

**BY-LAW # 223-09
OF THE
VILLAGE OF ALBERTA BEACH
IN THE PROVINCE OF ALBERTA**

**BEING A BYLAW FOR THE MUNICIPALITY OF ALBERTA BEACH TO PROVIDE
FOR THE LICENSING REGULATION AND CONTROL OF
ANIMALS IN THE MUNICIPALITY OF ALBERTA BEACH**

WHEREAS, pursuant to section 7(a) of the *Municipal Government Act*, a council may pass bylaws for municipal purposes respecting the safety, health and welfare of people and the protection of people and property; and

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

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

AND WHEREAS, pursuant to section 8 of the *Municipal Government Act*, a council may in a bylaw:

- (a) regulate or prohibit; and
- (b) provide for a system of licenses, permits or approval including any or all of the matters listed therein.

NOW THEREFORE the Council of Alberta Beach, in the Province of Alberta, duly assembled hereby enacts as follows:

1. TITLE

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

2. INTERPRETATION AND APPLICATION

In this Bylaw unless the context otherwise requires:

- (a) "**Animal**" includes a dog, fowl, domesticated livestock and horse.
- (b) "**Animal Services Centre**" means a facility established for the holding of impounded animals as set out in this Bylaw.
- (c) "**Animal Services Supervisor**" means the Patrol Department Manager of the Municipality of Alberta Beach or his designate.
- (d) "**Bylaw Enforcement Officer**" means a person appointed by the Municipality pursuant to the provisions of Section 111.1 of the *Municipal Government Act*, Community Peace Officer employed by the Municipality, or a person or persons employed by a corporate body on contract with the Municipality of Alberta Beach to enforce bylaws and also shall include members of the Royal Canadian Mounted Police.
- (e) "**Cemetery**" means land managed and controlled by the Municipality of Alberta Beach that is set apart or used as a place for the burial of dead human bodies or other human remains or in which dead human bodies or other human remains are buried;
- (f) "**Municipality**" means the Municipal Corporation of the Municipality of Alberta Beach or the area contained within the boundary thereof as the context requires.
- (g) "**Former Owner**" means the person who at the time of impoundment was the owner of an animal which has subsequently been sold or destroyed.
- (h) "**Fowl**" includes chickens, ducks, turkeys, and geese.
- (i) "**Justice**" has the meaning as defined in the *Provincial Offences Procedure Act* S.A.1988 Chapter P-21.5 as amended or replaced from time to time.
- (j) "**Leash**" means a chain or other material capable of restraining the dog on which it is being used.
- (k) "**Owner**" means a natural person or body corporate who has legal title to the animal, and includes any person who has possession or custody of the animal, either temporarily or permanently, or harbours the animal, or allows the animal to remain on their premises or vehicle.

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- (l) **"Park"** means a public space controlled by the Municipality and set aside as a Park to be used by the public for rest, recreation, exercise, pleasure, amusement, and enjoyment and includes:
- (i) playgrounds;
 - (ii) natural areas;
 - (iii) sports fields;
 - (iv) pathways;
 - (v) trails; and
 - (vi) park roadways;
- (m) **"Provincial Court"** means The Provincial Court of Alberta.
- (n) **"Pathway"** means a multi-purpose thoroughfare controlled by the Municipality and set aside for use by pedestrians, cyclists and persons using wheeled conveyances, which is improved by asphalt, concrete or brick, whether or not it is located in a Park, and includes any bridge or structure with which it is contiguous.
- (o) **"Playground"** means land within the Municipality and controlled by the Municipality upon which apparatus such as swings and slides are placed.
- (p) **"Peace Officer"** means a member of the Royal Canadian Mounted Police, a member of a Provincial Police Agency sworn in for police duties, a Village of Alberta Beach Bylaw Enforcement Officer, or a Community Peace Officer appointed by the Solicitor General of Alberta with jurisdiction within the Municipality, whether in uniform or not;
- (q) **"Permanent Resident"** for the purposes of this bylaw; is a person that stays at a residence within the Municipality for a period in excess of 30 days annually or their address is listed on their Alberta drivers license as an Alberta Beach address.
- (r) **"Running at Large"** means:
- (i) a dog or dogs which are not under the control of a person responsible by means of a leash and is or are actually upon property other than the property in respect of which the owner of the dog or dogs has the right of occupation, or upon any highway, thoroughfare, street, road, trail, avenue, parkway, lane, alley, square, bridge, causeway, trestleway, sidewalk (including the boulevard portion of the sidewalk) park or other public place which has not been designated as an off leash area by the the Municipality; or
 - (ii) a dog or dogs which are under the control of a person responsible by means of a leash and which causes damage to persons, property or other animals.
- (s) **"School Ground"** means that area of up to 4 hectares of land adjacent to a school and that is property owned or occupied by the School Division and includes property used for Educational Services which is owned or occupied with another party or the Municipality of Alberta Beach.
- (t) **"Sports Field"** means land within the Municipality and controlled by the Municipality which is set apart and used for the playing of a sport including baseball diamonds, field, rink, hockey or cricket pitches, and rugby, soccer or football fields.
- (u) **"Vicious Dog"** means any dog, whatever its age, whether on public or private property, which has:
- (i) chased, injured or bitten any other domestic 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 other domestic animals or humans; and which, in the opinion of a Justice, presents a threat of serious harm to other domestic animals, humans or
 - (iv) been previously determined to be a vicious dog.
- (v) **"Wading or Swimming Area"** means any area designated as an outdoor wading or swimming area including the Main Beach Area. This shall include any decks surrounding such facility and shall include that area within twenty (20) metres in all directions of the outside dimensions of such facility unless the park boundary is a lesser distance.

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RESPONSIBILITIES OF DOG OWNERS

3. (a) Except in a Park or portion of a Park which has been designated as an "off leash area" by the Municipality, the owner of a dog shall ensure that such dog is not running at large;
- (b) the owner of a dog shall ensure that such dog is under control at all times.

NUISANCE

4. (a) The owner of a dog shall ensure that such dog shall not:
 - (i) bite a person or persons whether on the property of the owner or not; unless the person bitten, chased or threatened is committing a criminal act on the property of the owner;
 - (ii) do any other act that injures a person or persons whether on the property of the owner or not; unless the person injured is committing a criminal act on the property of the owner;
 - (iii) chase or otherwise threaten a person or persons whether on the property of the owner or not, unless the person is committing a criminal act on the property of the owner;
 - (iv) bite, bark at, or chase stock, bicycles, automobiles, or other vehicles;
 - (v) bark, howl or otherwise disturb any person;
 - (vi) cause damage to property or other animals;
 - (vii) 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;
 - (viii) be left unattended in any motor vehicle unless the dog is restricted so as to prevent access to persons as long as such restraint provides for suitable ventilation.
- (b)
 - (i) The owner of a dog shall ensure that such dog does not enter or remain in or on a School Ground, Playground, Sports Field, Wading or Swimming Area, a Pathway; or other area where dogs are prohibited.
 - (ii) Notwithstanding subsection 4(b)(i), the owner of a dog may allow such dog to pass along or across a pathway, including a pathway that runs through an area designated as an off leash area, only if such dog;
 - (a) is secured by a leash of no greater length than two (2) metres;
 - (b) remains on the right hand side of the pathway at all times unless moving around other pathway users; and
 - (c) remains under the owner's control at all times ensuring that the dog does not interfere with or obstruct any other pathway user.
 - (iii) The owner of a dog shall ensure that such dog does not enter or remain in a park or any part of a park or on a pathway which has been designated by the Municipality as an area where dogs are prohibited.
 - (iv) When operating a bicycle, skateboard, in-line skates or non-motorized scooter on a pathway, no Person shall do so with a dog or any other animal on a leash.
 - (v) Notwithstanding subsection 4(b)(ii)(a), in an off-leash area that has been designated by the Municipality, as an area where dogs are not required to be leashed on pathways, every owner of a dog shall ensure that such dog does not sit or stand on a pathway or otherwise obstruct or interfere with users of the pathway.
 - (vi) If a dog defecates on any public or private property other than the property of its owner, the owner shall remove such defecation immediately.
 - (vii) The owner of a dog shall ensure that such dog does not enter or swim in any body of water within a park, unless specifically allowed by the Municipality.
- 4.1 The owner of a dog alleged to be vicious shall be provided notice of a hearing for the determination by the Provincial Court ten (10) clear days before the date of the hearing.
- 4.2 Upon application, if it appears to the Justice that the dog should be declared to be a vicious dog, he shall make an order in a summary way declaring the dog as a vicious dog.

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- 4.3 The owner of a vicious dog shall ensure that:
- (a) that such a dog shall not;
 - (i) chase a person; or
 - (ii) injure a person; or
 - (iii) bite a person; or
 - (iv) chase other domestic animals; or
 - (v) injure other domestic animals; or
 - (vi) bite other domestic animals.
 - (b) such dog does not damage or destroy public or private property,
 - (c) when such dog is on the property of the owner;
 - (i) either such dog is confined indoors and under the control of a person over the age of eighteen (18) years, or
 - (ii) when such dog is outdoors it is in a locked pen or other structure, constructed to prevent the escape of the vicious dog and capable of preventing the entry of any person not in control of the dog, or
 - (iii) such dog is kept as if the provisions of Section 4.3(e) applied to such dog while on the property of the owner.
 - (iv) failure to comply with 4.3 (c) (i), (ii), or (iii) shall be a violation of this Bylaw.
 - (d)
 - (i) the locked pen or other structure shall have secure sides and a secure top, and if it has no bottom secured to the sides, the sides must be embedded in the ground to a minimum depth of thirty (30) centimetres.
 - (ii) the locked pen or other structure shall provide the vicious dog with shelter from the elements and be of the minimum dimensions of one and one-half (1.5) metres by three (3) metres and be a minimum one and one-half (1.5) metres in height.
 - (iii) the locked pen or other structure shall not be within one (1) metre of the property line or within five (5) metres of a neighbouring dwelling unit.
 - (iv) signage of no less the 40 cm by 24 cm shall be posted stating "Vicious dog on Premise" at all common access points to the property and shall be maintained.
 - (e) at all times, when off the property of the owner, such dog is securely;
 - (i) muzzled, and
 - (ii) harnessed or leashed on a lead which length shall not exceed one (1) metre in a manner that prevents it from chasing, injuring or biting other domestic animals or humans as well as preventing damage to public or private property, and
 - (iii) under the control of a person over the age of eighteen (18) years.
 - (f) such dog is not running at large.
- COMMUNICABLE DISEASES**
5. An owner of a dog or vicious dog suspected of having rabies or other communicable diseases shall:
- (a) immediately report the matter to Agriculture Canada, Veterinary Inspection Directorate or to the Alberta Beach Patrol Office;
 - (b) confine or isolate the dog, in such a manner as prescribed so as to prevent further spread of the disease; and
 - (c) keep the dog confined for not less than ten (10) days at the cost of the owner.
- 5.1 An owner of a dog or vicious dog that does not comply with the provisions of Section 5 shall be subject to a penalty as provided for in Section 19 of this Bylaw for each consecutive demand made by the Bylaw Enforcement Officer.
- 5.2 A Bylaw Enforcement Officer or Peace Officer may cause an animal to be confined at a Veterinary facility or other location for not less than ten (10) days at the cost of the owner after the animal has bitten a person or caused damage to another animal.

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LICENSING

6. (a) The owner of a dog or vicious dog shall obtain an annual license for such dog at such times as specified in Section 6.1 or 6.2 and shall pay an annual fee as set out in Schedule "A" of this Bylaw.
- (b) every owner, when requested by the Municipal Administration Office, shall submit to the Municipal Administration Office a spay/neuter certificate or if unavailable a statutory declaration or other acceptable documentation establishing the dog's or vicious dog's age or that the dog or vicious dog is neutered or spayed and such other information as the Municipal Administration Office may require in order to determine the license payable by that owner.
- (c) No person shall give false information when applying for a dog license or vicious dog license.
- 6.1 The owner of a dog shall:
- (a) subject to the provisions of Section 6.1 (c) obtain a license for such dog on the first day on which the Municipality Administration office is open for business after the dog becomes three months of age;
- (b) obtain a license on the first day on which the Municipality Administration office is open for business after he becomes owner of the dog;
- (c) obtain a license for a dog notwithstanding that it is under the age of three months, where the dog is found running at large;
- (d) obtain an annual license for the dog on the first day each year.
- (e) notify the Municipal Administration office should the dog be sold, gifted, or transferred to another person or die;
- 6.2 The owner of a vicious dog shall:
- (a) be over the age of eighteen (18) years;
- (b) obtain a vicious dog license pursuant to the provisions of Section 6.4 on the first day on which the Municipal Administration office is open for business after the dog has been declared as vicious; or
- (c) obtain a license on the first day on which the Municipal Administration office is open for business after he becomes the owner of the vicious dog;
- (d) obtain the annual license for the vicious dog on the first day of every year;
- (e) notify the Municipal Administration office should the dog be sold, gifted, or transferred to another person or die;
- (f) remain liable for the actions of the dog until formal notification of sale, gift or transfer is given to the Municipal Administration office;
- (g) immediately notify the Municipal Administration office, Alberta Beach Patrol Office and RCMP if the dog is running at large.
- 6.3 The owner of a dog shall ensure that his dog wears the current license purchased for that dog, when the dog is off the property of the owner.
- 6.4 The owner of a vicious dog shall within three (3) days after the dog has been declared vicious have a licensed veterinarian tattoo or implant an electronic identification microchip in the animal and provide the copy of the information contained therein to the Municipal Administration office prior to a license being issued.
- 6.5 Upon losing a dog license, an owner of a dog shall present the receipt for payment of the current year's license fee to a Municipality Administration office, who will issue a new tag to the owner for the fee set out in Schedule "A" of this Bylaw.
- 6.6 No person shall be entitled to a license rebate under this Bylaw.

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- 6.7 Where a license is required pursuant to this Section and has been paid for by the tender of an uncertified cheque the license:
- (a) is issued subject to the cheque being accepted and cashed by the bank without any mention of this condition being made on the license; and
 - (b) is automatically revoked if the cheque is not accepted and cashed by the bank on which it is issued.
- 6.8 Where a person is not a permanent resident of the Municipality of Alberta Beach and has a valid current dog license within another jurisdiction in Alberta, they shall not be required to obtain an Alberta Beach license, unless:
- (a) the dog is found running at large or in violation of this Bylaw while not wearing it's valid current dog tag or;
 - (b) the dog is located in the Municipality for more then 30 days annually.
- 6.9 Section 6 – Licensing shall come into effect and enforced as of January 1, 2010.

DOGS IN TRUCKS

7. (a) No person shall allow a dog to be outside of the passenger cab of a motor vehicle on a roadway, regardless of whether the motor vehicle is moving or parked.
- (b) Notwithstanding (a), a person may allow a dog to be outside the passenger cab of a motor vehicle, including riding in the back of a pick up truck or flat bed truck if the dog is:
- (i) in a fully enclosed trailer;
 - (ii) in a topper enclosing the bed area of a truck;
 - (iii) contained in a ventilated kennel or similar device securely fastened to the bed of the truck; or
 - (iv) securely tethered in such a manner that it is not standing on bare metal, cannot jump or be thrown from the vehicle, is not in danger of strangulation, and cannot reach beyond the outside edges of the vehicle.
- (c) For the purpose of this Section, “roadway” means any street or highway, whether publicly or privately owned, any part of which the public is ordinarily entitled or permitted to use for the passage or parking of vehicles.
- (d) The owner of a vehicle involved in an offence referred to in this Section is guilty of the offence, unless that vehicle owner satisfies the Court that the vehicle was:
- (i) not being driven or was not parked by the owner; and
 - (ii) that the person driving or parking the vehicle at the time of the offence did so without the vehicle owner’s express or implied consent.

HANDICAPPED OWNERS

8. (a) Notwithstanding Section 6 (a), where the Municipal Administration office is satisfied that a person who is handicapped is the owner of a dog trained and used to assist such handicapped person, there shall be no fee payable by the owner for a license under Section 6.
- (b) Section 3(a) does not apply where a person who is handicapped is the owner of a dog trained and used to assist such handicapped person and such dog is under his control.

KENNELS

9. (a) No person or persons shall operate a kennel on any parcel of land unless a kennel is a permitted or discretionary use in the Land Use Bylaw of the Municipality and for which a development permit has been obtained and approved. The harbouring, keeping of or owning of more than two (2) dogs or domestic animals shall be considered to be operating a kennel.
- (b) All kennels shall be subject to the Kennel Regulations attached to this Bylaw as Schedule “D”.

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HORSES

10. (a) Except in a Park or parts of a Park which have been designated for horseback riding by the Municipality, no person shall allow a horse owned or controlled by him to be in a Park.

(b) shall not apply to horses authorized by the Chief Administration Officer.

FOWL

11. No person shall allow any fowl owned or controlled by them to cluck or crow or otherwise disturb any person.

11.1 No person shall allow any fowl owned or controlled by them to run at large.

OTHER ANIMALS

12. (a) No person shall have any domesticated livestock including but not limited cattle, pigs, sheep, and goats on any residentially zoned property.

(b) No person shall have bee hives located on any residentially zoned property.

(c) No person shall allow an Animal other than a dog to enter into or remain in an area that has been designated by the Municipality as an "off leash area".

ANIMAL CONTROL OPERATION – AUTHORITY

13. A Bylaw Enforcement Officer, or Peace Officer may capture and impound any dog, vicious dog or animal:

(a) found running at large; or

(b) which is required to be impounded pursuant to the provisions of this Bylaw, any Statute of Canada or of the Province of Alberta, or any Regulation made thereunder.

(c) A Peace Officer or any person authorized by this Bylaw to enforce the provisions contained herein and who has delegated the authority of a designated officer under Section 542 of the Municipal Government Act may enter onto land for the purpose of pursuit, capture and restraint of any Animal found running at large, or for the purpose of observation, investigation or enforcement of this Bylaw:

(i) after reasonable notice to the owner or occupant of the land; or

(ii) with the consent of the owner or occupant of the land; or

(iii) without reasonable notice or the consent of the owner or occupant of the land in the event the circumstances constitute an emergency or extraordinary circumstances.

(d) The Animal Control Officer is authorized to take reasonable measures to subdue and capture Animals found to be in contravention of the Bylaw.

(e) A Peace Officer may destroy an animal that in their opinion constitutes a safety concern to the Public or to prevent an animal from suffering.

(f) The Animal Control Officer is authorized to take or order the taking of an injured or sick Animal to a Veterinarian for treatment to relieve pain or bleeding, at the expense of the Owner.

(g) The Animal Control Officer shall report any apparent illness, communicable disease, injury or unhealthy condition of any Animal to a veterinarian and act upon his recommendations. The Owner, if known, shall be held responsible for all charges resulting in this action.

OBSTRUCTION

14. No person, whether or not he is the owner of a dog or vicious dog or animal which is being or has been pursued or captured shall interfere with or attempt to obstruct a Bylaw Enforcement Officer, or Peace Officer who is attempting to capture or who has captured an animal which is subject to impoundment or enforcement of provisions of this Bylaw.

INTERFERENCE WITH ANIMALS

15. No person shall:

(a) untie, loosen or otherwise free an animal which has been tied or otherwise restrained; or

(b) negligently or willfully open a gate, door or other opening in a fence or enclosure in which an animal has been confined and thereby allow an animal to run at large in the Municipality.

(c) tease, torment, or annoy an Animal

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NOTIFICATIONS

16. (a) If a Bylaw Enforcement Officer knows or can ascertain the name of the owner of any impounded dog, he shall serve the owner with a copy of the Notice in Schedule "B" of this Bylaw, either personally or by leaving it, or by normal mail it to the last known address of the owner.
- (b) An owner of a dog to whom a Notice is mailed pursuant to the subsection is deemed to have received a Notice within forty-eight (48) hours from the time it is mailed.

RECLAIMING

- 17.(a) The owner of any impounded dog or vicious dog may:
- (i) reclaim the dog or vicious dog from the Animal Services Centre, or
 - (ii) where it is deemed feasible by the Bylaw Enforcement Officer prior to taking the animal to the Animal Services Centre, reclaim the dog or vicious dog when it is returned to the owner, by paying, in either case, to a Bylaw Enforcement Officer or Animal Service Center the costs of impoundment as set out in Schedule "C" to this Bylaw, and by obtaining the license for such dog or vicious dog, should a license be required under this Bylaw.
- (b) Where a dog is claimed, the owner shall provide proof of ownership of the dog and identification.
- (c) The owner of a dog who has been found not guilty of committing an offence under this Bylaw may request the return of any fees paid by him for reclaiming his dog.

SALE OR DESTRUCTION

18. The Municipality shall not sell or destroy an impounded dog until the following conditions are met:
- (a) After a dog is retained in the designated impound area for:
 - (i) five (5) days after the owner has received notice or is deemed by Section 16 to have received notice that the dog is in the Animal Services Centre, or
 - (ii) seventy-two (72) hours, (excluding Sundays and statutory holidays) if the name and address of the owner is not known, or unless a person having the authority orders the retention or the destruction of the dog, or unless the owner of the dog makes arrangements with the Animal Services Supervisor for the further retention of the dog, the Animal Services Supervisor may cause the dog to be sold or destroyed;
 - (b) The Animal Services Supervisor may retain a dog for a longer period if in his opinion the circumstances warrant the expense;
 - (c) The Animal Services Supervisor or designate may offer for sale all unclaimed dogs which have been in the Animal Services Centre for:
 - (i) seven (7) days or longer when the name and address of the owner are known; and
 - (ii) seventy-two (72) hours or longer (excluding Sundays and statutory holidays) if the name and address of the owner are not known;
 - (d) The Animal Services Supervisor may, before selling an unclaimed dog, require that the dog be spayed or neutered;
 - (e) The purchaser of a dog from the Animal Services Centre pursuant to the provisions of this Section shall obtain full right and title to it and the right and title of the former owner of the dog shall cease thereupon;
 - (f) When the Animal Services Supervisor agrees to put a dog to death the owner shall pay to the Animal Services Supervisor a fee as set out in Schedule "C" of this Bylaw.

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PENALTIES

19. (a) Where a Community Peace Officer of the Municipality, Bylaw Enforcement Officer, RCMP member or other Peace Officer believes that a person has contravened any provision of this Bylaw, he may commence proceedings by issuing a summons by means of a violation ticket in accordance with Part 2 of the *Provincial Offences Procedure Act*, S.A. 1988, Chapter P-21.5.
- (b) If a person who is contracted to enforce this bylaw, Bylaw Enforcement Officer or Peace Officer may issue a voluntary payment ticket authorized by the Municipality which is payable directly to the Municipality.
- (c) The specified penalty payable in respect of a contravention of a provision of this Bylaw is the amount shown in Schedule "D" of this Bylaw in respect of that provision.
- (d) Notwithstanding Section 19(c):
- (i) where any person contravenes the same provision of this Bylaw twice within one twelve month period, the specified penalty payable in respect of the second contravention is double the amount shown in Schedule "D" of this Bylaw in respect of that provision, and
 - (ii) where any person contravenes the same provision of this Bylaw three or more times within one twelve month period, the specified penalty payable in respect of the third or subsequent contravention is triple the amount shown in Schedule "D" of this Bylaw in respect of that provision.

SUMMARY CONVICTION

20. (a) Any person who contravenes any provision of this Bylaw is guilty of an offence and is liable on summary conviction to a fine of not more than TWO THOUSAND, FIVE HUNDRED DOLLARS (\$2,500.00) and in default of payment is liable to imprisonment for a term not exceeding six (6) months.
- (b) The minimum fines on summary conviction in respect to a contravention of this Bylaw shall be the same amounts as shown in Schedule "D".
- (c) The levying and payment of any fine or the imprisonment for any period provided in this Bylaw shall not relieve a person from the necessity of paying any fees, charges or costs from which he is liable under the provisions of this Bylaw.
- (d) A Justice, in addition to the penalties provided in this Section, may if he considers the offence sufficiently serious direct or order the owner of the dog to stop the animal from doing mischief or causing the disturbance or nuisance complained of, or to have the animal removed from the Municipality, or have the animal destroyed.
- (e) A Justice, after convicting the owner of a dog of an offence under this Bylaw, may, in addition to any other penalties imposed or orders made, and without further notice or hearing, declare the subject dog a vicious dog, pursuant to the provisions of this Bylaw.

EFFECTIVE DATE AND REPEAL OF BYLAWS

21. This Bylaw shall come into effect upon third and final reading.
22. BYLAW #204-06 AND ALL AMENDMENTS THERETO BE RESCINDED IN THEIR ENTIRETY UPON PASSING OF THIS BYLAW.
- READ A FIRST TIME THIS _____ DAY OF _____, AD. 2009
- READ A SECOND TIME THIS _____ DAY OF _____, AD. 2009
- READ A THIRD TIME THIS _____ DAY OF _____, AD. 2009
- SIGNED BY THE MAYOR AND CHIEF ADMINISTRATIVE OFFICER THIS _____ OF _____, AD. 2009

Mayor, Bill Love

C.A.O., Kathy Skwarchuk

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SCHEDULE "A"

The Animal Control Bylaw Annual License Fee

DOG LICENSE AMOUNT

1. Male or Female unaltered dogs	\$ 20.00
2. Neutered Male or spayed female dogs	\$ 10.00
3. Vicious dog license fee	\$ 250.00
4. Replacement tag	\$ 5.00

SCHEDULE "B"

You are hereby notified that an animal bearing License No. _____ for 20____ registered under the above name and address, was impounded on _____, A.D. 20____ pursuant to the provisions of Bylaw No. _____ of the Municipality of Alberta Beach, and that, unless the said animal is claimed and all impoundment charges are paid, on or before _____, 20____, the said animal will be sold, destroyed or otherwise disposed of pursuant to the said Bylaw.

SCHEDULE "C"

AMOUNT TO BE PAID TO THE MUNICIPALITY OF ALBERTA BEACH OR DESIGNATE BY OWNER OF ANIMAL IN ORDER TO RECLAIM OR DESTROY A DOG AT THE ANIMAL SERVICES CENTRE

AMOUNT

1. Impoundment fees	\$ 75.00
2. Vicious dog impoundment fees	\$ 250.00
3. Care and sustenance per day or portion thereof. (To commence at midnight on the day of impoundment)	\$ 15.00
4. Veterinary fees	Amount Expended
5. Destruction of dog	\$ 50.00

SCHEDULE "D"

RESPONSIBILITIES OF DOG OWNERS

3. (a) Dog running at large.	\$ 75.00
3. (b) Dog not under control	\$ 75.00

NUISANCE

4. (a) (i) bite a person	\$ 250.00
4. (a) (ii) other act that injures a person	\$ 150.00
4. (a)(iii) chase or otherwise threaten a person	\$ 100.00
4. (a) (iv) bite, bark, chase auto	\$ 100.00
4. (a) (v) bark, howl or otherwise disturb any person	\$ 150.00
4. (a) (vi) cause damage to property or other animals	\$ 150.00
4. (a) (vii) upset any waste receptacles or scatter the contents	\$ 100.00
4. (a) (viii) dog left unattended in a m/v	\$ 100.00
4. (b) (i) dog enter School Ground, Playground, Sports Field	\$ 100.00
4. (b) (ii) interfere / obstruct any other Pathway user	\$ 50.00
4. (b) (iii) enter Park where dogs are prohibited	\$ 100.00
4. (b) (iv) operating a bicycle / skates with animal on a leash.	\$ 50.00
4. (b) (vi) owner fails to remove defecation.	\$ 100.00
4. (b) (vii) dog shall not enter or swim within a Park	\$ 100.00
4.3 (a) (i) vicious dog chase a person	\$ 500.00
4.3 (a) (ii) vicious dog injure a person	\$1000.00
4.3 (a) (iii) vicious dog bite a person	\$1000.00
4.3 (a) (iv) vicious dog chase other domestic animals	\$ 250.00
4.3 (a) (v) vicious dog injure other domestic animals	\$ 500.00
4.3 (a) (vi) vicious dog bite other domestic animals	\$ 500.00
4.3 (b) vicious dog damage or destroy property	\$ 250.00
4.3 (c) (iv) failure to comply with 4.3 (c) (i), (ii), and (iii)	\$ 500.00
4.3 (d) (i) failure to have a locked pen or other structure	\$ 250.00
4.3 (d) (ii) failure to provide shelter from the elements	\$ 250.00
4.3 (d) (iii) have pen (1) metre property line or (5) metres dwelling	\$ 150.00
4.3 (d) (iv) fail to post / maintain signage	\$ 150.00
4.3 (e) (i) fail to muzzle vicious dog	\$ 250.00

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IN THE PROVINCE OF ALBERTA**

4.3 (e) (ii) fail to have a vicious dog on a lead (1) metre	\$ 250.00
4.3 (e) (iii) person under 18 years with vicious dog in public	\$ 250.00
4.3 (f) vicious dog running at large.	\$ 500.00

COMMUNICABLE DISEASES

5. (a) failure to report rabies	\$ 500.00
5. (b) failure to prevent spread	\$ 500.00
5. (c) failure to confine dog for ten (10) days	\$ 500.00

LICENSING

6. (a) fail to obtain a license	\$ 100.00
6. (c) give false information applying for license	\$ 250.00
6.2 (b) fail to obtain a vicious dog license	\$ 250.00
6.2 (e) fail to notify when dog is transferred to another person	\$ 250.00
6.2 (g) fail to notify if the dog is running at large.	\$ 250.00
6.3 fail to wear the current license off the property of the owner.	\$ 50.00
6.4 fail to tattoo or implant vicious dog	\$ 150.00

DOGS IN TRUCKS

7 (a) allow a dog to be outside of the passenger cab of M/V	\$ 75.00
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KENNELS

9. (a) operate a kennel	\$ 200.00
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HORSES

10. (a) Allow a horse in a Park	\$ 50.00
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FOWL

11. allow any fowl disturb any person.	\$ 100.00
11.1 allow any fowl to run at large.	\$ 100.00

OTHER ANIMALS

12. (a) Have livestock on property	\$ 100.00
12. (b) have bee hives on property	\$ 100.00
12. (c) allow other animal in "off leash area".	\$ 100.00

OBSTRUCTION

14. interfere with or obstruct a Officer	\$ 500.00
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INTERFERENCE WITH ANIMALS

15. (a) free an animal which is restrained	\$ 200.00
15. (b) open a gate, door or fence or enclosure of a animal	\$ 200.00
15. (c) tease, torment, or annoy an animal	\$ 200.00

**SCHEDULE "E"
KENNEL REGULATIONS**

Application for a Kennel license will be considered by an Animal Service Supervisor. The Animal Service Supervisor may approve the application, subject to condition, or may refuse the application.

All Kennels shall comply with the following regulations:

1. Prior to the establishment of a Kennel, a Development Application must be obtained from the Village.
2. An exercise area shall be provided for each Animal, as follows:
 - (a) breeds weighing 16kg (35lbs.) or less – at least 2.2 m² (24 ft. ²) per Animal; and
 - (b) breeds weighing more than 16kg (35 lbs.) – at least 4.4 m² (48 ft. ²) per Animal.
3. All exterior exercise areas (runs) shall be enclosed with an acceptable fence with an adequate height, and fixtures as approved by the Animal Service Supervisor.