

**THORHILD COUNTY
PROVINCE OF ALBERTA
BY- LAW NO. 1162-2013**

A BYLAW OF THE MUNICIPALITY OF THORHILD COUNTY IN THE PROVINCE OF ALBERTA, TO PROVIDE FOR THE REGULATION, CONTROL AND CONFINEMENT OF ANIMALS WITHIN THORHILD COUNTY.

WHEREAS

The *Municipal Government Act*, R.S.A. 2000, c. M-26, as amended or repealed and replaced from time to time, authorizes the Council of a municipality to pass bylaws to regulate and control Animals;

NOW THEREFORE

The Council of Thorhild County duly assembled, enacts as follows:

1. NAME OF BYLAW

1.1 This Bylaw may be cited as the "Animal Control Bylaw", also known as the Dog Control Bylaw.

2. DEFINITIONS

2.1 For the purposes of this Bylaw, the following terms shall have the meanings prescribed:

2.1.1 **"Animal"** shall mean any vertebrate, excluding the following:

2.1.1.1 Humans, fish and birds of flight;

2.1.1.2 Any animal as described under the Alberta Wildlife Act R.S.A. 2000, c. W-10 sec. 1(11) as amended from time to time, and which is held live under a valid permit issued pursuant to the Wildlife Act R.S.A. 2000, c. W-10 or the keeping of which is otherwise subject to permit requirements under sec. 55 of the Wildlife Act. R.S.A. 2000, c. W-10;

2.1.1.3 Livestock, domestic mice, gerbils, guinea pigs, hamsters, hedgehogs, rabbits, domestic cats, ferrets, chinchillas, reptiles and domesticated rats.

2.1.2 **"Animal Control Officer (hereinafter referred to as ACO)"** shall mean the person or persons appointed as such from time to time by Council, to do any act or perform any duties under this Bylaw and includes a Bylaw Enforcement Officer, a Peace Officer as appointed by the Solicitor General of Alberta and also includes a member of the Royal Canadian Mounted Police.

2.1.3 **"Altered Dog"** shall mean either a neutered male or spayed female over the age of six (6) months.

- 2.1.4 **“Assistance Dog”** shall mean any professionally trained dog that has national and or provincial accreditation, including a guide, hearing or service dog that works in partnership with a disabled person to increase his or her independence, safety and mobility.
- 2.1.5 **“At Large”** shall mean any animal which is:
- 2.1.5.1 Off the premises of the property of the owner or the property of the harbinger;
 - 2.1.5.2 Not being carried by any person;
 - 2.1.5.3 Not otherwise restrained by a Permitted Leash which is attached to a choke chain, collar or harness securely holding that animal, or under the immediate, continuous and effective control of a competent person;
 - 2.1.5.4 On any property or premises within the County without the permission of that premises owner or occupant.
- 2.1.6 **“Business Day”** shall mean a day on which the County Administration Office is open for regular business hours.
- 2.1.7 **“Caretaker”** shall mean a person or persons who has the appropriate facilities in which to keep an animal and who agrees to care for the animal in accordance with this Bylaw.
- 2.1.8 **“Communicable Diseases”** shall mean such diseases as can be passed from animal to other domestic animal, from other domestic animal to animal, or from other domestic animal to human being and shall include but not be limited to distemper, rabies, parvo, parainfluenza, as per the Public Health Act, 1984 R.S.A. c. P-27.1, as amended, and Regulations thereunder.
- 2.1.9 **“Control”** shall mean having physical or effective control of an animal, or having been given physical or effective control of an animal for the purpose of controlling the animal for a period of time.
- 2.1.10 **“Controlled Confinement”** shall mean when a dog(s) is confined in a pen or cage of such construction that will not allow the dog(s) to jump, climb, dig to allow the entry or force their way out, or securely tethered in a manner that will not permit the dog to attack, bite, harm or cause injury to any person or other animal at any time.
- 2.1.11 **“Council”** means the Council of Thorhild County.

- 2.1.12 **“County”** means Thorhild County.
- 2.1.13 **“Damage”** shall include any physical harm done as a result of any incident.
- 2.1.14 **“Dangerous”** shall include any animal, in the opinion of the ACO that shows serious signs of aggression towards another animal, the general public and / or the ACO.
- 2.1.15 **“Day”** shall mean a continuous period of twenty-four (24) hours.
- 2.1.16 **“Dog”** shall mean a male or female, of any domestic canine species.
- 2.1.17 **“Dog Handler”** shall mean a person who is in control of or who is responsible for the care and control of a dog.
- 2.1.18 **“Dog License”** shall mean an identification tag issued by the County showing the license number for a specific animal and is intended to be worn on a collar attached to the animal’s neck at all times.
- 2.1.19 **“E.H.S.”** shall mean the Edmonton Humane Society.
- 2.1.20 **“Former Owner”** shall mean the person who at the time of impoundment was the owner of an animal which subsequently has been sold, gifted, placed or disposed of.
- 2.1.21 **“Guard Dog”** shall mean a dog that is trained and used for the prevention of unlawful entry to a business premises in any commercial or industrial area by unauthorized persons.
- 2.1.22 **“Hamlet”** means an unincorporated community designated as a Hamlet pursuant to section 59 of the *Municipal Government Act*.
- 2.1.23 **“Harborer”** means a person or persons who shelter(s).
- 2.1.24 **“Kennel”** shall mean any development owned by any person, group of persons, or corporation engaged in the commercial business of breeding, buying, selling, training or boarding dogs where three (3) or more dogs, being over six (6) months of age are kept.
- 2.1.25 **“Kennel License”** shall mean a Development Permit issued with respect to a Kennel in accordance to the Land Use Bylaw.
- 2.1.26 **“Live Trap”** shall mean a device used to humanely and safely capture animals found to be in contravention of this Bylaw.
- 2.1.27 **“Medical Officer of Health”** shall mean a physician appointed by the Health Unit or designated by the Minister under the *Health Authority Act*

as a Medical Officer of Health.

- 2.1.28 **“Municipal Government Act”** means the *Municipal Government Act*, R.S.A. 2000, c. M-26, as amended or repealed and replaced from time to time.
- 2.1.29 **“Nuisance”** shall mean and be in addition to Section 4.6.3 of this bylaw that being:
- 2.1.29.1 Noise;
 - 2.1.29.2 Trespass upon property;
 - 2.1.29.3 Threat to public safety;
 - 2.1.29.4 Accumulation of animal waste;
 - 2.1.29.5 Accumulation of material contaminated by animal waste; or
 - 2.1.29.6 Disposal of animal waste or material contaminated by animal waste which in the opinion of the ACO and having regard for all circumstances, is injurious or obnoxious or likely to unreasonably injure, endanger or detract from the comfort, repose, health, peace or safety of persons or property within the boundary of the County.
- 2.1.30 **“Off Leash Area”** shall mean an area designated by Council, where dogs, excepting dangerous dogs, vicious dogs or guard dogs are permitted to be off-leash, but under the supervision of the owner at all times. The off-leash areas will be designated with signage authorized by the County.
- 2.1.31 **“Offspring”** shall mean the progeny of any animal dependent upon its parents for the necessities of life, and which, without limiting the generality of the foregoing shall mean progeny under the age of six months.
- 2.1.32 **“Owner”** shall mean any person, partnership, association or corporation owning, possessing or consensually, having charge of or control over any animal, either temporarily or permanently.
- 2.1.33 **“Order”** shall mean written notification to the owner of the said animal, from the ACO advising them of any continuing violation of this Bylaw.
- 2.1.34 **“Over Limit Permit”** hereinafter referred to as **“OLP”** shall mean a permit issued to an owner pursuant to Section 4.2 of this Bylaw permitting the keeping or harboring of animals on land or premises by an owner in excess of the number permitted pursuant to Section 4.1 of this Bylaw.

- 2.1.35 **“Parks or Parklands”** shall include playgrounds, picnic grounds, playfields, campgrounds or any other public open space, including all trails within the same.
- 2.1.36 **“Permitted Leash”** shall mean a leash used to restrain a dog which is sufficiently strong for that purpose and does not exceed two (2) metres in length.
- 2.1.37 **“Police Services Dog”** shall mean any Dog owned and utilized by the Royal Canadian Mounted Police or any other accredited police service within the Province of Alberta.
- 2.1.38 **“Possession”** shall mean having physical or effective control of an animal(s); having been given physical or effective control of an animal for the purpose of controlling the animal for a period of time and/or where two or more persons, with the knowledge and consent of the rest, have physical or effective control of each and all the animal(s)
- 2.1.39 **“Pound”** shall mean the premises identified and / or contracted by the County for the purpose of impounding and caring for animals found to be in contravention of this Bylaw.
- 2.1.40 **“Pound Keeper”** shall mean the designated person(s) owning and /or operating a place designated by the County as a Pound.
- 2.1.41 **“Private Property”** shall mean land within the County other than property constituting public property.
- 2.1.42 **“Property Owner”** shall mean any person who is registered under the Land Titles Act as the owner of the land or who is recorded as the owner of the property on the Assessment roll of the County.
- 2.1.43 **“Public Property”** shall mean any property within the County owned by or occupied by the Government of Canada, Government of Alberta or by the County or otherwise under the control and management of the County.
- 2.1.44 **“Reasonably Practical Time”** shall generally mean 24 hours or next working day.
- 2.1.45 **“Registered Veterinarian”** shall mean a veterinarian registered and entitled to practice in Alberta as shown in the Alberta Veterinary Medical Association pursuant to the Veterinary Surgeons Act, R.S.A. 2000, c. V-2 sec. 1(0).
- 2.1.46 **“Serious Wound”** shall mean an injury caused by an animal which results in broken skin or torn flesh and would include severe bruising or broken bones.
- 2.1.47 **“Shelter”** shall mean a facility that is regulated and licensed to shelter animals (ie: S.C.A.R.S...“Second Chance Animal Rescue Society”).

- 2.1.48 **“S.P.C.A.”** shall mean The Alberta Society for Prevention of Cruelty to Animals.
- 2.1.49 **“Stray”** shall mean an animal which has no identifiable owner and is at large.
- 2.1.50 **“Vicious Dog”** shall mean any dog which:
- 2.1.50.1 Has without provocation, chased, injured, or bitten any human, livestock or domestic animal; or
 - 2.1.50.2 Has without provocation, damaged or destroyed, any Public or Private Property; or
 - 2.1.50.3 Has without provocation, threatened or created the reasonable apprehension of threat to a human, domestic animal, or livestock; and which in the opinion of the ACO presents a threat of serious harm to other humans, domestic animals, and or livestock.
 - 2.1.50.4 Has been deemed to be dangerous by a Justice of the Courts, under the Dangerous Dogs Act of Alberta, as amended from time to time.
- 2.1.51 **“Violation Tag”** shall mean a tag or similar document issued by the County pursuant to the *Municipal Government Act, RSA 2000, c. M-26*, as amended from time to time.
- 2.1.52 **“Violation Ticket”** shall mean a ticket issued pursuant to Part 11 of the Provincial Offenses Procedure Act, RSA 2000, c. P-34, as amended, and Regulations thereunder.
- 2.1.53 **“Working Dog”** shall mean a dog that is not a pet but has been trained and performs tasks to assist with livestock production. Examples may include, but are not limited to, herding dogs and guardian dogs.

3. ANIMAL CONTROL

3.1 ANIMAL CONTROL OFFICER

- 3.1.1 The Animal Control Officer (ACO) as appointed by Council shall be responsible for the administration, maintenance and enforcement (at their discretion) of this Bylaw.

3.2 POWERS OF AN ANIMAL CONTROL OFFICER

- 3.2.1 An ACO is a designated officer of the Municipality for the purposes of inspections, investigations and enforcement of this Bylaw and, in addition to any other powers or authority granted under this Bylaw or

any other enactment, is authorized to:

- 3.2.1.1 Capture and impound in an authorized Pound any dog that is at large;
 - 3.2.1.2 Take any reasonable measures necessary to subdue any dog, including the use of equipment and materials;
 - 3.2.1.3 Enter onto any lands surrounding any building in pursuit of a dog while that dog is at large; and
 - 3.2.1.4 If a dog is in distress, whether or not as a result of enforcement action taken pursuant to this Bylaw, take the dog to a Registered Veterinarian for treatment and, once treated, to transfer the dog to the Pound.
- 3.2.2 All costs and expenses incurred by the County as a result of veterinary treatment pursuant to section 3.2.1.4 above shall be recoverable from the owner of the dog as lawful debt owed to the County.
- 3.2.3 Except as otherwise provided, when a dog has been impounded, the Pound Keeper shall keep such dog for a period of five (5) business days from the day of impoundment excluding week-ends and/or statutory holidays.
- 3.2.4 At the expiration of the three (3) business day period, at the ACO's sole discretion the Animal Control Officer may:
- 3.2.4.1 Offer the dog for a gift;
 - 3.2.4.2 Take the dog to the Edmonton Humane Society;
 - 3.2.4.3 Destroy the dog in a humane manner;
 - 3.2.4.4 Allow the dog to be redeemed by its owner in accordance with the provisions of Section 3.2.2 and 3.2.5, herein; or
 - 3.2.4.5 Continue to impound the dog for an indefinite period of time or for such further period of time as the ACO, in his or her discretion may decide.
- 3.2.5 The new owner of a dog which has been gifted by the County shall obtain full rights and title to it, and the right and title of the former owner of the dog shall cease.
- 3.2.6 An owner who fails to redeem a dog resulting in the dog being given away or destroyed shall pay, upon demand by the County, all impoundment fines, levies and all costs incurred. Failure to comply is an offence under this Bylaw.
- 3.2.7 When the ACO with the judgment of a Registered Veterinarian, destroys a dog for humane reasons, such dog may not be redeemed. If the name of the owner becomes known after the fact they shall, upon demand by the County, pay all costs incurred.

3.3 OBSTRUCTION / INTERFERENCE WITH ENFORCEMENT OF A BYLAW

3.3.1 No person, whether or not that person is the owner of a dog which is being or has been captured shall:

3.3.1.1 Interfere with or attempt to obstruct a person who is attempting to capture or trap or who has captured or trapped any dog in accordance with the provisions of this Bylaw;

3.3.1.2 Remove or attempt to remove any dogs from the possession of the ACO or Pound Keeper; or

3.3.1.3 Remove or attempt to remove any dog from the Pound.

3.4 POUND KEEPER

3.4.1 The County shall designate a place, or places to be operated as a Pound.

3.4.2 Each Pound Keeper shall be responsible for the administration and maintenance of the Pound and for the safekeeping, caring and feeding of all dogs detained under the provisions of this Bylaw and shall not be responsible to have contact with the dog owner.

4. RESPONSIBILITIES OF OWNER

4.1 NUMBER OF DOGS

4.1.1 No more than three (3) dogs shall be permitted to remain upon or in any land, house, shelter, room or place, building, structure, or premises within the County; the Hamlets and County residential subdivision(s) within the County of Thorhild unless:

4.1.1.1 Those dogs are less than six (6) months of age;

4.1.1.2 The premises are temporarily being used for the purpose of a Dog Show;

4.1.1.3 The owner is the holder of a valid and subsisting Development Permit to operate a Kennel, Pound or other dog operation as authorized by the Land Use Bylaw;

4.1.1.4 The owner is a not-for-profit association engaged in the provision of specialized dog services, including but not limited to Assistance Animals, Police Service Dogs and search and rescue dogs; or

4.1.1.5 The owner is the holder of a valid OLP Permit issued under Section 4.2 of this Bylaw.

4.1.2 Notwithstanding Section 4.1.1, any person who keeps, or harbors more than three (3) dogs within the County; within the County Hamlet(s); and or the County residential subdivision(s) is in contravention of this Bylaw and is guilty of an offence.

4.2 OVER LIMIT PERMIT (OLP)

- 4.2.1** Notwithstanding Section 4.1.1, the ACO may issue to an owner an OLP as per Schedule "D" of this Bylaw.
- 4.2.2** Any person wishing to obtain an OLP must apply in person to the County.
- 4.2.3** Upon receipt of an application for an OLP, the ACO shall consider the OLP application, and may, in his sole and absolute discretion:
 - 4.2.3.1** " With Good Reason" refuse to grant an OLP;
 - 4.2.3.2** Grant an OLP ; or
 - 4.2.3.3** Grant an OLP on such additional terms and condition as the Chief Administrative Officer or his designate deems appropriate.
 - 4.2.3.4** An OLP shall not be transferable.
- 4.2.4** The Animal Control Officer may revoke an OLP if:
 - 4.2.4.1** Bona fide complaints from two (2) or more residents living adjacent to the OLP holder's residence are received; or
 - 4.2.4.2** The permit holder harbors dogs in excess of the number permitted by the OLP ; or
 - 4.2.4.3** The permit holder is guilty of an offence pursuant to Section 4.3 or 4.1 of this Bylaw.
 - 4.2.4.4** The permit holder breaches any of the terms or conditions set out as per Section 4.2.3.3.

4.3 LICENSING:

- 4.3.1** Every person who is or becomes the owner of a dog which is six (6) months of age or older, or takes up residence within the Hamlets or County residential subdivision(s) who is the owner of a dog which is six (6) months of age or older and which is not currently licensed in accordance with this Bylaw, shall apply and pay for a lifetime license (in the case of a vicious dog(s) an annual license) for that dog to the County and pay the applicable License Fee immediately upon becoming the owner of the said dog.

Notwithstanding the above if a dog of any age is found at large within the County the owner of said dog shall be responsible for acquiring a License for the said dog despite its age or place of residence within the County.

- 4.3.2** An owner of a dog which is unlicensed, and which is required to be licensed pursuant to this Bylaw is guilty of an offence.
- 4.3.3** Dog owners shall provide the County with the following information with each application for a dog license:

- 4.3.3.1 Name and address of the owner;
- 4.3.3.2 Name and description of the dog to be licensed;
- 4.3.3.3 Such other relevant and necessary information as may be required by the County in respect to the application; and
- 4.3.3.4 An owner of an altered dog must provide proof of altered status by way of a signed certificate, letter or receipt from a Registered Veterinarian, or in lieu thereof, provide an "Owner's / Statutory Declaration" before the owner is entitled to a reduced license fee.
- 4.3.4 Any person who provides the County with false or misleading information with respect to the information required in Section 4.3.3 of this Bylaw is guilty of an offence.
- 4.3.5 A license shall be issued free of charge to an owner of an Assistance Dog and to any Police Service Dog residing in the County.
- 4.3.6 An owner of a vicious dog shall apply for an annual license for each dog, and shall pay therefore an annual fee as set out in Schedule "A" of this Bylaw and in accordance with Section 5.
- 4.3.7 A license issued under this Bylaw shall not be transferrable from one dog to another.
- 4.3.8 Upon payment of the required license fee the owner will be supplied with a metal license tag stamped with a number that is to be securely fastened to a choke chain, collar, or harness which must be worn by the dog at all times whenever the dog is on any place other than the property of the dog owner.
- 4.3.9 The owner of a dog that has been duly licensed under this Bylaw may obtain a replacement license tag for one that has been lost or damaged upon payment of the replacement license tag fee as set out in Schedule "A" of this Bylaw.
- 4.3.10 The provisions of subsection 4.3.1 to 4.3.10 inclusive shall not apply to persons temporarily in the County for a period not exceeding twenty-nine (29) days, nor to holders of a valid development permit issued pursuant to the Land Use Bylaw and amendments thereto, authorizing operation of a private and/or boarding kennel

4.4 LICENSING OF DOGS ON RURAL LANDS

- 4.4.1 Licensing of Dogs located on Rural Lands is voluntary and in accordance with fees as per Schedule "A".
- 4.4.2 Notwithstanding the above if a dog of any age is found at-large within the County the owner of said dog shall be responsible for acquiring a License.
- 4.4.3 Owner of a Dog is guilty of an offence if he or she fails to comply with any of the provisions of this Bylaw.

4.5 REVOCATION OF LICENSE

- 4.5.1 An Animal Control Officer may revoke any license issued pursuant to this Bylaw if;
 - 4.5.1.1 The applicant fails to comply with any condition of the license;
 - 4.5.1.2 The license was issued on the basis of incorrect information or a misrepresentation by the applicant;
 - 4.5.1.3 The license was issued in error; or
 - 4.5.1.4 The Owner breached a provision of this Bylaw.

4.6 GENERAL PROVISIONS

- 4.6.1 No person shall own, keep or harbor any dog within the Country Residential Subdivisions or Hamlets of the County unless such dog is licensed as herein provided in Section 4.3.1.
- 4.6.2 No dog shall be at large in the County. The owner of any dog found at large in the County shall have committed an offence under this Bylaw.
- 4.6.3 The owner of a dog or dogs shall not permit the dog or dogs to become a public nuisance by:
 - 4.6.3.1 Barking, howling excessively, or otherwise disturbing the peace of any person. This does not include guardian dogs employed in farming operations for the purpose of protecting livestock and/or premises.
 - 4.6.3.2 Biting or chasing a pedestrian; or
 - 4.6.3.3 While off the owner's property biting, attempting to bite, barking at, or persistently chasing any person on a bicycle, on horseback, while riding on an off-highway vehicle, in an automobile or other vehicles or otherwise attempts to threaten any person, domestic animal, or livestock; or
 - 4.6.3.4 Causing damage to public or private property or
 - 4.6.3.5 "Without Provocation" doing any other act which causes harm, damage, or injury to another dog, person, domestic animal, livestock or property.
- 4.6.4 The owner of an unaltered female dog within the boundaries of the of the County shall keep such female dog housed and penned during the whole period such female dog is in estrus, except that she may be allowed outside the said building under direct supervision of the owner.

- 4.6.5 An owner shall not permit a female animal which is in estrus to escape from the owner's premises during the period in which she is in estrus, and the owner shall keep such female animal housed and confined in an enclosure or tethered so as to prevent any escape of such animal from the premises, and being an attraction to other animals.
- 4.6.6 No dog; other than service dogs or assistance dogs shall, at any time, be in an area where a sign prohibits the presence of dogs whether at large or under the control of its owner, or any other person, or at all. The owner of any dog found in such signed areas shall have committed an offence under this Bylaw.
- 4.6.7 Should a dog defecate on public property or on private property other than the property of its owner the dog owner shall cause such defecation to be removed immediately and an owner who fails to cause such defecation to be removed is guilty of an offence.
- 4.6.8 An owner of an animal which is found upsetting waste receptacles, or scattering the contents thereof, either in or about a road or other public property or in or about premises not belonging to or in the possession of the owner of the animal is guilty of an offence separate and apart from the offence provided in Schedule "B", and upon summary conviction thereof shall in addition to any penalty imposed upon him, be civilly liable to the County for any expenses directly or indirectly connected with the receptacle being upset or the waste scattered abroad.
- 4.6.9 An owner of an animal which is suffering from a communicable disease shall not permit the animal to be in contact with a human being; nor be in a public place or be around other animals that are disease free. The owner must keep the infected animal locked up and must immediately seek veterinary care. The dog owner must also immediately report the matter to the ACO; to the Animal Health Inspection Branch of Agriculture Canada, and to the Royal Canadian Mounted Police.

5 VICIOUS / DANGEROUS DOG PROVISIONS

- 5.1 A dog shall not be declared vicious if it attacks or bites a trespasser on the property of its owner, or property controlled by him or her.
- 5.2 An Animal Control Officer may deem a Dog Vicious if:
 - 5.2.1 The dog has or is known to have a propensity, tendency or disposition to attack, without provocation, other domestic animals or humans
 - 5.2.2 The dog has inflicted a serious wound upon another domestic animal or human without provocation.
 - 5.2.3 The dog has been the subject of an order or direction of a Justice of the Courts, under the *Dangerous Dogs Act*, RSA 1980 c. D-3.
 - 5.2.4 The dog has been determined to be vicious pursuant to the provisions of this Bylaw.
 - 5.2.5 The dog has been previously declared to be a vicious dog.

- 5.3 Upon a dog being declared to be a vicious dog, an Animal Control Officer:
 - 5.3.1 Shall give the owner written notice by personal service or by mail to the address on County record within fifteen (15) days of such determination;
 - 5.3.2 Shall require that the owner keep the vicious dog in accordance with the provisions of Section 5 of this Bylaw; and
 - 5.3.3 Shall inform the owner that if the vicious dog is not kept in accordance with Section 5 of this Bylaw, the owner will be subject to enforcement action pursuant to this Bylaw.

- 5.4 An owner of a Declared Vicious Dog is guilty of an offence:
 - 5.4.1 If the dog runs at large;
 - 5.4.2 If the dog bites, attacks, threatens, harasses, chases, kills or injures any person, when such person is in a vehicle, on a bicycle, on horseback or while walking or running;
 - 5.4.3 If the dog bites, attacks, threatens, harasses, chases, kills or injures livestock, poultry or animals belonging to other persons;
 - 5.4.4 If the dog is not properly muzzled and harnessed or properly leashed while off owner's property;
 - 5.4.5 If the owner fails to properly post, at each entrance, "Vicious Dog" signage alerting the public to the fact that a vicious dog is located on the premises and have adequate liability insurance filed with the County or Enforcement Services.

- 5.5 A "Vicious Dog" shall be licensed by a responsible owner over the age of 18 years of age and said owner:
 - 5.5.1 Shall ensure, at all times, that the vicious dog, while on the owner's property, is confined within a secure enclosure, and such enclosure means a locked building, cage or fenced area of such construction that will not allow the confined dog or dogs to jump, climb, dig or force their way out, or allow the entry of any person not in control of the dog and not allow the dog out of the secure enclosure unless muzzled and held and controlled by the owner, or a dog handler over the age of 18 years of age operating with the owner's consent and by a permitted leash; and
 - 5.5.2 Shall license a vicious dog regardless of age and provide the following information:
 - 5.5.2.1 A recent photograph of the dog and details of any identifying mark, tattoos or microchips;
 - 5.5.2.2 A current vaccination record and medical history; and
 - 5.5.3 Shall keep the license with reference to a vicious dog subsisting /

continually in force and renew the license annually as per 4.3.1.

- 5.5.4 Shall ensure that the license tag is on the vicious dog at all times that it is not on the owner's property.
- 5.5.5 Shall inform the ACO of a change address of a vicious dog.
- 5.5.6 Shall not allow a vicious dog to be at large; and
- 5.5.7 Shall immediately notify the ACO should the dog be at large; and
- 5.5.8 Shall be guilty an offence if said owner fails to comply with provisions in Section 5.4 of this Bylaw.

6 NEGLIGENCE

- 6.1 No person shall:
 - 6.1.1 Untie, loosen or otherwise force to be released an animal which has been tied or otherwise restrained;
 - 6.1.2 Negligently or willfully open a gate, door or other opening in a fence or enclosure in which an animal has been "confined" and thereby allow an animal to run at large in the County;
 - 6.1.3 Negligently or willfully allow an animal to escape from a fence or enclosure in which the animal was confined and thereby allowing the animal to run at large in the County; and
- 6.2 The owner of an animal is guilty of an offence if he/she fails to comply with any provisions of this Bylaw.

7. TORMENT

- 7.1 No person shall tease, torment or annoy an animal.

8. CONTROLLED CONFINEMENT, RABIES OR QUARANTINE PROVISIONS

- 8.1 Any dog which bites a person shall be promptly reported to the ACO and may thereupon be placed under controlled confinement at the direction of the ACO. At the discretion of the ACO controlled confinement may be on the premises of the owner; a Registered Veterinarian or at the Pound. In the case of stray dogs whose ownership is not known such controlled confinement shall be at the Pound.
- 8.2 The ACO will immediately contact Alberta Health to determine whether Alberta Health wishes to quarantine the animal under their authority. The ACO will adhere to all direction pertaining to a quarantine order issued by Alberta Health.
- 8.3 Upon demand made by the ACO the owner shall forthwith surrender any dog which

has inflicted a serious wound to a human or animal. At the discretion of the ACO the said animal may or may not be returned to the owner.

- 8.4 Upon demand made by the ACO the owner shall forthwith surrender any dog which is suspected of having been exposed to rabies, for supervised controlled confinement which expense shall be borne by the owner, and the dog may be reclaimed by the owner if adjudged free of rabies, upon payment of confinement expenses and upon compliance with the licensing provisions of this Bylaw.
- 8.5 In the event of an outbreak or a threatened outbreak of rabies or any disease affecting dogs which may be transmitted to human beings, Council may, by resolution order and direct that all dogs shall be securely tied up by their owners or shall be otherwise effectively confined and prevented from being at large. Any dog found at large in contravention of this section shall be impounded.
- 8.6 When a dog under controlled confinement has been diagnosed as rabid, or suspected by a Registered Veterinarian as being rabid, and dies while under such observation, the ACO shall immediately send the head of such dog to the appropriate Health Department for pathological examination and shall notify the Medical Officer of Health for the County of reports of human contacts, and the diagnosis made of the suspect dog.
- 8.7 During such periods of rabies quarantine as herein mentioned, every animal bitten by a dog adjudged to be rabid shall be forthwith destroyed, or at the owner's expense and option, shall be treated for rabies infection by a licensed Veterinarian or held under quarantine by the owner in the same manner as other dogs in quarantine.
- 8.8 Except as herein provided, no person shall kill, or cause to be killed, any rabid dog, or any dog which has bitten a human, nor remove the same from the County without written permission from the ACO.
- 8.9 The carcass of any dead dog exposed to rabies shall, upon demand, be surrendered to the ACO.
- 8.10 The ACO shall direct the disposition of any dog found to be infected with rabies.

9. TRAPPING OF ANIMALS

- 9.1 Residents of County, upon approval of the ACO may borrow a live trap in accordance with Schedule "F" of this Bylaw. Failure to comply with the provisions of Schedule "F" may result in refusal of future trap rentals and charges under this Bylaw.
- 9.2 Any person(s) failing to comply with Schedule "F" of this Bylaw is guilty of an offence

10. KENNELS

- 10.1 No person or persons shall operate a kennel on any parcel of land unless a kennel is permitted in the Land Use Bylaw of the County and for which a development permit is obtained.

- 10.2 All kennels shall be subject to the Kennel Regulations attached to this Bylaw as Schedule "E" and conditions of the development permit.

11. PENALTIES

- 11.1 Any person(s) who contravenes any provision of this Bylaw or fails to comply with any condition or request directed to that person pursuant to this Bylaw, is guilty of an offence and is liable, upon summary conviction, to the specified penalty for the offence as set out in Schedule "B".
- 11.2 Notwithstanding Section 11.1 of this Bylaw, any person who commits a second or subsequent offence under this Bylaw within one (1) year of committing the first offence shall be liable to either double the fine for the first offence or the fine specifically established for subsequent offences as set out in Schedule "B" of this Bylaw.
- 11.3 Under no circumstances shall any person contravening any provision of this Bylaw be subject to a penalty of imprisonment unless determined by a Court of Law.

12 VIOLATION TAGS

- 12.1 An ACO is hereby authorized and empowered to issue a Violation Tag to any person who contravenes any provision in this Bylaw.
- 12.2 Such Violation Tag may be issued to such person:
- 12.2.1 Either personally or by leaving a copy for him at his last or most usual place of abode; or
 - 12.2.2 By mailing a copy to such person to the address on file at the County.
- 12.3 The Violation Tag shall state, *inter alia*:
- 12.3.1 The name of the offender;
 - 12.3.2 The offence;
 - 12.3.3 The appropriate penalty for the offence as specified in Schedule " B" of this Bylaw; and
 - 12.3.4 That the fine shall be paid within thirty (30) days of the issuance of the Violation Tag.

13 VIOLATION TICKETS

- 13.1 In those cases where a Violation Tag has been issued and the penalty specified on the Violation Tag has not been paid within the prescribed time, an ACO is hereby authorized and empowered to issue a Violation Ticket.
- 13.2 Notwithstanding section 12.1 and 13.1, an ACO is authorized and empowered to immediately issue a Violation Ticket to any person who the ACO has reasonable and probable grounds to believe is responsible for a contravention of this Bylaw.
- 13.3 A Violation Ticket issued with respect to a contravention of this Bylaw shall be served upon the person responsible for the contravention in accordance with the *Provincial Offences Procedure Act*.
- 13.4 The person to whom the Violation Ticket has been issued may plead guilty by making a voluntary payment in respect of the Summons by delivering to the Provincial Court, on or before the initial appearance date, the Violation Ticket together with an amount equal to the specified penalty for the offence as provided for in Schedule "B" to this Bylaw.
- 13.5 When a Clerk of the Provincial Court records the receipt of a voluntary payment pursuant to section 10.4 and the Provincial Offences Procedure Act, the act of recording constitutes acceptance of a fine in the amount of the specified penalty.

14 SEVERALBILITY

- 14.1 Should any section or part of this Bylaw be found to be improperly enacted or *ultra vires*, for any reason, then such section or part shall be regarded as being severable from the Bylaw and the Bylaw remaining after such severance shall be effective and enforceable.

15 REPEAL

- 15.1 Upon posting of this bylaw, Thorhild County Bylaw 1024-2002 and Village of Thorhild Bylaw 03-2008 are hereby repealed.

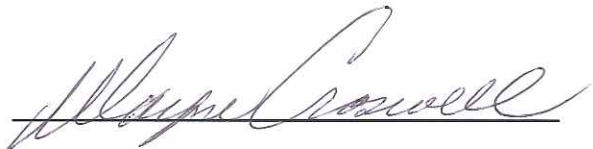
16. EFFECTIVE DATE

16.1 This Bylaw shall come into force and effect upon third and final reading.

READ a first time in Council this 11th day of March, 2014.

READ a second time in Council this 10th day of June, 2014.

READ a third time in Council this 10th day of June, 2014.

A handwritten signature in black ink, appearing to read "Mayor Lowell", written over a horizontal line.

Reeve

A handwritten signature in black ink, appearing to read "Betty K. Kobrowski", written over a horizontal line.

Chief Administrative Officer

PURPOSELY LEFT BLANK

SCHEDULE "A"

LICENSE FEES

The owner of every dog in the County shall license their dog according to the parameters set in Section 4 and shall pay to the County the appropriate license fee, being:

For each neutered male and spayed female dog	\$30.00	Lifetime
For each unaltered male and female dog	\$60.00	Lifetime
Vicious Dog yearly fee if deemed a Vicious Dog by the Animal Control Officer	\$500.00	Annually, based on a calendar year and prorated accordingly.
Assistance Dog	Free with proof	
RCMP or Edmonton City Police Service Dog	Free with proof	
The owner of a dog which has been duly licensed under this Bylaw may obtain a license tag to replace a tag which has been lost, upon payment of a fee of ten (\$10.00) dollars.		

PURPOSELY LEFT BLANK

SCHEDULE "B"

SPECIFIED PENALTIES

Section	Offence	Penalty
3.3.1.1	Interfere with Animal Control Officer (ACO)	\$ 1000
3.3.1.2	Remove dog from possession of Animal Control Officer	\$ 1000
4.1.1	Exceeding the number of dogs on a parcel of land	\$ 200
4.3.1	Failure to obtain a Dog License	\$ 100
4.3.8	Failure to ensure that license tag is worn when dog is off the owner's premises	\$ 100
4.6.2	Permitting a dog to be "At Large"	\$ 200
4.6.4	Failing to confine and house a female dog in estrus	\$ 100
4.6.6	Permitting a dog to be in an area where a sign prohibits the presence of dogs	\$ 300
4.6.7	Failing to immediately remove a dog's defecation from Private or Public Property	\$ 150
4.6.3.1	Permitting a dog to howl or bark excessively	\$ 300
4.6.3.2	Biting or chasing a pedestrian	\$ 200
4.6.3.3	While off owner's property biting, attempting to bite, barking at or persistently chasing any person on a bicycle, on horseback, while riding on an off-highway vehicle, in an automobile or other vehicles or otherwise attempts to threaten any person, domestic animal, or livestock.	\$ 200
4.6.3.4	Permitting a dog to Damage Public or Private Property	\$ 200
4.6.3.5	Without provocation cause harm, damage or injury	\$ 200
5.4.1	Allow Vicious Dog to be At Large	\$ 1500
5.4.2	Vicious Dog bites, attempts to bite, barks at, chases a person, domestic animal or livestock	\$ 1500
5.4.5	Fail to muzzle and control Vicious Dog on Private or Public Property	\$ 1000
5.4.6	Fail to post sign indicating "Vicious Dog"	\$ 500
5.5.1	Fail to ensure Vicious Dog is confined in secure enclosure	\$ 1000
5.5.2	Fail to license a Vicious Dog	\$ 750
5.5.5	Fail to notify Animal Control Officer of change of address of a Vicious Dog.	\$ 500
5.5.7	Fail to notify Animal Control Officer of Vicious Dog At Large	\$ 500
5.5.4	Fail to ensure license tag is worn when Vicious Dog is off Owner's property	\$ 500
7.1	No person shall tease, torment or annoy an animal	\$ 200
<p>The penalty for a second or subsequent offence within one (1) year shall be double the amount of the fine for the first offence. All subsequent offences will be a mandatory Court appearance.</p>		

SCHEDULE "C"

IMPOUNDMENT FEES

Amount(s) to be paid to the Pound Keeper or the County by the owner of an animal in order to reclaim animal at the Pound.

Care and Boarding – per day

Regular Board Rate

Veterinary Fees

Amount expended

SCHEDULE "D"
OVER LIMIT DOG PERMIT

Permit Number: _____	Animal Control Officer: _____
Issue Date: _____	End Date: _____
Permit Holders Name: _____	
Permit Holders Phone Numbers: _____ <div style="display: flex; justify-content: space-around; font-size: small;"> Residence Business Cellular </div>	
Property Address: _____ Hamlet: _____	
Subdivision: _____	
Legal Description: _____ <div style="display: flex; justify-content: space-between; font-size: x-small; margin-top: 5px;"> Lot Block Plan $\frac{1}{4}$ Section - Township - Range W4 </div>	
<p style="text-align: center;">The following Number and Breed of Dogs have been Approved for the Property:</p> <p># _____ Dog(s) – Current Breed: _____</p> <p># _____ Dog(s) – New Breed: _____</p>	
THE CHIEF ADMINISTRATIVE OFFICER OR HIS DESIGNATE MAY WITHDRAW AT ANY TIME AN OVER LIMIT PERMIT	
Permit Holder's Signature: _____ Date: _____	
Animal Control Officer: _____ Date: _____	

SCHEDULE "E"
KENNEL REGULATIONS

1. Kennel Regulations shall be in accordance with the Land Use Bylaw.

FINE SCHEDULE

	1 st Offense	2 nd and Subsequent Offenses
Failure to comply with the regulations and/or condition of a Development Permit for a Kennel.	\$250	\$500

*For each day the offense continues, a separate fine may be imposed by the ACO to the owner/operator of the Kennel and/or the land Owner pursuant to this fine schedule.

SCHEDULE "F"

PROCEDURE AND GUIDELINES FOR LIVE TRAPPING OF ANIMALS

1. A resident of Thorhild County may request to borrow a live trap. Approval will be determined by the Animal Control Officer.
2. The complainant will contact the County office and, upon validity of complaint, sign the form and an agreement provided by the County and the County will then provide a live trap to the Complainant.
3. The Complainant will be required to pay a \$60.00 deposit to the County. This deposit will be returned to the Complainant at such time as the trap is returned and is found to be in the same condition it was at the time it was obtained from the County.
4. The Complainant will set the live trap in a place shaded from the hot sun, on the premises of the Complainant for a period of not more than seventy-two (72) hours, after which time he will return the trap to the County.
5. It will be the responsibility of the Complainant to check the trap regularly every 2-3 hours, or as approved by an ACO and, if an animal is caught, the Complainant must notify the Animal Control Officer within a reasonably practical time following the trapping.
6. The ACO may enter onto and inspect the premises at any time to ascertain if these guidelines are followed.
7. The Complainant shall not leave a trap set on his property unsupervised when absent for any period of time, unless approved by the ACO.
8. The Complainant shall check the trap prior to 11:00 pm on each night that the trap is on his property and, if no animal is caught, he shall, unless otherwise approved by the ACO trip the trap and render it harmless until 6:00 am the following day, then the Complainant may again set the trap.
9. At such time as the ACO comes into possession of a trapped animal, he will try to locate an identifying tag or tattoo on the animal, and, if found, will make every effort to contact the owner of the animal in order to report that it has been impounded by the County.
10. At such time as an animal owner attends the County Pound for the purpose of claiming their animal, a Violation Tag or Ticket may be issued, by the ACO in accordance with this Bylaw.
11. It is the responsibility of the Complainant to ensure that, once an animal is trapped on his property the said animal shall not be abused or harmed in any way contrary to section 8.11 of the Animal Control Bylaw, by anyone on his property or anyone coming onto his property.
12. Any person seeing an animal in a trap being abused is encouraged to telephone and report the abuse to the County, at which time the ACO may attend at the premises where the abuse has taken place and may remove the animal and the trap forthwith and may also refuse all future live trap requests. The validation of the report and abuse will be at the sole discretion of the ACO.
13. No live trap will be provided by the County to a Complainant when weather condition are, or are forecast to be, colder than 0 degrees Celsius within the 72 hour period from the time of issue.
14. Any person who contravenes any of the Trapping Procedures and Guidelines may be charged with an offence under this Bylaw and refused future trap requests.

I UNDERSTAND THE TERMS AND CONDITIONS LISTED IN THIS DOCUMENT AND AGREE TO COMPLY ACCORDINGLY.

Name: _____

Signature: _____

Witness: _____

Deposit Amount Received: _____

Date and Time: _____

Date and Time: _____