

## BYLAW NO. 19/025

### BEING A BYLAW OF THE REGIONAL MUNICIPALITY OF WOOD BUFFALO TO PROVIDE FOR THE LICENSING, REGULATION AND CONTROL OF ANIMALS IN THE REGIONAL MUNICIPALITY OF WOOD BUFFALO.

**WHEREAS**, pursuant to section 7(a) of the *Municipal Government Act*, R.S.A. 2000, c-M26, as amended, 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*, R.S.A. 2000, c-M26, as amended, a council may pass bylaws for municipal purposes respecting wild and domestic animals and activities in relation to them;

**NOW THEREFORE**, the Council of the Regional Municipality of Wood Buffalo, duly assembled, hereby enacts as follows:

#### Short Title

1. This bylaw may be cited as the “Responsible Pet Owner Bylaw”.

#### Definitions

2. In this bylaw, unless the context otherwise requires:
  - 2.1. “Animal” means any vertebrate, but excludes humans, fish and wildlife;
  - 2.2. “Animal Care Facility” means any premises designated by the Municipality for the lodgment and care of animals;
  - 2.3. “Attack Report” means information submitted to the Municipality in a form approved by the Bylaw Program Supervisor for the purpose of reporting an animal attack or animal bite occurring within the Municipality;
  - 2.4. “Athletic Field” means any field or land, whether natural or manmade, that is used for athletic purposes to conduct organized or unorganized sporting activities;
  - 2.5. “At Large” means an animal that is:
    - (a) not under the control of the owner by means of a leash; and
    - (b) is in a public place that is not a designated off-leash area; or
    - (c) is on property other than the owner’s property and in respect of which the animal does not have the right of occupation;

- 2.6. “Breeder” means a person who owns, keeps or maintains animals for breeding purposes;
- 2.7. “Bylaw Program Supervisor” means the person appointed into this position under the authority of the CAO or who is responsible for the animal control operations and includes anyone acting or delegated all or partial responsibilities of this position;
- 2.8. “Bylaw Enforcement Officer” means a Peace Officer as defined in the Provincial Offences Procedure Act and includes any person appointed by the Municipality pursuant to section 55 of the *Municipal Government Act*, R.S.A. 2000, c. M-26, as amended or replaced;
- 2.9. “Community Standards Appeal Committee” means the committee established pursuant to the Municipality’s *Community Standards Appeal Committee Bylaw*, as amended or replaced;
- 2.10. “Controlled Confinement” means the confinement of an animal in a pen, cage, carrier, humane trap or within a closed building;
- 2.11. “Clerk” means the clerk of the Community Standards Appeal Committee;
- 2.12. “Damage to Property” means damage to property other than the owner’s property and includes but is not limited to digging, defecating or urinating on such property;
- 2.13. “Dangerous Dog” means a dog that is the subject of an order under the *Dangerous Dog Act*, R.S.A. 2000, c. D-3, as amended or replaced.;
- 2.14. “Development Authority” means a development officer of the Municipality.
- 2.15. “Dog Lot Occupant” means any person who keeps sled dogs on a site outside of the Urban Service Area which site has been approved by the Development Authority for that purpose in accordance with the Municipality’s *Land Use Bylaw*, as amended or replaced;
- 2.16. “Exotic Animal” means any snake, reptile, arachnid or amphibian;
- 2.17. “Guide Dog” means a guide dog as defined in the Blind Persons’ Rights Act, R.S.A. 2000 c. B-3, as amended or replaced;
- 2.18. “Impound” means the lodgment of an animal at a designated animal care facility;

- 2.19. “Infectious Physical Condition” means any physical condition of an animal which may be passed to another animal or human by invasion of an organism emanating from the animal suffering the physical condition;
- 2.20. “Land Use Bylaw” means the Municipality’s Land Use Bylaw No. 99/059, as amended or replaced;
- 2.21. “Leash” means a physical line not exceeding two metres in length, capable of leading and restraining the Animal to which it is attached;
- 2.22. “License” means an animal license issued by the Municipality to a Person for an animal in accordance with the provisions of this bylaw;
- 2.23. “License Fee” means the annual fee payable in respect of a license, as set out in Schedule “A” to this bylaw;
- 2.24. “License Tag” means an identification tag issued by the Municipality with the license number for an animal;
- 2.25. “Motor Vehicle” has the meaning as defined in the *Traffic Safety Act, RSA 2000 Chapter T-6*, as amended or replaced;
- 2.26. “Municipal Tag” means a document prepared by the Municipality alleging an offence issued pursuant to this bylaw;
- 2.27. “Municipality” means the Regional Municipality of Wood Buffalo;
- 2.28. “Muzzle” means a humane fastening or covering device of adequate strength over the mouth of an animal to prevent it from biting;
- 2.29. “Notice of Appeal” means a Notice of Appeal pursuant to the *Community Standards Appeal Committee Bylaw No. 19/001*, as amended or replaced.
- 2.30. “Nuisance Animal” means any animal that has been declared a nuisance animal under this bylaw by the Bylaw Program Supervisor;
- 2.31. “Off-Leash Area” means a location designated as such by the Municipality;
- 2.32. “Outside Animal” means any Animal that is kept outside the owner’s residence:
  - (a) more than 12 hours per day; or
  - (b) kept outside during the hours of 10pm and 7am; and
  - (c) whether or not the owner has provided any form of shelter for the animal other than the owner’s residence;
- 2.33. “Owner” means one or more persons:

- (a) who has care, charge, custody, possession or control of an animal;
  - (b) who owns or who claims any proprietary interest in an animal;
  - (c) who harbors, suffers or permits an animal to be present on any property owned, occupied or leased by him, or which is otherwise under his control;
  - (d) who claims and receives an animal from the custody of the Municipality; or
  - (e) to whom a subsisting license is issued for the animal;
- 2.34. “Owner’s Property” means any real property owned, leased or legally occupied by the owner;
- 2.35. “Person” means an individual or any business or other entity including a firm, partnership, association, corporation, company or society;
- 2.36. “Playground” means land controlled or owned by the Municipality or a Board of Education upon which there is a play structure or spray park;
- 2.37. “Prohibited Animals” means all animals that can be scientifically classified in whole or in part into any species classification listed in Schedule C, attached hereto and forming part of this bylaw;
- 2.38. “Prohibited Area” means an area where animals are not permitted and includes, school grounds, adopt-a-parks, athletic fields, golf courses, playgrounds and cemeteries;
- 2.39. “Provincial Offences Procedure Act” means the *Provincial Offences Procedure Act*, R.S.A. 2000, c. P-34, as amended or replaced;
- 2.40. “Public Place” means any place within the Municipality, whether privately or publicly owned, to which the public reasonably has or is permitted to have access, whether upon payment or otherwise;
- 2.41. “Public Property” means any place or property owned by or under the care, control and management of the Municipality or a Board of Education, including, but not limited to school grounds, roads, parks or recreational areas, and any open space to which the public reasonably has or is permitted to have access;
- 2.42. “Road” means land:
- (a) shown as a road on a plan of survey that has been filed or registered in a land titles office; or

- (b) used as a public road; and
  - (c) includes bridges forming part of a public road and any structure incidental to a public road;
- 2.43. “Rural Service Area” means that portion of the Municipality that does not form a part of the Urban Service Area as defined in the Province of Alberta Order in Council numbered O.C. 817/94, as amended or replaced;
- 2.44. “School Ground” means that area of land adjacent to a school, and that is property owned or occupied by the Municipality or a Board of Education within the Municipality;
- 2.45. “Service Dog” means a dog trained as a guide for a disabled person and having the qualifications prescribed by the *Service Dogs Qualifications Regulation*, AR 59/2017, as amended or replaced;
- 2.46. “Society” means any incorporated group of five or more people who share a common recreational, cultural, scientific or charitable interest and is regulated under the *Societies Act*, RSA 2000, c S-14, as amended or replaced, and also includes a registered charity;
- 2.47. “Specified Penalty” means the penalty specified in Schedule B;
- 2.48. “Urban Service Area” means that portion of the Municipality defined as the Urban Service Area in the Province of Alberta Order in Council numbered O.C. 817/94, as amended or replaced;
- 2.49. “Veterinarian” means a veterinarian which is currently registered and licensed to practice in Alberta by the Alberta Veterinary Medical Association;
- 2.50. “Vicious Animal” means an animal that has been declared a vicious animal under this bylaw or any dog that has been the subject of an order pursuant to the *Dangerous Dog Act*, R.W.A. 2000, c. D-3, as amended or replaced;
- 2.51. “Violation Ticket” means a ticket issued pursuant to the current *Provincial Offences Procedure Act*, R.S.A. 2000, c. P-34, as amended or replaced, and regulations there under;
- 2.52. “Wildlife” means wildlife as defined in the *Wildlife Act* R.S.A 2000 c.W-10, as amended or replaced, and which is held live under a permit issued pursuant to the Wildlife Act or the keeping of which is otherwise subject to permit requirements under the Wildlife Act, as amended or replaced;
- 2.53. “Wound” means an injury to a human resulting from the action of an animal which causes the skin to be broken or flesh to be torn.

## LICENSING

### Dog Licensing

3. Every person who is the owner of a dog shall apply to the Municipality for a license for that dog within one business day of becoming the owner of the dog or taking up residence in the Municipality and in doing so must provide the Municipality with:
  - 3.1. a description of the dog, including breed, history, health, name, gender, and age;
  - 3.2. whether the dog has been declared a vicious animal, dangerous dog, restricted dog or other declaration indicating the dog may pose a risk to another person or animal by any court or authority having jurisdiction pursuant to any bylaw, provincial legislation or federal legislation;
  - 3.3. the owner's name, address and telephone number;
  - 3.4. confirmation that the dog is neutered or spayed;
  - 3.5. the License Fee;
  - 3.6. a current digital photograph of the dog, when requested by the Municipality; and
  - 3.7. any other information the Municipality may require.
4. No person shall own or keep a dog within the Municipality unless the dog is licensed.

### Cat Licensing

5. Every person who is the owner of a cat shall apply to the Municipality for a license for that cat within one business day of becoming the owner of the cat or taking up residence in the Municipality and in doing so must provide the Municipality with:
  - 5.1. a description of the cat, including breed, history, health, name, gender, and age;
  - 5.2. whether the cat has been declared a vicious animal or other declaration indicating the cat may pose a risk to another person or animal by any court or authority having jurisdiction pursuant to any bylaw, provincial legislation or federal legislation;
  - 5.3. the owner's name, address and telephone number;
  - 5.4. confirmation that the cat is neutered or spayed;
  - 5.5. the License Fee;

- 5.6. a current digital photograph of the cat, when requested by the Municipality; and
- 5.7. any other information the Municipality may require.
6. No person shall own or keep a cat within the Municipality unless the cat is licensed.

### **Nuisance Animal and Vicious Animal Licensing**

7. A license is immediately rendered void upon an animal being declared a vicious animal or nuisance animal under this bylaw.
8. The owner of an animal declared a nuisance animal or vicious animal shall:
  - 8.1. apply for a new license for the nuisance animal or vicious animal on the first business day after the animal has been declared nuisance or vicious; or
  - 8.2. apply for a license on the first business day after becoming owner of an animal declared nuisance or vicious; and
  - 8.3. maintain a current license for the nuisance animal or vicious animal;
  - 8.4. abide by all conditions specified in the declaration; and
  - 8.5. pay the License Fee.
9. No person shall own or keep a nuisance animal or a vicious animal within the Municipality unless the animal is licensed.

### **Licensing Information**

10. No person shall provide false or misleading information when applying for a license under this bylaw.
11. Where the Municipality approves a license application, the Municipality shall provide the owner with a license tag.
12. An owner shall ensure that a cat or dog is wearing a license tag at all times when the animal is off the owner's property.
13. A license is valid for 12 calendar months commencing on the first day of the month following the month in which the license application is approved, unless the license is otherwise rendered void pursuant to this Bylaw.
14. A license issued pursuant to this bylaw is not transferable from one owner to another owner nor from one animal to another animal.

15. An owner must notify the Municipality within five business days of any change with respect to information provided in an application for a license under this bylaw.
16. The Bylaw Program Supervisor or designate shall consider each applicant for a license and may:
  - 16.1. refuse the application and provide reasons; or
  - 16.2. approve the application, with or without conditions.
17. The Bylaw Program Supervisor or designate may revoke a license if the:
  - 17.1. owner fails to comply with any condition of the license;
  - 17.2. license was issued based on incorrect or false information or a misrepresentation by the owner;
  - 17.3. license was issued in error; or
  - 17.4. owner breaches a provision of this bylaw.
18. If a license application is refused or a license is revoked, the owner must remove the animal from the Municipality or surrender the animal to the Municipality for disposition within 48 hours of being given written notice that the license application is refused, or the license is revoked.
19. Any owner wishing to appeal a decision to refuse a license or revoke a license for his or her animal must do so within 14 days of the decision by submitting a notice of appeal to the clerk of the Community Standards Appeal Committee.
20. Upon receiving a notice of appeal under section 18, the Community Standards Appeal Committee shall hear the appeal and may either:
  - 20.1. confirm the Bylaw Program Supervisor's decision to refuse or revoke a license for the animal; or
  - 20.2. direct the Bylaw Program Supervisor to issue a license for the animal, which license shall be issued for a period of one year.
21. Upon being directed by the Community Standards Appeal Committee to issue a license for an animal, the Bylaw Program Supervisor may attach whatever conditions to the license that he or she deems appropriate in the circumstances.

### **Keeping of Animals**

22. No person shall keep more than 4 animals that are 3 months or older at any one premise, except:



- 22.1. a society or registered charity that has a mandate requiring the housing of animals;
  - 22.2. a veterinary clinic under the control of a veterinarian;
  - 22.3. premises operated by an institution of education for research, study or teaching purposes;
  - 22.4. an aquarium or zoological park operated by an organization accredited by the Canadian Association of Zoos and Aquariums; and
  - 22.5. retail premises where such animals are legally sold or cared for; or
  - 22.6. unless otherwise permitted under this bylaw.
23. No person shall keep more than two outside animals at any one premise unless otherwise permitted under this bylaw.
24. Despite section 23, any person who at the time this bylaw comes into force is the owner of more than two licensed outside animals:
- 24.1. may continue keeping the animals outside for as long as that person continuously holds a subsisting license for the animals and remains resident at the premise identified on the licenses for those animals; and
  - 24.2. shall not be entitled to receive a license for another animal intended to be kept as an outside animal at the same premise unless the total number of licensed outside animals kept by that owner is less than two.
25. A Dog Lot Occupant may keep more than two licensed outside animals at a property outside of the Urban Service Area where that property has been approved by the Municipality's development authority under the *Land Use Bylaw, as amended or replaced*, for the purpose of keeping more than two outside animals.
26. No person shall keep more than one vicious animal or one nuisance animal at any one premise.

**Exemptions from License Fees:**

27. Except where the animal is a vicious animal or nuisance animal, an owner is not required to pay a license fee:
- 27.1. to license a Service Dog;
  - 27.2. to license a Guide Dog
  - 27.3. where the owner is 60 years of age or older; and
  - 27.4. to license an animal under the age of six (6) months.

28. Where the Bylaw Program Supervisor or designate is satisfied that the cost of licensing an animal is an undue hardship for the owner, the Bylaw Program Supervisor or designate may waive payment of the license fee for an animal, except for the payment of the license fee for a vicious animal or nuisance animal which shall not be waived.

## **RESPONSIBILITIES OF ANIMAL OWNERS**

### **Basic Care Requirements**

29. An owner shall ensure an animal is provided with:
- 29.1. potable water;
  - 29.2. species-specific food;
  - 29.3. sanitary food and water receptacles;
  - 29.4. regular opportunity for exercise sufficient for the wellbeing of the animal;
  - 29.5. a clean and sanitary shelter, enclosure or living area; and
  - 29.6. veterinary care to relieve or prevent pain when the animal exhibits any signs of pain, injury, illness or suffering, including prompt veterinary care for any potential Infectious Physical Condition.
30. No person shall do anything to tease, torment, annoy, abuse or injure any animal.
31. An owner shall ensure that an outside animal is provided with:
- 31.1. a shelter that protects from wind, heat, cold, wet and the direct rays of the sun;
  - 31.2. a shelter that is structurally sound;
  - 31.3. a shelter that is sanitary;
  - 31.4. a shelter that is sufficiently large to allow the animal to easily and comfortably stand, turn and lie down; and
  - 31.5. continuous access to unfrozen potable water and species-specific food.
32. Every person who keeps an animal tethered must ensure that:
- 32.1. the tether is a minimum of 3 meters in length;
  - 32.2. the animal has unrestricted movement within the range of the tether;
  - 32.3. the animal cannot suffer injury resulting from being tethered; and

- 32.4. the animal has unobstructed and continuous access to species-specific food, unfrozen potable water and shelter within the range of the tether.

### **Animal Health**

33. An owner of an animal that:

- 33.1. attacks, bites or injures another animal;

- 33.2. attacks, bites or injures a person; or

- 33.3. attacks, bites or injures livestock;

must report the incident within 24 hours by completing and submitting an attack report to Bylaw Services.

34. A person who receives a wound upon being bitten by an animal shall immediately report the matter to the Regional Health Authority and complete and submit an attack report to the Bylaw Program Supervisor.

35. An owner of an animal having an infectious physical condition:

- 35.1. shall not permit the animal to be in any public place;

- 35.2. shall not keep the animal in contact with or in proximity to another animal;  
and

- 35.3. shall keep the animal in controlled confinement;

but no contravention of this section occurs by reason only of the fact that a person transports an animal suffering from an infectious physical condition to a place where the animal may obtain veterinary care and the provisions of this section do not apply to a Veterinarian when in the course of administering care to an animal.

36. An owner of an animal suspected of exposure to rabies shall immediately:

- 36.1. place the animal in controlled confinement;

- 36.2. report the matter to the Regional Health Authority;

- 36.3. report the matter to the Bylaw Program Supervisor, in the manner approved by the Bylaw Program Supervisor;

- 36.4. follow all directions of the Regional Health Authority and any Bylaw Enforcement Officer regarding place, duration and manner of confinement or isolation of the animal;

- 36.5. surrender the animal to the Regional Health Authority or a Bylaw Enforcement Officer for quarantine where required by the Regional Health Authority or a Bylaw Enforcement Officer;
  - 36.6. keep the animal confined, isolated or quarantined as directed by the Regional Health Authority or a Bylaw Enforcement Officer, until otherwise directed; and
  - 36.7. shall pay all costs of quarantine where the animal is quarantined by the Regional Health Authority or a Bylaw Enforcement Officer.
37. No person shall keep, harbor or have custody of any cat or dog over three months of age unless such animal has up to date rabies vaccinations.
  38. On demand from a Bylaw Enforcement Officer, the owner of a dog or cat shall provide to the Bylaw Enforcement Officer all veterinary records for the dog or cat.

### **Off-Leash Areas**

39. An owner of a dog is not required to keep the dog on a leash in an off-leash area unless:
  - 39.1. the dog is under the control of a person less than 18 years of age; or
  - 39.2. the dog has been declared a nuisance animal.
40. An owner of a vicious animal shall ensure a vicious animal does not enter an off-leash area.
41. A person shall comply with all signs that are posted in an off-leash area.
42. A person shall have no more than 3 dogs under his or her care and control when in an off-leash area.
43. An owner of a dog in an off-leash area shall carry a leash and produce the leash if requested by a Bylaw Enforcement Officer.
44. A Bylaw Enforcement Officer may:
  - 44.1. order an owner to put a dog on a leash in an off-leash area; or
  - 44.2. order an owner to remove a dog from an off-leash area; andthe owner shall immediately comply with the Bylaw Enforcement Officer's order.
45. An owner of a dog in an off-leash area must immediately put the dog on a leash and remove it from the off-leash area where the dog engages in any of the activities in section 66.

### **Animals in Prohibited Areas**

46. An owner shall ensure an animal does not enter a prohibited area or any area within 5 meters of a prohibited area.
47. An owner shall ensure an animal does not enter an area where the animal is prohibited by posted signs.
48. An owner shall ensure an animal does not enter any naturally occurring or man-made body of water unless signs are posted permitting the activity.

### **Unattended Animals**

49. An owner shall ensure that an animal is not left unattended while tethered or tied in a public place.
50. An owner must not leave an animal unattended in a motor vehicle unless the animal is properly restrained in a manner that prevents contact with a person or other animal and the motor vehicle is suitably ventilated and temperature regulated.

### **Animals in Motor Vehicles**

51. No person shall allow an animal to be outside the passenger cab of a motor vehicle, regardless of whether the motor vehicle is moving or parked.
52. Despite section 51, a person may allow an animal to be outside the passenger cab of a motor vehicle, including in the back of a pick-up truck or flatbed truck if the animal is:
  - 52.1. in a topper enclosing the bed area of a truck;
  - 52.2. contained in a kennel or similar device securely fastened to the bed of the truck; or
  - 52.3. securely tethered in such a manner as to:
    - (a) not require the animal to stand on bare metal;
    - (b) prevent the animal from jumping or being thrown from the vehicle;
    - (c) eliminate any danger of strangulation; and
    - (d) ensure the animal cannot reach beyond the outside edges of the vehicle.
53. The registered owner of a vehicle involved in an offence referred to in sections 50-52 is guilty of the offence.

### **Animals in Heat**

54. An owner of a female animal in estrus must keep the animal in controlled confinement until the animal is no longer in estrus.
55. An owner of a female animal in heat may allow the animal to be outdoors in order to urinate, defecate or exercise on the owner's property, provided that:
  - 55.1. the animal is on a leash and restrained at all times; and
  - 55.2. the animal is returned to controlled confinement immediately upon completion of the urination, defecation or exercise.

## **NUISANCES**

### **Animal at Large**

56. An owner of an animal shall keep the animal on a leash at all times while off the owner's property unless otherwise permitted under this bylaw.
57. An owner of an animal shall ensure the animal is not at-large.
58. No person shall set a cat trap outdoors:
  - 58.1. if the temperature is below 0 degrees celsius or forecast to be below 0 degrees celsius in the next 72 hour period;
  - 58.2. in an area not shaded from the sun;
  - 58.3. unless the trap is checked hourly and closed by 11:00pm each night and rendered in operable until 6:00am the following day; and
  - 58.4. unless the person is residing and present at the property where the cat trap is located.
59. A person who sets a cat trap outdoors must notify the owners or occupants of all adjacent properties that the trap has been set out.
60. A person who traps a cat that he or she does not own must immediately turn the cat over to a Bylaw Enforcement Officer or take the cat to the local humane society.

### **Removing Defecation**

61. Where an animal defecates on property that is not the owner's property, the owner shall remove the feces immediately.
62. An owner of a dog shall always carry a suitable means of removing dog feces while the dog is in the custody of the owner on property other than the owner's property

and shall provide evidence of such means at the request of a Bylaw Enforcement Officer.

63. A person who stores or fails to remove feces from his or her property so as to have, in the opinion of a Bylaw Enforcement Officer, created a nuisance or odour or disturbed the peace and enjoyment of an adjacent property owner or occupant is guilty of an offence.

### **Barking**

64. An owner of a dog shall ensure it does not bark, howl or otherwise comport itself in a fashion as to annoy or disturb any person.
65. An owner of a dog that barks, howls or otherwise comports itself in a fashion as to annoy or disturb any person is guilty of an offence.

### **Threatening Behaviours**

66. An owner of an animal is guilty of an offence if such animal:
  - 66.1. attacks, threatens, harasses, chases, bites or injures any person;
  - 66.2. attacks, threatens, harasses, chases, bites, kills or injures any animal;
  - 66.3. attacks, threatens, harasses, chases, bites, kills or injures any livestock;
  - 66.4. causes damage to property; or
  - 66.5. chases any vehicle.
67. Upon contravention of section 66, an owner must immediately place the offending animal in controlled confinement.
68. No person shall use or direct an animal to attack, chase, harass or threaten a person or animal.

## **NUISANCE ANIMALS**

### **Declaration of Nuisance Animal**

69. Where an animal is the subject of three or more convictions within the past five years for any offence under this bylaw, the Bylaw Program Supervisor may declare the animal a nuisance animal.
70. An owner of a nuisance animal shall abide by all conditions set out in the declaration of nuisance animal.
71. Once every two years, commencing on the second anniversary of an animal's declaration as a nuisance animal, an owner may request that the Bylaw Program

Supervisor review the animal's declaration as a nuisance animal upon which the Bylaw Program Supervisor shall undertake a review and may confirm or cancel the declaration in his or her sole discretion.

### **Regulation of Nuisance Animal**

72. An owner of a nuisance animal shall, within 10 days after the animal has been declared a nuisance animal and prior to a license being issued:
  - 72.1. have a veterinarian tattoo or implant an electronic identification microchip in the animal;
  - 72.2. provide the information contained on the tattoo or in the microchip to the Bylaw Program Supervisor; and
  - 72.3. have the animal neutered or spayed, if the animal is in an unaltered state, provided the animal is over 6 months of age.
73. The Bylaw Program Supervisor may provide a written extension of the 10 day time period in section 72 where the owner provides a written confirmation from a veterinarian identifying the nuisance animal and confirming that the procedures have been scheduled to occur, including date and location of the procedures, and the owner shall abide by the time period contained in the extension or is guilty of an offence under section 72.
74. The owner of a nuisance animal shall:
  - 74.1. notify the Bylaw Program Supervisor within 5 days when the animal is sold, gifted, transferred or deceased; and
  - 74.2. be deemed an owner of the animal under this bylaw until formal notification of sale, gift or transfer is provided to the Bylaw Program Supervisor.

### **VICIOUS ANIMALS**

#### **Declaration of Vicious Animal**

75. The Bylaw Program Supervisor may declare an animal vicious where:
  - 75.1. the animal has attacked another animal without provocation;
  - 75.2. the animal has attacked a person;
  - 75.3. the animal has inflicted a wound on another animal or a person;
  - 75.4. the animal has a known propensity, tenancy or disposition to attack other animals or people; or



- 75.5. the animal has been declared vicious, dangerous or some other designation indicating the animal may pose a risk to another person or animal, by any court or authority having jurisdiction pursuant to any bylaw, provincial legislation or federal legislation.
76. An owner may appeal the Bylaw Program Supervisor's decision to declare the animal vicious by submitting a notice of appeal to the Clerk within 14 days of the Bylaw Program Supervisor having provided written notice that the animal has been declared vicious under section 75.
77. Upon receiving a notice of appeal under section 76, the Community Standards Appeal Committee shall hear the appeal and may either
  - 77.1. confirm the Bylaw Program Supervisor's declaration of the animal as a vicious animal; or
  - 77.2. overturn the Bylaw Program Supervisor's declaration of the animal as a vicious animal.
78. A declaration of vicious animal under this bylaw continues to apply to the animal if the animal is sold, gifted or otherwise transferred to a new owner and must be licensed by the new owner as a vicious animal.

### **Regulation of Vicious Animal**

79. An owner of a vicious animal shall, within 10 days after the animal has been declared a vicious animal and prior to a license being issued:
  - 79.1. have a veterinarian tattoo or implant an electronic identification microchip in the animal;
  - 79.2. provide the information contained on the tattoo or in the microchip to the Bylaw Program Supervisor, and
  - 79.3. have the animal neutered or spayed, if the animal is in an unaltered state, provided the animal is over 6 months of age.
80. The Bylaw Program Supervisor may provide a written extension of the 10 day time period in section 79 where the owner provides a written confirmation from a veterinarian identifying the vicious animal and confirming that the procedures have been scheduled to occur, including date and location of the procedures, and the owner shall abide by the time period contained in the extension or is guilty of an offence under section 79.
81. The owner of a vicious animal shall:
  - 81.1. notify the Bylaw Program Supervisor within 5 days when the animal is sold, gifted, transferred or deceased; and

- 81.2. be deemed an owner of the animal under this bylaw until formal notification of sale, gift or transfer is provided to the Bylaw Program Supervisor.
- 82. The owner of a vicious animal shall ensure that the animal:
  - 82.1. does not chase, injure, bite, attack or otherwise threaten another animal or person;
  - 82.2. cause damage to property; and
  - 82.3. is not at-large.
- 83. The owner of a vicious animal shall immediately notify a Bylaw Enforcement Officer if the animal is at-large.
- 84. The owner of a vicious animal shall ensure that at all times, when the animal is on the property of the owner, the animal is under the control of a person at least 16 years of age, and:
  - 84.1. confined indoors; or
  - 84.2. if outdoors, is secured in a locked pen or other structure constructed to the specifications contained in section 87 in order to prevent the escape of the vicious animal and to prevent the entry of any person not in control of the animal.
- 85. The owner of a vicious animal shall ensure that at all times, when the animal is off the property of the owner, the animal is under the control of a person 16 years of age, and:
  - 85.1. secured with a muzzle; and
  - 85.2. on a leash.
- 86. An owner of a vicious animal shall keep in force a policy of liability insurance in a form satisfactory to the Bylaw Program Supervisor, including, but not limited to:
  - 86.1. providing third party coverage in a minimum amount of \$500,000.00 for injuries caused by the owner's animal; and
  - 86.2. containing a provision requiring the insurer to immediately notify the Bylaw Program Supervisor in writing should the policy expire, be cancelled or terminated;and upon cancellation, expiry or termination of the policy, the license for the vicious animal shall be automatically revoked.

87. The owner of a vicious animal shall ensure that a locked pen or other structure used to secure the vicious animal when outdoor conforms to the following standards:
- 87.1. have secure sides and a secure top, and where there is no bottom secured to the sides, the sides shall be embedded in the ground to a minimum depth of 30 centimeters;
  - 87.2. provide the vicious animal with shelter from the elements;
  - 87.3. have a minimum floor area of 1.5 meters by 3 meters with a minimum height of 1.5 meters; and
  - 87.4. be situated more than 1 meter from any property line and more than 5 meters from any neighbouring dwelling unit.
88. Within 10 days of an animal being declared vicious, the owner shall:
- 88.1. display a sign on the owner's property, in a form approved by the Bylaw Program Supervisor, warning of the presence of the vicious animal; and
  - 88.2. such sign shall be posted:
    - (a) at each entrance to the owner's property;
    - (b) on any outdoor pen or structure where the vicious animal is kept confined; and
    - (c) in a manner such that the signs are unobstructed and visible to any person accessing the owner's property.

## **EXOTIC ANIMALS, LIVESTOCK AND PROHIBITED ANIMALS**

### **Exotic Animals**

89. An owner shall not allow an exotic animal to be in any public place, with the exception of:
- 89.1. an animal rescue that is promoting pet adoption or education events;
  - 89.2. a licensed veterinary clinic under the control of a veterinarian;
  - 89.3. a premise legally operated by an institution of education for research, study or teaching purposes;
  - 89.4. an aquarium or zoological park operated by an organization accredited by the Canadian Association of Zoos and Aquariums;
  - 89.5. a retail premises where such animals are legally sold; and

- 89.6. an event to display live animals for educational purposes held at an exhibition venue that possesses a permit issued under the Land Use Bylaw by the Development Authority, authorizing such an event.

### **Prohibited Animals**

90. No person shall harbor, keep or possess a prohibited animal in the Municipality, except:
  - 90.1. a licensed veterinary clinic under the control of a veterinarian;
  - 90.2. a premise legally operated by an institution of education for research, study or teaching purposes;
  - 90.3. an aquarium or zoological park operated by an organization accredited by the Canadian Association of Zoos and Aquariums;
  - 90.4. an event to display live animals held at an exhibition venue that possesses a permit issued under the Land Use Bylaw by the Development Authority authorizing such an event;
  - 90.5. where the keeping of such an animal is a permitted or a discretionary use under the Municipality's Land Use Bylaw and a permit has been issued by the Development Authority authorizing such a use at the location the animal is being kept, harboured or possessed;
  - 90.6. where an animal is being legally transported in an enclosed motor vehicle;
  - 90.7. where the Bylaw Program Supervisor has issued a written exemption to a person pursuant to section 92; or
  - 90.8. in the case of a horse, which may be ridden or led on the right side of the non-drivable portion of the following roads:
    - (a) roads located in the rural service area that are under the direction, control and management of the Municipality;
    - (b) Saprae Creek Trail; and
    - (c) Tower road;provided that a horse may be ridden or led on the carriage or shoulder of such roads, where it is safe to do so, but only for the purpose of crossing a road.
91. Any person wishing to:
  - 91.1. operate a horse or cattle drawn vehicle in the Municipality; or

- 91.2. lead, ride or drive a horse or cattle within the Municipality;  
may request a written temporary exemption from section 90 from the Bylaw Program Supervisor.
92. Upon receiving a request for temporary exemption under section 91, the Bylaw Program Supervisor may:
- 92.1. issue a written temporary exemption, with or without conditions; or
- 92.2. refuse to issue a written temporary exemption.
93. Where the Bylaw Program Supervisor issues a written temporary exemption under section 92, the person to whom the temporary exemption is issued shall comply with any and all conditions specified in the temporary exemption.

## **ANIMAL CONTROL OPERATIONS**

### **Authority of Bylaw Enforcement Officer**

94. A Bylaw Enforcement Officer may capture and impound any animal:
- 94.1. found at large;
- 94.2. which attacked, or is alleged to have attacked a person or other animal, pending the outcome of an investigation to declare the animal a vicious animal; or
- 94.3. which is required to be impounded pursuant to the provisions of any legislation of the Province of Alberta.
95. A Bylaw Enforcement Officer is authorized to enter any lands or premises (excluding a dwelling house) within the Municipality in accordance with section 542 of the *Municipal Government Act*, R.S.A. 2000, c.M-26, as amended, or repealed and replaced from time to time, to inspect for conditions which may contravene any provision of this bylaw.
96. An impounded animal may be kept for an impoundment period of 72 hours and Saturdays, Sundays and statutory holidays shall not be included in the computation of the 72 hour period.
97. During the 72 hour impoundment period, an animal may be reclaimed by its owner, except as otherwise provided for in this bylaw, upon making the following payments to the Municipality:
- 97.1. the impoundment and administration fees as set out in Schedule A of this bylaw;

- 97.2. the license fee, if the animal is unlicensed; and
  - 97.3. the cost of any veterinary treatment where an animal is found or becomes injured or ill, including any costs incurred for veterinary treatment required as a result of injuries that occur during the process of capture.
98. At the expiration of the 72 hour impoundment period, the animal will become the property of the Municipality and the Municipality is authorized to:
- 98.1. destroy the animal;
  - 98.2. sell or gift the animal; or
  - 98.3. surrender the animal to an appropriate adoption agency.
99. A Bylaw Enforcement Officer shall not be obliged to release the animal to the owner and an animal shall become the property of the Municipality if at the expiration of the 72 hour impoundment period:
- 99.1. no license has been issued for the animal, or the conditions of the license have not been met;
  - 99.2. the owner has not paid the amounts specified in section 96 to the Municipality;
  - 99.3. in the opinion of a Bylaw Enforcement Officer, the animal ought to remain in the care of a veterinarian and the Bylaw Enforcement Officer has reasonable and probable grounds to believe that immediate release of the animal to the owner would otherwise jeopardize the health or well-being of the animal; or
  - 99.4. the Bylaw Enforcement Officer has reasonable and probable grounds to believe that the animal is a continued danger to persons, animals, or property.
100. Despite section 99, a Bylaw Enforcement Officer may, in her or her sole discretion, extend the 72 hour impoundment period and in such case the owner shall be responsible for payment to the Municipality of all fees and costs of the extended impoundment.

### **Temporary Impoundment in Emergencies**

101. The Bylaw Program Supervisor may:
- 101.1. receive an animal for temporary impound in the case of fire, flood or other emergency;

101.2. charge the owner fees for the costs of temporary impound as set out in Schedule A of this bylaw; and

101.3. at the end of a 10 day period, if the owner has made no other care arrangements for the animal, treat the animal as an impounded animal under sections 96-100 of this bylaw.

### **Found Animals**

102. A person who finds an animal at-large shall notify the Municipality within 24 hours, provide information as may be requested, and surrender the animal to a Bylaw Enforcement Officer upon request.

### **Surrendered Animals**

103. An animal shall become the property of the Municipality upon being surrendered by the owner to a Bylaw Enforcement Officer.

104. When surrendering an animal, the owner shall provide the Municipality with veterinary records for the animal.

### **Obstruction and Interference**

105. No person shall:

105.1. interfere with or attempt to obstruct a Bylaw Enforcement Officer who is engaged in the capture or impoundment of an animal;

105.2. interfere with, hinder or impede a Bylaw Enforcement Officer in the performance of any duty authorized by this bylaw;

105.3. open a motor vehicle that holds an animal that has been secured for impoundment; or

105.4. remove, or attempt to remove any animal from the possession of a Bylaw Enforcement Officer.

## **CONTRAVENTION OF BYLAW AND PENALTIES**

### **General Penalty Provisions**

106. If an animal is involved in an activity in contravention of this bylaw, the owner of that animal is guilty of an offence.

107. An owner who contravenes any of the provisions of this bylaw by:

107.1. doing any act or thing which the person is prohibited from doing, or

107.2. failing to do any act or thing the person is required to do;

is guilty of an offence.

108. A person who is convicted of an offence pursuant to this bylaw is liable on summary conviction to:

108.1. a penalty specified in Schedule B of this bylaw; and

108.2. where there no penalty specified in Schedule B of this bylaw, to a penalty of \$200.

109. Despite section 108, where a person has been convicted of contravening the same provision of this bylaw:

109.1. 2 times within a 12 calendar month period, the specified penalty payable in respect of the second conviction is double the amount specified in Schedule B or where there is no penalty specified in Schedule B, to a penalty of \$400; and

109.2. 3 or more times within a 12 calendar month period, the specified penalty payable in respect of the third or subsequent conviction is triple the amount specified in Schedule B or where there is no penalty specified in Schedule B, to a penalty of \$600.

110. Despite sections 108 and 109, where a violation ticket is issued under Part 2 of the Provincial Offences Procedure Act and the Bylaw Enforcement Officer has elected not to specify a penalty on the violation ticket, a person who is convicted of an offence under this bylaw is liable on summary conviction to:

110.1. a penalty not exceeding \$10,000; and

110.2. the Court is not bound by the specified penalty amount in Schedule B, provided that the fine amount ordered by the court shall not be less than the specified penalty in Schedule B.

### **Municipal Tag**

111. A municipal tag may be issued to any person where a Bylaw Enforcement Officer believes the person has contravened any provision of this bylaw.

112. If a municipal tag is issued in respect of an offence, the municipal tag must specify

112.1. the name of the person;

112.2. the offence;

112.3. the fine amount as established by this bylaw;



112.4. that the fine amount shall be paid within 14 days from the issuance of the municipal tag; and

112.5. any other information as may be required.

### **Violation Tickets**

113. If a municipal tag has been issued and if the specified penalty has not been paid within the prescribed time, a violation ticket may be issued.

114. Despite sections 111 and 113, where a Bylaw Enforcement Officer believes that a person has contravened any provision of this bylaw, he or she may commence proceedings by issuing a summons by means of a violation ticket.

### **Payment in Lieu of Prosecution**

115. If a municipal tag is issued in respect of a non-compliance, and if the municipal tag specifies the fine amount established by this bylaw for the non-compliance, the person to whom the municipal tag is issued may make a voluntary payment equal to the specified fine, in lieu of prosecution.

116. Where the voluntary payment referred to in section 115 is received within 7 days of the day of issuance of the municipal tag, the prescribed penalty shall be reduced by 25% and such reduced payment shall be accepted in lieu of prosecution.

### **Continuous Offences**

117. In the case of an offence that is of a continuing nature, each contravention constitutes a separate offence in respect of each day, or part of a day, on which the offence continues and any person guilty of such offence is liable to a fine in an amount not less than the amount shown in Schedule B for each day.

### **Mandatory Court or Information**

118. Where there has been a breach of this bylaw, any Bylaw Enforcement Officer is hereby authorized and empowered to issue a violation ticket or long form information pursuant to Part 2 of the Provincial Offences Procedure Act.

### **Liability for Fees**

119. The levying and payment of any fine or term of imprisonment imposed by the Court shall not relieve a person from paying any fees, charges or costs from which the person is liable under the provisions of this bylaw.

### **Severability**

120. Should any section, subsection, clause or provision of this bylaw be declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity

of this bylaw as a whole, or any part thereof, other than the part so declared to be invalid.

**Transitional**

- 121. An existing license issued under Animal Control Bylaw No. 02/031, remains valid until the term of such license expires.
- 122. Animal Control Bylaw No. 02/031 and any amendments thereto are hereby repealed.
- 123. If on the effective date of this bylaw, any municipal tags or violation tickets have been issued with respect to alleged offences under either the Animal Control Bylaw No. 02/031 or this bylaw, all relevant sections of such bylaw or bylaws, including penalty provisions, shall be deemed to remain in force until the conclusion of such proceedings.
- 124. This Bylaw comes into force when it is passed.

READ a first time this 22nd day of October, 2019.

READ a second time this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

READ a third time this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

SIGNED and PASSED this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Chief Legislative Officer

**SCHEDULE A  
FEES**

**LICENSE**

Dog License	\$50.00
Dog License (Spayed/Neutered)	\$15.00
Cat License	\$30.00
Cat License (Spayed/Neutered)	\$15.00
Nuisance Animal License	\$150.00
Vicious Animal License	\$250.00
Dangerous Dog License	\$100.00
Replacement License Tag	\$10.00

**OTHER FEES**

Impound per day (incurred at time of impound)	\$25.00
Quarantine per day	\$50.00
Ownership Surrender	\$250.00
Veterinary Treatment Provided	As invoiced
Professional Services for Apprehension or Transport	As Invoiced
Humane Animal Trap Deposit	\$100.00

**SCHEDULE B  
FINES**

SECTION	OFFENCE	SPECIFIED PENALTY
4	Unlicensed dog	\$150.00
6	Unlicensed cat	\$150.00
9	Unlicensed nuisance or vicious animal	\$500.00
12	Cat/Dog not wearing issued license tag	\$250.00
10	Providing false or misleading information on a license application	\$250.00
35.3, 36.1, 54, 67	Failure to place animal in controlled confinement	\$500.00
33	Owner failure to report	\$250.00
57	Animal at-large	\$150.00
62	Failure to produce means to facilitate removal of feces	\$50.00
61	Failure to remove feces	\$250.00
65	Animal barking or howling causing disturbance	\$150.00
66.4	Animal cause damage to property	\$250.00
68	Person using an animal to attack, chase or threaten a person or animal	\$500.00
66.1	Animal attack on a person	\$1,000.00
66.2	Animal attack on an animal	\$500.00
74.1	Failure to notify that nuisance animal is sold, gifted, transferred or deceased	\$500.00
8	Failure to take steps required upon declaration	\$500.00
8.4	Failure to abide by conditions of a nuisance animal declaration or vicious animal declaration	\$500.00

81.1	Failure to notify that vicious animal is sold, gifted or transferred	\$500.00
82.1	Vicious animal attack	\$2,000.00
82.2	Vicious animal causes damage to property	\$1000.00
82.3	Vicious animal at-large	\$1000.00
83	Failure to notify of vicious animal at large	\$500.00
84	Failure to keep vicious animal properly confined on owner's property	\$1000.00
85	Failure to properly secure vicious animal off owner's property	\$1000.00
88	Fail to properly post vicious animal signage	\$1000.00
105	Obstruct Bylaw Enforcement Officer	\$500.00

**SCHEDULE C  
PROHIBITED ANIMAL**

**Mammals**

Artiodactyla (including but not limited to cattle, goats, sheep and pigs)

Camelidae (including but not limited to llama and alpaca)

Candiae (including but not limited to coyotes, wolves, foxes) except domestic dogs

Chiroptera (including but not limited to fruit bats, myotis, flying foxes)

Edentates (including but not limited to anteaters, sloths, armadillos)

Felidae (including but not limited to tigers, leopards, cougars) except domestic cats

Hyaenidae (including but not limited to hyaenas)

Lagomorpha (including but not limited to hares, pikas) except domestic rabbits

Marsupials (including but not limited to kangaroos, opossums, wallabies)

Mustelidae (including but not limited to mink, skunks, weasels, otters, badgers) except domestic ferrets

Non-Human primates (including but not limited to chimpanzees, gorillas, monkeys, lemurs)

Perissodactyla (including but not limited to donkeys, jackasses, mules)

Proboscidae (including but not limited to elephants)

Procyonidae (including but not limited to coatimundi, cacomistles)

Rodentia (including but not limited to porcupines and prairie dogs) except rodents which do not exceed 1,500 grams and are derived from self-sustaining captive populations

Ursidae (including but not limited to bears)

Viverridae (including but not limited to mongooses, civets, genets)

**Birds**

Anseriformes (including but not limited to ducks, geese, swans)

Galliformes (including but not limited to pheasants, partridges, grouse, guineafowls, turkeys, chickens)

Struthioniformes (including but not limited to ostriches, rheas, cassowaries, emus, kiwis)

**Snakes/Amphibians**

Venomous and poisonous snakes, spiders, reptiles, amphibians and insects or snakes belonging to the Pythonidae or Boidae families.

**Other**

Any animal which may be declared prohibited by Council of the Regional Municipality of Wood Buffalo.

Any animal that is considered controlled as defined and updated from time to time in the *Alberta Wildlife Regulation*, Schedule 5, Part 1-4: Controlled Animals.