

The Stray Animals Regulations

Repealed

by Chapter S-60 Reg 1 (effective June 9, 1999)

Formerly

Saskatchewan Regulations 304/77
(effective November 1, 1977).

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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SASKATCHEWAN REGULATION 304/77
under *The Stray Animals Act, 1977 – Section 31*

Regulations governing the restraint, impoundment, reclaim, or sale of strays
under the provisions of Section 31 of The Stray Animals Act 1977.

Title

1 These regulations may be cited as the Stray Animals Regulations.

Interpretation

2 These regulations shall be construed with reference to the terms and interpretations of The Stray Animals Act 1977.

21 Oct 77 SR 304/77 s2.

Animals at large re: forms

3 A bylaw by a municipality, or a Minister's Order, pursuant to section 4 of the Act, defining the portion of the municipality within which and the period during which any or all animals may be permitted to run at large shall be in Form A of Schedule B of the regulations.

21 Oct 77 SR 304/77 s3.

Finder of stray animals re: forms

4 The secretary of a municipality in which a stray is discovered and who is notified by the finder as required of the finder under subsection (3) of section 14 of the Act shall record and sign in duplicate a memorandum of Stray Animals Restrained in Form B of Schedule B to these regulations containing a description of each animal and the place it was restrained, the name of the owner, if known, the amount claimed for damages and the fees due to the finder. The Memorandum of Stray Animals Restrained shall also be countersigned by the finder who shall thereupon receive one of the copies.

21 Oct 77 SR 304/77 s4.

Notification, advertisement of animal(s) being restrained

5 The secretary of a municipality upon being notified by the finder of an animal being restrained shall:

- (1) notify the owner of the stray, if known, and confirm the restraint;
- (2) if the owner of the stray is not known:
 - (a) notify the nearest detachment of the R.C.M.P.; and
 - (b) advertise the animal in one issue of a newspaper circulated in the locality, giving a true and correct description of the animal(s); or

(c) advertise the animal on radio or television on two consecutive days between the 700 hours and 2200 hours broadcasting in the locality giving a true and correct description of the animal(s).

21 Oct 77 SR 304/77 s5.

Notification of impoundment re: known owner

6 Upon a stray being impounded and the owner of the impounded animal is known to the secretary, the secretary shall in person or by telephone inform the owner of the animal impounded and shall have delivered to the owner a Notification of Impoundment in Form C of Schedule B to these regulations and the municipality shall be entitled to receive such fees for service as are prescribed in Schedule A to these regulations.

21 Oct 77 SR 304/77 s6.

Poundkeeper to complete receipt

7 A poundkeeper upon receipt of a stray animal shall complete in triplicate a receipt for impoundment in Form I of Schedule B to these regulations and shall give one copy to the finder and deliver one copy to the secretary of the municipality in which the stray was found.

21 Oct 77 SR 304/77 s7.

Notice of impoundment to be posted

8 Following impoundment of the animal the secretary shall post a notice of impoundment at three conspicuous places within the municipality, one of which shall be the auction market at which the animal will be sold if sale is required and such notice shall be in Form D of Schedule B to these regulations.

21 Oct 77 SR 304/77 s8.

Notice to be sent to known owner

9 Where the owner of an impounded animal is known the secretary shall, on the date of posting of notice of impoundment or notice of sale of an impounded animal, send a copy of the notice to the owner.

21 Oct 77 SR 304/77 s9.

Animal not released from impoundment by owner

10 Where the animal is not released from impoundment by the owner the secretary shall post a notice of sale for seven consecutive days at three conspicuous places within the municipality, one of which shall be the auction market at which the animal will be sold and such notice shall be in Form E of Schedule B to these regulations.

21 Oct 77 SR 304/77 s10.

Fourteen day period of impoundment

11 The period during which notice of sale is posted shall be within the fourteen day period of impoundment prescribed in section 22 of the Act.

21 Oct 77 SR 304/77 s11.

Listing of Saskatchewan Registered Brands

12 For the purpose of identification of stray animals the director shall provide to the secretary an up-to-date listing of Saskatchewan Registered Brands.

21 Oct 77 SR 304/77 s12.

Animal sold by public auction after fourteen days re: section 10

13(1) An animal not released from pound within fourteen days after it has been impounded shall be sold by public auction after a notice of sale has been given by the secretary in the manner prescribed in section 10.

(2) At any time prior to the sale of an impounded animal the owner thereof shall be entitled to obtain the animal upon payment of all lawful fees and charges payable to the municipality.

(3) The secretary or the poundkeeper, before releasing the stray to the person claiming ownership, may require from that person a statutory declaration of ownership in Form F of Schedule B to these regulations.

21 Oct 77 SR 304/77 s13.

Statement of sale issued by livestock auction market

14(1) A livestock auction market shall immediately after the sale of a stray forward to the secretary of the municipality in which the stray was discovered a weight ticket and a statement of sale indicating total proceeds of the sale less authorized commissions and other charges related to the housing and sale of the animal.

(2) The secretary shall maintain an individual record of the sale of all strays and such record shall be in Form G of Schedule B to these regulations.

(3) An owner claiming receipt of proceeds from the sale of a stray sold pursuant to the Act shall provide to the secretary a statutory declaration of ownership and corroborative statement and such declaration and corroborative statement shall be in Form H of Schedule B to these regulations.

21 Oct 77 SR 304/77 s14.

Poundkeeper to maintain animals sufficiently

15 Every poundkeeper shall at his own cost keep the pound to which he is appointed, clean and in good repair, and shall supply the animals impounded therein with sufficient and wholesome sustenance, and provide for them such shelter as is commonly provided at the time for animals of similar age and class in the vicinity, and may send the animals out of his pound at fit times, and to fit places, for grazing or watering.

21 Oct 77 SR 304/77 s15.

LAWFUL FENCES

Lawful fences

16 Subject to section 17, 18 and 19 a lawful fence means a substantial fence consisting of:

- (1) woven wire secured to posts not more than 10 metres (33 feet) apart and not less than 100 cm (3.3 feet) above ground; or
- (2) not less than three barbed wire strands fastened on substantial posts not more than 20 metres (66 feet) apart; the wire being fastened to droppers not more than 5 metres (16.5 feet) apart and the strands separated by a distance of approximately 35-40 cm (14-16 inches), the lower strand not more than 35-40 cm (14-16 inches) from the level of the ground; or
- (3) three or more barbed wire strands fastened on substantial posts not more than 5 metres (16.5 feet) apart, the strands separated by a distance of approximately 35-40 cm (14-16 inches), the lower strand not more than 35-40 cm (14-16 inches) from the level ground; or
- (4) four or more barbed wire strands fastened on substantial posts not more than 7.5 metres (25 feet) apart separated by a distance of approximately 30-35 cm (12-14 inches) and the lower strand not more than 30-35 cm (12-14 inches) from the level of the ground; or
- (5) rails, boards, or slabs not less than 1.5 metres (5 feet) in height, the lowest one not more than 30-35 cm (12-14 inches) from the level of the ground, securely nailed, tied or otherwise fastened to posts not more than 5 metres (16.5 feet) apart, and the rails, boards or slabs placed in such a position as to prevent passage of the animal.

21 Oct 77 SR 304/77 s16.

Unlawful fences re: crops

17 A fence surrounding crops growing or in process of being harvested shall not be deemed a lawful fence unless it is situated at least 2.5 metres (8 feet) from such a crop.

21 Oct 77 SR 304/77 s17.

Unlawful fences re: hay or grain

18 A fence surrounding stacks of hay or grain shall not be deemed a lawful fence unless it consists of one of the kinds and fences described in Section 13, and unless the fence is situated at least 6 metres (20 feet) from the stacks.

21 Oct 77 SR 304/77 s18.

Fences surrounding corrals or enclosures

19 The fence surrounding a corral or enclosure, other than a building, used as a pound shall consist of rails, boards, slabs, or of woven or smooth wire or barbed wire consisting of at least three strands of wire on posts not more than 5 metres (16.5 feet) apart, substantially erected and kept in good state of repair so as to keep and prevent any animals impounded therein from escaping from the corral or enclosure while it is used as a pound.

21 Oct 77 SR 304/77 s19.

SCHEDULE A

Fees for services performed in accordance with the Act or the regulations.

1 Where work is done or a service is provided pursuant to the Act the person doing the work or providing the service may charge fees as follows:

- (1) for impounding a stray a sum not exceeding five dollars (\$5.00) for each animal;
- (2) for providing care and feed for livestock restrained or impounded, a cost not exceeding \$5.00 per head for each animal for each 24 hour period or part thereof that the animal is confined or impounded but not exceeding \$70.00 for any one animal;
- (3) for transporting livestock a fee, to be calculated on the number of kms travelled from the point of departure to point of delivery and return to point of departure:
 - (a) up to and including 20 km (12.5 miles), \$15.00;
 - (b) for every km after the first 20 km (12.5 miles), 32 cents
- (4) for reimbursement of the amount forwarded to the local newspaper with notice for publication, the sums so forwarded.

2 Notwithstanding section 1 the municipality may authorize payment of fees in the following amounts:

- (1) for authorized duties performed by a person for disposition of a stray animal, a sum not exceeding \$4.00 for each hour or portion thereof;
- (2) for each km travelled in performance of duties related to the disposition of a stray animal, 16¢.

3 A municipality may assess a further penalty against the owner of a stray for failure to remove the animal from restraint or impoundment when instructed to do so. Such penalty shall not exceed \$10.00 for each 24 hours or portion thereof and shall not exceed \$100.00 for each animal.

SCHEDULE B

FORM A
Bylaw

Bylaw No.

A bylaw of The Municipality of No
respecting animals running at large.

Under the authority and subject to The Stray Animals Act, 1977, the council of the
Municipality of No..... enacts as follows:

1 Expressions used in this bylaw shall have the same meaning and interpretation
as given to them by Section 2 of The Stray Animals Act, 1977.

2 The following animals owned by burgesses of the municipality shall be
permitted to run at large within the areas herein described during the periods
named respectively:

- (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 , 19.....

Read a second time..... this day of , 19.....

Read a third time and finally passed this day of , 19.....

Seal of the Municipality

.....
Council head

.....
Secretary

FORM B
Memorandum of Stray Animals Restrained

TO
I have this day of 19 Received notice from
..... of
of the
discovery and restraint of the following stray animals.

Table with 5 columns: Class of Animals and Age, Sex & Color, Brief General Description, Marks & Brands (if any) Probable wt. etc., Name & Address of Owner (if known)

Owner of stray animal(s) (if known)
Date and time of commencement of restraint A.M./P.M. the day
of 19
The stray animals upon discovery were located at Qr. Sec
Tp. Rge. West of Mer.
Nature and extent of damage, if any
Amount claimed as damages, \$ Fees claimed for restraining \$
Signed Finder Signed Secretary

.....
Address
.....
Phone

NOTICE – Pursuant to Section 17, where the above described animal(s) (has) (have)
not been released to the owner within 72 hours, the finder shall deliver such animals
to the keeper of the nearest accessible pound or to the keeper of such pound as the
secretary may direct.

FORM C

Municipality of No

NOTIFICATION OF IMPOUNDMENT

To
.....

Notice is hereby given under the provisions of The Stray Animals Act, 1977 that the following described animal(s) (was) (were) on the day of 19..... impounded at:

Name and location of pound

Name of poundkeeper

Address

Phone

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

Pursuant to Section 22 of The Stray Animals Act, 1977 where the above described animal(s) (has) (have) not been released from the pound within fourteen 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 this day of , 19.....

.....
Signature of the Secretary

FORM D
Notice of Impoundment

TO WHOM THE SAME MAY CONCERN:

Notice is hereby given that by virtue of power granted under "The Stray Animals Act 1977"

.....
.....
.....
.....
.....

(give description of animal or animals impounded)

was impounded in the Pound at _____ on the ____ 1/4 Sec. _____ Tp. _____

Range _____ West of the _____ Meridian on the ____ day of _____ 19 ____ .

Pursuant to Section 22 of The Stray Animals Act, 1977 where the above described animal(s) (has) (have) not been released from the pound within fourteen days such animals shall be delivered to a livestock auction market and offered for sale by public auction.

Date

.....

Secretary

.....

Municipality of

.....

Phone

FORM E
Notice of Sale

TO WHOM IT MAY CONCERN:

Notice is hereby given that by virtue of power granted under "The Stray Animals Act 1977"

.....
.....
.....
.....
.....

(give description of animal or animals to be sold)

will be sold at on
.....

Date

.....
Secretary

.....
Municipality of

.....
Phone

FORM F
Declaration of Ownership

I,
Full name of person claiming ownership

of
Address Occupation

do solemnly declare that I am the owner of:
Description of stray animal

.....
.....
.....
.....
.....

and I make this solemn declaration conscientiously 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,
.....
this day of
19

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

FORM G
Record of Sale

MUNICIPALITY OF No.

Statement of sale of an impounded animal sold under The Stray Animal Act, 1977.

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.....

DETAIL RECORD OF EXPENSES

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

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..... \$

Amount realized from sale of above animals and turned over to the
Municipality of

.....
Signature of Secretary

.....
Address

FORM H

TO THE MUNICIPALITY OF No.

CANADA

STATUTORY DECLARATION

Province of Saskatchewan

To Wit:

In the Matter of The
Stray Animals Act, 1977

I, of

..... in the Province of Saskatchewan, do

solemnly declare that the following animals owned by me strayed from my premises at
Sec ____ Tp __ Rge __ on or about the _____ day of _____ A.D. 19__ .

Number	Class of Animal & Age	Color	Brands or Marks
--------	-----------------------	-------	-----------------

That it has since come to my knowledge that the said animals were sold

..... at on or about the day of

A.D. 19.....

I declare these animals as being the animals lost by me as aforesaid and that I am entitled to the proceeds of the sale of such animals, less the cost of impoundment, sale and sustenance.

And I make this solemn declaration conscientiously 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.....

in the province of Saskatchewan, this.....

day of A.D. 19

.....
Justice of the Peace Commissioner
of Oaths or Notary Public.

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.....

this..... day of A.D. 19

FORM I
Receipt for Animals Impounded

TO WHOM IT MAY CONCERN:

I have this day of 19
Received from..... of
for impounding the following animals, numbering

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

Place of impoundment
at Sec.
Tp.
Rge. West of
Mer
Fees claimed for impounding \$
Fees claimed for restraining \$

Signed
Poundkeeper

21 Oct 77 SR 304/77 Schedule B.