

Town of Birch Hills

BYLAW NO. 5 OF 2026

A BYLAW TO ESTABLISH PROVISIONS FOR THE LICENSING AND REGULATIONS OF A BUSINESS OF CARING FOR, KENNELING, BREEDING, OR SELLING OF ANIMALS WITHIN THE TOWN OF BIRCH HILLS

WHEREAS Council deems it necessary to pass a bylaw to license, regulate and govern the operation of a business caring for, kenneling, grooming, breeding, or selling of animals within the Town of Birch Hills, in order to provide for the health and safety of the public;

The Council of the Town of Birch Hills in the Province of Saskatchewan enacts as follows:

1. DEFINITIONS

For the purpose of this bylaw:

- a. **Business of caring for animals** – shall mean a place or facility where more than one (1) to a maximum of six (6) are kept between the hours of 7:00 am and 6:00 pm, with the exception of up to three (3) dogs that are owned by and licensed to a resident of the property.
- b. **Kenneling** – shall mean the use where more than one (1) to a maximum of six (6) animals, with the exception of up to three (3) dogs that are owned by and licensed to a resident of the property, are kenneled overnight or for periods greater than 24 hours, that does include enclosures, pens, runs, or exercise areas.
- c. **Breeding or selling** – keeping, boarding, training, or breeding of a specific number of dogs (usually more than three (3)) over a certain age (often four (4) to six (6) months) for the purpose of producing offspring, whether or not for profit.
- d. **Grooming** – shall mean a facility whereby the process of cleaning, maintaining, and improving the physical appearance and health of a dog or cat, including but not limited to: washing, bathing, drying, brushing, combing, de-matting, clipping / trimming fur, cutting or grinding nails, ear cleaning, and expressing anal glands between the hours of 8:00am and 6:00 pm. The duration of scheduled appointments shall be limited to no more than three (3) hours.

2. BUSINESS OF CARING FOR, KENNELING, GROOMING, BREEDING, OR SELLING OF ANIMALS LICENSING

- a. Every owner of a business of caring for, kenneling, grooming, breeding, or selling of animals shall, before the 1st day of January in each year, or within seven (7) days of becoming the owner of such a business of caring for, kenneling, grooming, breeding, or selling of animals, license such business with the Town.

- b. Before licensing any such business of caring for, kenneling, grooming, breeding, or selling of animals, the Town may require the owner thereof to produce evidence satisfactory to it that the business of caring for, kenneling, grooming, breeding, or selling of animals is being or shall be operated, as the case may be, within acceptable health standards as set out in Section 3.
 - c. Every license issued pursuant to this section shall expire on the 31st day of December in the year in respect of which it was issued.
 - d. The fee payable for a business of caring for, kenneling, grooming, breeding, or selling of animals shall be \$100.00, and can be amended from time to time, and shall be payable at the time of issuing the license.
3. Every owner or operator of a business of caring for, kenneling, grooming, breeding, or selling of animals shall reside on the same lot to which the business is to be located and shall:
- a. Shall follow and adhere to the Home-based businesses – Type I and Type II of Section 4.9 of the Town of Birch Hills Zoning Bylaw No. 04/17;
 - b. Provide the Town with the name of the owner and operation of the business of caring for, kenneling, grooming, breeding, or selling of animals and the owner and all occupants of the lot on which it is located;
 - c. At all times, keep records of each incoming and outgoing dog inclusive of the name and address of the owner of all dogs cared for or kept at the facility and the dates and arrivals to and departures from the facility;
 - d. Ensure that all owners complete the Pet Kenneling and Daycare Contract, attached as Schedule “C”, as this will ensure that all dogs are up-to-date with their vaccinations and that all owners are required to provide proof of vaccination;
 - e. Ensure that at least one person is present at all times when dogs are kenneled at the business of caring for, kenneling, grooming, breeding, or selling of animals’ facility;
 - f. At all times maintain business of caring for, kenneling, grooming, breeding, or selling of animals in a sanitary, well ventilated and lighted condition, at a healthful temperature and free from offensive odours and shall:
 - i. Remove all waste material to prevent offensive odours;
 - ii. Thoroughly clean all yards, runways and exercise areas on a daily basis;
 - iii. Provide a fenced exercise area to enable each dog to exercise freely to maintain health and wellbeing.

- c. An annual business licence fee as provided in section 2(d) has been paid to the Town.

7. The Council may:

- a. Issue or refuse to issue a business of caring of, kenneling, grooming, breeding, or selling of animals' license to an applicant; or
- b. Temporarily suspend or revoke a business of caring of, kenneling, grooming, breeding, or selling of animals' license at any time during its duration.

8. NUISANCE

- a. The Owner, possessor or harbourer of a dog shall not allow the animal to create a nuisance to any person by barking, howling, attempting to bite or biting anyone or any domestic animal, chasing vehicles or bicycles and any owner, possessor or harbourer who contravenes this section commits an offence under this bylaw.
- b. Where a dog is found to be creating a nuisance, the owner or occupant of that property on which the dog is creating a nuisance may make a written complaint to the bylaw enforcement officer and/or the Town Office.

9. GENERAL PENALTY

- a. A person who contravenes any provision of this bylaw or neglects or refuses to comply therewith shall be guilty of an offence and liable upon summary conviction to a fine of not less than \$100.00 and not more than \$2,000.00.

10. PENALTY

- a. Where any person has committed or alleged to have committed a breach of any of the provisions of this bylaw, a Notice of Violation may be served on such person by the bylaw enforcement officer.
- b. A person to whom a ticket is being issued pursuant to this section shall furnish the bylaw enforcement officer with his or her name and address upon request.
- c. Notwithstanding Section 10 a person who contravenes any provision of this bylaw, upon being served with a ticket, may voluntarily pay the prescribed penalty as set forth in Appendix "B" to this bylaw.
- d. If the Town receives voluntary payment of the prescribed penalty within seven (7) days from the date the ticket was issued, the person receiving the ticket shall not be liable for prosecution for the offence.

- e. If the person who has committed or is alleged to have committed a breach of any section of this bylaw fails to pay the specified fine within the time allowed following service of the ticket, the provisions of this section no longer apply and the person shall be liable to prosecution for the offence.

11. SEVERABILITY

- a. A decision of the court that one or more of the provisions of this bylaw are invalid in whole or in part does not affect the validity, effectiveness or enforceability of the other provisions or parts thereof with respect to this bylaw.

12. Bylaw No. 17 of 2024 is hereby repealed.

Read a first time this 11th day of February, 2026.

Read a second time this 11th day of February, 2026.

Read a third time and adopted this 11th day of February, 2026.



Certified a true copy of Bylaw No. 5 of 2026
adopted by Council on the _____ day
of _____, 2026.

Administrator

Appendix "A"

Part of Bylaw No. 5 of 2026



126 McCallum Avenue, Birch Hills, SK S0J 0G0
Phone: (306) 749-2232 Fax: (306) 749-2545
[Birchhills.town123@gmail.com](mailto:birchhills.town123@gmail.com)

**BUSINESS OF CARING FOR, KENNELING, GROOMING, BREEDING, OR SELLING
OF ANIMALS BUSINESS LICENSE APPLICATION**

Application to the Town of Birch Hills for the operation of a Business of caring for, kenneling, grooming, breeding, or selling of animals in accordance with Bylaw No. 5 of 2026.

Business of caring for animals – shall mean a place or facility where more than one (1) to a maximum of six (6) are kept between the hours of 7:00 am and 6:00 pm, with the exception of up to three (3) dogs that are owned by and licensed to a resident of the property. **Kenneling** – shall mean the use where more than one (1) to a maximum of six (6) animals, with the exception of up to three (3) dogs that are owned by and licensed to a resident of the property, are kenneled overnight or for periods greater than 24 hours, that does include enclosures, pens, runs, or exercise areas. **Breeding or selling** – keeping, boarding, training, or breeding of a specific number of dogs (usually more than three (3)) over a certain age (often four (4) to six (6) months) for the purpose of producing offspring, whether or not for profit. **Grooming** – shall mean a facility whereby the process of cleaning, maintaining, and improving the physical appearance and health of a dog or cat, including but not limited to: washing, bathing, drying, brushing, combing, de-matting, clipping / trimming fur, cutting or grinding nails, ear cleaning, and expressing anal glands between the hours of 8:00am and 6:00 pm. The duration of scheduled appointments shall be limited to no more than three (3) hours.

Name of Applicant: _____

Facility Name: _____

Is this a new application: Yes _____ No _____ **Years of Operation:** _____

Mailing Address: _____

Municipal Street Address: _____

Phone: _____

Signature: _____ **Date:** _____

Office Use Only:

Approved: _____ **Denied:** _____

Date: _____

Appendix "B"

Part of Bylaw No. 5 of 2026

Annual Licence Fee

Section 2(d)

Business License \$100.00

PENALTIES

First offence \$300.00

Subsequent offences \$500.00

Appendix "C"

PET KENNELING AND DAYCARE CONTRACT

Pet Information

Pet Name: _____

Veterinarian Name: _____

Veterinarian Phone No: _____

Pets Medical / Behavioral Issues: _____

Owner Information

Owner Name: _____

Owner Email: _____

Owner Phone No. & Mailing Address: _____

Terms and Conditions

- If the pet becomes ill or if the state of the animal's health otherwise requires attention, the Business of caring for, kenneling, grooming, breeding, or selling of animals at its sole discretion, is authorized to engage the services of the veterinarian provided in the contract. If the listed veterinarian is unavailable, the Business of caring for, kenneling, grooming, breeding, or selling of animals has the right to arrange for veterinary services for the animal from a different veterinary facility at the pet owner's expense.
- Owner agrees to pay all costs and charges for services requested and shall provide updated vaccination records before the daycare date.
- Owner shall disclose to the Business of caring for, kenneling, grooming, breeding, or selling of animals that the pet has not been exposed to rabies or distemper within 30 days prior to daycare.
- Owner agrees that the pets listed in this contract are that of their own.
- Owner will be held responsible for all acts or behavior including aggression that takes place during daycare.
- Owner understands that the pet shall not leave the kennel until all fees and charges are paid in full.

By signing this document, the owner agrees to all terms and conditions listed in the Pet Kenneling and Daycare Contract.

Client signature

Date