

VILLAGE OF ROSEMARY
In the Province of Alberta



Bylaw No. 486-20
Animal Control Bylaw

A BYLAW OF THE VILLAGE OF ROSEMARY, IN THE PROVINCE OF ALBERTA, FOR THE PURPOSE OF REGULATING ANIMALS AND ACTIVITIES IN RELATION TO THEM.

WHEREAS, section 7 (h) of the *Municipal Government Act*, RSA 2000, c M-26, as amended, authorizes municipalities to pass bylaws for municipal purposes respecting wild and domestic animals and activities in relation to them;

WHEREAS, Council considers it advisable to pass a bylaw to regulate and control Animals and activities in relation to them in the Village of Rosemary.

NOW THEREFORE, the Council of the Village of Rosemary in the Province of Alberta, enacts as follows:

SECTION 1 – SHORT TITLE

This Bylaw may be cited as the Village of Rosemary “Animal Control Bylaw”.

SECTION 2 – DEFINITIONS

- a) **“Animal”** means any mammal excluding humans, or any bird, reptile, or amphibian.
- b) **“Animal Control Officer”** means any individual(s) designated and appointed from time to time by the Village of Rosemary for the purpose of administration and enforcement of this bylaw and includes a Peace Officer.
- c) **“Animal Shelter”** means a premise designated by the Municipality for the impoundment and care of animals and includes premises supplied by an independent contractor under contract with the Municipality to provide such premises.
- d) **“At Large”** means where an Animal, namely a Dog, is found on public property or at a property other than the Owner’s property and the Animal is not properly restrained.
- e) **“Cat”** includes a male cat, a neutered male cat, a female cat and a spayed female cat.
- f) **“Chief Administrative Officer (CAO)”** means the Chief Administrative Officer as appointed by the Council of the Municipality
- g) **“Controlled Confinement”** means the confinement of a dog in a pen, cage, or building or securely tethered in a manner that will not allow the dog to bite, harm or harass any person

or animal.

- h) **“Council”** means the council for the Village of Rosemary
- i) **“Damage to Property”** means damage to property other than the Owner’s property and includes defecating.
- j) **“Dog”** includes a male dog, a neutered male dog, a female dog and a spayed female dog.
- k) **“Dog Fancier”** means a license issued by the municipality in accordance with the provisions of Section 5 of this bylaw;
- l) **“Dog Show”** means any event for the purpose of showing or exhibiting Dogs which is sanctioned or recognized by the Canadian Kennel Club or the municipality.
- m) **“Entrance”** means any access to Property of the Owner by which persons or vehicles may enter onto the Property of the Owner.
- n) **“Health Authority”** means the regional health authority established by the minister of Health Service to the municipality.
- o) **“Land Use Bylaw”** means the Villages Land Use Bylaw 404-08 and any amendments thereto.
- p) **“License”** means a Dog License issued by the municipality in accordance to the provisions of this Bylaw.
- q) **“License Fee”** means the applicable fee payable in respect to a particular Dog as set out in Schedule “A” of this Bylaw
- r) **“License Tag”** means an identification tag issued by the Village showing the License number for a specific Dog.
- s) **“Livestock”** means:
 - i. A horse, mule, ass, swine, emu, ostrich, camel, llama, alpaca, sheep or goat;
 - ii. Domesticated reared or kept deer, reindeer, moose, elk or bison;
 - iii. Farm bred fur bearing animal(s) including foxes or mink;
 - iv. Animals of the bovine species;
 - v. Animals of the avian species including chickens, turkey, ducks, geese, or pheasants; and
 - vi. All other animals that are kept for agricultural purposes, but does not include cats, dogs, urban chickens, or other domesticated household pet other than domesticated pigs.
- t) **“Muzzle”** means a device of sufficient strength placed over an Animal’s mouth to prevent it from biting.

- u) **“Owner”** means:
 - i. a person who has the care, charge, custody, possession or control of a Dog;
 - ii. a person who owns or who claims and proprietary interest in a Dog;
 - iii. a person who harbors, suffers, or permits a Dog to be present on any property owned, occupied or leased by him or which is otherwise under this control;
 - iv. a person who claims and receives a Dog from the custody of the Animal Shelter or an Animal Control Officer;
 - v. a person to whom a License Tag was issued for a Dog in accordance with the Bylaw; or
 - vi. a person who operates an Animal Adoption Program and who has care, charge, custody, possession, or control of an Animal(s)

- v) **“Owners Property”** means any property in which the Owner of a Dog has a legal or equitable interest or over which the Owner of a Dog 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.

- w) **“Permitted Leash”** means a leash adequate to control the Dog to which it is attached, and which leash shall not exceed three (3) meters in length.

- x) **“Properly Restrained”** means the Dog is:
 - i. being carried by a person capable of restraining the size and strength of the dog;
 - ii. being confined in a kennel or like container, properly latched or locked; or
 - iii. being restrained by a person capable of restraining the size and strength of the Dog by means of a permitted leash attached to a choke chain, collar or harness attached to the Dog.

- y) **“Peace Officer”** means:
 - i. a Community Peace Officer as appointed by the Solicitor General of Alberta,
 - ii. a Bylaw Enforcement Officer as appointed by the Village of Rosemary to enforce bylaws of the Village, or
 - iii. a member of the Royal Canadian Mounted Police.

- z) **“Permitted Property”** means private property upon which the Owner (A) of a Dog has the express permission of the Owner of that property to allow the Owners (A) Dog to be at large, thereon.

- aa) **“Secure Enclosure”** means a building, cage or fenced area of such construction which will not allow a confined Dog(s) to escape from that enclosure.

- bb) **“Serious Wound”** means an injury to a human or an Animal resulting from the action of a Dog that causes the skin to be broken or flesh to be torn and where requiring immediate medical assistance.

- cc) **“Urban Chicken”** means a domesticated female chicken of any age or a male chicken that will not live past the page of 6 months;

- dd) **“Vehicle”** has the same meaning as defined in the Traffic Safety Act, RSA 2000.
- ee) **“Vicious Dog”** means any Dog, whatever its age, whether on public or private property, which has;
- i. chased, injured or bitten any other animal or human; or
 - ii. damaged or destroyed any public or private property; or
 - iii. threatened or created the reasonable apprehension of a threat to a human; and
 - iv. which, in the opinion of a Justice, presents a threat of serious harm to other animals or humans.
- ff) **“Village”** means the Village of Rosemary.
- gg) **“Violation Ticket”** means a ticket issued pursuant to Part 2 of the Provincial Offences Procedure Act, RSA 2000, c. P-21.5, as amended and Regulations there under.
- hh) **“Violation Tag”** means a notice or tag in a form as approved by the CAO, issued by the Municipality allowing a voluntary payment option of a fine established under this Bylaw.

SECTION 3 – LICENSE REQUIREMENTS

- (1) Every person who is the owner of a Dog, shall apply for a license for the Dog by submitting an application to the Village and, if the application is approved, by paying the applicable License Fee as set out in Schedule “B” of this Bylaw, The Owner shall apply for a license if:
- a) a person has owned the Dog for two (2) weeks
 - b) an Owner has taken up residency in the Village and must apply for a license within two (2) weeks

It is an offense to be the Owner of a Dog which is unlicensed, and which is required to be licensed pursuant to this Bylaw.

An Owner shall provide with each application for a License, all the information as may be required by the Village of Animal Control Officer.

- (2) Notwithstanding subsection 3(1), the Owner of a Certified Guide or Service Dog is not required to pay a fee for a license under this Bylaw.
- (3) No person shall provide the Village with false or misleading information with respect to the information required in Section 3(1) or 3(2) of this Bylaw.
- (4) 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 Dog.
- (5) An Owner shall ensure that the License Tag is securely fastened to a choke chain, collar or harness worn by the Dog and that the license tag must always be worn by the Dog while on public property.

- (6) A License issued under this Bylaw shall not be transferable from one Dog to another nor from one Owner to another.
- (7) No person is entitled to a refund or a rebate for any license fee.
- (8) A Peace Officer, Animal Control Officer or CAO may revoke a License if;
 - a) the License was issued on the basis of incorrect information or misrepresentation by the applicant;
 - b) the License was issued in error; or
 - c) the Owner breaches a provision of this Bylaw.
- (9) The licensing provisions of this Bylaw shall not apply to Animals accompanying a person temporarily in the Village for a period not exceeding two (2) weeks.
- (10) A Dog 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.
- (11) No person, without consent of the Owner of a Dog, shall remove any collar or License Tag from a Dog.
- (12) The Village shall review all applications for licenses, and shall issue a license where the Owner has completed this application form completely, including the name of Owner and the address at which the Dog will primarily be kept, and the Owner has paid in full the requisite License Fee as set out under this Bylaw. Notwithstanding the foregoing, the Village may refuse to issue a License where the Village has a reasonable belief that issuing the license in question will result in the maximum number of Dogs permitted in a dwelling as set out in Section 4(2) being exceeded.

SECTION 4 – RESPONSIBLE PET OWNERSHIP REQUIREMENTS

- (1) An Owner:
 - a) Must ensure that an Animal has adequate food and water;
 - b) Must provide an Animal with adequate care when an Animal is wounded or ill;
 - c) Must provide an Animal with reasonable protection from injurious heat or cold;
 - d) Must provide an Animal with adequate shelter, ventilation, and space; and
 - e) Must provide the opportunity for period exercise sufficient to maintain good health, including the opportunity to be unfettered from a fixed area and exercised regularly being properly restrained.
- (2) No person shall keep or have more than more than three (3) dogs on any property located within the Village except as follows:
 - a) The Dogs are under the age of three (3) months;
 - b) the Owner holds a valid Fancier License issued pursuant to this Bylaw; and/or
 - c) the Owner has all Village and Provincial approvals to operate:
 - i. a pet store/animal grooming business;

- ii. a veterinary clinic or hospital;
- iii. an Animal Daycare; and/or
- iv. a Kennel.

- (3) An Owner shall not permit a Dog to be At Large;
- (4) Notwithstanding Section 4(3) an Owner of a Dog is not required to have the Dog on a Permitted Leash in a or portion of a Park which has been designated as an 'Off Leash Park' by the Village providing
- a) The Dog is not a Vicious Dog; and
 - b) The Owner of the Dog in an 'Off Leash Area' shall ensure that such Dog is under control at all times.

Determining where a Dog is under control is a question of fact to be determined by a Court hearing a prosecution pursuant to this Section of the Bylaw, having taken into consideration any or all of the following:

- i. Whether the Dog is at such a distance from its Owner so as to be incapable of responding to voice, sound or sight commands; or
- ii. Whether the Dog has responded to voice, sound or sight commands from the Owner;
- iii. Whether the Dog has bitten, attacked, or done any act that injures a person or another Animal;
- iv. Whether the Dog chased or otherwise threatened a person;
- v. Whether the Animal caused damage to property;

Nothing in the Section relieves a person from complying with any other provisions of the Bylaw.

- (5) An Owner shall not permit a Dog to bark or howl or make another noise thereby disturbing the quiet or repose of any person.
- (6) An Owner shall not permit an Animal to cause damage to property within the Village.
- (7) An Owner shall not permit a Dog in any area where the Village has posted a sign which prohibits the presence of Dogs, regardless if the Dog is At Large or not.
- (8) An Owner of a Dog shall not permit a Dog to:
- a) bite, attack, threaten, harass, bark at, chase or injure any person; or
 - b) bite a person causing a Serious Wound; or
 - c) bite, attack, threaten, harass, bark at, chase, or injure any bird, reptile, amphibian, or mammal; or
 - d) Cause the death of any bird, reptile, amphibian, or mammal; or
 - e) bite, bark at or chase any Vehicle
- (9) The Owner of a Dog or Cat which defecates on property, which is not the Owner's Property, 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.

- (10) No person shall permit an Animal suffering from a communicable disease to be in any public place or keep the Animal in contact or in proximity of any other Animal free of such disease.
- (11) No person shall interfere with, hinder, or impede an Animal Control Officer or Peace Officer in the performance of any duty authorized by this Bylaw.
- (12) No person shall permit animal waste to drain from their property onto adjoining properties.
- (13) Persons disposing of Animal waste shall deposit it in a private or Village 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 or liquid or spillage of solid matter.
- (14) The Owner of a Dog or Cat shall ensure that such Dog or 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 Owner of the Dog or Cat.

SECTION 5 – ANIMAL FANCIER LICENSE

- (1) The maximum number of Dogs on any property shall be restricted to three (3) over the age of three (3) months except in the case where an Owner possesses a valid and subsisting Animal Fancier License. The maximum number of Animals on any property for persons holding a valid Animal Fancier License shall be restricted five (5)
- (2) An Owner wishing to operate under the authority of an Animal Fancier License must apply annually by January 31st and shall submit the application to the Village.
- (3) An Owner must ensure that Animals in care are provided with care consistent with Section 4(1).
- (4) An application for an Animal Fancier License shall include:
 - a) name, address and telephone numbers of an Owner;
 - b) location (legal description and civic address) at which the Animals shall be kept; if not the registered Owner of the property authorization from the registered landowner is required and where applicable, authorization from condominium or similar associations.
 - c) purpose for keeping the Dog/Animals
 - d) breed and sex of the Dogs/Animals to be kept;
 - e) type of facilities Dog/Animals will be housed/kept in;
 - f) methods and steps that will be taken by the Owner to minimize any noise and/or nuisance to the neighborhood;
 - g) an information letter circulated by the applicant to all adjacent property owners providing notice of the Animal Fancier License application with provision for written directions or concerns to be forwarded to the Village by a stipulation date, giving reasonable notice;

- h) payment of the fee in full prescribed by this Bylaw.
- (5) The Village may hold any license application until any deficiencies with respect to any of the items required under Section 5(4) are corrected. The application will be rejected after thirty (30) days if the deficiencies are not corrected and a re-application must be made when deficiencies are corrected.
- (6) The Animal Fancier License shall be issued upon approval by the Village and payment of the fee specified in Schedule "A" of this Bylaw. Each Dog owned under an Animal Fancier License shall be separately licensed pursuant to Section 3 of this Bylaw, in addition to the requirements that the Owner have an Animal Fancier License, unless the Animal is kept solely for the purposes of attempting to secure an adoption of the Animal.
- (7) Any Owner under the provisions of an Animal Fancier License, shall not permit or allow any of the Animals being harbored or kept under the license to:
 - a) Cause noise which disturbs the peace of others; or
 - b) Cause a nuisance to others.
- (8) The Village may suspend or revoke the Animal Fancier License if, in the opinion of the Peace Officer or Animal Control Officer, the noise and/or nuisance created by the Animals being kept pursuant to the Animal Fancier License is disturbing the peace of the neighborhood or is causing a nuisance and that the complainant has documented occurrences.
- (9) Whether the peace of others has been disturbed or a nuisance has been caused under Section 5(7) is a question of fact to be determined by a Court hearing a prosecution pursuant to this Section, or by the Peace Officer in accordance with Section 5(7).
- (10) The applicant/Owner may appeal a refusal, suspension or revocation of a license by the Village to Council provided such appeal is submitted in writing to the Chief Administrative Officer within fourteen (14) days of the date of the Village's decision. In the event of an appeal, Council shall set a date for the hearing of the appeal to be held within thirty (30) days after receipt of the notice of appeal.

SECTION 6 – CONTROLLED CONFINEMENT

- (1) Where a Dog bite results in a Serious Wound being inflicted, the Owner shall promptly report the incident to an Peace Officer who shall report the incident to the Health Authority, The Health Authority will advise the Owner of the quarantine procedure. The Owner shall keep the Dog in Controlled Confinement until the Health Inspector has authorized the release of the Dog from Controlled Confinement.
- (2) If a Peace Officer believes on reasonable and probable grounds that a dog has:
 - a) Chased, injured or bitten a person or other Animal;
 - b) Damaged or destroyed any property;
 - c) Threatened or created the reasonable apprehension of a threat to a person or other animal; or

- d) Been previously determined to be a Dangerous Dog under the *Dangerous Dogs Act RSA 2000 c. D-3*

The Peace Officer may seize and impound the Dog at the Animal Control Shelter and recommend to the Chief Administrative Officer that the Dog be declared a Vicious Dog.

- (3) Upon receipt of a recommendation from a Peace Officer pursuant to subsection 6(2), the Chief Administrative Officer may declare the dog to be a Vicious Dog.
- (4) If the Chief Administrative Officer has declared a dog to be a Vicious Dog, a Peace Officer shall provide written notification of the declaration to the Dog's Owner.
- (5) A person who receives a notice from a Peace Officer pursuant to subsection 6(4) may appeal the declaration by giving written notice of the appeal and the reasons therefore to the Chief Administrative Officer within (10) days of receiving the declaration from the Peace Officer.
- (6) When a Dog has been declared a Vicious Dog an owner shall:
 - a) keep the Dog in an enclosed pen while outside;
 - b) keep the Dog muzzled while on leash;
 - c) post warning sign that a vicious Dog resides on the premises, at each gate to the property;
 - d) pay an annual licensing fee set out in Schedule "A" of this bylaw.
- (7) Upon demand made by a Peace Officer, the Owner shall forthwith surrender for quarantine any day which has inflicted a Dog bite to any person or any Animal which a Peace Officer has reasonable and probably grounds to suspect of having been exposed to rabies. The Dog may be reclaimed by the Owner if:
 - a) adjudged free of rabies; and
 - b) upon payment of confinement expenses; and
 - c) upon compliance with the licensing provisions of this Bylaw

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

SECTION 7 – POWERS OF A PEACE OFFICER AND ANIMAL CONTROL OFFICER

- (1) A Peace Officer or an Animal Control Officer is authorized to capture and impound, in an Animal Shelter, any Dog that is At Large. A Peace Officer or Animal Control Officer is further authorized to take such reasonable measures as are necessary to subdue any Dog At Large. If any such Dog is injured, it may be taken to a registered veterinarian for treatment and then to an Animal Shelter. Costs for this treatment are the responsibility of the Owner.
- (2) A Peace Officer or Animal Control Officer is authorized to enter upon the land surrounding any building for the purpose of pursuing any Dog which has been observed At Large.
- (3) An impounded Dog may be kept in an Animal Shelter for a period of seventy-two (72) hours. Sunday and Statutory holidays shall not be included in the computation of the seventy-two

(72) hour period. During this period, any Dog may be claimed by its Owner, except as otherwise provided in this Bylaw, upon payment to the Municipality or authorized Animal Shelter:

- a) the appropriate impoundment fee in full as set out in Schedule "C" of this Bylaw;
- b) the appropriate License Fee when the Animal is not licensed; and
- c) the cost of any veterinary treatment to relieve pain or bleeding of any Dog that is found to be injured when picked up or injured in the process of capture.

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

(4) At the expiration of the seventy-two (72) hour period, as prescribed in Section 7(3) of this Bylaw, the Animal Control Officer is authorized to:

- a) turn the Dog over to the S.P.C.A or Animal Shelter who will dispose of the said Dog in a humane manner or may, if in their opinion, put the Dog up for adoption should it meet with their adoption requirements;
- b) allow the Dog to be redeemed by its Owner, in accordance with the provisions of Section 7(3) herein; or
- c) continue to impound the Dog 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.

(5) A Peace Officer or Animal Control Officer shall maintain adequate records of:

- a) Complaints and disposal of such complaints;
- b) Fees, collections, fines;
- c) Each Dog impounded and time, place, and disposition of such Dog.

SECTION 8 – IMPOUNDMENT

- (1) No unauthorized person shall remove or attempt to remove from an Animal Shelter any Dog impounded therein.
- (2) No unauthorized person shall break open or assist in any matter, either directly or indirectly, in breaking open any Animal Shelter established by the Village under the provisions of this Bylaw.
- (3) No person shall hinder, delay, or obstruct any person or persons engaged in capturing, attempting to capture or taking to the Animal Shelter any Dog liable to be impounded under the provisions of this Bylaw.

SECTION 9 – ANIMALS IN VEHICLES

- (1) No person shall leave a Dog unattended in a vehicle unless the Dog is restrained so as to prevent it from coming into contact with any other person or Animal outside the motor

vehicle.

- (2) Any person leaving an Animal unattended in a vehicle shall ensure that suitable ventilation is provided for the Animal.
- (3) No person shall leave a Dog in the open box area of a truck or open trailer while the truck or trailer is in motion.
- (4) No person shall leave a Dog unattended in the open box area of a truck or an open trailer while the truck or trailer is parked.
- (5) The owner of a Vehicle involved in an offence referred to in sections 9(1) – 9(4) is guilty of the offence, unless the Vehicle owner satisfies the Court that the Vehicle was
 - a) not being driven or was not parked by the owner of the Vehicle; and
 - b) that the person driving or parking the Vehicle at the time of the offence did so without the Vehicle owners expressed or implied consent.

SECTION 10 – OTHER OFFENCES

- (1) No person shall tease, torment, annoy, abuse, or injure any Dog or Animal.
- (2) No person shall untie, loosen, or otherwise free a Dog which is not in distress unless such person has the authorization of the Owner.

SECTION 11 – RABID DOG

- (1) Any Dog suspected of being rabid shall immediately be report to the Health Authority and, upon instruction, shall be forthwith released by the Owner into custody of and be confined by the Animal Control Officer at the expense of said Owner for the period of up to fourteen (14) days or such period of time specified by the said Health Authority. Any Dog taken into custody and confined shall not be destroyed unless the Medical Officer of the Health Authority orders its destruction.

SECTION 12 – LIVESTOCK

- (1) No person shall keep Livestock in the Village.
- (2) Notwithstanding Section 12(1), a person may keep Urban Chickens if approved by and in compliance with any other bylaw in the Village of Rosemary.

SECTION 13 – PENALTIES

- (1) Any Person who contravenes any provisions of this Bylaw is guilty of an offence and is liable to a penalty, as set out in Schedule “B” of this Bylaw.
- (2) Where a Peace Officer or Animal Control Officer believes on reasonable and probable grounds that a person has contravened any provision of this Bylaw, a Peace Officer or Animal

Control Officer may serve upon such person a Violation Tag either personally or by delivering it to the person at their residence with a person on the premises who appears to be at least eighteen (18) years of age or by delivery to their residence by mail and such service shall be adequate for the purpose of this Bylaw.

- (3) A Violation Tag shall be in such form as determined by the Village and shall state:
 - a) the section of the Bylaw which was contravened; and
 - b) the fine which is provided for within schedule "B" of this Bylaw, including any amendments or additions thereto, that will be accepted by the County in lieu of prosecution.
- (4) If a Violation Tag issued pursuant to this Bylaw is presented within fourteen (14) days from the issue thereof, together with payment to the County of the specified penalty and/or fee, the person to whom the Violation Tag was issued will not be liable for prosecution for the contravention in respect of which the Violation Tag was issued.
- (5) Notwithstanding the provisions of this Bylaw, a person to whom a Violation Tag has been issued may exercise his right to defend any charge of committing a contravention of any provision of this Bylaw.

SECTION 14 - SUMMARY CONVICTION

- (1) A Person who contravenes a provision of this Bylaw by doing something they are prohibited from doing, or by failing to do something which they are required to do, or by doing something in a manner different from that in which they are required or permitted to do by this Bylaw, is guilty of an offence and upon summary conviction, liable to a fine of not more than ten thousand (\$10,000) dollars.
- (2) The specified penalty in respect of a contravention of this Bylaw is the amount set out in "Schedule A" of this Bylaw.
- (3) A Judge, in addition to the penalties otherwise provided in this Bylaw, may, if the Judge considers it necessary in the public interest, direct or order the Owner of an Dog to take measures to ensure that the Dog stops doing or repeating the act complained of, or to have the Dog removed from the Village, or to have the Dog destroyed.
- (4) A Judge, after convicting the Owner of a dog of an offence under this Bylaw, may, in addition to any other penalties imposed or orders made, without further notice or hearing, declare the dog to be a Vicious Dog.

SECTION 14 – SEVERABILTIY

- (1) It is the intention of Council that each separate provision of this Bylaw shall be deemed independent of all other provisions herein and it is the further intention of Council that if any

provisions of the Bylaw is declared invalid, all other provisions hereof shall remain valid and enforceable.

SECTION 15 – COME INTO FORCE

- (1) This Bylaw shall come into force and effect when it has received third reading and has been duly signed.

SECTION 16 – REPEAL

- (1) This Bylaw shall repeal Bylaw #407-09 and amendments upon this Bylaw coming into force in accordance with Section 15(1)

READ a first time this 16th day of June 2020.

READ a second time this 21st day of July 2020.

READ a third time and passed this 18th day of August 2020.

Bill Marshall, Mayor

Sharon Zacharias, CAO

Schedule A
LICENSING FEES

Fee schedule:		Fee
1.	One time License for a Dog	\$40.00
2.	Yearly License for a Vicious Dog	\$100.00
3.	Replacement License Tag	\$5.00
4.	Yearly Animal Fancier License	\$100.00

Schedule B
PENALTIES

SECTION	OFFENCE (Described)	MINIMUM PENALTY	SPECIFIED PENALTY
3(1)	Unlicensed Dog	\$100.00	\$150.00
3(3)	Providing false/misleading information	\$500.00	\$750.00
3(5)	Dog not wearing License Tag while off Owners property	\$75.00	\$100.00
3(11)	Unauthorized removal of Dog collar and tag	\$75.00	\$100.00
4(1)	Owner fail to provide adequate food, water, care, protection, shelter, ventilation, or space	\$300.00	\$500.00
4(2)	Exceed allowed number of Dog(s)	\$250.00	\$500.00
4(3)	Owner of a Dog At Large		
	Licensed:	\$100.00	\$100.00
	Unlicensed:	\$150.00	\$200.00
4(5)	Owner of a Dog which barks, howls, or makes another noise thereby disturbing the quiet or repose of any person	\$150.00	\$200.00
4(6)	Owner of an Animal that causes damage to property	\$150.00	\$300.00
4(7)	Owner of a Dog that is present in area where prohibited by sign	\$100.00	\$150.00
4(8)(a)	Owner of a Dog that bites, attacks, harasses, threatens, barks at, chases or injures any person	\$350.00	\$500.00
4(8)(b)	Owner of a Dog that bites and causes a Serious Wound to a person	\$500.00	\$1,000.00
4(8)(c)	Owner of a Dog that bites, attacks, harasses, threatens, barks at, chases, injures any bird, reptile, amphibian, or mammal	\$250.00	\$500.00
4(8)(d)	Owner of a Dog that causes the death of any bird, reptile, amphibian or mammal	\$500.00	\$1,000.00
4(8)(e)	Owner of a Dog that bites, barks at, or chases any Vehicle	\$100.00	\$150.00
4(9)	Owner of a Dog or Cat fail to remove defecation immediately from property which is not the owner's property	\$100.00	\$150.00
4(10)	Owner permits Animal suffering from a communicable disease to be in a public place/proximity of disease-free Animals	\$100.00	\$200.00
4(11)	Any person interfering, impeding, or hindering a Peace Officer or Animal Control Officer	\$500.00	\$750.00
4(12)	Owner fail to retain Animal waste on Owner's property	\$75.00	\$100.00
4(13)	Fail to dispose of Animal waste in a sanitary manner	\$75.00	\$100.00
4(14)	Owner of Dog or Cat that scatters contents of waste receptacle on property not belonging to owner	\$75.00	\$100.00
5(1)	Animal Fancier License possesses more than five (5) Animals	\$250.00	\$500.00

5(2)	Any person operates as an Animal Fancier Program without License	\$500.00	\$500.00
5(7)(a)	Owner listed on fancier license permit Animals to cause noise which disturbs the peace of others	\$250.00	\$500.00
5(7)(b)	Owner listed on fancier license permit Dog(s) to cause a nuisance to others	\$250.00	\$500.00
6(6)(a)	Fail to keep Vicious Dog in an enclosed pen while outside	\$400.00	\$500.00
6(6)(b)	Fail to keep Vicious Dog muzzled while on leash	\$400.00	\$500.00
6(6)(c)	Fail to post Vicious Dog signs as required	\$400.00	\$500.00
8(1)	Any person removing of an Animal from any Animal Shelter when not authorized to do so	\$250.00	\$500.00
8(2)	Unauthorized person or person assisting in breaking open an Animal Shelter	\$250.00	\$500.00
8(3)	Any person interfering or hindering the capture of a Dog	\$500.00	\$750.00
9(1)	Dog left unattended and unrestrained in motor vehicle	\$150.00	\$150.00
9(2)	Leave Animal unattended in vehicle without suitable ventilation	\$150.00	\$250.00
9(3)	Dog in open box of truck or trailer while in motion	\$150.00	\$150.00
9(4)	Dog unattended in open box area of truck or open trailer while parked	\$150.00	\$150.00
10(1)	Any person teasing, tormenting, annoying, abusing, or injuring any Animal	\$350.00	\$500.00
10(2)	No Person shall untie, loosen, or otherwise free an Animal which is not in distress unless such person has the authorization of the Owner	\$150.00	\$250.00
12(1)	Have livestock in the Village	\$150.00	\$250.00

Schedule C FEES

ANIMAL IMPOUNDMENT FEES

\$20.00 per Animal per occurrence

Daily Care and sustenance fee

\$20.00 per Animal per Day