



**BYLAW NO. 06-2022
Animal Control
Town of High Prairie**

A Bylaw of the Town of High Prairie in the Province of Alberta, pursuant to the provisions of the *Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26* (MGA) for the purpose of regulating animals within the municipal boundaries of the Town of High Prairie.

WHEREAS, pursuant to section 7(a) 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, pursuant to section 7(h) of the *Municipal Government Act*, a council may pass bylaws for municipal purposes respecting wild and domestic animals and activities in relation to them; and

WHEREAS, pursuant to section 7(i) of the *Municipal Government Act*, a council may pass bylaws for municipal purposes respecting the enforcement of bylaws made under the *Municipal Government Act* or any other enactment including any or all the matters listed therein; and

WHEREAS, pursuant to section 8 of the *Municipal Government Act*, a council may by bylaw regulate, prohibit, or provide for a system of licences, permits or approval including any or all the matters listed therein; and

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

WHEREAS, the Council wishes to regulate the keeping of Dogs and Domestic Animals;

NOW THEREFORE, the Council of the Town of High Prairie enacts as follows:

1. **TITLE**

1.1 This Bylaw may be cited as the "Animal Control Bylaw".

2. **DEFINITIONS**

2.1 In this Bylaw:

- a) "**Animal**" means all domestic animals and wild animals;
- b) "**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;
- c) "**CAO**" means the Chief Administrative Officer or designate, appointed pursuant to the MGA;
- d) "**Cat**" means either a male or female of the feline family;

- e) **"Communicable Disease"** means an illness capable of spreading from one animal host to another human or animal such as, but not limited to, rabies.
- f) **"Council"** means the Council of the Town;
- g) **"Dangerous Dogs Act"** means the *Dangerous Dogs Act, Revised Statutes of Alberta 2000, Chapter D*;
- h) **"Dog"** means either a male or female of the canine family;
- i) **"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;
- j) **"Self-Contained Dwelling Unit"** means a suite of rooms with a separate entrance from other units in the building in which the suite of rooms is located, designed for occupancy by one family and containing a kitchen, and bathroom facilities;
- k) **"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;
- l) **"Guide Dog"** means a Dog trained as a guide for a blind person and identified on an 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*;
- m) **"K-9 Dog"** means any Dog that is under the control of an RCMP member or a member of the Military Police Branch of the Canadian Armed Forces;
- n) **"Kennel"** means any place owned by any Person engaged in the commercial business of breeding, buying, selling or boarding animals of any kind.
- o) **"Licence Tag"** means a tag issued by the Town used to identify that a Dog and/or Cat has a valid licence;
- p) **"MGA"** means the Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26;
- q) **"Officer"** means:
 - i. a person who is an employee of the Town who has been appointed to carry out the duties of enforcing the Bylaws,
 - ii. a person who is a community peace officer as defined under the *Peace Officer Act, Statutes of Alberta 2006, Chapter P-3.5* who is employed by the Town,
 - iii. a person who is a member of the Royal Canadian Mounted Police, or

- iv. a Fish and Wildlife Officer or Sheriff designated by the Town to enforce the provisions of this Bylaw;
- r) **"Owner"** means:
 - i. owns an animal;
 - ii. has possession and/or charge or responsibility over an animal; or
 - iii. the occupier of a house or premises where a dog was kept or permitted to live or remain at the time of a complaint shall be presumed to be the owner of the dog unless the occupier proves that the occupier was not the Owner of the dog at the time;
- s) **"Permitted Leash"** means a leash adequate to restrain the attached Dog, which leash shall be no longer than two (2) metres;
- t) **"Person"** means an individual and includes partnership, corporation, trustee, executor, joint venture, proprietorship, association, society and any other legal entity;
- u) **"Property"** means land, building or structure;
- v) **"Public Property Area"** means a building, structure, or site used for public administration and services by the Town, by any board or agency of the Town, by any department, commission or agency of the Governments of Alberta or Canada, by a public utility, by a school board, or by a non-profit organization. As it states in the Land Use Bylaw for the Town;
- w) **"Running At Large"** means and includes a situation where:
 - i. a Domestic Animal is on any Property other than the Property of the Owner of such Domestic Animal; 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;
- x) **"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;
- y) **"Town"** means the Town of High Prairie;
- z) **"Vicious Dog"** means any dog, whatever its age, whether on public or private property which:
 - i. show 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; or
 - vi. is a Guard Dog;
- aa) **"Violation Tag"** means a ticket issued by the Town pursuant to the MGA for breach of its Bylaws;
- bb) **"Violation Ticket"** has the same meaning as in the *Provincial Offences Procedure Act, Revised Statutes of Alberta, 2000 Chapter P-34; and*
- cc) **"Wound"** means an injury resulting from a Domestic Animal, which causes the skin to be broken, or the flesh to be torn.

3. GENERAL INTERPRETATION

- 3.1 All schedules attached to this Bylaw form part of this Bylaw.
- 3.2 Headings or subheadings in this Bylaw are inserted for ease of reference and guidance purposes only and do not form part of this Bylaw.
- 3.3 Words in the singular include the plural and words in the plural include the singular.
- 3.4 Where this Bylaw cites or refers to any act, regulation, code or other bylaw, the citation or reference to the act, regulation, code or other bylaw includes any amendments thereto before or after the commencement of this Bylaw, and includes reference to any act, regulation, code or other bylaw that may be substituted in its place.
- 3.5 Each provision of this Bylaw is independent of, and severable from, all other provisions and if any provision is declared invalid or unenforceable for any reason by a court of competent jurisdiction, all other provisions of this Bylaw remain valid and enforceable.
- 3.6 Nothing in this Bylaw relieves a Person from complying with any provision of any federal, provincial or municipal law or regulation or any requirement of any lawful permit, order or licence.

4. LICENCING

- 4.1 Every Person who resides within the limits of the Town and being the Owner of a Dog and/or Cat shall, before the 31st day of January in each year, obtain a licence for the Dog and/or Cat for the current year (January 1 to December 31) by

- applying at the Town Office and pay to the Town the appropriate licence fee, as set out in the most current Fees Bylaw.
- 4.2 A holder of a Dog and/or Cat licence must be eighteen (18) years of age.
- 4.3 Notwithstanding section 4.1, a person will have fifteen (15) calendar days to obtain a Dog and/or Cat licence after;
- a) becoming the Owner or a Dog and/or Cat; or
 - b) being a Dog and/or Cat Owner and taking up residency within the Town.
- 4.4 The provisions of Section 4.1 to Section 4.3 inclusive, do not apply to the following:
- a) a Person temporarily in the Town for a period not exceeding thirty (30) days;
 - b) blind persons holding an identification card proving Ownership of a Guide Dog for their use;
 - c) a Person 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.
- 4.5 A Dog and/or Cat Owner must provide the following information with each application for a Domestic Animal licence;
- a) name, mailing address, street address and phone number of the Owner;
 - b) name and description of the Dog and/or Cat to be licensed;
 - c) gender of Dog and/or Cat;
 - d) if applicable, the breed of the Dog or cross-breed;
 - e) proof of neutering or spaying, if benefiting from the reduced licence fee;
 - f) tattoo or nose print number (if available); and
 - g) such other relevant and necessary information as may be required by the Town with respect to the application.
- 4.6 A person providing false or misleading information pursuant to Section 4.5 (a) to (g) is in contravention of this Bylaw and guilty of an offence under this Bylaw.
- 4.7 Licences issued under this Bylaw shall not be transferable from one Dog and/or Cat to another.
- 4.8 Every Person who becomes the Owner of a Dog and/or Cat 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 Dog and/or Cat within fifteen (15) days after becoming the Owner of the Dog and/or Cat.

- 4.9 Upon payment of the required licence fee, the Owner will be supplied with a Licence Tag.
- 4.10 Every Owner shall ensure that the Licence Tag is securely fastened to a choke chain, collar or harness which must be worn by the Dog and/or Cat at all times whenever the Dog and/or Cat is on property other than the Property of the Dog and/or Cat Owner or Property controlled by him or her.
- 4.11 The Owner of a Dog and/or Cat 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 Replacement Tag fee, as set out in the most current Fees Bylaw.
- 4.12 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, and pay the appropriate fee as set out in the most current Fees Bylaw.

5. PROHIBITIONS

- 5.1 No more than four (4) Domestic Animals older than six (6) months may be harboured, suffered, or permitted to remain upon or in any Self-Contained Dwelling Unit at any time within the Town.
- 5.2 No Person shall own or keep any Dog and/or Cat that is six (6) months of age or older unless such Dog and/or Cat is properly licensed as provided in this Bylaw.
- 5.3 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 Self-Contained Dwelling Unit within the Town.
- 5.4 Section 5.3 shall not apply to a Property if a Person has a valid business licence and development permit from the Town to operate a Kennel facility, veterinarian clinic or hospital, animal breeding establishment, pet store, temporary dog show, humane society or other similar approved business activity.
- 5.5 The Owner of a Domestic Animal shall not permit such Domestic Animal to be Running at Large within the corporate limits of the Town.
- 5.6 Section 5.5 shall 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:
 - a) 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;

- b) signs are posted around the perimeter of the said property alerting the public that the said property is patrolled by a Guard Dog; and
- 5.7 Section 5.5 shall not apply in the case of a K-9 Dog.
- 5.8 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.
- 5.9 Section 5.8 shall not apply to a blind Owner of a Guide Dog, or a blind person being assisted by a Guide Dog.
- 5.10 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 Property of the Owner, or in a licensed Kennel.
- 5.11 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 Property for the sole purpose of permitting such Domestic Animal to defecate/urinate on the Property of said Owner.
- 5.12 No Owner shall permit his or her Domestic Animal to damage a Public Property Area.
- 5.13 When a 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.
- 5.14 If a Domestic Animal defecates on any Property other than the Property of its Owner, the Owner shall cause such defecation to be removed immediately.
- 5.15 When an Owner of a Domestic Animal is observed to leave the Property 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 5.14.
- 5.16 The Owner of a Dog shall carry and produce on demand from an Officer, a plastic bag or in the opinion of the Officer other suitable means of removing Dog defecation at all times when the Dog:
- a) is in the custody of the owner, and
- b) off the property of the owner.
- 5.17 Sections 5.13 to 5.16 shall not apply to a blind Owner of a Guide Dog, or a blind person being assisted by a Guide Dog.

- 5.18 No Owner shall permit his or her Domestic Animal to bark or howl, thereby disturbing the quiet or repose of any person.
- 5.19 No Owner shall permit his or her Domestic Animal to be, or become, a public nuisance.
- 5.20 The Owner of a Domestic Animal shall not permit his or her Domestic Animal to:
- a) threaten or bite people;
 - b) chase motor vehicles;
 - c) chase people on bicycles, horseback or while walking or running; or
 - d) attack, harass, Wound, injure, or kill Animals belonging to other Persons.
- 5.21 An Owner shall not be deemed to have failed or refused to comply with the requirements of section 5.20 where his or her Dog threatens, chases, attacks or bites:
- a) a trespasser on the Property where its Owner resides; or
 - b) in the case of a Guard Dog, a trespasser on the Property being patrolled by said Dog pursuant to the provisions of section 5.6 of this Bylaw; or
 - c) a person who is physically abusing or teasing said Dog.
- 5.22 No Domestic Animal may be kept in a Kennel within the Town unless:
- a) 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, for which such permit does not itself prohibit the keeping of that type of Domestic Animal kept thereon; or
 - b) the keeping of such Domestic Animal is necessarily incidental to an existing non-conforming use of the property on which such Domestic Animal is kept.
- 5.23 An Officer shall be authorized by Council, to capture a Domestic Animal found in contravention of Sections 5.5, 5.18, 5.19, and 5.20 of this Bylaw, by using humane methods, and shall deliver said Domestic Animal to the Animal Services Shelter where said Animal shall be held for a period of at least (3) three days without a Licence Tag or (10) ten days with a Licence 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 delivered to any animal shelter for the purpose of adopting said Animal.
- 5.24 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 I attached hereto.

- 5.25 In addition to any other penalty that may be imposed under this section, an Officer may make a complaint pursuant to the Dangerous Dogs Act for an Order directing that such Dog be controlled or destroyed.

6. VICIOUS DOGS

- 6.1 A Domestic animal is deemed to be a Vicious Dog when it has attacked another Animal or if it has bitten a person.
- 6.2 In addition to the provisions of part 5 of this Bylaw, 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:
- a) at the discretion of an Officer or designate, based on the circumstances surrounding the incident, be required to pay a \$1,000.00 licence fee as per Schedule I;
 - b) obtain a Vicious Dog Tag as specified by the Town which is to be worn by such dog at all times; and
 - c) have such Dog tattooed/photographed to the satisfaction of the Officer, for the purpose of identifying such dog as being a Vicious Dog.
- 6.3 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 providing third party liability coverage in a minimum amount of \$ 1,000,000.00 for injuries caused by that Owner's Vicious Dog.
- 6.4 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.
- 6.5 Upon cancellation, expiry or termination of the liability policy, the Vicious Dog Licence is null and void.
- 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 the public.
- 6.7 Where a Vicious Dog is on 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 5.6 of this bylaw.

- 6.9 If the Peace 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:
- a) inform the Owner that his or her dog has been determined to be a Vicious Dog;
 - b) require the Owner to keep such dog in accordance with the provisions of this Bylaw respecting Vicious Dogs;
 - c) 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 part 15 of this Bylaw.
- 6.10 In addition to the remedies set forth in this Bylaw, if an Officer determines that a Vicious Dog is not being kept in accordance with this Bylaw, the Officer may:
- a) file an application pursuant to Section 554 of the MGA, for an Order directing that such Dog be controlled in accordance with this Bylaw or be removed from the Town;
 - b) file an application 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:
- a) post signs of his or her premises alerting the public that a Vicious Dog is located on said premises;
 - b) not breed or sell such Dog within the Town; and
 - c) notify an 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, Wound, 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 Property that is not owned or under the control of such Owner, unless the Vicious Dog is:
- a) muzzled;
 - b) on a Permitted Leash; and

- c) 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.

7. VICIOUS DOG NOTICE APPEAL PROCESS

- 7.1 Any persons who believe 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.

- 7.2 If the CAO receives an Appeal Notice within 14 days after service of the Vicious Dog Notice, the CAO must advise Council.
- 7.3 Council will set a date for an appeal hearing, and when Council has set a date for the hearing, the CAO must send written notice of the date of the hearing to the Appellant at the address given in the Appeal Notice and, the CAO must also send this written notice to that Owner.
- 7.4 If the CAO receives the Appeal Notice after the 14 day period referred to in Section 7.2 above, the CAO will not advise Council nor will Council set a hearing date, but the CAO will notify the Appellant at the address given in the Appeal Notice that the appeal will not be heard.
- 7.5 After hearing the appeal, Council may confirm, vary, substitute or cancel the Vicious Dog Notice.
- 7.6 The Town must serve written notice of Council's decision by delivering it or sending it by mail to the Appellant, and the Owner.

8. PROHIBITED ANIMALS

- 8.1 No person shall keep, or cause to keep, on any premises with a municipal address within Town limits:
 - a) bees,
 - b) bovine,
 - c) equine,
 - d) porcine,

- e) poultry;
- f) poisonous snakes, reptiles or insects

unless that person has a Licence issued by the Town to do so.

- 8.2 No person may keep or cause to be kept more than four pigeons and/or four rabbits on any residential property.
- 8.3 Council may grant special approval for the keeping of pigeons and/or rabbits in large numbers upon application by the property owner.
- 8.4 Council may direct that the rabbits or pigeons be removed or destroyed if; in its opinion the pigeons or rabbits cause a nuisance or health hazard.
- 8.5 An Officer is authorized to investigate any complaints arising from the keeping of pigeons or rabbits. Where, pursuant to said investigation, an Officer determines that:
- a) the pigeons or rabbits are not being kept in accordance with the provisions of this part; or
 - b) the said pigeons or rabbits had caused damage to the property of another person.
- 8.6 An 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.
- 8.7 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
- 8.8 Animals in Town for parades or exhibitions, under the care and supervision of competent persons are not subject to the provisions of this Bylaw, however they are to ensure that such animals are tethered or penned and not Running at Large or they are in violation of this Bylaw and subject to fine under Schedule I of the Specified Penalties.
- 8.9 Any person who fails to comply with any Order issued pursuant to part 8 is guilty of an offence under this Bylaw, and subject to a fine under Schedule I, Specified Penalties.

9. COMMUNICABLE DISEASES

- 9.1 An Owner of a Dog suspected of having rabies shall:
- a) immediately report the matter to the appropriate Provincial Health Authority or the Town;

- b) confine or isolate the Dog, in such a manner as prescribed so as to prevent further spread of the disease; and
 - c) keep the Dog confined indefinitely subject to the final disposition of the Provincial Health Authority or the Town.
- 9.2 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.
- 9.3 Upon demand made by an Officer, an Owner shall forthwith surrender any animal which an Officer has reasonable and probable grounds to suspect of having been exposed to a Communicable Disease, for supervised quarantine which expense shall be borne by the Owner, and the animal may be reclaimed by the Owner if adjudged free of Communicable Disease, upon payment of confinement expenses and upon compliance with the licensing provisions of this Bylaw.
- 9.4 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, an 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.
- 9.5 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.
- 9.6 Except as provided herein or in any other applicable legislation, no person other than an 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 without written permission from an Officer.
- 9.7 The carcass of any dead animal exposed to rabies shall, upon demand, be surrendered to an Officer.
- 9.8 An Officer shall direct the disposition of any animal found to be infected with rabies.
- 9.9 When, in the judgement of a licensed veterinarian, an animal should be destroyed for humane reasons, such animal may not be redeemed.

10. ANIMAL CONTROL OPERATIONS

- 10.1 An Officer may capture and impound any dog:
- a) that is on public property or other property to which the dog Owner does not have right of occupation where the dog is:
 - i. running loose or free,
 - ii. not on a leash, or
 - iii. on a leash and not in apparent control by the Owner;
 - b) in order to determine if a Dog is dangerous pursuant to Part 6; or
 - c) if an Officer has reasonable suspicion that the Dog has Communicable Disease or injury.
- 10.2 A Person who takes control of any stray or loose Dog shall:
- a) forthwith notify the Town;
 - b) provide any required and relevant information; and
 - c) surrender the Animal to the Town, if directed to do so.
- 10.3 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 Officer.
- 10.4 Upon demand of the Officer, the Owner shall forthwith surrender any Domestic Animal, which has inflicted a Wound upon any Person or Animal.
- 10.5 Where a Domestic Animal is captured pursuant to Section 9.3, the Officer may quarantine such Domestic Animal, which shall not be released from such quarantine except by written permission of the Veterinarian or Public Health Officer at the Animal Services Shelter.
- 10.6 Quarantine shall be at the Animal Services Shelter.

11. OBSTRUCTION AND INTERFERENCE

- 11.1 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:
- a) interfere with or attempt to obstruct an Officer who is attempting to capture or who has captured an Animal that is subject to impoundment or seizure pursuant to this Bylaw;
 - b) open a vehicle or enclosure in which an Animal is being held pursuant to an impoundment or seizure;

- c) remove, or attempt to remove any Animal from the possession of an Officer;
or
- d) untie, loosen, or otherwise free an Animal that has been tied or otherwise held by an Officer.

12. RECLAIMING

- 12.1 Any Domestic Animal impounded under the provisions of this Bylaw shall not be released by the Officer until such time as the Owner can present to the satisfaction of the Officer, proof that he or she has paid all fines and impound fees.
- 12.2 The Owner of any impounded or seized Animal may reclaim the Animal by:
- a) paying to the Town the appropriate fees as set out in Schedule I of this Bylaw; and
 - b) where a licence is required under this Bylaw, obtaining the licence for such animal.
 - c) a per diem impounding fee, as established by the Officer for each and every day said Domestic Animal is confined.
- 12.3 If a Domestic Animal is not redeemed within the three (3) day period referred to in Section 5.23, said Domestic Animal may be delivered to an Animal Shelter for adoption purpose, the Owner of said animal may redeem the animal upon payment of all applicable per diem impound fees/fines as referred to in Schedule I, plus adoption fee as set out by the Animal Shelter.
- 12.4 Notwithstanding Sections 12.1 to 12.3, if a Dog was seized pursuant to 5.23, an Officer may refuse a request to reclaim the Dog, for a period not exceeding twenty-one (21) days from receiving the request
- a) in order to allow for any appropriate behavioral assessments to take place;
and
 - b) to assist with determining any appropriate release conditions or to seek an order to have the Dog destroyed.
- 12.5 Any costs incurred for a behavioral assessment, boarding and/or care of an animal while in custody are costs that must be paid by the Owner prior to the reclaiming of the Animal.

13. POWER OF PEACE OFFICER

- 13.1 The Peace 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. 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 part 15 of this Bylaw.

- 13.2 An 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 MGA, may enter onto land for the purpose of pursuit, capture and restraint of any Domestic Animal found Running at Large.
- 13.3 An 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,
- a) after reasonable notice to the Owner or occupant of the land; or
 - b) with the consent of the Owner or occupant of the land; or
 - c) without reasonable notice or the consent of the Owner or occupant of the land in the event the circumstances constitute emergency or extraordinary circumstances.

14. **OFFENCES AND PENALTIES**

- 14.1 Any Person who contravenes any provision of this Bylaw is guilty of an offence pursuant to this Bylaw and is liable, upon summary conviction, to a fine as set out in Schedule I attached hereto.
- 14.2 In the case of an offence that is of a continuing nature, a penalty of double the applicable fine as provided in Schedule I shall be levied against an Owner, who after 30 days, commits for a second time any infraction of this Bylaw, 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.
- 14.3 Notwithstanding section 14.2, in the case of an offense to section 4.1 of this Bylaw, that is of a continuing nature after 60 days of a second a offense, a fine of \$200 will be levied against the Owner 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.

15. **ENFORCEMENT**

- 15.1 With respect to an offence under this Bylaw, an Officer may issue a Violation Tag or a Violation Ticket specifying the amount of the fine established in accordance with Schedule I of this Bylaw.

- 15.2 An Officer is hereby authorized and empowered to issue a Violation Tag to any Person or Owner, who the Officer has reasonable grounds to believe a Person has contravened any provision of this Bylaw.
- 15.3 Where an Officer has reasonable grounds to believe that a Person has contravened any provision of this Bylaw, the Officer may issue a Violation Tag to that person by serving it:
- a) personally; or
 - b) by mailing a copy to such person at his or her last known residential or post office address.
- 15.4 A Violation Tag issued pursuant to Section 15.2 shall be in a form approved by the CAO and shall state:
- a) the name of the person to whom it is issued;
 - b) the offense;
 - c) the appropriate penalty for the offense as specified at Schedule A of this Bylaw; and
 - d) the penalty shall be paid within 30 days of the issuance of the Violation Tag to avoid prosecution; and any other information as may be required by the CAO.
- 15.5 Where a Violation Tag has been issued the Person to whom the Violation Tag has been issued may, in lieu of being prosecuted for the offence, pay to the Town Office the penalty specified on the Violation Tag.
- 15.6 In the event that a Violation Tag has been issued and the penalty specified on the Violation Tag has not been paid within the prescribed time, an Officer is hereby authorized and empowered to issue a Violation Ticket pursuant to part 2 or part 3 of the *Provincial Offences Procedure Act, Revised Statutes of Alberta, 2000 Chapter P-34*.
- 15.7 Notwithstanding Section 15.6 of this Bylaw, an Officer is hereby authorized to immediately issue a Violation Ticket to any Person or Owner who an Officer has reasonable grounds to believe has contravened any provision of this Bylaw.
- 15.8 Where a Violation Ticket has been issued to a Person under this Bylaw, that person may enter a plea of guilt by making a voluntary payment in the amount shown on the ticket to a Provincial Court Office. The recording of the payment by the Clerk of the Court is an acceptance of the guilty plea and constitutes a conviction.
- 15.9 A Violation Ticket issued prior to the time of expiry of this Bylaw, remains valid and the Person to whom the Violation Ticket was issued remains as fully liable to pay

the specified penalty or to other legal process as the case may be, as though this Bylaw had not expired.

15.10 Regardless of whether a warning has been issued pursuant to this Bylaw, any Person who contravenes any provision of this Bylaw is guilty of an offence and is liable, upon summary conviction to a penalty as set out in Schedule I of this Bylaw.

15.11 Nothing in this Bylaw shall preclude an Officer from laying charges under any alternate governing legislation.

16. REPEALING

16.1 Bylaw #14-2020 is hereby repealed.

17. COMING INTO FORCE

17.1 This Bylaw shall come into force and effect upon third reading.

First Reading given on this 12th day of April, 2022.

Second Reading given on this 12th day of April, 2022.

GIVEN Unanimous Consent to proceed to third and final Reading of the Animal Control Bylaw 06-2022 this 12th day of April, 2022.

Third and Final Reading given on this 12th day of April, 2022.



Mayor Brian Panasiuk



CAO Rod Risling



Schedule I		
Section:	Penalty Offence:	Penalty Fee
4.1	Failure to obtain a Dog and/or Cat licence	\$50.00
14.2	Failure to obtain a Dog and/or Cat licence – Second Offense	\$100.00
14.3	Failure to obtain a Dog and/or Cat licence – Third Offense	\$200.00
4.6	Providing false or misleading information on the licence application	\$30.00
4.7	Failure to notify the Town of a change in ownership of a Dog and/or Cat within 15 days	\$30.00
4.10	Failure to securely attach a Licence Tag to a Dog and/or Cat	\$30.00
4.12	Failure to obtain a Vicious Dog Licence	\$500.00
5.1	Own/Possess/Harbor more than 4 domestic animals older than 6 months	\$20.00/Animal/Day
5.3	Own / Possess / Harbor more than 2 Dogs	\$20.00/Animal/Day
5.5	Permit Domestic Animal to be running at large	\$100.00
5.6 (a)	Failure to confine Guard Dog within property	\$150.00
5.6 (b)	Failure to post sign of Guard Dog on premises	\$150.00
5.8	Possess /Accompany/ Domestic Animal in prohibited area	\$75.00
5.10	Failure to confine female Domestic Animal in heat	\$50.00
5.12	Permit Domestic Animal to damage Public Property Area	\$100.00
5.14	Failure to remove defecation of Domestic Animal from public area	\$50.00
5.16	Failure to produce on demand adequate means to remove defecation of Domestic Animal from a public area	\$50.00
5.18	Permit Domestic Animal to bark or howl excessively	\$100.00
5.19	Permit Domestic Animal to be a public nuisance	\$75.00
5.20 (a)	Permit Domestic Animal to threaten / bite a person /persons	\$250.00
5.20 (b)	Permit Domestic Animal to chase motor vehicle	\$250.00
5.20 (c)	Permit Domestic Animal to chase cyclists/horseback/walkers/ Joggers/skateboarders/rollerbladers	\$250.00
5.20 (d)	Permit Domestic Animal to attack/harass/Wound/injure/kill other Domestic Animal(s)	\$250.00
5.22 (a)	Run/Operate Kennel without permit	\$200.00
5.22 (b)	Operate kennel contrary to land use by-law	\$200.00

Section:	Penalty Offence:	Penalty Fee
5.24	Hinder / obstruct / delay Person authorized to enforce Animal Control Bylaw	\$5,000.00
5.25	Failure to comply with Dangerous Dogs Act order	\$5,000.00
Vicious Dogs		
6.2 (b)	Failure to properly attach Vicious Dog tag	\$1,500.00
6.2 (c)	Failure to tattoo Vicious Dog	\$300.00
6.3	Failure to obtain insurance for Vicious Dog	\$1,500.00
6.4	Failure to notify Town of cancellation of insurance policy	\$1,000.00
6.5	Failure to keep in place Vicious Dog licence	\$1,500.00
6.6	Failure to keep Vicious Dog indoors or confined in a Secure and Locked Pen	\$500.00
6.11 (a)	Failure to post signs at premise of Vicious Dog	\$ 200.00
6.11 (b)	Breed / sell Vicious Dog and or offspring within Town	\$ 300.00
6.11 (c)	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/Wounding/attacking people or animals	\$1,000.00
6.13 (a)	Owner fails to muzzle Vicious Dog	\$ 500.00
6.13 (b)	Owner fails to have Vicious Dog on leash	\$1,500.00
6.13 (c)	Owner fails to have person over 16 years of age controlling Vicious Dog	\$500.00
Prohibited Animals		
8.1	Failure to notify the Town of the harbouring of any prohibited animals in Town	\$250.00
	Failure to notify the Town of the commercial undertaking of poultry or any bird within the Town limits	\$250.00
8.4	Permit /allow rabbits/pigeons to become a nuisance.	\$100.00
8.7	Failure to keep rabbits/pigeons in a pen/not conforming to required distances from residence.	\$100.00
8.7	Keep/confine pigeons/rabbits in a locked pen contrary to guidelines	\$200.00
Communicable Diseases		
9.3	Fail to surrender Domestic Animal for quarantine of a communicable disease	\$2,500.00