

BYLAW 13/2005

**A BYLAW OF THE TOWN OF HIGH PRAIRIE, PROVINCE OF ALBERTA,
FOR THE PURPOSE OF REGULATING AND CONTROLLING DOMESTIC ANIMALS
IN THE CORPORATE LIMITS OF THE TOWN OF HIGH PRAIRIE.**

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WHEREAS: Pursuant to Section 7(a) of the Municipal Government Act, a Council may pass bylaws for the purposes respecting the safety, health and welfare of people and the protection of people and property.

AND WHEREAS: The Council deems it expedient to licence Dogs and Domestic Animals in the Town of High Prairie; and

AND WHEREAS: The Council wishes to regulate the keeping of Dogs and Domestic Animals,

AND WHEREAS: Under Municipal Government Act, Statutes of Alberta 2000, Chapter M-26.1, Council has the authority to pass such a Bylaw.

NOW THEREFORE: The Council of the Town of High Prairie duly assembled enacts as follows:

1.0 SHORT TITLE

1.1 This Bylaw may be called the “Animal Control Bylaw”.

2.0 INTERPRETATION

2.1 In this Bylaw:

- (a) **Animal Services Officer:** means a Special Constable appointed by the Town of High Prairie, a member of the Royal Canadian Mounted Police and any other persons delegated by the Town to enforce the provisions of this Bylaw.
- (b) **Animal:** means all domestic animals and wild animals
- (c) **Council:** means the Municipal Council of the Town of High Prairie.
- (d) **Domestic Animal:** means an animal and without restricting the generality of the foregoing, shall include a dog, cat, swine, equine, bovine, ruminant, skunk, rabbit, ferret and pigeon.
- (e) **Dog:** means either a male or female of the canidae family.
- (f) **Animal Services Shelter:** means the Town facility established for the purpose of impounding and caring for animals found to be contravening any section of this Bylaw.
- (g) **Guard Dog:** means a dog trained to patrol privately owned, residential or non-residential property, whether or not accompanied by its Owner or someone acting on behalf of and with the authority of its Owner for the purpose of protecting said property against, break in, theft, trespass and vandalism.
- (h) **Guide Dog:** shall mean a Dog trained as a guide for a blind person and identified on an

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identification card issued by the Canadian National Institute for the Blind under the provisions of the Blind Persons Rights Act. R.S.A. 1980, Chapter B-6 and amendments thereto.

- (i) **kennel:** means any place owned by any person, group of persons, or corporation engaged in the commercial business of breeding, buying, selling or boarding animals of any kind.
- (j) **Owner:** means:
 - i) a person who has the care, charge, custody, possession or control of a domestic animal;
 - ii) a person who owns or who claims any proprietary interest in a domestic animal;
 - iii) a person who harbours or permits a domestic animal to be present on any property owned or under his control;
 - iv) a person who claims and receives a domestic animal from the custody of the Animal Services Shelter;
 - v) a person to who a licence was issued for a domestic animal in accordance with this Bylaw;

for the purposes of this bylaw a domestic animal may have more than one (1) owner.

- (k) **Permitted Leash:** means a leash adequate to restrain the attached Dog, which leash shall be not longer than two (2) metres.
- (l) **Possession:** means:
 - i) having the physical or effective control of a domestic animal;
 - ii) having given physical or effective control of a domestic animal to another person for the purpose of controlling the domestic animal for period of time;
 - iii) where one of two or more persons has physical or effective control of a domestic animal, it shall be deemed to be in control of each and all of them.
- (j) **Public Property Area:** means all property owned by or under the control and management of the:
 - Town of High Prairie
 - Public or Private School Jurisdiction
 - College Board

and located within corporate limits of the Town of High Prairie.

- (m) **Restricted Animals:** means any animal, regardless of its age, that is restricted by breed, or any animal, that is classified as being vicious. A complete list of restricted animals is set out in Schedule III of this bylaw.
- (n) **Running At Large:** means and includes a situation where:

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- i) a Domestic Animal is on any place other than the parcel of land on which the dwelling or business of the Owner of such Domestic Animal is located; and
 - ii) while on such a place, the Domestic Animal is not being contained by a fence or being restrained by a permitted leash and under the effective control of the Owner or someone acting on behalf of and with the authority of the Owner as required by this Bylaw.
- (o) **Secure And Locked Pen:** means to have secure sides and a secure top and, if it has no bottom secured to the sides, the sides must be embedded in the ground to a minimum depth of thirty-five (35) centimetres.
- (p) **Wound:** means an injury resulting from a Domestic Animal, which causes the skin to be broken, or the flesh to be torn.
- (q) **Town:** means the Town of High Prairie, in the Province of Alberta.
- (r) **Vicious Dog:** means any dog, whatever its age, whether on public or private property which:
- i) shows a propensity, disposition or potential to attack or injure, without provocation, humans or other animals;
 - ii) is a continuing threat of serious harm to humans or other animals;
 - iii) without provocation, chases any person in a threatening manner;
 - iv) has inflicted a wound upon a human or upon a domestic animal without provocation;
 - v) is deemed to be dangerous by a Justice under the provisions of the Dangerous Dogs Act, R.S.A. 2000, Chapter D-3 and amendments thereto;
 - vi) is owned or harboured for the purpose of Dog fighting;
 - vii) is a Guard Dog.

3.0 LICENCING

- 3.1 No person shall be the Owner of more than four (4) Domestic Animals older than six (6) months at any one time.
- 3.2 Notwithstanding anything contained in this Bylaw to the contrary, not more than four (4) Domestic Animals, of which no more than two (2) can be dogs, shall be harboured, suffered or permitted to remain upon or in any house, shelter, room or place, building, structure, or premises within the Town, provided this section shall not apply to premises lawfully used for the care and treatment of Domestic Animals, operated by, or under the charge of a licensed Veterinarian nor to any premises which are being used for the purposes of operating a Kennel, under a valid and subsisting

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development permit, as authorized under the Town of High Prairie Land Use Bylaw.

- 3.3 The owner of every Domestic Animal in the Town shall each year pay to the Town the appropriate licence fee, as set out in Schedule I, attached hereto and forming part of this Bylaw.
- 3.4 Where a dog is deemed to be dangerous pursuant to the provisions of the Dangerous Dogs Act or is determined to be a vicious dog pursuant to the provisions of this Bylaw, the owner of said dog shall be required to obtain a vicious dog licence; the appropriate licence fee for same being set out in Schedule I, attached hereto.
- 3.5 Every person who resides within the limits of the Town and being the Owner of a Domestic Animal shall, before the 31st day of January in each year, obtain a licence for the Domestic Animal for the current year (January 1 to December 31) by applying at the Town Office.
- 3.6 Every person residing in the Town who becomes the Owner of a Domestic Animal after January 31 in any year, and every person who takes up residence within the Town after January 31 in any year, and who is the Owner of a Domestic Animal which is not then licensed in accordance with this Bylaw, shall licence his or her Domestic Animal and pay the licence fee herein provided, within fifteen (15) days after becoming the Owner of the said Domestic Animal, or being the Owner of the said Domestic Animal and taking up residence within the Town.
- 3.7 A Domestic Animal Owner must provide the following information with each application for a Domestic Animal licence;
 - i) name, mailing address, street address and phone number of the Owner;
 - ii) name and description of the Domestic Animal to be licensed;
 - iii) gender of domestic animal (male, female)
 - iv) if applicable, the breed of the Dog or cross-breed;
 - iv) proof of neutering or spaying (to benefit from the reduced licence fee);
 - vi) tattoo or nose print number (if available); and
 - vii) such other relevant and necessary information as may be required by the Town with respect to the application.
- 3.8 A person providing false or misleading information pursuant to Section 3.7 (i) to (vii) is in contravention of this Bylaw and guilty of an offence under this bylaw.

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- 3.9 Every person who becomes the Owner of a Domestic Animal, which is currently licensed in accordance with the provisions of this Bylaw, shall provide the town with his or her name, street address and the licence number of the Domestic Animal within fifteen (15) days after becoming the Owner of the said Domestic Animal.
- 3.10 Licences issued under this Bylaw shall not be transferable from one Domestic Animal to another.
- 3.11 Upon payment of the required licence fee, the Owner will be supplied with a licence tag.
- 3.12 Every Owner shall ensure that the licence tag is securely fastened to a choke chain, collar or harness which must be worn by the Domestic Animal at all times whenever the Domestic Animal is on property other than the property of the Domestic Animal Owner or property controlled by him.
- 3.13 The Owner of a Domestic Animal which has been duly licensed under this Bylaw, may obtain a licence tag to replace a licence tag which has been lost, upon payment of the Domestic Animal licence replacement fee as set out in Schedule I attached hereto.
- 3.14 The provisions of Section 3.1 to Section 3.2 inclusive, do not apply to the following:
- i) persons temporarily in the Town for a period not exceeding thirty (30) days;
 - ii) holders of a valid development permit, issued pursuant to the Land Use Bylaw, authorizing the operation of a kennel;
 - iii) blind persons holding an identification card proving ownership of a Guide Dog for their use;
 - iv) persons caring for a Domestic Animal for a period of no longer than thirty (30) days, once per year, where the Owner of the Domestic Animal resides outside the corporate limits of the Town.

4.0 CONTROL OF DOMESTIC ANIMALS

- 4.1 The Owner of a Domestic Animal shall not permit such Domestic Animal to be running at large within the corporate limits of the Town.
- 4.2 When a Domestic Animal is found to be running at large, its Owner shall be deemed to have failed or refused to comply with the requirements of section 4.1 and is in contravention of this Bylaw and fined accordingly for first, second, third, or subsequent offences thereafter as outlined in Schedule II – Specified Penalties, of this Bylaw.
- 4.3 Sections 4.1 and 4.2 shall further not apply in the case of a Guard Dog, where said Dog is actively engaged in patrolling privately owned, residential or non-residential property provided:
- i) the perimeter of the property being patrolled is sufficiently secured by way of a continuous fence or other form of barricade or barrier so as to prevent such Dog from escaping therefrom;

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- ii) signs are posted around the perimeter of the said property alerting the public that the said property is patrolled by a Guard Dog; and
- 4.4 The Town may post signs indicating those Public Property Areas within the Town wherein the presence of Domestic Animals, whether running at large or under the control of the Owner, is expressly prohibited. The Owner of the Domestic Animal found in such assigned areas shall have committed an offence under this Bylaw.
- 4.5 Section 4.4 shall not apply to a blind owner of a Guide Dog, or a blind person being assisted by a Guide Dog.
- 4.6 The Owner of a female Domestic Animal in heat shall, during the whole period that such Domestic Animal is in heat, keep such Domestic Animal confined and housed in the residence of the said Owner, or in a licensed kennel.
- 4.7 Where a female Domestic Animal in heat is confined and housed in the residence of its owner, such Domestic Animal shall be permitted outside the said residence for the sole purpose of permitting such Domestic Animal to defecate/urinate on the property of the residence of said Owner.
- 4.8 No Owner shall permit his or her Domestic Animal to damage Public Property Area.
- 4.9 When Public Property Area is damaged by a Domestic Animal, its Owner shall be responsible for all costs incurred for the repairs or replacement, and if the Owner does not pay such expenses promptly upon being invoiced, the Town may recover the expenses thereof with the costs by action in any Court of competent jurisdiction.
- 4.10 If a Domestic Animal defecates on any Public Property Area other than the property of its Owner, the Owner shall cause such defecation to be removed immediately.
- 4.11 Section 4.10 shall not apply to a blind Owner of a Guide Dog, or a blind person being assisted by a Guide Dog.
- 4.12 When an Owner of a Domestic Animal is observed to leave the Public Property Area upon which his or her Domestic Animal has defecated without removing such defecation, such Owner shall be deemed to have failed or refused to comply with the requirements of section 4.10.
- 4.13 No Owner shall permit his or her Domestic Animal to bark or howl, thereby disturbing the quiet or repose of any person.
- 4.14 The Owner of a Domestic Animal shall not permit his or her Domestic Animal to:
- i) threaten or bite people;
 - ii) chase motor vehicles;
 - iii) chase people on bicycles, horseback or while walking or running; or

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- iv) attack, harass, injure or kill pets belonging to other persons.
- 4.15 An Owner shall not be deemed to have failed or refused to comply with the requirements of section 4.14 where his or her Dog threatens, chases, attacks or bites:
- i) a trespasser on the property where its Owner resides; or
 - ii) in the case of a Guard Dog, a trespasser on the property being patrolled by said Dog pursuant to the provisions of section 4.3 of this part; or
 - iii) a person who is physically abusing or teasing said Dog.
- 4.16 In addition to any other penalty that may be imposed under this section, the Animal Services Officer may make a complaint pursuant to the Dangerous Dogs Act for an Order directing that such Dog be controlled or destroyed.
- 4.17 Every person who fails to comply with any Order issued pursuant to section 4.0 is guilty of an offence under this Bylaw.
- 4.18 No Domestic Animal may be kept in a kennel within the Towns municipal boundaries unless:
- i) there is then in existence a duly authorized Development Permit for a permitted or discretionary use with respect to the property upon which such Domestic Animals are kept, which Permit does not itself prohibit the keeping of that type of Domestic Animal kept thereon; or
 - ii) the keeping of such Domestic Animal is or is necessarily incidental to an existing non-conforming use of the property on which such Domestic Animal is kept.
- 4.19 A Domestic Animal Owner whose cat or cats are, or become, a public nuisance, is guilty of an offence.
- 4.20 The Animal Services Officer or any person or persons as shall be authorized or appointed by the said Council, may capture a Domestic Animal found in contravention of the following Sections 4.1, 4.14, 4.16 and 4.19, by using any humane method, and shall deliver said Domestic Animal to the pound where said animal shall be held for a period of at least (3) three days without a tag or (10) ten days with a tag including the day of impounding. Saturdays, Sundays and statutory holidays shall not be included in the computation of the three day period, and if not claimed, said animal may be destroyed by the Animal Services Officer.

5.0 RESTRICTED DOGS

- 5.1 In addition to the provisions of Sections 4.14 to 4.16 inclusive, where a Dog is deemed to be a

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Restricted Dog pursuant to the provisions of this Bylaw, the Owner of such Dog shall:

- i) obtain a Restricted Dog Tag as specified by the town which is to be worn by such Dog at all times;
- ii) have such Dog tattooed/photographed to the satisfaction of the Animal Services Officer, for the purpose of identifying such Dog as being a Restricted Dog.

5.2 As a condition of obtaining a Restricted Dog Licence, the Owner shall have in place a policy of liability insurance in a form satisfactory to the Town of High Prairie providing third party liability coverage in a minimum amount of \$ 500,000.00 for injuries caused by that Owner's Restricted Dog.

5.3 The liability policy shall contain a provision requiring the issuers to immediately notify the Town in writing should the policy expire or be cancelled or terminated.

5.4 Upon cancellation, expiry or termination of the liability policy, the Restricted Dog Licence is null and void.

5.5 Section 5.2 shall not apply in the case of a Guard Dog, where said Dog is actively engaged in patrolling privately owned, non-residential property in accordance with the provisions of section 4.3 of this bylaw.

5.6 At all times while a Restricted Dog is on the property on which its Owner resides, the Owner shall either keep such Dog confined indoors and under the effective control of a person over the age of sixteen (16) years; or confined in a secure and locked pen capable of preventing the entry of young children.

5.7 Where a Restricted Dog is on private property owned by, or under the control of its Owner, said Owner shall not allow the Restricted Dog to be outdoors or out of a Secure and Locked pen unless the Restricted Dog is on a permitted leash and under the effective control of the Owner or someone over the age of sixteen (16) years, acting on behalf of and with the authority of the Owner as required by this Bylaw.

5.8 Section 5.2 to Section 5.7 shall not apply in the case of a Guard Dog, where said dog is actively engaged in patrolling non-residential property, privately owned or under the control of its Owner, in accordance with the provisions of section 4.3 of this bylaw.

5.9 If the Animal Services Officer determines that a dog is a Restricted Dog either through personal observation or after an investigation initiated by a complaint, he or she may in writing:

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- i) inform the Owner that his or her dog has been determined to be a Restricted Dog;
 - ii) require the Owner to keep such dog in accordance with the provisions of this Bylaw respecting Restricted Dogs;
 - iii) inform the Owner that, if the Restricted Dog is not being kept in accordance with the provisions of this Bylaw with respect to Restricted Dogs, the Owner will be fined, or subject to enforcement action pursuant to Section 11.3 of this Bylaw.
- 5.10 Where a Dog is deemed to be Restricted Dog pursuant to the provisions of this Bylaw the Owner of such Dog shall:
- i) post signs of his or her premises alerting the public that a Restricted Dog is located on said premises;
 - ii) not breed or sell such Dog within the Town; and
 - iii) notify the Animal Services Officer should such Dog be Running at large.
- 5.11 The Owner of a Restricted Dog shall take all necessary steps to ensure that such Dog does not bite, chase or attack any person or other animal, whether the person or animal is on the property of the Owner or not.
- 5.12 The Owner of a Restricted Dog shall not permit or allow such Restricted Dog to be on any Public Property Area or private property that is not owned or under the control of such Owner, unless the Restricted Dog is:
- i) muzzled;
 - ii) on a permitted leash; and
 - iii) under the effective control of the Owner or someone over the age of sixteen (16) years acting on behalf of and with the authority of the Owner as required by this Bylaw.

6.0 VICIOUS DOGS

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- 6.1 In addition to the provisions of Sections 4.14 to 4.16 inclusive, where a Dog is deemed to be dangerous pursuant to the provisions of the Dangerous Dogs Act, or is determined to be a Vicious Dog pursuant to the provisions of this Bylaw, the Owner of such Dog shall:
- i) obtain a Vicious Dog Tag as specified by the town which is to be worn by such Dog at all times;
 - ii) have such Dog tattooed/photographed to the satisfaction of the Animal Services Officer, for the purpose of identifying such Dog as being a Vicious Dog.
- 6.2 As a condition of obtaining a Vicious Dog Licence, the Owner shall have in place a policy of liability insurance in a form satisfactory to the Town of High Prairie providing third party liability coverage in a minimum amount of \$ 1,000,000.00 for injuries caused by that Owner's Vicious Dog.
- 6.3 The liability policy shall contain a provision requiring the issuers to immediately notify the Town in writing should the policy expire or be cancelled or terminated.
- 6.4 Upon cancellation, expiry or termination of the liability policy, the Vicious Dog Licence is null and void.
- 6.5 Section 6.2 shall not apply in the case of a Guard Dog, where said Dog is actively engaged in patrolling privately owned, non-residential property in accordance with the provisions of Section 4.3 of this bylaw.
- 6.6 At all times while a Vicious Dog is on the property on which its Owner resides, the Owner shall either keep such Dog confined indoors and under the effective control of a person over the age of sixteen (16) years; or confined in a secure and locked pen capable of preventing the entry of young children.
- 6.7 Where a Vicious Dog is on private property owned by, or under the control of its Owner, said Owner shall not allow the Vicious Dog to be outdoors or out of a Secure and Locked pen unless the Vicious Dog is on a permitted leash and under the effective control of the Owner or someone over the age of sixteen (16) years, acting on behalf of and with the authority of the Owner as required by this Bylaw.
- 6.8 Section 6.2 to Section 6.7 shall not apply in the case of a Guard Dog, where said dog is actively engaged in patrolling non-residential property, privately owned or under the control of its Owner, in accordance with the provisions of Section 4.3 of this bylaw.

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- 6.9 If the Animal Services Officer determines that a dog is a Vicious Dog either through personal observation or after an investigation initiated by a complaint, he or she may in writing:
- i) inform the Owner that his or her dog has been determined to be a Vicious Dog;
 - ii) require the Owner to keep such dog in accordance with the provisions of this Bylaw respecting Vicious Dogs;
 - iii) inform the Owner that, if the Vicious Dog is not being kept in accordance with the provisions of this Bylaw with respect to Vicious Dogs, the Owner will be fined, or subject to enforcement action pursuant to Section 11.3 of this Bylaw.
- 6.10 In addition to the remedies set forth in this Bylaw, if the Animal Services Officer determines that a Vicious Dog is not being kept in accordance with this Bylaw, he or she may:
- i) bring an application pursuant to Section 554 of the Municipal Government Act, for an Order directing that such Dog be controlled in accordance with this Bylaw or be removed from the Town;
 - ii) make a complaint pursuant to the Dangerous Dogs Act for an Order directing that such Dog be controlled or destroyed.
- 6.11 Where a Dog is deemed to be dangerous pursuant to the provisions of the Dangerous Dogs Act, or is determined to be a Vicious Dog pursuant to the provisions of this Bylaw, the Owner of such Dog shall:
- i) post signs of his or her premises alerting the public that a Vicious Dog is located on said premises;
 - ii) not breed or sell such Dog within the Town; and
 - iii) notify the Animal Services Officer should such Dog be Running at large.
- 6.12 The Owner of a Vicious Dog shall take all necessary steps to ensure that such Dog does not bite, chase or attack any person or other animal, whether the person or animal is on the property of the Owner or not.
- 6.13 The Owner of a Vicious Dog shall not permit or allow such Vicious Dog to be on any Public Property Area or private property that is not owned or under the control of such Owner, unless the Vicious Dog is:
- i) muzzled;
 - ii) on a permitted leash; and
 - iii) under the effective control of the Owner or someone over the age of sixteen (16) years acting

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on behalf of and with the authority of the Owner as required by this Bylaw.

7.0 HARBOURING OF DOMESTIC ANIMALS

- 7.1 No person shall keep, or cause to be kept any bovine, equine, porcine, ruminant animal within the town limits of High Prairie, unless the town council has approved the keeping of such animal.
- 7.2 No person shall keep or cause to be kept any chicken, turkey, goose, fowl, or poultry of any kind within the town limits of High Prairie, unless such birds or poultry are part of any commercial undertaking, which is established under the provisions of the land use by-law.
- 7.3 No person may keep or cause to be kept more than four pigeons and/or four rabbits on any residential property. Council may grant special approval for the keeping of pigeons and/or rabbits in large numbers upon application by the property owner. Council may direct that the pigeons be removed or destroyed if, in its opinion the pigeons or rabbits cause a nuisance or health hazard.
- 7.4 The Animal Services Officer is authorized to investigate any complaints arising from the keeping of pigeons or rabbits. Where, pursuant to said investigation, the Animal Services Officer determines that:
- i) the pigeon or rabbits are not being kept in accordance with the provisions of this part; or
 - ii) the said pigeons or rabbits had caused damage to the property of another person;
- The Animal Services Officer may direct the Owner of said pigeons or rabbits to comply with the provisions of this Bylaw and without limiting the generality of the foregoing, may direct the said Owner to restrain, dispose of, or destroy same.
- 7.5 Any person keeping pigeons or rabbits pursuant to this part, shall keep same in one or more secure and locked pens, kept in a clean and sanitary condition, and situated not closer than twelve (12) meters to any dwelling on the property and not closer than twelve (12) meters to any other persons property
- 7.6 Animals in Town for parades or exhibitions, under the care and supervision of competent persons are not subject to the provisions of this by-law, however they are to ensure that such animals are tethered or penned and not running at large or they are in violation of this by-law and subject to fine under Schedule II of the Specified Penalties.
- 7.7 Any person who fails to comply with any Order issued pursuant to Section 7.0 is guilty of an offence under this Bylaw, and subject to a fine under Schedule I and/or Schedule II of the Specified Penalties.

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8.0 APPEAL PROCESS

- 8.1 Any persons who believes that a Vicious Dog Notice unfairly affects them may appeal to Town Council by delivering an Appeal Notice in person or sending it by mail to:

Town of High Prairie
Administration Office
4806 – 53 Avenue
PO Box 179
High Prairie, Alberta T0G 1E0

within 14 days after service of the Vicious Dog Notice.

- 8.2 If the Town Manager receives an Appeal Notice within 14 days after service of the Vicious Dog Notice, the Town Manager must advise Town Council.
- 8.3 Town Council will set a date for an appeal hearing, and when Town Council has set a date for the hearing, the Town Manager must send written notice of the date of the hearing to the Appellant at the address given in the Appeal Notice and, the Town Manager must also send this written notice to that Owner.
- 8.4 If the Town Manager receives the Appeal Notice after the 14 day period referred to in Section 8.2 above, the Town Manager will not advise Town Council nor will Town Council set a hearing date, but the Town Manager will notify the Appellant at the address given in the Appeal Notice that the appeal will not be heard.
- 8.5 After hearing the appeal, Town Council may confirm, vary, substitute or cancel the Vicious Dog Notice.
- 8.6 The Town must serve written notice of Town Council's decision by delivering it or sending it by mail to the Appellant, and the Owner.

9.0 POWER OF ANIMAL SERVICES OFFICER

- 9.1 The Animal Services Officer is authorized to capture and impound all Domestic Animals found to be running at large and any violation contrary to the provisions of this bylaw.
- 9.2 An Animal Services Officer or any person authorized by the Bylaw to enforce the provisions contained herein and who is delegated the authority of a designated officer under Section 542 of the Municipal Government Act, as amended, may enter onto land for the purpose of pursuit, capture and restraint of any Domestic Animal found Running at large.
- 9.3 An Animal Services Officer or any person authorized by the Bylaw to enforce the provisions contained in this Bylaw, may enter onto land for the purpose of observation, investigation or enforcement of this Bylaw,
- i) after reasonable notice to the Owner or occupant of the land; or

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- ii) with the consent of the Owner or occupant of the land; or
 - iii) without reasonable notice or the consent of the Owner or occupant of the land in the event the circumstances constitute an emergency or extraordinary circumstances.
- 9.4 Any Animal Services Officer shall catch any Domestic Animal running at large and cause it to be impounded. Wherever practicable, said officer shall follow the Domestic Animal home, or ascertain ownership, notify the Owner and issue the Owner a violation ticket for a specified penalty, pursuant to section 4.1 of the existing Bylaw.
- 9.5 Any Domestic Animal impounded under the provisions of this Bylaw shall not be released by the Animal Services Officer until such time as the Owner can present to the satisfaction of the Animal Services Officer, proof that he or she has paid all fines and impound fees.
- 9.6 No person, whether or not he or she is the Owner of a Domestic Animal which is being or has been pursued or captured shall:
- i) interfere with or attempt to obstruct An Animal Services Officer who was attempting to capture or who has captured any Domestic Animal in accordance with the provisions of this Bylaw;
 - ii) unlock or unlatch or otherwise open the van or vehicle or device in which Domestic Animals captured for impoundment have been placed, so as to allow or attempt to allow any Domestic Animal to escape therefrom; or
 - iii) remove or attempt to remove any Domestic Animal from the possession of the Animal Services Officer.
- 9.7 During this period, any Domestic Animal may be redeemed by its Owner upon payment to the Town of:
- i) the appropriate fine where applicable;
 - ii) the appropriate licence fee when a Domestic Animal is not licensed; and
 - iii) a per diem impounding fee, as established by the Animal Services Officer for each and every day said Domestic Animal is confined.
- 9.8 If a Domestic Animal is not redeemed within the three (3) day period referred to in Section 9.7, said Domestic Animal may be destroyed or sold to a person other than the Owner, upon payment to the Town of all applicable per diem impound fees as referred to in Schedule I.
- 9.9 Where a Domestic Animal has inflicted a wound, the person who has received the said wound, or the Owner of said Domestic Animal, where said Owner is aware of the wound being inflicted, shall promptly report the occurrence to an Animal Services Officer.

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**A BYLAW OF THE TOWN OF HIGH PRAIRIE, PROVINCE OF ALBERTA,
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- 9.10 Upon demand of the Animal Services Officer, the Owner shall forthwith surrender any Domestic Animal, which has inflicted a wound upon any person or animal.
- 9.11 Where a Domestic Animal is captured pursuant to Section 9.9, the Animal Services Officer may quarantine such Domestic Animal, which shall not be released from such quarantine except by written permission of the Veterinarian at the Animal Services Shelter.
- 9.12 Quarantine shall be at the Animal Services Shelter.

10.0 RABIES CONTROL

- 10.1 In the event of an outbreak or a threatened outbreak of rabies or any disease affecting any animal and which may be transmitted to human beings, Council may, by resolution, order and direct that all animals shall be kept securely tied up by the Owner or shall be otherwise effectively confined. Any animal found running at large in contravention of this Section shall be impounded.
- 10.2 Upon demand made by the Animal Services Officer, an Owner shall forthwith surrender any animal which the Animal Services Officer has reasonable and probable grounds to suspect of having been exposed to rabies, for supervised quarantine which expense shall be borne by the Owner, and the animal may be reclaimed by the Owner if adjudged free of rabies, upon payment of confinement expenses and upon compliance with the licensing provisions of this Bylaw.
- 10.3 When an animal under quarantine has been diagnosed as rabid, or suspected by a Licensed Veterinarian as being rabid, and dies while under such observation, the Animal Services Officer shall immediately send the head of such animal to the appropriate health department for pathological examination and shall notify the Environmental Health Officer of reports, human contacts and the diagnosis made of the suspected animal.
- 10.4 During such period of rabies quarantine as herein mentioned, every animal bitten by the animal adjudged to be rabid, shall be forthwith destroyed, or at the Owner's expense and option, shall be treated for rabies infection by a licensed veterinarian or held under quarantine by the Owner in the same manner as other animals are quarantined.
- 10.5 Except as provided herein or in any other applicable legislation, no person other than the Animal Services Officer shall kill, or cause to be killed, any rabid animal, any animal suspected of having been exposed to rabies, or any animal which has bitten a human; nor remove the same from the Town's Municipal boundary without written permission from the Animal Services Officer.
- 10.6 The carcass of any dead animal exposed to rabies shall, upon demand, be surrendered to the Animal Services Officer.
- 10.7 The Animal Services Officer shall direct the disposition of any animal found to be infected with rabies.

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A BYLAW OF THE TOWN OF HIGH PRAIRIE, PROVINCE OF ALBERTA, FOR THE PURPOSE OF REGULATING AND CONTROLLING DOMESTIC ANIMALS IN THE CORPORATE LIMITS OF THE TOWN OF HIGH PRAIRIE.

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10.8 When, in the judgement of a licensed veterinarian, an animal should be destroyed for humane reasons, such animal may not be redeemed.

11.0 PENALTIES

11.1 The Domestic Animal impound fee under the provisions of this Bylaw shall be included in Schedule I attached hereto.

11.2 Any person who contravenes any provision of this Bylaw is guilty of an offence and is liable, upon summary conviction, to a fine as set out in Schedule II attached hereto.

11.3 The Animal Services Officer may issue a notice, commonly called an offence ticket, to an Owner alleged to have committed an infraction of this Bylaw. The offence ticket shall state the alleged offence and required payment of the appropriate fine as provided in Schedule II attached hereto.

11.4 A penalty of double the applicable fine as provided in Schedule II shall be levied against an Owner who commits, for a second time any infraction of this Bylaw and for third and subsequent offences the fine doubles from the previous infraction, providing that such infractions are committed within one (1) year of the committing of the first infraction regardless if it is the same Dog or Domestic Animal or another Dog or Domestic Animal owned by the same person.

11.5 The offence shall be sufficiently served if served by:

- i) double registered mail addressed to the Owner of the Dog or Domestic Animal concerned;
- ii) handing the offence ticket to the Owner of the Dog or Domestic Animal concerned or to any adult at the place of residence of the said Owner.

11.6 Where an offence ticket is issued, pursuant to this Bylaw, the following procedures shall apply:

- i) every offence ticket shall provide for the payment to be made to the Town of High Prairie within seven (7) days from the date of issue of the offence ticket, if payment is made within the time limit, such payment shall be accepted in lieu of prosecution;
- ii) if the penalty amount is not paid within seven (7) days from the date of issue of the offence ticket, the right of the person named on the offence ticket as a violator of this Bylaw to pay the penalty amount in lieu of prosecution shall expire.
- iii) In those cases where an offence ticket has been issued and if the penalty specified on an offence ticket has not been paid within the prescribed time, then an Animal Services Officer is hereby authorized and empowered to issue a violation ticket pursuant to Part II of the *Provincial Offences Procedure Act, R.S.A. 2000, c. P-21.5* as amended.

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**A BYLAW OF THE TOWN OF HIGH PRAIRIE, PROVINCE OF ALBERTA,
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iv) Notwithstanding section 5.1(iii) of this Bylaw, an Animal Services Officer is hereby authorized and empowered to immediately issue a violation ticket pursuant to Part II of the *Provincial Offences Procedure Act*, R. S.A. 2000, c. P-21.5, as amended, to any person who the Animal Services Officer has reasonable grounds to believe has contravened any provision of this Bylaw.

11.7 All fees, charges, and late payment penalties levied pursuant to this Bylaw are a debt due and owing to the Town of High Prairie and may be collected as such, and where property ownership is confirmed, unpaid fees, charges, or late payment penalties will be added to the annual property tax.

12.0 GENERAL

12.1 Any person who shall hinder, delay or obstruct any person or persons engaged in enforcing any provision of this Bylaw, or impounding any Domestic Animal or other animal liable to be impounded under the provisions of this Bylaw, shall, for each and every hindrance, delay or obstruction, be guilty of an offence and liable, upon summary conviction, to a fine as provided in Schedule II attached hereto;

12.2 Each section of this Bylaw shall be read and construed as being separate and severable from each other section. Furthermore, should any section or part of this Bylaw be found to have been improperly enacted, for any reason, then such section or part shall be regarded as being severable from the rest of the Bylaw and the Bylaw remaining after such severance shall be effective and enforceable.

Bylaw # 4/2004 is hereby repealed.

This Bylaw shall come into effect on upon third reading.

READ a first time this 14th day of September, 2005

READ a second time this 14th day of September, 2005

GIVEN Unanimous Consent this 14th day of September, 2005

READ a third time and finally passed this 14th day of September, 2005

Mayor John Brodrick

Ken Morgan, Town Manager

BYLAW 13/2005

**A BYLAW OF THE TOWN OF HIGH PRAIRIE, PROVINCE OF ALBERTA,
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**Schedule I
Dog Licensing and Fees**

Yearly license fee for neutered / spayed domestic animals	\$10.00
Yearly license fee for un-neutered / un-spayed domestic animals	\$20.00
Vicious dog License	\$100.00
Tag Replacement	\$5.00
Boarding Fee / Impound Fee	\$12.00 / Day

Senior Citizens pay 50% of the fees set out for licensing of altered and unaltered domestic animals.

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**A BYLAW OF THE TOWN OF HIGH PRAIRIE, PROVINCE OF ALBERTA,
FOR THE PURPOSE OF REGULATING AND CONTROLLING DOMESTIC ANIMALS
IN THE CORPORATE LIMITS OF THE TOWN OF HIGH PRAIRIE.**

**Schedule II
Specified Penalties**

Section	Description	Fine
3.0 LICENCING		
3.1	Own / Possess / Harbor more than 4 domestic animals	\$20.00/Animal/Day
3.2	Own / Possess / Harbor more than 2 Dogs	\$20.00/Animal/Day
3.3	Fail to obtain license for domestic animal	\$50.00
3.4	Fail to obtain vicious dog license	\$500.00
3.5	Fail to obtain license for any domestic animal by January 31	\$50.00
3.6	Fail to obtain license for domestic animal within 15 days of ownership	\$50.00
3.7	Fail to provide accurate information needed to obtain license	\$30.00
3.9	Fail to advise the Town of High Prairie of change of animal ownership	\$30.00
3.10	Transfer license for one domestic animal to another	\$50.00
3.12	Fail to securely attach license tag to collar of domestic animal	\$30.00
4.0 CONTROL OF DOMESTIC ANIMALS		
4.1	Permit / Allow domestic animal to be running at large <ul style="list-style-type: none">• First Offence• Second Offence• Third Offence and all subsequent offences thereafter	\$75.00 \$150.00 \$300.00
4.3(i)	Fail to confine guard dog within property	\$150.00
4.3(ii)	Fail to post sign of guard dog on premises	\$150.00
4.4	Possess / Accompany / domestic animal in prohibited area	\$75.00
4.6	Fail to confine female domestic animal in heat	\$50.00
4.8	Permit / allow domestic animal to damage public property area	\$100.00
4.10	Fail to remove defecation of domestic animal from public	\$50.00
4.13	Permit / allow domestic animal to bark or howl excessively	\$100.00
4.14(i)	Permit / allow domestic animal to threaten / bite a person / persons	\$250.00
4.14(ii)	Permit / allow domestic animal to chase motor vehicle	\$250.00
4.14(iii)	Permit / allow domestic animal to chase cyclists/horseback/walkers/joggers/skateboarders/rollerbladers	\$250.00
4.14(iv)	Permit/allow domestic animal to attack/harass/injure/kill other domestic animals	\$250.00
4.17	Fail to comply with dangerous dogs act order	\$5,000.00
4.18(i)	Run/Operate Kennel without permit	\$200.00
4.18(ii)	Operate kennel contrary to land use by-law	\$200.00
4.19	Allow/permit cat/cats to become a nuisance	\$ 75.00

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FOR THE PURPOSE OF REGULATING AND CONTROLLING DOMESTIC ANIMALS
IN THE CORPORATE LIMITS OF THE TOWN OF HIGH PRAIRIE.**

**Schedule II - Continued
Specified Penalties**

Section	Description	Fine
5.0 RESTRICTED DOGS		
5.1(i)	Fail to obtain / properly attach restricted dog tag	\$750.00
5.1(ii)	Fail to tattoo restricted dog	\$300.00
5.2	Fail to obtain insurance for restricted dog	\$750.00
5.3	Fail to notify authorities of cancellation of insurance policy	\$1000.00
5.4	Fail to keep in place restricted dog license	\$1000.00
5.10(i)	Fail to post signs at premise of restricted dog	\$ 200.00
5.10(ii)	Breed / sell restricted dog and or offspring within Town	\$ 300.00
5.10(iii)	Owner fail to notify authorities of restricted dog running at large	\$ 500.00
5.12(i)	Owner fail to muzzle restricted dog	\$ 500.00
5.12(ii)	Owner fail to have restricted dog on leash	\$750.00
5.12(iii)	Owner fail to have person over 16 years of age controlling restricted dog	\$500.00
6.0 VICIOUS DOGS		
6.1(i)	Fail to obtain / properly attach vicious dog tag	\$1500.00
6.1(ii)	Fail to tattoo vicious dog	\$300.00
6.2	Fail to obtain insurance for vicious dog	\$1500.00
6.3	Fail to notify authorities of cancellation of insurance policy	\$1000.00
6.4	Fail to keep in place vicious dog license	\$1500.00
6.6	Fail to keep vicious dog confined indoors / in a secure pen / under control of a person under 16 years of age	\$500.00
6.7	Permit / allow vicious dog to be off leash / in control of person under 16 years of age on private property	\$500.00
6.11 (i)	Fail to post signs at premise of vicious dog	\$200.00
6.11(ii)	Breed / sell vicious dog and or offspring within Town	\$300.00
6.11(iii)	Owner fails to notify authorities of vicious dog running at large	\$500.00
6.12	Owner fails to properly control vicious dog to prevent biting/ chasing/attacking people/animals	\$1000.00
6.13(i)	Owner fail to muzzle vicious dog	\$500.00
6.13(ii)	Owner fail to have vicious dog on leash	\$1500.00
6.13(iii)	Owner fail to have person over 16 years of age controlling vicious dog	\$500.00

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**Schedule II - Continued
Specified Penalties**

Section	Description	Fine
7.0 HARBORING DOMESTIC ANIMALS		
7.1	Fail to notify the Town of High Prairie of the harboring of any unapproved domestic animal within Town limits	\$100.00
7.2	Fail to notify the Town of High Prairie of the commercial undertaking of poultry or any bird within the Town limits	\$100.00
7.3	Fail to keep rabbits/pigeons in a pen/not conforming to required distances from residence.	\$50.00
7.4	Permit/Allow a cat/cats to become a nuisance.	\$50.00
7.5	Keep/confine pigeons/rabbits in a locked pen contrary to guidelines	\$200.00
7.6	Permit/Allow domestic animal to escape run at large.	\$50.00
9.0 POWER OF ANIMAL SERVICES OFFICER		
9.1	Obstruction of animal services officer	\$5000.00
10.0 RABIES		
10.1	Fail to surrender domestic animal for quarantine of rabies	\$2500.00
12.0 GENERAL		
12.1	Hinder / obstruct / delay person authorized to enforce animal Control bylaw	\$5000.00

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**Schedule III
Dog Ownership Information Waiver**

In light of the past attacks across Canada involving certain breeds of dogs, the Town of High Prairie is taking a strong stance on protecting its citizens and preventing against future attack

The following information applies to any dog, whatever its age, whether on public or private property which by breed:

- a) has shown a propensity, disposition or potential to attack or injure, without provocation, humans or other animals;
- b) is a threat of serious harm to humans or other animals;
- c) without provocation, has chased any person in a threatening manner;
- d) has inflicted a wound upon a human or upon a domestic animal without provocation.

All dogs listed below have been identified and certified by a veterinarian licensed to practice veterinary medicine in the Province of Alberta to be primarily of the breed(s)

Rottweilers
Pit bulls
Pit Bull Terriers
American Staffordshire Bull Terrier
American Staffordshire Terrier
American Pit Bulls
Staffordshires
Doberman, Doberman Pinscher
Mastiffs
Rhodesian Ridgebacks
Chow Chows
German Shepherds

Or any dog of mixed breeding, which can be identified through its physical characteristics as a dog partially of the above mentioned breeds as verified as a licensed veterinarian.

I, _____, the owner of a dog which is listed above, have read this information and am aware of the risks associated by owning this dog.

Signature

Date

**A BYLAW OF THE TOWN OF HIGH PRAIRIE, PROVINCE OF ALBERTA,
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**Schedule IV
Restricted Dog Regulations**

A person who owns a dog defined as restricted shall:

- 1) Obtain a Restricted Dog license and the tag must be worn on the dog at all times.
- 2) Have their dog tattooed for the purpose of identifying the dog as Vicious.
- 3) Obtain and provide proof to the Town of third party liability insurance with no less than \$1,000,000.00 coverage for any additional injuries that may occur from the dog running at large.
- 4) Post signs on premises alerting the public of a Vicious Dog.
- 5) Be prohibited from breeding or selling offspring of the Dog.
- 6) Have the dog muzzled, leashed and under control of a person over the age of 16 years old when away from their premises.
- 7) Have the dog confined indoors or in a secure and locked pen to prevent escape or, place the dog on a suitable length of leash.
- 8) Provide a leash of appropriate strength to prevent the dog from breaking or snapping the leash.
- 9) Notify the Town of High Prairie during regular business hours at (780) 523-3388, or on weekends and evenings at (780) 536-5722, (780) 536-5720 or (780) 523-7620 should the dog be running at large.

**A BYLAW OF THE TOWN OF HIGH PRAIRIE, PROVINCE OF ALBERTA,
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**Schedule V
Vicious Dog Regulations**

A person who owns dog defined as vicious shall:

- 1) Obtain a vicious Dog license and the tag must be worn on the dog at all times.
- 2) Have their dog tattooed for the purpose of identifying the dog as Vicious.
- 3) Obtain and provide proof to the Town of third party liability insurance with no less than \$1,000,000.00 coverage for any additional injuries that may occur from the dog running at large.
- 4) Post signs on premises alerting public of a Vicious Dog.
- 5) Be prohibited from breeding or selling offspring of the Dog.
- 6) Have the dog muzzled, leashed and under control of a person over the age of 16 years old when away from their premises.
- 7) Have the dog confined indoors or in a secure and locked pen to prevent escape or, place the dog on a suitable length of leash.
- 8) Provide a leash of appropriate strength to prevent the dog from breaking or snapping the leash.
- 9) Notify the Town of High Prairie during regular business hours at (780) 523-3388, or on weekends and evenings at (780) 536-5722, (780) 536-5720 or (780) 523-7620 should the dog be running at large.