

## **BYLAW NO. 18-08**

### **BEING A BYLAW OF THE TOWN OF OKOTOKS IN THE PROVINCE OF ALBERTA FOR THE LICENSING, REGULATING AND CONFINEMENT OF CERTAIN ANIMALS**

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

#### **SECTION 1 - SHORT TITLE**

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

#### **SECTION 2 - DEFINITIONS**

- a) "Animal" includes a male dog, a neutered male dog, a spayed female dog and a female dog
- b) "Animal Adoption Program" means the harbouring of an Animal by a person for the primary purpose of adoption.
- c) "Animal Control Officer" means any individual(s) designated and appointed from time to time by the Town of Okotoks for the purpose of administration and enforcement of this Bylaw, and shall include the Municipal Enforcement Officer of the Town of Okotoks and any member of the Royal Canadian Mounted Police on active duty;
- d) "Animal Daycare" means a facility or premises for the purpose of providing care for Animals in return for remuneration on a daily basis and does not include provision for overnight accommodation.
- e) "Animal Fancier and Adoption License" means a License issued to an Owner in accordance with Section 5 of this Bylaw.
- f) "Animal Shelter" means premises 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.
- g) "Animal At Large" means where an Animal is found on public property or at a property other than the Owner's Property and the Animal is not properly restrained.
- h) "Cat" includes a male cat, a neutered male cat, a spayed female cat and a female cat.
- i) "Controlled Confinement" means the confinement of an Animal in a pen, cage or building or securely tethered in such a manner that ensures the Animal is not harmed and in a manner that will not allow the Animal to bite, harm or harass any person or Animal.

- j) "Damage to Property" means damage to property other than the Owner's property and includes defecating.
- k) "Health Authority" means the regional health authority established by the Minister of Health to service the Municipality.
- l) "Kennel" means any facility or premises where Animals or cats are maintained, boarded, trained bred or cared for in return for remuneration and may include overnight accommodation.
- m) "Land Use Bylaw" means the Town's Land Use Bylaw 40-98 and any amendments thereto;
- n) "License" means an Animal License issued by the Municipality in accordance with the provisions of this Bylaw.
- o) "License Fee" means the applicable annual fee payable in respect of a license for any particular Animal as set out in Schedule "A" of this Bylaw.
- p) "License Tag" means an identification tag issued by the Municipality showing the license number for a specific Animal.
- q) "Livestock" means:
  - i. a horse, mule, ass, swine, emu, ostrich, camel, llama, alpaca, sheep or goat;
  - ii. domestically 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, pigeons or pheasants; and
  - vi. all other animals that are kept for agricultural purposes, but does not include cats, dogs, or other domesticated household pets.
- r) "Municipality" means the Town of Okotoks.
- s) "Off Leash Park" means an area formally designated by Okotoks Town Council
- t) "Owner" means:
  - i. a person who has the care, charge, custody, possession or control of an Animal;
  - ii. a person who owns or who claims any proprietary interest in an Animal;
  - iii. a person who harbours, suffers or permits an Animal 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 an Animal from the custody of the Animal Shelter or an Animal Control Officer; or

- v. a person to whom a License Tag was issued for an Animal in accordance with this Bylaw;
- vi. a person who operates an Animal Adoption Program and who has care, charge, custody, possession or control of an Animal(s).

and for the purposes of this Bylaw an Animal may have more than one (1) Owner.

- u) "Owner's Property" means any property in which the Owner of an Animal has a legal or equitable interest or over which the Owner of an Animal has been given the control or use of, by the legal or equitable Owner of the property, and which property shall include, without limiting the generality of the foregoing, land, buildings and vehicles.
- v) "Permitted Leash" means a leash adequate to control the Animal to which it is attached and which leash shall not exceed three (3) metres in length.
- w) "Properly Restrained" means the Animal is:
  - i. being carried by a person capable of restraining the size and strength of the particular Animal;
  - 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 particular Animal by means of a permitted leash attached to a choke chain, collar or harness attached to the Animal.
- x) "Permitted Property" means private property upon which the Owner (A) of an Animal has the express permission of the Owner of that property to allow the Owner's (A) Animal to be at large, thereon.
- y) "Serious Wound" means an injury to a human or an Animal resulting from the action of an Animal that causes the skin to be broken or flesh to be torn and where requiring immediate medical assistance.
- z) "Tag" means a Town of Okotoks Voluntary Payment Tag issued for breach of Okotoks Bylaws or other Acts or Regulations.
- aa) "Vicious Animal" means any Animal, 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 and 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.
- bb) "Violation Ticket" means a ticket issued pursuant to Part 2 of the *Provincial Offences Procedure Act*, R.S.A. 2000, c. P-21.5, as amended and Regulations there under.

### **SECTION 3 - LICENSE REQUIREMENTS**

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

If:

- i. a person is the Owner of an Animal that reaches the age of three (3) months after January 31<sup>st</sup>; or
- ii. a person becomes an Owner of a Animal three months of age or older on any date after January 31<sup>st</sup>; or
- iii. an Owner of an Animal three months of age or older takes up residence in the Municipality on any date after January 31<sup>st</sup>;

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

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

- b) An Owner shall provide with each application for a license, all the information as may be required by the Municipality or the Animal Control Officer.
- c) No person shall provide the Municipality with false or misleading information with respect to the information required in Section 3 (b) of this Bylaw.
- d) If the application is approved and the required license fee is paid, the Owner will be supplied with a License Tag, which shall have a number, registered to that Animal.
- e) An Owner shall ensure that the license tag is securely fastened to a choke chain, collar or harness worn by the Animal and that the License Tag must be worn by the Animal at all times while on public property.
- f) Every license shall expire on December 31<sup>st</sup> in the year in which it was issued.
- g) A license issued under this Bylaw shall not be transferable from one Animal to another nor from one Owner to another.
- h) No person is entitled to a refund or a rebate for any license fee.
- i) The Animal Control Officer may revoke a license if:
  - i. the license was issued on the basis of incorrect information or misrepresentation by the applicant;
  - ii. the license was issued in error;
  - iii. the Owner breaches a provision of this Bylaw.
- j) A person who, by reason of special needs, owns and uses an Animal trained to assist shall, upon proof, be exempt from license fees.

- k) The licensing provisions of this Bylaw shall not apply to Animals accompanying a person temporarily in the Municipality for a period not exceeding two (2) weeks.
- l) An Animal Owner may have a lost tag replaced by presenting proof of original purchase and paying a replacement fee in accordance with Schedule "A" of this Bylaw.
- m) No person, without the consent of the Owner of an Animal, shall remove any collar or license from an Animal.
- n) Animal License, Animal Fancier and Adoption License and Penalties are established in Schedules A and B and may be amended from time to time by resolution of Council.
- o) The Animal Control Officer shall review all applications for licenses, and shall issue a license where the Owner has completed the application form completely, including the name of Owner and the address at which the Animal will primarily be kept, and the Owner has submitted the requisite license fee as set out under this Bylaw. Notwithstanding the foregoing, the Animal Control Officer may refuse to issue a license where he has a reasonable belief that issuing the license in question will result in the maximum number of Animals permitted in a dwelling as set out in Section 4 (b) being exceeded.

#### **SECTION 4 – RESPONSIBLE PET OWNERSHIP REQUIREMENTS**

- a) An Owner:
  - i. must ensure that the Animal has adequate food and water;
  - ii. must provide the Animal with adequate care when the Animal is wounded or ill;
  - iii. must provide the Animal with reasonable protection from injurious heat or cold;
  - iv. must provide the Animal with adequate shelter, ventilation and space; and
  - v. must provide the opportunity for periodic exercise sufficient to maintain good health, including the opportunity to be unfettered from a fixed area and exercised regularly under appropriate control.
- b) No person shall keep or have more than three (3) Animals on any property located within the Municipality except as follows:
  - i. animals under the age of three (3) months;
  - ii. the Owner holds a valid Animal Fancier and Adoption License issued pursuant to this By-law; and/or
  - iii. the Owner has all municipal and provincial approvals to operate:
    - a pet store/Animal grooming business;
    - a veterinary clinic or hospital;
    - an Animal Daycare; and/or
    - a Kennel
- c) An Owner shall not permit an Animal to be At Large.

d) Notwithstanding Section 4(c) an Owner of an animal is not required to have the Animal on a Permitted Leash in a Park or portion of a Park which has been designated as an 'Off Leash Park' by the Municipality providing:

- i. the Animal is not a Vicious Animal; and
- ii. the Owner of an Animal in an 'Off Leash Park' shall ensure that such Animal is under control at all times.

Whether an Animal 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:

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

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

- e) An Owner shall not permit an Animal to bark or howl or make another noise thereby disturbing the quiet or repose of any person.
- f) An Owner shall not permit an Animal to cause damage to property within the Municipality.
- g) An Owner shall not permit an Animal in an area where the Municipality has posted a sign which prohibits the presence of Animals, regardless of whether or not such Animal is At Large.
- h) An Owner of an Animal shall not permit an Animal to:
  - i. bite, attack, threaten, harass, bark at, chase or injure any person;
  - ii. bite, attack, threaten, harass, bark at, chase, kill or injure any bird, reptile, amphibian or mammal; or
  - iii. bite, bark at or chase any vehicle.
- i) The Owner of an Animal 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.
- j) 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.

- k) No person shall tease, torment, annoy, abuse or injure any Animal.
- l) No person shall untie, loosen or otherwise free an Animal which is not in distress unless such person has the authorization of the Owner.
- m) No person shall interfere with, hinder or impede an Animal Control Officer in the performance of any duty authorized by this Bylaw.
- n) No person shall permit Animal waste to drain from their property onto adjoining properties.
- o) Persons disposing of Animal waste shall deposit it in a private or municipal waste disposal container and shall secure the waste/feces in a single plastic bag that will contain the waste/feces and this shall be sealed so as not to permit any drainage of liquid or spillage of solid matter.
- p) A person must not cause any Animal to be confined in an enclosed space, including a vehicle, without adequate ventilation.
- q) No person shall keep Livestock in any area of the Municipality except where the keeping of Livestock is allowed under Okotoks Land Use Bylaw.
- r) The Owner of an Animal or Cat shall ensure that such Animal 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 Animal or Cat.
- s) The Owner of an Animal shall ensure that an Animal is Properly Restrained or safely tethered to remain within the confines of the truck/flat bed, or any other vehicle of which the Animal is not within the confines of a roofed vehicle.

## **SECTION 5 – ANIMAL FANCIER AND ADOPTION LICENSE**

- a) The maximum number of Animals 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 and Adoption License. The maximum number of Animals on any property for persons holding a valid Animal Fancier and Adoption License shall be restricted to the lesser of; ten (10) or the number of Animals deemed suitable for the dwelling by the Health Authority.
- b) An Owner wishing to operate under the authority of an Animal Fancier and Animal Adoption License must apply annually by January 31st for an Animal Fancier and Adoption License and shall submit an application to the Animal Control Officer.
- c) An Owner must ensure that Animal(s) in care are provided with care consistent with Section 4 a).
- d) An application for an Animal Fancier and Adoption License shall include:
  - i. name, address and telephone number of an Owner;

- ii. location (legal description and civic address) at which the Animal(s) shall be kept; if not the registered Owner of the property authorization from the registered land Owner is required and where applicable, authorization from condominium or similar associations;
  - iii. purpose for keeping Animal(s);
  - iv. breed and sex of Animal(s) to be kept;
  - v. type of facilities Animal(s) will be housed/kept in;
  - vi. methods and steps that will be taken by the Owner to minimize any noise and/or nuisance to the neighbourhood;
  - vii. an information letter circulated by the applicant to all adjacent property owners providing notice of the Animal Fancier and Adoption License application with provision for written directions or concerns to be forwarded to the Animal Control Officer by a stipulated date, giving reasonable notice;
  - viii. a letter of compliance from the local Health Authority;
  - ix. payment of the fee prescribed by this Bylaw.
- e) The Animal Control Officer may hold any license application until any deficiencies with respect to any of the items required under Subsection 5(d) are corrected. The application will be rejected after 30 days if the deficiencies are not corrected and a re-application must be made when deficiencies are corrected.
- f) The Animal Fancier and Adoption License shall be issued upon approval by the Animal Control Officer and payment of the fee specified in Schedule "A" of this Bylaw. Each Animal owned under an Animal Fancier and Adoption License shall be separately licensed pursuant to Section 3 of this Bylaw, in addition to the requirement that the Owner have an Animal Fancier and Adoption License, unless the Animal is kept solely for the purposes of attempting to secure an adoption of the Animal.
- g) Any Owner under the provisions of an Animal Fancier and Adoption License, shall not permit or allow any of the Animals being harboured or kept under the license to:
  - i. cause noise which disturbs the peace of others; or
  - ii. cause a nuisance to others.
- h) The Animal Control Officer may suspend or revoke the Animal Fancier and Adoption License if, in the Animal Control Officer's opinion, the noise and/or nuisance created by the Animal(s) being kept pursuant to the Animal Fancier and Adoption License is disturbing the peace of the neighbourhood or is causing a nuisance and that the complainant has documented occurrences.
- i) Whether the peace of others has been disturbed or a nuisance has been caused under Section 5(i) is a question of fact to be determined by a Court hearing a prosecution pursuant to this Section, or by the Animal Control Officer in accordance with Section 5(g).
- j) The applicant/Owner may appeal a refusal, suspension or revocation of a license by the Animal Control Officer to Okotoks Town Council provided such appeal is submitted in



writing to the Municipal Secretary within fourteen (14) days of the date of the Animal Control Officer's decision. In the event of an appeal, Council shall set a date for the hearing of the appeal to be held within 30 days after receipt of the notice of appeal.

#### **SPECIAL PROVISION FOR NON-PROFIT ORGANIZATIONS AND EXISTING SITUATIONS**

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

#### **SECTION 6 - CONTROLLED CONFINEMENT**

- a) Where an Animal bite results in a Serious Wound being inflicted, the Owner shall promptly report the incident to an Animal Control Officer whom shall report the incident to the Health Inspector of the Health Authority. The Health Inspector will advise the Owner of the quarantine procedure. The Owner shall keep the Animal in Controlled Confinement until the Health Inspector has authorized the release of the Animal from Controlled Confinement.
- b) An Animal Control Officer may issue a summons requiring the Owner of the Animal in contravention of Section 4 (f) to attend Provincial Court whereby the Owner may be ordered to:
  - i. keep the Animal in an enclosed pen while outside;
  - ii. keep the Animal muzzled while on leash;
  - iii. post warning signs that a dangerous Animal resides on premise, at each gate to the property;
  - iv. have the Animal destroyed by a veterinarian and produce a document to the Animal Control Officer stating this was done.

In the event of non-compliance with the Provincial Court Order the owner may face a Court imposed fine of up to \$100 per day for non-compliance and the Animal Control Officer may attend to the property where the Animal is kept and seize it.

- c) Upon demand made by the Animal Control Officer, the Owner shall forthwith surrender for quarantine any Animal which has inflicted an Animal bite to any person or any Animal which the Animal Control Officer has reasonable and probable grounds to suspect of having been exposed to rabies. The Animal may be reclaimed by the Owner if:
  - i. adjudged free of rabies;
  - ii. upon payment of confinement expenses; and
  - iii. upon compliance with the licensing provisions of this Bylaw.

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

## **SECTION 7 - POWERS OF AN ANIMAL CONTROL OFFICER**

- a) An Animal Control Officer is authorized to capture and impound, in an Animal Shelter, any Animal that is At Large. The Animal Control Officer is further authorized to take such reasonable measures as are necessary to subdue any Animal that is at large. If any such Animal is injured, it may be taken to a registered veterinarian for treatment and then to an Animal Shelter. Cost for this treatment is the responsibility of the Animal Owner.
- b) An Animal Control Officer is authorized to enter onto the land surrounding any building to capture an Animal that is At Large except the property where the Animal resides unless authorized by this Bylaw or the Municipal Government Act.
- c) An impounded Animal may be kept in an Animal Shelter for a period of seventy-two (72) hours. Sundays and Statutory holidays shall not be included in the computation of the seventy-two (72) hour period. During this period, any Animal may be redeemed by its Owner, except as otherwise provided in this Bylaw, upon payment to the Municipality or its authorized agent of:

- i. the appropriate impoundment fee as set out in Schedule "C" of this Bylaw;
- ii. the appropriate license fee when the Animal is not licensed; and
- iii. the cost of any veterinary treatment to relieve pain or bleeding of any Animal that is found to be injured when picked up or injured in the process of capture; and

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

- d) At the expiration of the seventy-two (72) hour period, as prescribed in Section 7 (c) of this Bylaw, the Animal Control Officer is authorized to:
  - i. turn the Animal over to the S.P.C.A. or Animal Adoption Agency who will dispose of the said Animal in a humane manner or may, if in their opinion, put the Animal up for adoption should it meet with their adoption requirements;
  - ii. allow the Animal to be redeemed by its Owner, in accordance with the provisions of Section 7 (c) herein; or
  - iii. continue to impound the Animal for an indefinite period of time or for such further period of time as the Animal Control Officer, in his or her discretion, may decide.
- e) The Animal Control Officer shall maintain adequate records of:
  - i. complaints and disposal of such complaints;
  - ii. fees, collections, fines;
  - iii. each Animal impounded and time, place and disposition of such Animal.

## **SECTION 8 - IMPOUNDMENT**

- a) No unauthorized person shall remove or attempt to remove from an Animal Shelter any Animal impounded therein.
- b) No unauthorized person shall break open or assist in any manner, either directly or indirectly, in breaking open any Animal Shelter established by the Municipality under the provisions of this Bylaw.
- c) No person shall hinder, delay or obstruct any person or persons engaged in capturing, attempting to capture or taking to the Animal Shelter any Animal liable to be impounded under the provisions of this Bylaw.

## **SECTION 9 - RABID ANIMAL**

Any Animal suspected of being rabid shall immediately be reported to the Medical Officer of the Health Authority and, upon his instruction, shall be forthwith released by the 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 as may be specified by the said Medical Officer of the Health Authority. Any Animal so taken into custody and confined shall not be destroyed unless the Medical Officer of the Health Authority orders its destruction. The right of the Owner, possessor or harbourer to redeem an Animal pursuant to Section 6 of this Bylaw shall not be applied to an Animal taken into custody and confined pursuant to the terms of this section.

## **SECTION 10 – PENALTIES**

- a) Any person who contravenes any provision of this Bylaw is guilty of an offence and is liable to a penalty, as set out in Schedule "B" of this Bylaw.
- b) Where an Animal Control Officer believes on reasonable and probable grounds that a person has contravened any provisions of this Bylaw, he may serve upon such person a Tag provided by this Section either personally on the person or Owner of the Animal concerned or by leaving it for the defendant at his residence with a person on the premises who appears to be at least eighteen (18) years of age or by registered mail and such service shall be adequate for the purpose of this Bylaw.
- c) A Tag shall be in such form as determined by the municipality and shall state the section of the Bylaw which was contravened and the amount which is provided within Schedule "B" of the Bylaw and any amendments or additions thereto, that will be accepted by the Municipality in lieu of prosecution.
- d) Notwithstanding Section 10 (c) of this Bylaw, any person who commits a second or subsequent offence under this Bylaw may be liable to a fine or not less than the sum as set out in Schedule "B" of this Bylaw.
- e) If a Tag issued pursuant to this section is presented within twenty-two (22) days from the issue thereof, together with payment to the Municipality of the specified penalty and/or fee, the person to whom the Tag was issued will not be liable for prosecution for the contravention in respect of which the Tag was issued.
- f) Notwithstanding the provisions of this Section, a person to whom a Tag has been issued pursuant to this section may exercise his right to defend any charge of committing a contravention of any of the provisions of this Bylaw.

## SECTION 11 - SUMMARY CONVICTION

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

## SECTION 12 - GENERAL

- a) This Bylaw shall not apply to Animals kept at any veterinary clinic or being securely transported within a motor vehicle to or from a veterinary clinic.
- b) Should any provision of this Bylaw be invalid, then such invalid provision may be severed and the remaining Bylaw shall be maintained.
- c) An applicant is responsible for and is not excused from ascertaining and complying with the requirements of any Federal, Provincial or other Municipal legislation, including the Municipality's Land Use Bylaw. Where the keeping of the Animals would not comply with any Federal, Provincial or other Municipal legislation, the Animal Control Officer may refuse to issue a license.

Bylaw No. 18-05 and all amendments thereto are hereby rescinded.

This Bylaw comes into full force and effect upon the third and final reading.

READ A FIRST TIME this 12<sup>th</sup> day of May, 2008

READ A SECOND TIME this 23<sup>rd</sup> day of June, 2008

READ A THIRD TIME AND PASSED THIS 14th day of July, 2008

- Original Signed -  
\_\_\_\_\_  
Mayor

- Original Signed -  
\_\_\_\_\_  
Municipal Secretary

**SCHEDULE "A"**  
**BYLAW 18-08**

**SCHEDULE "A"**  
**LICENSE FEES**

|                    |                 |          |
|--------------------|-----------------|----------|
| Animal License     |                 |          |
| Male/Female        | Unaltered       | \$100.00 |
| Male/Female        | Neutered/Spayed | \$ 25.00 |
| Replacement fee is |                 | \$ 10.00 |

|  |  |          |
|--|--|----------|
| Animal Fancier and Adoption License            |  |          |
| Yearly License                                 |  | \$150.00 |
| Yearly License for non-profit<br>Organizations |  | \$ 0.00  |

**SCHEDULE "B"**  
**BYLAW 18-08**

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

| <b>SECTION</b> | <b>OFFENCE (Description)</b>   | <b>FIRST OFFENCE</b> | <b>SECOND OFFENCE (Within Six (6) Months)</b> |
|----------------|--|----------------------|---|
| 3(a)           | Owner of an unlicensed Animal  | \$250.00             | \$400.00                                      |
| 3(c)           | Providing Misleading or False Information  | \$500.00             | \$1,000.00                                    |
| 3(e)           | Owner of a licensed animal not wearing licence while off owner's property  | \$100.00             | \$150.00                                      |
| 3(m)           | Unauthorized removal of collar or licence from an Animal   | \$100.00             | \$150.00                                      |
| 4 (a)          | Owner failing to provide adequate food, water, care, protection, shelter, ventilation or space                       | \$200.00             | \$400.00                                      |
| 4(b)           | Owner having more than three animals   | \$250.00             | \$500.00                                      |
| 4(c)           | Owner of an Animal at large:   |                      |   |
|                | Unlicensed   | \$150.00             | \$300.00                                      |
|                | Licensed   | \$100.00             | \$200.00                                      |
| 4(e)           | Owner of an Animal which barks, howls, or makes another noise thereby disturbing the quiet or repose of any person   | \$250.00             | \$500.00                                      |
| 4(f)           | Owner of an Animal that causes damage to property  | \$150.00             | \$300.00                                      |
| 4(g)           | Owner of an Animal that is present in area where prohibited by sign  | \$100.00             | \$200.00                                      |
| 4(h)(i)        | Owner of an Animal that bites, attacks. Harasses, barks at, chases or injures any person                             | \$500.00             | \$750.00                                      |
| 4(h)(ii)       | Owner of an animal that bites, attacks, harasses, barks at, kills, or injures any bird, reptile, amphibian or mammal | \$250.00             | \$500.00                                      |
| 4(h)(iii)      | Owner of an Animal that bites, barks at, or chases any vehicle   | \$100.00             | \$150.00                                      |

| <b>SECTION</b> | <b>OFFENCE (Description)</b>  | <b>FIRST OFFENCE</b> | <b>SECOND OFFENCE (Within Six (6) Months)</b> |
|----------------|---|----------------------|---|
| 4(i)           | Owner of an Animal fail to remove defecation immediately from property which is not the owners property                     | \$100.00             | \$200.00                                      |
| 4(j)           | Owner permit an Animal suffering from a communicable disease to be in a public place/proximity of disease free Animals      | \$150.00             | \$250.00                                      |
| 4(k)           | Any person teasing, tormenting, annoying, abusing or injuring an Animal   | \$250.00             | \$500.00                                      |
| 4(l)           | Any person untying, loosening or otherwise frees an Animal without the Owners authorization                                 | \$100.00             | \$200.00                                      |
| 4(m)           | Any person interfering, impeding or hindering an Animal Control Officer   | \$500.00             | \$750.00                                      |
| 4(n)           | Owner of an Animal fail to retain Animal waste on Owner's Property  | \$150.00             | \$300.00                                      |
| 4(o)           | Fail to dispose of Animal waste in a sanitary manner  | \$150.00             | \$250.00                                      |
| 4(p)           | Confine an Animal without proper ventilation  | \$200.00             | \$400.00                                      |
| 4(q)           | Keep Livestock where unauthorized   | \$250.00             | \$500.00                                      |
| 4(r)           | Owner of an Animal or Cat upset receptacles or scatter contents on property not belonging to the Owner of the Animal or Cat | \$150.00             | \$150.00                                      |
| 4(s)           | Owner of an Animal which is being transported untethered in the back or box of a truck                                      | \$100.00             | \$200.00                                      |
| 5(a)           | Owner posses more than three animals or holder of Animal Fancier and Adoption Licence Possess more than ten (10) Animals    | \$500.00             | \$1,000.00                                    |
| 5(b)           | Any person operate as an Animal Fancier Business or Animal Adoption Program without a licence                               | \$1,000.00           | \$2,000.00                                    |

| <b>SECTION</b> | <b>OFFENCE (Description)</b>   | <b>FIRST<br/>OFFENCE</b> | <b>SECOND<br/>OFFENCE<br/>(Within<br/>Six (6)<br/>Months)</b> |
|----------------|--|--------------------------|---|
| 5(g)           | Any person operating an Animal Fancier Business or Animal Adoption Program permitting Animal(s) to cause noise which disturbs the peace of others or causes a nuisance to others | \$250.00                 | \$500.00  |
| 8(a)           | Any person removing an animal from any Animal Shelter when not authorized to do so   | \$250.00                 | \$500.00  |
| 8(b)           | Unauthorized person or person assisting in breaking open an Animal Shelter   | \$250.00                 | \$500.00  |
| 8(c)           | Any person interfering or hindering the capture of an Animal   | \$250.00                 | \$500.00  |
|                |  |                          |   |



**SCHEDULE "C"**  
**FEEES**

**ANIMAL IMPOUNDMENT FEES**

\$30.00 per Animal per occurrence

**Daily Care and sustenance fee**

\$30.00 per Animal per Day