

Saskatchewan Stray Animals Guide



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Table of Contents

Introduction..... 4

What type of animals does this apply to? 4

What is considered a stray?..... 4

Animal Owner Obligations 5

Who is considered an animal “owner”?..... 5

What are my obligations if my animal becomes a stray? 5

What happens if I choose not to retrieve my animal(s) or pay associated costs? 6

Who is liable if my stray animal(s) are harmed without cause? 6

What if I don’t know my animals are out?..... 7

Offences and Penalties under the Act..... 7

What is the penalty for one of the offences?..... 7

Stray Animal Process For Finders 8

What do I do if I find a stray animal? 8

I have restrained a stray animal, what do I do now? 8

Stray Animal Process for Municipalities 9

Notification of Stray At Large..... 10

Notification of Stray by Finder 10

What is a pound and pound keeper? 11

When a stray becomes the responsibility of an RM, where are they to be kept? 11

Sale of Strays..... 12

Compensation for Costs 13

Liability of the Owner to Municipality..... 14

Record of Strays 14

Dangerous Strays 14

Valueless Strays 15

Other Stray Related Topics..... 16

Fencing Requirements 16

Appendix 1: Stray Animal Fees..... 17

Appendix 2: Legislation & Codes of Practice 18

Appendix 3: Contacts	19
<i>Stray Animal Inquiries</i>	19
<i>Livestock Inspection</i>	19
<i>Animal Welfare</i>	19
Appendix 4: Sample Documents	20
<i>Time and Place Which Animals May Run at Large.....</i>	21
<i>Itemized Statement of Costs</i>	22
<i>Appointment Contract</i>	23
<i>Notice of Stray Animal [Restrained or Impounded] to Owner.....</i>	24
<i>Notice of Stray Animal [Restrained or Impounded] to Identify Owner</i>	25
<i>Notice of Sale</i>	26
<i>Declaration of Ownership.....</i>	27
<i>Stray Animal Incident Record.....</i>	28
<i>Record of Stray(s) Sold</i>	29
<i>Declaration of Dangerous Stray.....</i>	30
<i>Declaration of Valueless Stray</i>	31

Introduction

The Stray Animals Guide has been developed to help livestock producers, municipalities and the public know what to do when farmed animals become strays.

The Animal Production Act (Part 7) and The Animal Production Regulations (Part 12) outline the procedures for addressing stray animals in Saskatchewan. References to the legislation will be cited as *The Animal Production Act (APA)* and *The Animal Production Regulations (APR)* within this guide.

There are legally required steps that must be taken when addressing stray animals for the animal's owner, those that find and restrain a stray animal and the municipality where the stray is located.

This guide is not a substitute for the legislation which can be found at publications.saskatchewan.ca by searching *The Animal Production Act* and *The Animal Production Regulations*.

Important: This guide is not legal advice. The guide's purpose is to provide general process information. It is advised to contact a lawyer for legal advice where complex cases arise.

Note: As of July 1, 2024, *The Stray Animals Act* and *The Stray Animals Regulations, 1999* were repealed and replaced by *The Animal Production Act* and *The Animal Production Regulations*.

What type of animals does this apply to?

This legislation applies to animals owned by a person for the purposes of animal

production, competition, or personal use. This includes cattle, horses, bison, alpacas, llamas, sheep, goats, donkeys, ostriches, emus and hogs.

This legislation also applies to game farm animals (elk, deer, caribou, antelope, etc.), fur farm animals and farmed wild boar, licensed under *The Animal Productions Regulations*. These operations require inspections by the Ministry of Agriculture. If an animal from one of these farms escapes, or is released from captivity, immediately report it by calling the Ministry of Agriculture's Livestock Branch at 306-787-2150.

For wildlife concerns, contact your local Conservation Officer. For a full list of animals please refer to the APA, section 1-2 and the APR, section 12-1.

It does not apply to stray pets (such as cats and dogs), insects, poultry, fowl or wildlife.

What is considered a stray?

A stray is defined as (APA: s. 7-1):

“**stray**” means an animal that is:

- (a) unlawfully running at large; or
- (b) is found outside its owner's fence or enclosure and on public or private property without permission.

An animal running at large (APA: s. 7-1):

“**running at large**” means, with respect to an animal, not being on the premises of its owner and not under the immediate, continuous and effective control of its owner.

In most cases, animals are prohibited from running at large in a municipality (APA: s. 7-2). The only exception is if the municipality has passed a bylaw specifying the types and number of animals, the time of year and area

the animals can graze freely (on public and/or private land) within the municipality (APA: s. 7-3 and APR: s. 12-2). This is sometimes referred to as a “grazing open herd bylaw”. It applies to certain species, as indicated in APR s. 12-2.

In these instances, it would be legal for producers to allow the animals out of a fenced area to graze, but only in accordance with the bylaw. However, in these situations, no action for damages to property caused by an animal while lawfully running at large in accordance with the bylaw shall be maintained and no animal that is lawfully running at large in accordance with the bylaw may be restrained or impounded for causing damage to property unless the property is surrounded by a fence (APA: s. 7-5).

There are risks associated with grazing animals outside of a fenced area, including animals on public roadways or lost animals. It is imperative that producers manage animals appropriately and in accordance with the bylaw. **The majority of rural municipalities (RMs) do not have this type of bylaw. To check if your RM has a bylaw, please contact your RM office.** A sample bylaw can be found in Appendix 4.

Note for municipalities: The bylaw making authority is APA: s. 7-3 and APR: s. 12-2.

Animal Owner Obligations

Who is considered an animal “owner”?

Section 7-1 of the Act and section 12-1 of the APR define an owner, which includes:

- a) The person who owns the animal; or

- b) A person who had care or control of an animal immediately before an animal becomes a stray but does not include a finder. (For example, someone hired to board animals); and
- c) The person responsible for the custody of a minor if the minor is the owner of the animal that has become a stray.

What are my obligations if my animal becomes a stray?

As required by section 12-6 of the APR, if a stray is running at large, the owner shall:

1. Take immediate and all appropriate steps to capture the stray as soon as the owner has knowledge that the animal is running at large.
2. If the stray is a domestic game farm animal, a fur farm animal or a farmed wild boar, immediately report the escape to the Ministry of Agriculture by calling Livestock Branch at 306-787-2150.
3. If the stray is restrained by a finder the owner is required to pay the finder the applicable costs for restraining and caring for the animal(s) within 24 hours after notification.
 - List of costs can be found in Table 5 of the APR.
4. Once costs are paid, the owner shall retrieve the animal(s) within 24 hours after notification.

If the finder is unable to contact the owner because they are unknown to them or otherwise, if costs are not paid, or the animal is not retrieved within 24 hours after notification, the finder shall notify the municipality and subsequent steps

will be taken. The owner would then be subject to the municipal process and liable for additional costs as outlined in Table 5 of the APR.

In many instances, neighbours may choose not to charge fees for restraining and caring for an animal for a short period of time. However, those who find and restrain the animal are legally entitled to costs in accordance with Table 5 of the APR.

As required by section 7-5 of the APA, the owner of a stray is also liable:

1. To a proprietor for any damage caused by the stray to the proprietor's property; and
2. To the municipality, province or other public entity for any damage caused by the stray to public property.

What happens if I choose not to retrieve my animal(s) or pay associated costs?

If you refuse to retrieve your animal(s), pay the associated costs to the finder or municipality, or provide a declaration of ownership (a sample can be found in Appendix 4), the municipality can sell the animal(s) at a public sale or by tender or other public manner (APR: s. 12-10).

Proceeds from the sale are distributed by the municipality to cover the costs of the sale, applicable costs for the finder and municipality and costs of any other service provider with respect to the stray. Any remaining proceeds would be payable to you, but in many cases, there may be little or no funds left (APR: s. 12-11).

If proceeds from the sale of a stray do not cover the associated costs, the municipality

may maintain action against you, the owner, to recover any amount owing. Municipalities have the ability to put outstanding stray animal fees on a stray animal's owners property taxes. (APR: s. 12-12).

Who is liable if my stray animal(s) are harmed without cause?

It is an **offence to harbour**, transport or offer animals for sale or otherwise dispose of an animal if it is not in accordance with the APA and the APR.

Section 7-6 of the APA covers liability of proprietor:

- Proprietors are not liable for injury or death of a stray while the stray is on the proprietor's land, and
- proprietors are not authorized to willfully injure or cause the death of a stray unless approved by the municipality as a Dangerous Stray (APR: s. 12-3).

Section 7-7 of the APA covers the liability of the municipality:

- Unless specified in the contract pursuant to subsection 7-9(2) of the APA, a municipality shall be responsible for any negligent acts or omissions of the service provider it hires in the performance of the service provider's duties and shall be liable for all resulting loss and damage.

What if I don't know my animals are out?

The legislation requires that the finder of a stray immediately inform the owner, if known, when animals are found at large (APA: s.7-4). While most neighbours will generally contact each other when their animals escape the fence, some animals may wander, say to a neighboring RM or you may be temporarily away.

If someone you know finds your animals at large, they are legally obligated to let you know immediately (i.e., not hold them for days before telling you).

If, 24 hours after the restraint of a stray, the finder still cannot find you, they are required to contact the municipality and/or local law enforcement, if outside of business hours (APR: s. 12-7). The municipality is then responsible for making reasonable inquiries to locate the owner (APR: s. 12-9).

If you (the owner) are not located after making reasonable inquiries, the municipality can put the animal up for public sale, tender or other public manner after posting a notice of sale for seven days (APR: s. 12-10). If the stray is deemed valueless according to section 12-4 of the APR, the municipality may dispose of the animal in accordance with section 12-4 of the APR.

Offences and Penalties under the Act

A full list of offences can be found in Part 10 of the APA. In relation to stray animals, clauses 10-1(1) (m-s) of the APA make it an offence to:

- **Willfully allow an animal to run at large** (unless in accordance with a municipal bylaw pursuant to APA: s. 7-3).
- **Fail to maintain a fence or enclosure** that is capable of keeping an animal from running at large.
- **Harbour, transport, offer for sale** or otherwise disposing of an animal or animal product in a manner other than that authorized by the APA or the APR.
- **Demand or receive any fees or other compensation not authorized** by the APA or the APR.
- **Fail to pay any fines, penalties, or compensation for services** provided as authorized by the APA or the APR.
- **Fail to provide proper animal care** as required by *The Animal Protection Act, 2018*.
- **Contravene any provision** of the APA, the APR, an agreement made pursuant to section 2-1 of the APA, a service agreement or an order made pursuant to the APA.

Contact legal counsel if pursuing an offence under the legislation.

What is the penalty for one of the offences?

Every person who contravenes any provision of subsection 10-1(1) of the APA is guilty of an offence and liable on summary conviction (APA: s. 10-1(3)). The following thresholds apply to all offences, not just stray animal cases. A judge would consider the evidence and determine a fine as applicable to the situation.

- (a) in the case of a first offence, to a fine of not more than \$15,000 and to a further fine of not more than \$1,000 for each day or part of a day during which the offence

continues or to imprisonment for a term of not more than one year or to both;

(b) in the case of a second or subsequent offence, to a fine of not more than \$25,000 and to a further fine of not more than \$2,000 for each day or part of a day during which the offence continues or to imprisonment for a term not of not more than one year or to both.

Stray Animal Process For Finders

What do I do if I find a stray animal?

Any member of the public may find a stray animal which makes it especially important to know what to do when you come across one.

Animals can be unpredictable. Your personal safety is the number one priority. Sometimes doing the right thing is leaving the stray animal(s) to the professionals (people experienced in handling that animal species). Having experience with one type of farmed animal does not equate to experience with all types of farmed animals.

Permission

Required: If a stray animal is on someone else's property (not your own) you must ask **permission before going onto their property to retrieve the animal (*The Trespass to Property Act*).**

Anyone who handles or restrains a stray must ensure the proper care and handling of the animal, in accordance with *The Animal Protection Act, 2018*, *The Animal Health Act* and the relevant Codes of Practice.

Costs associated with restraining and caring for the stray(s), as outlined in Table 5 of the APR can be provided to the owner, if known, for payment, or to the RM. Know your limits and keep yourself and those around you safe. Also consider liability. While proprietors cannot willfully injure or cause the death of a stray, unless the proprietor acts in accordance with the requirements of Section 7-8 of the APA they are not liable for the injury or death of a stray while the stray is on the proprietor's land (APA: s. 7-6).

Note: A dangerous stray may be destroyed only in accordance with the APA and APR.

If ever unsure, notify the municipality immediately by contacting the RM office. If you do not know the RM or it is outside of business hours, contact local law enforcement.

I have restrained a stray animal, what do I do now?

In accordance with the legislation, your next steps will depend on if you know who the animal's owner is or not.

- A. If the owner is known to you (APA: s. 7-4 and APR: s. 12-7);
- Immediately notify the owner of the stray and of the restraint.

- Provide the owner an itemized statement of costs claimed, if any, in accordance with Table 5 of the APR. A sample Itemized Statement of Costs can be found in Appendix 4.

Note: You may choose to not charge fees depending on the situation. If fees are charged, they must be in accordance with the APR.

If the owner comes to retrieve the animal and pays the costs (if any), you must release the stray to the owner. Harbouring of an animal is an offence. A person who restrains and holds an animal must do so in accordance the APA and the APR.

If the owner refuses to retrieve the stray, or pay costs related to the restraint in accordance with Table 5 of the APR, after 24 hours of restraint, please proceed to B.

- B. If, after 24 hours of restraint; the owner is not known or cannot be notified by the finder; or

The owner refuses to pay the costs related to restraining the animal in accordance with Table 5 of the APR; or

The owner refuses to retrieve the animal;

The finder shall (APR: s. 12-7):

- Immediately notify the municipality in which the stray is restrained and of all relevant details;¹
- Within 72 hours after notification mentioned above, make arrangements with the municipality to:
 - Either deliver the animal to the municipality or have the municipality pick the animal up;² and
 - Provide the municipality with the identification of the owner (if known), and,
 - Provide the municipality with an itemized statement of the costs (sample in Appendix 4) claimed in relation to the restraint, in accordance with Table 5 of the APR.

Stray Animal Process for Municipalities

The steps taken by the municipality to address stray(s) will depend on if the owner is known or not and if the animal(s) are considered dangerous or not. Actions must be taken in accordance with legislation.

When dealing with strays, proactively or reactively, the municipality is responsible for appointing or contracting a person (internal or external), organization, service provider or another municipality for the purposes of dealing with stray livestock within the

¹ If notification of a municipality is not immediately possible (i.e. outside of business hours or on a weekend), the finder shall:

- Immediately notify local law enforcement of all relevant circumstances of the restraint; and
- Notify the municipality at the municipality's earliest availability (i.e. when office hours resume).

² The municipality may appoint a finder to be poundkeeper, for the care of a stray restrained until the animal is released to the owner or sold, in accordance with the legislation. This appointment should be done in writing, with clear expectations from both parties, detailing costs of any services provided as finder or poundkeeper and any other costs for services provided in accordance with Table 5 of the APR (APR: s. 12-9).

municipality (APA: s. 7-9 and APR: s. 12-8). The contract must specify financial compensation the appointee or service provider will receive for the services provided and may include other conditions that the municipality considers appropriate. A sample can be found in Appendix 4.

Reminder for municipal councilors to adhere to the conflict of interest requirements for an elected official and for municipal employees to adhere to the municipal employee code of conduct.

At any point in the process, an owner of a stray can reclaim the animal(s) by providing a declaration of ownership sworn or solemnly affirmed before a commissioner of oaths (sample in Appendix 4) and paying costs associated with its restraint as per Table 5 of the APR.

Notification of Stray At Large

When a municipality has been informed that animals are stray, but no one has restrained them or has the means to restrain them, the municipality must:

If the owner is known:

- Immediately report the strays to the animal owner.

If the owner refuses to address their stray animals:

- Notify the owner of the stray animal, through a formal letter, that the animals will be restrained and the owner will be subject to costs related to the actions taken, in accordance with Table 5 of the APR.
- The municipality may hire a person, organization, or any other group with the capability to restrain the animals,

in accordance with the legislation (APA: s. 7-9).

- Once the animals are restrained, follow the remaining process as outlined in the APR.

Note: If there are public safety concerns, the municipality may choose to act more quickly to restrain animals and if serious, could designate animals as dangerous (APA: s. 7-8 and APR: s. 12-3) or valueless (APR: s. 12-4).

Notification of Stray by Finder

APR: s. 12-9

When a municipality has been informed that a finder has restrained a stray the municipality must:

- Make arrangements to have the animal delivered to the care of the municipality or arrange to collect the animal from the finder*.
- Accept from the finder their itemized statement of costs (sample in Appendix 4) claimed with respect to restraining the stray, in accordance with Table 5 of the APR.

*The finder and municipality can come to an agreement for the finder to care for the animal until it is retrieved or sold, making the finder the poundkeeper. This agreement should be done in writing, with clear expectations from both parties. Sample form in Appendix 4.

Note: The municipality will also be able to claim costs in accordance with Table 5 of the APR for steps taken to address the stray(s).

If the owner is known, the municipality must immediately:

- Contact the owner and inform them of the location of the animal and of the costs claimed by providing itemized statements of costs (Appendix 4) for the finder and the municipality and any third-party service provider in relation to the stray, in accordance with Table 5 of the APR. A sample form can be found in Appendix 4.

If the owner is not known, the municipality must make reasonable inquiries within the boundaries of the municipality and, if appropriate, with adjacent municipalities, to determine the owner by:

- Informing a livestock inspector if the stray is a horse or head of cattle;
- Informing local law enforcement;
- Posting a notice (sample in Appendix 4) in the municipal office and if appropriate, in offices of adjacent municipalities containing a description of the stray and the location of the capture of the stray; and
- Publicizing the capture of the stray in any media the municipality considers may effectively inform the public of capture.

What is a pound and pound keeper?

A pound is defined as (APR: s. 12-1):

“pound” means a premises designated by a municipality or the minister where stray animals are confined pursuant to the Act and this Part.

Municipalities determine where the pound shall be located within the municipality (APR: s. 12-9 (4)).

A poundkeeper is defined as (APR: s. 12-1):

“poundkeeper” means a person appointed by a municipality or the minister to impound and care for strays at a pound.

Sections 12-9 (4) and 12-9 (5) of the APR detail how a municipality may appoint a poundkeeper.

Poundkeepers are appointed to care for any stray until:

1. appropriate costs are paid and the stray is released to the owner of the stray; or
2. the stray is sold in accordance with the legislation.

Appointments should be done in writing, with clear expectations from both parties, detailing costs of any services provided in accordance with Table 5 of the APR (APR: s. 12-9).

When a stray becomes the responsibility of an RM, where are they to be kept?

There are three options under the legislation for a municipality to restrain/maintain the stray until it is claimed or sold:

1. Hire a service provider (APA: s. 7-9)

The service provider may handle as much of the stray animal process as the municipality wants, as long as it is specified in a contract. This agreement is typically in place proactively to address stray animal cases as they arise.

The service provider may act as the finder, poundkeeper and fulfill the municipal functions as specified in the contract.

Hiring a service provider for a region with other municipalities may help address the cost of retaining services if required. This would also be beneficial in addressing multi-municipality stray animal cases.

2. **Appoint the finder (APR: s. 12-9)**

The municipality may appoint the finder (usually an area producer) as poundkeeper responsible for care of the restrained stray until reclaimed by the owner or sold in accordance with the APR. This appointment should be confirmed in writing and specify that the RM is appointing the finder as a temporary poundkeeper to address the specific situation. The finder shall be eligible for costs of any services provided as finder or poundkeeper and any other costs for services provided in accordance with Table 5 of the APR.

3. **Establish a pound and appoint a poundkeeper (APR: s. 12-9(4)).**

The RM may establish a pound, determining where the pound shall be located within the municipality and appoint a poundkeeper to care for the stray until reclaimed by the owner or sold in accordance with the APR.

Depending on the arrangement, the poundkeeper could be classified as a service provider. Some RMs have designated a local auction market as

the pound for the municipality as they have the facilities and resources to temporarily care for stray animals. The RM should confirm any agreement in writing with the poundkeeper for the services to be provided, to be paid in accordance with Table 5 of the APR.

Sale of Strays

If the owner remains unknown or the owner fails or refuses to reclaim the animal by providing a declaration of ownership sworn or solemnly affirmed before a commissioner of oaths (sample in Appendix 4) and paying costs associated with its restraint as per Table 5 of the APR, the municipality shall sell the animal.

Type of sale (APR s. 12-10):

- **Public sale conducted by a livestock dealer** as soon as is practical after notice has been given.
- If a livestock dealer is not able to conduct the sale, or if the sale cannot be conducted in a timely manner or in reasonable proximity to the municipality, the municipality may conduct the sale of the animal(s) by **tender or other public manner.**

The municipality must give notice of sale by:

1. Delivering a notice of sale (sample form in Appendix 4) to the owner (if known) by personal delivery or registered mail to the owner's last known address **at least seven days** before the sale of the animal
2. Posting a copy of the notice of sale (sample form in Appendix 4) for **at least seven days** (whether the owner

is known or not) before the sale of the animal:

- i. At the location where the sale is to take place, if applicable;
- ii. In the municipal office; and
- iii. In one other conspicuous place within the municipality.

If a municipality is unable to locate the owner after making reasonable inquiries, the municipality may proceed with the sale without delivery of notice of sale to the owner.

However, posting the notice of sale for at least seven days before the sale is still required (APR: s. 12-10(6)).

The Notice of Sale must detail (APR: s. 12-10(4)):

- The name of the animal owner (if known),
- A description of the animal,
- Name of the municipality,
- Name of the livestock dealer or manner of the sale if conducted by the municipality,
- Location where the sale will occur (if applicable) and
- Date of sale.

See Appendix 4 for a sample notice of sale.

Note: If the stray is to be sold at public auction, they must be listed in the sale catalogue, if one is published for the auction (APR: s. 12-10(5)).

If the stray receives no bids at the public sale, they can be deemed valueless (APR: s. 12-4).

Compensation for Costs

Municipalities may charge an administrative fee in the amount set out in Table 5 of the APR for a first or subsequent escape of a stray. If strays are sold in accordance with the legislation and the proceeds of the sale do not cover the associated costs as set out in Table 5 of the APR, the municipality may maintain action against the owner to recover any amount owing. A municipality may add the amount of fees and costs payable by an owner to the municipality to the municipal taxes payable by the owner (APR: s. 12-12).

At any point in the process, once the municipality has care or control of the stray, the municipality shall release the stray to the owner if (APR: s. 12-9(8)):

- The municipality is in receipt of all costs required in relation to the stray (Table 5 of the APR); and
- The owner provides to the municipality a declaration of ownership sworn or solemnly affirmed before a commissioner of oaths (sample in Appendix 4).

In accordance with APR: s. 12-11, a municipality in which a stray is discovered is responsible for:

- The full amount of costs to which a finder is entitled to pursuant to section 12-6 as set out in Table 5 of the APR;
- The fees of a livestock dealer; and
- The costs of any other service provider in relation to the stray, as set out in Table 5 of the APR.

Municipalities conducting a sale pursuant to the legislation may deduct from the proceeds of the sale the costs and fees associated with the stray as outlined in the APA and APR and shall pay those costs and fees within 30 days after the date of sale of the stray.

Any remaining proceeds, if any, shall be paid to the owner, if known (APR: s. 12-11(3)).

If the owner is unknown, any remaining proceeds shall be held for a period of 12 months by the municipality and, after expiration of that time, if the owner is still unknown, the funds become part of the general funds of the municipality and the owner shall no longer have a right or claim to the funds (APR: s. 12-11(4)).

If the owner becomes known within the 12-month period following the sale, providing proof of ownership and declaration of ownership sworn or solemnly affirmed before a commissioner of oaths (sample in Appendix 4), the municipality shall pay the amount the owner is entitled to (APR: s. 12-11(5)).

A sample record of strays sold can be found in Appendix 4.

Liability of the Owner to Municipality

APR: s. 12-12

If the proceeds of the sale of a stray do not cover the costs as set out in subsection 12-11(1) of the APR, the municipality may maintain an action against the owner to recover any amount owing. A municipality may add the amount of fees and costs payable by an owner to the municipality

pursuant to this Part, to the municipal taxes payable by the owner.

Record of Strays

APR: s. 12-13

If a municipality is notified about a stray, they must keep a record for at least 24 months after final resolution respecting the stray. This record includes:

- When the stray was first reported and
- Subsequent steps to address the stray.

In addition, municipalities shall maintain a record containing:

- A description of each stray sold;
- The date of the sale;
- The record of the weight;
- The name of the buyer; and
- A statement of the amount realized and distribution of the proceeds of the sale.

Having a form that records each of the steps taken to address the stray is beneficial in keeping track of where you are in the process. A sample form can be found in Appendix 4.

Dangerous Strays

APR: s. 12-3

A stray animal is deemed to be dangerous and may be destroyed in accordance with *The Animal Protection Act, 2018* if:

1. The stray poses an immediate danger to persons or the life of livestock; **or**
2. The stray:
 - (i) has harmed or damaged property, harassed livestock, wildlife or bees, or constitutes a risk to the public;

(ii) there is no reasonable means to capture or restrain the stray; **and**

(iii) a municipal official in the municipality in which the stray is located has authorized in writing the destruction of the stray after first having notified the stray's owner, if known, of the authorization to destroy the stray in accordance with section 12-5 of the APR.

The regular stray animals process does not apply in these situations. However, due diligence is required before destroying the stray animal, unless it is an immediate threat to people or to the life of livestock. **Damage to property is not enough reason to destroy a stray animal.** Reasonable attempts at capture must be made **and** the municipality must authorize the destruction of the stray in accordance with the legislation. This due diligence to ensure that all avenues have been exhausted in trying to address the high-risk stray, deeming it "dangerous" before the animal is destroyed.

A sample form for declaring a stray dangerous is in Appendix 4.

If there is a stray animal on a public roadway or other area that could be potentially dangerous to the public, it is important to inform the municipality and/or local law enforcement as soon as possible.

If you or another person is in immediate danger, remove yourself from the area if possible and call someone to assist. Animals

may be destroyed by **anyone** in this scenario if they are an **immediate threat to people or to the life of livestock (APR: s. 12-3)**. You may choose to do this yourself, call a neighbour to assist or local law enforcement.

All dangerous strays must be destroyed in a humane manner, in accordance with *The Animal Protection Act, 2018*. There are various animal Codes of Practice (Appendix 2) available to reference proper methods.

Valueless Strays

APR: s. 12-4

An animal can be deemed valueless if:

- The stray was put up for sale at a public sale and no bids were received for the stray; or
- A municipal official in the municipality in which the stray is located has stated in writing that the stray has no value.

A sample form for declaring a stray valueless is in Appendix 4.

In these cases, the municipality may dispose of the animal in one of two ways:

- (a) offer the valueless stray for sale to any person for one dollar and issue a bill of sale; or*
- (b) euthanize the valueless stray in accordance with APR: s. 12-5.

***Note:** APR: s. 12-4(3) If more than one person is interested in purchasing a

valueless stray, the animal shall be deemed no longer to be valueless and must be sold pursuant to APR: s. 12-10.

Other Stray Related Topics

Fencing Requirements

For fencing requirements, see Part 6 of the APA and Part 11 of the APR.

Saskatchewan has taken a producer led approach to fencing. This means that currently there are no specific fencing requirements for most livestock species*. The province may choose to put in fencing standards at the request of specific livestock industries but there are no such standards at the time this guide was created.

*Domestic game farms, fur farms and wild boar farms do have fencing and enclosure requirements. The requirements can be found in the APR Part 3 (Domestic Game Farm), Part 4 (Fur Farm) and Part 5 (Wild Boar Farm).

The Codes of Practice for the care and handling of farm animals contain information on recommended fencing options for different species.

Municipalities do not have the authority to put in bylaws related to livestock fencing.

For line fence disputes, see sections 6-3 and 6-4 of the APA.

Appendix 1: Stray Animal Fees

Table 5 of *The Animal Production Regulations*

Item	Service Provided	Fee
1	Capturing and restraining a stray	Actual costs
2	Administration fee for first occurrence of impounding a stray from an owner	\$25 per animal
3	Administration fee for subsequent occurrences of impounding a stray from an owner within a twelve-month period	\$100 per animal
4	Providing care and sustenance for a restrained stray	Actual costs up to \$25 per head per day
5	Providing care and sustenance for an impounded stray	Actual costs up to \$25 per head per day
6	Municipal advertising costs	Actual costs
7	Destroying a valueless or dangerous stray	Actual costs
8	Transporting strays and disposing of carcasses of dead strays	Actual costs
9	Providing veterinary services to a stray	Actual costs
10	Livestock inspector services for brand identification of cattle or horses	Actual costs

Appendix 2: Legislation & Codes of Practice

* All Saskatchewan acts and regulations are available on publications.saskatchewan.ca.

[The Animal Production Act](#)

[The Animal Production Regulations](#)

[Animal Codes of Practice](#)

The National Farm Animal Care Council's Codes of Practice for the care and handling of farm animals contain information on proper care, handling and allowable methods of euthanasia for different animal types.

[The Animal Health Act](#)

[The Animal Protection Act, 2018](#)

This Act mandates the humane slaughter and euthanasia of animals (section 6).

If there are animal welfare concerns including abandoned animals, animals not receiving adequate food, water and veterinary care, or inadequate animal shelter please contact: Animal Protection Services of Saskatchewan 844-382-0002, [online](#) or your local RCMP.

[The Trespass to Property Act](#)

[Criminal Code \(Canada\)](#)

The *Criminal Code* (Canada) makes it is a crime to deface a brand and fraudulently take cattle.

If you suspect your cattle have been stolen or find cattle where the brands appear altered or incorrect, contact local law enforcement immediately.

It is also an offence to purposefully injury, endanger, cause unnecessary suffering to, or kill an animal.

Appendix 3: Contacts

Stray Animal Inquiries

Livestock Branch
Ministry of Agriculture
306-787-2150 (general office line)

Livestock Inspection

Livestock Services of Saskatchewan (LSS)

Provides livestock inspection services for branded cattle and horses in Saskatchewan.
306-546-5086 or <https://lssc.ca/>

Animal Welfare

Animal Protection Services of Saskatchewan (APSS)

If there are animal welfare concerns including abandoned animals, animals not receiving adequate food, water and veterinary care or inadequate animal shelter contact APSS:

306-382-0002 or
Toll Free 1-844-382-0002.
They can be contacted anonymously from 8 a.m. to 5 p.m. (Mon-Fri).
For after-hours and weekend emergencies, please contact your local RCMP.

<https://animalprotectionservices.ca/>

Appendix 4: Sample Documents

Samples follow.

Sample Bylaw: Time and Place Which Animals May Run at Large
[Section 7-3 of *The Act* and Section 12-2 of *The Regulations*]

Bylaw
Bylaw No. _____

A BYLAW OF THE MUNICIPALITY OF _____ NO. _____
RESPECTING ANIMALS RUNNING AT LARGE

Pursuant to *The Animal Production Act and Regulations*, the council of the Municipality of _____

No. _____ enacts as follows:

1. Expressions used in this bylaw have the same meaning and interpretation given to them by Part 7 of *The Animal Production Act* and Part 12 of *The Animal Production Regulations*.

2. The following animals are permitted to run at large in the following areas within the municipality within the following times:

- (a) horses (*specify type, maximum number, grazing area and period of year, if any*);
- (b) cattle (*specify type, maximum number,, grazing area and period of year, if any*);
- (c) sheep (*specify type, maximum number, grazing area and period of year, if any*);
- (d) goats (*specify type, maximum number, grazing area and period of year, if any*);
- (e) alpacas (*specify kind, maximum number, grazing area and period of year, if any*);
- (f) llamas (*specify kind, maximum number, grazing area and period of year, if any*).

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

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

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

(Seal of the Municipality)

Council head

Administrator

Sample Itemized Statement of Costs

[Table 5 of *The Animal Production Regulations*]

Itemized Statement of Costs

Pursuant to *The Animal Production Regulations*, Table 5, the following constitutes the itemized statement of costs incurred by _____,
 (name)
 the _____. [Attach receipts if necessary]
 (finder/municipality/other service provider)

Service Provided	Fee	Number of animal(s)	Total Cost
TOTAL:			\$

These costs were incurred with respect to the following animal(s) that were _____
 (restrained or impounded)

On the _____ day of _____, _____ in accordance with *The Animal Production*
 (day) (month) (year)

Act Section 7 and *The Animal Production Regulations* Section 12.

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

Payment for these costs can be made by _____ to: _____
 (date)

_____ (detail payment option(s) above)

Municipality of: _____ No: _____

Telephone: _____ Email: _____

Date: _____ Signature: _____
 (Finder/Administrator/Contractor)

Sample Appointment Contract

[Section 12-9 of *The Animal Production Regulations*]

APPOINTMENT BY THE MUNICIPALITY OF _____ NO. _____
RESPECTING STRAY ANIMALS.

Pursuant to *The Animal Productions Act* (Part 7) and *The Animal Production Act Regulations* (Part 12), the council of the Municipality of _____ No. _____ appoints as follows:

Name: _____ Phone Number: _____

Position with the Municipality or with respect to Stray animal(s) _____
(Administrator/Employee/Contractor/Finder/Poundkeeper)

As _____,
(Municipal administration, Poundkeeper)

To _____

(detail the responsibilities and time frame of duties)

Payment with respect to this appointment includes: _____

(detail the applicable costs, including those from Table 5, The Animal Production Regulations)

(Seal of Municipality)

Council Head

Administrator

Appointee

Sample Notice of Stray Animal [Restrained or Impounded] to Owner [Section 12-9 of *The Animal Production Regulations*]

TO WHOM IT MAY CONCERN:

Notice is hereby given pursuant to *The Animal Productions Act* (Part 7) and *The Animal Production Act Regulations* (Part 12), that the following animal(s) was/were on the _____ day of

_____, _____ (day)
 _____, _____ (month) _____ (year)
 _____ by _____
 _____ (restrained or impounded) _____ (finder or poundkeeper name)

Location of _____ : _____
 _____ (restraint or pound)

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

The attached itemized statement of costs are claimed in accordance with Table 5 of *The Animal Production Regulations* with respect to these animals.

NOTICE: Pursuant to Part 7 of *The Animal Production Act* and Part 12 of *The Animal Production Regulations*, the above described animal(s) are eligible for release following payment of all costs required in relation to the stray(s) and by submission of a declaration of ownership sworn and solemnly affirmed before a commissioner of oaths by the owner.

Where the above described animal(s) have not been released as prescribed, the municipality shall sell the animals in accordance with *The Animal Production Regulations* Part 12-10.

Municipality: _____ No. _____

Telephone: _____ Email: _____

Date: _____

Signed: _____
 _____ (Administrator or Appointed Contractor as per Section 12-8 of *The Animal Production Regulations*)

Sample Notice of Stray Animal [Restrained or Impounded] to Identify Owner
[Section 12-9(3) of *The Animal Production Regulations*]

TO WHOM IT MAY CONCERN:

Pursuant to *The Animal Productions Act Part 7* and *The Animal Production Act Regulations Part 12*, the following animal(s) was/were on the _____ day of _____,
(day) (month)
_____, _____ in the Municipality of _____
(year) (restrained or impounded)
No. _____.

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

SHOULD YOU BE THE OWNER OF THE ANIMAL(S) OR KNOW WHO IS, PLEASE IMMEDIATELY CONTACT THE MUNICIPALITY IDENTIFIED BELOW.

NOTICE: Pursuant to Part 7 of *The Animal Production Act* and Part 12 of *The Animal Production Regulations*, the above described animal(s) are eligible for release following payment of all costs required in relation to the stray(s) and the owner submits a declaration of ownership sworn and solemnly affirmed before a commissioner of oaths is submitted.

Where the above described animal(s) have not been released as prescribed, the municipality shall sell the animals in accordance with *The Animal Production Regulations* Section 12-10.

Municipality of: _____ No: _____

Telephone: _____ Email: _____

Date: _____

Signed: _____
(Administrator or Appointed Contractor as per Section 12-8 of *The Animal Production Regulations*)

Sample Notice of Sale
 [Section 12-10 of *The Animal Production Regulations*]

Notice of Sale

TO WHOM IT MAY CONCERN:

Notice is hereby given that, pursuant to *The Animal Production Act Part 7* and *The Animal Production Regulations Part 12*, the following animal(s) will be sold on _____ (day), _____, _____ (day) _____ (month) _____ by way of _____ (year) _____ (describe the location and manner of sale and livestock dealer name, if applicable)

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

[SHOULD YOU BE THE OWNER OF THE ANIMAL(S) OR KNOW WHO IS, PLEASE IMMEDIATELY CONTACT THE MUNICIPALITY IDENTIFIED BELOW.] *Include if owner unknown

Pursuant to Part 7 of *The Animal Production Act* and Part 12 of *The Animal Production Regulations*, the above described animal(s) are eligible for release following payment of all costs required in relation to the stray(s) and where the owner submits a declaration of ownership sworn and solemnly affirmed before a commissioner of oaths is submitted. Contact the municipality identified below to reclaim the animals prior to the sale date within this notice.

Municipality of: _____ No: _____

Telephone: _____ Email: _____

Date: _____

Signed: _____

(Administrator or Appointed Contractor as per Section 12-8 of *The Animal Production Regulations*)

Sample Declaration of Ownership

[Section 12-11 of *The Animal Production Regulations*]

Statutory Declaration of Ownership

TO: The Municipality of _____ No. _____

In the matter of *The Animal Production Act* Part 7 and *The Animal Production Regulations* Part 12, in the Province of Saskatchewan, CANADA

I, _____
(full name of person claiming ownership)

of _____, Saskatchewan, _____,
(address) (occupation)

do solemnly declare that I am of the owner of the following animals:

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

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

Declared before me at _____,

Saskatchewan, this _____ day of

_____, _____.

A Commissioner for Oaths in and for the Province of Saskatchewan

Owner

Sample Stray Animal Incident Record

[Section 12-13 of *The Animal Production Regulations*]

Pursuant to Part 7 of *The Animal Production Act* and Part 12 of *The Animal Production Regulations*, this serves as a record of the action(s) taken pertaining to the following animal(s) within the Municipality of _____ No. _____.

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

Reported By (<i>name</i>)	First or subsequent report	Details of report and date	Action(s) taken (<i>list</i>) By whom (<i>name and association with municipality</i>)

Date: _____

Signed: _____
(*Administrator or Appointed Contractor as per Section 12-8 of The Animal Production Regulations*)

Sample Record of Stray(s) Sold
 [Section 12-13 of *The Animal Production Regulations*]

Record of Stray(s) Sold

MUNICIPALITY OF _____ No. _____

In accordance with *The Animal Production Act* and *The Animal Production Regulations*, the following animals were sold on _____ (day), _____, _____ (year) by way of _____ (day) _____ (month) _____ (year)

by way of _____
 (describe the location and manner of sale and livestock dealer name, if applicable)

to the buyer(s) as listed.

Class or Animal(s) and Age	Sex and Colour	Brief General Description	Marks and Brands (if any)	Weight (pounds)	Name of Buyer	Amount Realized

The total amount realized, \$ _____ was distributed as follows: _____

 (detail how the revenue was distributed based on costs claimed/incurred)

Date: _____

Signed: _____
 (Administrator or Appointed Contractor as per Section 12-8 of *The Animal Production Regulations*)

Sample Declaration of Dangerous Stray [Section 12-3 of *The Animal Production Regulations*]

DECLARATION BY THE MUNICIPALITY OF _____ NO. _____
RESPECTING STRAY ANIMALS.

Pursuant to *The Animal Production Regulations*, section 12-3, I, _____
(name and position with the municipality)

On behalf of the council of the Municipality of _____ No. _____ declares the
following animal(s) as dangerous and authorizes the destruction in the following manner:

(describe who/when the animal(s) will be destroyed in accordance with the legislation)

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

(Seal of Municipality)

Date: _____

Signature: _____

Sample Declaration of Valueless Stray
[Section 12-4 of *The Animal Production Regulations*]

DECLARATION BY THE MUNICIPALITY OF _____ NO. _____
RESPECTING STRAY ANIMALS.

Pursuant to *The Animal Production Regulations*, section 12-4, I, _____
(name and position with the municipality)

On behalf of the council of the Municipality of _____ No. _____ declares the
following animal(s) as valueless.

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

(Seal of Municipality)

Date: _____

Signature: _____