

TOWN OF SLAVE LAKE

BYLAW # 12-2015

BEING A BY-LAW OF THE TOWN OF SLAVE LAKE IN THE PROVINCE OF ALBERTA, TO PROVIDE FOR THE LICENSING, AND TO REGULATE AND CONTROL DOG VIOLATIONS, SAFETY ISSUES, PET WELFARE AND REPEAT OFFENDING OWNERS

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

**Whereas**, pursuant to Section 8 of the *Municipal Government Act*, a council may in a bylaw:

- a) Regulate or prohibit; and
- c) Provide for a system of licenses, permits or approval including any or all of the matters listed therein.

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**NOW THEREFORE**, The Municipal Council of the Town of Slave Lake, duly assembled hereby enacts as follows:

**PART 1- Title and Definitions**

**Section 1 Title**

1(1) This By-Law may be cited as the **“Responsible Pet Owners By-Law”**

## **Section 2 Definitions:**

2(1) **“Act”** shall mean the Municipal Government Act;

2(2) **“Animal Control Officer”** means a person appointed by the CAO to enforce the provisions of this bylaw;

2 (3) **“At Large”** means a dog or cat, which is off the premises of the owner or harborer and is not on a leash and/or under the care and control of a person able to control the dog or cat;

2(4) **“Cat”** means any domesticated cat;

2(5) **“Chief Administrative Officer”** shall mean the Chief Administrative Officer (CAO) for the Town of Slave Lake;

2(6) **“Defecate”** shall mean to discharge waste matters from the bowels;

2(7) **“Dangerous Dog”** means any dog, which in the opinion of the Peace Officer or Animal Control Officer:

- a) Without provocation, shows a propensity, or disposition or potential to attack or injure humans or animals; or
- b) Without provocation attacks, bites, or injures any human or animal; or
- c) Is deemed to be dangerous by a Justice under the provisions of the Dangerous Dogs Act R.S.A 2000 and amendments there to;

2(8) **“Domestic Animal”** means such animals that have been domesticated for agricultural use or pets including but not limited to: pigs, horses, sheep, chickens, pigeons etc. but does not including cats or dogs;

2(9) **“Dog”** means either male or female dog;

2(10) **“Distress”** For the purposes of this bylaw, an animal is in distress if it is:

- a) Deprived of adequate shelter, ventilation, space, food, water or veterinary care or reasonable protection, from injurious heat or cold.
- b) Injured, sick, in pain or suffering or;
- c) Abused or subjected to undue hardship, privation or neglect.
- d) Tease and/ or Tormented

2(11) **“Impounded”** means taken into custody of the Pound as designated by the CAO.

2(12) **“Kennel”** means an establishment run by any person or corporation engaged in the business of breeding, buying, selling training, or boarding of dogs;

2(13) **“License Officer”** means a person or persons appointed by the CAO with the responsibility of issuing dog licenses;

2(14) **“Owner”** means and includes any person, group of persons, firm or corporation owning or possessing or having control over a dog or cat”

2(15) **“Off Leash Area”** means an area designated by the Town Manager or Council where a Dog is permitted but not required to be held by a leash”

2(16) **“Peace Officer”** a member of the Royal Canadian Mounted Police, or Peace Officer as defined under the Peace Officer Act of Alberta;

2(17) **“Pound”** means the premises designed by the CAO under the Provincial guidelines for the purposes of impounding and caring for all animals found at large or otherwise in violation of this By-Law;

2(18) **“Pound Keeper”** means a person appointed by the CAO of the Town of Slave Lake or by agreement with another municipality or private business for the maintaining of the designated pound or pounds;

2(19) **“Registered Veterinarian”** means a registered veterinarian as defined in the *“Veterinary Profession Act”*

2(20) **“Town”** means of Town of Slave Lake”

2(21) **“Temporary Foster Home”** mean the possession or harboring of a Dog, Cat and/or kitten(s) not owned by any person, for a temporary period of not more than one year.

2(22) **“Violation Tag”** means a ticket or similar document issued by a peace officer; animal control officer; or bylaw officer pursuant to the Municipal Government Act, RSA, 2000, c.M-26

2(23) **“Violation Ticket”** ,means a ticket issued pursuant to Part 11 of the Provincial Offences Procedure Act, RSA, 2000, c. P-34.

### **Section 3 Licensing:**

3(1) No person shall own, keep or harbor any dog within the Town limits unless such dog is licensed as provided herein.

3(2) the keeping of dogs in numbers greater than three (3) shall be considered operating a business and must meet all licensing requirements and regulations of the Town.

3(3) No person or persons shall keep or harbor more than three (3) dogs or cats or a combination of, aged six (6) months or more at one time in any house, shelter, room or place within the Town.

3(4) Section 3(3), 3(5) and 3(6) shall not apply to premises authorized by the Town of Slave Lake or recognized animal rescue organization, as a temporary foster home or premises lawfully used for the care and treatment of dogs operated and in the charge of a licensed veterinarian nor to any premises which the written permission of the CAO may be temporarily used for the purpose of a dog show; nor to any person in possession of a valid Town Business License to operate a kennel, pet store or dog grooming parlor within the Town.

3(5) One additional Cat or Dog may be fostered in a dwelling unit authorized and approved by a recognized animal rescue organization for up to a year. Fostering by any dwelling unit renter shall not be permitted unless the dwelling unit owner has given permission. Fostering shall allow for the temporary housing of one cat or one dog or a cat and up to nine of her kitten(s) a dog and up to nine of her pup(s) beyond the limit prescribed in section 3(3)

3(6) Every owner of a dog over the age of six (6) months within the limits of the Town shall purchase a one-time license at the Town Office as prescribed in schedule "A"

3 (7) Dog owners shall provide the Town with the following information when purchasing a dog license:

- (a) Name and street address and telephone number of owner;
- (b) Name, sex and description of the dog to be licensed;
- (c) Proof of current rabies and immunizations;
- (d) Proof of spaying or neutering if applicable;
- (e) Such other information as may be required with respect to the dog license.

3(8) Licenses issued under this By-Law shall not be transferable from one dog to another.

3(9) Upon payment of the required license fee the owner will be supplied with a dog tag.

3(10) Every owner shall ensure that the license tag is securely fastened to a chock chain, collar, or harness which must be worn by the dog at all times the dog is off the premises of the owner.

3(11) The owner of the dog that has been duly licensed under the By-Law may obtain a license tag to replace a tag that has been lost upon payment of the fee specified in Schedule "A" of this By-Law"

3(12) License fees shall be those listed in Schedule "A"

3(13) License provisions of this By-Law shall not apply to person temporarily in the Town for a period not exceeding fourteen (14) days.

3(14) The Licensing Officer shall keep a book or database in which he shall record the name, address and telephone number of each owner, the breed, color and sex of each owner's dog together with the date or registration of the owner's dog, the number stamped on the metallic tag issued to the owner, the date of the last immunization of the dog, confirming of neutering or spaying if applicable as well as the license fee paid by the owner.

**Section 4 Responsibilities of Owner:**

4(1) No owner shall allow any dog or cat to be at large and when any dog or cat is found to be at large, its owner shall be deemed to have failed to comply with this section.

4(2) (a) If a dog or cat defecates on any public or private property other than the property of its owner, the owner shall cause such defecation to be removed immediately;

(b) If a dog or cat defecates on its owner's property to the extent that excessive smell results, the owner shall immediately remove the defecation on notice of a Peace Officer, Animal Control Officer or Health Authority having jurisdiction.

4(3) No person shall permit his or her dog to bark or howl excessively or in any other manner disturb the peace, quiet or repose of a person; and when a dog barks, howls or in any other manner disturbs the quiet of a person, the owner shall be deemed to have failed or refused to comply with this section. After the 3<sup>rd</sup> offence if the animal is still barking, howling, or creating a disturbance the animal may be ordered removed from the Town of Slave Lake upon written order from the Peace Officer, R.C.M.P., or Animal Control Officer or a person appointed by Town Council.

4(4) No owner shall permit his or her dog to damage public or private property and when a dog damages public or private property, its owner shall be deemed to have failed, or refused to comply with this section.

4(5) No dog shall be permitted to be a public nuisance by:

(a) biting, attempting to bite or chasing people;

(b) barking or chasing bicycles and automobiles;

(c) causing any harm or damage to any other animal.

4(6) A dog shall be deemed to be a dangerous dog by the RCMP, Peace Officer, or a Bylaw or Animal Control Officer if the said the dog has bitten more than once.

4(7) Every dangerous dog must be:

- (a) confined indoors; or
- (b) muzzled, leashed and under the effective control of a person over the age of 18 years;
- (c) confined in a properly signed, secure and locked yard or enclosure sufficient to keep the dog in said yard or enclosure and sufficient to deter children from climbing over or under it to gain access.

4(8) The owner of any dog that bites a person shall promptly report the incident to a Peace Officer and the dog may thereupon be quarantined at the discretion of a Peace Officer and, shall not be released from such quarantine except by written permission of the Medical Officer of Health for the municipality. At the discretion of a Peace Officer, such quarantine may be on the premises of the owner or at the Town Pound. In the case of stray dogs whose ownership is not known, such quarantine shall be at the Town Pound.

4(9) Unless otherwise permitted by the Animal Control Officer, no person shall keep a domestic animal in residential districts within the Town of Slave Lake.

4(10) No person shall negligently or willfully open any gate, door or other opening in a fence or enclosure in which a dog or domestic animal has been confined; or otherwise obstruct any dog, domestic animal confinement, thereby allowing said dog or domestic animal to run at large within the Town.

4(11) No person shall cause or permit an animal of which the person is the owner or the person in charge to be or to continue to be in distress.

4(12) The owner of a dog who allows such dog to upset waste receptacles or scatter the contents thereof, either in or about a lane, street or other public or private property or in and about premises belonging to the owner of the dog is guilty of an offence separate and apart from the offence provided in Section 5 and upon summary conviction thereof shall in addition to any penalty imposed upon them be civilly liable to the Town for any expense directly or indirectly incurred by the dog in connection with the receptacle being upset of the waste scattered abroad.

4(13) No owner shall leave a dog or cat unattended in any motor vehicle unless the dog or cat is restricted so as to prevent access to persons as long as restraint provides for suitable ventilation and minimal on the animal.

4(14) When a dog is within an "Off Leash Area" the dog need not be held on a leash, however, the owner or any other person having care and control of the dog shall carry with them a leash and means to pick up dog feces to which they are to be properly disposed of in a garbage receptacle.

**Section 5 Impoundment and Disposition:**

5(1) A Peace Officer or Animal Control Officer may seize and capture any dog found running at large and impound the said dog in the Town Pound.

5(2) To assist in the seizure or capture of dogs running at large a Peace Officer or Animal Control Officer may utilize live traps. Said traps shall be used in a humane manner.

5(3) (a) A dog impounded under sections 1 or 2 shall be kept in the Town Pound for a thereof that the dog has been impounded.

(b) At the expiration of the forty-eight (48) hour period, any unlicensed dog not claimed may be destroyed or sold to a person other than the owner, provided that such person shall be responsible for any or all payments listed in subsection (a).

(c) The owner of a dog which has been impounded and which carries a current license tag, shall be notified, where possible, of the impoundment and such licensed impounded dog may be redeemed in accordance with subsection (a), except that the period of impoundment shall be seventy-two (72) hours.

5(4) When in the judgment of a licensed veterinarian, a dog should be destroyed for humane reasons; such dog may not be redeemed.

5(5) No action shall be taken against any person acting under the authority of this Bylaw for damages for the destruction or other disposal of any animal.

5(6) In enforcement of the jurisdiction provided in section 1, but not for the purpose of investigation only, the Peace Officer or Animal Control Officer is hereby authorized to enter any privately owned premises at any reasonable time, provided however that in this section the word "premises" does not include a building used as a dwelling house.

5(7) It shall be the duty of the CAO to establish one or more pounds for the keeping and impounding of dogs at a place or places approved by the CAO or enter into an agreement with another municipality or private business which will provide pound facilities and the CAO shall make all rules and regulations, not inconsistent with this By-Law, pertaining to the conduct of pound keepers and the administration of the approved pound or pounds.

5(8) No person shall remove or attempt to remove any dog from the possession of the pound keeper or any of their assistants until such time as any penalties and costs have been satisfied.

5(9) A person or persons wanting to retrieve their dog at the Pound must present to a Peace Officer or Animal Control Officer a Government Photo Identification Card as part of the identification process as part of the charging/ticketing process that will or may occur in court.

5(10) The Government Photo Identification form is listed in Schedule "C"

#### **Section 6 Rabies Control:**

6(1) On official report of an outbreak, or a threatened outbreak of rabies, or any disease affecting animals that may be transmitted to human beings. Council may by resolution, order and direct that all animals be confined entirely to the owner's premises.

6(2) When an animal under quarantine has been diagnosed as rabid, or suspected by a licensed veterinarian as being rabid, and dies while under such observation, a Peace Officer or Animal Control Officer, shall immediately send the head of such animal to the appropriate health department for pathological examination and shall notify the Medical Officer of Health for the Town of reports of human contacts, and the diagnosis made of the suspected animal.

6(3) During such period of rabies quarantine as herein mentioned, every animal bitten by an animal adjudged to be rabid, shall be forthwith destroyed, or at the owner's expense and option shall be treated for rabies infection by a licensed veterinarian or held under quarantine by the owner in the same manner as other animals are quarantined.

6(4) Except as herein provided, no person shall kill, or cause to be killed, any rabid animal, any animal suspected of having been exposed to rabies, or any animal that has

bitten a human, nor remove the same from the Town limits without written permission from a Peace Officer, Bylaw Officer or Animal Control Officer.

6(5) The carcass of any dead animal exposed to rabies shall, upon demand, be surrendered to the Peace Officer, Bylaw Officer or Animal Control Officer.

6(6) A Peace Officer, Bylaw Officer or Animal Control Officer direct the disposition of any animal found to be infected with rabies.

### **Section 7 Dangerous Dog:**

7(1) If a Peace Officer or Animal Control Officer determines on reasonable grounds, that a dog is dangerous, either through personal observation or on the basis of facts determined after an investigation initiated by a complaint, he/she may;

- (a) Give the owner a written notice that the dog has been determined to be a dangerous dog and keep a record of notice on file with the name and address of the owner as well as a description of the dangerous dog for future reference.
- (b) Require the owner to keep such a dog at all times while on the owner's property confined and secure by way of fence, enclosure or securely tethered in a manner that will not allow the dog to bite or harm any person or animal and not allow the dog outside the owners property unless such dog is on a permitted leash held and under the control of the owner or another responsible person with the owner's consent.
- (c) Inform the owner that if the dog is not confined in accordance with this bylaw, the owner will be fined or subject to enforcement action pursuant to this bylaw.

7(2) An owner of a dangerous dog is guilty of an offence if such a dog:

- (a) Is on any public property or other private property unless the dog is on a permitted leash and under the control of the owner or another responsible person with owner's consent;
- (b) Threatens or attacks any person;
- (c) Chases any person on a bicycle, moped, scooter or while walking or running;
- (d) Attacks, harasses, injures or kills another animal

**Section 8 Penalties and Enforcement:**

8(1) (a) Where a Peace Officer believes that a person has contravened any provision of this By-Law he may serve upon such person a By-Law ticket as provided by this section.

(i) Personally or by leaving it for him at his usual place of abode with an inmate thereof who appeared to be at least 18 years of age.

(ii) If mailed by double registered post to the last known address of the accused person.

(iii) A notice or form commonly called a violation tag or ticket , having approved printed wording shall state the section of the By-Law that was contravened and the amount which is provided in Schedule “B” of this By-Law will be accepted by the Town in lieu of prosecution.

(b) Upon production of a ticket issued, pursuant to this section, within seven (7) consecutive days from the date of issue, together with the payment to the Town of Slave Lake administration office of the fee as provided in Schedule “B”. The person to whom the tag was issued shall not be liable for prosecution for the contravention in respect of which the tag was issued.

(c) Notwithstanding the provisions of this section, a person to whom a ticket has been issued pursuant to this section may exercise his right to defend any charge committing a contravention of any provisions to this By-Law.

8(2) If the notice or form prescribed in section 1(a) hereof is disregarded and the amount specified therein is not paid in accordance with the terms of the said information field, a summons may be issued, and a prosecution conducted for the alleged violation.

8(3) Any person or owner who commits a breach of any of the provisions of this ByLaw shall be liable upon summary conviction by any court of competent jurisdiction to a fine not less than fifty (50) dollars or more than two thousand five hundred (2,500) dollars as described in Schedule “B”.

8(4) Any person or owner who commits a second or subsequent breach of any provisions of this By-Law, is guilty of an offense under this By-Law, is subject to a fine as prescribed in Schedule “B”.

8(5) A Provincial Court Judge, in addition to the penalties provided in the section, may if he considers the offense sufficiently serious direct or order the person that owns,

keeps, maintains, or harbors a dog to prevent such dog from doing mischief or causing the disturbance or a nuisance complained of or to have the animal removed from the Town, or to have the animal destroyed or permanently removed from the Town of Slave Lake limits.

8(6) Nothing in this By-Law shall prevent a Peace Officer from issuing a violation ticket for a mandatory court appearance to any person who contravened any provision of this By-Law.

8(7) No person, whether or not he is the owner of the dog which is being or has been pursued or captured shall:

- (a) Interfere with or attempt to obstruct a Peace Officer or Animal Control Officer who is attempting to capture, or who has captured, any dog in accordance with the provision of this By-Law;
- (b) Induce any dog to enter a house or other place where it may be safe from capture, or otherwise assist the dog to escape capture.
- (c) Falsely represent himself as being in charge or in control of a dog so as to establish that the dog is not running at large as term is defined in this By-Law.
- (d) Unlock or unlatch or otherwise open the truck or vehicle in which dogs captured for impoundment have been placed so as to allow or attempt to allow any dog or dogs to escape.
- (e) Falsely represent himself as being the owner of a dog in order to attempt to avoid a fine or obtain a lesser fine.
- (f) Interfere with the issuance of an offense ticket for a breach of any of the provisions of this By-Law by the Animal Control Officer, or Peace Officer.

### **Section 9 Designated Head:**

For the purposes of the Act, the CAO is designated as the Head of the Municipality.

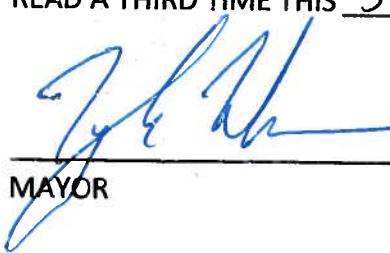
**Section 10 Effective Date:**

1. The Town of Slave Lake Bylaw #11-2014 shall be repealed upon passage of this Bylaw.
2. This By-Law shall come into full force and effect on the third and final reading.

READ A FIRST TIME THIS 21 DAY OF April, A.D. 2015.

READ A SECOND TIME THIS 21 DAY OF April, A.D. 2015.

READ A THIRD TIME THIS 5 DAY OF May, A.D. 2015.

  
MAYOR

  
CHIEF ADMINISTRATIVE OFFICER

## **SCHEDULE "A"**

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**License Fees:**

**As described in Part II of the Responsible Pet Owners By-Law:**

**ONE TIME LICENSE FEE:**

<b>Male Dog</b>	<b>\$50.00</b>
<b>Female Dog</b>	<b>\$50.00</b>
<b>Spayed or Neutered Dog</b>	<b>\$25.00</b>
<b>Replacement of Lost Tag</b>	<b>\$5.00</b>

**SCHEDULE "B"**

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**Penalties and Costs described in the Responsible Pet Owners By-Law #:**

<b>SECTION 3(1)</b>	<b>Fail to obtain a dog license for licensable dog</b>	<b>\$50.00</b>
<b>SECTION 3(3)</b>	<b>Keeping more than three dogs or cats or combination of in an undesignated area</b>	<b>\$150.00 per pet</b>
<b>SECTION 3(10)</b>	<b>Fail to properly secure license to a dog</b>	<b>\$50.00</b>
<b>SECTION 4(1)</b>	<b>Allowing a dog to or cat run at large</b>	<b>\$100.00</b>
<b>SECTION 4(2)(a)</b>	<b>Allowing dog/cat to defecate on public/private property</b>	<b>\$50.00</b>
<b>SECTION 4(2)(b)</b>	<b>Failing to remove excessive defecation from owner's property</b>	<b>\$50.00</b>
<b>SECTION 4(3)</b>	<b>Allow dog to bark or howl excessively</b>	<b>\$100.00</b>
<b>SECTION 4(4)</b>	<b>Allow dog to cause damage to public or private property</b>	<b>\$150.00</b>
<b>SECTION 4(5)(a)</b>	<b>Allowing a dog to bite, attempt to bite, or chase people</b>	<b>\$500.00</b>
<b>SECTION 4(5)(b)</b>	<b>Biting, barking, or chasing bicycles and automobiles</b>	<b>\$200.00</b>
<b>SECTION 4(5)(c)</b>	<b>Causing any harm or damage to any other animal</b>	<b>\$500.00</b>
<b>SECTION 4(9)</b>	<b>Keeping domesticated animals within the Town of Slave Lake District.</b>	<b>\$150.00</b>
<b>SECTION 4(10)</b>	<b>No person shall release any dog from a fence or enclosure</b>	<b>\$50.00</b>
<b>SECTION 4(11)</b>	<b>Allow dog or cat to be in distress</b>	<b>\$500.00</b>
<b>SECTION 4(12)</b>	<b>Upsetting of waste receptacle(s) or scatter the contents</b>	<b>\$100.00</b>

SECTION 4(13)	Leaving dog or cat in a motor vehicle without proper Ventilation	\$250.00
SECTION 4(14)	Fail to have control of dog in off leash area	\$100.00
SECTION 5(3)	Pound Fees	\$25.00/per day
SECTION 5(8)	Remove or attempt to remove dog from pound unlawfully	\$250.00
SECTION 7(2)(a)	Dangerous Dog is on public /private property not on leash	\$500.00
SECTION 7(2)(b)	Dangerous Dog threatens or attacks any person	\$500.00
SECTION 7(2)(3)	Dangerous Dog chases any person on a bicycle, moped Scooter or while running or walking	\$500.00
SECTION 8(3)	Summary conviction resulting from breach of bylaw: Min \$50.00, Max. \$2500.00	
SECTION 8(4)	Second and subsequent offense twice the fined amount for offense	
SECTION 8(7)(a)	Obstruct Peace Officer/Animal Control capturing dog	\$300.00
SECTION 8(7)(f)	Obstruct Peace Officer/Animal Control Officer issuing ticket/summons	\$300.00

SCHEDULE "C"

FOR THE PURPOSES OF IDENTIFICATION, I \_\_\_\_\_  
HEREBY POSITIVELY IDENTIFY THIS DOG AS BEING MY RESPONSIBILITY AS  
THE PRIMARY OWNER/ PERSON IN CARE AND CONTROL OF THIS DOG(S).

**ADDRESS:** \_\_\_\_\_ **POSTAL CODE:** \_\_\_\_\_

**DOB:** \_\_\_\_\_ **NAME OF DOG:** \_\_\_\_\_

**PH:** \_\_\_\_\_ **CELL:** \_\_\_\_\_

**DANGEROUS STATUS:**    YES    NO

**INVOICE/ CHARGES:**

1 \_\_\_\_\_ \$ \_\_\_\_\_

2 \_\_\_\_\_ \$ \_\_\_\_\_

3 \_\_\_\_\_ \$ \_\_\_\_\_

4 \_\_\_\_\_ \$ \_\_\_\_\_

5 \_\_\_\_\_ \$ \_\_\_\_\_

6 \_\_\_\_\_ \$ \_\_\_\_\_

7 \_\_\_\_\_ \$ \_\_\_\_\_

**TOTAL:** \$ \_\_\_\_\_

OWNER SIGNATURE \_\_\_\_\_

DATE \_\_\_\_\_

OFFICER SIGNATURE and BADGE # \_\_\_\_\_

DATE \_\_\_\_\_