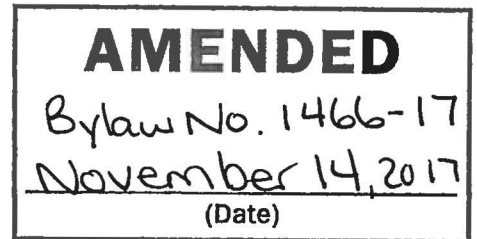


**BYLAW NO. 1459-17**  
**OF THE**  
**TOWN OF BONNYVILLE**



**BEING A BYLAW OF THE TOWN OF BONNYVILLE IN THE PROVINCE  
OF ALBERTA TO PROVIDE FOR THE CONTROL OF ANIMALS.**

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

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

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

**WHEREAS**, pursuant to Section 8 of the *Municipal Government Act*, a Council may in a Bylaw:

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

**NOW, THEREFORE, THE COUNCIL OF THE TOWN OF BONNYVILLE, DULY  
ASSEMBLED, ENACTS AS FOLLOWS:**

**PART I – TITLE, PURPOSE, DEFINITIONS AND INTERPRETATION**

**TITLE**

Section 1      This Bylaw may be cited as the Town of Bonnyville Animal Control Bylaw.

**PURPOSE**

Section 2      The purpose of this Bylaw is to establish a system of licensing and control with respect to animals within the Town of Bonnyville.

**DEFINITIONS**

Section 3      In this Bylaw, unless the context otherwise requires:



**“At large”** means off the premise of the Owner and not under the care and control of a person.

**“Cat”** means any domesticated cat;

**“Chief Administrative Officer”** means the chief administrative officer of the Town or his delegate;

**“Council”** means the Town of Bonnyville Council of the Municipal Corporation of the Town of Bonnyville, Alberta;

**“Dog”** means any domesticated dog either male or female over the age of six (6) months, other than a Nuisance Dog or Restricted Dog;

**“Domestic Animal”** means an animal of a species of vertebrates or invertebrates that has been domesticated by humans so as to live and breed in tame conditions or depend upon humankind for survival and not classified as livestock.

**“Kennel”** means the keeping of more than two (2) dogs or more than two (2) cats.

**“Large Animal”** means any animal other than a human being, Dog, Nuisance Dog, Restricted Dog, or Cat which in the adult form regularly weighs more than 10 kg.

**“Licence”** means a licence issued pursuant to this Bylaw;

**“Licensee”** means a person named on a Licence;

**“Livestock”** means cattle, horses, sheep, pigs, goats, chickens, turkeys or other animals commonly kept on a farm or for agricultural purposes.

**“Mitigating Factor”** means circumstances which excuse aggressive behaviour of a Dog and without limiting the generality of the foregoing, may include circumstances where:

- a) the dog was, at the time of the aggressive behaviour, acting in defence to an attack from a person or domestic animal;
- b) the dog was, at the time of the aggressive behaviour, acting in defence of its young or to a person or domestic animal trespassing on the property of its Owner; or
- c) the dog was, at the time of the aggressive behaviour, being teased, provoked, or tormented;



**"Municipal Tag"** means a ticket alleging an offence issued pursuant to the authority of a Bylaw of the Town;

**"Muzzle"** means a fastening or covering device that is placed over an animal's mouth and nose to prevent it from biting.

**"Nuisance Dog"** means any dog that has been the subject of three or more convictions within the previous three years for any combination of the following offences under this Bylaw:

- (i) Excessive Barking;
- (ii) Defecation;
- (iii) Public Nuisance;
- (iv) Off Property of Owner.

**"Off Leash Area"** means an area designated by the Chief Administrative Officer where a Dog or Nuisance Dog is permitted but is not required to be held by a leash;

**"Owner"** includes any person:

- (i) named on a Licence; or
- (ii) in actual or apparent possession or control of property where an animal apparently resides.

**"Peace Officer"** has the same meaning as in the *Provincial Offences Procedure Act*;

**"Pound"** means a place designated by Council as a place where dogs or cats may be placed and kept impounded;

**"Poultry"** refers to a group of domesticated birds kept for food (meat and/or eggs), fiber (feathers), entertainment (racing, exhibition, hunting, etc.) or work (messenger pigeons). This includes chickens, turkeys, ducks, geese, pigeons, guinea fowl, quail (Bobwhite or Japanese), ostrich, emus, etc.

**"Restricted Dog"** means any dog:

- (i) that has chased, attacked or bitten any person or animal causing physical injury and resulting in a conviction under this Bylaw;
- (ii) that has chased, attacked or bitten any person or animal on more than one occasion, with or without causing physical injury, and resulting in separate convictions under this Bylaw; or
- (iii) that has been made the subject of an order under the *Dangerous Dogs Act*.



**“Service Dog”** means a type of assistance dog specifically trained to help people who have disabilities, including but not limited to:

- (i) visual difficulties
- (ii) hearing impairments; or
- (iii) mental illness

**“Town”** means the Municipal Corporation of the Town of Bonnyville, Alberta;

**“Violation Ticket”** has the same meaning as in the *Provincial Offences Procedure Act*.

## **RULES FOR INTERPRETATION**

Section 4      The marginal notes and headings in this Bylaw are for reference purposes only.

## **PART II – LICENSING OF DOGS**

### **REQUIREMENTS FOR LICENCE**

- Section 5.1      The Owner of a Dog shall obtain a Licence for the Dog.
- Section 5.2      The Owner of a Nuisance Dog shall obtain a Licence for the Nuisance Dog.
- Section 5.3      The Owner of a Restricted Dog shall obtain a Licence for the Restricted Dog.
- Section 5.4      This section does not apply to Dogs, Nuisance Dogs, or Restricted Dogs under the age of six (6) months.
- Section 5.5      The provisions of this Section shall not apply to Dog accompanying a person temporarily in the Town on business or vacation for a period not exceeding fourteen (14) days or such longer periods as may be authorized by written permission from the Town.





## **APPLICATION**

Section 6.1 Before the issue or renewal of a Licence pursuant to this Part, the Owner must submit to the Chief Administrative Officer:

- a) the Licence Fee as established by this Bylaw and as amended from time to time;
- b) proof, in a form acceptable to the Chief Administrative Officer, of the Dog being spayed or neutered if applicable;
- c) any additional information required by the Chief Administrative Officer.

## **ISSUE OR RENEWAL**

Section 7.1 The Chief Administrative Officer may not issue or renew a Licence pursuant to this Part unless satisfied that:

- a) at least one person named on the Licence is eighteen (18) years of age;
- b) all applicable fees have been paid; and
- c) all required information has been provided.

## **TERM**

Section 8.1 Unless otherwise specified in this Bylaw, the term of the Licence pursuant to this Part is for one (1) calendar year. The Owner shall obtain the annual Licence on or before the 31<sup>st</sup> day of January in each calendar year.

Section 8.2 The Chief Administrative Officer may issue a Licence pursuant to this Part for a term other than one (1) year where the Chief Administrative Officer considers it appropriate to do so.

## **LICENCE FEE**

Section 9.1 The annual Licence Fee for a Dog shall be set out in Schedule A of this Bylaw.

Section 9.2 The annual Licence Fee for a Dog that is either spayed or neutered is set out in Schedule A of this Bylaw

Section 9.3 The annual Licence Fee for a Nuisance Dog is set out in Schedule A of this Bylaw.

Section 9.4 The annual Licence Fee for a Restricted Dog is set out in Schedule A of this Bylaw.



Section 9.5 A Dog obtained after December 1 of the current year shall be required to obtain a Licence for the following year.

### **PART III – REGULATION OF DOGS**

#### **Regulations Applying to All Dogs**

##### **EXCESSIVE BARKING**

Section 10.1 The Owner or any other person having care or control of a Dog, Nuisance Dog, or Restricted Dog shall ensure it does not bark in a manner that is reasonably likely to annoy or disturb the peace of others.

Section 10.2 In determining whether barking is reasonably likely to annoy or disturb the peace of others consideration may be given, but is not limited to the:

- a) proximity of the property where the Dog, Nuisance Dog or Restricted Dog resides,
- b) duration of the barking;
- c) time of day and day of the week;
- d) nature and use of the surrounding area; and
- e) any effect of the barking.

##### **DEFECATION**

Section 11.1 The Owner or any other person having care or control of a Dog, Nuisance Dog, or Restricted Dog shall forthwith remove any defecation left by it on public property or private property other than that of the Owner.

Section 11.2 The Owner or any other person having care or control of a Dog, Nuisance Dog, or Restricted Dog shall ensure that defecation apparently left by it on the property of the Owner does not accumulate to such an extent that it is reasonably likely to annoy or pose a health risk to others.

##### **DISPLAY OF LICENCE TAG**

Section 12 The Owner or any other person having care or control of a Dog, Nuisance Dog, or Restricted Dog shall, at all times when it is off property of the Owner; ensure it displays the Licence Tag issued by the Town.



## **REPLACEMENT, REBATE AND TRANSFER OF LICENCE**

- Section 13.1 In case a Dog Licence is lost or destroyed, a replacement tag may be issued, upon presentation by the Owner of the receipt showing payment of the Licence fee for the current Licence year and upon payment as set out in Schedule A which is attached and forms part of this Bylaw, and which may be amended from time to time by resolution of Council.
- Section 13.2 No Person shall be entitled to a rebate on any paid Dog Licence fee because of the death or sale of the Dog or upon the Owner leaving the Town before expiration of the Licence period.
- Section 13.3 No Licence shall be transferable from one Dog to another Dog.

## **RUNNING AT LARGE**

- Section 14.1 The Owner of a Dog shall not permit such Dog to run at large in the Town of Bonnyville.
- Section 14.2 For the purpose of this Bylaw, a Dog shall be deemed to be running at large if it is upon any public street, lane or highway unless the Dog is on a leash and under the direct care and control of the Owner or other person.

## **PUBLIC NUISANCE**

- Section 15.1 The Owner of a Dog shall not permit the Dog to be or become a public nuisance by permitting or otherwise allowing such Dog to:
- a) bite, attack, run at, or attempt to bite, attack or run at a person or animal;
  - b) bite, bark at or chase bicycles, automobiles or any other vehicles;
  - c) bark, howl or otherwise disturb any person;
  - d) cause damage to property or other animals;
  - e) worry or annoy any other animal;
  - f) upset waste receptacles or scattering the contents of any garbage receptacles; or
  - g) defecate on property other than his/her own.
- Section 15.2 The Owner of a female Dog which is in heat shall keep such Dog housed and confined on the premises of the Owner in such a way as to prevent the attraction of other Dogs to the vicinity of such premises.



Section 15.3 The Owner of a Dog who allows such Dog to upset waste receptacles or scatter the contents thereof, either in or about premises belonging to the Owner of the Dog is guilty of an offence separate and apart from the offence provided for nuisance and upon conviction thereof shall in addition to any penalty imposed upon him/her be civilly liable to the Town of Bonnyville for any expense directly or indirectly incurred by the Dog in connection with the receptacles being upset or the waste scattered about.

Section 15.4 Failure to comply with Section 15 may result in prosecution, or, in lieu thereof, payment of a voluntary fine as set out in Schedule B, which is attached to and forms part of this Bylaw and which may be amended from time to time by resolution of Council.

## **DISEASE**

Section 16.1 The Owner of a Dog, which is suffering from any communicable disease shall not permit the Dog to be in any public place, and shall not keep the Dog in contact with or in proximity of any other animal free of such disease.

Section 16.2 A person who owns or who harbours, maintains or keeps a Dog which he/she knows or has reason to know is or may be suffering from rabies, or which he knows or believes has been exposed to rabies:

- a) shall endeavor to keep the Dog locked or tied up;
- b) shall not permit another animal to come in contact with it;
- c) shall immediately report the matter to the Public Health Inspector, Veterinary Doctor or provincial health authority and/or the Canadian Food Inspection Agency (CFIA).
- d) shall report the matter to municipal law enforcement and the Peace Officer.

Section 16.3 The Pound Operator shall report any apparent illness, communicable disease, injury or unhealthy condition of any impounded Cat to a Veterinary and act immediately upon the Veterinarian's recommendations. The Owner of the Cat shall be responsible for all resulting charges.

Section 16.4 When, in the judgment of the licenced Veterinarian, an animal should be destroyed for humane reasons, such animals may not be retrieved.



Section 16.5 No action shall be taken against any person acting under the authority of the Bylaw for damages for destruction or disposal of a Cat.

## **OPERATION OF KENNELS**

Section 17 A kennel, as per Section 3 shall not be permitted on lands within a residential land use district.

## **ESTABLISH POUND**

Section 18 It shall be the duty of the Town of Bonnyville to establish a pound for the impounding of Dogs captured pursuant to this Bylaw, and Council is further authorized and empowered to make any and all such rules and regulations not inconsistent with the provisions of the Bylaw as they consider necessary.

## **RECLAIMING**

Section 19.1 The owner of any impounded Dog may reclaim the Dog from the pound within seventy-two (72) consecutive hours from the time of impoundment, excluding Saturdays, Sundays and Holidays by paying to the Town of Bonnyville the impoundment fees and veterinary fees, as set out in Schedule A, which is attached hereto and forms part of this Bylaw and which may be amended from time to time by resolution of Council, as well as obtaining a Licence for such Dog as required by this Bylaw.

Section 19.2 After 72 consecutive hours of impoundment the Dog becomes the property of the SPCA to be euthanized or adopted to a new home.

## **Regulations Applying to Dogs and Nuisance Dogs**

### **OFF PROPERTY OF OWNER**

Section 20.1 The Owner or any other person having care or control of a Dog or Nuisance Dog shall, at all times when it is off the property of the Owner, have it:

- a) under control; and
- b) held on a leash not exceeding two (2) metres in length.

Section 20.2 When a Dog or Nuisance Dog is within an Off Leash Area the Dog or Nuisance Dog need not be held on a leash, however, the Owner or any other person having care or control of the Dog or Nuisance Dog shall carry with them a leash for the Dog or Nuisance Dog not exceeding two (2) metres in length.



Section 20.3 Subject to the requirements of Section 20.1, the Owner or any other person having care or control of a Dog or Nuisance Dog may have the Dog or Nuisance Dog in any facility of the Town if the Dog or Nuisance Dog is trained by a recognized agency to provide assistance to a person with a physical impairment and the person is using the Dog or Nuisance Dog for such assistance.

Section 20.4 Nothing in this Section removes the obligation on a person to have a Dog or Nuisance Dog under control when it is off the property of the Owner.

### **ATTACKS**

Section 21.1 The Owner or any other person having care or control of a Dog or a Nuisance Dog shall ensure it does not:

- a) damage property;
- b) chase, attack or bite any person or animal; or
- c) chase, attack or bite any person or animal causing physical injury.

Section 21.2 This Section does not apply if the chase, attack, bite or damage is a direct result of the Dog or Nuisance Dog being provoked.

### **LICENCE CONDITIONS**

Section 22.1 Upon issuing a Nuisance Dog Licence or upon 15 days written notice to the Licensee, the Chief Administrative Officer may impose any of the following conditions on a Nuisance Dog Licence.

- a) that the Owner keep the Nuisance Dog indoors or secured in a fully enclosed outdoor pen;
- b) that the Owner ensure the Nuisance Dog is muzzled while outdoors;
- c) that the Licencee or owner undertake repairs to the property where the Nuisance Dog resided to ensure compliance with this Bylaw;
- d) that the Licencee or Owner of the Nuisance Dog complete a behavioural modification course specified by the Chief Administrative Officer; or
- e) any other condition the Chief Administrative Officer deems reasonable.



Section 22.2 An Owner or Licencee shall not contravene any condition on a Nuisance Dog Licence.

### **Regulations Applying to Restricted Dogs**

#### **INSURANCE**

Section 23 The Owner of a Restricted Dog shall have liability insurance specifically covering any damages for personal injury caused by the Restricted Dog on an amount not less than One Million (\$1,000,000) dollars and shall provide proof of such insurance to the Chief Administrative Office upon request.

#### **OFF PROPERTY OF OWNER**

Section 24 The Owner or any other person having care and control of a Restricted Dog shall, at all times when it is off the property of the Owner have it:

- a) under control;
- b) muzzled; and
- c) held on a leash not exceeding two (2) metres in length

#### **ON THE PROPERTY OF OWNER**

Section 25 The Owner or any other person having care or control of a Restricted Dog shall, at all times when it is on the property of the Owner, have it:

- a) indoors;
- b) outdoors, secured in a fully enclosed pen; or
- c) outdoors, muzzled and secured by a chain fixed to the property that prevents the Restricted Dog from coming closer than two (2) metres to the apparent boundary of the property.

#### **ATTACKS**

Section 26.1 The Owner or any person having care and control of a Restricted Dog shall ensure it does not:

- a) damage property;
- b) chase, attack or bite any person or animal;
- c) chase, attack or bite any person or animal causing physical injury



Section 26.2 This Section does not apply if the chase, attack, bite or damage is a direct result of a Restricted Dog being provoked.

#### **PART IV – LICENSING AND REGULATION OF CATS**

##### **REQUIREMENT FOR LICENCE**

Section 27.1 The Owner of a Cat shall obtain a license for the Cat.

Section 27.2 This Section does not apply to Cats under the age of six (6) months.

Section 27.3 The provisions of this Section shall not apply to a Cat accompanying a person temporarily in the Town on business or vacation for a period not exceeding fourteen (14) days or such longer periods as may be authorized by written permission from the Town.

##### **APPLICATION**

Section 28 Before the issue or renewal of a Licence pursuant to this Part, the Owner must submit to the Chief Administrative Officer:

- a) the Licence Fee as established by this Bylaw and as amended from time to time;
- b) proof, in a form acceptable to the Chief Administrative Officer, of the Cat being spayed or neutered if applicable;
- c) any additional information required by the Chief Administrative Officer.

##### **ISSUE OR RENEWAL**

Section 29 The Chief Administrative Officer may not issue or renew a Licence pursuant to this Part unless satisfied that:

- a) at least one person named on the Licence is eighteen (18) years of age;
- b) all applicable fees have been paid; and
- c) all required information has been provided.





## **TERM**

- Section 30.1 Unless otherwise specified in this Bylaw, the term of the Licence pursuant to this Part is for one (1) calendar year. The Owner shall obtain the annual Licence on or before the 31<sup>st</sup> day of January in each calendar year.
- Section 30.2 The Chief Administrative Officer may issue a Licence pursuant to this Part for a term other than one (1) year where the Chief Administrative Officer considered it appropriate to do so.

## **LICENCE FEES**

- Section 31.1 The annual Licence Fee for a Cat shall be set out in Schedule A of this Bylaw.
- Section 31.2 The annual Licence Fee for a Cat that is either spayed or neutered is set out in Schedule A of this Bylaw
- Section 31.3 In the event a Licence for a Cat is issued or renewed for a term other than one (1) year, the fee for the Licence will be adjusted in accordance to Schedule A of this Bylaw.

## **DISPLAY OF LICENCE TAG**

- Section 32 The Owner or any other person having care or control of a Cat shall, at all times when it is off property of the Owner, ensure it displays the Licence tag issued by the Town.

## **OFF PROPERTY OF OWNER**

- Section 33.1 The Owner or any other person having care or control of a Cat shall ensure the Cat does not enter onto private property other than that of the Owner. The Cat shall be deemed to be at large if it is found to be off property of the Owner.
- Section 33.2 This Section does not apply if the person in charge of the private property consents to the Cat being there.
- Section 33.3 No Owner shall permit their Cat to be on any school ground or playground and when a Cat is found on any school ground or playground, the Cat shall be deemed to be at large.

## **CAPTURING AND IMPOUNDING OF CATS**

- Section 34.1 This Bylaw provides for individual residents within the Town of Bonnyville to capture and turn over to the pound, Cats found to be at large.



Section 34.2 The Town of Bonnyville will not undertake to capture Cats found to be at large.

Section 34.3 Individual residents within the Town of Bonnyville must utilize a cat trap from the SPCA to capture a Cat or Cats at large. The use of the cat trap is in accordance with the Cat Trap Agreement. The payment for deposit on the use of the trap is as set out in Schedule A.

Section 34.4 Cat traps may only be set on private property.

#### **SEIZURE, IMPOUNDMENT, RECLAIMING AND DISPOSITION**

Section 35.1 Any resident of the Town of Bonnyville may seize and capture, between the dates of April 15 and October 15, when temperatures do not go below Zero Degrees Celsius, utilizing a cat trap from the SPCA, a cat found to be running at large and impound the said Cat to the pound.

Section 35.2 In the seizure of Cats at large, residents of the Town must utilize a cat trap available through the SPCA. Cat traps shall be used in a humane manner as set out in the Cat Trap Agreement.

Section 35.3 Failure to comply with Sections 27 and 33 of this Bylaw may result in prosecution or payment of a voluntary fine in lieu thereof as set out in Schedule B of this Bylaw.

Section 35.4 The Cat so impounded shall be kept in the pound for a period of at least seventy-two (72) consecutive hours. Saturday, Sundays and statutory holidays shall not be included in the computation of the seventy-two hour period. During this period, any healthy Cat may be retrieved by its Owner or agent upon payment of:

- a) any fine or fines imposed pursuant to the Bylaw;
- b) the impoundment fees described in Schedule B; or
- c) any care and subsistence fees charged by the SPCA.

Section 35.5 At the expiration of the seventy-two hour impoundment period, any Cat not retrieved shall become the property of the SPCA.

Section 35.6 Where a Cat is wearing a Town of Bonnyville Cat Registration Tag, the Pound Operator shall notify the Town. The Town will utilize its best efforts to inform the Cat Owner of its impoundment.

Section 35.7 The Pound Operator shall report any apparent illness, communicable disease, injury or unhealthy condition of any impounded Cat to a Veterinary and act immediately upon the Veterinarian's recommendations. The Owner of the Cat shall be responsible for all resulting charges.

Section 35.8 When in the judgment of the licenced Veterinarian, an animal should be destroyed for humane reasons, such animals may not be retrieved.

Section 35.9 No action shall be taken against any person acting under the authority of the Bylaw for damages for destruction or disposal of a Cat.

## **PART V – OTHER REGULATIONS**

### **PROHIBITED ANIMALS**

Section 36.1 No person shall keep or have any of the following on any premises with a municipal address in the Town, unless that person has approval issued by Council, the Chief Administrative Officer or their respective delegate, to do so:

- a) large animals (including livestock) or the young thereof;
- b) poultry;
- c) bees;
- d) pigeons;
- e) rabbits; or
- f) poisonous snakes, reptiles or insects.

Section 36.2 The Chief Administrative Officer may impose terms and conditions on an approval issued pursuant to this Section, including but not limited to terms and conditions regulating:

- a) the location where the animals are to be kept;
- b) the maximum number of animals that may be kept;
- c) the manner in which the animals must be kept;
- d) restrictions on the sale or use of animal products;
- e) the term of the approval;
- f) mandatory husbandry training; or
- g) any other matter the Chief Administrative Officer determines is in the public interest.

Section 36.3 The Chief Administrative Officer may not issue an approval pursuant to this Section unless satisfied that:

- a) The Licencee is at least eighteen (18) years of age;
- b) all applicable fees have been paid;
- c) all required information has been provided to the Chief Administrative Officer.

Section 36.4 Animals in town for parades, carnivals, rodeo or chuckwagon events or exhibits, under the care and supervision of competent persons, are not subject to the provisions established in this section of the Bylaw.

Section 36.5 The Chief Administrative Officer may refuse to issue or may revoke an approval issued pursuant to this Section providing written notice the Licencee.

Section 36.6 A Licencee shall not contravene any term or condition of a Licence issued pursuant to this Section.

Section 36.7 This Section, other than 36.1(f), does not apply in the case of a premise with a municipal address in the Town on land zoned UR – Urban Reserve District.

#### **LEG HOLD TRAPS**

Section 37.1 Unless otherwise permitted by law, no person shall leave a leg hold or foot hold trap in any place where it may reasonably capture any animal.

Section 37.2 Unless otherwise permitted by law, no person shall capture any animal by means of a leg hold or foot hold trap.

#### **PIGEONS**

Section 38.0 No Person shall keep or have any pigeon on any premises with a municipal address in the Town unless they have a Licence to do so.

Section 38.1 The annual Licence fee to keep or have pigeons is set out in Schedule A of this Bylaw.

Section 38.2 No Person shall:

- a) keep or have more than 4 pigeons on any premises with a municipal address in the Town;
- b) keep or have pigeons except in a loft or aviary acceptable to the Chief Administrative Officer in terms of location, size, construction, ventilation, cleanliness and any other related matter; or
- c) allow any pigeon to be outside of the loft or aviary:



- i) for any purpose other than supervised exercise or when returning from a supervised race or training flight;
- ii) in a flock of more than 20 pigeons at one time;  
or
- iii) on any Saturday, Sunday or legal holiday between 10 a.m. and 11 p.m. or on any day in May, June, July, August or September between 10 a.m. and 4 p.m.

### **LIMIT ON NUMBERS OF ANIMALS**

Section 39.1 No person shall keep or have more than two (2) Dogs, Nuisance Dogs, Restricted Dogs or any combination thereof on any premises with a municipal address in the Town.

Section 39.2 No Person shall keep or have more than two (2) Cats on any premises with a municipal address in the Town.

Section 39.3 No Person shall keep or have more than four (4) rabbits or pigeons in any district, providing they are kept in a clean and sanitary condition to the satisfaction of the Town.

Section 39.4 This section does not apply:

- a) in the case of Dogs, Nuisance Dogs, Restricted Dogs or Cats under the age of six (6) months;
- b) if the person has a valid Business Licence to operate a Small Animal Breeding Boarding Establishment or the General Business of a pet store pursuant to another Bylaw of the Town;
- c) to the Bonnyville SPCA or any veterinary clinic or hospital, or
- d) in the case of premise with a municipal address in the Town on land zoned UR – Urban Reserve District.

### **CHANGE OF INFORMATION**

Section 40 A Licencee shall forthwith notify the Chief Administrative Officer of any change with respect to any information provided as part of the application for a Licence pursuant to this Bylaw.

### **NOTIFICATION OF STRAY**

Section 41 A person who takes control of any stray Dog, Nuisance Dog, Restricted Dog or Cat shall forthwith notify the Town and



provide any required information.

#### **FALSE INFORMATION**

Section 42.1 No person shall provide false or misleading information to any Peace Officer or the Chief Administrative Officer.

Section 42.2 No Person shall contravene any term or condition contained in a written agreement entered into by that person with the Town pursuant to this Bylaw.

#### **INTERFERENCE**

Section 43 No person shall interfere with a Peace Officer in the exercise of their powers and duties pursuant to this Bylaw.

### **PART VI – ENFORCEMENT**

#### **OFFENCE**

Section 44 A person who contravenes the Bylaw is guilty of an offence.

#### **CONTINUING OFFENCE**

Section 45 In the case of an offence that is of a continuing nature, a contravention constitutes a separate offence in respect of each day, or part of a day, on which it continues and a person guilty of such an offence is liable to a fine in an amount not less than that established by this Bylaw for each such day.

#### **FINES AND PENALTIES**

Section 46.1 A person who is guilty of an offence is liable to a fine in an amount not less than that established in this Section and not exceeding \$10,000.00 and to imprisonment for not more than six (6) months for non-payment of a fine.

Section 46.2 Without restricting the generality of subsection (1) fines and penalties are pursuant to Schedule B of this Bylaw as amended from time to time by resolution of Council.

#### **MUNICIPAL TAG**

Section 47 If a Municipal Tag is issued in respect of an offence the Municipal Tag must specify the fine amount established by this Bylaw for the offence.



## **PAYMENT IN LIEU OF PROSECUTION**

Section 48 A person who commits an offence may, if a Municipal Tag is issued in respect of the offence, pay the fine amount established by this Bylaw for the offence and if the amount is paid on or before the Prosecution date, the person will not be prosecuted for the offence.

## **VIOLATION TICKET**

Section 49 If a Violation Ticket is issued in respect of an offence, the Violation Ticket may:

- a) specify the fine amount established by this Bylaw for the offence; or
- b) require a person to appear in court without the alternative of making a voluntary payment.

## **VOLUNTARY PAYMENT**

Section 50 A person who commits an offence may:

- a) if a Violation Ticket is issued in respect of the offence; and
  - b) if the Violation Ticket specified the fine amount established by the Bylaw for the offence;
- make a voluntary payment equal to the specified fine.

## **SEIZURE AND IMPOUNDING**

Section 51.1 A Peace Officer may seize and impound

- a) any Dog or Nuisance Dog found in contravention of Section 20.1;
- b) any Restricted Dog found in contravention of Section 24; or
- c) any Cat found in contravention of Section 33.1; or
- d) he/she believes an offence under this Bylaw is being or has been committed;
- e) is named or described or otherwise designated in a complaint by any person as creating a disturbance by barking, howling or otherwise disturbing any person at any time during the day or night; or
- f) is named or described or otherwise designated in a complaint made pursuant to the Dangerous Dog Act; or
- g) is actually or apparently affected with rabies or any



other contagious disease

Section 51.2 In enforcement of this jurisdiction but not for the purpose of investigation only, the Peace Officer is 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.

### **SERIOUS INJURY**

Section 52.1 A Peace Officer may seize and impound any Dog alleged to have seriously injured or killed a person or animal.

Section 52.2 Before seizing and impounding a Dog pursuant to this Section, the Peace Officer must consider whether the Dog was acting in self defence or while in the course of attempting to prevent a person from committing an unlawful act.

Section 52.3 A Dog seized pursuant to this Section, may not be impounded for more than twenty one (21) days unless court proceedings for destruction or other order with respect to the Dog are commenced within that time.

### **RELEASE**

Section 53 Any Dog, Nuisance Dog, Restricted Dog or Cat seized pursuant to this Bylaw, may be released to the owner upon payment of any fees due with respect to shelter, care and treatment and any Licence fee, if not already paid.

## **PART VII – GENERAL**

### **OTHER FEES**

Section 54 The following fees are hereby established:

- a) for shelter and care, the amount set out in Schedule A; and
- b) for any required veterinary treatment, including drugs, and medicines, the actual costs of the treatment; and
- c) for a replacement Licence tag, the amount set out in Schedule A.

### **PROOF OF LICENCE**

Section 55 The onus of proving a person has a valid and subsisting Licence is on the person alleging the Licence on a balance of probabilities.



## **PROOF OF AGE**

Section 56 The onus of proving the age of a Dog, Nuisance Dog, Restricted Dog or Cat is on the person alleging the age on a balance of probabilities.

## **CHIEF ADMINISTRATIVE OFFICER**

Section 57 Without restricting any other power, duty or function granted by this Bylaw, the Chief Administrative Officer may:

- a) carry out whatever inspections are reasonably required to determine compliance with this Bylaw;
- b) delegate any powers, duties or functions under this Bylaw to an employee of the Town and/or Peace Officer;
- c) establish forms and guidelines for the purpose of this Bylaw;
- d) establish Off Leash Areas;
- e) permit a 50% reduction in the Licence fee otherwise payable for one spayed or neutered Dog or Cat if the Owner is receiving income assistance from a recognized government program;
- f) waive the Licence fee otherwise payable for one Dog if the Dog is trained by a recognized agency to provide assistance to a person with a physical impairment and the Owner uses the Dog for such assistance;
- g) waive the first year Licence fee otherwise payable for any Dog or Cat adopted by an Owner from the Bonnyville SPCA or any other SPCA providing proof is provided for review; and
- h) waive the first year Licence fee otherwise payable for a Dog or Cat that is either spayed or neutered.

## **RECORDS AND CERTIFIED COPY OF RECORD**

Section 58.1 The Town Administration Office shall keep a record of all Dogs and Cats licenced pursuant to this Bylaw. The records shall indicate:

- a) date of Licence issued
- b) name, address and telephone number of the Owner of the Dog or Cat
- c) Licence number issued and amount paid; and



d) Breed, colour and sex of the Dog or Cat.

Section 58.2 A copy of a record of the Town, certified by the Chief Administrative Officer as a true copy of the original, shall be admitted in evidence as prima facie proof of the facts stated in the record without proof of the appointment or signature of the person signing it.

#### **CIVIL ACTION NOT AFFECTED**

Section 59 Nothing in this Bylaw limits the right of any person to prosecute a claim for damages by reason of injuries to person or property resulting from any action of the Owner of any animal or from the action of any agent of the Owner.

#### **PART VIII – TRANSITIONAL**

#### **EXISTING LICENCE**

Section 60 Existing Licences issued prior to the effective date of this Bylaw shall remain valid for the current licencing year and will be subject to the foregoing upon renewal.

#### **REPEALS**

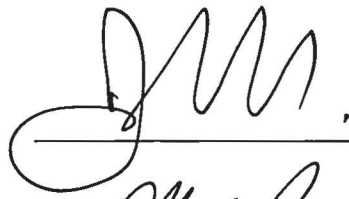
Section 61 Bylaw 1243-04 and Amendments thereto – Control of Domestic Dogs

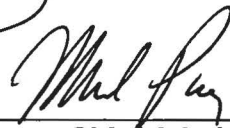
Section 62 Bylaw 1410-13 and Amendments thereto – Control, Registration and Confinement of Cats

#### **EFFECTIVE DATE**

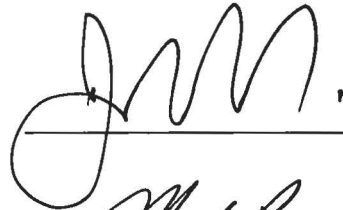
Section 63 This Bylaw comes into force and effect on the date of third and final reading. All schedules to this Bylaw may be amended by resolution of Council.


**INTRODUCED AND GIVEN FIRST READING** this 14<sup>th</sup> day of March A.D., 2017.

  
\_\_\_\_\_  
Mayor

  
\_\_\_\_\_  
Chief Administrative Officer

**GIVEN SECOND READING** this 11th day of April A.D., 2017.

  
\_\_\_\_\_  
**Mayor**

  
\_\_\_\_\_  
**Chief Administrative Officer**

**GIVEN THIRD AND FINAL READING** this 11<sup>th</sup> day of April A.D., 2017.

  
\_\_\_\_\_  
**Mayor**

  
\_\_\_\_\_  
**Chief Administrative Officer**

## **SCHEDULE A – LICENCE FEES AND CHARGES**

### **DOG LICENCE FEES**

1. The Owner of a Dog shall pay the following Licence fee:

<b>Licence Fee (per calendar year)</b>	
Dog Licence	\$65.00
Dog Licence (spayed or neutered)	\$20.00
Nuisance Dog Licence ( <b>NEW</b> )	\$100.00
Restricted Dog Licence ( <b>NEW</b> )	\$100.00
Replacement Tags	\$5.00
Recognized Service/Assistance Dog Licence	\$5.00
Replacement Tags	Free

2. The full amount of the license fee shall be payable regardless of when the dog is registered during the year with the exception of a Dog acquired or brought into the Town after the 31<sup>st</sup> day of August of that year, in which case, if proven that the dog was not obtained, or became six (6) months of age prior to August 31 of that year, the licence fee may be reduced by one half.

### **CAT LICENCE FEES**

1. The Owner of a Cat shall pay the following Licence fee:

<b>Licence Fee (per calendar year)</b>	
Cat Licence	\$50.00
Cat Licence (spayed or neutered)	\$10.00
Replacement Tags	\$5.00

2. The full amount of the license fee shall be payable regardless of when the Cat is registered during the year with the exception of a Cat acquired or brought into the Town after the 31<sup>st</sup> day of August of that year, in which case, if proven that the Cat was not obtained, or became six (6) months of age prior to August 31 of that year, the licence fee may be reduced by one half.



## **SCHEDULE A – LICENCE FEES AND CHARGES**

### **OTHER PROHIBITED ANIMALS**

1. The Owner/Applicant may be subject to obtaining a Development Permit approval, which may include, but not be limited to, an approval from the Municipal Planning Commission and notification to adjacent property owners, for the keeping of Large Animals, Poultry and Bees within the Town. Fees for the Development Permit and any related charges are established in the Planning and Development Fee and Charges Bylaw as amended from time to time will be applicable.
2. Pigeon Licence

<b>Licence Fee (per calendar year)</b>	
Pigeon Licence (NEW)	\$15.00

### **OTHER FEES**

#### **DOG IMPOUND FEES**

Impoundment Fee	As per Agreement with SPCA
Care and Subsistence per day or portion thereof to commence at midnight on the 72 <sup>nd</sup> hour after impoundment	As per Agreement with SPCA
Veterinary Fee	Amount Expended
Purchase of Dog (payment of impound fee prior to release of the Dog plus purchase of current Dog Licence Tag if resident of the Town)	\$60.00

#### **CAT TRAP RENTAL**

As per Agreement between the SPCA and the Town of Bonnyville as amended from time to time.

#### **CAT IMPOUND FEES**

Impoundment Fee	As per Agreement with SPCA
Care and Subsistence per day or portion thereof to commence at midnight on the 72 <sup>nd</sup> hour after impoundment	As per Agreement with SPCA
Veterinary Fee	Amount Expended



## SCHEDULE B – PENALTIES

### **DOG FINES PENALTIES:**

The following penalties are for Licenced Dogs. Owners of an unlicensed Dog will be charged the Second Offence rate on the First Offence.

#### **Failure to Wear Licence:**

First Offence	\$50.00
Second Offence	\$100.00
Third and each subsequent Offence per calendar year	\$150.00

#### **Running At Large**

First Offence	\$50.00
Second Offence	\$100.00
Third and each subsequent Offence per calendar year	\$150.00

#### **Public Nuisance**

First Offence	\$75.00
Second Offence	\$100.00
Third and each subsequent Offence per calendar year	\$150.00

#### **Defecation**

First Offence	\$75.00
Second Offence	\$100.00
Third and each subsequent Offence per calendar year	\$150.00

#### **Obstruction**

Obstruction	\$250.00
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#### **Nuisance Dog or Restricted Dog**

First Offence	\$150.00
Second Offence	\$300.00
Third and each subsequent Offence per calendar year	\$600.00



## SCHEDULE B – PENALTIES

### **CAT FINES PENALTIES:**

The following penalties are for Licenced Cats.

#### **Failure to Register or Wear Licence:**

First Offence	\$50.00
Second Offence	\$100.00
Third and each subsequent Offence per calendar year	\$150.00

#### **Running At Large**

First Offence	\$50.00
Second Offence	\$100.00
Third and each subsequent Offence per calendar year	\$150.00

#### **Interference with Enforcement**

First Offence	\$50.00
Second Offence	\$100.00
Third and each subsequent Offence per calendar year	\$150.00

#### **Harbouring or keeping more than two (2) Cats**

First Offence	\$50.00
Second Offence	\$100.00
Third and each subsequent Offence per calendar year	\$150.00

#### **Obstruction**

Obstruction	\$250.00
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#### **Reclaiming – up to 72 hours**

Impoundment Fee	\$70.00
Veterinary Fee	Amount Expended

## SCHEDULE B – PENALTIES



**OTHER FINES:**

**Keeping Prohibited Animal Without Approval from Town (NEW)**

First Offence	\$100.00
Second Offence	\$200.00
Third and each subsequent Offence per Calendar year	\$300.00

**Keeping More Animals than Permitted (NEW)**

First Offence	\$50.00
Second Offence	\$75.00
Third and each subsequent Offence per calendar year	\$150.00

**Leaving An Animal in Vehicle Causing Suffering (NEW)**

First Offence	\$500.00
Second Offence	\$750.00
Third and each subsequent Offence per calendar year	\$1500.00

**Leaving an Animal Unsecured in a Vehicle (NEW)**

First Offence	\$100.00
Second Offence	\$75.00
Third and each subsequent Offence per calendar year	\$150.00





**BYLAW NO. 1466-17**  
**OF THE**  
**TOWN OF BONNYVILLE**

**A BYLAW OF THE TOWN OF BONNYVILLE IN THE PROVINCE OF ALBERTA TO AMEND BYLAW 1459-17 RESPECTING TO PROVIDE FOR THE CONTROL OF ANIMALS.**

**WHEREAS**, pursuant to Section 8 of the Municipal Government Act, a Council may by Bylaw:

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

**NOW THEREFORE THE MUNICIPAL COUNCIL OF THE TOWN OF BONNYVILLE IN THE PROVINCE OF ALBERTA DULY ASSEMBLED ENACTS AS FOLLOWS:**

That Bylaw No. 1459-17 be amended as follows:

**1. Section 16.5 – DISEASE**

replace the word "Cat" with the words "Dog or Cat" at the end of the section to read:

16.5 "No action shall be taken against any person acting under the authority of the Bylaw for damages for destruction or disposal of a Dog or Cat".

**2. Section 40 – ANIMAL IN VEHICLE**

Add the following after Section 40.2:

**Section 40.3** Dogs may only be transported in the back of a truck if the dog is in a fully enclosed trailer, a truck covered with a topper, contained in a kennel that is secured to the truck bed, or securely tethered so that the dog cannot fall over the side of the vehicle and not standing on bare metal.

**3. SCHEDULE B – PENALTIES**

Add the following:

**DOG FINES PENALTIES:**

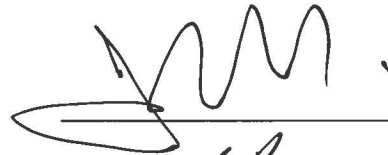

**Transporting a dog Unsecured in a Vehicle**

First Offence	\$100.00
Second Offence	\$150.00
Third and each subsequent Offence per calendar year	\$250.00



4. That this Bylaw shall come into force and effect upon third and final reading.



INTRODUCED AND GIVEN FIRST READING this 14<sup>th</sup> day of November, A.D., 2017.

  
\_\_\_\_\_  
Mayor  
  
\_\_\_\_\_  
Chief Administrative Officer

GIVEN SECOND READING this 14<sup>th</sup> day of November, A.D., 2017.

  
\_\_\_\_\_  
Mayor  
  
\_\_\_\_\_  
Chief Administrative Officer

CONSENT TO PROCEED TO THIRD AND FINAL READING this 14<sup>th</sup> day of November, A.D., 2017.

  
\_\_\_\_\_  
Mayor  
  
\_\_\_\_\_  
Chief Administrative Officer

GIVEN THIRD AND FINAL READING this 14<sup>th</sup> day of November, A.D., 2017.

  
\_\_\_\_\_  
Mayor  
  
\_\_\_\_\_  
Chief Administrative Officer