



BYLAW

Bylaw Number: 928/22
Bylaw Name: Dog Control Bylaw

A BYLAW OF THE MUNICIPALITY IN THE PROVINCE OF ALBERTA, TO ESTABLISH THE REGULATING AND CONFINEMENT OF DOGS

WHEREAS the Council for the Town wishes to regulate and control dogs, in the Town; and

WHEREAS by virtue of the power conferred on it by the Municipal Government Act R.S.A. 2000, Chapter M-26, as amended thereto, provides that the Council of a Municipality may pass bylaws regarding wild and domestic animals and activities in relation to them; and

NOW THEREFORE the Council of the Town of Bassano in the Province of Alberta, duly assembled, enact as follows:

1. DEFINITIONS

This Bylaw may be cited as the "Dog Control Bylaw" of the Town of Bassano.

- 1.1 "At Large" means a Dog which is at any place other than the property of the Owner or Permitted Property; and is not being carried by any person, or is not otherwise restrained by a Permitted Leash held by a person or tied to a fixed object in a safe manner not causing a nuisance and the Permitted Leash is attached to a choke chain, collar or harness securely holding the Dog.
- 1.2 "Bylaw" means the Town's Dog Control Bylaw No. 928/22.
- 1.3 "Chief Administrative Officer" or "CAO" means the Chief Administrative Officer of the Town as appointed by Council, or a person designated to act on the Chief Administrative Officer's behalf.
- 1.4 "Comfort Dog" means a dog used to bring comfort and companionship to the dog owner but that is not trained to do specific tasks that assist a person with a disability.
- 1.5 "Damage to Public or Private Property" means any visible damage to Public or Private Property and shall include, but is not limited to, defecating on Public or Private Property.
- 1.6 "Dangerous Dog" means any dog, whatever its age, whether on Public or Private Property which has:
 - (a) previously, without provocation chased, injured, or bitten any other domestic animal or human; or
 - (b) Without provocation threatened or created the reasonable apprehension of a threat to other domestic animals or humans and which in the opinion of an Enforcement Officer presents a threat of serious harm to other domestic animals or humans; or
 - (c) Has been previously determined to be a dangerous dog under the *Dangerous Dog Act*.

- 1.7 "Dog" means either male or female of any domesticated canine species, regardless of age.
- 1.8 "Dog Breeding Facility" the physical premises where Dog(s) are harboured, bred, bought, or sold by a certified Dog breeder.
- 1.9 "Dog Control Officer" means the CAO, an Enforcement Officer, or such other Town employee as designated by the CAO.
- 1.10 "Dog Fancier's License" means a license issued annually to an Owner permitting the keeping or harbouring on the Owner's Private Property up to four (4) licensed Dogs over the age of six (6) months.
- 1.11 "Dog Show" means any event for the purpose of showing or exhibiting Dogs which is sanctioned or recognized by the Canadian Kennel Club or the Town.
- 1.12 "Dog Training School" means any facility for which the primary purpose is the training of Dogs, and at which facility Dog training activities are under the direct control and supervision of a Dog trainer.
- 1.13 "Emotional Support Dog" means a Dog used to bring comfort and companionship to the Dog Owner but that is not trained to do specific tasks that assist a disability.
- 1.14 "Enforcement Officer" means an Enforcement Officer appointed by the Town pursuant to the *Municipal Government Act*, R.S.A. 2000, c. M-26, to enforce Town Bylaws, a member of the Royal Canadian Mounted Police, and a Community Peace Officer appointed under the *Peace Officer Act*, R.S.A. 2006, c. P-3.5.
- 1.15 "Entrance" means any access to property of the owner by which persons or vehicles may enter onto the property of the owner.
- 1.16 "Guide Dog" means a dog trained as a guide dog for a blind person(s) and having qualifications prescribed by the regulations of the *Blind Persons' Rights Act*.
- 1.17 "Land Use Bylaw" means the Town's Land Use Bylaw 921/21, as amended from time to time or replaced by a Land Use Bylaw enacted pursuant to the *Municipal Government Act*, R.S.A 2000 Chapter M-26 as amended.
- 1.19 "License Fee" means a fee as set out in Schedule 'B' of this Bylaw.
- 1.20 "License Tag" means a registration and identification tag issued by the Town showing the license number for a specific Dog.
- 1.21 "Ordinarily Resident" means usually present on a particular property.
- 1.22 "Owner" means:
- (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 harbours, suffers, or permits a Dog to be present on any property owned or under his control;



- (d) A person who claims and receives a Dog from the custody of the Town's Dog Shelter or a Dog 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 the Bylaw a Dog may have more than one (1) Owner.

- 1.23 "Permitted Leash" means a leash adequate to control the Dog to which it is attached, and which leash shall not exceed two meters in length.
- 1.24 "Permitted Property" means private property upon which an Owner has the express permission of the owner of that property to allow the Owner's Dog, with the exception of a Dangerous Dog, to be At Large or Public Property which the Town, by resolution of Council, has designated that Dogs, with the exception of Dangerous Dogs, may be At Large and which Public Property has signs posted that indicate Dogs may be At Large.
- 1.25 "Possession" means having physical or effective control of a Dog.
- 1.26 "Private Property" means any property in which the owner of the property has a legal or equitable interest and which property shall include, without limiting the generality of the foregoing, land, buildings, apartment units, condominiums, mobile home trailers, and vehicles.
- 1.27 "Public Property" means property owned by or under the control and management of the Town or any other public or governmental authority within the municipal boundaries of the Town, which, without limiting the generality of the foregoing, shall include parks and school grounds.
- 1.29 "Secure Enclosure" means a building, cage or fenced area of such construction that will prevent the confined Dog(s) from escaping from that enclosure.
- 1.30 "Service Dog" means a dog trained to help a disabled person with specific tasks.
- 1.31 "Therapy Dog" means a dog which is brought to institutions or homes for the purpose of providing comfort, support, and therapy to people.
- 1.32 "Town" means the Town of Bassano, a municipal corporation in the Province of Alberta, or the geographical area contained within the boundaries of the Town of Bassano, as the context may require.
- 1.33 "Town Dog Shelter" means premises designated by the Town for the impoundment and care of Dog(s) having adequate food and water, shelter, ventilation and space, and reasonable protection from injurious heat or cold.
- 1.34 "Vehicle" means a vehicle as defined in the Alberta *Traffic Safety Act*.
- 1.35 "Violation Tag" means a ticket or similar document issued by the Town pursuant to the *Municipal Government Act*, R.S.A. 2000, c.M-26 as amended from time to time.



- 1.36 "Violation ticket" means a ticket issued pursuant to the *Provincial Offences Procedures Act*, RSA 2000, c P-34, as amended from time to time.

2. LICENSING PROVISIONS

- 2.1 A Dog license will only be provided to an Owner over the age of 18 years
- 2.2 The maximum number of Dog(s) on Private Property shall be two (2) Dog(s) over the age of six (6) months, except in the case of an Owner in possession of a Dog Fancier's License.
- 2.3 Every person who resides within the municipal boundaries of the Town and being the Owner of a Dog(s) over the age of six (6) months shall on or before the thirty-first (31st) day of January in each year, pay the License Fee as set out in Schedule 'B' of this Bylaw, and obtain a License Tag for the current year for each Dog owned by the Owner. License applications can be made at the Town Office.
- 2.4 Every person who resides within the municipal boundaries of the Town who becomes the Owner of a Dog(s), or a person who takes up residence within the municipal boundaries of the Town and who is the Owner of a Dog(s) which is not licensed in accordance with the Bylaw, shall pay the License Fee, as set out in Schedule 'B' of the Bylaw, and obtain a License within fourteen (14) days of becoming the Owner of the Dog or being the Owner of the Dog and taking up residence within the Town.
- 2.5 When applying for a Dog License, the Owner shall provide information as required in Schedule 'C' to the Town and it is the responsibility of the Owner to ensure that the information provided is kept current.
- 2.6 License Tags are not transferable from one Dog to another, and no refund shall be made on any paid License Fee because of the death or sale of the Dog or upon the Owner's leaving the Town before the expiration of the license period.
- 2.7 Any person who provides the Town with false or misleading information with respect to the information required in Section 2.5 or 2.12(a) is guilty of an offence.
- 2.8 Upon payment of the required License Fee as described in Schedule 'B' and providing the Town with the information set out in Section 2.5 or 2.12(a), an Owner will be supplied with a License Tag having a number which will be registered to that Dog. A new License Tag will not be provided each year. If the Owner requests a new or replacement License Tag, a fee will be applied as provided in Schedule 'B'.
- 2.9 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.
- 2.10 Sections 2.1 to 2.10 shall not apply to persons temporarily visiting the Town for a period not exceeding fourteen (14) days.
- 2.11 Persons who possess identification proving ownership of a Guide Dog shall be required to obtain a License Tag, but are permitted to do so at no cost. Persons who possess identification proving ownership of a Service Dog shall be required to obtain a License Tag from the Town, but are



permitted to do so at no cost. Emotional Support Dogs, Comfort Dogs, and Therapy Dogs are not considered Guide or Service Dogs for the purpose of this Section.

2.12 A Dog Fancier's License may be issued upon satisfaction of the following conditions:

- (a) The Owner must submit an application as set out in Schedule 'D'. It is the responsibility of the Owner to ensure that the information provided as part of the Dog Fancier's License is kept current.
- (b) A Dog Fancier's License shall not be issued if, in the opinion of the Dog Control Officer, the site or conditions of the property at which the Dogs will be kept are unsuitable.
- (c) Any person who is refused a Dog Fancier's License may appeal the decision of the Dog Control Officer to Council provided such appeal is submitted in writing within fourteen (14) days of the Dog Control Officer's decision.
- (d) Any approved Dog Fanciers' License shall be issued upon payment of the fee specified in Schedule 'B'.
- (e) The Dog Control Officer may remove the Dog Fancier's License upon receipt of complaints from two or more neighbours residing within sixty (60) meters of the residence of the licensee.

3. DOG CONTROL PROVISIONS

- 3.1 An Owner whose Dog(s) is At Large is guilty of an offence.
- 3.2 An Owner whose Dog(s) excessively barks or howls so as to disturb the quiet, peace, or enjoyment of any person is guilty of an offence.
- 3.3 An Owner of any Dog(s) which has caused Damage to Public Property or Private Property, excluding the Property of the Dog(s)' Owner, within the municipal boundaries of the Town is guilty of an offence.
- 3.4 The Town may post signs indicating Public Property where Dogs are not permitted. An Owner whose Dog(s) is in an area where a sign prohibits the presence of Dog(s), whether At Large or under the control of such Owner, is guilty of an offence.
- 3.5 Subject to Section 3.8 the maximum number of Dog(s) on Private Property shall be restricted to two (2) Dogs over the age of six (6) months. An Owner who has more than two (2) Dogs over the age of six (6) months on Private Property is guilty of an offence.
- 3.6 The maximum number of Dangerous Dog(s) on Private Property shall be restricted to one (1) Dangerous Dog over the age of six (6) months. Any person who is the Owner of two (2) or more Dangerous Dogs over the age of six months on Private Property within the municipal boundaries of the Town is guilty of an offence. This Section shall not apply to premises lawfully used for the care and treatment of Dog(s), operated by, or under the supervision of a licensed veterinarian, or an authorized Dog Shelter.
- 3.7 Section 3.5 shall not apply to:
 - (a) Premises lawfully used for the care and treatment of Dog(s), operated by, or under the supervision of a licensed veterinarian;
 - (b) Any premises which may be used for the purpose of a Dog Show; or



(c) Any person in possession of a valid Town Dog Fancier's License.

3.8 An Owner of a Dog(s) is guilty of an offence if such Dog(s):

- (a) Attacks any person;
- (b) Threatens or harasses any person;
- (c) Chases any person while such person is on foot or bicycle;
- (d) Attacks, harasses, injures, or kills any animal unless acting in self-defence or in defence of a person.

3.9 Properties where Dog(s) are kept shall at all times be maintained in a clean, sanitary, and inoffensive condition, satisfactory to the Dog Control Officer. The Dog(s) Owner must not allow Dog feces to accumulate on the property.

3.10 An Owner of a Dog(s) shall, while that Dog(s) is not on the property of the Owner, ensure that and defecation by their Dog(s) is immediately removed and disposed of in a sanitary manner.

3.11 An Owner, who fails to comply with Sections 3.9 and 3.10, is guilty of an offence.

3.12 No person shall engage in the commercial business of breeding, buying, or selling of dogs, except at an authorized Dog Breeding Facility.

3.13 Where the Owner of a Dog provides a dog run or enclosure for a Dog the distance from the end of the dog run or enclosure to the adjacent property shall be no less than one (1) foot from the adjacent property line. The dog run must be secure and an adequate height and size for the Dog being housed.

3.14 The Owner of a Dog shall ensure that when a Dog(s) is in a Vehicle that the Dog(s) is either enclosed within the Vehicle or if the Dog(s) is in the uncovered box of a Vehicle that the Dog(s) is tethered in such a manner as to ensure that the Dog(s) cannot fall out or otherwise escape the Vehicle.

3.15 An Owner, who fails to comply with Section 3.14, is guilty of an offence.

3.16 Any person interfering with, hindering, or impeding a Dog Control Officer in the performance of any duty authorized by this Bylaw is guilty of an offence.

3.17 A Dog Control Officer or a person acting under the Dog Control Officer's authority in accordance with the Bylaw may confine any Dog(s) if the Owner of the Dog has been issued a Violation Tag and/or Ticket under any section of this Bylaw.

4. POWERS OF A DOG CONTROL OFFICER

4.1 Except otherwise provided herein, a Dog Control Officer or any person acting under the authority of a Dog Control Officer is hereby empowered to carry out the duties described herein and to enforce the provisions of the Bylaw.

4.2 A Dog Control Officer or a person acting under the authority of a Dog Control Officer is authorized to capture and impound in the Town Dog Shelter or at an authorized Dog Shelter any Dog(s) which is At Large. A Dog Control Officer is further authorized to take such reasonable measures as are necessary to subdue such Dog(s), including the use of tranquilizer equipment



and materials. If any such Dog(s) is injured, the Dog Control Officer may take it for veterinary care, which care shall be at the Owner's sole expense. Any veterinary care costs borne by the Town shall be a just debt due and owing to the Town by the Owner.

4.3 An impounded Dog(s) may be kept in the Town Dog Shelter or at an authorized Dog Shelter for a period of three (3) business days. Saturdays, Sundays, and statutory holidays shall not be included in the calculation of the three (3) business day period. During this period, any Dog(s) may be redeemed by its Owner, except as otherwise provided in the Bylaw, upon payment to the Town or its authorized agent of:

- (a) The appropriate impoundment fee as set out in Schedule 'B' of the Bylaw.
- (b) The appropriate License Fee if the Dog(s) is not licensed.
- (c) The cost of any veterinary treatment of any Dog(s) that is found to be injured when captured or injured in the process of capture.
- (d) If an Owner of a Dog(s) is identified and the person does not want to claim the Dog(s), they shall pay all impoundment fees including a surrender or euthanasia fee as set out in Schedule 'B'. Should the identified Owner not pay these fees the Dog Control Officer shall issue a Violation Tag for Dog At-Large under Schedule 'A'.
- (e) The appropriate fee as outlined in the policy of the Town where third-party expenses are incurred.

4.4 Upon having impounded a Dog(s) in the Town Dog Shelter or an authorized Dog Shelter for a period of three (3) business days in accordance with Section 4.2, the Dog Control Officer is authorized to:

- (a) Offer the Dog(s) for sale.
- (b) Destroy the Dog(s) in a humane manner, if the Dog has been deemed to be a Dangerous Dog in accordance with the *Dangerous Dog Act*, or if the Dog(s) is ill, injured or suffering and a veterinarian has deemed destroying the Dog(s) to be an appropriate action.
- (c) Allow the Dog(s) to be redeemed by its Owner in accordance with Section 4.3.

5. PENALTY PROVISIONS

5.1 Any person who contravenes any provision of the Bylaw is guilty of an offence and is liable on summary conviction to a fine as set out in Schedule 'A'.

5.2 Notwithstanding Section 5.1 of the Bylaw, any person who commits a second or subsequent offence under this Bylaw within one (1) year of committing the first offence may be liable to a fine as set out in Schedule 'A'.

5.3 Under no circumstances shall any person contravening any provision of the Bylaw be subject to the penalty of imprisonment.

6. ENFORCEMENT

6.1 A Dog Control Officer is hereby authorized and empowered to issue a Violation Tag to any person who the Dog Control Officer has reasonable and probable grounds to believe has contravened any provision in this Bylaw.

6.2 A Violation Tag may be issued to such person:



- (a) Personally; or
- (b) By mailing a copy to such person at their last known mailing address.

6.3 The Violation Tag shall be completed per Schedule 'E' and shall state:

- (a) The name of the Owner,
- (b) The offence,
- (c) The offence date and location,
- (d) The penalty for the offence as specified in Schedule 'A',
- (e) That the penalty shall be paid within fourteen (14) days of the issuance of the Violation Tag, and
- (f) Any other information as may be required by the Town or relevant legislation.

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

6.5 If the penalty specified on a Violation Tag is not paid within the prescribed time period, then the Dog Control Officer is hereby authorized and empowered to issue a Violation Ticket pursuant to the *Provincial Offences Procedure Act*.

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

6.7 No penalty imposed pursuant to this Bylaw shall include a prison term in default of payment of any fine imposed pursuant to this Bylaw.

7. EXISTING RIGHTS AFFECTED

7.1 The terms and provisions of the Bylaw shall apply with respect to any and all rights, interests and property existed both prior and subsequent to the date of the enactment of this Bylaw on the date of passing.

8. REPEAL

8.1 Bylaw 836/12 is hereby repealed.

9. EFFECTIVE DATE AND READINGS

9.1 This Bylaw shall take effect on the date of 3rd and final reading.

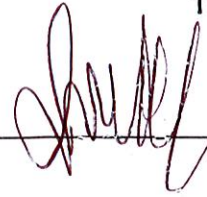
9.2 Read a first time this 12 day of September 2022.

9.3 Read a second time this 12 day of September 2022.

9.4 READ a third and final time this 12 day of December 2022.



TOWN OF BASSANO



MAYOR



CHIEF ADMINISTRATIVE OFFICER



Town of Bassano
Dog Control Bylaw 928/22

SCHEDULE 'A'
PENALTIES

Offenses and penalties shall be issued per calendar year of January 1 to December 31 annually in accordance with the rates defined in Schedule 'A'.

A violation tag or violation ticket, be it a warning or penalty shall be issued with every enforcement action taken by a Dog Control Officer.

First Offence	\$150
Second Offence	\$300
Third Offence	\$600

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Town of Bassano
Dog Control Bylaw 928/22

SCHEDULE 'B'
FEES

License for each Unaltered Dog	\$40.00
License for each Altered Dog	\$20.00
License for Guide or Service Dog	No Fee
Dog Fancier License	\$100.00
Replacement License Tag	\$10.00
Catching Fee	\$75.00
Municipal Impound Fee	\$75.00/day
After Hours Call Out Fee	\$150.00
Veterinary Fees	As expended
Surrender or Euthanasia Fee	As expended

A handwritten signature in black ink, consisting of a large, stylized initial 'M' followed by a smaller signature.



Town of Bassano
Dog Control Bylaw 928/22

SCHEDULE 'C'
APPLICATION FOR TOWN DOG LICENSE

Licence Fee per Dog \$20.00 Neutered \$40.00 Un-Neutered
Replacement Tag \$10.00 (Old tag or tag not required)
License Fee for Guide or Service Dog No charge

Name of Owner	
Housed Location of Dog(s)	
Address of Owner	
Mailing Address of Owner	
Phone Number(s)	
Emergency Name/Number(s)	

1st Dog

Name of Dog	
Description of Dog	
Type of Dog (Pet, Service, Guide, etc.)	
Proof of Service of Guide Dog	
Tag No.	

2nd Dog

Name of Dog	
Description of Dog	
Type of Dog (Pet, Service, Guide, etc.)	
Proof of Service of Guide Dog	
Tag No.	

Replacement Tag No. _____ Issued for Dog: 1 or 2

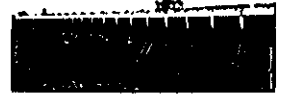
It is understood that I am responsible for notifying the Town of Bassano of any changes to the above information. I also understand that I am responsible to ensure that my dog wears this tag. I also agree that if my dog is impounded without its tag the Town may not be able to notify me. I was made aware of the Dog Control Bylaw.

Date: _____ Signature of Owner _____

Renewal Date: _____ Signature of Owner _____

A COPY OF THIS FORM IS TO BE GIVEN TO THE APPLICANT FOR THEIR RECORDS AND ALSO IN CASE OF LOSS OF OR DAMAGE TO THE ORIGINAL TAG

Town of Bassano
Dog Control Bylaw 928/22



SCHEDULE 'D'
APPLICATION FOR TOWN DOG LICENSE - FANCIER

Licence Fee per Dog	\$20.00 Neutered	\$40.00 Un-Neutered
Replacement Tag	\$10.00 (Old tag or tag not required)	
License Fee for Guide or Service Dog	No charge	

Name of Owner	
Housed Location of Dog(s)	
Address of Owner	
Mailing Address of Owner	
Phone Number(s)	
Emergency Name/Number(s)	

Reason why limit of two (2) dogs is exceeded:		
Written consent of adjacent landowners is attached:	Yes	No
Dogs are housed:	Indoors	Outdoors

1st Dog

Name of Dog	
Description of Dog	
Type of Dog (Pet, Service, Guide, etc.)	
Proof of Service of Guide Dog	
Tag No.	

2nd Dog

Name of Dog	
Description of Dog	
Type of Dog (Pet, Service, Guide, etc.)	
Proof of Service of Guide Dog	
Tag No.	

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3rd Dog

Name of Dog	
Description of Dog	
Type of Dog (Pet, Service, Guide, etc.)	
Proof of Service of Guide Dog	
Tag No.	

4th Dog

Name of Dog	
Description of Dog	
Type of Dog (Pet, Service, Guide, etc.)	
Proof of Service of Guide Dog	
Tag No.	

Replacement Tag No. _____ Issued for Dog: 1 2 3 4

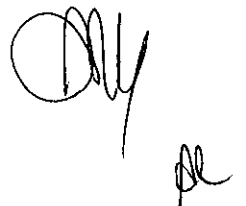
It is understood that I am responsible for notifying the Town of Bassano of any changes to the above information. I also understand that I am responsible to ensure that my dog(s) wears this tag. I also agree that if my dog is impounded without its tag the Town may not be able to notify me. I was made aware of the Dog Control Bylaw.

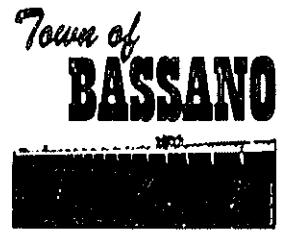
Date: _____ Signature of Owner _____

Renewal Date: _____ Signature of Owner _____

A COPY OF THIS FORM IS TO BE GIVEN TO THE APPLICANT FOR THEIR RECORDS AND ALSO IN CASE OF LOSS OF OR DAMAGE TO THE ORIGINAL TAG

FOR OFFICE USE ONLY
Dog Control Officer Checked Site On:
Dog Control Officer Confirmed Suitability of Site:
Comments:
Licence Approval: Yes OR No Date:





Schedule 'E'

Town of Bassano

Dog Control Bylaw 928/22 – Violation Tag

Pursuant to the Town of Bassano's Dog Control Bylaw 928/22 this is notification that you are hereby in contravention of the bylaw and are subject to pay the specified penalty to the Town within 14 days of receiving this notice.

This violation tag has been issued by the Town of Bassano's Bylaw Enforcement Division to:

Property Owner/Occupant	
Location of Offence (address)	
Date of Order	
Offence Section	
Description of Offense	
Order of Violation	<input type="checkbox"/> Warning <input type="checkbox"/> 1 st Offense <input type="checkbox"/> 2 nd Offense <input type="checkbox"/> 3 rd Offense <input type="checkbox"/> Subsequent
Penalty	<input type="checkbox"/> None <input type="checkbox"/> \$150 <input type="checkbox"/> \$300 <input type="checkbox"/> \$600 <input type="checkbox"/> \$_____
Other:	

Dog Control Officer

Date