



COUNCIL MEETING
Tuesday, February 20, 2024
6:30 p.m.
Council Chambers, City Hall

PAGE 1

Page

ADOPTION OF AGENDA

Adoption of Agenda.

ADOPTION OF MINUTES

Adoption of minutes of the regular Council meeting held February 5, 2024.

PROCLAMATIONS

Tracy Prang, Paula Sundquist and Stephanie Krahn of the Swift Current Kinettes Club will attend to proclaim February 18 to February 25, 2024 as “Telemiracle Week”.

DELEGATIONS

PUBLIC HEARINGS/PUBLIC NOTICE MATTERS/ORDERS

ITEMS FOR ACTION

- 1 Accounts.
- 3 Report regarding New Smoking Bylaw.
- 16 Report regarding Remuneration for Integrity Commissioner Policy Bylaw.
- 22 Report regarding Proposed Amendment to Zoning Bylaw: UR – Urban Reserve district Existing Mobile Homes Added as Permitted Use.

REPORTS FOR INFORMATION

BYLAWS

- 25 Bill No. 2 – 2024 A Bylaw to adopt a new Animal Control Bylaw.
Notice given February 5, 2024.
Will receive three readings – Councillor Friesen.



COUNCIL MEETING
Tuesday, February 20, 2024
6:30 p.m.
Council Chambers, City Hall

PAGE 2

-
- 67** Bill No. 3 – 2024 A Bylaw to adopt a new Smoking Bylaw.
Notice waived – will receive three readings.

UNFINISHED BUSINESS

NEW BUSINESS

- 78** Swift Current City Detachment Community Policing Report for January, 2024.
- 79** Tourism Swift Current Inc. Meeting Agenda from February 8, 2024.
- 80** Southwest Transportation Planning Council Inc. Executive Working Committee Meeting Minutes from January 26, 2024 and Meeting Agenda for February 23, 2024.

COMMUNICATIONS

ITEMS REQUESTED TO BE DISCUSSED EN CAMERA

- 85** Request regarding Alternate Utility Resources.

REPORTS OF COUNCIL MEMBERS/ENQUIRIES

ADJOURNMENT

NEXT MEETING DATE:

Monday, March 4, 2024 – 6:30 p.m.

February 9, 2024

TO: Council
FROM: Kari Cobler, General Manager of Corporate Services
RE: Accounts

Enclosed are the General Revenue Fund Disbursements for the period
Jan 25 - Feb 9, 2024

	<u>Current</u>	<u>Year to Date</u>
Regular Accounts	189,412.46	644,587.67
Payroll Benefits	470,617.00	1,152,766.21
School Payments (Holy Trinity RCSSD #22)	1,873.01	111,167.73
School Payments (Minister of Finance)	20,326.23	472,441.17
Sask Power - (Energy Purchase)	-	1,232,639.91
Sask Power	-	2,813.63
SaskEnergy	-	63,124.60
SaskTel	-	18,050.98
General Contractors:		
Aevitas Inc	20,901.12	20,901.12
B & A Petroleum	-	40,130.48
Chemtrade West Ltd	17,976.00	35,532.00
CloudPermit Inc	21,090.00	21,090.00
Delco Automation Inc	-	32,317.65
Eecol Electric Ltd	-	38,028.31
Flocor Inc	-	14,767.70
FP Teleset Francotyp	-	36,750.00
GFL Environmental Inc	95,674.10	112,891.51
Integrity Electrical Services	-	13,772.28
KK Golf Management Inc	-	11,913.80
Knudsen Excavating	47,126.63	47,126.63
Leeville Construction Ltd	-	49,365.47
Len's Plumbing & Heating	-	24,339.20
Paradise Pools	16,644.45	16,644.45
PTI Utility Supply Ltd	17,723.75	17,723.75
Redhead Equipment Ltd	-	28,137.59
Riverside Electric Ltd	-	38,911.03
Rock Solid Trucking Ltd	22,850.86	33,082.08
Saskatchewan Abilities Council	55,605.89	55,605.89
Saskatchewan Public Safety Agency	-	35,175.00
SGI	65,167.68	65,167.68
Southern Star Trucking & Excavation Ltd	16,674.75	30,163.90
Southwest Cultural Development Group Inc	60,000.00	60,000.00
SUMA	-	21,395.93
Superior North America Inc	14,360.01	15,348.23
Tourism Swift Current	-	60,375.00

Triways Disposal Services	108,778.40	108,778.40
Uline Canada	-	11,734.45
United Paving (1983) Ltd	-	62,310.29
Vigilant Consulting Services	55,182.86	71,832.86
Wastequip (Toter LLC)	-	55,783.52
Wheatland Machine Shop	-	48,088.10
Wiebe Contracting	-	15,400.15
Y & K Cleaning Ltd	-	10,224.21
TOTAL	<u><u>\$ 1,317,985.20</u></u>	<u><u>\$ 5,058,400.56</u></u>

RECOMMENDATION:

I recommend that \$1,317,985.20 in disbursements be approved.

REPORT PREPARED BY:

Lisa Hagen, Accounts Payable Supervisor

SIGNATURE: 

APPROVAL: 

I concur with the recommendation



 Jim Jones, CAO



City of Swift Current

C.A.O. Report

Date: February 12, 2024
To: Chief Administrative Officer
From: City Clerk
Subject: **New Smoking Bylaw**

BACKGROUND

The current Smoking Bylaw was created in January 1985 with subsequent amendments passed in October of 1985 and again by way of Bylaw No. 23 - 1993. Since this time the Government of Saskatchewan has adopted new legislation under *The Tobacco and Vapour Products Control Act* and has enacted further restrictions, most recently on February 1st, 2024, dealing with tobacco products and consumption.

DISCUSSION

At the Governance and Priorities Committee meeting of February 14th, 2024, Council was presented with the new Smoking Bylaw for their review and discussion. This Bylaw incorporates the new Provincial legislation and restrictions providing the City with additional enforceability, specifically in the areas of youth access to tobacco products and acceptable locations for consumption. The new Smoking Bylaw bans the use of tobacco and vapour products in schools and on school grounds, provides for the regulation of smoking in both indoor and outdoor public places and details the process when a contravention occurs.

The new Smoking Bylaw will enhance the safety and comfort of all people within the City of Swift Current and has been vetted by the City Solicitor.

RECOMMENDATION

THAT City Council hereby waives notice of its intention to adopt a new Smoking Bylaw.



Jackie Schlamp, City Clerk

CAO Recommendation:

I concur with the recommendation.



Jim Jones, CAO

BYLAW NO. X – 2024

A BYLAW of the City of Swift Current, in the Province of Saskatchewan, to regulate, control and prohibit smoking in public places.

THE COUNCIL OF THE CITY OF SWIFT CURRENT, SASKATCHEWAN, IN COUNCIL ASSEMBLED ENACTS AS FOLLOWS:

PART I GENERAL

1. Title

This Bylaw may be cited as the “**Smoking Bylaw**”.

2. Legislative Authority

This Bylaw has been created pursuant to Section 8 of *The Cities Act* which enables Council the authority to pass bylaws for purposes such as the safety, health, and welfare of citizens.

3. Purpose

The purpose of this Bylaw is to promote the safety, health and welfare of people and promote safe, enjoyable and reasonable use of public places for the benefit of all residents and visitors by prohibiting smoking and limiting the impact of smoke on persons using public places.

This Bylaw is intended to adopt the restrictions and supplement the legislation under *The Tobacco and Vapour Products Control Act*, *The Tobacco Control Regulations*, *The Public Health Act, 1994*, *The Cannabis Control (Saskatchewan) Act* and *The Summary Offences Procedure Act, 1990*.

4. Definitions

In this Bylaw and in any resolution of the Council passed pursuant thereof, unless the context otherwise requires, the term or expression:

- a) “**Act**” means *The Cities Act*.
- b) “**Authorized Individual**” means any person who is a paid or unpaid employee of any Public Place and includes: a full-time, part-time, temporary, permanent, seasonal, and casual employee, volunteer or contractor or an Officer as described within this Bylaw.

- c) **“City”** means the municipal corporation of the City of Swift Current.
- d) **“Common Area”** means lobbies, foyers, stairwells, hallways, elevators, corridors, cloakrooms, amenity areas, washrooms, change rooms/dressing rooms, food seating areas and outdoor theatres of any building or facility.
- e) **“Council”** means Council for the City of Swift Current, elected pursuant to the provisions of section 11 of *The Local Government Elections Act, 2015*, as the governing body of the municipality.
- f) **“Designated Smoking Area”** means an identifiable location outside of a building or facility in which smoking is permitted.
- g) **“Electronic Cigarette” or “E-Cigarette”** means all or any of the following:
 - i. a product or device, whether or not it resembles a cigarette, containing an electronic or battery-powered heating element capable of vaporizing an e-substance for inhalation or release into the air;
 - ii. a prescribed product or device similar in nature or use to a product or device described in subclause i.
- h) **“Electronic Substance” or “E-Substance”** means a solid, liquid or gas that, on being heated, produces a vapour for use in an e-cigarette, regardless of whether the solid, liquid or gas contains nicotine.
- i) **“Herbal Substance”** means both an actual, naturally-occurring plant and/or the product(s) and/or substance(s) derived from but not exclusive to the whole plant, roots, stems, flowers or leaves and which are made available in forms including but not limited to liquid extracts, powders, capsules, tablets or teas.
- j) **“Indoor Public Place”** means all or any part of a building, facility or other enclosed place to which the public has access as of right or by express or implied invitation, or that is rented or leased by a person for public or private use and includes any enclosed place that is owned, operated, managed or maintained by the City.
- k) **“Legislation”** means any Acts, Regulations, and Laws enacted by the Province of Saskatchewan or in the Country of Canada as may be amended from time to time.
- l) **“Officer”** means any Bylaw Enforcement Officer or Peace Officer, appointed or designated by Council for the purpose of enforcing this Bylaw or any municipal law enforcement officer, such as a member of the Royal Canadian Mounted Police.
- m) **“Outdoor Public Place”** means all or any property, green space, park, or other open space to which the public has access as of right or by express or implied invitation, or that is rented or leased by a person for public or private use and includes any outdoor space that is owned, operated, managed or maintained by the City.
- n) **“Park”** means any open green space that is used for the enjoyment of the public for both passive and active recreational activities, which may have facilities for rest or recreation.

- o) **“Person”** means any corporation, firm, partnership, association, registered company, unincorporated group of persons, natural person or other aggregation of the same.
- p) **“Play Area”** means an outdoor area for children to play on, which includes, without limiting, skate parks, bicycle parks, outdoor pools, and water spray parks.
- q) **“Public Place”** means any Indoor Public Place or Outdoor Public Place.
- r) **“School”** means a school or independent school as defined in *The Education Act, 1995* and includes:
 - i. grounds surrounding a school;
 - ii. athletic fields;
 - iii. parking lots;
 - iv. green space; and
 - v. spaces rented or leased by other groups if it is owned or operated by the school or school division.
- s) **“Smoke” or “Smoking”** means to inhale, exhale, burn or carry a lighted cigarette, e-cigarette, hookah pipe, pipe, or other lighted smoking equipment that burns tobacco, a herbal substance or other substance.
- t) **“Sports Field”** means an outdoor area designated and intended for use in a specific sporting event and includes soccer fields, football fields, baseball diamonds, tennis courts, and similar areas.
- u) **“Tobacco”** means tobacco in any form in which it is used or consumed and includes snuff and raw leaf tobacco but does not include any food, drug or device that contains nicotine to which the *Food and Drugs Act (Canada)* applies.
- v) **“Vape” or “Vaping”** means the use of an e-cigarette.

5. Schedules

The following schedules, appendixes and forms are attached to, and form part of, this Bylaw:

- a) Appendix “1” – No Smoking Sign;
- b) Schedule “A” – Offences for which a Violation Notice may be issued;
- c) Form “1” – Notice of Violation;

6. Interpretation

- 6.1 Headings are for reference purposes and shall not affect in any way the meaning or interpretation of the provisions of this Bylaw.
- 6.2 Any other words shall, insofar as they are not consistent with this Bylaw, have the same meaning as in *The Cities Act*, and amendments thereto.

- 6.3 Unless the context otherwise requires, words importing the singular number shall include the plural and vice versa.
- 6.4 If a provision of this Bylaw conflicts with the provisions of any Legislation, then the Legislation shall prevail.

PART II APPLICATION

7. General Prohibition

- 7.1 No Person shall Smoke or Vape:
- a) in an Indoor Public Place, including Common Areas;
 - b) within three (3) meters of a main entrance, secondary doorway, window or air intake of an Indoor Public Place, subject to additional restrictions pursuant to clause c);
 - c) in a School or on School property as defined in clause 4. r);
 - d) inside a public or City vehicle;
 - e) in an Outdoor Public Place, including Common Areas, Parks, Play Areas and Sports Fields, except within a Designated Smoking Area; or
 - f) within three (3) meters of the boundaries of an Outdoor Public Place, Common Area, Park, Play Area or Sports Field.
- 7.2 No Person shall:
- a) fail to leave a Public Place after an Authorized Individual has given the person notice or direction to leave for Smoking or Vaping in a Public Place; or
 - b) enter or use a Public Place after an Authorized Individual has prohibited the person's entry or use for Smoking or Vaping in a Public Place.

8. Signage

- 8.1 The owner of any Public Place as herein defined shall ensure that signs in the manner, size and location prescribed in *The Tobacco and Vapour Products Control Act*, indicating that Smoking and Vaping is prohibited, an example of which is shown in the attached Appendix "1", are displayed in a clearly visible location at all entrances to the public area.
- 8.2 The City may post signs indicating that Smoking and Vaping is prohibited in any Public Place.
- 8.3 No person shall remove, cover up or alter any sign which has been displayed or posted pursuant to this Bylaw.

- 8.4 The absence of a sign as required by subsection 8.1 does not relieve any person from compliance with Section 6 of this Bylaw.

9. Exemptions

- 9.1 Nothing in this Bylaw prohibits a person from Smoking in any place designed, intended, and used exclusively as a private residence.
- 9.2 Nothing in this Bylaw prohibits a person from using an Electronic Cigarette for the sole purpose of testing the device, or sampling products used with the device, prior to purchase within the confines of the premises of a registered and licensed Electronic Cigarettes retailer.
- 9.3 Nothing in this Bylaw prohibits a person from Smoking or holding lighted Tobacco, Herbal Substances, or tobacco-related products in a public place for traditional spiritual or cultural practices or ceremonies, if the use of Tobacco, Herbal Substances, or tobacco-related products is an integral part of the traditional spiritual or cultural practices or ceremonies being carried out in a Public Place with the consent of the owner.
- 9.4 The onus to prove that the exemption in subsection 9.3 applies shall be on the person alleged to be in violation.

PART III ENFORCEMENT

10. Enforcement Officers

- 10.1 Any Officer or any other person duly authorized or recognized as having been granted authority by Council is hereby designated to enforce this Bylaw.
- 10.2 Without restricting any other power, duty or function granted by this Bylaw, an Officer may:
- a) carry out inspections to determine compliance with this Bylaw;
 - b) take any steps or carry out any actions required to enforce this Bylaw;
 - c) take any steps or carry out any actions required to remedy a contravention of this Bylaw; or
 - d) establish areas where activities otherwise regulated, restricted or prohibited by this Bylaw are permitted.

11. Offences and Penalties

- 11.1 No person shall:
- a) fail to comply with any provision of this Bylaw; or

- b) obstruct or interfere with an Officer or other person acting under authority of this Bylaw.
- 11.2 Any person who contravenes any of the provisions of this Bylaw or fails to comply herewith or with any notice given hereunder is considered guilty of an offence and liable, on summary conviction:
- a) no less than \$100 in the case of a first offense, to a fine not exceeding \$3,000; and
 - b) no less than \$200 in the case of a second offense, to a fine not exceeding \$5,000.
- 11.3 An Officer who has reason to believe that a person has contravened any provision of this Bylaw may serve on that person a Violation Notice, which Violation Notice shall indicate that the City will accept voluntary payment as set forth in Schedule "A" to be paid to the City within 10 days.
- 11.4 If payment of the amount specified is made within the time specified, the person alleged to have committed the offence shall not be liable to prosecution for the offence indicated.
- 11.5 Where any person is convicted of an offence or has voluntarily paid a fine for an offence and contravenes the same provision of this Bylaw within a 12 month period, the specified payment payable in respect to the subsequent offence is double the amount shown in Schedule "A" of this Bylaw in respect of that provision.
- 11.6 If payment of the amount specified on the Violation Notice is not made on or before the date indicated on the Violation Notice, an Officer or Peace Officer, as the case may be, may lay an Information under oath as to the offence before a Justice of the Peace for the purpose of obtaining a Summons.
- 11.7 The Summons shall be in the prescribed form and shall provide for the voluntary payment of a penalty for the offence which the person is alleged to have committed. The Summons shall be issued by a Justice of the Peace and shall be served by a Peace Officer or other authorized person.
- 11.8 Voluntary payment of a penalty specified in a Summons shall be made no less than five (5) business days prior to the court date indicated on the Summons. Voluntary payment shall be made in person to the cashier at City Hall during normal business hours.
- 11.9 If payment of the amount specified on the Summons is not made no less than five (5) business days prior to the court date indicated, the person to whom the Summons has been issued shall be liable to prosecution for the alleged contravention of the Bylaw.
- 11.10 Notwithstanding the provisions of this Section, a person may exercise his right to defend any charge of committing a contravention of any of the provisions of this Bylaw.

12. Directors, etc. of Corporations

Every director, officer or agent of a corporation who directed, authorized, assented to, acquiesced in or participated in an act or omission of the corporation that would constitute an offence by the corporation is guilty of that offence, and is liable on summary conviction to the penalties provided for the offence whether or not the corporation has been prosecuted or convicted.

13. Vicarious Liability

In a prosecution for an offence pursuant to this Bylaw, it is sufficient proof of the offence to establish that it was committed by an employee or agent of the accused, whether or not the employee or agent is identified or has been prosecuted or convicted for the offence, unless the accused establishes that the offence was committed without his or her knowledge and that the accused exercised all due diligence to prevent its commission.

14. Evidence

In a prosecution for an offence pursuant to this Bylaw, the judge may infer that any substance or object in question is Tobacco, an Electronic Substance or Herbal Substance within the meaning of this Bylaw from the fact that a witness describes it as Tobacco, an Electronic Substance or Herbal Substance or by a name that is commonly applied to Tobacco, an Electronic Substance or Herbal Substance.

15. Severability

If any section, subsection, sentence, clause, phrase, or other portion of this Bylaw is for any reason held invalid or unconstitutional by a Court of competent jurisdiction, that portion will be deemed a separate, distinct and independent provision and the holding of the Court will not affect the validity of the remaining portions of the Bylaw.

PART VI REPEAL OF FORMER BYLAW

16. Repeal

Bylaw No. 2 – 1985, Bylaw No. 39 – 1985, Bylaw No. 23 – 1993 and all amendments thereto are hereby repealed.

APPENDIX "1"

FORMING PART OF BYLAW NO. X – 2024



Examples Only: manner, size and location must be as prescribed in *The Tobacco and Vapour Products Control Act*.

SCHEDULE "A"

FORMING PART OF BYLAW NO. X - 2024

AMOUNTS WHICH WILL BE ACCEPTED BY THE CITY OF SWIFT CURRENT
IN LIEU OF PROSECUTION

SECTION	DESCRIPTION	FINE AMOUNT
Section 7.1	Smoking or Vaping in a prohibited place	\$150
Section 7.2	Failure to comply	\$150
Section 8.1	Failure to post signage	\$150
Section 8.3	Removing, covering or altering signage	\$500

***Subsequent Offence committed within twelve (12) months of the first offence
DOUBLE THE AMOUNT IN THE ABOVE SCHEDULE***



City of Swift Current

C.A.O. Report

Date: February 12, 2024
To: Chief Administrative Officer
From: City Clerk
Subject: **Remuneration for Integrity Commissioner Policy Bylaw**

BACKGROUND

On May 15th, 2023, Council passed a Bylaw to establish a Code of Ethics applicable to all Members of Council and Members appointed to Boards and Committees of Council. This Bylaw requires the appointment of an Integrity Commissioner to undertake duties and responsibilities as assigned.

DISCUSSION

As we continue to review our records in order to maintain up-to-date Bylaws and Policies, it is proposed that a policy is established to set remuneration payable to the appointed role of Integrity Commissioner. A draft policy was presented at the Governance and Priorities Committee meeting held November 22nd, 2023, for City Council's review and discussion.

The purpose of this policy is to provide a uniform and transparent practice for remuneration for this role and to set fair and equitable compensation for time spent on City business.

RECOMMENDATION

THAT Notice of Motion be given at this time advising the public of City Council's intention to adopt a Bylaw for the Remuneration for Integrity Commissioner Policy.



Jackie Schlamp, City Clerk

CAO Recommendation:

I concur with the recommendation.



Jim Jones, CAO

BYLAW NO. X – 2024

A BYLAW of the City of Swift Current, in the Province of Saskatchewan, to establish a Remuneration for Integrity Commissioner Policy.

THE COUNCIL OF THE CITY OF SWIFT CURRENT, SASKATCHEWAN, IN COUNCIL ASSEMBLED ENACTS AS FOLLOWS:

PART I GENERAL

1. Title

This Bylaw may be cited as the “**Remuneration for Integrity Commissioner Policy Bylaw**”.

2. Legislative Authority

This Bylaw has been created pursuant to Section 8 of *The Cities Act* which enables Council the authority to pass bylaws for purposes such as the peace, order and good government of the City and Section 66.1 of *The Cities Act* which requires adoption of a Code of Ethics Bylaw that applies to all members of Council.

3. Purpose

The purpose of this Bylaw is to establish a policy setting out the remuneration payable to the appointed role of Integrity Commissioner, which allows for fair and equitable compensation for time spent on City business.

4. Definitions

In this Bylaw and in any resolution of the Council passed pursuant thereof, unless the context otherwise requires, the term or expression:

- a) “**City**” means the municipal corporation of the City of Swift Current.
- b) “**Council**” means Council for the City of Swift Current, elected pursuant to the provisions of section 11 of *The Local Government Elections Act, 2015*, as the governing body of the municipality.
- c) “**Integrity Commissioner**” means the person or persons appointed by Council to fulfill the duties and responsibilities assigned to that role.



City of Swift Current Statement of Policy

Policy Title:	Remuneration for Integrity Commissioner	Policy No.
Date of Adoption:		Resolution No.
Date of Amendment:		Resolution No.
Supporting Department:	Office of the City Clerk	Review Date:
Approved by:		

1. POLICY

1.1 This policy establishes the remuneration payable to the appointed Integrity Commissioner.

2. PURPOSE

2.1 Council Policies and City Bylaws support the strategic priorities of Council and govern the activities within the City. This policy will create a uniform and transparent practice for remuneration to the appointed role and allows for fair and equitable compensation for time spent on City business.

3. DEFINITIONS

3.1 **Bylaw** means any bylaw on record established and passed by City Council.

3.2 **City** means the corporation of the City of Swift Current.

3.3 **City Clerk** means the individual appointed by City Council pursuant to section 85 of *The Cities Act*.

3.4 **City Council** means the Members of Council for the City of Swift Current consisting of the individuals elected pursuant to *The Local Government Elections Act*.

3.5 **Full Day** means no less than four hours, but does not exceed eight hours, of time spent on City business.

3.6 **Half Day** means four hours, or a fraction thereof, of time spent on City business.

3.7 **Integrity Commissioner** means the person or persons appointed by City Council to fulfill the duties and responsibilities assigned to that role.

3.8 **Meeting** means any regular, special, committee or other meeting.

3.9 **Policy** means any policy on record established by City Council or Administration.

3.10 **Report** means any written materials, whether public or as requested by Council, prepared in accordance with any Bylaw on record as required by the Integrity Commissioner.

4. SCOPE

4.1. This Policy applies to any person appointed as Integrity Commissioner by the City pursuant to any Bylaw on record.

5. RESPONSIBILITIES

5.1. This Policy resides within the Office of the City Clerk and shall be led by the City Clerk.

5.2. Payment of remuneration will be made by submission of a Fee Claim Sheet, attached to this Policy, and forwarded to the Office of the City Clerk.

6. REMUNERATION

6.1 The rate of remuneration for the Integrity Commissioner shall be as set out on the attached Fee Claim Sheet.

6.2 Any adjustment to the rate of remuneration will be at the discretion of City Council.

SCHEDULE "A"



**INTEGRITY COMMISSIONER
FEE CLAIM SHEET**

Remuneration: *\$240 for a Full Day and \$120 for a Half Day.
\$75 for a Meeting.
\$20/hr for Preparation of a Report.*

Date	Meeting Fee	Reporting	Full Day	Half Day	TOTAL CLAIM
_____.	\$75.00 <input type="checkbox"/>	____ hrs x \$20 <input type="checkbox"/>	\$240.00 <input type="checkbox"/>	\$120.00 <input type="checkbox"/>	\$ _____.
_____.	\$75.00 <input type="checkbox"/>	____ hrs x \$20 <input type="checkbox"/>	\$240.00 <input type="checkbox"/>	\$120.00 <input type="checkbox"/>	\$ _____.
_____.	\$75.00 <input type="checkbox"/>	____ hrs x \$20 <input type="checkbox"/>	\$240.00 <input type="checkbox"/>	\$120.00 <input type="checkbox"/>	\$ _____.
_____.	\$75.00 <input type="checkbox"/>	____ hrs x \$20 <input type="checkbox"/>	\$240.00 <input type="checkbox"/>	\$120.00 <input type="checkbox"/>	\$ _____.
_____.	\$75.00 <input type="checkbox"/>	____ hrs x \$20 <input type="checkbox"/>	\$240.00 <input type="checkbox"/>	\$120.00 <input type="checkbox"/>	\$ _____.

Commissioner's Signature: _____

Date: _____

.....

FOR INTERNAL OFFICE USE:

Account No. _____

Authorization: _____

Date: _____



City of Swift Current

C.A.O. Report

Date: February 12, 2024
To: Chief Administrative Officer
From: Development Officer, Planning
Subject: **Proposed Amendment to Zoning Bylaw: UR – Urban Reserve District Existing Mobile Homes Added as Permitted Use**

BACKGROUND

The UR – Urban Reserve District of the City’s Zoning Bylaw encompasses areas that are intended for future urban development. This zoning designation protects these areas until development can proceed in an orderly fashion consistent with the City’s Official Community Plan. Specifically, the district is intended to:

- Provide for the orderly transition of agricultural land to other uses in areas planned for urban development;
- Defer urban development until the City determines that adequate public facilities can be provided in an efficient and cost effective manner; and
- Ensure that future urban development is in accordance with local land use policies.

The land uses allowed in a UR District include outdoor recreational, existing agricultural, and public service uses. However, the Ponderosa Campground and Trailer Park near the eastern edge of the City’s municipal boundary also includes permanent or seasonal dwellings that are classified as mobile homes. These types of dwellings are currently not allowed in the UR District.

DISCUSSION

Under the City’s Zoning Bylaw No. 24 - 2014, City Council has the authority to make any amendments provided they meet the intent of the City’s Official Community Plan as well as with any other development policy, bylaw or statute.

The attached sketch plan illustrates the three parcels of land that make up the Ponderosa Campground. Lots 1 and 2 are outlined in blue and are the main campground areas that

include several mobile homes. Lot 3 is outlined in red and, in addition to camping sites and another mobile home, has an existing agricultural use with a single-detached dwelling.

The owners of the Ponderosa Campground have approached the City with a proposal to subdivide Lot 3 in order to sell approximately two acres of land that has the existing agricultural use and dwelling. The City would require that the remaining portion of Lot 3 be consolidated with Lots 1 and 2 to create one parcel for the campgrounds. The existing mobile homes would also have to be brought into conformity with the Zoning Bylaw to allow their use in the UR District.

The owners have applied to amend the Zoning Bylaw by adding existing mobile homes as a permitted principal use in the UR District. The textual amendment required for this proposal would be made to Section 4.4 of the Zoning Bylaw. Existing mobile homes would be added to the list of permitted principal uses in the UR District under subsection 4.4.2.

RECOMMENDATION

THAT Notice of Motion be given at this time by advising the public of City Council's intent to consider a textual amendment to Section 4.4 of Zoning Bylaw 24 - 2014 by adding existing mobile homes as a permitted principal use in the Urban Reserve District.



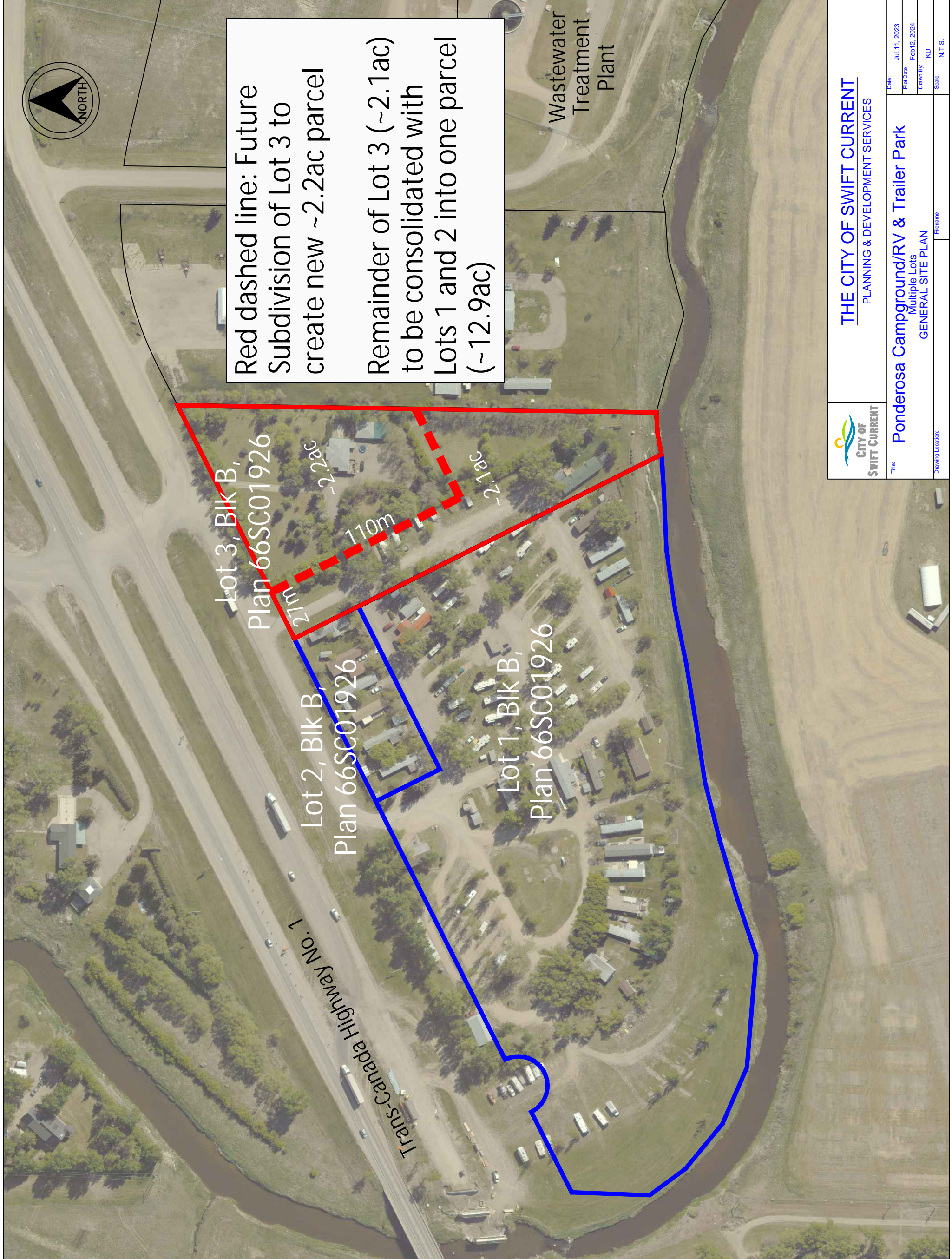
Kathy Dand, Development Officer, Planning

CAO Recommendation:

I concur with the recommendation.



Jim Jones, CAO



Red dashed line: Future Subdivision of Lot 3 to create new ~2.2ac parcel

Remainder of Lot 3 (~2.1ac) to be consolidated with Lots 1 and 2 into one parcel (~12.9ac)

Lot 3, Blk B,
Plan 66SC01926

Lot 2, Blk B,
Plan 66SC01926

Lot 1, Blk B,
Plan 66SC01926

~2.2ac

~2.1ac

110m

17m

Wastewater Treatment Plant

Trans-Canada Highway No. 1



THE CITY OF SWIFT CURRENT
PLANNING & DEVELOPMENT SERVICES

Title: **Ponderosa Campground/RV & Trailer Park**
Multiple Lots
GENERAL SITE PLAN

Date: Jul 11, 2023
Plot Date: Feb 12, 2024
Drawn By: KD
Scale: N.T.S.

Drawing Location:

Filename:

BYLAW NO. X - 2024

A **BYLAW** of the City of Swift Current, in the Province of Saskatchewan, to provide for the licensing and regulating of animals in the City of Swift Current.

THE COUNCIL OF THE CITY OF SWIFT CURRENT, SASKATCHEWAN, IN COUNCIL ASSEMBLED ENACTS AS FOLLOWS:

PART I GENERAL

1. Title

This Bylaw may be cited as the “**Animal Control Bylaw**”.

2. Legislative Authority

This bylaw has been created pursuant to Section 8 of *The Cities Act* which enables Council the authority to pass bylaws for purposes such as the safety, health, and welfare of citizens and to maintain the amenity of a neighbourhood.

3. Purpose

The purpose of this Bylaw is to promote the safety, health and welfare of people; the protection of people and property in the City of Swift Current; to ensure the humane treatment and control of animals and to regulate or prohibit the keeping of vicious and/or dangerous animals within the City.

4. Definitions

In this Bylaw and in any resolution of the Council passed pursuant thereof, unless the context otherwise requires, the term or expression:

- a) “**Animal**” means dogs, cats, exotic animals and all domestic animals.
- b) “**Animal Control Officer**” means any person designated/appointed by the City of Swift Current for the enforcement of this Bylaw and shall include Bylaw Enforcement Officers, their duly authorized representatives, any member of the City of Swift Current Detachment of the RCMP, and any other appointed person or agency to restrain, receive or impound animals, which includes the dog catcher.
- c) “**Animal Shelter**” means a facility designated by the City of Swift Current and is used for animal impoundment and/or kenneling.

- d) **“Being Or Running At Large”** means an animal that is:
 - i. off the premises or boundaries of its owner;
 - ii. not under immediate, continuous and effective control of its owner; or
 - iii. not tied or secured to a leash, chain or other similar restraining device not exceeding two (2) metres in length.
- e) **“Boarding”** means keeping or harbouring of an animal or animals belonging to another person.
- f) **“Business Day”** means any day that the City Office is open for business.
- g) **“Cat”** means either the male or female of the feline family.
- h) **“Cat Run”** means a permanent structure outside of a residential dwelling unit, used for the containment of a cat.
- i) **“City”** means the municipal corporation of the City of Swift Current or the area contained within the boundary thereof as the context requires.
- j) **“City Clerk”** means the person appointed as City Clerk pursuant to Section 85 of *The Cities Act* and includes a person acting as his/her designate. The City Clerk shall be considered the head of Bylaw Enforcement for the City of Swift Current.
- k) **“Council”** means the Council for the City of Swift Current elected pursuant to the provisions of Section 11 of *The Local Government Elections Act*, as the governing body of the municipality.
- l) **“Court”** means the Provincial Court for Saskatchewan located at the Judicial Centre of Swift Current.
- m) **“Dangerous Animal”** means any animal, whatever its age, whether on public or private property, which has without provocation:
 - i. chased or approached a person or domestic animal in an apparent attitude of attack; and/or
 - ii. has a known propensity, tendency, or disposition to attack, to cause injury or to otherwise threaten the safety of persons or domestic animals; and/or
 - iii. bitten, inflicted injury, assaulted or otherwise attacked a person or domestic animal; and/or
 - iv. owned primarily or in part for the purpose of fighting or is trained for fighting.
- n) **“Dog”** means either the male or female of the Canidae family.
- o) **“Dog Run”** means any enclosure or structure of any kind whatsoever, designed or used for the harbouring or containment of dog(s).
- p) **“Domestic Animal”** means a pet or companion animal; or is an animal kept primarily for a person's company, protection, or entertainment rather than as a working animal, livestock, or laboratory animal.

- q) **“Excessive Barking”** means barking or any noise that persistently occurs or continues to such a degree or extent that it unreasonably interferes with the comfortable enjoyment of life or property in the neighbourhood.
- r) **“Exotic Animal”** means a rare or unusual animal, an animal kept within human household or property which is generally thought of as a wild species not typically kept as a pet; or those animals listed in Schedule “E”.
- s) **“Judge”** means a judge of the Provincial Court or a justice of the peace.
- t) **“Keep Under Proper Control”** means keeping an animal in such a manner that the animal is unable to attack, bite, chase or injure a person or another animal.
- u) **“Kennel”** means any structure used by any person for boarding or otherwise caring for, training or whelping dogs exceeding three (3) dogs in number over the age of three (3) months, whether or not for payment, but does not include:
 - i. any premises occupied by a duly qualified veterinary surgeon for the practice of his profession; or
 - ii. the dwelling house of an ordinary member of the Canadian Kennel Club, or any other bona fide Kennel Club, where the total number of dogs kept by the member does not exceed five (5) in number.
- v) **“Leash”** means a chain or other material capable of restraining the animal on which it is being used.
- w) **“Licensing Official”** means the Licensing Official for the City of Swift Current as appointed from time to time, or their authorized agents or designates and is responsible for issuing licenses and/or violation notices.
- x) **“License Year”** means the period commencing January 1st and ending on the next succeeding December 31st.
- y) **“Livestock”** means horse, mule, donkey, swine, emu, ostrich, camel, llama, alpaca, sheep, goat, domestically reared or kept deer, reindeer, moose, elk, bison, farm bred fur bearing animals (including fox and mink), animals of the bovine species, chicken, turkey, duck, goose, pheasant or all other animals that are kept for agriculture purposes.
- z) **“Muzzle”** means a device of sufficient strength placed over an animal’s mouth to prevent it from biting.
- aa) **“Non-Sterilized Animal”** means an animal which is capable of reproducing.
- bb) **“Off Leash Area”** means an area designated by the City of Swift Current and is illustrated in Schedule “F” where dogs are permitted to be off leash provided that they are under control of the owner.
- cc) **“Owner”** includes:
 - i. a person(s) who keeps, possesses, harbors or has charge of or control over an animal.
 - ii. the person(s) 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/s of or an injury to the animal.
 - iv. the City of Swift Current or any Animal Control Officer in respect of the Saskatchewan Society for the Prevention of Cruelty to Animals or impoundment facility operated on behalf of the City of Swift Current.
- dd) **“Person”** shall include an individual, partnership, association or corporation.
- ee) **“Poultry”** means a chicken, turkey, duck, goose, or other domestic fowl.
- ff) **“Pound”** means such premise and facilities as may be designated by the City, from time to time, as the City pound.
- gg) **“Pound Keeper”** means a person(s), or association designated by the City of Swift Current from time to time to maintain and administer the pound.
- hh) **“Provocation”** means an act done intentionally for the purpose of provoking an animal to which this Bylaw applies.
- ii) **“Public Health Officer”** means a Medical Health Officer appointed pursuant to *The Health Services Act* or *The Public Health Act* of Saskatchewan.
- jj) **“Public Playground”** means the immediate area containing playground equipment in a park or municipal reserve owned by the City of Swift Current or under the management and control of the City of Swift Current.
- kk) **“Service Animal”** means an animal that is trained and certified to be used by:
- i. a person with a disability for reasons relating to their disability.
 - ii. a peace officer in the execution of their own duties.
 - iii. a person who is authorized by a peace officer to assist peace officers in their duties.
- ll) **“Vicious Dog”** means a dog, the owner of which has:
- i. paid a Bylaw Violation Notice; or
 - ii. been convicted in Provincial Court;
- under clauses a), b), c) or d) of subsection 22.2 of this Bylaw.

5. Schedules

The following schedules and forms are attached to, and form part of, this Bylaw:

- a) Schedule “A” – Annual License Fees
- b) Schedule “B” – Amounts which will be accepted by the City of Swift Current in lieu of prosecution
- c) Schedule “C” – Charges for the Release of Impounded Animals
- d) Schedule “D” – Declaration to Have Dog Licensed and Vaccinated

- e) Schedule "E" – List of Animals Prohibited
- f) Schedule "F" – Off-leash Areas
- g) Schedule "G" – Signage
- h) Schedule "H" – Enclosures for Vicious Dogs
- i) Schedule "I" – Cat Trap Permit
- j) Schedule "J" – Approved Locations for Livestock
- k) Form "A" – Bylaw Violation Notice

6. Interpretation

- 6.1 Headings are for reference purposes and shall not affect in any way the meaning or interpretation of the provisions of this Bylaw.
- 6.2 Any other words shall, insofar as they are not consistent with this Bylaw, have the same meaning as in *The Cities Act*, and amendments thereto.
- 6.3 Unless the context otherwise requires, words importing the singular number shall include the plural and vice versa.

PART II RESPONSIBILITY OF CAT OWNERS

7. Additional Definition

For the purposes of Part II of this Bylaw, "nuisance, being or running at large" includes, but is not limited to, fighting with other cats, defecating, or spraying on private property without permission of the owner or occupant of the property, howling or hissing at night, digging in flower beds or garbage containers and trespassing on private property.

8. Licensing

- 8.1 No person shall have care and control of a cat unless it has been licensed for the current year; the cat license year shall be from January 1st to December 31st of the same year.
- 8.2 Every owner of a cat six (6) months old or older shall, not later than the 15th day of February in each year, or within 10 days of becoming an owner, obtain a license and shall pay therefore an annual fee as set out in Schedule "A" of this Bylaw, which license shall not be transferable to any other owner. The onus of proof as to the date when the owner actually became the owner of the cat in question shall be on the owner.
- 8.3 When applying for a license, the applicant must provide the following information:

- a) breed and description of the cat;
 - b) name and address of the owner or the keeper of the cat;
 - c) confirmation that the cat has been spayed or neutered;
 - d) proof that the cat has been vaccinated against rabies within two (2) years of the date of application for the license; and
 - e) and other relevant information that may be required for the Animal Control Officer or appointed representative.
- 8.4 The provisions of this Section will not apply to cats kept in the ordinary course of business by the proprietors of the following premises; namely:
- a) a veterinary hospital, clinic, boarding kennel, or grooming parlor;
 - b) a public pound;
 - c) a shop whose business includes the sale of pets and is licensed as such; and
 - d) a shelter operated by an association or society incorporated for the purpose of the protection and humane treatment of animals.
- 8.5 A license issued pursuant to this Bylaw is non-refundable, and automatically revoked if the payment of the license fee is dishonoured or otherwise returned to the City of Swift Current for any reason.
- 8.6 When issuing a license for a cat:
- a) the City shall supply the applicant with a metal tag. The said tags shall be of such form and bear such lettering as may be determined by the City and shall have inscribed or imprinted thereon the year for which they are issued. Each tag shall be valid from the 1st day of January to the 31st day of December of the year for which the license is issued. Where a licensing tag is lost or destroyed, the owner will be issued a replacement tag and shall be responsible for any associated costs;
 - b) any cat adopted, claimed, or otherwise taken from an animal shelter must obtain a license within 10 days of the animal being released from the shelter.
- 8.7 The owner of a cat shall ensure the cat wears the current license purchased for that cat, when the cat is off the property of the owner.
- 8.8 The owner must notify the City immediately if the tag is lost.
- 8.9 The owner must notify the City of any changes to information as provided in the original cat license application.
- 8.10 Any license fee due and payable on or after August 1st of any year shall be one-half (1/2) the license fee for the full year.

9. Number of Cats Permitted

The number of cats allowed per property is a maximum of four (4) cats over the age of three (3) months.

10. Nuisance or Running at Large

- 10.1 No owner of a cat shall allow the animal to become a nuisance which unreasonably disturbs or is likely to disturb the quiet, peace, restful enjoyment, comfort, or convenience of any other person, and/or neighborhood.
- 10.2 The owner of a cat shall ensure that the cat is not a nuisance by being or running at large.
- 10.3 Where a cat is being or running at large, the owner or occupant of the property on which the cat is at large may file a complaint to the Animal Control Officers or their designates.
- 10.4 Failure to comply with this Section will constitute an offence under this Bylaw and a Violation Notice will be served.

11. Impoundment

- 11.1 Where an Animal Control Officer receives a complaint of a nuisance caused by a cat, the Animal Control Officer may, at their discretion:
 - a) if deemed necessary by the Animal Control Officer, they may seize and impound any cat found causing a nuisance; or
 - b) issue a trap to the complainant following completion of a Cat Trap Permit by the complainant (as set out in Schedule "I") to this Bylaw.
- 11.2 Where a cat is impounded, the Pound Keeper shall:
 - a) hold the cat until claimed by the owner of the cat or disposed of in accordance with subsection 11.4 and/or subsection 11.6; and
 - b) attempt to notify the owner of the cat (if known) of the impoundment. However, no liability whatsoever shall attach to the City, the Animal Control Officer, or the Pound Keeper by reason of failure in contacting the owner.
- 11.3 An owner of a cat which has been impounded may claim the cat by:
 - a) providing reasonable proof of ownership to the Pound Keeper; and
 - b) paying the impoundment charge, any housing charge(s), as set forth in Schedule "C", as well as any licensing fee.
- 11.4 The Pound Keeper shall keep all impounded cats for a period of at least 72 hours, excluding the day of impounding. Sunday's and statutory holidays shall not be included in the computation of the 72-hour period. Where a cat is not claimed within the 72 hours, the Pound Keeper may dispose of the cat by public adoption.

- 11.5 Notwithstanding the above, any cat suspected of having rabies or other life-threatening disease shall be isolated and may not be claimed, destroyed, or otherwise disposed of except after notice to the Public Health Officer and then only in compliance with the direction of the Public Health Officer and/or a Veterinarian.
- 11.6 An Animal Control Officer, Pound keeper, or a Veterinarian may take immediate action to humanely destroy any sick or injured cat found within the City where, in their opinion immediate destruction of the cat is necessary to avoid unnecessary suffering by the animal.

12. Cat Trap Permits

- 12.1 A person who has been bothered by a cat being or running at large may apply to the authority having jurisdiction (Swift Current SPCA or City) to receive a cat trap permit and cat trap.
- 12.2 The Pound Keeper, Licensing Official, or their representatives shall only approve a cat trap permit and issue a cat trap to a person making an application pursuant to subsection 12.1 when that person:
 - a) agrees to all the terms included in the cat trap permit;
 - b) executes the cat trap permit; and
 - c) pays the cat trap fee.

13. Requirements Related to Cat Traps

Where a cat trap is issued pursuant to this Bylaw, the permittee shall:

- a) ensure proper relocation of the cat is arranged prior to trapping;
- b) abide by the terms of the cat trap permit;
- c) personally check the trap at least every two (2) hours while the trap is set;
- d) immediately deliver the cat to the Pound Keeper;
- e) ensure that the cat is treated humanely while contained in the trap;
- f) return the cat trap to the location of rental in a clean condition; and
- g) pay for the cost of repair or replacement of the cat trap if the issued cat trap is damaged, lost or stolen.

14. Care of Cat that is Trapped

- 14.1 When a cat has been trapped in a City cat trap, the permittee shall, until the cat can be conveyed to the Pound Keeper:
 - a) treat the cat humanely;
 - b) provide shelter for the cat in a warm, dry, and secure area; and

c) provide water and food for the cat.

14.2 If a permittee cannot comply with the conditions in subsection 14.1 within 24 hours of capturing the cat in the City cat trap, the permittee must release the trapped cat unharmed.

15. Leg Hold Traps

No person shall be permitted to use leg hold or foot hold traps in the City of Swift Current.

16. Cat Runs

Where cats are housed or kept in a cat run, the owner of the cats shall:

- a) remove all defecation from the cat run daily and disposed of in a sanitary manner;
- b) ensure that the cat run meets the following minimum requirement:
 - i. base and flooring constructed or composed of impervious material or wood; and
 - ii. located no closer than one (1) meter of any property line and no closer than five (5) metres of any neighbouring dwelling unit.

17. Defecation

17.1 If a cat defecates on any property other than the owners, the owner of the animal shall remove such feces immediately.

17.2 Any cat owner shall remove any and all cat feces on a daily basis and shall dispose of the feces in a sanitary manner.

17.3 An owner or occupant of private property must not allow animal feces to accumulate on the property.

17.4 An Animal Control Officer may serve an owner or occupant of private property with an Order and Violation Notice to remove all animal feces from the property in accordance with Section 59.

PART III

RESPONSIBILITY OF DOG OWNERS

18. Additional Definition

For the purposes of Part III of this Bylaw, “nuisance, being or running at large” includes, but is not limited to, fighting with other dogs, defecating on private property without permission of the owner or occupant of the property, barking, howling or whining or trespassing on private property.

19. Licensing

- 19.1 No person shall have care and control of a dog unless it has been licensed for the current year; the dog license year shall be from January 1st to December 31st of the same year.
- 19.2 Every owner of any dog six (6) months old or older shall, not later than the 15th day of February in each year, or within 10 days of becoming an owner, obtain a license and shall pay therefore an annual fee as set out in Schedule "A" of this Bylaw, which license shall not be transferable to any other dog or other owner. The onus of proof as to the date when the owner actually became the owner of the dog in question shall be on the owner.
- 19.3 Notwithstanding subsection 19.2, the owner of a kennel of purebred dogs which is registered in the Register of The Canadian Kennel Club, may in lieu of obtaining a license for each dog obtain a license for each kennel. No license shall be granted under this Section until the applicant produces a certificate from The Canadian Kennel Club showing that all dogs comprising such kennel have been registered with The Canadian Kennel Club. The license fee payable for dog kennels shall be as set out in Schedule "A".
- 19.4 Notwithstanding subsection 19.2 the owner shall obtain a license for any dog less than six (6) months old if found running at large.
- 19.5 When applying for a license, the applicant must provide the following information:
- a) breed and description of the dog, including name and age of the dog;
 - b) name and address of the owner or the keeper of the dog;
 - c) confirmation that the dog has been spayed or neutered;
 - d) proof that the dog has been vaccinated against rabies within two (2) years of the date of application for the license; and
 - e) any other relevant information that may be required for the Animal Control Officer or appointed representative.
- 19.6 The provisions of this Section will not apply to dogs kept in the ordinary course of business by the proprietors of the following premises; namely:
- a) a veterinary hospital, clinic, boarding kennel, or grooming parlor;
 - b) a public pound;
 - c) a shop whose business includes the sale of pets and is licensed as such;
 - d) a shelter operated by an association or society incorporated for the purpose of the protection and humane treatment of animals; or
 - e) RCMP – Police Service dogs acting in performance of Police work.
- 19.7 A license issued pursuant to this bylaw is non-refundable, and automatically revoked if the payment is returned to the City of Swift Current for any reason.
- 19.8 A Service Dog must be licensed as provided by this bylaw, but without charge.

- 19.9 No person shall give false information when applying for a dog license.
- 19.10 When issuing a license for a dog:
- a) the City shall supply the applicant with a metal tag. The said tags shall be of such form and bear such lettering as may be determined by the City and shall have inscribed or imprinted thereon the year for which they are issued. Each tag shall be valid from the 1st day of January to the 31st day of December of the year for which the license is issued. Where a licensing tag is lost or destroyed, the owner will be issued a replacement tag and shall be responsible for any associated costs; and
 - b) any dog adopted, claimed, or otherwise taken from an animal shelter must obtain a license prior to that animal being released from an animal shelter.
- 19.11 The owner of a dog shall ensure that the dog wears the current license purchased for that dog, when the dog is off the property of the owner.
- 19.12 The owner must notify the City immediately if the tag is lost.
- 19.13 The owner must notify the City of any changes to information as provided in original dog license.
- 19.14 Visitors to the City shall not be required to apply for a license provided their dog is validly licensed in another municipality and the owner is able to immediately produce proof of their license on demand of an Animal Control Officer.
- 19.15 Every owner of a dog within the City shall, on demand of an Animal Control Officer, show their license, receipt, or other evidence that they have paid the license fee for the dog for the current year.
- 19.16 No person shall be entitled to a license rebate under this bylaw.

20. Reduction in License Fees

- 20.1 Any license fee due and payable on or after August 1st of any year shall be one-half (1/2) the license fee for the full year.
- 20.2 The fee reduction specified in subsection 20.1 does not apply to the licensing of dangerous dogs or to dogs which were required by this bylaw to be licensed prior to August 1st of any year.

21. Number of Dogs Permitted

- 21.1 Unless otherwise provided for in the Bylaw, or as the owner of a kennel registered with The Canadian Kennel Club or any other bona fide kennel club, no person shall keep or harbour more than three (3) dogs over the age of three (3) months within any one residence or property in the City of Swift Current; or
- 21.2 Any resident who is registered with the Canadian Kennel Club or any other bona fide kennel club shall keep no more than five (5) dogs in total.

22. Nuisance

- 22.1 No owner of a dog shall allow the animal to become a nuisance which unreasonably disturbs or is likely to disturb the quiet, peace, restful enjoyment, comfort, or convenience of any other person, and/or the neighborhood.
- 22.2 The owner of a dog shall ensure that such dog shall not:
- a) bite a person or persons or other animal whether on the property of the owner or not;
 - b) do any act to injure a person or persons or other animal whether on the property of the owner or not;
 - c) chase or otherwise threaten a person or persons or other animal whether on the property of the owner or not, unless the person chased or threatened is a trespasser on the property of the owner;
 - d) bite, bark at, or chase, animals, bicycles, automobiles, or other vehicles;
 - e) become a nuisance by the sound of excessive howling, whining, or barking, which can be heard by a person not on the same premises which disturbs or is likely to otherwise disturb the quiet, peace, restful enjoyment or comfort of that person;
 - f) cause damage to property or injury to other domestic animals;
 - g) upset any waste receptacles or scatter the contents thereof either in or about a street, lane, or other public property or in or about premises not belonging to or in the possession of the owner of the dog.
- 22.3 Failure to comply with this Section will constitute an offence under this Bylaw and a Violation Notice will be served.
- 22.4 A Judge, after convicting the dog owner of an offence under Section 22 may, in addition to any other penalties, impose the following:
- a) direct the Animal Control Officer to give notice to such owner requiring the nuisance complained of to be abated so as to prevent the recurrence of any nuisance; or
 - b) order the removal of the dog from City limits; or
 - c) order the owner to comply with any conditions regarding the dog, that the Judge considers reasonable to prevent a further violation of subsections 22.1 and/or 22.2 of this Bylaw.

23. Vicious Dogs

- 23.1 The owner of a Vicious Dog shall ensure that:
- a) it does not bite, chase, or attack a person or other animal whether on the property of the owner or not;
 - b) when it is on the property of the owner it is confined in:

- i. an enclosed area or in a fenced yard marked with a sign indicating the presence of a Vicious Dog which enclosed area or fenced yard is adequate to prevent the escape of the Vicious Dog and in which the Vicious Dog is restrained by a chain capable of preventing the escape of the Vicious Dog; or
 - ii. a dwelling and under the control of a person over the age of 16 years.
- c) when it is off the property of the owner it is at all times under the direct control and supervision of the owner and is securely:
 - i. muzzled; and
 - ii. harnessed or leashed in a manner that prevents it from biting, chasing, or attacking a person or other animal.

23.2 After a period of one (1) year after a dog has been deemed to be a Vicious Dog as defined in this Bylaw, provided that no destruction order has been issued with respect to the dog or dogs, the owner may apply in writing to the City Clerk for a declaration that the dog or dogs are no longer deemed vicious. The owner shall meet with the City Clerk and bear the onus of satisfying the City Clerk that:

- a) the dog did not during the preceding 12 months:
 - i. bite a person or persons or other animal whether on the property of the owner or not;
 - ii. do any act to injure a person or persons or other animal whether on the property of the owner or not; and/or
 - iii. chase or otherwise threaten a person or persons whether on the property of the owner or not unless the person chased or threatened is a trespasser on the property of the owner.
- b) the owner has complied with all of the conditions imposed under subsection 23.1 of this Bylaw.
- c) the owner has taken remedial measures with the dog including but not limited to, any appropriate behavioral training.

The decision of the City Clerk in this regard is final and not subject to review or appeal.

24. Defecation

- 24.1 If a dog defecates on any property other than the owners, the owner shall remove such feces immediately.
- 24.2 Any dog owner must not allow animal feces to accumulate on the property and shall remove any feces on a daily basis, disposing of the feces in a sanitary manner.

- 24.3 An Animal Control Officer may serve an owner or occupant of private property with an Order and violation notice to remove all animal feces from the property in accordance with subsection 61.1.

25. Dog Runs

- 25.1 Where dogs are housed or kept in a dog run, the owner of the dogs shall ensure that the dog run is kept in a sanitary condition protecting the health and safety of the dog and is:
- a) on the owner's property and is not located in the front yard and is no closer than one (1) metre to a property line and no closer than five (5) metres from a dwelling unit located on an adjacent property; and
 - b) constructed of material of sufficient strength and in a manner to:
 - i. confine the dog;
 - ii. prevent the entry of children; and
 - iii. prevent the entry of another animal.
- 25.2 If, in the opinion of the Animal Control Officer, the condition or location of a dog run is not in accordance with this Bylaw, the Animal Control Officer may Order the owner of the property on which the dog run is located, to clean, alter, demolish, or relocate the dog run within the time period specified in the Order.
- 25.3 The person to whom an Order is issued pursuant to subsection 25.2 must comply with the Order within the time specified in the Order pursuant to Section 328 of *The Cities Act*.
- 25.4 An Order to relocate a dog run issued pursuant to subsection 25.2 will allow the owner of the property on which the dog run is located, at least 15 days to relocate or remove the dog run.

26. Running at Large

- 26.1 The owner of a dog shall ensure that:
- a) such dog shall not be permitted to be at large, except as provided in Section 27;
 - b) if a dog is found to be at large, the owner shall be deemed to have permitted the dog to be at large unless the owner proves to the satisfaction of the court that at the time of the offence, the owner did all that was reasonable to prevent the dog from being at large.
- 26.2 In this Section, an animal shall be "at large" if it is off the premises of its owner, unless the animal is both:
- a) on a leash not exceeding two (2) metres in length; and
 - b) under the proper control of its owner; or
 - c) as provided in Section 27.

26.3 The fine for allowing a dog to run at large shall be as set out in Schedule "B".

27. Off-Leash Areas

27.1 Notwithstanding Section 26, an owner may permit a dog to be at large in any of the off-leash areas described in Schedule "F" provided that the dog has not been proven to be dangerous or vicious by a judicial proceeding and provided that the dog is supervised by the owner, or a person on behalf of the owner, in such a manner as to prevent any danger, risk or unreasonable interference with any person's lawful use or enjoyment of the area.

27.2 No owner of a dog shall permit or allow the dog to become a nuisance to other persons or animals in an off-leash area. For the purpose of this subsection, the behavior of a dog which constitutes a nuisance includes, but is not limited to, the following:

- a) running at such a distance from its owner so as to be incapable of responding to voice or sight commands;
- b) doing any act that injures a person or another animal;
- c) chasing or otherwise threatening a person or another animal;
- d) biting, barking at, or chasing livestock, bicycles or motor vehicles;
- e) excessive barking or howling or otherwise disturbing any person or other animal; or
- f) causing damage to property.

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

- a) accompany the dog in the off-leash area at all times; and
- b) carry a leash not exceeding two (2) metres in length for the dog.

27.4 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 (2) metres in length and remove the dog from the off-leash area.

27.5 Any owner of a dog who fails to immediately restrain and remove the dog upon it becoming a nuisance as required in subsection 27.4 is guilty of an offence, and in such event, an Animal Control Officer may seize and impound the dog and a Violation Notice will be served.

27.6 No person shall operate a motorized vehicle in an off-leash area.

- a) For the purpose of subsection 27.6, a motorized vehicle means a vehicle propelled or driven by any means other than a muscular power, and, for greater certainty, includes, but is not limited to, cars, trucks, all-terrain vehicles, snowmobiles, electric bicycles, and motorcycles, but does not include a wheelchair or other similar device being operated by a person with a physical disability.
- b) Subsection 27.6 does not apply to City maintenance vehicles.

28. Animal Left Unattended in Vehicle

No animal(s) shall be left unattended in any motor vehicle unless the animal is restricted so as to prevent access to person(s) as long as such restraint provides for suitable ventilation. A Violation Notice will be served for the amount of the penalty (fine) contained in Schedule "B".

29. Impoundment of Dogs

- 29.1 For the purpose of impounding any dog found at large in the City, a pound shall be established at such place as may be designated by resolution of Council as a pound.
- 29.2 The City may from time to time appoint a Pound Keeper to carry out the provisions of this Bylaw.
- 29.3 Any Pound Keeper appointed under the provisions of this Bylaw is hereby empowered to collect all necessary fees in connection with the impounding of dogs and for the keeping of such dogs at the pound.
- 29.4 The Animal Control Officer may seize and impound:
 - a) any dog found running at large;
 - b) any unlicensed dog found to be subject of a complaint; or
 - c) any dog that has caused or alleged to have caused injury to a person or domestic animal.
- 29.5 The Animal Control Officer may enter onto the land surrounding any building in pursuit of any dog which has been observed running at large.
- 29.6 No person, including the person who is the owner of a dog which is being impounded or has been impounded, shall interfere with a Pound Keeper or, Animal Control Officer who is impounding any dog in accordance with the provisions of this Bylaw.
- 29.7 Any person may restrain any dog running at large in the City and must deliver such dog so restrained to the Animal Control Officer or Pound Keeper for impoundment. The Animal Control Officer or Pound Keeper may request a statement in writing describing the dog restrained, the name of the owner (if known) and the place and time of restraint.
- 29.8 When an impounded dog is wearing a collar to which is attached a dog tag, valid for the current year, the Pound Keeper and/or appointed representative must make all reasonable attempts to contact the registered owner shown on record with the City of Swift Current. Unless the said dog is claimed and the fees provided by this Bylaw are paid within 72 hours from the date of impoundment, the said dog may be dealt with pursuant to the provisions of this Bylaw and no liability whatsoever will be attached to the City or Animal Control Officer or appointed representative by reason of the failure of the owner to receive such notice.

- 29.9 The Pound Keeper must keep record of all dogs impounded in accordance with the provisions of this Bylaw and the disposal of such dogs and supply the City with an annual report and any other information which may, from time to time, be required respecting the enforcement of the provisions of this Bylaw.
- 29.10 It shall be the duty of the Pound Keeper to provide to each dog impounded under the authority of this Bylaw, an adequate supply of food and fresh water during its confinement in the animal shelter and to maintain clean and properly ventilated pens or enclosures for impounded dogs.

30. Release of Impounded Dogs

- 30.1 The Pound Keeper shall keep all impounded dogs for a period of at least 72 hours, excluding Saturdays, Sundays, Statutory holidays, and the day of impounding.
- 30.2 During this period, the owner may reclaim the dog from the pound following:
- a) payment to the Pound Keeper of the fees set out in Schedule "C";
 - b) payment of any fines received due to the incident that caused the dog to be impounded;
 - c) purchase of a dog license (if the dog is unlicensed), unless the dog is not required to be licensed in accordance with Section 19;
 - d) a certificate being produced that the dog has been vaccinated against rabies within the last two (2) years; and/or
 - e) if a dog has not been vaccinated for rabies in the last two (2) years, requirements of subsection d) may be met by the dog owner completing a declaration as provided in Schedule "D" and pre-paying the Pound Keeper for the cost of the rabies vaccination.
- 30.3 If a dog impounded is wearing a valid license tag for the current year, the Pound Keeper shall immediately notify the owner by telephone or in writing of the impoundment of the dog at the telephone number or address shown in the license records. No liability whatsoever shall attach to the City or the Pound Keeper by reason of the failure of the owner to receive such notice.
- 30.4 The owner of any dog impounded, in order to have the same released from the pound, shall satisfy the Pound Keeper by reasonable evidence, that they are the lawful owner entitled to the possession of said dog.
- 30.5 If a dog is not reclaimed within the period set out in subsection 30.1, or if the owner of a dog fails or refuses to comply within this period with the conditions set out in subsection 30.2, the Pound Keeper may dispose of the dog.

31. Disposal of Unclaimed Dogs

- 31.1 If an impounded dog is not claimed within 72 hours from the time such dog is received at the pound, excluding Saturdays, Sundays and Statutory holidays,

and the fees if any, paid as herein provided, said dog may be disposed of by the Pound Keeper without further notice in the following manner:

- a) disposal by adoption, where in the opinion of the Pound Keeper the dog is suitable for adoption; or
 - b) disposal by euthanasia where in the opinion/discretion of the Pound Keeper/Veterinarian the dog is not suitable for adoption or cannot be sold for adoption within a reasonable time.
- 31.2 The process from the disposal by adoption shall ensure to the party as provided for in the agreement between the City and the Pound Keeper.
- 31.3 The proceeds received from the adoption are kept by the Pound Keeper as provided for in the agreement between the City and the Pound Keeper.

PART IV MISCELLANEOUS

32. Appointment of Officers

- 32.1 An Animal Control Officer shall be duly appointed by the City of Swift Current.
- 32.2 An Animal Control Officer appointed under this Section may enforce this Bylaw within the City and may perform any other duties that may be imposed by any other Bylaw regarding the control, licensing, and regulation of animals.
- 32.3 Section 337(1) of *The Cities Act* states that “a Council may appoint any Bylaw Enforcement Officers that the Council considers necessary and define their duties and fix their remuneration. Bylaw Enforcement Officers appointed pursuant to the authority of this subsection 32.3 may represent the City before a justice of the peace or Provincial Court Judge in the prosecution of anyone who is charged with contravention of a bylaw.”

33. Appointment of Pound Keeper

- 33.1 The Council may, by resolution, enter into an agreement with any person or organization for the purpose of participation in the enforcement of this Bylaw or for the purpose of providing pound keeping services.
- 33.2 It shall be the duty of the Pound Keeper to provide to each dog impounded under the authority of this Bylaw, an adequate supply of food and fresh water during its confinement in the animal shelter and to maintain clean and properly ventilated pens or enclosures for impounded dogs.

34. Humane Destruction of Sick & Injured Animals

- 34.1 An Animal Control Officer or a Veterinarian shall take immediate action to humanely destroy any sick or injured animal found within the City where, in

their opinion, immediate destruction of the animal is necessary to avoid unnecessary suffering by the animal.

- 34.2 Reasonable efforts will be made to contact the owner of an animal before it is destroyed; however, no action lies against the Animal Control Officer, the City, or Veterinarian solely because the owner of the animal was not contacted.

35. Kennels

The operation of any kennel within the City will be subject to approval from the Council of the City, and the kennel must comply with the provisions of all Bylaws regulating the operation of kennels and businesses within the City.

PART V DANGEROUS ANIMALS

36. Designated Officials

- 36.1 The following municipal officials are hereby designated for the purposes of Section 327 of *The Cities Act*:

ANIMAL CONTROL OFFICERS

- 36.2 The following municipal official is hereby designated for the purpose of Section 337 of *The Cities Act* as the person to be notified if an owner sells or otherwise disposes of a dangerous animal:

THE CITY OF SWIFT CURRENT'S BYLAW OFFICER, BYLAW COMPLIANCE AND LICENSING OFFICIAL and/or the CITY CLERK.

37. Dangerous Animals

For the purpose of this Section, an animal is presumed not to have been provoked, in the absence of evidence to the contrary.

38. Exemption for Guard Dogs

- 38.1 No dog shall be considered dangerous while the dog was:
- a) acting in the performance of police work; or
 - b) working as a guard dog on commercial property and was:
 - i. securely enclosed on property by a fence or other barrier sufficient to prevent the escape of the dog and the entry of children of tender years; and
 - ii. defending that property against a person who was committing an offence.

39. Fighting Animals Presumed Dangerous

Any person(s) who owns an animal for the purpose of fighting, or trains, torments, badgers, baits, or otherwise uses an animal for the purpose of causing or encouraging the animal to make unprovoked attacks on persons or domestic animals is guilty of an offence.

40. Dangerous Animal Hearings

40.1 If a complaint is made that an animal is dangerous, a Judge shall hold a hearing to determine if, based upon the evidence adduced at the hearing, the animal is, in fact, dangerous.

40.2 Notice of the hearing referred to in subsection 40.1 shall be served upon the owner of the animal in accordance with Section 60.

40.3 The notice shall be served:

a) in the case of an owner who is an individual:

- i. by delivering it personally to the owner; or
- ii. if the owner cannot conveniently be found by leaving it for the owner at the owner's residence with a person at that residence who appears to be at least eighteen (18) years of age.

b) in the case of an owner that is a corporation:

- i. by sending it by registered mail to the registered office of the corporation; or
- ii. by delivering it personally to the manager, secretary or other executive officer of the corporation or the person in charge of any office or other place where the corporation carries on business in Saskatchewan.

40.4 Where an owner does not appear at the time and place appointed for the hearing after having been notified of that time or place, the Judge may proceed *ex parte* to hear and determine the proceedings in the absence of the owner as fully and effectively as if the owner had appeared.

40.5 If the Judge is satisfied, on reasonable grounds, that the animal is dangerous, the Judge shall make an Order embodying the following terms:

- a) If the owner removes the animal from the owner's property, the owner shall muzzle and leash it in accordance with the criteria prescribed in Section 43 and keep it under direct control and supervision;
- b) The owner shall inoculate the animal against rabies in accordance with the provisions of Section 44;
- c) The owner shall report the sale or other disposition of the animal to the City's Bylaw Officer, Bylaw Compliance and Licensing Official and/or the City Clerk;

- d) Where the animal is moved to a different city or municipality, the owner shall notify the City's Bylaw Officer, Bylaw Compliance and Licensing Official and/or the City Clerk and the Bylaw Enforcement Department of the municipality where the animal is being moved to;
 - e) Where the animal is to be sold or given away, the owner shall:
 - i. notify any prospective owner that the animal has been declared dangerous, before it is sold or given away; and
 - ii. notify the City's Bylaw Officer, Bylaw Compliance and Licensing Official and/or the City Clerk of the name, address, and telephone number of any new owner of the animal.
 - f) The owner shall have the animal micro chipped or tattooed by a veterinarian within 10 days of the date of the Order and provide proof to the Animal Control Officer.
- 40.6 An Order pursuant to subsection 40.5 may also include any or all of the following terms:
- a) The owner shall keep the animal in an enclosure which complies with the criteria prescribed in Section 42;
 - b) The owner shall obtain and keep in effect liability insurance in an amount of not less than \$300,000 for any bodily injury to or death of any person or domestic animal, or for damage to property, caused by the animal and shall provide proof of such insurance to the Animal Control Officer within 10 days of the Order;
 - c) The owner shall display a sign, which complies with the criteria prescribed in Section 41, on the owners property warning of the presence of the animal and shall continue to display that sign in good condition so long as the animal is present on the property;
 - d) The owner shall have the animal spayed or neutered within 30 days of the date of the Order; and/or
 - e) The owner shall take such other measures as the Judge considers appropriate.
- 40.7 Notwithstanding subsection 40.5, a Judge may, in the alternative; Order that the animal be destroyed or otherwise disposed of at the owner's expense and shall give directions with respect to the destruction or other disposition.
- 40.8 Where an Order has been made pursuant to subsection 40.6 against the owner, the owner may apply to the Judge who made the Order, that compliance with the provisions of clause 40.6 b) be waived.
- 40.9 On an application pursuant to subsection 40.8 the Judge may waive compliance with clause 40.6 b), on any terms and conditions that the Judge considers reasonable, where the Judge is satisfied that the owner is unable to comply with the requirements of that clause for a reason other than the owners financial circumstances.

40.10 A person desiring to appeal an Order pursuant to this Section shall, within 30 days of the Order being issued, file a Notice of Appeal with His Majesty's Court of King's Bench, and the provisions of Part XXVII of the *Criminal Code* apply with any necessary modification.

41. Requirement for Signage

41.1 Where an animal has been declared dangerous pursuant to Section 40, the owner of the animal shall, within 10 days of the date of the Order of the Judge declaring the animal to be dangerous, display a sign on their premises warning of the presence of the animal in the form illustrated in Schedule "G".

41.2 A sign required by subsection 41.1 shall be placed at each entrance to the premises where the animal is kept and on the enclosure in which the animal is confined.

41.3 A sign required by subsection 41.1 shall be clearly visible and capable of being read from any adjacent public road.

42. Requirements for Enclosures for Dangerous Animals

42.1 If a Judge Orders, pursuant to Section 40, that an animal be kept in an enclosure, the enclosure must comply with the following criteria:

- a) The enclosure shall be constructed of wood or any other building material of sufficient strength and in a manner adequate to:
 - i. confine the animal as to prevent escape;
 - ii. prevent the entry of children of tender years; and
 - iii. prevent the entry of another animal.
- b) The entrances and other areas by which entry to or exit from the enclosure may be made shall be locked or fastened in a manner adequate to prevent the animal from escaping from the enclosure;
- c) The enclosure shall be at least 3 meters in length, 1.5 meters in width and 1.8 meters in height;
- d) The enclosure shall have a top secured to the sides of the enclosure;
- e) The enclosure shall:
 - i. have a floor secured to the sides of the enclosure; or
 - ii. the sides of the enclosure shall be embedded in the ground to a depth of at least 0.6 meters;
- f) The enclosure shall:
 - i. provide protection from the elements for the animal;
 - ii. provide adequate light and ventilation for the animal; and
 - iii. be kept in a sanitary and clean condition.

42.2 An owner shall not use a fence separating the owner's property from an adjacent property as one of the sides of an animal enclosure.

43. Criteria for Muzzle and Leash for Dangerous Animals

Where an animal that has been Ordered to wear a muzzle or leash pursuant to this Part, is removed from the owner's property, the animal shall be equipped with a muzzle and be secured by a leash in accordance with the following criteria:

- a) The animal shall be fitted with a collar or harness for the body that is properly placed and fitted on the animal;
- b) The movement of the animal shall be controlled by a person by means of leash attached to the harness or collar of the animal;
- c) The leash shall not exceed 1.2 metres in length and shall be constructed of a heavy material capable of restraining the animal in which it is being used;
- d) The muzzle of the animal shall be properly fitted on the animal to prevent it from biting any animal or person;
- e) The muzzle shall be fitted on the animal in a manner that it will not interfere with the vision or respiration of the animal; and
- f) No person not physically able to adequately control the animal on a leash may remove or have the animal removed off the residing property.

44. Inoculation of Dangerous Animals

44.1 Where an animal has been declared to be dangerous pursuant to Section 40, the owner of the animal shall, at the owners expense and within 10 days of the date of the Order of the Judge declaring the animal to be dangerous, have the animal inoculated against rabies by a veterinarian and provide proof to the Animal Control Officer that the dog has been inoculated.

44.2 Where the owner of an animal provides proof that the animal has been inoculated against rabies during the period of 12 months prior to the date of the Order, the owner is not required to comply with subsection 44.1 until the expiration of 12 months from the date of inoculation of the animal.

44.3 The owner of an animal shall have the animal inoculated within each 12 month period following the inoculation mentioned in subsection 44.1 or 44.2 during the lifetime of the animal.

45. Penalties for Offences for Dangerous Animals

45.1 Any person who owns an animal for the purpose of fighting, or trains, torments, badgers, baits, or otherwise uses an animal for the purpose of causing or encouraging the animal to make unprovoked attacks on persons or domestic animals is guilty of an offence.

- 45.2 Any person who displays a prescribed sign warning of the presence of a dangerous animal and who is not acting in accordance with an Order made pursuant to clause 40.6 c) or has not received the permission of the City to display the sign is guilty of an offence.
- 45.3 Any person who does not comply with any part of an Order made against him or her pursuant to subsection 40.5, 40.6 or 40.7 is guilty of an offence.
- 45.4 Any person who owns an animal that, without provocation, bites, inflicts injury, assaults, or otherwise attacks or kills a person or domestic animal, is guilty of an offence.
- 45.5 A person who is guilty of an offence pursuant to this Section is liable on summary conviction:
- a) in the case of an individual, to a fine not exceeding \$10,000, or providing for imprisonment for not more than one year, or both;
 - b) in the case of a corporation, to a fine not exceeding \$25,000, or providing for imprisonment of the directors of the corporation for not more than one year, or both;
 - c) an order pursuant to subsection 40.5, 40.6 or 40.7; and/or
 - d) a penalty consisting of any combination of clauses a) to c).

46. Order Binds Subsequent Owner

An Order issued pursuant to Section 40 continues to apply if the animal is sold or given to a new owner or is moved to a different municipality.

47. Execution of Destruction Order

- 47.1 Unless the owner otherwise agrees, every Order for destruction of an animal shall state that it shall not be implemented for eight (8) days.
- 47.2 Where an appeal is taken against an Order for the destruction of an animal the application of the Order is stayed pending the disposition of the appeal, but all of the remaining conditions imposed by the Judge pursuant to subsection 40.5 and 40.6 remain in effect until the appeal is disposed of.
- 47.3 Where an appeal is taken by an owner against an Order for the destruction of an animal, they are required to pursue the appeal expeditiously.
- 47.4 The dog(s) shall be impounded pending the appeal and the owner shall be required to surrender the said animal(s) to City Officials within seven (7) days of receiving Notice.
- 47.5 Regardless of the outcome of the appeal, the owner shall be responsible for the payment of the costs of impoundment of the animal pending the hearing.
- 47.6 Where the Judge on appeal overturns the Order for destruction of the animal, the animal shall be released to the owner after the owner has paid the costs of impoundment of the animal pending the hearing.

48. Destruction by Peace Officers

- 48.1 A Peace Officer as defined by the *Criminal Code* may destroy any animal that the Officer finds injuring or viciously attacking a person or domestic animal.
- 48.2 Where the Officer acted in good faith, a Peace Officer who destroys an animal pursuant to subsection 48.1 is not liable to the owner for the value of the animal.

49. Entry and Search

If a Peace Officer as defined by the *Criminal Code* or a designated officer has reasonable grounds to believe that an animal is dangerous or has been ordered to be destroyed or otherwise disposed of is in or on any premises, the Peace Officer or designated officer may enter the premises and search for and impound the animal in accordance with Section 327 of *The Cities Act*.

50. Charges May Be Added to Property Taxes

- 50.1 In accordance with Section 333(2)(c) of *The Cities Act*, if a person owes the City for costs incurred by the City with respect to a dangerous animal, the City may add the amount owing to the tax roll of any parcel of land for which the person is the assessed owner.
- 50.2 If an amount is added to the tax roll of a parcel of land pursuant to subsection 50.1 the amount:
- a) is deemed for all purposes to be a tax imposed pursuant to *The Cities Act* from the date it was added to the tax roll;
 - b) forms a lien against the parcel of land in favour of the City from the date it was added to the tax roll; and
 - c) shall include the addition of an administrative fee in the sum of \$40 for each parcel of land the outstanding costs is added.

PART VI

CONTROL AND REGULATION OF EXOTIC & WILD ANIMALS

51. Owning and Harboursing Exotic and Wild Animals

- 51.1 No person may own or harbour any animal, or hybrid of any animal, of the kind listed in Schedule "E" for any purpose.
- 51.2 No person may buy, sell, trade, or exhibit any animal or hybrid of any animal of the kind listed in Schedule "E".
- 51.3 It shall be unlawful to keep any bird in the Columbidae family (such as pigeons, etc.), live poultry, livestock, and/or bees, as set out in Schedule "E", within the boundaries of the City of Swift Current, except:

- a) on the premises of a recognized industry in the business of handling livestock;
 - b) on the premises of the Swift Current Agricultural and Industrial Exhibition Association Ltd. in connection with shows, fairs, and/or exhibitions held with the permission of, or under the auspices of such association;
 - c) upon receiving written approval from City Council or the City Clerk for periods not to exceed 24 hours.
- 51.4 Any person found responsible for allowing an animal or hybrid of any animal of the kind listed in Schedule “E” to run at large will be guilty of an offence and a Violation Notice will be served for the amount of the penalty (fine) contained in Schedule “B”.

52. Prohibition Against Livestock

No person shall keep livestock in any area of the City unless the livestock are kept as part of a public agricultural exhibition, exposition operation, agricultural fair or any other location as noted in Schedule “J”.

53. Exemptions to Owning and Harboring Exotic and Wild Animals

Section 52 shall not prohibit the harbouring of an animal or a hybrid of an animal of the kind listed in Schedule “E” in the following places or circumstances:

- a) on the premises of the Swift Current Society for the Prevention of Cruelty to Animals;
- b) in a veterinary hospital under the care of a licensed veterinarian;
- c) by anyone holding a license under any statute of the Legislature of Saskatchewan or the Government of Canada, which permits the keeping of animals under stated conditions.

54. Feeding

No person shall entice any animal or hybrid of any animal of the kind listed in Schedule “E” by feeding such animal or hybrid of such animal.

PART VII
OBSTRUCTION OF ENFORCEMENT

55. Obstruction

- 55.1 No person, including the person who is the owner of a dog or cat which is being impounded or has been impounded, shall obstruct a Pound Keeper or Animal Control Officer in the execution of their duties as provided in this Bylaw.
- 55.2 The penalty (fine) for interference with enforcement of this Bylaw shall be as set out in Schedule "B".

56. Interference

- 56.1 No person shall:
- a) untie, loosen, or otherwise free an animal which has been tied or otherwise restrained; or
 - b) negligently or willfully open a gate, door or other opening of a fence or enclosure in which an animal has been confined and thereby allow an animal to run at large in the city; or
 - c) tease, entice, bait or throw objects at a confined animal.
- 56.2 The fines for those offences outlined under 56.1 a), b) and c) shall be as set out in Schedule "B".

57. Animal Abandonment

- 57.1 No person shall willfully fail to provide shelter or care to an animal in such a way as to desert or abandon such animal for which that person is an owner.
- 57.2 No person shall abandon any animal on the property of an animal shelter without formally surrendering such an animal to an animal shelter and paying all surrendering fees as charged by an animal shelter.
- 57.3 No person shall willfully fail to claim an animal that is being held at an animal shelter and for which said person is an owner.
- 57.4 The fine for abandonment of an animal shall be as set out in Schedule "B".

PART VIII
PENALTIES

58. Voluntary Payment

- 58.1 Where an Animal Control Officer believes that a person has contravened any provision of this Bylaw, they may serve upon such person a Bylaw Violation Notice (Form A) as provided by this Section.
- 58.2 A Bylaw Violation Notice may be served:
- a) in person, or
 - b) by hand delivery or mail to the last known address.
- The notice is deemed to have been received when served, or 24 hours after hand delivered.
- 58.3 Bylaw Violation Notices as shown in "Form A" must state the section of the Bylaw being contravened and the amount of the fine.
- 58.4 If payment is made within 30 days from the date of the ticket being issued, a summons to appear in court will not be issued.
- 58.5 Where any person contravenes the same provision of this Bylaw two (2) or more times within a 12-month period, the penalty payable in respect of the subsequent contravention is double the amount shown in Schedule "B" of this Bylaw.

59. Penalties

- 59.1 Subject to subsection 59.2, any person who contravenes any provision of this Bylaw is guilty of an offence punishable on summary conviction by a fine in an amount not less than \$100 and not exceeding:
- a) \$10,000 in the case of an individual;
 - b) \$25,000 in the case of a corporation;
- 59.2 Where an Animal Control Officer has reason to believe that a person has contravened any provision of this Bylaw, that Officer may issue a Violation Notice to the person and/or an Order to Comply.
- 59.3 A Violation Notice may indicate that the City will accept voluntary payment at City Hall for the amount listed.
- 59.4 Fine amounts for voluntary payment to avoid prosecution for the offences in this Bylaw are found in Schedule "B".
- 59.5 A Judge, in addition to the penalties provided in this Section, may, if he or she considers the offence sufficiently serious and that all the surrounding circumstances, including the conduct of the animal and the owner, warrant it, direct or Order the owner of the animal to stop the animal from doing mischief or causing the disturbance or nuisance complained which may include the

imposition of any conditions on the owner and the animal that the Judge considers appropriate, including any conditions set out in subsections 40.5 or 40.6 of this Bylaw or, to have the animal removed from the City, or have the animal destroyed.

- 59.6 A Judge, after convicting the owner of an animal of an offence under subsection 59.1 may, in addition to any other penalties imposed or Orders made, and without further notice or hearing, declare the subject animal a dangerous animal if the Judge considers that declaration warranted based on all of the circumstances of the offence and the conduct of the animal and the owner.

60. Interim Orders

If an owner is given a Bylaw Violation Notice under subsection 22.1 or subsection 22.2 or Section 39 or Section 45 or has been served with a notice of hearing under Section 40 of this Bylaw and the matter is adjourned after first appearance in Court, for any reason including for trial to a subsequent date, then the Judge has the power to impose an interim order with respect to the dog or dogs imposing any of the conditions in subsection 40.5 or 40.6 of this Bylaw or to the order the dog or dogs removed from City limits subject to any conditions the Judge decides to impose on the dog and the owner to ensure the safety of persons and other animals and these conditions shall remain in place until the matter is finally resolved by the Court.

61. Service of Orders

- 61.1 Except where otherwise provided in this Bylaw, any notice, Order or other document required by this Bylaw to be given or served may be served:
- a) personally;
 - b) by registered mail to the last known address of the person being served;
 - c) by hand delivering a copy of the notice, Order or document to the last known address of the person being served; or
 - d) by posting a copy of the notice, Order or document at the land, building or structure or on a vehicle to which the notice, Order or document relates.
- 61.2 A notice, Order or document served in accordance with clause 61.1 b) is deemed to have been served on the tenth day after the date of its mailing, unless the delivery date shown on the signed post office receipt card is a date earlier than the tenth day, then the notice, Order or document is deemed delivered on the delivery date.
- 61.3 A notice, Order or document served in accordance with clause 61.1 c) or d) is deemed to have been served on the day after the date of its delivery of posting.
- 61.4 If service cannot be effected in accordance with subsection 61.1:

- a) the notice, Order or other document may be served by publishing it in two (2) issues of a newspaper circulating in the city; and
- b) for the purposes of clause a), the second publication must appear at least three (3) days before any action is taken with respect to the matter to which the notice, Order or document relates.

62. Severability

If any section, subsection, sentence, clause, phrase, or other portion of this Bylaw is for any reason held invalid or unconstitutional by a Court of competent jurisdiction, that portion will be deemed a separate, distinct and independent provision and the holding of the Court will not affect the validity of the remaining portions of the Bylaw.

**PART IX
REPEAL OF FORMER BYLAW**

63. Repeal

Bylaw No. 1 - 1991 and Bylaw No. 20 – 2003, and all amendments thereto are hereby repealed.

**PART X
EFFECTIVE DATE OF BYLAW**

64. Effective Date

This Bylaw shall come into force and take effect on the day of final passing thereof.

_____ **MAYOR** _____ **CITY CLERK**

INTRODUCED AND READ a first time this 20th day of February, 2024.
READ a second time this 20th day of February, 2024.
READ a third time and finally passed this 20th day of February, 2024.

SCHEDULE "A"
FORMING A PART OF BYLAW NO. X - 2024

ANNUAL LICENSE FEE FOR DOGS

All dogs six (6) months old or over

License Fee for Dogs	\$50
- Discount (spayed or neutered)	\$13
- Discount (rabies vaccination)	\$2
License Fee for Kennels	
- Canadian Kennel Club registrant	\$100
- Boarding or selling (not licensed with CKC)	\$125
Service Dog	No Fee
Replacement Tag	\$5

ANNUAL LICENSE FEE FOR CATS

License Fee for Cats	\$30
- Discount (spayed or neutered)	\$10

**SCHEDULE “B”
FORMING PART OF BYLAW NO. X - 2024**

**AMOUNTS WHICH WILL BE ACCEPTED BY THE CITY OF SWIFT CURRENT
IN LIEU OF PROSECUTION**

<u>OFFENCE UNDER</u>	<u>OFFENCE</u>	<u>AMOUNT</u>
Section 8.2	Unlicensed cat	\$75
Section 9	Exceeding maximum number of cats	\$100
Section 10.1	Allowing cat to become a nuisance	\$100
Section 17.1	Defecation – Property other than owner	\$100
17.2	Defecation – Owners property not cleaned	\$100
Section 19.2	Unlicensed dog	\$75
19.3	Unlicensed kennel	\$100
19.9	False information	\$100
19.11	Dog not wearing tag off owner’s property	\$75
Section 21.1	Exceeding maximum number of dogs	\$100
Section 22.2	a) Biting a person(s) or animal	\$200
	b) Injure a person(s) or animal	\$200
	c) Chase or otherwise threaten a person(s) or animal	\$200
	e) Become a nuisance, barking, howling or disturbing	\$100
	f) Cause damage to property or other animals	\$200
	g) Upset waste receptacle	\$75
Section 24.1	Defecation – property other than owner	\$100
24.2	Defecation – owner’s property not cleaned	\$100
Section 26.1	Dog at large	\$100
Section 27	Dog unsupervised or become a nuisance at Off-leash Area	\$100
Section 28	Dog unattended in motor vehicle	\$100
Section 40.5	Failure to report sale, move or giving away of vicious dog	\$300
Section 51.1	Owning or harbouring Exotic and Wild Animal	\$400
51.2	Buying, selling, trading or exhibiting Exotic and Wild Animal(s)	\$400
51.4	Prohibited Animal at large	\$400
Section 55.1	Interference with enforcement	\$400
Section 56.1	a) Untie or free animal	\$200
	b) Willfully open gate or door	\$200
	c) Tease, throw things at dog	\$200
Section 57	Failure to provide shelter or care, abandon	\$200

***Subsequent Offence committed within twelve (12) months of the first offence –
DOUBLE THE AMOUNT IN THE ABOVE SCHEDULE***

SCHEDULE "C"
FORMING PART OF BYLAW NO. X - 2024

CHARGES FOR THE RELEASE OF IMPOUNDED ANIMALS

Release of Impounded Dogs	\$65
- Second and subsequent offenses	\$100
- Each additional day – plus license fee if unlicensed	\$25
Release of Impounded Cats	\$40
- Second and subsequent offenses	\$100
- Additional day(s) – plus license fee if unlicensed	\$25

SCHEDULE "D"
FORMING PART OF BYLAW NO. X - 2024

DECLARATION TO HAVE DOG LICENSED AND VACCINATED

I, _____ of _____

hereby declare that the dog which is released to me by the SPCA on this date, will be vaccinated for rabies and licensed as required by the Swift Current Animal Control Bylaw within 30 days.

I acknowledge that failure to comply with this declaration may result in prosecution under the Animal Control Bylaw.

Dog Owner

Description of Dog

Witness

Date

SCHEDULE "E"
FORMING PART OF BYLAW NO. X - 2024

A LIST OF ANIMALS PROHIBITED WITHIN THE CITY OF SWIFT CURRENT

- All Arachnids dangerous to humans (such as scorpions and tarantulas, except tarantulas of the genera Aphonopelma, Avicularia and Grammastola)
- All Artiodactylus Ungulates, (such as domestic goats, sheep, cattle, and pigs)
- All Bats
- All Bees
- All Canids, except the domestic dog
- All Columbidae (such as doves and pigeons)
- All Crocodylians (such as alligators, crocodiles, and caimans)
- All Edentates (such as anteaters, sloths, and armadillos)
- All Elephants
- All Felids, except the domestic cat
- All Hyaenas
- All Livestock (such as pigs, cows and sheep)
- All Marsupials (such as kangaroos and opossums)
- All Mustelids (such as skunks, weasles, otters, and badgers) except the domestic ferret
- All non-human Primates (such as gorillas and monkeys)
- All Perissodactylus Ungulates (such as horses)
- All Pinnipeds (such as seals, fur seals, and walruses)
- All Poultry (such as chickens, ducks, turkeys and geese)
- All Procynoids (such as raccoons, coatis, and cacomistles)
- All Raptors, diurnal and nocturnal (such as eagles, hawks, and owls)
- All Ratite Birds (such as ostriches, rheas, and cassowaries)
- All Ursids (bears)
- All venomous Reptiles and Amphibians
- All Viverrids (such as mongooses, civets, and genets)

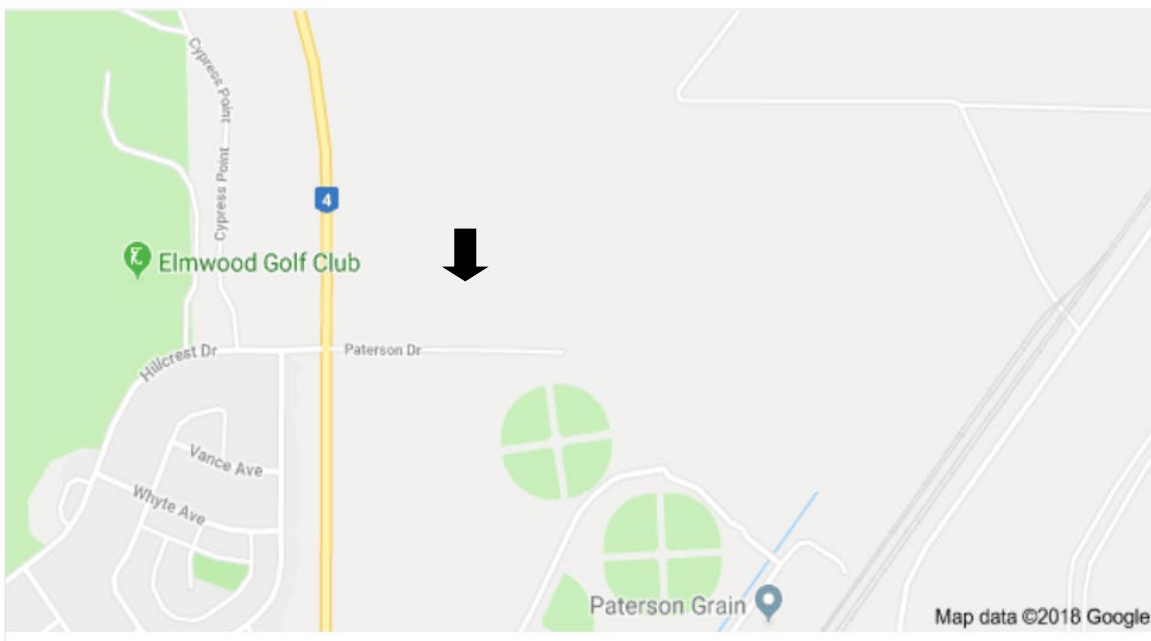
Examples of animals of a particular prohibited group are given parentheses. They are examples only and shall not be construed as limiting the generality of the group.

SCHEDULE "F"
FORMING PART OF BYLAW NO. X - 2024



SWIFT CURRENT OFF-LEASH DOG PARK

The Swift Current Off-leash Dog Park is a large, safe outdoor space where dogs are able to roam, run and play. Located on the east side of Highway No. 4 at the end of Hillcrest Drive, the dog park is available thanks to the generous support of donors, volunteers, and the City of Swift Current.



SCHEDULE "G"
FORMING PART OF BYLAW NO. X - 2024

BEWARE



Dangerous Animal

on
Premises

SCHEDULE "H"
FORMING PART OF BYLAW NO. X - 2024

ENCLOSURES FOR VICIOUS DOGS

DIMENSIONS (minimum dimensions)

- 3 meters in length
- 1.5 meters in width
- 1.8 meters in height

LOCATION OF ENCLOSURE

- located in rear yard only;
- no closer than 1 meter to the property line;
- no closer than 1.2 meters from any other building on your property; and
- no closer than 5 meters from a dwelling unit located on an adjacent property.

ADDITIONAL REQUIREMENTS

- must be constructed of wood or any other building material of sufficient strength and in a manner adequate to prevent the animal from jumping, climbing, or digging out of the enclosure;
- the roof and floor must be secured to the sides of the enclosure;
- the sides of the enclosure must be embedded in the ground to a depth of at least .6 meters;
- the entrances to the enclosure must be locked or fastened in a manner adequate to prevent the animal from escaping, and prevent the entry of unauthorized persons; and
- must provide adequate light, ventilation, and protection from the elements for the animal must be kept in a sanitary and clean condition.

SCHEDULE "I"
FORMING PART OF BYLAW NO. X - 2024

CAT TRAP PERMIT

DATE: _____

TRAP #: _____

The undersigned agrees to the following terms and conditions:

- to place the cat trap only on their property which is within the City of Swift Current;
- to personally check the cat trap every two (2) hours while the trap is set;
- in the event a cat is trapped, to immediately contact the City Pound Keeper at 773-1806. In the event that the City Pound is closed, the cat may be held until the Pound reopens, but in no event for longer than twenty-four (24) hours. Where a cat is held, the undersigned is responsible for the humane treatment and shelter of a cat including feeding and watering. A captured cat should be left in the trap and placed in a shed, garage, basement or other place that is warm, dry and secure with a blanket placed over the trap to pacify the animal. Other than as required by this permit, do not attempt to remove an unfamiliar cat from the trap - this will be done by an Animal Control Officer/Pound Keeper. If the undersigned cannot comply with this condition, the trapped cat must be freed unharmed;
- to ensure that no harm comes to any trapped cat which is in their possession including exposure to inclement weather;
- cat traps are not to be used when the temperature falls below -10 degrees C or rises above +30 degrees C;
- any Animal Control Officer may enter the property of the undersigned to ensure the trap is being used properly;
- to advise the Pound Keeper of the ownership of any cat trapped, if known;
- to be responsible for the trap, including the cost or repair or replacement if damaged, lost or stolen;
- traps must not be set on statutory holidays as the City Pound is closed;
- the trap is to be returned to the place of rental (SPCA/City Hall) three days after issuance.

***IT IS A SERIOUS OFFENCE TO HARM ANY DOMESTIC ANIMAL**

Address of intended location of trap: _____

Deposit: _____

I understand and accept all liability which may arise in connection with the use of this cat trap while it is in my possession and will save and indemnify the City of Swift Current/SPCA for all such liability.

Signature: _____

Name of Complainant: _____

Address of Complainant: _____

TRAP RETURNED:

Date: _____

Received by: _____

Remarks: _____

Deposit Returned: _____

(signature of complainant or agent)

**SCHEDULE “J”
FORMING PART OF BYLAW NO. X - 2024**

APPROVED LOCATIONS FOR LIVESTOCK WITHIN THE CITY OF SWIFT CURRENT

Livestock shall only be kept within the following area of the City:

- Swift Current Exhibition Grounds.

Upon approval by the Licensing Official livestock can be set up for display, for a specified period of time.

FORM "A"
FORMING PART OF BYLAW NO. X - 2024

BYLAW VIOLATION NOTICE

(sample only)

TO EXPOSE ADHESIVE, REMOVE LINER
 TO EXPOSE ADHESIVE, REMOVE LINER
 TO EXPOSE ADHESIVE, REMOVE LINER



CITY OF SWIFT CURRENT

VIOLATION NOTICE NO. **48211**

DAY	MO.	YR.	:	A.M.
			:	P.M.

<input type="checkbox"/> LICENCE #	<input type="checkbox"/> VIN #	<input type="checkbox"/> PHONE #	<input type="checkbox"/> SK _____ (MAKE)
			<input type="checkbox"/> OTHER _____

TRAFFIC _____

ANIMAL _____

FIRE _____

OTHER _____

BYLAW	TO BE TOWED PHOTO TAKEN	OFFICER
SEC		

PENALTY	<input checked="" type="checkbox"/>	PAY AMOUNT INDICATED
\$30.00		OR \$10.00 IF PAYMENT IS MADE WITHIN 10 DAYS OF ISSUE DATE
\$35.00		OR \$15.00 IF PAYMENT IS MADE WITHIN 10 DAYS OF ISSUE DATE
\$40.00		OR \$20.00 IF PAYMENT IS MADE WITHIN 10 DAYS OF ISSUE DATE
\$50.00		OR \$30.00 IF PAYMENT IS MADE WITHIN 10 DAYS OF ISSUE DATE
\$80.00		OR \$60.00 IF PAYMENT IS MADE WITHIN 10 DAYS OF ISSUE DATE
		OR _____ IF PAYMENT IS MADE WITHIN 10 DAYS OF ISSUE DATE
		NO REDUCTION FINE

FAILURE TO PAY OUTSTANDING PENALTY WITHIN 30 DAYS OF THE ISSUANCE WILL RESULT IN A COURT SUMMONS TO APPEAR IN COURT. FAILING TO APPEAR FOR TRIAL WILL RESULT IN A DEEMED CONVICTION OR WARRANT OF COMMITTAL. DELINQUENT FINES MAY RESULT IN FURTHER FEES AND SEIZURE OF PROPERTY.

SEE REVERSE FOR PAYMENT INSTRUCTIONS

DATA Communications Management S6031771.AI-M

BYLAW NO. X – 2024

A BYLAW of the City of Swift Current, in the Province of Saskatchewan, to regulate, control and prohibit smoking in public places.

THE COUNCIL OF THE CITY OF SWIFT CURRENT, SASKATCHEWAN, IN COUNCIL ASSEMBLED ENACTS AS FOLLOWS:

PART I GENERAL

1. Title

This Bylaw may be cited as the “**Smoking Bylaw**”.

2. Legislative Authority

This Bylaw has been created pursuant to Section 8 of *The Cities Act* which enables Council the authority to pass bylaws for purposes such as the safety, health, and welfare of citizens.

3. Purpose

The purpose of this Bylaw is to promote the safety, health and welfare of people and promote safe, enjoyable and reasonable use of public places for the benefit of all residents and visitors by prohibiting smoking and limiting the impact of smoke on persons using public places.

This Bylaw is intended to adopt the restrictions and supplement the legislation under *The Tobacco and Vapour Products Control Act*, *The Tobacco Control Regulations*, *The Public Health Act, 1994*, *The Cannabis Control (Saskatchewan) Act* and *The Summary Offences Procedure Act, 1990*.

4. Definitions

In this Bylaw and in any resolution of the Council passed pursuant thereof, unless the context otherwise requires, the term or expression:

- a) “**Act**” means *The Cities Act*.
- b) “**Authorized Individual**” means any person who is a paid or unpaid employee of any Public Place and includes: a full-time, part-time, temporary, permanent, seasonal, and casual employee, volunteer or contractor or an Officer as described within this Bylaw.

- c) **“City”** means the municipal corporation of the City of Swift Current.
- d) **“Common Area”** means lobbies, foyers, stairwells, hallways, elevators, corridors, cloakrooms, amenity areas, washrooms, change rooms/dressing rooms, food seating areas and outdoor theatres of any building or facility.
- e) **“Council”** means Council for the City of Swift Current, elected pursuant to the provisions of section 11 of *The Local Government Elections Act, 2015*, as the governing body of the municipality.
- f) **“Designated Smoking Area”** means an identifiable location outside of a building or facility in which smoking is permitted.
- g) **“Electronic Cigarette” or “E-Cigarette”** means all or any of the following:
 - i. a product or device, whether or not it resembles a cigarette, containing an electronic or battery-powered heating element capable of vaporizing an e-substance for inhalation or release into the air;
 - ii. a prescribed product or device similar in nature or use to a product or device described in subclause i.
- h) **“Electronic Substance” or “E-Substance”** means a solid, liquid or gas that, on being heated, produces a vapour for use in an e-cigarette, regardless of whether the solid, liquid or gas contains nicotine.
- i) **“Herbal Substance”** means both an actual, naturally-occurring plant and/or the product(s) and/or substance(s) derived from but not exclusive to the whole plant, roots, stems, flowers or leaves and which are made available in forms including but not limited to liquid extracts, powders, capsules, tablets or teas.
- j) **“Indoor Public Place”** means all or any part of a building, facility or other enclosed place to which the public has access as of right or by express or implied invitation, or that is rented or leased by a person for public or private use and includes any enclosed place that is owned, operated, managed or maintained by the City.
- k) **“Legislation”** means any Acts, Regulations, and Laws enacted by the Province of Saskatchewan or in the Country of Canada as may be amended from time to time.
- l) **“Officer”** means any Bylaw Enforcement Officer or Peace Officer, appointed or designated by Council for the purpose of enforcing this Bylaw or any municipal law enforcement officer, such as a member of the Royal Canadian Mounted Police.
- m) **“Outdoor Public Place”** means all or any property, green space, park, or other open space to which the public has access as of right or by express or implied invitation, or that is rented or leased by a person for public or private use and includes any outdoor space that is owned, operated, managed or maintained by the City.
- n) **“Park”** means any open green space that is used for the enjoyment of the public for both passive and active recreational activities, which may have facilities for rest or recreation.

- o) **“Person”** means any corporation, firm, partnership, association, registered company, unincorporated group of persons, natural person or other aggregation of the same.
- p) **“Play Area”** means an outdoor area for children to play on, which includes, without limiting, skate parks, bicycle parks, outdoor pools, and water spray parks.
- q) **“Public Place”** means any Indoor Public Place or Outdoor Public Place.
- r) **“School”** means a school or independent school as defined in *The Education Act, 1995* and includes:
 - i. grounds surrounding a school;
 - ii. athletic fields;
 - iii. parking lots;
 - iv. green space; and
 - v. spaces rented or leased by other groups if it is owned or operated by the school or school division.
- s) **“Smoke” or “Smoking”** means to inhale, exhale, burn or carry a lighted cigarette, e-cigarette, hookah pipe, pipe, or other lighted smoking equipment that burns tobacco, a herbal substance or other substance.
- t) **“Sports Field”** means an outdoor area designated and intended for use in a specific sporting event and includes soccer fields, football fields, baseball diamonds, tennis courts, and similar areas.
- u) **“Tobacco”** means tobacco in any form in which it is used or consumed and includes snuff and raw leaf tobacco but does not include any food, drug or device that contains nicotine to which the *Food and Drugs Act (Canada)* applies.
- v) **“Vape” or “Vaping”** means the use of an e-cigarette.

5. Schedules

The following schedules, appendixes and forms are attached to, and form part of, this Bylaw:

- a) Appendix “1” – No Smoking Sign;
- b) Schedule “A” – Offences for which a Violation Notice may be issued;
- c) Form “1” – Notice of Violation;

6. Interpretation

- 6.1 Headings are for reference purposes and shall not affect in any way the meaning or interpretation of the provisions of this Bylaw.
- 6.2 Any other words shall, insofar as they are not consistent with this Bylaw, have the same meaning as in *The Cities Act*, and amendments thereto.

- 6.3 Unless the context otherwise requires, words importing the singular number shall include the plural and vice versa.
- 6.4 If a provision of this Bylaw conflicts with the provisions of any Legislation, then the Legislation shall prevail.

PART II APPLICATION

7. General Prohibition

- 7.1 No Person shall Smoke or Vape:
- a) in an Indoor Public Place, including Common Areas;
 - b) within three (3) meters of a main entrance, secondary doorway, window or air intake of an Indoor Public Place, subject to additional restrictions pursuant to clause c);
 - c) in a School or on School property as defined in clause 4. r);
 - d) inside a public or City vehicle;
 - e) in an Outdoor Public Place, including Common Areas, Parks, Play Areas and Sports Fields, except within a Designated Smoking Area; or
 - f) within three (3) meters of the boundaries of an Outdoor Public Place, Common Area, Park, Play Area or Sports Field.
- 7.2 No Person shall:
- a) fail to leave a Public Place after an Authorized Individual has given the person notice or direction to leave for Smoking or Vaping in a Public Place; or
 - b) enter or use a Public Place after an Authorized Individual has prohibited the person's entry or use for Smoking or Vaping in a Public Place.

8. Signage

- 8.1 The owner of any Public Place as herein defined shall ensure that signs in the manner, size and location prescribed in *The Tobacco and Vapour Products Control Act*, indicating that Smoking and Vaping is prohibited, an example of which is shown in the attached Appendix "1", are displayed in a clearly visible location at all entrances to the public area.
- 8.2 The City may post signs indicating that Smoking and Vaping is prohibited in any Public Place.
- 8.3 No person shall remove, cover up or alter any sign which has been displayed or posted pursuant to this Bylaw.

- 8.4 The absence of a sign as required by subsection 8.1 does not relieve any person from compliance with Section 6 of this Bylaw.

9. Exemptions

- 9.1 Nothing in this Bylaw prohibits a person from Smoking in any place designed, intended, and used exclusively as a private residence.
- 9.2 Nothing in this Bylaw prohibits a person from using an Electronic Cigarette for the sole purpose of testing the device, or sampling products used with the device, prior to purchase within the confines of the premises of a registered and licensed Electronic Cigarettes retailer.
- 9.3 Nothing in this Bylaw prohibits a person from Smoking or holding lighted Tobacco, Herbal Substances, or tobacco-related products in a public place for traditional spiritual or cultural practices or ceremonies, if the use of Tobacco, Herbal Substances, or tobacco-related products is an integral part of the traditional spiritual or cultural practices or ceremonies being carried out in a Public Place with the consent of the owner.
- 9.4 The onus to prove that the exemption in subsection 9.3 applies shall be on the person alleged to be in violation.

PART III ENFORCEMENT

10. Enforcement Officers

- 10.1 Any Officer or any other person duly authorized or recognized as having been granted authority by Council is hereby designated to enforce this Bylaw.
- 10.2 Without restricting any other power, duty or function granted by this Bylaw, an Officer may:
- a) carry out inspections to determine compliance with this Bylaw;
 - b) take any steps or carry out any actions required to enforce this Bylaw;
 - c) take any steps or carry out any actions required to remedy a contravention of this Bylaw; or
 - d) establish areas where activities otherwise regulated, restricted or prohibited by this Bylaw are permitted.

11. Offences and Penalties

- 11.1 No person shall:
- a) fail to comply with any provision of this Bylaw; or

- b) obstruct or interfere with an Officer or other person acting under authority of this Bylaw.
- 11.2 Any person who contravenes any of the provisions of this Bylaw or fails to comply herewith or with any notice given hereunder is considered guilty of an offence and liable, on summary conviction:
- a) no less than \$100 in the case of a first offense, to a fine not exceeding \$3,000; and
 - b) no less than \$200 in the case of a second offense, to a fine not exceeding \$5,000.
- 11.3 An Officer who has reason to believe that a person has contravened any provision of this Bylaw may serve on that person a Violation Notice, which Violation Notice shall indicate that the City will accept voluntary payment as set forth in Schedule "A" to be paid to the City within 10 days.
- 11.4 If payment of the amount specified is made within the time specified, the person alleged to have committed the offence shall not be liable to prosecution for the offence indicated.
- 11.5 Where any person is convicted of an offence or has voluntarily paid a fine for an offence and contravenes the same provision of this Bylaw within a 12 month period, the specified payment payable in respect to the subsequent offence is double the amount shown in Schedule "A" of this Bylaw in respect of that provision.
- 11.6 If payment of the amount specified on the Violation Notice is not made on or before the date indicated on the Violation Notice, an Officer or Peace Officer, as the case may be, may lay an Information under oath as to the offence before a Justice of the Peace for the purpose of obtaining a Summons.
- 11.7 The Summons shall be in the prescribed form and shall provide for the voluntary payment of a penalty for the offence which the person is alleged to have committed. The Summons shall be issued by a Justice of the Peace and shall be served by a Peace Officer or other authorized person.
- 11.8 Voluntary payment of a penalty specified in a Summons shall be made no less than five (5) business days prior to the court date indicated on the Summons. Voluntary payment shall be made in person to the cashier at City Hall during normal business hours.
- 11.9 If payment of the amount specified on the Summons is not made no less than five (5) business days prior to the court date indicated, the person to whom the Summons has been issued shall be liable to prosecution for the alleged contravention of the Bylaw.
- 11.10 Notwithstanding the provisions of this Section, a person may exercise his right to defend any charge of committing a contravention of any of the provisions of this Bylaw.

12. Directors, etc. of Corporations

Every director, officer or agent of a corporation who directed, authorized, assented to, acquiesced in or participated in an act or omission of the corporation that would constitute an offence by the corporation is guilty of that offence, and is liable on summary conviction to the penalties provided for the offence whether or not the corporation has been prosecuted or convicted.

13. Vicarious Liability

In a prosecution for an offence pursuant to this Bylaw, it is sufficient proof of the offence to establish that it was committed by an employee or agent of the accused, whether or not the employee or agent is identified or has been prosecuted or convicted for the offence, unless the accused establishes that the offence was committed without his or her knowledge and that the accused exercised all due diligence to prevent its commission.

14. Evidence

In a prosecution for an offence pursuant to this Bylaw, the judge may infer that any substance or object in question is Tobacco, an Electronic Substance or Herbal Substance within the meaning of this Bylaw from the fact that a witness describes it as Tobacco, an Electronic Substance or Herbal Substance or by a name that is commonly applied to Tobacco, an Electronic Substance or Herbal Substance.

15. Severability

If any section, subsection, sentence, clause, phrase, or other portion of this Bylaw is for any reason held invalid or unconstitutional by a Court of competent jurisdiction, that portion will be deemed a separate, distinct and independent provision and the holding of the Court will not affect the validity of the remaining portions of the Bylaw.

PART VI

REPEAL OF FORMER BYLAW

16. Repeal

Bylaw No. 2 – 1985, Bylaw No. 39 – 1985, Bylaw No. 23 – 1993 and all amendments thereto are hereby repealed.

PART VII
EFFECTIVE DATE OF BYLAW

17. Effective Date

This Bylaw shall come into force and take effect upon on the day of final passing thereof.

_____ MAYOR _____ CITY CLERK

INTRODUCED AND READ a first time this 20th day of February, 2024.

READ a second time this this 20th day of February, 2024.

READ a third time and finally passed this 20th day of February, 2024.

APPENDIX "1"

FORMING PART OF BYLAW NO. X – 2024



Examples Only: manner, size and location must be as prescribed in *The Tobacco and Vapour Products Control Act*.

SCHEDULE "A"

FORMING PART OF BYLAW NO. X - 2024

AMOUNTS WHICH WILL BE ACCEPTED BY THE CITY OF SWIFT CURRENT
IN LIEU OF PROSECUTION

SECTION	DESCRIPTION	FINE AMOUNT
Section 7.1	Smoking or Vaping in a prohibited place	\$150
Section 7.2	Failure to comply	\$150
Section 8.1	Failure to post signage	\$150
Section 8.3	Removing, covering or altering signage	\$500

***Subsequent Offence committed within twelve (12) months of the first offence
DOUBLE THE AMOUNT IN THE ABOVE SCHEDULE***

FORM "1"

FORMING PART OF BYLAW NO. X - 2024

VIOLATION NOTICE

REMOVE LINER, EXPOSE ADHESIVE TO EXPOSE ADHESIVE, REMOVE LINER
 REMOVE LINER, EXPOSE ADHESIVE TO EXPOSE ADHESIVE, REMOVE LINER
 REMOVE LINER, EXPOSE ADHESIVE TO EXPOSE ADHESIVE, REMOVE LINER



CITY OF SWIFT CURRENT

VIOLATION NOTICE NO. **48211**

DAY	MO.	YR.			A.M.
					PM.
<input type="checkbox"/> LICENCE #	<input type="checkbox"/> VIN #	<input type="checkbox"/> PHONE #	<input type="checkbox"/> SK	(MAKE)	
			<input type="checkbox"/> OTHER		

TRAFFIC _____
 ANIMAL _____
 FIRE _____
 OTHER _____

BYLAW	TO BE TOWED PHOTO TAKEN	OFFICER
SEC		

PENALTY	PAY AMOUNT INDICATED
\$30.00	OR \$10.00 IF PAYMENT IS MADE WITHIN 10 DAYS OF ISSUE DATE
\$35.00	OR \$15.00 IF PAYMENT IS MADE WITHIN 10 DAYS OF ISSUE DATE
\$40.00	OR \$20.00 IF PAYMENT IS MADE WITHIN 10 DAYS OF ISSUE DATE
\$50.00	OR \$30.00 IF PAYMENT IS MADE WITHIN 10 DAYS OF ISSUE DATE
\$80.00	OR \$60.00 IF PAYMENT IS MADE WITHIN 10 DAYS OF ISSUE DATE
	OR IF PAYMENT IS MADE WITHIN 10 DAYS OF ISSUE DATE
NO REDUCTION FINE	

FAILURE TO PAY OUTSTANDING PENALTY WITHIN 30 DAYS OF THE ISSUANCE WILL RESULT IN A COURT SUMMONS TO APPEAR IN COURT. FAILING TO APPEAR FOR TRIAL WILL RESULT IN A DEEMED CONVICTION OR WARRANT OF COMMITTAL. DELINQUENT FINES MAY RESULT IN FURTHER FEES AND SEIZURE OF PROPERTY.

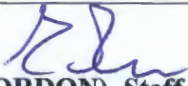
SEE REVERSE FOR PAYMENT INSTRUCTIONS
 DATA Communications Management S6031771.AI-M

COMMUNITY POLICING REPORT

To: The Mayor City of Swift Current	From: N.C.O. In Charge Swift Current City Det.	Month of January 2024
		Date Prepared 2024-02-05
		Phone No. (306) 778-4870

OFFENCES REPORTED AND/OR COMMITTED IN COMMUNITY

VIOLATION	Jan/2024	Jan/2023	Jan/2022	YTD 2024	YTD 2023	YTD 2022
Fatal Motor Vehicle Accident	--	--	--	--	--	--
Injury Motor Vehicle Accident	--	--	2	--	--	2
Reportable Vehicle Accident	9	13	18	9	13	18
Fail to Remain (Hit & Run)	3	11	5	3	11	5
Provincial Traffic Offence	203	70	163	203	70	163
Impaired Driving Offence	11	6	4	11	6	4
Liquor Act	1	2	6	1	2	6
Coroners Act	1	3	3	1	3	3
Mental Health Act	21	8	23	21	8	23
Other Criminal Code	19	30	39	19	30	39
Weapons Offence	--	2	2	--	2	2
Drug Enforcement	7	4	7	7	4	7
Sexual Offences	3	2	2	3	2	2
Robbery/Extortion/Harassment	11	8	7	11	8	7
Assault (excl. Sexual Assault)	14	10	11	14	10	11
Theft Under \$5,000	18	17	18	18	17	18
Theft Over \$5,000	2	6	2	2	6	2
Possession Stolen Property	2	2	3	2	2	3
Mischief	23	37	12	23	37	12
Fraud	12	4	16	12	4	16
Break & Enter – Business	2	1	--	2	1	--
Break & Enter – Residence	3	5	1	3	5	1
Break & Enter - Other	1	2	2	1	2	2
Arson	--	1	--	--	1	--
Missing Person	1	2	1	1	2	1
Peace Bond	--	--	--	--	--	--
Criminal Record Checks	120	77	95	120	77	95
Total Occurrences	397	382	335	397	382	335


(E.M. GORDON), Staff Sergeant
Detachment Commander
Swift Current City Detachment

TOURISM SWIFT CURRENT INC.
BOARD OF DIRECTORS MEETING
February 8, 2024 10:00am
Location: Tourism Swift Current!

Attendance:

AGENDA

1. Call to Order
2. Additions/Deletions to Agenda
3. Approval of Agenda
4. Adoption of December Meeting Minutes and review of January notes
5. Financial Statement
6. Correspondence
7. Business of the Day
 - a. CEO Report
 - i. Motions arising from report
 - b. Committee Reports
 - i. Branding Committee (Denise, Sherry, Andy)
 - ii. Finance/Audit Committee (Karen, Karla)
 - c. Board Governance/Policy
 - i. Board Training - update
 - ii. Lawyer - update
 - iii. Policy Review - Packages provided at meeting
 - d. Unfinished Business - En Camera/Board of Directors?
8. New Business
9. Next Meeting
10. Adjournment

**Southwest Transportation Planning Council Inc. (SWTPC)
Executive Working Committee Meeting
January 26, 2024 – Burstall, SK – The Centre**

ATTENDANCE

Present: Duane Filson, Louis Stringer, John Slabik, Bob Francis, Brad Brown, Cara Teichroeb (via Zoom), Ray Desautels (via Zoom), Allen Kuhlmann (via Zoom), Doug Smith (RM Deerforks), Gerald Wagner (RM of Happyland), Evelyn Dieterle (Town Burstall) and Sandra Krushelniski (Administrator)

Regrets: Alan Lindsay (MoH), Larry Grant (SARM) and Michelle Mackenzie (SUMA)

CALL TO ORDER

Chair D. Filson called the meeting to order at 10:00 a.m. with introductions.

AGENDA AND MINUTES

Motion: *B. Francis/L. Stringer:* That we adopt the agenda as presented.

CARRIED

Motion: *J. Slabik/B Brown:* That we adopt the November 26, 2023, minutes, as amended to correct attendance.

CARRIED

BUSINESS ARISING FROM MINUTES (OLD BUSINESS)

Newsletter information provided by Duane Filson. Discussion on Press Release.

Motion: *A Kuhlmann/L Stringer* – That we submit the article prepared by Duane Filson regarding the SWTPC accomplishments.

CARRIED

Suggested places to send to - SW Booster/Swift online press release – Gravelbourg Tribune – Assiniboia Times – Voice from Kindersley – Prairie Post – Maple Creek paper (news and advance) – Shaunavon Standard – submit to Chamber of Commerce in areas.

SARM/SUMA booth – Duane talked to Richard Porter – will prepare something in 2025 for attendance of the ATPC at the conventions.

Duane read the response from the Ministry of Highways re the request for a climbing lane on Hwy 4, south of Swift Current.

Discussion: Suggestion - to arrange a meeting with the City of Swift Current and the RM of Swift Current and include Dave Marit and Everett Hinley, MLAs. We need to enter this climbing lane into the list of projects. (Forward to Al Lindsay – as a segment)

Motion: *C Teichroeb/L Stringer* – That we invite the City of Swift Current, RM of Swift Current, Dave Marit (MLA) and Everett Hinley (MLA) to attend a SWTPC meeting.

CARRIED

**Southwest Transportation Planning Council Inc. (SWTPC)
Executive Working Committee Meeting
January 26, 2024 – Burstall, SK – The Centre**

Airport workshop - February 23, 2024 – bring communities with airports together, have one speaker and have discussion topics for the rest of the workshop – networking opportunity in an afternoon session and include speakers on surfacing runways. Invite airport representatives in our SWTPC area. Cancel the workshop by February 14, 2024 if not able to go ahead.

Joint meeting – tour was great of the Moose Jaw Air Base.

Provincial Conference in the fall of 2025, jointly with SCTPC, at Cypress Hills.

FINANCIALS, NEW BUSINESS AND CORRESPONDENCE

Motion: *B Francis/J Slabik:* That we approve the Financial Statements and Accounts as presented for December 31, 2023.

CARRIED

Motion: *L Stringer/J Slabik:* That we accept the 2024 Support Service Agreement.

CARRIED

Motion: *J Slabik/B Francis:* That we acknowledge the submission of the Q1, Q2 and Q3 submission.

CARRIED

Motion: *B Brown/B Francis:* That we request \$7,500.00 for the last amount of the 2023/24 Grant from the Ministry of Highways.

CARRIED

Discussion on the railway crossings on Highway 13 at Meyronne. Discussion on signage for the Meyronne crossing.

Motion: *B Francis/L Stringer:* That we write a letter to Brent Orb of the Ministry of Highways and cc to Andrew Glastetter. and Doug Tallon (Board chair) of Great Western Railway advising them that people have contact the SWTPC in regard to the railway crossings at Meyronne and Kincaid. Also cc the letter to the RM of Auvergne and the RM of Pinto Creek.

CARRIED

Motion: *J Slabik/C Teichroeb:* That we file the correspondence as presented.

CARRIED

Lunch - Shevy's Pizza and Treats

**Southwest Transportation Planning Council Inc. (SWTPC)
Executive Working Committee Meeting
January 26, 2024 – Burstall, SK – The Centre**

TRANSPORTATION PLAN

ATPC Call for Projects (*large capital investments on the Provincial Network – less than 30 kilometers*) – Duane set out the parameters for the Call for Projects.

Segment Improvement Strategy (*driving experience – must be on the Provincial network, no longer than 5,000 meters and segments cannot touch each other*) – Duane set out the parameters for the Segment Improvement Strategy.

LOCAL PRESENTATIONS

Gerald Wagner (RM of Happyland) and Doug Smith (RM of Deer Forks):

Highway 321 needs to be widened. As it is, it is unsafe for semi-trailer traffic, and is utterly inadequate for modern farm machinery. The width is a safety issue, and there is a lot of oil and gas traffic. Discussion on the Highways road crew that works in the area and on training and knowledge for the highways crews to work together with the railways. A lot of people travel to and from Medicine Hat on this Highway. The EWC will renew a Call for Projects for Highway 321. The MoH has not found ways to widen and improve highways like Hwy 321.

Evelyn: the condition of Hwy 321 is a concern for the Town of Burstall, who have a maintenance plan for the streets in Burstall. They also have plans for other maintenance in their town.

Southwest Transportation Corridor Ranking must be into Alan Lindsay by February, 2024.

- EWC went through the priorities and went through the reasoning behind each priority.
- Discussion on border crossing and the ports to attract tourism. It is hard to get people to travel on a gravel road.

REPORTS

Chairperson Report and SWMG – Duane Filson

- Deliverable that MoH is requesting
 - o Quarterly scan of planning area for developments or investments in the area
 - o Semi-Annual reports on changes across ATPC since the last Transportation update, using the Plan table of contents as a guide
 - o Yearly Network Corridor Evaluation

**Southwest Transportation Planning Council Inc. (SWTPC)
Executive Working Committee Meeting
January 26, 2024 – Burstall, SK – The Centre**

Great Western Railway – Allen Kuhlmann/Ray Desautels

- Not meeting until February. The start of the year (Feb 1) looks like they are doing ok. Lower storage car revenue. They are looking for more sources of revenue. Winter was a short season, so expenses will not be too high. No further development with gravel being moved on the line. Annual General meeting should be in the middle of April.

Great Sandhills Railway – no report

Economic Development – no report

SUMA – Michelle Mackenzie – no report

SARM – Larry Grant – no report

Ministry of Highways – Alan Lindsay – no report

NEXT MEETINGS

- February 23, 2024 – Shaunavon – Aviation – cancel by 14th if unable to arrange
- March 22, 2024 – Gravelbourg
- April 26, 2024 –
- May 24, 2024 –
- June 28, 2024 – Annual General Meeting

ADJOURNMENT

B. Francis: That we hereby adjourn the meeting at 3:40 p.m.

Sandra Krushelniski – Administrator

Duane Filson – Chairman

**Southwest Transportation Planning Council Inc. (SWTPC)
Executive Working Committee (EWC)
Crescent Point Wickenheiser Centre – MEETING ROOM - Shaunavon, SK
February 23, 2024 – 10:00 a.m.**

Call to Order & Introductions

- Additions/Deletions to Agenda *
- Minutes *

Business Arising from Minutes & Old Business

- Newsletter – in progress – sample next meeting
- Booth at SARM/SUMA – pending
- Passing Lanes at Swift Current – reply from Ministry of Highways
- Airport workshop - discussion
- Joint meeting in Moose Jaw – minutes pending

Finance, Correspondence and New Business

- January 31, 2024, Financial Statement and Accounts * Synopsis prepared
- Ministry of Highways deliverables
- Membership structure information
- SWMG – February 29 meeting and membership *
- Correspondence *

Transportation Plan

- MoH – ATPC Call for Projects – in progress
- Segment Improvement Strategy – in progress
- Ranking the SWTPC corridors – in progress

Local Presentations

- Local and new attendees – report on happenings in your area and any questions for SWTPC

Reports (*if unable to attend there will be no report*)

- Chairperson and SWMG - Duane Filson
- Great Western Railway – Allen Kuhlmann
- Great Sandhills Railway
- Economic Development Report
- Ministry of Highways – Alan Lindsay
- SUMA report – Michele MacKenzie
- SARM report – Larry Grant

Next Meetings (fourth Friday of month)

- February 23, 2024 – Shaunavon
- March 22, 2024 – Gravelbourg
- April 26, 2024 –
- May 24, 2024 –
- June 28, 2024 – Annual General Meeting (Swift Current)



REQUEST FOR ITEM TO BE DISCUSSED 'EN CAMERA'

Date: February 15, 2024
Subject: Alternate Utility Resources
Request from: Darryl Tunall


Local Authority Freedom of Information and Protection of Privacy Act Justification:

Section 16

Request Justification: **Advice, proposals or recommendations developed by or on behalf of the City.**



Darryl Tunall, Director of Light & Power



Jim Jones, CAO

MEETING REQUESTED TO BE HELD: immediately following the Council Meeting on February 20th, 2024.

Staff Members to be in Attendance: Chief Administrative Officer, General Manager of Corporate Services, General Manager of Infrastructure, General Manager of Community Services, General Manager of Cultural & Aquatic Services, City Clerk, Fire Chief, Business Development & Tourism Officer, Development Officer, and Assistant to the City Clerk.