

BYLAW NO. 1371

BEING A BYLAW OF THE MUNICIPAL DISTRICT OF BONNYVILLE NO. 87, IN THE PROVINCE OF ALBERTA, TO PROVIDE FOR THE LICENSING, REGULATING AND CONFINEMENT OF DOGS

WHEREAS by virtue of the power conferred on it by the Municipal Government Act, RSA 2000, c. M-26.1, as amended, the Council of the Municipal District of Bonnyville, in the Province of Alberta, duly assembled, enacts as follows:

Section 1 - SHORT TITLE

1.1 This Bylaw may be cited as the "Dog Control Bylaw" of the Municipal District (M.D.) of Bonnyville.

Section 2 - DEFINITIONS

- 2.1 "Dog" means a member of the *genus canis* family and is a mammal commonly referred to as a "Dog".
- 2.2 "At large" means where a Dog is at any place other than the Owner's property or permitted property and is not being carried by any person or is not otherwise restrained by a Permitted Leash held by a person, and that Permitted Leash is attached to a choke chain, collar or harness securely holding that Dog.
- 2.3 "Controlled Confinement" means the confinement of a Dog in a pen, cage or building or securely tethered in a manner that will not allow the Dog to bite, harm or harass any person, livestock or other animal.
- 2.4 "Council" means the elected Council of the Municipal District of Bonnyville.
- 2.5 "Damage to Property" means damage to property other than the Owner's property, and includes defecating or urinating on such property.
- 2.6 "Animal Control Officer" means a Bylaw Enforcement Officer appointed by the Municipality to do any act or perform any duties under this Bylaw and includes a member of the Royal Canadian Mounted Police, an independent contractor who is under contract with the Municipality to provide bylaw enforcement services and, when authorized, a Community Peace Officer employed by the Municipal District of Bonnyville.
- 2.7 "License" means a Dog License issued by the Municipality in accordance with the provisions of this bylaw.
- 2.8 "License Fee" means the applicable fee payable in respect of a License for any particular Dog as set out in Schedule A of this Bylaw.
- 2.9 "License Tag" means an identification tag issued by the Municipality showing the license number for a specific Dog.
- 2.10 "Municipality" means the Municipal District of Bonnyville No. 87.
- 2.11 "Owner" means:
- (a) a person who has the care, charge, custody, possession or control of a dog;
 - (b) a person who owns or who claims any proprietary interest in a dog;
 - (c) a person who harbors, suffers or permits a dog to be present on any property owned, occupied or leased by him, or which is otherwise under his control;
 - (d) a person who claims and receives a Dog from the custody of the Animal Shelter or an Animal Control Officer; or
 - (e) a person to whom a License Tag was issued for a Dog in accordance with this Bylaw; and for the purposes of this Bylaw a Dog may have more than one (1) Owner.
- 2.12 "Owner's Property" means any property in which the Owner of a Dog has a legal or equitable interest or over which the Owner of a Dog has been

given the control or use of, by the legal or equitable owner of the property, and which property shall include, without limiting the generality of the foregoing, land, buildings and vehicles.

- 2.13 "Permitted Leash" means a leash adequate to control the Dog to which it is attached, and which leash shall not exceed three (3) meters in length.
- 2.14 "Permitted Property" means private property upon which the Owner of a Dog has the express permission of the owner of that property to allow the Owner's Dog to be at large thereon.
- 2.15 "Replacement License Tag" means a License Tag issued to replace a lost or damaged License Tag pursuant to Section 3.7 of this Bylaw.
- 2.16 "Serious Wound" means an injury to a human or animal resulting from the action of a Dog which causes the skin to be broken or flesh to be torn.
- 2.17 "Animal Shelter" means premises designated by the Municipality for the impoundment and care of Dogs and includes premises supplied by an independent contractor under contract with the Municipality to provide such premises.
- 2.18 "Violation Tag" means a tag or similar document issued by the Municipality pursuant to Section 7 of the Municipal Government Act, S.A. 1994, c. M-26.1, as amended.
- 2.19 "Violation Ticket" means a ticket issued pursuant to Part 2 of the Provincial Offenses Procedure Act, S.A. 1988, c. P-21.5, as amended, and Regulations hereunder.
- 2.22 "Hamlet" shall mean:
- (a) an area of land subdivided into lots and blocks, which exceeds four residential lots in size; and
 - (b) All Lakeshore subdivisions located within the boundaries of the Municipal District of Bonnyville No. 87.

Section 3 - LICENSING PROVISIONS

3.1 Every person who:

- (a) on January 1st in any given year, is the Owner of a Dog which is three (3) months of age or older, shall apply for a License for that Dog by submitting an application to the Municipality's Office, and, if the application is approved, by paying the applicable License Fee as set out in Schedule A of this Bylaw by no later than January 31st of that same year;
- (b) on January 1st in any given year, is the Owner of a Dog which is less than three (3) months of age, shall apply for, within fifteen (15) calendar days of that Dog reaching the age of three months, a License for that Dog by submitting an application to the Municipality's Office, and if the application is approved, paying the applicable License Fee as set out in Schedule A of this Bylaw;
- (c) becomes the Owner of a Dog after January 1st in any given year shall year, shall apply for a License for that Dog by submitting an application to the Municipality's Office, and if the application is approved, paying the applicable License Fee as set out in Schedule A of this Bylaw, within fifteen (15) calendar days of:
 - (i) becoming the Owner of that Dog if the Dog is three (3) months of age or older; or
 - (ii) that Dog reaching three (3) months of age, if the Dog is less than three (3) months of age at the time when the person becomes the Owner;

(d) who takes up residence within the Municipality after January 1st in any given year and is the owner of a Dog shall apply for a License for that Dog, by submitting an application to the Municipality's Office, and if the application is approved, paying the applicable License Fee as set out in Schedule A of this Bylaw, within fifteen (15) calendar days of:

(i) taking up residence in the Municipality if the Dog is three (3) months of age or older; or

(ii) that Dog reaching three (3) months of age, if the Dog is less than three (3) months of age at the time when the person takes up residence within the Municipality.

(e) the licensing provisions of this bylaw shall not apply to dogs accompanying a person temporarily in the Municipality on business or vacation for a period not exceeding thirty (30) days or on such longer period as may be authorized from the Municipality.

3.2 An Owner of a Dog which is unlicensed, and which is required to be licensed pursuant to this Bylaw is guilty of an offence.

3.3 An Owner shall provide the following information with each application for a License:

- (a) Name, telephone number, and street address of the owner;
- (b) Name and description of the Dog or Dogs to be licensed;
- (c) The breed or breeds of the Dog or Dogs to be licensed;
- (d) The birth date and age of the Dog or Dogs at the time of application for a License; and
- (e) Such other information as may be required by the Municipality or Animal Control officer in respect of the application for a License.

3.4 Any person who provides the Municipality with false or misleading information with respect to the information required in Section 3.3 of this Bylaw is guilty of an offence.

3.5 The Municipal District shall keep registration records which shall contain the name and address of each Owner, the breed, color and sex of each Owner's Dog(s) together with the date of registration of each Owner's Dog(s), the identification number stamped on the identification tag, and the amount of the license fee paid by the owner.

3.6 A License issued under this Bylaw shall not be transferable from one Dog to another, nor from one Owner to another.

3.7 Upon payment of the required License Fee and providing the information set out in Section 3.3 of this Bylaw, the owner will be supplied with a License Tag which shall have a number registered to that Dog.

3.8 An Owner shall ensure that the License Tag is securely fastened to a choke chain, collar or harness worn by the Dog, with the License Tag to be worn by the Dog at all times when the Dog is on property other than the Owner's Property.

3.9 An Owner of a licensed Dog is guilty of an offence if that Dog is not wearing a License Tag while that Dog is on property other than the Owner's property.

3.10 An Owner of a Dog, which has been duly licensed under this Bylaw, may obtain a Replacement License Tag for one, which has been lost, upon payment of the Replacement License Tag fee as set out in Schedule "A" of this Bylaw.

3.11 The provisions of Sections 3.1 to 3.10 shall not apply to persons temporarily visiting in the Municipality for a period not exceeding 30 days.

- 3.12 No person is entitled to a refund or a rebate for any License Fee.
- 3.13 Where a License Fee has been paid by cheque, the License may be:
- (a) issued subject to the cheque being honoured by the financial institution against which it is drawn; and
 - (b) automatically suspended if the cheque is not honoured until such time as the applicable License Fee has been paid.
- 3.14 No person shall be the Owner of more than three dogs and where not expressly permitted, any person who contravenes this Section shall be guilty of an offence.
- 3.15 Subject to the restrictions in Section 3.6, each license shall be a one time only application and, except for the exceptions listed in section 3.6, shall remain in effect for the life of the dog.
- 3.16 Every Animal Control Officer shall consider all applications for Licenses, and may, in his or her discretion, immediately or upon delay by review:
- (a) require the applicant to submit such information as the Animal Control Officer deems appropriate, including details respecting the Dog; proposed Controlled Confinement of the Dog; details respecting the lands where the Dog is to be kept; availability and nature of insurance; a site plan of the lands;
 - (b) reject the application; or
 - (c) approve the application, with or without any conditions relevant to the presence of the Dog(s) at the lands.
- 3.17 The Animal Control Officer may revoke a License if:
- (a) the application fails to comply with the conditions of the License;
 - (b) the License was issued on the basis of incorrect information or misrepresentation by the applicant; or
 - (c) The License was issued in error.
- 3.18 The licensing regulations contained within this Bylaw shall only be applied to those Owners taking up residence in a Hamlet as defined under Section 2.22.
- 3.19 The licensing of Dogs under this bylaw may be subject to regulations and restrictions imposed under the M. D. of Bonnyville's Land Use Bylaw #861, which will supersede the provisions contained within this bylaw.
- 3.20 Persons who wish to license more than 3 dogs shall be required to obtain a development permit from the Planning & Development Department.

Section 4 - DOG CONTROL PROVISIONS

- 4.1 An Owner whose Dog is At Large is guilty of an offence.
- 4.2 An Owner whose Dog barks or howls excessively or makes another noise excessively thereby disturbing the quiet or repose of any person is guilty of an offence.
- 4.3 An Owner whose Dog has caused Damage to Property within the Municipality is guilty of an offence;
- 4.4 The Municipality may post signs in areas where Dogs are not permitted, and an Owner whose Dog is in an area where a sign prohibits the presence of Dogs, is guilty of an offence regardless of whether or not such Dog is At Large.

- 4.5 An Owner of a Dog is guilty of an Offence if their Dog:
- (a) bites, attacks, threatens, harasses, chases, kills, or injures any person including, but not limited to, when such person is on bicycle, horse-back or while walking or running;
 - (b) bites, attacks, threatens, harasses, chases, kills, or injures any livestock, poultry, or pets belonging to other persons.
- 4.6 If a Dog defecates on property which is not the Owner's Property, the Owner shall cause such defecation to be removed immediately and disposed of in a sanitary manner, and an Owner who fails to do so is guilty of an offence.
- 4.7 No person shall tease, torment, annoy, abuse or injure any Dog and any person who does so is guilty of an offence.
- 4.8 No person shall untie, loosen or otherwise free a Dog which is not in distress unless such person has the authorization of the Owner, and any person acting contrary to this Section is guilty of an offence.
- 4.9 No person shall interfere with, hinder or impede an Animal Control Officer in the performance of any duty authorized by this Bylaw, and any person who does so is guilty of an offence.
- 4.10 No person shall unlock, unlatch or otherwise open a vehicle or animal control trap in which dogs captured for impoundment have been placed so as to allow or attempt to allow any dog to escape there from.

Section 5 - CONTROLLED CONFINEMENT

- 5.1 A person who has received a Serious Wound, or the Owner of any livestock, poultry or pets which have received a Serious Wound, or the Owner of a Dog which has inflicted the Serious Wound shall promptly report the Dog to an Animal Control Officer who may thereupon place the Dog under Controlled Confinement and the Dog shall not be released from such Controlled Confinement except by written permission of the Animal Control Officer. At the discretion of the Animal Control Officer, such Controlled Confinement may be on the premises of the Owner, a registered veterinarian within the Municipality, or the Animal Shelter.
- 5.2 Upon demand made by the Animal Control Officer, the Owner shall forthwith surrender for quarantine, any Dog which has inflicted a Serious Wound to any person, or any Dog which the Animal Control Officer has reasonable and probable grounds to suspect of having been exposed to rabies. The Dog may be reclaimed by the Owner if:
- (a) adjudged free of rabies;
 - (b) upon payment of confinement expenses and fines; and
 - (c) upon compliance with the licensing provisions of this By-law.

Section 6 - POWERS OF AN ANIMAL CONTROL OFFICER

- 6.1 An Animal Control Officer is authorized to capture and impound in the Animal Shelter, any Dog which is At Large. The Animal Control Officer is further authorized to take such reasonable measures as are necessary to subdue any Dog, which is At Large, including the use of tranquilizer equipment and materials. If any such Dog is injured, it may be taken to a registered veterinarian for treatment and then to the Animal Shelter.
- 6.2 An impounded Dog may be kept in the Animal Shelter for a period of forty eight (48) hours. Sundays and Statutory holidays shall not be included in the computation of the forty-eight (48) hour period. During this period, any Dog may be redeemed by its Owner, except as otherwise provided in this By-law, upon payment to the Municipality or its authorized agent of:

- (a) The appropriate impoundment fee as set out in Schedule "A" of this Bylaw;
- (b) The appropriate License Fee when the Dog is not licensed; and
- (c) The cost of any veterinary treatment to relieve pain or bleeding of any Dog that is found to be injured when picked up or injured, in the process of capture.

However, if no License is issued for the Dog, or the conditions of the License have not been met, the Animal Control Officer is not obliged to release the Dog to the Owner.

6.3 At the expiration of the forty-eight (48) hour period as prescribed in Section 6.2 of this Bylaw, the Animal Control Officer is authorized to:

- (a) Offer the Dog for sale, or for gift;
- (b) Destroy the Dog in a humane manner;
- (c) Allow the Dog to be redeemed by its Owner in accordance with the provisions of Section 6.2, herein, or
- (d) Continue to impound the Dog for an indefinite period of time or for such further period of time as the Animal Control Officer, in his or her discretion, may decide.

6.4 An Animal Control Officer is authorized, upon review of facts and investigation into reports and/or complaints about violations to 4.5 (a), (b), and (c) to deem a Dog as dangerous and have it placed into controlled confinement until:

- (a) The fines assessed by the Violation tag/Ticket have been paid in full, and;
- (b) the licensing regulations have been met, if required, and;
- (c) control provisions as stipulated by the Animal Control Officer have been met, unless the Dog is deemed a threat to human safety, in the opinion of the Officer, and has been humanely destroyed.

6.5 The Animal Control Officer may capture and impound any dog in respect of which:

- (a) he/she believes an offence under this bylaw is being or has been committed, or
- (b) 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
- (c) is named or described or otherwise designated in a complaint made pursuant to the Dangerous Dog Act,
- (d) is actually or apparently affected with rabies or any other contagious disease.

6.6 In enforcement of this jurisdiction but not for the purpose of investigation only, the Animal Control 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.

Section 7 – POTENTIALLY DANGEROUS AND DANGEROUS DOGS

7.1 An owner of a dog is guilty of an offence if such animal bites, attacks, threaten, harasses, chases, or injures any person.

7.2 Potentially Dangerous & Dangerous Dogs

- (a) An owner of a dog, when such dog is on the property of the owner or on the property of some other person with such person's consent, shall keep the dog from leaving such property on its own by means of:
 - (i) enclosure;
 - (ii) containment within a fenced area; or
 - (iii) physical restraint of the dog by chain or other similar means:
- (b) Despite Section 2.2, an owner of a dog when such dog is on the property of the owner or on the property of some other person with such person's consent, shall keep the dog from leaving such property on its own by any reasonable means.

7.3 Potentially Dangerous Dog

Where the Animal Control Officer designates a dog as a potentially dangerous dog, the Animal Control Officer shall serve notice upon the owner of such dog requiring the owner, upon receipt of such notice, to comply with any or all of the following requirements:

- (a) to keep such dog, when it is on the lands and premises of the owner, confined
 - (i) within the owner's dwelling; or
 - (ii) in an enclosed pen of sufficient dimension and construction to provide humane shelter for the dog while preventing the entry therein of unsupervised children;
- (b) to securely attach a muzzle to such dog at all times when it is not on the property of the owner or on the property of another person with such person's consent;
- (c) to obtain and maintain in force a policy of public liability insurance issued by an insurer licensed by the Province of Alberta providing third party liability coverage in an amount of not less than One Million (\$1,000,000) Dollars for any damage or injury caused by such potentially dangerous dog and provide to the Animal Control Officer a certificate such policy and each subsequent renewal thereof. Such policy shall contain a provision requiring the insurer to immediately notify the Animal Control Officer should the policy expire, be cancelled or be terminated for any reason; and/or to permit the Animal Control Officer to have a microchip implantation inserted in such dog, at the dog owner's expense, for the purpose of identifying such dog as a potentially dangerous dog.

7.4 Dangerous Dogs

Where the Animal Control Officer designates a dog as a dangerous dog, the Animal Control Officer shall serve notice upon the owner of such dog requiring the owner, upon receipt of such notice, to comply with the following requirements:

- (a) to keep such dog confined:
 - (i) within the owner's premises; or
 - (ii) in an enclosed pen of sufficient dimension and construction to provide humane shelter for the dog while preventing it from escaping there from and preventing the entry therein of unsupervised children;

- (b) to securely attach a muzzle to such;
- (c) to obtain and maintain in force a policy of public liability insurance issued by an insurer licensed by the Province of Alberta providing third party liability coverage in an amount of not less than One Million (\$1,000,000) Dollars for any damage or injury caused by such dangerous dog and provide to the Animal Control Officer a certificate of such policy and each subsequent renewal thereof. Such policy shall contain a provision requiring the insurer to immediately notify the Animal Control Officer should the policy expire, be cancelled or be terminated for any reason; and
- (d) to permit the Animal Control Officer to have inserted a microchip implantation in such dog for the purpose of identifying such dog as a dangerous dog.

7.5 The notice referred to in Sections 7.4 shall include:

- (a) a statement that the Animal Control Officer has reason to believe that the dog is a potentially dangerous or dangerous dog, as the case may be;
- (b) the requirements that the owner must comply with in accordance with this Chapter and when such requirements take effect; and a statement that the owner may request, within three (3) working days of receipt of the Animal Control Officers notice, and is entitled to, a hearing by a committee designated by the Council of the Municipal District of Bonnyville which may affirm or rescind the Animal Control Officers designation of the dog as potentially dangerous or dangerous, as the case may be, and which committee may substitute its own designation or its own requirements of the owner of a potentially dangerous dog pursuant to Sections 7.4.

7.6 Where the owner of a dog receives a notice from the Animal Control Officer designating such dog as a potentially dangerous dog or as a dangerous dog so requests in writing to the Municipal District of Bonnyville within three (3) working days of receipt of such notice, Municipal Council shall hold a hearing pursuant to the provisions of the Municipal Government Act within fifteen (15) working days of the Municipal Districts receipt of the request for a hearing and may

- (a) affirm or rescind the Animal Control Officers designation of the dog as a potentially dangerous dog or as a dangerous dog, as the case may be;
- (b) substitute its own designation of the dog as potentially dangerous dog or as a dangerous dog, as the case may be; and/or
- (c) substitute its own requirements of the owner of potentially dangerous dog pursuant to Section 7.4.

7.7 The Animal Control Officer may either on its own initiative or as a result of a complaint received by it from a resident of the Municipal District of Bonnyville conduct an inquiry into whether dog should be designated a potentially dangerous dog or a dangerous dog, as the case may be.

7.8 The requirements of Sections 7.4 which may be imposed on a dog owner by the Animal Control Officer pursuant to such Sections shall not be required until either the time for appeal under Section 7,5 has elapsed without the dog owner requesting an appeal pursuant to that Section or the Municipal Council has ordered such requirement, whichever occurs earlier.

7.9 An owner of a dog which has been designated a potentially dangerous dog or a dangerous dog pursuant to this Bylaw shall advise the Animal

Control Officer immediately if he/she transfers ownership of such dog to another person or changes the address at which such dog is kept and furnish the Animal Control Officer with particulars of same

- 7.10 Any notices served by the Animal Control Officer or requests for hearings made by an owner pursuant to this Article shall be provided by hand delivery or prepaid registered mail and, in the event of service by prepaid registered mail, shall be deemed received on the fifth (5th) working day after the date of mailing.
- 7.11 Where a potentially dangerous dog or a dangerous dog has been impounded for any reason, the Animal Control Officer shall not restore the said dog to its owner or to any other person to whom the dog is to be restored until that person is aware of and in compliance with the provisions of Sections 7.4 as the case may be. All fees otherwise payable to the Municipal District upon restoration of an impounded dog to its owner, are payable by the owner of a potentially dangerous dog or a dangerous dog, for any length of time it may be held in the pound pursuant to this Section.
- 7.12 Where the owner of a potentially dangerous or dangerous dog which has been impounded is unable to demonstrate compliance with the provisions of Section 7.4, to the reasonable satisfaction of the Animal Control Officer, after a reasonable period of time, may sell or otherwise dispose of the dog in accordance with the provisions of this Bylaw, whether or not such person has been charged with an offence under the provisions of this Bylaw in respect of that dog.
- 7.13 Any person who is the owner of a dog that has been declared a potentially dangerous or dangerous dog and who contravenes any provisions of Section 7.4 is guilty of an offence and may result in prosecution, or, in lieu of 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.

Section 8 - PENALTIES

- 8.1 Any person who contravenes any provision of this Bylaw is guilty of an offence and is liable to a penalty as set out in Schedule "B" of this Bylaw.
- 8.2 Notwithstanding Section 8.1 of this Bylaw, any person who commits a second offence under this Bylaw within one (1) year of committing the first offence may be liable to a fine of not less than nor more than the sum as set out in Schedule "B" of this Bylaw, while any person who commits a third or subsequent offence under this Bylaw within one (1) year of committing the first offence may be liable to a fine of not less than nor more than the sum as set out in Schedule "B" of this Bylaw.

Section 9 - VIOLATION TAG

- 9.1 An Animal Control Officer is hereby authorized and empowered to issue a Violation Tag to any person who the Animal Control Officer has reasonable and probable grounds to believe has contravened any provision in this Bylaw.
- 9.2 A Violation Tag may be issued to such person:
- (a) either personally;
 - (b) by mailing a copy to such person at is last known post office address; or
 - (c) upon retrieval of such person's Animal from the Animal Shelter.
- 9.3 The Violation Tag shall be in a form approved by the Municipality and shall state:

- (a) the name of the Owner;
- (b) the offence;
- (c) the appropriate penalty for the offence as specified in Schedule "B" of this Bylaw;
- (d) that the penalty shall be paid within thirty (30) days of the issuance of the Violation Tag; and
- (e) any other information as may be required by the Municipality

9.4 Where a contravention of this Bylaw is of a continuing nature, further Violation Tags may be issued by the Animal Control Officer, provided however, that no more than one Violation Tag shall be issued for each day that the contravention continues.

9.5 Where a Violation Tag is issued pursuant to Section 8.1 or 8.2 of this Bylaw, the person to whom the violation Tag is issued may, in lieu of being prosecuted for the offence, pay to the Municipality the penalty specified on the Violation Tag.

9.6 Nothing in this Bylaw shall prevent an Animal Control Officer from immediately issuing a Violation Ticket.

Section 10 - VIOLATION TICKET

10.1 In those cases where a Violation Tag has been issued and if the penalty specified on a Violation Tag has not been paid within the prescribed time, then an Animal Control Officer is hereby authorized and empowered to issue a Violation Ticket pursuant to Part 2 of the Provincial Offenses Procedure Act, S.A. 1988, c. P-21.5, as amended.

10.2 Notwithstanding Section 10.1 of this Bylaw, an Animal Control Officer is hereby authorized and empowered to immediately issue a Violation Ticket pursuant to Part 2 of the Provincial Offenses Procedure Act, S.A. 1988, c. P-21.5, as amended, to any person who the Animal Control Officer has reasonable grounds to believe has contravened any provision of this Bylaw, and the Animal Control Officer need not first issue a Violation Tag for a contravention of any provision of this Bylaw.

10.3 The fines assessed by means of a Violation Ticket, as described in Schedule B, shall include the penalty either assessed or to be assessed for the prescribed offence of a Violation Tag.

Section 11 – GENERAL

11.1 Should any provision of this Bylaw be invalid, then such invalid provision may be severed and the remaining Bylaw shall be maintained.

11.2 An applicant is responsible for and is not excused from ascertaining and complying with the requirements of any Federal, Provincial, or other Municipal legislation, including the Municipality's Land Use Bylaw. Where the keeping of the Animals would not comply with any Federal, Provincial or other Municipal legislation, the Animal Control Officer may refuse to issue a License.

11.3 This Bylaw shall come into effect upon third and final reading thereof.

11.4 The Schedules are attached and form part of this Bylaw and may be amended from time to time by resolution of Council:

Schedule "A" – Fees

Schedule "B" – Penalties and Fees

11.5 This Bylaw, upon passing, shall cause Bylaw No. 1323, 917, 708, 668 and 509 be repealed in their entirety.

READ A FIRST TIME IN COUNCIL THIS ^{9th} DAY OF JAN ,2008


REEVE



CHIEF ADMINISTRATIVE OFFICER

READ A SECOND TIME IN COUNCIL THIS ^{13th} DAY OF February ,2008


REEVE


CHIEF ADMINISTRATIVE OFFICER

READ A THIRD TIME IN COUNCIL THIS ^{14th} DAY OF February ,2008


REEVE


CHIEF ADMINISTRATIVE OFFICER

**Bylaw 1371
SCHEDULE "A"
FEES**

1.	License Fee for each Animal Note: This is a one time only amount in accordance with section 3.15	\$20.00
2.	Replace License Tag Fee	\$ 5.00
3.	Impoundment Fees Those charges rendered by the veterinarian or SPCA that impounds the animal.	\$70.00

**BYLAW 1371
SCHEDULE "B"
PENALTIES AND FEES**

OFFENCES	SECTION	SPEC PENALTY
Owner of Unlicensed Dog	3.2	\$ 75.00
Providing False or Misleading Information	3.4	\$250.00
Owner of Licensed Dog not wearing Licence Tag while off Owner's Property	3.8	\$ 75.00
Owner of more than three dogs	3.14	\$100.00
Owner of a Dog at large (run at large) - Licensed Dog - Unlicensed Dog	4.1	\$ 25.00 \$ 75.00
Owner of Dog which barks or howls or makes another noise thereby disturbing the quite or repose of any person	4.2	\$ 75.00
Owner of Dog which causes damage to property	4.3	\$ 75.00
Owner of Dog which is in an area prohibited by sign	4.4	\$ 75.00
Owner of a Dog which bites, attacked, threatens, harasses, chases, kills, or injures any person.	4.5(a)	\$300.00
Owner of a Dog which bites, attacks, threatens, harasses, chases, kills, or injures any livestock, poultry or pets belonging to other persons	4.5(b)	\$250.00
Failure of Owner to remove defecation immediately from property which is not the Owner's property	4.6	\$ 75.00
Teasing, tormenting, annoying, abusing, or injuring any Animal	4.7	\$ 75.00
Untying, loosening or otherwise freeing a Dog without the Owner's authorization	4.8	\$ 75.00
Interfering with, impeding or hindering an Animal Control Officer's enforcement of this Bylaw	4.9 & 4.10	\$250.00
Owner of dog contravenes Section 7(2) /7(3)	7.13(2) 7.13(3)	\$200.00
Second offence within one year of the first offence	8.2	Double the amount of the specified penalty for first offence
Third offence within one year of the first offence	8.2	Triple the amount of the specified penalty of first offence