

BYLAW NO. 18-08 35-24

**A BYLAW OF THE TOWN OF OKOTOKS
IN THE PROVINCE OF ALBERTA
~~FOR THE LICENSING REGULATING AND CONFINEMENT OF CERTAIN~~
TO REGULATE THE CONTROL OF ANIMALS**

~~(As amended by Bylaw 21-24)~~

~~WHEREAS~~ by virtue of the power conferred on it by the ~~Municipal Government Act~~, R.S.A. 2000, c.M-26, and amendments thereto. The Council of the Town of Okotoks, in the Province of Alberta duly assembled, enacts as follows:

~~WHEREAS~~ pursuant to the provisions of the *Municipal Government Act (MGA)*, R.S.A. 2000, Chapter M-26 and amendments thereto, the Council of the Town of Okotoks (Town) may pass a bylaw for municipal purposes respecting wild and domestic animals and activities in relation to them; and

~~WHEREAS~~ pursuant to provisions of the *MGA* Council has authority to pass bylaws for municipal purposes respecting nuisances and regulating or prohibiting activities; and

~~WHEREAS~~ the purpose of this Bylaw is to ensure all animals are managed in a manner that is compatible with the everyday activities of urban life.

~~NOW THEREFORE~~ Council of the Town enacts as follows:

~~SECTION 1— 1. SHORT TITLE~~

1.1 This Bylaw may be ~~cited known~~ as the ~~Town of Okotoks~~ "Responsible Pet Ownership Bylaw".

~~SECTION 2— 2. DEFINITIONS~~

In this Bylaw, unless the context otherwise requires, the following means:

- 2.1 **animal includes** - a male or female dog, a neutered male dog, a spayed female dog, or a Livestock Emotional Support Animal. ~~(Bylaw 21-24)~~
- 2.2 **Animal Adoption Program means** - the harbouring of an animal by a person for the primary purpose of adoption.
- 2.3 **"Animal Control Officer means** - any individual(s) designated and appointed from time to time by the Town ~~of Okotoks~~ for the purpose of administration and enforcement of this Bylaw and shall include ~~the following: the Municipal~~

~~Enforcement Officer of the Town of Okotoks and any member of the Royal Canadian Mounted Police on active duty.~~

2.3.1 Municipal Enforcement Officer; or

2.3.2 any Peace Officer on active duty limited to:

2.3.2.1 a member of the Royal Canadian Mounted Police;

2.3.2.2 a Community Peace Officer as appointed by the Solicitor General of Alberta; and

2.3.2.3 a Bylaw Enforcement Officer as appointed by the Town to enforce bylaws of the Town.

2.4 **animal daycare** ~~means~~ - a facility or premises for the purpose of providing care for animals in return for remuneration on a daily basis and does not include provision for overnight accommodation.

2.5 **“Animal Fancier Over-limit and Adoption License”** ~~means~~ - a License issued to an Owner in accordance with ~~S~~section 4 of this Bylaw.

~~f) Animal Shelter means premises designated by the for the impoundment and care of animals and includes premises supplied by an independent contractor under contract with the to provide such premises.~~

2.6 **animal at large** ~~means~~ - ~~where~~ an animal ~~that~~ is found on public property or at a property other than the owner’s property and the animal is not properly restrained.

2.7 **cat** ~~includes~~ - a male ~~or female~~ cat, a neutered male cat ~~or~~ a spayed female cat. ~~and a female cat.~~

2.8 **Chief Administrative Officer (CAO)** - the person appointed to the position of the Chief Administrative Officer for the Town, within the meaning of the *MGA* and the Town’s CAO Bylaw.

2.9 **controlled confinement** ~~means~~ - the confinement of an animal in a pen, cage or building or securely tethered in such a ~~manner~~ that ensures the animal is not harmed and in a manner that will not allow the animal to bite, harm or harass any person or animal.

2.10 **damage to property** ~~means damage to property other than the owner’s property and includes defecating.~~

~~any harm or destruction to public or private property that is not the owner’s including:~~

- 2.10.1 destruction of landscaping, gardens, or structures;
 - 2.10.2 damaging vehicles, outdoor furniture, or other possessions;
 - 2.10.3 defecating or urinating in places where it causes harm or property damage; or
 - 2.10.4 chewing or scratching surfaces like doors, windows, or furniture.
- 2.11 **Health Authority** ~~means~~ - the regional health authority established by the Minister of Health to service the Town.
- 2.12 **kennel** ~~means~~ - any facility or premises where animals or cats are maintained, boarded, trained, bred or cared for in return for remuneration and may include overnight accommodation.
- 2.13 **Land Use Bylaw** ~~means~~ - the Town's Land Use Bylaw ~~40-98~~ and any amendments thereto.
- 2.14 **license** ~~means~~ - an animal license issued by the Municipality in accordance with the provisions of this Bylaw and in the case of a Livestock Emotional Support Animal shall mean the authorization granted by Okotoks Municipal Enforcement for the keeping of the designated Livestock Emotional Support Animal within the Town ~~of Okotoks. (Bylaw 21-24)~~
- ~~o) "License Fee" means the applicable annual fee payable in respect of a license for any particular Animal as set out in Schedule "A" of this Bylaw.~~
- ~~p) "License Tag" means an identification tag issued by the Municipality showing the license number for a specific Animal.~~
- 2.15 **livestock** ~~means:~~
- 2.15.1 a horse, mule, ass, swine, emu, ostrich, camel, llama, alpaca, sheep, or goat;
 - 2.15.2 domestically reared or kept deer, reindeer, moose, elk, or bison;
 - 2.15.3 farm bred fur bearing animal(s) including foxes or mink;
 - 2.15.4 animals of the bovine species;
 - 2.15.5 animals of the avian species including chickens, unless licensed in accordance with the Urban Hen Bylaw, turkey, ducks, geese, pigeons, or pheasants; and
 - 2.15.6 all other animals that are kept for agricultural purposes, including honey bee colonies, but does not include cats, dogs, or other domesticated household pets.

- 2.16 **Livestock Emotional Support Animal (LESA) means** - a companion animal under 180 kilograms in weight that is otherwise prohibited under ~~section 2, subsection e)~~ **subsection 2.15** with the exception of honey bee colonies, as determined by a mental health professional to provide a benefit for an individual with a disability and such determination can be provided to an Animal Control Officer ~~Peace Officer~~ upon request.
- 2.17 **“off leash park” means** - an area within the Town formally designated as a place in which Owners are permitted to remove the permitted leash from their animal(s).
- 2.18 **Owner means:**
- 2.18.1 a person who has the care, charge, custody, possession, or control of an animal;
 - 2.18.2 a person who owns or who claims any proprietary interest in an animal;
 - 2.18.3 a person who harbours, suffers, or permits an animal to be present on any property owned, occupied, or leased by ~~him them~~ or which is otherwise under ~~this their~~ control;
 - 2.18.4 a person who claims and receives an animal from the custody of the animal shelter or an ~~Animal Control Officer Peace Officer~~; ~~or~~
~~v. — a person to whom a License Tag was issued for an Animal in accordance with this Bylaw;~~
 - 2.18.5 a person who operates an Animal Adoption Program and who has care, charge, custody, possession, or control of (an) animal(s); ~~and~~
 - 2.18.6 ~~and for the purposes of this Bylaw~~ an animal may have more than one (1) owner.
- 2.19 **owner’s property means** - any property in which the owner of an animal has a legal or equitable interest or over which the owner of an animal has been given the control or use of, by the legal or equitable owner of the property, and which property shall include, without limiting the generality of the foregoing, land, buildings and vehicles.
- 2.20 **permitted leash means** - a leash adequate to control the animal to which it is attached and which leash shall not exceed three (3) metres in length.
- 2.21 **properly restrained means** - the animal is:
- 2.21.1 being carried by a person capable of restraining the size and strength of the particular animal;
 - 2.21.2 being confined in a kennel or like container, properly latched or locked; or
 - 2.21.3 being restrained by a person capable of restraining the size and strength of the particular animal by means of a permitted leash attached to a choke chain, collar or harness attached to the animal.

- 2.22 **permitted property** ~~means~~ - private property upon which the owner of an animal has the express permission of the owner of that property to allow the owner's animal to be at large thereon.
- 2.23 **serious wound** ~~means~~ - an injury to a human or an animal resulting from the action of an animal that causes the skin to be broken or flesh to be torn and ~~where~~ requiring immediate medical assistance.
- 2.24 **Town** - the Corporation of the Town of Okotoks in the Province of Alberta, and where the context so requires, the area of land within the corporate boundaries thereof.
- ~~aa) "Tag" means a Town of Okotoks Voluntary Payment Tag issued for breach of Okotoks Bylaws or other Acts or Regulations.~~
- 2.26 **vicious animal** ~~means~~ - any animal, whatever its ~~age~~, whether on public or private property, which has:
- 2.26.1 chased, injured, or bitten any other animal or human; or
 - 2.26.2 damaged or destroyed and public or private property; or
 - 2.26.3 threatened or created the reasonable apprehension of a threat to a human; ~~and~~
- which, in the opinion of a ~~Justice Animal Control Officer~~, presents a threat of serious harm to other animals or humans.
- 2.27 **violation tag** - a notice or tag in a form as approved by the CAO, issued by the Town allowing a voluntary payment option of a fine established under this Bylaw.
- 2.28 **violation ticket** ~~means~~ - a ticket issued pursuant to Part 2 of the *Provincial Offences Procedure Act*, R.S.A. 2000, c P-34, as amended and Regulations there under.

SECTION 3 – LICENSE REQUIREMENTS

- ~~a) Every person who is the Owner of an Animal which is three (3) months of age or older, shall apply for a license for that Animal by submitting an application to the Municipality and, if the application is approved, by paying the applicable license fee as set out in Schedule "A" of this Bylaw. The Owner shall pay the license fee by January 31st of each year.~~
- ~~—If:~~
- ~~i. a person is the Owner of an Animal that reaches the age of three (3) months after January 31st; or~~

~~ii. a person becomes an Owner of a Animal three months of age or older on any date after January 31st; or~~

~~iii. an Owner of an Animal three months of age or older takes up residence in the Municipality on any date after January 31st;~~

~~The Owner shall apply for the license within seven (7) days of that time.~~

~~It is an offence to be the Owner of an Animal which is unlicensed and which is required to be licensed pursuant to this bylaw.~~

~~b) An Owner shall provide with each application for a license, all the information as may be required by the Municipality or the Animal Control Officer.~~

~~c) No person shall provide the Municipality with false or misleading information with respect to the information required in Section 3 (b) of this Bylaw.~~

~~d) If the application is approved and the required license fee is paid, the Owner will be supplied with a License Tag, which shall have a number, registered to that Animal.~~

~~e) An Owner shall ensure that the license tag is any owned Animal has a securely fastened to a choke chain, collar or harness worn by the Animal and that the License Tag must be worn by the Animal at all times while on public property.~~

~~f) Every license shall expire on December 31st in the year in which it was issued.~~

~~g) A license issued under this Bylaw shall not be transferable from one Animal to another nor from one Owner to another.~~

~~h) No person is entitled to a refund or a rebate for any license fee.~~

~~i) The Animal Control Officer may revoke a license if:~~

~~— i. the license was issued on the basis of incorrect information or misrepresentation — by the applicant;~~

~~ii. the license was issued in error;~~

~~— iii. the Owner breaches a provision of this Bylaw.~~

~~j) A person who, by reason of special needs, owns and uses an Animal trained to assist shall, upon proof, be exempt from license fees.~~

- ~~k) A Livestock Emotional Support Animal shall be deemed to be Licensed within the Town of Okotoks, and exempt from license fees, when a letter from a mental health professional has been received by Okotoks Municipal Enforcement which states the Animal provides a benefit for an individual with a disability. **(Bylaw 21-24)**~~
- ~~l) Owners of Livestock Emotional Support Animals will comply with regulations as set out in the Livestock Emotional Support Animal Bylaw. **(Bylaw 21-24)**~~
- ~~m) The licensing provisions of this Bylaw shall not apply to Animals accompanying a person temporarily in the Municipality for a period not exceeding two (2) weeks.~~
- ~~n) An Animal Owner may have a lost tag replaced by presenting proof of original purchase and paying a replacement fee in accordance with Schedule "A" of this Bylaw.~~
- ~~o) No person, without the consent of the Owner of an Animal, shall remove any collar or license from an Animal.~~
- ~~p) Animal License, Animal Fancier and Adoption License and Penalties are established in Schedules A and B and may be amended from time to time by resolution of Council.~~
- ~~q) The Animal Control Officer shall review all applications for licenses, and shall issue a license where the Owner has completed the application form completely, including the name of Owner and the address at which the Animal will primarily be kept, and the Owner has submitted the requisite license fee as set out under this Bylaw. Notwithstanding the foregoing, the Animal Control Officer may refuse to issue a license where he has a reasonable belief that issuing the license in question will result in the maximum number of Animals permitted in a dwelling as set out in Section 4 (b) being exceeded.~~

SECTION 4 – 3. RESPONSIBLE PET OWNERSHIP REQUIREMENTS

- 3.1 An Owner:
- 3.1.1 must ensure that the Animal has adequate food and water;
 - 3.1.2 must provide the Animal with adequate care when the Animal is wounded or ill;
 - 3.1.3 must provide the Animal with reasonable protection from injurious heat or cold;
 - 3.1.4 must provide the Animal with adequate shelter, ventilation and space; and

- 3.1.5 must provide the opportunity for periodic exercise sufficient to maintain good health, including the opportunity to be unfettered from a fixed area and exercised regularly under appropriate control.
- 3.2 No person shall keep or have more than three (3) ~~A~~ animals on any property located within ~~the Municipality Town~~ except as follows:
- 3.2.1 animals under the age of three (3) months;
 - 3.2.2 the Owner holds a valid Animal ~~Fancier Over-limit~~ and Adoption License issued pursuant to this Bylaw; and/or
 - 3.2.3 the Owner has all municipal and provincial approvals to operate:
 - 3.2.3.1 a pet store/~~A~~ animal grooming business;
 - 3.2.3.2 a veterinary clinic or hospital;
 - 3.2.3.3 an Animal Daycare; and/or
 - 3.2.3.4 a ~~K~~kennel.
- 3.3 An Owner shall not permit an ~~A~~ animal to be ~~At Large~~ at large.
- 3.4 Notwithstanding ~~Section 4(e) subsection 3.3~~ an ~~O~~wner of an animal is not required to have the ~~A~~ animal on a ~~P~~ermitted ~~L~~eash in a ~~P~~ark or portion of a ~~P~~ark which has been designated as an '~~O~~ff ~~L~~eash ~~P~~ark' by the ~~Municipality Town~~ providing:
- 3.4.1 the ~~A~~ animal is not a ~~V~~icious ~~A~~ animal; and
 - 3.4.2 the ~~O~~wner of an ~~A~~ animal in an '~~O~~ff ~~L~~eash ~~P~~ark' shall ensure that such ~~A~~ animal is under control at all times. Whether an ~~A~~ animal is under control is a question of fact to be determined by a Court hearing a prosecution pursuant to this ~~S~~ection of the Bylaw, having taken into consideration any or all of the following:
 - 3.4.2.1 ~~W~~hether the ~~A~~ animal is at such a distance from its ~~O~~wner so as to be incapable of responding to voice, sound, or sight commands; and/or
 - 3.4.2.2 ~~W~~hether the ~~A~~ animal has responded to voice, sound or sight commands from the ~~O~~wner.
~~Whether the Animal has bitten, attacked, or done any act that injures a person or another animal;~~
~~Whether the Animal chased or otherwise threatened a person;~~
~~Whether the Animal caused damage to property;~~
- Nothing in this section relieves a person from complying with any other provisions of the Bylaw.
- 3.5 An ~~O~~wner shall not permit an ~~A~~ animal to bark or howl or make another noise thereby disturbing the quiet or repose of any person.

- 3.6 An ~~O~~owner shall not permit an ~~A~~animal to cause damage to property within the ~~Municipality Town~~.
- 3.7 An ~~O~~owner shall not permit an ~~A~~animal in an area where the ~~Municipality Town~~ has posted a sign which prohibits the presence of ~~A~~animals, regardless of whether or not such ~~A~~animal is ~~A~~at ~~L~~large.
- 3.8 An ~~O~~owner of an ~~A~~animal shall not permit an ~~A~~animal to:
- 3.8.1 bite, attack, threaten, harass, bark at, chase or injure any person;
 - 3.8.2 bite, attack, threaten, harass, bark at, chase, kill or injure any bird, reptile, amphibian or mammal; or
 - 3.8.3 bite, bark at or chase any vehicle.
- 3.9 The ~~O~~owner of an ~~A~~animal or ~~C~~cat which defecates on property, which is not the ~~O~~owner's ~~P~~roperty, shall cause such defecation to be removed immediately and disposed of in a sanitary manner except if that person is blind or handicapped so as not to be able to comply.
- 3.10 No person shall permit an ~~A~~animal suffering from a communicable disease to be in any public place or keep the ~~A~~animal in contact or in proximity of any other ~~A~~animal free of such disease.
- 3.11 No person shall tease, torment, annoy, abuse or injure any ~~A~~animal.
- 3.12 No person shall untie, loosen or otherwise free an ~~A~~animal which is not in distress unless such person has the authorization of the ~~O~~owner.
- 3.13 No person shall interfere with, hinder or impede an Animal Control Officer in the performance of any duty authorized by this Bylaw.
- 3.14 No person shall permit ~~A~~animal waste to drain from their property onto adjoining properties.
- 3.15 Persons disposing of ~~A~~animal waste shall deposit it in a private or ~~municipal~~ ~~Town~~ waste disposal container and shall secure the waste/feces in a single plastic bag that will contain the waste/feces and this shall be sealed so as not to permit any drainage of liquid or spillage of solid matter.
- 3.16 A person must not cause any ~~A~~animal to be confined in an enclosed space, including a vehicle, without adequate ventilation.
- 3.17 No person shall keep ~~L~~ivestock in any area of the ~~Municipality Town~~ except where the keeping of ~~L~~ivestock is allowed under ~~the Okotoks~~ Land Use Bylaw.

- 3.18 The ~~O~~owner of an ~~A~~animal or ~~C~~cat shall ensure that such ~~A~~animal or ~~C~~cat shall not upset any waste receptacles or scatter the contents thereof either in or about a street, lane, or other public property or in or about premises not belonging to or in the possession of the ~~O~~owner of the ~~A~~animal or ~~C~~cat.
- 3.19 The ~~O~~owner of an ~~A~~animal shall ensure that an ~~A~~animal is ~~P~~properly ~~R~~restrained or safely tethered to remain within the confines of the truck/flat bed, or any other vehicle of which the ~~A~~animal is not within the confines of a roofed vehicle.
- 3.20 A LESA shall be deemed to be ~~l~~icensed within the Town of ~~O~~koktoks when a letter from a mental health professional has been received by Okotoks Municipal Enforcement which states the ~~A~~animal provides a benefit for an individual with a disability. ~~(Bylaw 21-24)~~
- 3.21 The owners of an LESA will comply with regulations as set out in the LESA Bylaw. ~~(Bylaw 21-24)~~
- 3.22 An ~~O~~owner shall ensure that any owned ~~A~~animal has a securely fastened choke chain, collar, or harness worn by the ~~A~~animal at all times while on public property.
- 3.23 No person, without the consent of the ~~O~~owner of an ~~A~~animal, shall remove any collar from an ~~A~~animal.

SECTION 5 – 4. ANIMAL FANCIER OVER-LIMIT AND ADOPTION LICENSE

- ~~4.1~~ The maximum number of ~~A~~animals on any property shall be restricted to three ~~(3)~~ over the age of three ~~(3)~~ months except in the case where an ~~O~~owner possesses a valid and subsisting ~~A~~animal Fancier and Adoption License.
- ~~4.2~~ 4.1 The maximum number of ~~A~~animals on any property for persons holding a valid ~~A~~animal Fancier Over-limit and Adoption License ~~shall be restricted to the lesser of; ten (10)~~ is 10, or the number of ~~A~~animals deemed suitable for the dwelling by the Health Authority.
- ~~4.3~~ 4.2 An ~~O~~owner wishing to operate under the authority of an ~~A~~animal Fancier Over-limit and ~~A~~animal Adoption License must ~~submit an annual application to the Town by January 31st of the current year. apply annually by January 31st for an Animal Fancier and Adoption License and shall submit an application to the Animal Control Officer.~~
- 4.4 4.3 An ~~O~~owner must ensure that ~~A~~animal(s) in care are provided with care consistent with ~~Section 4 a)~~ subsection 3.1.

- 4.5.4.4 An application for an Animal ~~Fancier Over-limit~~ and Adoption License shall include:
- 4.5.1 4.4.1 name, address and telephone number of an ~~O~~owner;
 - 4.5.2 4.4.2 location (legal description and civic address) at which the ~~A~~animal(s) shall be kept; if not the registered ~~O~~owner of the property authorization from the registered land ~~O~~owner is required and where applicable, authorization from condominium or similar associations;
 - 4.5.3 4.4.3 purpose for keeping ~~A~~animal(s);
 - 4.5.4 4.4.4 breed and sex of ~~A~~animal(s) to be kept;
 - 4.5.5 4.4.5 type of facilities ~~A~~animal(s) will be housed/kept in;
 - 4.5.6 4.4.6 methods and steps that will be taken by the ~~O~~owner to minimize any noise and/or nuisance to the neighbourhood;
 - 4.5.7 4.4.7 an information letter circulated by the applicant to all adjacent property owners providing notice of the Animal ~~Fancier Over-limit~~ and Adoption License application with provision for written directions or concerns to be forwarded to the Animal Control Officer by a stipulated date, giving reasonable notice;
 - 4.5.8 4.4.8 a letter of compliance from the local Health Authority;
 - 4.5.9 4.4.9 payment of the fee ~~specified in Schedule "B" of prescribed by~~ this Bylaw.
- 4.6 4.5 The Animal Control Officer may hold any license application until any deficiencies with respect to any of the items required under ~~S~~subsection ~~5(d)~~ 4.4 are corrected. The application will be rejected after 30 days if the deficiencies are not corrected and a re-application must be made when deficiencies are corrected.
- 4.7 4.6 The Animal ~~Fancier Over-limit~~ and Adoption License shall be issued upon approval by ~~the an~~ Animal Control Officer and payment of the fee specified in Schedule "~~A" "B"~~" of this Bylaw. ~~Each Animal owned under an Animal Fancier and Adoption License shall be separately licensed pursuant to Section 3 of this Bylaw, in addition to the requirement that the Owner have an Animal Fancier and Adoption License, unless the Animal is kept solely for the purposes of attempting to secure an adoption of the Animal.~~
- 4.8 4.7 Any ~~O~~owner under the provisions of an Animal ~~Fancier Over-limit~~ and Adoption License, shall not permit or allow any of the ~~A~~animals being harboured or kept under the license to:
- 4.8.1 cause noise which disturbs the peace of others; or
 - 4.8.2 cause a nuisance to others.
- 4.9 4.8 ~~The An~~ Animal Control Officer may suspend or revoke the Animal ~~Fancier Over-limit~~ and Adoption License if, in the Animal Control Officer's opinion, the noise

and/or nuisance created by the ~~A~~ animal(s) being kept pursuant to the Animal ~~Fancier Over-limit~~ and Adoption License is disturbing the peace of the neighbourhood or is causing a nuisance and that the complainant has documented occurrences.

~~4.10~~ 4.9 Whether the peace of others has been disturbed or a nuisance has been caused under ~~Section 5(i)~~ this section is a question of fact to be determined by a Court hearing a prosecution pursuant to this section, or by the Animal Control Officer in accordance with ~~Section 5(g)~~ subsection 4.7.

~~4.11~~ 4.10 The applicant/~~O~~wner may appeal a refusal, suspension or revocation of an ~~Animal Over-Limit and Adoption License~~ by the Animal Control Officer to ~~Okotoks~~ Town Council provided such appeal is submitted in writing to the ~~Municipal Secretary Town~~ within ~~fourteen (14)~~ days of the date of the Animal Control Officer's decision. ~~In the event of an appeal, Council shall set a date for the hearing of the appeal to be held within 30 days after receipt of the notice of appeal.~~ Town Council shall be the judge of whether the refusal, suspension, or revocation of the Animal Over-Limit and Adoption License or conditions attached thereto was just and reasonable.

~~4.12~~ 4.11 Animal ~~Fancier Over-limit~~ and Adoption License and Penalties are established in Schedules "A" and "B" and may be amended from time to time by resolution of Council.

~~SPECIAL PROVISION FOR NON-PROFIT ORGANIZATIONS AND EXISTING SITUATIONS~~

- ~~l) Non-profit organizations previously granted a special license by Council for the purpose of an Animal Adoption Program will be exempt from applying for an Animal Fancier and Adoption License until January 31, 2009 at which time all issued special licenses shall expire.~~
- ~~m) Owners of Animals who currently have over three (3) Animals before this Bylaw has been passed by Council which are currently Licensed by the Municipality shall be exempt from Section 4(a) of this Bylaw provided they do not exceed ten (10) Animals in a dwelling on a property ie: less than what they had on June 12th; 2006.~~

~~SECTION 6 – 5. CONTROLLED CONFINEMENT~~

5.1 Where an ~~A~~animal bite results in a ~~S~~serious ~~W~~wound being inflicted, the ~~O~~owner shall promptly report the incident to an Animal Control Officer whom shall report the incident to the Health ~~Inspector of the Health~~ Authority. The Health ~~Inspector Authority~~ will advise the ~~O~~owner of the quarantine procedure. The ~~O~~owner shall keep the ~~A~~animal in ~~C~~controlled ~~C~~onfinement until the Health ~~Inspector~~

- ~~Authority~~ has authorized the release of the ~~A~~animal from ~~C~~controlled ~~C~~confinement.
- 5.2 An Animal Control Officer may issue a summons requiring the ~~O~~owner of the ~~A~~animal in contravention of ~~Section 4 (f) subsection 3.6~~ to attend Provincial Court whereby the ~~O~~owner may be ordered to:
- 5.2.1 keep the ~~A~~animal in an enclosed pen while outside;
 - 5.2.2 keep the ~~A~~animal muzzled while on leash;
 - 5.2.3 post warning signs that a dangerous ~~A~~animal resides on premise, at each gate to the property;
 - 5.2.4 have the ~~A~~animal destroyed by a veterinarian and produce a document to the Animal Control Officer stating this was done.
- 5.3 In the event of non-compliance with the Provincial Court Order the owner may face a Court imposed fine ~~of up to \$100 per day~~ for non-compliance and the Animal Control Officer may attend to the property where the ~~A~~animal is kept and seize it.
- 5.4 Upon demand made by the Animal Control Officer, the ~~O~~owner shall forthwith surrender for quarantine any ~~A~~animal which has inflicted a ~~n~~ ~~A~~animal bite to any person or any ~~A~~animal which the Animal Control Officer has reasonable and probable grounds to suspect of having been exposed to rabies. The ~~A~~animal may be reclaimed by the ~~O~~owner if:
- 5.4.1 adjudged free of rabies; ~~and~~
 - 5.4.2 upon payment of confinement expenses; ~~and~~
 - 5.4.3 ~~upon compliance with the licensing provisions of this Bylaw.~~

~~However, if the Animal Control Officer determines that a license will not be issued for the Animal, or if no license has been issued, then the Animal shall be treated pursuant to Section 7.~~

~~SECTION 7—~~ 6. POWERS OF AN ANIMAL CONTROL OFFICER

- 6.1 An Animal Control Officer is authorized to capture and impound, in an ~~A~~animal ~~S~~shelter, any ~~A~~animal that is ~~A~~at ~~L~~large. The Animal Control Officer is further authorized to take such reasonable measures as are necessary to subdue any ~~A~~animal that is at large. If any such ~~A~~animal is injured, it may be taken to a registered veterinarian for treatment and then to an ~~A~~animal ~~S~~shelter. Cost for this treatment is the responsibility of the ~~A~~animal ~~O~~owner.
- 6.2 An Animal Control Officer is authorized to enter onto the land surrounding any building to capture an ~~A~~animal that is ~~A~~at ~~L~~large except the property where the ~~A~~animal resides unless authorized by this Bylaw or the ~~Municipal Government Act MGA~~.

6.3 An impounded ~~A~~animal may be kept in an ~~A~~animal ~~S~~shelter for a period of ~~seventy-two~~ 72 hours. Sundays and Statutory holidays shall not be included in the computation of the ~~seventy-two~~ 72 hour period. During this period, any ~~A~~animal may be redeemed by its ~~O~~owner, except as otherwise provided in this Bylaw, upon payment to the ~~Municipality~~ Town or its authorized agent of the cost of any veterinary treatment to relieve pain or bleeding of any animal that is found to be injured when picked up or injured in the process of capture.

~~i.—the appropriate impoundment fee as set out in Schedule “C” of this Bylaw;~~

~~ii.—the appropriate license fee when the Animal is not licensed; and~~

~~the cost of any veterinary treatment to relieve pain or bleeding of any Animal that is found to be injured when picked up or injured in the process of capture; and~~

~~If no license is issued for the Animal, the Animal Control Officer is not obliged to release the Animal to the Owner until such time as the Owner has obtained a license for the Animal.~~

6.4 At the expiration of the ~~seventy-two~~ 72 hour period, as prescribed in ~~Section 7~~ subsection 6.3 (c) of this Bylaw, the Animal Control Officer is authorized to:

6.4.1 turn the ~~A~~animal over to the ~~Alberta Society for the Prevention of Cruelty to Animals S.P.C.A~~ or Animal Adoption ~~Agency~~ Program who will dispose of the said ~~A~~animal in a humane manner or may, ~~if in their opinion~~, put the ~~A~~animal up for adoption should it meet with their adoption requirements;

6.4.2 allow the ~~A~~animal to be redeemed by its ~~O~~owner, in accordance with the provisions of ~~Section 7 (c) subsection 6.3 herein;~~ or

~~6.4.3 continue to impound the Animal for an indefinite period of time or for such further period of time as the Animal Control Officer, in his or her discretion, may decide.~~

6.5 The Animal Control Officer shall maintain adequate records of:

6.5.1 complaints and disposal of such complaints;

6.5.2 fees, collections, fines; and

6.5.3 each ~~A~~animal impounded and time, place and disposition of such ~~A~~animal.

SECTION 8 – 7. IMPOUNDMENT

7.1 No unauthorized person shall remove or attempt to remove from an ~~A~~animal ~~S~~shelter any ~~A~~animal impounded therein.

- 7.2 No unauthorized person shall break open or assist in any manner, either directly or indirectly, in breaking open any ~~A~~animal ~~S~~shelter established by the ~~Municipality Town~~ under the provisions of this Bylaw.
- 7.3 No person shall hinder, delay or obstruct any person or persons engaged in capturing, attempting to capture or taking to the ~~A~~animal ~~S~~shelter any ~~A~~animal liable to be impounded under the provisions of this Bylaw.

SECTION 9— 8. RABID ANIMAL

- 8.1 Any ~~A~~animal suspected of being rabid shall immediately be reported to the ~~Medical Officer of the~~ Health Authority and, upon ~~his~~ instruction, shall be forthwith released by the ~~O~~owner into custody of and be confined by the Animal Control Officer at the expense of said ~~O~~owner for ~~a the~~ period of up to ~~fourteen (14)~~ days or such period of time as may be specified by the ~~said Medical Officer of the~~ Health Authority.
- 8.2 Any ~~A~~animal ~~so~~ taken into custody and confined shall not be destroyed unless the ~~Medical Officer of the~~ Health Authority orders its destruction. The right of the ~~O~~owner, possessor or harbourer to redeem an ~~A~~animal pursuant to ~~S~~section ~~6 5~~ of this Bylaw shall not be applied to an ~~A~~animal taken into custody and confined pursuant to the terms of this section.

SECTION 10— 9. PENALTIES

- 9.1 Any person who contravenes any provision of this Bylaw is guilty of an offence and is liable to a penalty, as set out in Schedule ~~"B" "A"~~ of this Bylaw.
- 9.2 Where an Animal Control Officer believes on reasonable and probable grounds that a person has contravened any provisions of this Bylaw, ~~he they~~ may serve upon such person a ~~Tag violation tag~~ provided by this ~~S~~section either personally on the person or ~~O~~owner of the ~~A~~animal concerned or by leaving it for the defendant at ~~his their~~ residence with a person on the premises who appears to be at least ~~eighteen (18)~~ years of age or by registered mail and such service shall be adequate for the purpose of this Bylaw.
- 9.3 A ~~Tag violation tag~~ shall be in such form as determined by the ~~municipality Town~~ and shall state the section of the Bylaw which was contravened and the amount which is provided within Schedule ~~"B" "A"~~ of the Bylaw and any amendments or additions thereto, that will be accepted by the ~~municipality Town~~ in lieu of prosecution.

- 9.4 Notwithstanding ~~Section 10(c)~~ subsection 9.3 of this Bylaw, any person who commits a second or subsequent offence under this Bylaw may be liable to a fine or not less than the sum as set out in Schedule ~~"B"~~ "A" of this Bylaw.
- 9.5 If a ~~Tag violation tag~~ issued pursuant to this section is presented within ~~twenty-two~~ 22 days from the issue thereof, together with payment to the ~~municipality~~ Town of the specified penalty and/or fee, the person to whom the ~~Tag violation tag~~ was issued will not be liable for prosecution for the contravention in respect of which the ~~Tag violation tag~~ was issued.
- 9.6 Notwithstanding the provisions of this ~~S~~section, a person to whom a ~~Tag violation tag~~ has been issued ~~pursuant to this section~~ may exercise ~~his~~ their right to defend any charge of committing a contravention of any of the provisions of this Bylaw.

SECTION 11 – 10. SUMMARY CONVICTION

- 10.1 A person who contravenes a provision of this Bylaw by doing something which he is prohibited from doing, or by failing to do something which he is required to do, or by doing something in a manner different from that in which he is required or permitted to by this Bylaw, is guilty of an offence and ~~may be~~ liable upon summary conviction to a fine of not more than ~~two thousand~~ \$2,000.00 ~~dollars~~, or in default of payment of the fine to imprisonment for a period not exceeding six (6) months, or to both fine and imprisonment in such amounts.
- 10.2 The levying and payment of any fine shall not relieve a person from the necessity of paying any fees, charges or costs for which ~~he is~~ they are liable under the provisions of this Bylaw.
- 10.3 A Provincial Judge, in addition to the penalties provided in this section, may, ~~if he considers the offence sufficiently serious,~~ direct or order the person that owns, keeps, maintains or harbours an ~~A~~animal to stop the ~~A~~animal from doing mischief or causing the disturbance or a nuisance complained of or to have the ~~A~~animal destroyed or otherwise disposed of ~~if the offence is considered to be sufficiently serious.~~
- 10.4 Where there has been a breach of this Bylaw, an Animal Control Officer is hereby authorized and empowered to issue a violation ticket pursuant to Part 2 of the *Provincial Offences Procedure Act* R.S.A. 2000, c. P-34 as amended.

SECTION 12– 11. GENERAL

- 11.1 This Bylaw shall not apply to ~~A~~ animals kept at any veterinary clinic or being securely transported within a motor vehicle to or from a veterinary clinic.
- 11.2 Should any provision of this Bylaw be invalid, then such ~~invalid~~ provision may be severed and the remaining Bylaw shall be maintained.

~~c) An applicant is responsible for and is not excused from ascertaining and complying with the requirements of any Federal, Provincial or other Municipal legislation, including the Municipality's Land Use Bylaw. Where the keeping of the Animals would not comply with any Federal, Provincial or other Municipal legislation, the Animal Control Officer may refuse to issue a license.~~

~~Bylaw No. 18-05 and all amendments thereto are hereby rescinded.
This Bylaw comes into full force and effect upon the third and final reading.~~

~~Bylaw No. 18-08 received third and final reading July 14, 2008.~~

~~ORIGINAL SIGNED BY
MAYOR AND MUNICIPAL SECRETARY~~

~~Bylaw 21-24 received third and final reading June 24, 2024~~

~~ORIGINAL SIGNED BY
MAYOR AND CHIEF ADMINISTRATIVE OFFICER~~

SCHEDULE "A"
LICENSE FEES

Animal License

Male/Female Unaltered ~~_____~~ \$100.00

Male/Female Neutered/Spayed ~~_____~~ \$ 25.00

Replacement fee is ~~_____~~ \$ 10.00

Animal Fancier and Adoption License

Yearly License ~~_____~~ \$150.00

Yearly License for non-profit

Organizations ~~_____~~ \$ 0.00

REDLINED VERSION

**SCHEDULE "B" "A"
 PENALTIES**

SECTION	OFFENCE (Description)		FIRST OFFENCE	SECOND OFFENCE (Within Six (6) Months)
3(a)	Owner of an unlicensed Animal	-	\$250.00	\$400.00
3(c)	Providing Misleading or False Information	-	\$500.00	\$1,000.00
3(e)	Owner of a licensed animal not wearing license while off owner's property	-	\$100.00	\$150.00
3(m)	Unauthorized removal of collar or license from an Animal	-	\$100.00	\$150.00
4(a) 3.1	Owner failing to provide adequate food, water, care, protection, shelter, ventilation or space		\$200.00	\$400.00
4(b) 3.2	Owner having more than three (3) animals without a license		\$250.00	\$500.00
4(c) 3.3	Owner of an animal at large		\$100.00	\$200.00
-	Unlicensed	-	\$150.00	\$300.00
-	Licensed	-	\$100.00	\$200.00
4(e) 3.5	Owner of an animal which barks, howls, or makes another noise thereby disturbing the quiet or repose of any person		\$250.00	\$500.00
4(f) 3.6	Owner of an animal that causes damage to property		\$150.00	\$300.00
4(g) 3.7	Owner of an animal that is present in area where prohibited by sign		\$100.00	\$200.00
4(h)(i) 3.8.1	Owner of an animal that bites, attacks, harasses, barks at, chases or injures any person		\$500.00	\$750.00
4(h)(ii) 3.8.2	Owner of an animal that bites, attacks, harasses, barks at, kills, or injures any bird, reptile, amphibian or mammal		\$250.00	\$500.00
4(h)(iii) 3.8.3	Owner of an animal that bites, barks at, or chases any vehicle		\$100.00	\$150.00
4(i) 3.9	Owner of an animal failing to remove defecation immediately from property which is not the owners property		\$100.00	\$200.00

4(j) 3.10	Owner permits an animal suffering from a communicable disease to be in a public place/proximity of disease-free animals	\$150.00	\$250.00	
4(k) 3.11	Any person teasing, tormenting, annoying, abusing or injuring an animal	\$250.00	\$500.00	
4(l) 3.12	Any person untying, loosening or otherwise frees an animal without the owner's authorization	\$100.00	\$200.00	
4(m) 3.13	Any person interfering, impeding or hindering an Animal Control Officer	\$500.00	\$750.00	
4(n) 3.14	Owner of an animal fails to retain animal waste on owner's property	\$150.00	\$300.00	
4(o) 3.15	Fail to dispose of animal waste in a sanitary manner	\$150.00	\$250.00	
4(p) 3.16	Confine an animal without proper ventilation	\$200.00	\$400.00	
4(q) 3.17	Keep livestock where unauthorized	\$250.00	\$500.00	
4(r) 3.18	Owner of an animal or cat disturbs or scatters contents on property not belonging to the owner of the animal or cat	\$150.00	\$150.00	
4(s) 3.19	Owner of an animal which is being transported untethered in the back or box of a truck	\$100.00	\$200.00	
3.22	Owner of an animal not wearing a choke chain, collar, or harness while on public property	\$100.00	\$150.00	
3.23	Unauthorized removal of collar from an animal	\$100.00	\$150.00	
5(a)	Owner posses more than three animals or holder of Animal Fancier and Adoption License Possess more than ten animals	-	\$500.00	\$1,000.00
4.1	Holder of an Animal Over-Limit and Adoption License possess over 10 animals	\$500.00	\$1,000.00	
5(b) 4.2	Any person operate as an Animal Fancier Over-limit Business or Animal Adoption Program without a license	\$1,000.00	\$2,000.00	
5(g) 4.7	Any person operating an Animal Fancier Over-limit Business or Animal Adoption Program permitting animal(s) to cause	\$250.00	\$500.00	

	noise which disturbs the peace of others or causes a nuisance to others			
8(a) 7.1	Any person removing an animal from any animal shelter when not authorized to do so		\$250.00	\$500.00
8(b) 7.2	Unauthorized person or person assisting in breaking open an animal shelter		\$250.00	\$500.00
8(c) 7.3	Any person interfering or hindering the capture of an animal		\$250.00	\$500.00

REDLINED VERSION

SCHEDULE "C" "B"
YEARLY LICENSE FEES

ANIMAL IMPOUNDMENT FEES
\$30.00 per animal per occurrence

DAILY CARE AND SUSTENANCE FEE
\$30.00 per animal per day

ANIMAL OVER-LIMIT AND ADOPTION \$150.00

REDLINED VERSION