

**THE SUMMER VILLAGE OF LAKEVIEW  
IN THE PROVINCE OF ALBERTA**

**BY-LAW NO. 3-04**

**BEING A BY-LAW of the Summer Village of Lakeview in the Province of Alberta to control and regulate the running at large of dogs and cats, the destroying of dogs after a period of impoundment, payment of costs and expenses for impoundment and to regulate the number of dogs and cats on residential parcels of land.**

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**WHEREAS**, under the provisions of the Municipal Government Act (Alberta) Section 7, Subsection (h) Council may pass a bylaw for municipal purposes respecting domestic animals and activities in relation to them; and

**WHEREAS**, the Council of the Summer Village of Lakeview deems it desirable and in the best interest of the residents of Lakeview to pass a bylaw to control and regulate the running at large of dogs and cats within the boundaries of Lakeview, the destroying of dogs after a period of impoundment, payment of costs and expenses for impoundment and to regulate the number of dogs and cats on residential parcels of land;

**NOW THEREFORE** the Council of the Summer Village of Lakeview, duly assembled hereby enacts as follows:

1. a) This Bylaw may be cited as “The Summer Village of Lakeview Animal Control Bylaw”.  
b) This Bylaw authorizes the Council of the Summer Village to contract the services of an Animal Control Officer, and charge all expenses incurred to the property owner.
2. For the purpose of this bylaw the following definitions shall apply:
  - a) “Animal” shall mean and include any domesticated animal, including but not limited to cattle, horses, fowl, sheep, or goats;
  - b) “Council” shall mean the Council of the Summer Village of Lakeview.
  - c) “Summer Village” shall mean the municipal corporation of the Summer Village of Lakeview or the area within the boundaries of the Summer Village of Lakeview as the context requires;
  - d) “Dangerous dog” shall mean any dog which when either unmuzzled, unleashed, or unattended by it’s owner, in a vicious or terrorizing manner, approached any person in an apparent attitude of attack;
  - e) “Dog” shall mean any canine animal and shall include a bitch, spayed bitch, male or neutered male;

f) "Animal Control Officer" shall mean any person appointed by the Summer Village of Lakeview to carry out the provisions of this bylaw or any peace officer.

g) "Owner" shall mean and include any person or group of persons who own, possess or have custody, charge or control over a dog or dogs who temporarily or permanently harbors or permits a dog or dogs, a cat or cats to remain on or about his, her or their house or property;

h) "Running at large or run at large" shall mean any dog or cat that is off the property of its owner and is not on a leash or lead and under the control of its owner;

i) "Vicious dog" means:

- i) Any dog with a known propensity, tendency or disposition to attack without provocation, to cause injury or to otherwise endanger the safety of human beings other animals on public or private property.
- ii) Any dog owned or harbored primarily or in part for the purpose of dog fighting or any dog trained for dog fighting.
- iii) Any dog which has been found to be a "dangerous dog" upon three (3) separate occasions; and
- iv) No dog shall be deemed "vicious" if it bites, attacks, or menaces anyone who has tormented or abused it.

3. This By-law shall be in full force and effect within the areas specified in Schedule "B".

4. It shall be the responsibility of each owner of a dog or cat to ensure that:

a) The dog or cat shall not run at large.

b) The dog shall not bark or howl excessively or in such a manner as to disturb the quiet of any person or persons. Any person so aggrieved may appear before the Justice of Peace and swear out information charging the owner with a breach of this Bylaw.

c) During the whole of any period in which a bitch is in heat the bitch shall be confined to the owner's property (owner as defined in this bylaw) house or property.

5. No person residing on a residential parcel shall keep or harbor more than two (2) dogs or cats of whatever sex and aged six (6) months or more at one and the same time in any house, shelter, room, or place within the Summer Village. Any persons who has been issued a violation ticket under this section, and who does not comply with this section within (14) fourteen calendar days, is subject to additional fines as permitted under Schedule "A".

6. Section 5 of this bylaw does not apply to visitor having a maximum of two adult dogs or cats at a residence in the Summer Village on a temporary basis for a maximum of fourteen days.
7. Council shall make provision for the keeping of impounded dogs captured for a violation of this bylaw. The Municipal Administrator shall be at liberty to make such rules and regulations as the Municipal Administrator shall consider necessary for the operation of a pound or pound keepers and dog catchers and such other persons as Council deems are necessary for carrying out the provisions of this Bylaw.
8. Notwithstanding Section 6, the Council may make arrangements or agreements with the Society for the Prevention of Cruelty to Animals or any other organization or persons for the purpose of capturing and impounding dogs and cats unlawfully running at large.
9. Any person who is the owner of a dog or cat which is allowed or is found to be running at large contrary to the provision of this bylaw shall be guilty of an offence and shall be liable to receive a ticket as per Schedule "A" attached. The said sums shall be accepted by the Summer Village in lieu of prosecution for the offence on the ticket if the amount specified on the ticket shall be paid in full to the Summer Village by the date specified on the ticket. A ticket shall be deemed for the purposes of this bylaw to have been duly served upon an owner if it is served as follows:
  - a) By certified mail addressed to the owner of the dog or cat concerned, or
  - b) By handing the notice to the owner of the dog or cat concerned or to any adult or person over the age of sixteen (16) years at the place of residence of the said owner.
10. Any owner who permits a dangerous dog to run at large is subject to a fine as specified in Schedule "A".
11. No person shall keep or maintain any dog or cat which is vicious unless such dog or cat is at all times kept in an enclosure of size to be specified by the Summer Village. The only time that a vicious dog shall be allowed out of its enclosure is:
  - a) if it is necessary for the owner to obtain veterinary care for the vicious dog or cat, or
  - b) to sell or give away the vicious dog or cat, or
  - c) to comply with the order of a court of competent jurisdiction.

The owner of any dog that has been found to be a "Vicious Dog" and that is confined to an enclosure shall be liable to a fine as specified in Schedule "A" or charged under the "Dangerous Dog Act".

For a second offence, the owner shall be charged under "The Dangerous Dog Act" and an application will be made to the courts to have the dog or cat destroyed.

The owner of any dog which has been found to be a vicious dog and which is not confined to an enclosure shall be guilty of an offence and shall be liable to a fine as specified in Schedule "A" for the first offence.

Any owner or keeper of a vicious dog or cat who sells or gives away, or possesses with the intent to sell any vicious dog, shall give written notice to the person who will be receiving the vicious dog or cat that the said dog or cat has been found to be a vicious dog or cat.

12. It shall be the duty of the pound keeper and such other person or persons as may be authorized:
  - a) Notwithstanding Section 12 and pursuant to Section 7 (2) of the "Animal Protection Act", if in the opinion of the humane society or a peace officer, the animal appears to be a purebred animal, or if it bears an obvious identification tattoo, brand, mark, tag or license, the applicable time limit under Section 12 shall be ten (10) days after the date on which the animal was delivered.
13. Any persons who hinders, delays or obstructs any authorized person or persons engaged in taking to the pound any dog liable to be impounded under the provisions of the Bylaw shall be guilty of an offence and is subject to a fine as specified in Schedule "A".
14. Any person removing or attempting to remove any dog from the possession of the pound keeper or any other person authorized to enforce any of the provision of the Bylaw shall be guilty of an offence and is subject to a fine as specified in Schedule "A".
15. Any person who contravenes any provision of this Bylaw and neglects or refuses to pay the fine specified on any ticket issued for an offence by the date specified for payment on the ticket is guilty of an offence and is liable on summary conviction to a fine as specified in Schedule "A".

16. Any person who allows his / her dog off leash at any time when on public property, park reserve, municipal reserve or any other public place shall be guilty of an offence and is liable on summary conviction to a fine as specified in Schedule "A".
17. Any person who allows his / her dog to defecate on public property, park reserve, municipal reserve or any other public place shall be guilty of an offence and is liable on summary conviction to a fine as specified in Schedule "A".
18. Schedule "A" and "B" may be amended by resolution of Council.

**READ A FIRST TIME THIS 22<sup>ND</sup> DAY OF JULY, 2004**

**READ A SECOND TIME THIS 22<sup>ND</sup> DAY OF JULY, 2004**

**READ A THIRD AND FINAL TIME THIS 15<sup>TH</sup> DAY OF SEPTEMBER, 2004**

  
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**Earle Robertson, Mayor**

  
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**Susan H. Dzus, Municipal Administrator**

  
**SEAL**

**SUMMER VILLAGE OF LAKEVIEW**

**ANIMAL CONTROL BYLAW NO. 3-04**

**SCHEDULE "A"**

**Penalties to be applied for offences under Bylaw No. 3-04**

**Section 8 – Dogs found running at large; off leash; and / or defecating**

First offence in a calendar year

A fine of Seventy-five (\$ 75.00) Dollars

Second Offence in calendar year

A fine of One Hundred and Fifty (\$ 150.00) Dollars

Third Offence in a calendar year

A fine of Three Hundred (\$300.00) Dollars

**Section 9 – Dangerous Dog or Cat running at large:**

A fine of Five Hundred (\$500.00) Dollars for the first and each subsequent offence

**Section 10 – Vicious Dog or Cat which is not enclosed to an enclosure:**

A fine of Five Hundred (\$500.00) Dollars

**Contravention of any provision of the By-law for which a penalty is not specified:**

A fine of not less than Seventy-five (\$ 75.00) Dollars for the first and each subsequent offense.

**SUMMER VILLAGE OF LAKEVIEW**

**ANIMAL CONTROL BY-LAW NO. 3-04**

**SCHEDULE "B"**

**BY-LAW NO. 3-04** shall be in full force and effect within the following areas of the Summer Village of Lakeview:

All residential properties, residential subdivisions, and at the discretion of the Municipal Administrator, any other property within the Summer Village where the enforcement of By-law No. 3-04 is deemed necessary.