



## **BYLAW NO. 1840**

### **ANIMAL CONTROL BYLAW**

**A BYLAW OF KNEEHILL COUNTY, IN THE PROVINCE OF ALBERTA, TO PROVIDE FOR THE LICENSING, REGULATING, AND CONTROL OF DOGS, HENS, and ANIMALS.**

**WHEREAS** the Council of Kneehill County wishes to establish a bylaw to regulate, license, and control Dogs, Hens, and Animals within Kneehill County.

**AND WHEREAS** pursuant to the *Municipal Government Act, R.S.A. 2000*, a Council may establish bylaws for the purpose of licensing, regulating, and controlling Dogs, Hens, and Animals, and activities in relation to them;

**NOW THEREFORE**, the Council of Kneehill County, duly assembled, enacts as follows:

#### **PART ONE INTRODUCTION**

##### **1. TITLE**

This Bylaw shall be known as the "Animal Control Bylaw".

##### **2. SCOPE**

This Bylaw is applicable within all Land Use Bylaw Districts, as described in the County's Land Use Bylaw as amended from time to time.

##### **3. DEFINITIONS**

**In this bylaw the following words and phrases mean:**

3.1 "Animal" means any bird, reptile, amphibian or mammal excluding humans and wildlife, unless otherwise defined in the bylaw;

3.2 "Animal Nuisance" means and includes any use of or activity upon any premises which is offensive to any person acting reasonably, or has or may be reasonably expected to have a detrimental impact upon any person or other premises in the neighborhood or is an imminent danger to public health or safety, or materially depreciates the value of other land or improvements on adjacent land, and may include the following:

- (a) Noise;
- (b) Trespass upon property;
- (c) Threat to public health;
- (d) Accumulation of animal waste;
- (e) Accumulation of material contaminated by animal waste;

- (f) Inappropriate disposal of dead stock;
- (g) Lack of adequate containment or shelter;

which in the opinion of an Enforcement Officer, having regard for all circumstances is obnoxious or likely to unreasonably detract from the comfort, repose, health, peace or safety of persons or property within the boundaries of the County.

3.3 "At Large" or "Running at Large" means a Dog, Working Dog, Vicious Dog or Animal which is off the premises of its Owner and is not under the effective, immediate and continuous control of its Owner; and

3.4 "Attack" means an action that harmfully affects or begins to harmfully affect any human or animal;

3.5 "Bite" means any injury to the skin causing it to bruise, puncture, or break;

3.6 "CAO" means Chief Administrative Officer or designate, of Kneehill County;

3.7 "Controlled Confinement" means the confinement or seizure of a Dog in either the facility contracted by the County or at any other location specified in the order so as to cause that Animal to be confined in a pen, cage, or building in a manner that will not allow the Animal to bite or harm any person, Animal or Livestock;

3.8 "Council" means the Council of Kneehill County;

3.9 "County" means Kneehill County;

3.10 "Coop" means a fully enclosed weather proof structure and attached outdoor enclosure used for the keeping of Hens, that is no larger than 10m<sup>2</sup> (107.64 ft<sup>2</sup>) in a floor area and no more than 2.5m (8.20 ft) in height;

3.11 "Dangerous Dog" means a Dog deemed to be a Dangerous Dog pursuant to the *Dangerous Dogs Act*, R.S.A. 2000 c. D-3, as amended;

3.12 "Development Authority" as defined under the current Land Use Bylaw, as amended from time to time.

3.13 "Dog" means either a male or female of the canine species;

3.14 "Dog License Tag" means an identification tag issued by the County displaying the License number for a specific Dog;

3.15 "Enforcement Officer" means any Peace Officer, Bylaw Officer, RCMP Officer, Animal Control Officer or person authorized by Council to enforce the provisions of this Bylaw;

3.16 "Hamlet" means an unincorporated community administered by and within the boundaries of Kneehill County;

3.17 "Hen" means a domesticated female chicken that is at least 16 weeks of age;

3.18 "Hen Permit" means a permit or Hen License issued by the Development Authority which authorizes the permit holder to keep hens on the property specified in the permit;

3.19 "Impounded" means a Dog or other Animal that has been apprehended, caught, trapped in a live trap, or is otherwise caused to come into the care and custody of an Enforcement Officer pursuant to an investigation or apparent breach of this Bylaw or other Federal or Provincial Legislation;

3.20 "Impoundment Facility" means the facility established or designated by the County for the impounding of Dogs as set out in this Bylaw;

3.21 "Kennel" means a development as defined as Commercial Kennel within Kneehill County's Land Use Bylaw.

3.22 "License" means a license issued pursuant to this Bylaw;

3.23 "Livestock" means animals such as poultry, horses, cattle, bison, sheep, swine, goats, bees, llamas, fur-bearing animals raised in captivity, and domestic corvids within the meaning of the Livestock Industry Diversification Act.

3.24 "Muzzle" means a device of sufficient strength placed over an Animal's mouth preventing it from biting;

3.25 "Owner" includes any person:

- (a) Named on a License or permit; or
- (b) In actual possession of or control of property where a Dog, Hen, or Animal resides;
- (c) Who has possession or custody of an Animal, either temporarily or permanently or;
- (d) Who harbors an Animal, or allows an Animal to remain on their premises;

3.26 “Premises Identification Number” means an identification number requirement by Provincial authorities for all animal types as defined under Livestock in the Land Use Bylaw.

3.27 “Secure Enclosure” means a building, cage, or fenced area of such construction that will not allow the Animal to jump, climb, dig, or force its way out, and is capable of being locked;

3.28 “Working Dog” means a Dog suitable by training for useful work with Livestock, distinguished from one suitable primarily for pet, show or sporting use, and which Working Dog is kept in the Agriculture District. Examples may include, but are not limited to, herding dogs and guardian dogs.

3.29 “Vicious Dog” means any animal, whether on public or private property, that:

- (a) Has, without provocation, chased, attacked, or bitten any person, Animal, or Livestock causing physical injury and resulting in the issuance of a Violation Ticket under this bylaw; or
- (b) Has, without provocation, chased, attacked or bitten any person or Animal on more than one occasion, with or without causing physical injury, and resulting in the issuance of a Violation Ticket under this bylaw; or
- (c) Has damaged public or private property, resulting in the issuance of a Violation Ticket under this bylaw; or
- (d) Has threatened or created the reasonable apprehension of a threat to any person, Animal or Livestock; or
- (e) Has been previously determined to be a Vicious Dog by any other jurisdiction; or
- (f) Has been made subject to an order under the *Dangerous Dogs Act* R.S.A. 2000 c. D-3, as amended, and;

Which in the opinion of the CAO presents a risk of property damage or personal injury and been declared by the CAO to be a Vicious Dog pursuant to Part 5 of this bylaw;

3.30 “Vicious Dog License” means an identification tag issued by the County displaying the tag number for a Dog that is deemed a Vicious Dog pursuant to this Bylaw;

3.31 "Violation Ticket" means a ticket issued pursuant to Part 3 of the *Provincial Offences Procedures Act*, R.S.A. 2000, c. P-34, as amended, and any regulations thereunder.

## **PART TWO RESPONSIBILITIES OF DOG, HEN and ANIMAL OWNERS**

### **4. RUNNING AT LARGE**

No Owner shall allow a Dog or Animal to be At Large:

- (a) Any Dog, Working Dog, or Animal Running At Large is deemed to be Running At Large for the purposes of this section;
- (b) Any Vicious Dog Running At Large, is deemed to be Running At Large for the purposes of this section.

### **5. NUISANCES**

#### **5.1 Excessive Noise**

- (a) No Owner shall allow a Dog to bark, howl, or create a noise to the extent that such noise disturbs any person.
- (b) No Owner shall allow a Hen to cluck or create a noise to the extent that such noise disturbs any person.
- (c) No Owner shall allow an Animal to create a noise to the extent that such noise disturbs any person.
- (d) When an Enforcement Officer determines whether the noise is reasonably likely to annoy or disturb the peace or quality of life of others, consideration may be given, but is not limited to:
  - I. Proximity of the property where the Animal resides;
  - II. Duration of noise;
  - III. Time of day and day of the week;
  - IV. Nature and use of the surrounding area.
  - V. A completed noise log.

#### **5.2 General Domestic Animal Nuisances**

- (a) Other domestic Animals may be apprehended if they are determined, by an Enforcement Officer, to be causing an Animal Nuisance.

#### **5.3 Defecation**

- (a) The Owner shall immediately remove any defecation left by their Dog on public or private property other than that of the Owner.

- (b) The Owner shall ensure that the defecation left by the Dog on the property of the Owner does not accumulate to such an extent that it is reasonably likely to annoy a person by sight or smell.

#### 5.4 Scattering Garbage

- (a) The Owner of a Dog, Hen or Animal shall ensure that it does not upset any waste receptacle or scatter garbage on public or private property not belonging to the Owner of the Animal.

#### 5.5 Dog in Heat

- (a) An Owner of a Dog in heat shall, during the entire period that the Dog is in heat, keep the Dog confined in a manner so as not to attract other Dogs.
- (b) Where a Dog in heat is confined such Dog shall be permitted out of confinement for the sole purpose of permitting such Dog to urinate or defecate.

#### 5.6 Communicable Diseases

- (a) The Owner of a Dog or other Animal suffering from a communicable disease shall not permit the Dog or other Animal to be in any public place, or to be within proximity to any other Dog or Animal.
- (b) The Owner of a Dog or other Animal shall keep the Dog or other Animal secured, should they have a Communicable Disease.

### **6. THREATENING BEHAVIOURS**

#### 6.1 The Owner of a Dog, Working Dog, or Hen shall ensure that they do not:

- (a) Chase a person, Dog, Livestock, other Animal or any type of vehicle, unless the person chased or threatened is a trespasser on the property of the Owner and the chasing occurs on the property of the Owner;
- (b) Cause damage to another person's property or public property;
- (c) Attack, Bite or threaten, whether or not breaking skin or causing damage to a person, Dog, Hen, Livestock, or other Animal;
- (d) Cause death to a Dog, Hen, Livestock or other Animal;

#### 6.2 The Owner of a Vicious Dog shall ensure that they do not:

- (a) Chase a person, Dog, Livestock, other Animal or any type of vehicle, unless the person chased or threatened is a trespasser on the property of the Owner;

- (b) Cause damage to another person's property or public property;
- (c) Attack, Bite or threaten, whether or not breaking skin or causing damage to a person, Dog, Hen, Livestock or other Animal;
- (d) Cause death to a Dog, Hen, Livestock or other Animal;

6.3 No Owner shall be guilty of an offence in circumstances where a Working Dog is used to herd Livestock or protect Livestock from predators on or off private property with the permission of the Owner of the private property.

### **PART THREE HEN REGULATIONS**

#### **7. PERMITTING & REGULATIONS**

7.1 The Owner of a Hen shall ensure:

- (a) that a Hen Permit and Premises Identification Number are obtained to keep Hens in Districts that Hens are permitted pursuant to the County's Land Use Bylaw, as amended from time to time;
- (b) that a Hen Permit is obtained through the process in the current Land Use Bylaw;
- (c) the applicant resides on the property on which the Hens will be kept.
- (d) that each Hen is provided with food, water, shelter, light ventilation, care and opportunities for essential behaviors such as scratching, dust-bathing, and roosting, as sufficient to maintain the Hen in good health;
- (e) to store feed within a fully enclosed container;
- (f) manure is stored in a fully enclosed container, with no more than three (3) cubic feet of manure at a time;
- (g) removal of all other manure not used for composting or fertilizing, and dispose of the same, in accordance with County bylaws;
- (h) storage of bedding materials does not become unsightly or a fire hazard.

7.2 A Hen Permit is not transferrable from one person to another or from one property to another.

7.3 Following receipt of a Hen Permit, an Enforcement Officer, or Development Officer under the Land Use Bylaw, is authorized to enter upon the property, anytime thereafter, to inspect any place where the Hen is kept to ensure it meets the requirements of this Bylaw and the Land Use Bylaw, and continuously are being met.

7.4 Hens must be kept in a Coop:

- (a) where each Hen is provided with at least 0.37 m<sup>2</sup> (3.98 ft<sup>2</sup>) of interior floor area, and at least 0.92 m<sup>2</sup> (9.9 ft<sup>2</sup>) of outdoor enclosure, within the Coop;
- (b) at least one nest box per Coop and one perch per Hen, that is at least 15 cm (5.9 inches) long must be provided and maintained in the Coop.
- (c) at all times and/or under control of Owner;
- (d) that is in good condition, is not in disrepair, and free from vermin and noxious or offensive smells and substances;
- (e) that is located in the rear yard of the property;
- (f) that is constructed to prevent any rodent from harboring underneath or within it or within its walls, and to prevent entrance by another Animal, and;
- (g) that is secured from sunset to sunrise;

7.5 A person may apply to keep no more than four (4) mature Hens and no less than two (2) mature Hens;

7.6 Hens are not to be released into the wild or buried on the property;

7.7 In the areas designated pursuant to the County's Land Use Bylaw, as amended from time to time, no person shall:

- (a) keep a rooster;
- (b) keep a Hen, other than a Hen for which a valid Hen Permit has been issued;
- (c) sell eggs, manure, meat, or other products derived from Hens;
- (d) slaughter a Hen on the property;
- (e) dispose of a Hen except by delivering it to a farm, abattoir, veterinarian, or other operation that is lawfully permitted to dispose of Hens, or;
- (f) keep a Hen in a cage or any shelter other than a Coop.

7.8. The CAO and/or Development Authority may refuse to grant or renew a Hen Permit under the Land Use Bylaw for the following reasons:



(a) The applicant or permit/license holder does not or no longer meets the requirements of this bylaw or any other applicable bylaw related to the keeping of Hens.

(b) the applicant or permit/license holder:

I. provided false information or misrepresents any fact or circumstance to the CAO or an Enforcement Officer;

II. has, in the opinion of the CAO, Development Authority, or Enforcement Officer based on reasonable grounds, contravened this Bylaw, or any other applicable bylaw related to the keeping of Hens, whether or not the contravention has been prosecuted;

III. fails to pay a fine imposed by a court for a contravention of this Bylaw or any other applicable bylaw related to the keeping of Hens;

IV. fails to pay any fee required by this bylaw or any other applicable bylaw;

V. in the opinion of the CAO, Development Authority or Enforcement Officer, based on reasonable grounds it is in the public interest to do so.

7.9 If for any reason, a Hen Permit is revoked, or is not renewed, the Hens must be removed from the property within 30 days, including the removal of the Coop.

7.10 Hen Permitting shall be issued through the Land Use Bylaw.

#### **PART FOUR DOG & VICIOUS DOG LICENSING**

8.1 The Owner of a Dog shall apply for an annual License for each Dog over six months of age:

- (a) On or before January 31 of the current license year; or
- (b) Within thirty (30) days following the Dog attaining six months of age; or
- (c) Within thirty (30) days of acquiring possession of the Dog; or
- (d) Within thirty (30) days of establishing residence in the County, whichever date is later.

8.2 No Owner shall have any more than three (3) Dogs over the age of six months within a Hamlet, as defined in this bylaw.

8.3 The Owner of a Dog shall ensure that their Dog wears the current Dog License Tag issued for that Dog, when the Dog is off the property of the Owner.

8.4 Vicious Dog Licensing

- (a) The Owner of a Dog who has been declared a Vicious Dog shall obtain an annual license for that Vicious Dog.
- (b) The Owner of the Vicious Dog shall ensure that their Dog wears the current Vicious Dog Tag issued for that Dog at all times.

8.5 When applying for a License for a Dog, or Vicious Dog under this Bylaw, the Owner shall provide the following:

- (a) A description of the Dog, or Vicious Dog including breed, name, gender, age, rabies vaccine information, any other vaccine information, and information establishing that the Dog or Vicious Dog is neutered or spayed;
- (b) The name, date of birth of the Dog or Vicious Dog, address, and telephone number of the Owner(s);
- (c) Microchip numbers, tattoo information or any other identifying markers on the Dog or Vicious Dog;
- (d) Where capable the Owner shall provide a photo of the Dog;
- (e) All owners of Vicious Dogs shall provide a photo of the Vicious Dog.

8.6 The Owner named on any license shall be at least eighteen (18) years of age.

8.7 No person shall give false information when applying for a license pursuant to this Bylaw.

8.8 An Owner shall promptly notify the County of any changes with respect to any information provided in an application for a license under this Bylaw.

8.9 A license issued pursuant to this Bylaw is not transferable from one person to another or from one property to another.

8.10 An issued license is valid only for the period between January 1 to December 31 in the year for which it is issued and is required to be renewed annually.

8.11 The Owner of any Dog, Vicious Dog, Hen or other Animal which requires further licensing or permits not covered in this Bylaw shall ensure they have such licenses or permits.

8.12 Upon losing a Dog License Tag or a Vicious Dog License Tag, an Owner shall request a replacement forthwith.

8.13 Licensing provisions of this Bylaw shall not apply to a Dog accompanying a person temporarily in the County on business or vacation for a period not exceeding thirty (30) days.

8.14 Licensing may be revoked if any of the following occur:

- (a) The County receives complaints from two or more sources which the County determines to be bona fide;
- (b) The license holder does not comply with the conditions of the license;
- (c) The license holder is guilty of an offence pursuant to this Bylaw;
- (d) The license holder is not adhering to applicable provincial legislation governing the welfare and management of Dogs; or
- (e) At the written request of the license holder.

8.15 The Owner of a Dog deemed to be a Dangerous Dog through the Dangerous Dogs Act must comply with the Vicious Dog sections contained within this bylaw, as the Dangerous Dog will also be considered a Vicious Dog under this bylaw.

8.16 The Owner of a Working Dog is exempt from Licensing provisions of this bylaw provided however that in the event a Working Dog is designated as a Vicious Dog, the requirements of Part 5 shall apply to the Working Dog in question.

## **PART FIVE      VICIOUS DOGS**

9.1 If the CAO determines that a Dog is a Vicious Dog, the Owner shall:

- (a) Be given a written order that the Dog may be determined to be a Vicious Dog.
- (b) Be required to keep the Dog in Controlled Confinement;

9.2 An Owner shall keep or have a Vicious Dog within a Hamlet if the County has informed the Owner that the County intends to apply for an application to declare the Vicious Dog as a Dangerous Dog. The Owner shall immediately re-locate the Vicious Dog to be in compliance with this requirement if required.

- 9.3 Under this Bylaw, a Vicious Dog order continues to apply if the Vicious Dog is sold, given, or transferred to a new Owner.
- 9.4 The Owner of a Dog who has received a notice that their Dog has been declared a Vicious Dog pursuant to Section 8 of this Bylaw within fourteen (14) days after the date of the decision was communicated to the person or Owner respectively, may by written notice request the CAO review the decision. After reviewing the decision, the CAO may confirm, cancel or amend the decision.
- 9.5 The Owner of a Dog who has received a notice that their Dog has been declared a Vicious Dog pursuant to Section 8 of this Bylaw following one (1) year after the date of the decision was communicated to the Person or Owner respectively, may by written notice request the CAO review the decision. After reviewing the decision, the CAO may confirm, cancel or amend the decision.
- 9.6 The Owner of a Vicious Dog shall:
- (a) Complete an application as set out by the County.
  - (b) Supply proof that:
    - (i) the Dog has been tattooed or implanted with an electronic identification microchip;
    - (ii) the Dog has a current vaccination for rabies;
    - (iii) the Dog has been spayed or neutered by a veterinarian;
    - (iv) have liability insurance specifically covering any damages from personal injury caused by the Vicious Animal of not less than three million dollars (\$3,000,000);
    - (v) post the required signage, in accordance with Section 9.6 of this Bylaw; and
    - (vi) the Owner has a Secure Enclosure capable of preventing entry of any person except the Owner, and escape of the Dog, in accordance with Section 9.7 of this Bylaw.
  - (c) Upon receipt of an application referred to in subsection (a) herein, the CAO may require the Owner or any other person with custody or possession of the Vicious Dog to attend whatever classes or training, with or without the Vicious Dog, as identified by the CAO to be required. Any person who fails to attend

training as required pursuant to this subsection (c) is in contravention of this Bylaw and guilty of an offence.

- (d) At all times when the Vicious Dog is off of the property of the Owner, or any other person having care or control of the Vicious Dog, shall ensure that the animal is abiding by their Vicious Dog License. Licensing shall require they:
- (i) securely muzzle the Vicious Dog in public,
  - (ii) secure the Vicious Dog in a harness and two leashes both of which shall not exceed 1.0 meter in length and is adequate to control the Vicious Dog, and
  - (iii) be under the constant control of a competent person who is at least eighteen (18) years of age.
- (e) When selling or otherwise giving the Vicious Dog to a new Owner, fully inform the new Owner that the Dog has been declared a Vicious Dog by the County;
- (f) If the Vicious Dog is At Large the Owner is to notify the County immediately, and if there is a concern for public safety notify the RCMP immediately.

9.7 Signage - The Owner of a Vicious Dog shall:

- (a) Display the required signage, as set out in Schedule A of this Bylaw, at each entrance to the Owner's property and on the secure enclosure in which the Vicious Dog is confined;

9.8 Enclosure Requirements for a Vicious Dog shall be:

- (a) a minimum dimension of 1.5 meters by 3.0 meters, and 2.0 meters in height;
- (b) Have secure sides and a secure top, and if it has no bottom secured to the sides, the sides must be embedded into the ground a minimum of 30 centimeters;
- (c) Not be located within 2.0 meters of the property line of the Owner or within 5.0 meters of a neighboring residential dwelling;
- (d) Provide shelter from the elements.

9.9 Inspection of Vicious Dog and Enclosure

- (a) Upon receipt of a written application to license a Vicious Dog, an Enforcement Officer is authorized to enter upon the property of the Owner to inspect any place where the Vicious Dog will be kept, including, but not limited to the Secure Enclosure, to ensure it meets the requirements of this Bylaw.

9.10 No Owner of a Vicious Dog may own, keep, or have more than one (1) Vicious Dog on the premises at any time.

9.11 No Owner of a Vicious Dog may leave a Vicious Dog unattended

- (a) While tethered or tied on a premises where the public has access whether the access is express or implied.
- (b) In a vehicle where the public has access whether the access is express or implied.

9.12 For the purposes of this Bylaw any Dog having been deemed a Vicious Dog or a Dangerous Dog by another municipality may be determined to be a Vicious Dog under Part 5.1 of this Bylaw.

## **PART SIX      GENERAL**

10.1 No person shall tease, torment, annoy, abuse, injure, or neglect any Dog, Animal, or Hen.

10.2 No person shall lead, ride or drive any Livestock within a Hamlet with the exception of events approved by the CAO such as parades or rodeos.

## **PART SEVEN    IMPOUNDMENT**

11.1 An Enforcement Officer, and/or the contracted Enforcement agency under the direction of the County may capture and impound any Dog, Working Dog, Animal or Vicious Dog:

- (a) Found Running at Large; or
- (b) Which has bitten, or is alleged to have bitten a person or Dog or Animal; or
- (c) Which is required to be impounded pursuant to the provisions of any Statute of Canada or the Province of Alberta, or any Regulation made thereunder.

11.2 Impounded Dogs, Working Dogs, Vicious Dogs or Animals shall be maintained in an Impoundment Facility, contracted by the County, for no less than five (5) days, during which time the Dog, Working Dog, Vicious Dog or Animal shall be advertised as being incarcerated.

- (a) After the designated impoundment time, the Dog, Working Dog, Vicious Dog or Animal may be sold for an amount not less than the impoundment fees and costs; or

- (b) A person claiming an impounded Dog, Working Dog, Vicious Dog or Animal shall pay to the pound keeper an amount no less than the impoundment fees and costs; or
- (c) the Dog, Working Dog, Vicious Dog or Animal may be destroyed.

11.3 A Dog, Working Dog or Vicious Dog that is Impounded under a Controlled Confinement order pursuant to this Bylaw may be released back to its Owner upon conclusion of the Enforcement Officer's investigation provided all the requirements of this Bylaw have been met.

11.4 A Dog, Working Dog or Vicious Dog may be Impounded pending the outcome of an application pursuant to the *Dangerous Dogs Act*.

#### **PART EIGHT CONTROLLED CONFINEMENT ORDER**

12.1 An Enforcement Officer who believes an offence has been committed under Part Two (2) of this Bylaw, may order the Controlled Confinement of the Dog, Working Dog or Vicious Dog.

12.2 An Owner shall follow all conditions as stipulated in the Controlled Confinement Order.

#### **PART NINE OBSTRUCTION**

13.1 No person shall:

- (a) Interfere, hinder or impede an Enforcement Officer from enforcing the provisions of this Bylaw;
- (b) Induce an Animal to enter a house or other place where it may be safe from capture or otherwise assist the Animal to escape capture;
- (c) Unlock, unlatch or otherwise open an Enforcement Officer's vehicle to allow or attempt to allow an Animal to escape;
- (d) Tamper with, unlock, unlatch, or otherwise open a kennel, humane live trap, or any other Enforcement equipment;
- (e) Failing, without lawful excuse, to follow any direction under this Bylaw given by an Enforcement Officer;
- (f) Untie, loosen or otherwise free an Animal which has been tied or otherwise restrained, or;

- (g) Negligently or willfully open a gate, door or other opening in a fence or enclosure in which an Animal has been confined thereby allowing the Animal to Run at Large within the County.

## **PART TEN POWERS OF AN ENFORCEMENT OFFICER**

14.1 An Enforcement Officer may:

- (a) Conduct patrols within various locations of the County for the purposes of enforcing the provisions of this Bylaw; or
- (b) Impound or cause to be impounded any Dog, Vicious Dog or Animal which is found to be Running At Large.

14.2 An Enforcement Officer or any person designated by the Council to do so may post signs indicating those public property areas within the County where Dogs, Working Dogs or Vicious Dogs are not permitted.

## **PART ELEVEN FINES AND PENALTIES**

15.1 Every Owner who contravenes any of the provisions of this Bylaw by:

- (a) Doing any act or thing which the person is prohibited from doing; or,
- (b) Failing to do any act or thing which the person is required to do, or,
- (c) Failing to obey lawful direction given by an Enforcement Officer is guilty of an offence.

15.2 Any person convicted of an offence pursuant to the Bylaw is liable for a penalty specified in Schedule "B" – "Penalties" of this Bylaw.

15.3 An Enforcement Officer may issue a violation ticket requiring the court appearance of the defendant, pursuant to the provisions of the *Provincial Offences Procedure Act, R.S.A. 2000*.

## **PART TWELVE TRANSITION**

### **16. SEVERABILITY**

If a portion of this bylaw is found by a court of competent jurisdiction to be invalid, the invalid portion will be voided, and the rest of the bylaw remains valid and effective.

### **17. EFFECTIVE DATE**

This bylaw comes into effect upon third reading of this bylaw.



**18. BYLAW REPEAL**


Bylaw No. 1714 is hereby repealed.

**READ** a first time on this 8<sup>th</sup> day of June, 2021.

**READ** a second time on this 8<sup>th</sup> day of June, 2021.

**UNANIMOUS** permission for third reading given in Council on the 8<sup>th</sup> day of June, 2021.

**READ** a third time and final time of this 8<sup>th</sup> day of June, 2021.

  
\_\_\_\_\_  
Reeve  
Jerry Wittstock

  
\_\_\_\_\_  
Chief Administrative Officer  
Mike Haugen

  
\_\_\_\_\_  
Date Bylaw Signed

**SCHEDULE "A"**

Warning signs for a Vicious Dog must meet the following specifications:

1. Be a minimum six (6) by six (6) inches (15 cm by 15 cm) in size.
2. Contain the word "WARNING" or "DANGER" in a minimum  $\frac{3}{4}$  (2 CM) size font.
3. Contain wording identifying a "VICIOUS DOG on Premises".
4. Contain a visual warning symbol of a Dog.
5. Be made of a ridged material that is resistant to weather and capable of being attached outdoors to a secure enclosure or fence.

## SCHEDULE "B"

Section	Offence Description	1st Offence	2nd Offence	3rd Offence
<b>Part Two</b>				
4 (a)	Allow a Dog, Working Dog or Animal to Run At Large	\$50.00	\$100.00	COURT
4 (b)	Allow a Vicious Dog to Run At Large	\$250.00	\$500.00	COURT
5.1	Excessive noise disturbing the peace of any person	\$50.00	\$100.00	COURT
5.3 (a)	Failure to remove defecation immediately	\$50.00	\$100.00	COURT
5.3 (b)	Failure to remove defecation from Owner's property	\$50.00	\$100.00	COURT
5.4	Allow scattering of garbage	\$50.00	\$100.00	COURT
5.5	Fail to keep a female Dog confined while in heat	\$50.00	\$100.00	COURT
5.6	Allow Dog or Animal with communicable disease in public place or unsecured	\$50.00	\$100.00	COURT
6.1 (a)	Chase a person, Dog, Working Dog, Hen, Livestock, Animal or any type of vehicle	\$50.00	\$100.00	COURT
6.1 (b)	Cause damage to property	\$50.00	\$100.00	COURT
6.1 (c)	Attack, bite or threaten, breaking skin	\$100.00	\$200.00	COURT
6.1 (d)	Cause death to a Dog, Hen, Livestock or other Animal	\$250.00	\$500.00	COURT
6.2 (a)	Vicious Dog chased a person, Dog, Livestock, Animal or any type of vehicle	\$100.00	\$200.00	COURT
6.2 (b)	Vicious Dog caused damage to property	\$100.00	\$200.00	COURT
6.2 (c)	Vicious Dog attack or bite causing damage, to person, Dog, Hen, Livestock, or Animal	\$250.00	\$1000.00	COURT
6.2 (d)	Vicious Dog caused death to a Dog, Hen, Livestock or other Animal	\$500.00	\$1000.00	COURT
<b>Part Three</b>				
7.1 (a)	Not obtaining a Premises Identification Number	\$100.00	\$150.00	COURT
7.1 (b)	Not obtaining a Hen Permit through the Land Use Bylaw	\$100.00	\$150.00	COURT
7.1 (d)	Hen not provided with adequate food, water, shelter, light, ventilation, care or opportunities for essential behaviors	\$100.00	\$250.00	COURT
7.1 (e)	Storage of feed in an enclosed container	\$50.00	\$100.00	COURT

7.1 (f)	Manure not stored in a fully enclosed container or more than 3 cubic feet of manure stored at the same time.	\$50.00	\$100.00	COURT
7.1 (g)	Not disposing of manure correctly	\$50.00	\$100.00	COURT
7.1 (h)	Storage of bedding materials that have become unsightly or a fire hazard	\$50.00	\$100.00	COURT
7.4 (a) and (b)	Coop does not meet measurement requirements	\$50.00	\$100.00	COURT
7.4 (c)	Hen out of Coop	\$50.00	\$100.00	COURT
7.4 (d)	Allowing Coop to not be in good condition, in disrepair	\$50.00	\$100.00	COURT
7.4 (e)	Coop not located in rear yard	\$50.00	\$100.00	COURT
7.4 (f)	Coop does not prevent entrance of animals	\$50.00	\$100.00	COURT
7.4 (g)	Failure to keep the Coop secured from sunrise to sunset	\$50.00	\$100.00	COURT
7.5	Keeping more than or less than the permitted Hens	\$50.00	\$100.00	COURT
7.6	Released Hen into the wild	\$100.00	\$200.00	COURT
7.6	Buried Hen on property	\$50.00	\$100.00	COURT
7.7 (a)	Keeping a rooster	\$50.00	\$100.00	COURT
7.7 (b)	Keeping a Hen without a valid permit	\$50.00	\$100.00	COURT
7.7 (c)	Selling products derived from Hens	\$100.00	\$200.00	COURT
7.7 (d)	Slaughtered Hen(s) on the property	\$100.00	\$200.00	COURT
7.7 (e)	Dispose of a Hen improperly	\$100.00	\$200.00	COURT
7.7 (f)	Improper shelter for Hen	\$50.00	\$100.00	COURT
<b>Part Four</b>				
8.1	Failure to apply for an annual Dog License	\$50.00	\$100.00	COURT
8.2	Exceeding the limit of Dogs	\$50.00	\$100.00	COURT
8.3	Failure to affix Dog License Tag, while off property	\$50.00	\$100.00	COURT
8.3 (b)	Failure to apply for an annual Vicious Dog License	\$100.00	\$150.00	COURT
8.8	Failure to affix Vicious Dog Tag	\$50.00	\$100.00	COURT
8.10	Transferring a license from one person to another or from one property to another	\$50.00	\$150.00	COURT
8.11	Failure to ensure Dog, Hen or Animal Owner has proper licenses or permits	\$50.00	\$150.00	COURT
<b>Part Five</b>				
9.6	Fail to provide information for Vicious Dog licensing	\$50.00	\$100.00	COURT

9.6 (c)	Fail to abide by condition of training for Owner, with or without the Vicious Dog	\$250.00	\$500.00	COURT
9.6 (d)	Fail to abide by conditions set out by a Vicious Dog License	\$250.00	\$500.00	COURT
9.6 (e)	Failure to notify new ownership of Vicious Dog	\$250.00	\$500.00	COURT
9.6 (f)	Failure to notify Vicious Dog at Large	\$250.00	\$500.00	COURT
9.7	Failure to provide adequate signs	\$250.00	\$500.00	COURT
9.8	Failure to provide adequate enclosure for Vicious Dog	\$100.00	\$250.00	COURT
9.10	More than one Vicious Dog on the premises	\$250.00	\$500.00	COURT
9.11	Vicious Dog left unattended	\$250.00	\$500.00	COURT
<b>Part Six</b>				
10.1	Tease, torment, annoy, abuse, injure, or neglect Dog, Animal or Hen	\$200.00	\$400.00	COURT
10.2	Lead or ride Livestock within Hamlet	\$100.00	\$200.00	COURT
<b>Part Eight</b>				
12.2	Failure to comply with a Controlled Confinement Order	\$250.00	\$500.00	COURT
<b>Part Nine</b>				
13.1 (a)	Interfere, hinder or impede an Enforcement Officer from enforcing Bylaw	\$250.00	\$500.00	COURT
13.1 (b)	Hide an animal from an Enforcement Officer	\$250.00	\$500.00	COURT
13.1 (c)	Let an Animal out of an Enforcement Officer's vehicle	\$250.00	\$500.00	COURT
13.1 (d)	Tamper with Enforcement equipment	\$250.00	\$500.00	COURT
13.1 (e)	Fail to follow direction of Enforcement Officer	\$250.00	\$500.00	COURT
13.1 (f)	Release Animal from restraint	\$250.00	\$500.00	COURT
13.1 (g)	Release an animal which was confined, allowing animal to Run At Large	\$250.00	\$500.00	COURT

\*All penalties subject to increases at the Enforcement Officer's discretion if convicted for the same offence more than once.