

**BYLAW 881
OF THE
VILLAGE OF BIG VALLEY
PROVINCE OF ALBERTA**

**A BYLAW TO PROVIDE FOR THE LICENSING AND CONTROLLING OF ANIMALS
WITHIN THE VILLAGE OF BIG VALLEY IN THE PROVINCE OF ALBERTA**

WHEREAS, pursuant to Section 7(a) of the Municipal Government Act, a council may pass bylaws for municipal purposes respecting the safety, health and welfare of people and the protection of people and property; and

WHEREAS, pursuant to Section 7(h) of the Municipal Government Act, a council may pass bylaws for the municipal purposes respecting wild and domestic animals and activities in relation to them; and

WHEREAS, pursuant to Section 7(i) of the Municipal Government Act, a council may pass bylaws for municipal purposes respecting the enforcement of bylaws made under the Municipal Government Act or any other enactment including any or all of the matters listed therein; and

WHEREAS, pursuant to Section 8 of the Municipal Government Act, a council may in a bylaw:

- (a) Regulate or prohibit; and
- (b) Provide for a system of licenses, permits, or approval including any or all of the matters listed therein;

NOW THEREFORE, the Municipal Council of the Village of Big Valley duly assembled enacts Bylaw 881, hereby referred to as "**ANIMAL LICENSING AND CONTROL BYLAW**", as follows:

PART I – PURPOSE, DEFINITIONS AND INTERPRETATION

DEFINITIONS

1. In this bylaw unless the context otherwise requires:

- (a) "Cat" means any domesticated cat;
- (b) "Dog" means any domesticated dog, other than a Restricted Dog;
- (c) "Contractor" means a person employed or under contract by the Village to enforce the provisions of this bylaw and maintain and administer an impound facility for dogs;
- (d) "Enforcement Officer" means an RCMP Officer and any provincial or municipal officer having jurisdiction in the Village of Big Valley;
- (e) "Farm Animal" means any animal regularly kept by means of animal husbandry including, but not limited to: chicken, goat sheep, pig, cow or horse;
- (f) "Kennel" means a premises used for buying, selling, breeding or overnight boarding of more than three (3) full grown dogs and/or more than one litter of pups.

- (g) "License" means a license issued annually by the Village of Big Valley in accordance with the provisions of this bylaw;
- (h) "Licensee" means a person named on a license as its owner;
- (i) "Municipal Tag" means a ticket alleging an offence issued pursuant to the authority of a bylaw of the Village;
- (j) "Muzzle" means a device of sufficient strength placed over an animal's mouth to prevent it from biting;
- (k) "Owner" means:
 - (i) Named on a license, or
 - (ii) In possession or control of property where an animal apparently resides.
 - (iii) A person harbouring an animal by feeding it or providing it shelter on a regular basis
- (l) "Restricted Dog" means any dog, of any age:
 - (i) That has been charged under this bylaw of 2 separate attacks to either a human being or another animal; and
 - (ii) That has been convicted under this bylaw of 1 attack to either a human being or another animal Named on a license, or
 - (iii) That has been previously determined as a "vicious dog" under the Dangerous Dogs Act RSA 2000, c.D-3
- (m) "Village" means the Village of Big Valley;
- (n) "Violation Ticket" means a ticket issued pursuant to the Provincial Offences Procedure Act, RSA 2000, c.P-34 and regulations there under as amended or replaced or repealed from time to time.

PART II – LICENSING OF DOGS

2. REQUIREMENT FOR LICENSE - DOGS

- (a) The Owner of a Dog(s) over the age of twelve (12) weeks shall obtain an annual License by January 31 of each year, or within 30 days of arrival in the Village as per Schedule A, attached.
- (b) The Owner of a Restricted (vicious) Dog shall obtain a License for the Restricted Dog upon declaration.

3. APPLICATION

- (a) Before the issue or renewal of a License pursuant to this Part the Owner must submit to Village Administration:
 - (i) The License fee as set out in Schedule A, attached.
 - (ii) Any additional information required by Administration.
 - (iii) Every owner shall provide their dog and/or cat with a collar to which the owner shall affix the tag for such dog and/or cat and the owner shall ensure the collar and tag are worn during those occasions when the dog and/or cat is not on the owner's premises.

- (iv) Every owner shall provide their dog and/or cat with a collar to which the owner shall affix the tag for such dog and/or cat and the owner shall ensure the collar and tag are worn during those occasions when the dog and/or cat is not on the owner's premises.
- (v) In case a dog/cat license tag is lost or destroyed, a duplicate or replacement will be issued by the Village upon payment of the sum of five dollars (\$5.00) by the owner and provided the Village administrative records indicate such a payment was made.
- (vi) Tags are not transferrable from one dog and or cat to another, and no refund shall be made on any paid dog and/or cat license fee because of the loss or sale of the dog or upon the owner's leaving the Village before expiration of the license period.
- (vii) The period of registration shall be from January 1st to December 31st of any year. The full amount of the license fee shall be payable regardless of when the dog and/or cat is registered during the year with the following exceptions:
 - There is to be a reduced rate for licenses purchased between January 1 to January 31 of each year.
 - There is to be a reduced rate for licensing a new dog and/or cat brought to the Village extending up to a maximum of 60 days from the date the dog and/or cat was brought to a Village residence by an owner.
- (viii) A registered guide dog owned by a blind person or a dog which is trained by a recognized agency to provide assistance to a person with a physical or mental disability; provided the person is using the dog for such assistance, shall be issued a dog license free of charge.
- (ix) Kennels are not permitted within the Village.

4. ISSUE OR RENEWAL

- (a) Village Administration may not issue or renew a License pursuant to this Part unless satisfied that:
 - (i) At least one person names on the License is 18 years of age;
 - (ii) All applicable fees have been paid; and
 - (iii) All required information has been provided.

5. PROHIBITED AREAS

- (a) Council may, by resolution:
 - (i) designate any one (1) or more portions of the Village as prohibited areas in which no animals, including but not limited to dogs and cats are allowed and may post one (1) or more signs to this effect upon such lands so designated as a prohibited area;
- (b) designate any one (1) or more portions of the Village as restricted areas in which no animals, including but not limited to dogs and cats are allowed unless on a leash and may post one (1) or more signs to this effect upon such lands so designated as a restricted area:
- (c) designate any one (1) or more portions of the Village as unrestricted areas in which no animals, including but not limited to dogs and cats, are allowed unless under the immediate charge, restraint and control of some competent and responsible person and may post one (1) or more signs to this effect upon such lands so designated as an unrestricted area.
- (d) All areas within the Village which have not been specially designated as prohibited or unrestricted areas shall be deemed to be a restricted area.

PART III – REGULATION OF DOGS

6. EXCESSIVE BARKING

- (a) The Owner or any other person having care or control of a Dog, or Restricted Dog, shall ensure it does not bark in a manner that is reasonably likely to annoy or disturb the peaceful surroundings of others.
- (b) In determining whether barking is reasonably likely to annoy or disturb the Enforcement of others consideration may be given, but is not limited to the:
 - (i) Proximity of the property where the Dog or Restricted Dog resides;
 - (ii) Duration of the barking;
 - (iii) Time of day and day of the week;
 - (iv) Nature and use of the surrounding area; and
 - (v) Any effect of the barking.

7. DEFECATION

- (a) The Owner or any other person having care or control of a Dog or Restricted Dog, shall, forthwith remove any defecation left by it on public property or private property other than that of the Owner.
- (b) The Owner or any other person having care or control of a Dog or Restricted Dog, shall, ensure that defecation apparently left by it on the property of the Owner does not accumulate to such an extent that it is reasonably likely to annoy or pose a health risk to others.

Regulations Applying to Non-Restricted Dogs

8. OFF PROPERTY OF OWNER

- (a) The Owner or any other person having care or control of a Dog shall, at all times when it is off the property of the Owner have it:
 - (i) Under control; and
 - (ii) Held on a leash not exceeding two meters in length

9. ATTACKS

- (a) The Owner or any other person having care or control of a Dog shall ensure that it does not:
 - (i) Damage property; or
 - (ii) Chase, attack or bite any person or animal; or
 - (iii) Chase, attack or bite any person or animal causing physical injury

Regulations Applying to Restricted Dogs

10. INSURANCE

- (a) The Owner of a Restricted Dog shall have liability insurance specifically covering damages for personal injury caused by the Restricted Dog in an amount not less than one million dollars (\$1,000,000). Proof of insurance to be given within 2 weeks of the dog being declared a restricted dog.

11. OFF PROPERTY OF OWNER

- (a) The Owner or any other person having care or control of a Restricted Dog shall, at all times when it is off the property of the owner, have it:
 - (i) Under the control of a person at least 18 years of age;
 - (ii) Muzzled; and
 - (iii) Held on a leash not exceeding 2 metres in length.

12. ON PROPERTY OF OWNER

- (a) The Owner or any other person having care or control of a Restricted Dog shall, at all times when it is on the property of the owner, have it:
 - (i) Indoors;
 - (ii) Outdoors, secured in a fully enclosed pen; or
 - (iii) Outdoors, muzzled and secured by a chain fixed to the property that prevents the Restricted Dog from coming closer than 2 metres to the apparent border of the property.

13. ATTACKS

- (a) The Owner or any other person having care or control of a Restricted Dog shall ensure it does not:
 - (i) Damage property;
 - (ii) Chase, attack or bite any person or animal; or
 - (iii) Chase, attack or bite any person or animal causing physical injury.

PART IV – REGULATION OF CATS

14. REQUIREMENT FOR LICENSE

- (a) The Owner of a Cat(s) shall obtain a License for each Cat over the age of twelve (12) weeks shall obtain an annual License by January of each year, or within 30 days of arrival in the Village as per Schedule A, attached.
- (b) This section does not apply to Cats under the age of 12 weeks.

14. APPLICATION

- (a) Before the issue or renewal of a License pursuant to this Part the Owner must submit to Village Administration:
 - (i) The License fee as established by Schedule A; and

- (ii) Any additional information required by Village Administration.

15. ISSUE OR RENEWAL

- (a) Village Administration may not issue or renew a License pursuant to bylaw unless satisfied that:
 - (i) At least one person named on the License is 18 years of age;
 - (ii) All applicable have been paid; and
 - (iii) All required information has been provided.

16. TERM

- (a) The Cat License expires December 31 of each given year and must be renewed prior to the end of January the following year.

17. LICENSE FEES

- (a) The annual License Fee for a cat is set out in Schedule A, attached.

18. DISPLAY OF LICENSE TAG

- (a) The Owner or any other person having care or control of a Cat shall at all times when it is property of the Owner, ensure it displays the License tag issued by the Village.

19. OFF-PROPERTY OF OWNER

- (a) The Owner or any other person having care or control of a Cat shall ensure the Cat does not enter onto private property other than that of the Owner.
- (b) This section does not apply if the person in charge of the private property consents to the Cat being there.

PART V – OTHER REGULATIONS

20. PROHIBITED ANIMALS

- (a) No person shall keep, or have any of the following on any premises with a municipal address in the Village:
 - (i) A large animal or the young thereof;
 - (ii) Poultry;
 - (iii) Bees; or
 - (iv) Poisonous snakes, reptiles or insectsUnless permission to do so has been granted by the CAO.
- (b) This section does not apply, other than (a) iv. in the case of premises with a municipal address in the Village on land zoned Farmland.
- (c) Animals in the Village for parades, gymkhanas, exhibitions, and rodeos duly authorized by the Village are subject to the provisions of this Bylaw, and in all instances such animals must be under the direct care and supervision of competent persons.

21. TRAPS

- (a) Unless otherwise permitted by law, no person shall leave a leg hold or foot hold trap in any place where it may reasonably capture any animal.
- (b) Unless otherwise permitted by law, no person shall capture any animal by means of a leg hold or foot hold traps.
- (c) A cat trap is available through the Village, however, the Village takes no responsibility by offering the trap for use, and any and all charges including criminal, are born entirely by the User.

22. LIMIT ON DOGS, RESTRICTED DOGS AND CATS

- (a) No person shall keep or have more than three (3) Dogs, Restricted Dogs, or any combination thereof on any premises with a municipal address in the Village.
- (b) No person shall have more than three (3) Cats on any premises with a municipal address in the Village.
- (c) This section does not apply:
 - (i) In the case of Dogs, Restricted Dogs or Cats under the age of 12 weeks;
 - (ii) If the person has a valid business License to operate a Small Animal Breeding/Boarding Establishment or the General Business of a pet store;
 - (iii) To any veterinary clinic or hospital;
 - (iv) In the case of premises with a municipal address in the Village on land zoned Farmland.

23. CHANGE OF INFORMATION

- (a) A licensee shall forthwith notify Village Administration of any change with respect to any information provided as part of the application for a license pursuant to this Bylaw.

24: NOTIFICATION OF STRAY

- (a) A person who takes control of any stray Dog, Restricted Dog or Cat shall forthwith notify Village Administration and provide any required information.

25. FALSE INFORMATION

- (a) No person shall provide false or misleading information to any Enforcement Officer.

26. INTERFERENCE

- (a) No person shall interfere with an Enforcement Officer in the exercise of their powers and duties pursuant to this bylaw.

PART VI – ENFORCEMENT

27. OFFENCE

- (a) A person who contravenes this bylaw is guilty of an offence.

28. FINES AND PENALTIES

- (a) A person who is guilty of an offence is liable to a fine in an amount not than established in this section, and not exceeding \$10,000.00, and to imprisonment for not more than 6 months for non-payment of a fine.
- (b) Without restricting the generality of subsection (a) the line amounts as set forth in Schedule A - Penalties, are established to use on Municipal Tags and Violation Tickets if a voluntary payment option is offered:

29. MUNICIPAL TAG

- (a) If a Municipal Tag is issued in respect to an offence, the Municipal Tag must specify the line amount established by this bylaw for the offence.

30. PAYMENT IN LIEU OF PROSECUTION

- (a) A person who commits an offence may, if a Municipal Tag is issued in respect of the offence, pay the fine amount established by this bylaw for the offence and if the amount is paid on or before the required date, the person will not be prosecuted for the offence.

31. VIOLATION TICKET

If a Violation Ticket is issued in respect of an offence, the Violation Ticket may

- (a) Specify the fine amount established by this bylaw or the offence; or
- (b) Require a person to appear in court without the alternative of making a voluntary payment.

32. VOLUNTARY PAYMENT

- (a) Any person who commits an offence may:
 - (i) If a Violation Ticket is issued in respect of the offence; and.
 - (ii) If the Violation Ticket specifies the fine amount established by this bylaw for the offence, make a voluntary payment equal to the specified line.

33. INFRACTION PENALTIES

- (a) Any person who contravenes any provision of this Bylaw specified in Schedule A hereto is guilty of an offence and may be liable to payment of the penalty specified in Schedule A.
- (b) A contracted Animal Control Officer, RCMP, or Bylaw Officer may enforce the provisions of this Bylaw, and may issue an offence ticket to an owner of a dog and/or cat alleged to have committed one or more of the above offences and require a payment of the appropriate fine as provided in this Part and as per Schedule A.
- (c) The offence ticket may be served upon a person in accordance with the provisions of the *Provincial Offences Procedures Act* of Alberta.
- (d) Should any person be guilty of an offence for which no penalty is specified, then such person shall be liable upon summary conviction to a fine of not more than five thousand dollars (\$5,000.00) and not less than two hundred (\$200.00) dollars, and in default of payment, to imprisonment for a period not exceeding sixty (60) days.

34. SEVERABILITY OF BYLAW PROVISIONS

(a) It is the intention of Village Council that each separate provision of this Bylaw shall be deemed independent of all provisions, and it is further the intention of Village Council that if any provisions of this Bylaw be declared invalid, all other provisions shall remain valid and enforceable.

35. REPEAL

Bylaw 867 is hereby repealed by passage of this Bylaw.

36. ATTACHMENTS

SCHEDULE A shall be included as part of this bylaw.

37. EFFECTIVE DATE

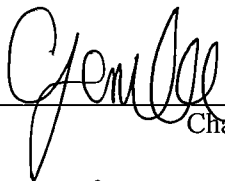
This bylaw shall take effect on the date of passing thereof.

READ A 1ST TIME THIS 15th DAY OF July, 2024

READ A 2ND TIME THIS 15th DAY of July, 2024

RECEIVED UNANIMOUS CONSENT TO PROCEED TO THIRD AND FINAL
READING THIS 15th DAY OF July, 2024

READ A 3RD AND FINAL TIME THIS 15th DAY of July, 2024



Chantelle Janke, Mayor



Colleen Mayne, CAO

SCHEDULE "A" LICENCING FEES & PENALTIES

FEES

Dog License Fee <i>(per dog over 12 weeks old)</i>	\$15.00
Dog License Fee <i>(if paid after Jan 31 of each year)</i>	\$30.00
Restricted Dog License <i>(per dog over 12 weeks old)</i>	\$100.00
Restricted Dog License <i>(if paid after Jan 31 of each year)</i>	\$200.00
Cat License Fee <i>(per cat over 12 weeks old)</i>	\$15.00
Cat License Fee <i>(if paid after Jan 31 of each year)</i>	\$30.00
Replacement License Tag	\$ 5.00

INFRACTION	1 ST OFFENCE	2 ND OFFENCE	3 RD OFFENCE
Failure to obtain license	\$50	\$100	\$500
Running at large	\$50	\$100	\$500
Failure to ensure collar & tag worn	\$50	\$100	\$500
Failure to remove defecation	\$50	\$100	\$500
Pattern of barking/howls that disturbs the peace	\$50	\$100	\$500
Chases person, animal, bicycle or vehicle	\$200	\$400	Court
Bites person or animal	Court	Court	Court
Failure to provide identification	\$200	\$400	Court
Provides false or misleading information	\$200	\$400	Court
Damages public property	\$50	\$100	\$500
Keeping of farm animals without authority of CAO	\$200	\$400	\$500
Keeping more than 3 dogs and/or 3 cats of licensed age	\$200	\$400	\$500
Not conforming with ordered restraints for dangerous dog	\$200	\$400	Court
Interference of a Bylaw Officer	\$200	\$400	Court
Remove or attempt to remove a dog from the possession of an Animal Control Officer, RCMP or Bylaw Officer	\$200	\$400	Court