

BYLAW NO. 19/026

A BYLAW OF THE REGIONAL MUNICIPALITY OF WOOD BUFFALO TO AMEND THE COMMUNITY STANDARDS APPEAL COMMITTEE BYLAW NO. 19/001

WHEREAS, in accordance with section 191(1) of the *Municipal Government Act*, Chapter M- 26 Revised Statutes of Alberta 2000 and amendments thereto (“**Act**”), the Council for a Municipality may amend its bylaws;

NOW THEREFORE the Council of the Regional Municipality of Wood Buffalo enacts the following:

1. This Bylaw may be cited as the “Community Standards Appeal Committee Amendment Bylaw.”
2. The Community Standards Appeal Committee Bylaw is amended by:
 - (a) deleting the definition for Appeal at subsection 2.(b) and replacing with:

“Appeal” means an appeal of an MGA Order, appeal of a Declaration of Vicious Animal or appeal of an Animal Licensing Decision;
 - (b) deleting the definition for Declaration of Vicious Animal at subsection 2.(i) and replacing with:

“Declaration of Vicious Animal” means a decision by the Bylaw Program Supervisor under the Responsible Pet Ownership Bylaw No. 19/025, as amended or replaced;”
 - (c) deleting the definition for Notice of Appeal at subsection 2.(q) and replacing with:

“Notice of Appeal” means a written request, in a form acceptable to the Clerk, seeking a review of an Order granted pursuant to Section 545 or 546 of the Act, a review of a Declaration of Vicious Animal or a review of an Animal Licensing Decision;
 - (d) adding the following in subsection 2.(l) after the word “Order” and before the word “pending”:

, Animal Licensing Decision or Declaration of Vicious Animal
 - (e) adding the following definition for Animal Licensing Decision as subsection 2.(b) and re-lettering the remainder of section 2 sequentially:

“Animal Licensing Decision” means a decision by the Bylaw Program Supervisor not to refuse or revoke a License under the Responsible Pet Ownership Bylaw No. 19/025, as amended or replaced;”

(f) deleting section 24 and replacing with:

24. All Applications, including a Notice of Appeal, must be in the form prescribed by the Clerk and must contain:

- (a) the Applicant’s full name, address for service, and phone number;
- (b) a copy of the order or decision that is the subject of the Application;
- (c) the reasons for the Application;
- (d) a fee of \$100.00 for each Application; and
- (e) where the Application is to appeal an MGA Order:
 - i. the municipal address of the property to which the Application relates; and
- (f) where the Application is to appeal an Animal Licensing Decision or Declaration of Vicious Animal:
 - i. the identity of the animal that is the subject of the decision; and
 - ii. the municipal address of the property where the animal resides.

(g) deleting section 29 and replacing with:

29. If the Clerk determines that a Notice of Appeal is sufficient,

- (a) in the case of an MGA Order, an Interim Stay of the MGA Order under appeal will automatically be granted until a final decision on the Appeal is issued by the Committee; and
- (b) in the case of an Animal Licensing Decision or Declaration of Vicious Animal:
 - i. the Applicant may make a written request to the Committee for an Interim Stay;
 - ii. the Respondent shall be given an opportunity to provide the Committee with a written response to the request for an Interim Stay; and
 - iii. the Committee may grant an Interim Stay, upon whatever conditions it deems appropriate, where the Committee is satisfied the operation of the Interim Stay would not create or contribute to a situation of imminent danger to public safety.

(h) adding the following as a new section 24 and renumbering the remaining sections sequentially:

24. Only a person who is an owner of the subject animal under the Responsible Pet Ownership Bylaw No. 19/025 may appeal an Animal Licensing Decision or Declaration of Vicious Animal.

3. The Committees Bylaw No. 17/024 is amended by making the following changes to Appendix F under the heading "Mandate:":

(a) deleting the "." after the word "proceedings" and adding "; and"; and

(b) adding the following after paragraph 1:

2. hear and adjudicate appeals brought under the Responsible Pet Ownership Bylaw No. 19/025.

4. 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