

**BY-LAW #1:2023
OF THE VILLAGE OF FORESTBURG
IN THE PROVINCE OF ALBERTA**

A BY-LAW OF THE VILLAGE OF FORESTBURG IN THE PROVINCE OF ALBERTA PROVIDING FOR THE LICENSING AND CONTROLLING OF DOGS, CATS AND OTHER ANIMALS WITHIN THE SAID VILLAGE.

WHEREAS, the Municipal Government Act, RSA 2000, c. M-26 as amended or repealed and replaced from time to time, provides that a council may pass bylaws for municipal purposes respecting wild and domestic animals and activities in relation to them;

AND WHEREAS the Council of the Village of Forestburg deems it necessary to regulate dogs and cats, to provide for the licensing of dogs and cats, to provide for the confinements of certain animals within the Village, areas and to regulate and control other animals.

NOW THEREFORE the Municipal Council of the Village of Forestburg duly assembled enacts as follows:

1. TITLE:

1.1 This bylaw may be cited as "**The Animal Control Bylaw**".

2. DEFINITIONS: In this bylaw unless the context otherwise requires:

- 2.1 "Animal" means any member of the animal kingdom of living beings, excluding humans, without limitation, "Animal" shall include mammals, dogs, cats, birds and reptiles;
- 2.2 "Animal Tag" means a numbered metal tag issued by the Village when the owner of an animal licenses such animal with the Village;
- 2.3 "At Large" means any animal or domestic animal that is off the property of the owner or harbourer and is not on a leash, not exceeding three (3) metres (10 feet) in length and under the control of a responsible or competent person capable of controlling the animal;
- 2.4 "Cat" means a small domesticated animal of the Felidae family, regardless of the sex of such animal;
- 2.5 "Cattery" means any person, group of persons, firm or corporation that is an approved and currently licensed establishment, which is engaged in the business or recreation of breeding and/or boarding and/or selling of cats.
- 2.6 "Chief Administrative Officer" (CAO) means that person appointed to the position and title by Council and includes any person appointed by the CAO to act as his/her appointee;
- 2.7 "Communicable Disease" means a disease that affects animals and may be transmitted to another animal or to human beings;
- 2.8 "Collar" means a band of metal or material which is of suitable size and strength that may be humanely placed around the neck of an animal and which is capable of having metal tags securely fastened to it;

- 2.9 "Council" means the duly elected Council of the Village of Forestburg;
- 2.10 "Dangerous Dog" means any dog at any age or sex which:
- 2.10.1 Shows a propensity, disposition or potential to attack or injure, without provocation, humans or other animals; or,
 - 2.10.2 Without provocation, charges humans or other animals; or,
 - 2.10.3 Is a continuing threat of serious harm to humans or other animals; or,
 - 2.10.4 Without provocation, has attacked humans or other animals;
- 2.11 "Dog" means any animal of the Canidae family, regardless of the sex of such animal;
- 2.12 "Domestic Animal" means an animal that is kept in a residence to provide companionship to the residents and shall not include animals designated as "Livestock";
- 2.13 "Enforcement Officer" means any peace officer, member of the RCMP or any other person appointed by Council to enforce the provisions of this bylaw;
- 2.14 "Excessive Barking" means barking continuously for more than 5 minutes;
- 2.15 "Feral" means an animal, which, in the opinion of a registered veterinarian, is wild in nature and shows no signs of domestication;
- 2.16 "Former Owner" means a person or group of persons, partnership or association who, at the time of impoundment was the owner of the animal which was subsequently sold or euthanized;
- 2.17 "Harness" means straps and fittings that are of suitable size and strength that may be humanely attached to the chest and back of an animal;
- 2.18 "Identification" means a functioning and/or clearly readable:
- 2.18.1 Microchip; or,
 - 2.18.2 License tag; or,
 - 2.18.3 Vaccination tag; or,
 - 2.18.4 Tattoo; or,
 - 2.18.5 Personal tag; or,
 - 2.18.6 Brand;
- which, if found on an animal, can be traced to current ownership information.
- 2.19 "Kennel" means any person, group of persons, firm or corporation that is an approved and currently licensed establishment, which is engaged in the business or recreation of breeding and/or boarding and/or selling of dogs;
- 2.20 "Livestock" means such animal that has been domesticated for agricultural use or pets including but not limited to: horse, head of cattle, chicken, sheep, swine, goat, mule or ass, but does not include dogs or cats;
- 2.21 "Leash" means a tether no longer than three (3) metres (10 feet) and of suitable strength that may be humanely attached to the collar or harness of an animal;
- 2.22 "Microchip" means an encoded electronic device implanted in an animal by or under the supervision of a registered veterinarian, which contains a unique code number

that provides owner information and is stored in a central database;

- 2.23 "Muzzle" means a humane fastening or covering device of adequate strength placed over the mouth of an animal to prevent it from biting;
- 2.24 "Owner" means:
- 2.24.1 any person or group of persons, partnership, association or corporation having legal title, possessing or having charge of or care and control over any animal and includes any persons who has temporary custody of any animal; or harbouring any animal; or suffering or permitting any animal to remain about the Owner's house or premises;
- 2.24.2 any person responsible for the custody of a minor where the minor is the owner of an animal;
- but does not include:
- 2.24.3 A veterinarian registered pursuant to the Veterinary Profession Act who is keeping or harbouring an animal for the prevention, diagnosis or treatment of a disease or an injury to the animal; and,
- 2.24.4 An animal shelter or pound operated by the Village;
- 2.25 "Persistent Barking" means barking for longer than 30 seconds at a time and several times during the day;
- 2.26 "Pet" means an animal that you keep in your home to give you company and pleasure
- 2.27 "Playground" means that portion of a public park in the Village of Forestburg that contains playground equipment such as sandboxes, teeter-totters, monkey bars and other equipment for the use and enjoyment of children;
- 2.28 "Pound" means the premises designated by the Village for the purpose of impounding and caring for dogs, cats and other animals regulated under this bylaw;
- 2.29 "Pound Keeper" means any person appointed by the Village Administrator to keep a pound for the purpose of controlling and disposing of animals that have been seized
- 2.30 "Registered Veterinarian" means a registered veterinarian as defined in the *Veterinary Profession Act*;
- 2.31 "Tattoo" means a permanent marking on the skin of an animal created by or under the supervision of a registered veterinarian, which contains a unique code of letters and numbers that provide owner information recorded by a registered veterinarian and/or the Alberta Veterinarian's Medical Association and its national affiliates;
- 2.32 "Trap" means an animal trap designed to contain an animal without injuring or killing.
- 2.33 "Village" means the Village of Forestburg;
- 2.34 "Violation Tag" means a ticket or similar document issued by the Village pursuant to the Municipal Government Act, R.S.A. 2000, c.M-26, as amended or replaced and appealed from time to time, which allows for a voluntary payment of a specified penalty to be paid out of court to the Village in lieu of appearing in answer to a summons;
- 2.35 "Violation Ticket" means a ticket issued pursuant to the Provincial Offenses Procedure Act, RSA 2000, c.P-34 and regulations there under, as amended or replaced and repealed from time to time.

3. LICENSING AND PROVISIONS:

- 3.1 Every owner of a dog or cat over the age of three (3) months in the Village of Forestburg shall, before the 31st day of January of each calendar year, license such animal with the Village and pay to the Village a license fee for each animal so licensed as specified in Schedule "A".
- 3.2 Notwithstanding the provisions of sections 3.1 herein, every owner who after the 31st day of January in any calendar year acquires a dog or cat or who has a dog or cat and takes up residence in the Village shall within fourteen (14) days thereof license his or her dog or cat with the Village and pay to the Village a license fee for each dog or cat being licensed.
- 3.3 Every owner of an animal in the Village of Forestburg, who fails to license such dog or cat as required by Section 3.1 and 3.2 herein, shall license such dog or cat with the Village and pay to the Village an increased license fee as specified in Schedule "A" and a fine as specified in Schedule "B"
- 3.4 In the prosecution or proceedings for a contravention of this bylaw, the burden of proof relating to the age of the dog or cat shall be upon the owner and unless the contrary is proven, the dog or cat shall be presumed to have attained the minimum age of three (3) months at the time of the charge.
- 3.5 No person shall be entitled to a license rebate under this Bylaw.
- 3.6 Notwithstanding Sections 3.1, 3.2, 3.3, or 3.4 herein, a person possessing a registered or certified guide dog, hearing ear dog, wheel chair assist dog or a trained search dog whose owner is a member of a recognized group, club or association shall **NOT** be required to pay a license fee but shall be required to register the animal with the Village.
- 3.7 Upon licensing a dog or cat as required in this bylaw, the owner shall be issued a metal tag that has been stamped with the license number of such license.
- 3.8 In the event that an animal tag is lost, a new animal tag may be issued, upon proof of license of the animal and upon payment to the Village of a fee as set out in Schedule "A".
- 3.9 An animal tag shall not be transferred from one dog or cat to another, or attached to any dog or cat that has not been licensed with the Village.
- 3.10 An animal tag is only valid for the calendar year for which it is issued.
- 3.11 Every owner shall provide a suitable collar or harness and ensure that the license tag is securely fastened to a collar or harness which must be worn by the dog or cat at all times when it is off the premises of the owner.
- 3.12 An animal shall be considered not licensed if the animal is not wearing the collar or harness with a valid animal tag and the owners shall be subject to a fine for allowing an unlicensed animal to run at large as per schedule "B" unless the owner can, within twenty-four (24) hours, not including weekends and statutory holidays, provide proof of license to the satisfaction of the Enforcement Officer.
- 3.13 Dog and cat owners shall provide the Village with the following information with each application for an animal tag:
 - 3.13.1 name and street address and phone number of owner; and,

- 3.13.2 name and description (including breed, colour, sex and age) of dog or cat to be licensed; and
- 3.13.3 such other information as required with respect to the application.
- 3.14 The Village Administration Office shall keep a record of all dog and cat licensees pursuant to Section 3.13 of this Bylaw, such record will include:
 - 3.14.1 name and address of owner(s);
 - 3.14.2 breed, colour, sex, age and name of each animal;
 - 3.14.3 date of registration;
 - 3.14.4 the registration number imprinted on each license tag issued;
 - 3.14.5 the amount of license fee paid;
- 3.15 Every owner shall notify the Village of his or her change of address or telephone number within fifteen (15) days of the change of residency or telephone number.
- 3.16 Notwithstanding the exemptions noted in Section 3.17 of this bylaw, no person shall keep or harbor:
 - 3.16.1 more than three (3) dogs; or,
 - 3.16.2 more than three (3) cats; or,
 - 3.16.3 more than a total of four (4) cats and dogs combinedof whatever sex, whether licensed or not and aged three (3) months or more, at one and the same time, in any house, shelter, room or place within the Village.
- 3.17 Within the corporate limits of the Village, Section 3.16 of this Bylaw shall not apply to:
 - 3.17.1 any premises lawfully used for the care and treatment of animals operated by and in charge of a registered veterinarian; or,
 - 3.17.2 any premises that may be temporarily used for the purpose of a dog or cat show; or,
 - 3.17.3 any organization that is offering a recognized training or obedience class for dogs or cats; or,
 - 3.17.4 any person in possession of a valid business license to operate a "Pet Store", "Animal Grooming Parlor", "Dog Kennel" or "Cattery", as long as said person adheres to said business license conditions; or,
 - 3.17.5 dogs or cats accompanying persons temporarily in the Village 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 Village.

4. REGULATIONS:

- 4.1 No person shall keep, harbour or possess a domestic animal within the limits of the Village of Forestburg except in accordance with the provisions of this Bylaw.
- 4.2 Unless otherwise permitted by the Village of Forestburg, no person shall harbour:
 - 4.2.1 any livestock; or

- 4.2.2 any poisonous snakes, poisonous reptiles, or poisonous insects; or
- 4.2.3 any animal of species, including the above, deemed dangerous or objectionable, in the opinion of the Chief Administrative Officer, excluding restricted or vicious dogs pursuant to Village of Forestburg Bylaw 4:2013;
of whatever sex, at one and the same time, in any house, shelter, room or place within the Village.
- 4.3 The Chief Administrative Officer is hereby authorized to issue a permit under Section 4.2 and can also impose conditions on that permit, and if such person fails to meet the conditions of the permit, they are deemed to have not complied with this section.
- 4.4 No owner shall cause, allow or permit another person to cause his animal to be on any property not his own unless:
 - 4.4.1 a leash of sufficient strength to restrain the animal, and not longer than three (3) meters (10 feet), is securely attached to the animal; and
 - 4.4.2 the leash is being held by a person able to restrain the animal; or
 - 4.4.3 the leash is securely tied to a stationary object that cannot be moved by the animal; and
 - 4.4.4 the animal cannot interfere with normal human traffic.
- 4.5 No owner shall cause, allow or permit another person to cause his animal while on property not his own to:
 - 4.5.1 bark at any person; or
 - 4.5.2 chase any person or vehicle; or
 - 4.5.3 attack any person; or
 - 4.5.4 chase, challenge, or attack any animal owned or being kept by another person; or
 - 4.5.5 cause any damage or nuisance thereon. An owner whose animal defecates on said property shall forthwith remove any defecated matter to a suitable receptacle as would not constitute a nuisance. The provisions of this section shall not apply to a blind person who is being guided by a bona fide "seeing eye" or guide dog; or
 - 4.5.6 run at large
- 4.6 No owner shall cause, allow or permit another person to cause, his animal to be or remain on any private property without having first obtained the permission of the owner of said property.
- 4.7 No animal is allowed to defecate on any public or private property other than the property of the owner. If an animal defecates on public or private property, the owner shall cause the feces to be removed immediately.
- 4.8 No owner of private property will allow animal feces to accumulate on the property so as to create a health hazard.
- 4.9 No owner shall cause, allow or permit his animal to vocalize excessively or persistently or in any other manner disturb the quiet of any person. All owners shall immediately take all reasonable steps to quiet his animal each and every time the animal vocalizes.

- 4.10 No owner shall fail to confine a female member of a species of domestic animal in heat in a confined house, shed or other fully enclosed structure during the entire period it is in heat.
- 4.11 No owner shall permit a domestic animal to enter or remain in any swimming, bathing, or wading pool or pond area provided for the use of the public.
- 4.12 No owner shall own, possess, keep, harbour, or have care or control of more than two (2) animals that by nature of their size, breed, disposition, or for any other reason are sheltered or fed or exercised or otherwise kept on a property outside the structural walls of the principal residence of the owner.
- 4.13 No owner shall permit an animal suffering from a communicable disease to come in contact with other animals or humans. The owner of said distressed animal shall obtain a certificate of illness from a Veterinary Surgeon; and said owner shall take such steps and precautions as are required by said Veterinary Surgeon and as required by this Bylaw.
- 4.14 Except those animals designated as exempt animals as per Schedule "A" to this bylaw:
- 4.14.1 No dog, cat or domestic animal is permitted on any playground areas.
- 4.15 No person shall in any way permit an animal to be in distress by:
- 4.15.1 causing any unnecessary physical pain to the animal; or
- 4.15.2 neglecting to provide food, potable water, care or shelter as is necessary to maintain the good health of the animal; or
- 4.15.3 neglecting to provide the necessary treatment for an animal suffering from disease or injury or which is infested by any vermin or parasite; or
- 4.15.4 harassing or tormenting such animal.
- 4.16 No person shall leave an animal unattended in or on a vehicle, without proper protection from the atmospheric elements such as sun, snow, rain, wind, cold or hot temperatures.
- 4.17 The owner of an animal that is inside or on a vehicle while moving or parked must ensure that:
- 4.17.1 The animal is secured so that it is unable to fall out of or leave the vehicle; or,
- 4.17.2 The animal is secured so that it is unable to reach any of the sides or rear of the vehicle, and therefore prevent the animal from disturbing people or animals when walking by.
- 4.18 No person shall in any way interfere with, or obstruct an Enforcement Officer who has seized or is attempting to seize an animal at large except that the owner of such animal may redeem the animal by signing a Claim and Release form as approved by the CAO.
- 4.19 No person shall release or attempt to release an animal that has been seized except as otherwise provided in this bylaw.
- 4.20 No person shall induce or persuade any animal to enter a house or other place where it may be immune from capture by the Enforcement Officer or other authorized person(s), or otherwise assist any animal to escape capture.
- 4.21 No person shall negligently or wilfully open any gate, door or other opening in a fence

or enclosure in which a dog or other domestic animal has been confined; or otherwise obstruct any domestic animal's confinement, thereby allowing said animal to run at large within the Village of Forestburg.

- 4.22 No person shall operate a kennel or a cattery in any residential district of the Village of Forestburg. The harbouring, keeping of, or owning of more than three (3) dogs or more than three (3) cats shall be considered to be operating a kennel or cattery.

5. ENFORCEMENT:

- 5.1 Any animal at large may be captured and seized by any Enforcement Officer and placed in a pound as provided for in this bylaw.
- 5.2 An Enforcement Officer may use any means necessary to capture and seize an animal at large, provided that:
- 5.2.1 no animal shall be seized on private property without the permission of the owner of said property, except in case of fresh pursuit and it is definitely known that the property is not that of the owner of the animal; and
- 5.2.2 every reasonable precaution is taken to avoid causing any injury or bodily harm to such animal.
- 5.3 An Enforcement Officer may utilize live traps, catch poles, snappy snares and/or any other equipment as recommended by the Alberta Veterinarian's Medical Association to assist in the seizure or capture of any animal running at large in a manner as required in Section 5.2.2.
- 5.4 A person utilizing a trap for an animal shall comply with the following regulations for the use of the trap, including the treatment and disposition of any trapped animal:
- 5.4.1 To place the animal trap on the trap owner's property only and to secure the trap from theft;
- 5.4.2 To set the trap in a shaded and/or sheltered area out of the public view and to remove the trap in severe weather conditions;
- 5.4.3 To check the trap at least once in every eight (8) hour period;
- 5.4.4 To release any animal inadvertently caught in the trap in a safe and humane fashion;
- 5.4.5 To take the trapped animal to the Pound, as soon as possible and in any event within twelve (12) hours of the animal being trapped.
- 5.4.6 To feed, water and care for the trapped animal until it is turned over to the Pound.
- 5.4.7 To notify the Village of Forestburg at 780-582-3668 as soon as possible if the animal was taken to a Pound.
- 5.4.8 To be prepared to attend Provincial Court as a witness to testify under oath if the owner of the animal is prosecuted and enters a "Not Guilty" plea.
- 5.5 Every animal seized under this bylaw shall, as soon as practical, be taken to the prescribed pound and restrained therein.
- 5.6 If an animal is in distress and

- 5.6.1 the owner does not forthwith take steps that will relieve its distress; or
- 5.6.2 the owner cannot be found immediately and informed of the animal's distress, an Enforcement Officer may, with the assistance of a member of the Royal Canadian Mounted Police if necessary, take any action he considers necessary to locate the animal and relieve its distress, including taking the animal into custody, pursuant to the Animal Protection Act.
- 5.7 An Enforcement Officer may serve an owner or occupant of private property with a notice to remove all animal feces from the property within 72 hours of service of the notice.
- 5.8 If a notice under section 5.8 is not served personally on an owner or occupant of private property, a copy of the notice shall be sent by registered mail to the owner of the property at the mailing address shown on the last revised assessment roll of the Village. The notice shall be deemed to have been received on the fifth (5th) day following the date of mailing.
- 5.9 If the Village is required to clean up the feces in the affected property, an order shall be issued under the municipal Community Standards Bylaw and any subsequent costs and expenses incurred will be a debt due to the Village and the Village may recover the costs and expenses:
 - 5.9.1 By action in a court of competent jurisdiction; or,
 - 5.9.2 In the same manner as municipal taxes; or,
 - 5.9.3 By adding the costs and expense to, and thereby they form part of, the taxes on the land on which the work was done.

6. POUND

- 6.1 A pound keeper shall:
 - 6.1.1 receive and impound any animal seized under the provisions of this bylaw; and
 - 6.1.2 keep a record of such animal on a form approved by the CAO; and
 - 6.1.3 ensure that any animal so impounded is provided with sufficient food and potable water to maintain the health and comfort of the animal; and
 - 6.1.4 provide the services of a veterinarian, as soon as practical, for any animal which appears to be ill or injured; and
 - 6.1.5 ensure that no animal, while impounded is mistreated.
- 6.2 Any animal that has been placed in a pound shall be kept therein for a period of not less than three (3) clear days, exclusive of Saturdays, Sundays and statutory holidays unless sooner claimed by the owner or otherwise disposed of in accordance with this bylaw.
- 6.3 An owner may redeem an impounded animal upon payment to the pound keeper of all fines and fees and costs as prescribed in this bylaw and shall sign a Claim and Release form as approved by the CAO.
- 6.4 All fines, fees and costs, as applicable, shall be paid to the pound keeper prior to release to the owner of any animal.

- 6.5 In any case, where an animal is found to be ill or has been injured and it has been determined by a veterinarian or other competent person that the animal should be destroyed to prevent needless suffering, the animal may be destroyed as soon as practical.
- 6.6 The owner or former owner, if known, shall be held responsible for all charges resulting from any Veterinary examination and action to said owners' or former owners' animal.
- 6.7 Any animal that has been impounded for longer than the period of time prescribed in this bylaw may, at the discretion of the pound keeper, be:
 - 6.7.1 sold at a price to cover the cost of the impoundment, provided that the animal is not sold to the owner or to any other person representing the owner; or
 - 6.7.2 destroyed by a veterinarian.
- 6.8 The purchaser of the impounded animal from the Pound pursuant to the provisions of this Bylaw shall obtain full right and title to it and the right and title of the former owner shall be forfeit.
- 6.9 No person shall purchase an impounded animal and thereafter return it to the previous owner, unless he first reports his intention to return the animal to such owner and provides the name and address of said owner to the pound keeper.
- 6.10 The pound keeper shall, if the animal being impounded is wearing an animal tag or any other identification, make a conscientious effort to notify the owner that the animal has been impounded and give said owner a reasonable period of time to claim the animal before disposing of same.
- 6.11 It shall be the duty of the Enforcement Officer to retain or order the retention of any animal for a longer period of impoundment, if in his opinion the circumstances warrant extending the impoundment.
- 6.12 The pound keeper shall, on or before the last working day of each month submit all monies, copies of receipts and invoices, covering all transactions for the previous month, to the CAO.
- 6.13 No action, civil or otherwise, lies against the Enforcement Officer, registered veterinarian, the Village of Forestburg or any person acting under the authority of this Bylaw for damages for the destruction and/or disposal of any animal.

7. OFFENCES AND PENALTIES:

- 7.1 A person is a party to and guilty of an offence who:
 - 7.1.1 Actually commits the offence; or,
 - 7.1.2 Does or omits an act for the purpose of aiding a person in the commission of an offence; or,
 - 7.1.3 Abets a person in the commission of an offence; or,
 - 7.1.4 Counsels or procures a person to commit an offence.
- 7.2 A person who contravenes any section of this bylaw is guilty of an offence and liable, on summary conviction before a Provincial Court Judge, to fines as listed in Schedule B of this bylaw.

- 7.3 A Provincial Judge, in addition to the penalties provided in this bylaw, may direct or order the owner of the animal:
- 7.3.1 to obtain a license; or
 - 7.3.2 to prevent such animal from doing mischief, or causing a disturbance, or a nuisance complained of; or
 - 7.3.3 to have the animal destroyed or removed from the Village; or
 - 7.3.4 to comply with any other relevant sections of this bylaw; or
 - 7.3.5 in any other manner deemed appropriate.
- 7.4 Notwithstanding sections 7.1 and 7.2 of this bylaw, an Enforcement Officer may issue a violation tag to a person who the Enforcement Officer has reasonable and probable grounds to believe has contravened any provision of this bylaw:
- 7.4.1 specifying a voluntary payment as described in Schedule B of this bylaw; and
 - 7.4.2 the person to whom the violation tag is issued may, in lieu of being prosecuted for the offence, pay to the Village or the Enforcement Officer the penalty specified within the time period indicated on the violation tag.
- 7.5 A violation tag shall be deemed to have been sufficiently served if it has been:
- 7.5.1 served to the accused directly; or
 - 7.5.2 mailed to the address of the registered owner of the animal or person occupying a property; or
- 7.6 Where a violation tag has been issued and the penalty specified on the violation tag has not been paid within the prescribed time, then an Enforcement Officer may issue a violation ticket specifying that a voluntary payment be made as described in Schedule B of this bylaw.
- 7.7 Notwithstanding sections 7.1 through 7.4 of this bylaw, an Enforcement Officer may immediately issue a violation ticket to any person who the Enforcement Officer has reasonable grounds to believe has contravened any provisions of this bylaw, specifying that:
- 7.7.1 a voluntary payment be made as described in Schedule B of this bylaw; or
 - 7.7.2 if it is in the public interest to compel the accused to appear before a Judge, issue a summons requiring the accused to appear before a Provincial Court Judge on the initial appearance date without the alternative of making a voluntary payment.
- 7.8 The levying and payment of any fines shall not relieve a person from the necessity of:
- 7.8.1 immediately remedying the situation that created the violation; or
 - 7.8.2 paying any fees, charges or costs for which he is liable under the provisions of this bylaw.
- 7.9 For offenses where an animal, while not on the owner's property and whether or not the animal is on a leash, attacks a person or another animal or chases or challenges a person, the fine shall double and, in the case of a dog, the animal shall be defined as a vicious dog for bylaw enforcement purposes.

8. SEVERABILITY PROVISION

8.1 Should any provision of this bylaw be invalid, then such provision shall be severed and the remaining bylaw shall be maintained.

9. REPEAL

9.1 Village of Forestburg bylaw #12:2020 is hereby repealed.

10. ATTACHMENTS

10.1 Schedule "A" – Licensing Fees

10.2 Schedule "B" – Fines and Penalties

11. EFFECTIVE DATE

11.1 This bylaw shall take effect on the date of passing thereof.

READ A FIRST TIME THIS 21st DAY OF JANUARY,2021.

READ A SECOND TIME THIS 21st DAY OF JANUARY,2021.

READ A THIRD AND FINAL TIME THIS 21st DAY OF JANUARY,2021.



Mayor



Chief Administrative Officer

SCHEDULE "A"
LICENSING AND RENTAL FEES

LICENSE FEE	\$15.00
INCREASED LICENSE FEE	\$30.00
LICENSE LOSS - REPLACEMENT FEE	\$ 5.00

EXEMPT ANIMALS:

Guide Dog / Seeing Eye Dog

Hearing Ear Dog

Wheelchair Assist Dog

Trained Search Dog whose owner is a member of a recognized group, club or association

SCHEDULE "B"
FINES AND PENALTIES

Infraction	Section	Minimum Fine	2nd and Subsequent Offences Minimum Fine
Harbouring an unlicensed animal	4.1	\$75.00	\$150.00
Harbouring a restricted animal	4.2	\$100.00	\$200.00
Allowing an animal to run at large	4.4, 4.16	\$100.00	\$200.00
Animal barks at or chases a person or vehicle	4.5.1, 4.5.2, 4.9	\$100.00	\$150.00
Animal attacks a person	4.5.3	\$150.00	\$300.00
Animal chases, challenges or attacks another animal	4.5.4	\$100.00	\$200.00
Animal being a public nuisance	4.5.5	\$100.00	\$200.00
Allowing an animal to trespass on private property	4.6	\$75.00	\$150.00
Failure to remove defecation	4.7, 4.8	\$75.00	\$150.00
Female animal in heat – not confined	4.10	\$75.00	\$150.00
Animal in Public Swimming Pool	4.11	\$150.00	\$300.00
More than two (2) animals residing outside of principal residence of owner	4.12	\$75.00	\$150.00
Diseased animal not confined	4.13	\$150.00	\$300.00
Failure to comply with directions of Veterinarian regarding diseased animals	4.13	\$200.00	\$400.00
Animal in a restricted area	4.14	\$75.00	\$150.00
Negligence of a distressed animal	4.15	\$100.00	\$200.00
Torment or tease an animal	4.15.4	\$75.00	\$150.00
Animal unattended in vehicle without proper protection	4.16	\$75.00	\$150.00
Failure to secure an animal in a vehicle	4.17	\$75.00	\$150.00
Hinder or obstruct an enforcement officer	4.18, 4.20	\$150.00	\$300.00
Release or attempt to release a seized animal	4.19	\$150.00	\$300.00
Release of a confined animal	4.21	\$75.00	\$150.00
Illegal Operation of a Kennel and/or Cattery	4.22	\$100.00	\$200.00
Inhuman treatment of a trapped animal	5.4	\$300.00	\$600.00
Failure to turn over a trapped animal to the appropriate authority	5.4.5	\$200.00	\$400.00
Failure to inform the Village of the disposition of a trapped animal	5.4.7	\$100.00	\$200.00

****For offenses where an animal, while not on the owner's property and whether or not the animal is on a leash, attacks a person or another animal or chases or challenges a person, the fine shall double and the animal may be defined as a vicious animal for bylaw enforcement purposes.**

**** Any infraction not specifically noted above may result in a minimum \$75.00 fine.**