$100 per hour or part of an hour
advertising restraint of a stray	all reasonable charges
disposing of a valueless or dangerous stray if authorized by an administrator	maximum \$50 per hour to a maximum of \$500 per animal
travel related to destroying a valueless or dangerous stray	maximum \$0.45 per kilometre

PART II

Forms

FORM A

[Section 5]

Bylaw

Bylaw No. _____

A BYLAW OF THE MUNICIPALITY OF _____ NO. _____

RESPECTING ANIMALS RUNNING AT LARGE

Pursuant to *The Stray Animals Act*, the council of the Municipality of _____

No. _____ enacts as follows:

1. Expressions used in this bylaw have the same meaning and interpretation given to them by section 2 of *The Stray Animals Act*.
2. The following animals are permitted to run at large in the following areas within the municipality within the following times:
 - (a) horses (*specify kind, grazing area and period of restraint, if any*);
 - (b) cattle (*specify kind, grazing area and period of restraint, if any*);
 - (c) sheep (*specify kind, grazing area and period of restraint, if any*);
 - (d) swine (*specify kind, grazing area and period of restraint, if any*).

Read a first time this _____ day of _____ , _____ .
(day) (month) (year)

Read a second time this _____ day of _____, _____.
(day) (month) (year)

Read a third time and finally passed this _____ day of _____ , _____ .
(day) (month) (year)

(Seal of the Municipality)

Council head

Administrator

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FORM B
[Section 6]**Memorandum of Stray Animals Restrained**

TO: _____

I have this _____ day of _____, _____ received notice
(day) (month) (year)

from _____ of _____

of the discovery and restraint of the following stray animal(s):

Class of Animal(s) and Age	Sex & Colour	Brief General Description	Marks & Brands (if any) Probable wt. etc.	Name & Address of Owner (if known)

Date and time of commencement of restraint _____ a.m./p.m., the _____ day
(day)of _____,
(month) (year)

On discovery, the stray animal(s) was/were located at:

(a) 1/4 Sec. _____ Tp. _____ Rge. _____ West of the _____ Meridian,
Saskatchewan; or(b) _____

(describe the location of discovery in other terms, where applicable)

Nature and extent of damage, if any _____.

Amount claimed as damages \$ _____. Fees claimed for restraining \$ _____.

Signed _____ Signed _____
Finder Administrator_____
Address of finder_____
Telephone**NOTICE – Pursuant to section 17 of *The Stray Animals Act*, where the above described animal(s) has/have not been released to the owner within 72 hours, the finder shall deliver the animal(s) to the keeper of the nearest accessible pound or to the keeper of a pound as the administrator may direct.**

FORM C
[Section 8]

Notification of Impounded Animals

Municipality of _____ No. _____

TO: _____

Notice is hereby given pursuant to *The Stray Animals Act* that the following animal(s) was/were on the _____ day of _____, _____ impounded at:
(day) (month) (year)

Name and location of pound _____

Name of poundkeeper _____

Address _____

Telephone _____

Class of Animal(s) and Age	Sex & Colour	Brief General Description	Marks & Brands (if any) Probable wt. etc.	Name & Address of Owner

Pursuant to section 22 of *The Stray Animals Act*, if the above-described animal(s) has/have not been released from the pound within 14 days after impoundment I am required to give notice to the poundkeeper to deliver the animal(s) to a livestock auction market for sale by public auction.

Dated at _____, Saskatchewan, this _____ day of _____, _____.
(day) (month) (year)

Administrator

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FORM D
[Section 9]**Receipt for Impounded Animals**

TO WHOM IT MAY CONCERN:

I have this _____ day of _____ , _____
(day) (month) (year)Received from _____ of _____
for impounding the following animals, numbering _____ :

Class of Animal(s) and Age	Sex & Colour	Brief General Description	Marks & Brands (if any) Probable wt. etc.	Name & Address of Owner (if known)

Place of impoundment:

(a) 1/4 Sec. _____ Tp. _____ Rge. _____ West of the _____ Meridian,
Saskatchewan; or(b) _____

(describe the place of impoundment in other terms, where applicable)

Fees claimed for impounding \$ _____ .

Fees claimed for restraining \$ _____ .

Poundkeeper

FORM E
[Section 10]

Notice of Impounded Animals

TO WHOM IT MAY CONCERN:

Notice is hereby given that, pursuant to *The Stray Animals Act*:

(description of animal(s) impounded)

was/were impounded on the _____ day of _____, _____ at:
(day) (month) (year)

(a) 1/4 Sec. _____ Tp. _____ Rge. _____ West of the _____ Meridian,
Saskatchewan; or

(b) _____

(describe place of impoundment in other terms, where applicable)

Pursuant to section 22 of *The Stray Animals Act*, where the above-described animal(s) has/have not been released from the pound within 14 days after impoundment, or where the owner remains unknown after reasonable inquiry by the municipality and the municipality has waited seven days after impoundment, the animal(s) shall be delivered to a livestock auction market for sale by public auction.

Date

Administrator

Municipality of

Telephone

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FORM F
[Section 11]

Notice of Sale of Impounded Animals

TO WHOM IT MAY CONCERN:

Notice is hereby given that, pursuant to *The Stray Animals Act*:

(description of animal(s) to be sold)

will be sold at _____ on _____

_____ .

Date

Administrator

Municipality of

Telephone

FORM G
[Subsection 13(2)]

Statutory Declaration of Ownership

TO: The Municipality of _____ No. _____

CANADA
Province of Saskatchewan
To Wit:

IN THE MATTER OF
THE STRAY ANIMALS ACT

I, _____ ,
(Full name of person claiming ownership)

of _____ , Saskatchewan, _____ ,
(Address) (Occupation)

do solemnly declare that I am the owner of:

(description of stray animal(s))

and I make this solemn declaration believing it to be true and knowing that it is of the same force and effect as if made under oath and by virtue of the *Canada Evidence Act*.

Declared before me at _____
_____, Saskatchewan,
this ____ day of _____ ,
_____ .

A Commissioner for Oaths in and for the
Province of Saskatchewan.

Owner

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FORM H
[Section 15]**Record of Sale of Impounded Animal**

MUNICIPALITY OF _____ No. _____

PART I**Statement of Sale of an Impounded Animal Sold Pursuant to *The Stray Animals Act***

Class of Animal _____

General description and brand, if any _____

Name and address of finder _____

Date and time of restraintment _____

Dates of issue of the official notice _____

Name and address of purchaser _____

Date of sale _____

Total Amount Realized at Sale (A) \$ _____

PART II**Detailed Record of Expenses**

No. of animals x No. of days x \$ per day \$ _____

Feeding and Care _____

Restraining Fee _____

Impounding Fee _____

Penalty Fee _____

Damages (if owner unknown) _____

Selling Costs _____

Transportation Costs _____

Advertising _____

Postage, including registration of notification _____

For duties performed pursuant to the
Act or the regulations _____

Total Expenses (B) \$ _____

Amount realized from sale of above animals (A - B) \$ _____

and turned over to the Municipality of _____

(Administrator)_____
(Address)

FORM I
[Section 16]

Statutory Declaration of Ownership

TO: The Municipality of _____ No. _____

CANADA
Province of Saskatchewan
To Wit:

IN THE MATTER OF
THE STRAY ANIMALS ACT

I, _____,
(Full name of person claiming ownership)

of _____, Saskatchewan, _____,
(Address) (Occupation)

do solemnly declare that:

1. The following animals owned by me strayed from my premises on or about the _____
(day)

day of _____, _____ at:
(month) (year)

(a) 1/4 Sec. _____ Tp. _____ Rge. _____ West of the _____ Meridian,
Saskatchewan; or

(b) _____

(describe the location in other terms, where applicable)

Class of Animal(s) and Age	Sex & Colour	Brief General Description	Marks & Brands <i>(if any)</i> Probable wt. etc.

2. It has since come to my knowledge that these animals were sold at _____
on or about the _____ day of _____,
(day) (month) (year)

3. I declare these animals to be the animals lost by me and that I am entitled to the
proceeds of the sale of the animals, less the cost of impoundment, sale and sustenance.
And I make this solemn declaration believing it to be true and knowing that it is of the
same force and effect as if made under oath and by virtue of the *Canada Evidence Act*.

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Declared before me at _____
 _____, Saskatchewan,
 this _____ day of _____,
 _____.

A Commissioner for Oaths in and for the
 Province of Saskatchewan.

Owner _____

Corroborative Statement

I, _____ of _____, am well
 acquainted with the person who makes the above declaration and am aware, of my own
 personal knowledge, that the said _____ did own an animal answering
 the description given in the above declaration.

Dated at _____, Saskatchewan, this ____ day of _____, ____.

(day) (month) (year)

 (Signature)

