



**BYLAW 2024-01
Of the VILLAGE OF LINDEN
IN THE PROVINCE OF ALBERTA
ANIMAL CONTROL BYLAW**

A BY-LAW OF THE VILLAGE OF LINDEN, IN THE PROVINCE OF ALBERTA, pursuant to the provisions of the Municipal Government Act, being Chapter M-26.1 of the Revised Statutes of Alberta 2000 and amendments thereto, to provide for the establishment and enforcement of animal control in the Village of Linden.

WHEREAS, pursuant to the *Municipal Government Act*, RSA 2000, c M-26, and amendments thereto (the "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 the Act, a council may pass bylaws for municipal purposes respecting wild and domestic animals and activities in relation to them; and

WHEREAS, pursuant to the 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 the 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 Council of the Village of Linden, duly assembled, enacts as follows:

Part 1 – Title

1.0 This Bylaw may be cited as the **"Animal Control Bylaw"**

Part 2 – Definitions

2.0 In this Bylaw, unless the context otherwise requires:

- a. **"Altered"** shall mean spayed or neutered.
- b. **"Animal"** shall mean any bird, reptile, amphibian, or mammal excluding humans and wildlife, unless otherwise defined in the bylaw.
- c. **"Animal Nuisance"** shall mean and include any use of or activity upon any premises which is offensive to any person acting reasonably, or has or may be reasonably expected to have a detrimental impact upon any person or other premises in the neighborhood or is an imminent danger to public health or safety, or materially depreciates the value of other land or improvements on adjacent land, and may include the following:
 - i. Noise;
 - ii. Trespass upon property;
 - iii. Threat to public health;
 - iv. Accumulation of animal waste;
 - v. Accumulation of material contaminated by animal waste;
 - vi. Inappropriate disposal of dead stock;
 - vii. Lack of adequate containment or shelter;

Which in the opinion of an Enforcement Officer, having regard for all circumstances is obnoxious or likely to unreasonably detract from the comfort,

repose, health, peace and safety of persons or property within the boundaries of the Village.

- d. **"Animal Shelter"** shall mean any facility designated by the Village for the accommodation and care or impoundment of animals and includes premises supplied by an independent contractor.
- e. **"At Large"** or **"Running at Large,"** shall mean:
 - i. An animal that is not under the control of the owner and not on a leash held by the owner and is actually upon property other than the property in respect of which the owner of the animal has the right of occupation, or upon any highway, street, laneway, boulevard, sidewalk, park, playground, public walking path, school ground or other public place; or
 - ii. An animal which is ostensibly under the control of the owner and which yet causes damage to property or other Animals.
- f. **"Attack"** shall mean an assault resulting in bleeding, bone breakage, sprains, bruising or multiple injuries. An action that harmfully affects or begins to harmfully affect any human or animal;
- g. **"Bite"** shall mean any injury to the skin causing it to bruise, puncture, or break;
- h. **"CAO"** shall mean the Chief Administrative Officer for the Village of Linden or his/her designate.
- i. **"Cat"** shall mean any domesticated cat or kitten.
- j. **"Communicable Disease"** shall mean any disease or illness that may be transferred from a domestic animal or prohibited animal to another domestic animal or prohibited animal or a human through direct or indirect contact.
- k. **"Competent Person"** shall mean a person who is physically and mentally capable of restraining and controlling an animal to an extent that the animal cannot interfere with other persons, animals, or damage property.
- l. **"Controlled Confinement"** shall mean the confinement or seizure of a dog in either the facility contracted by the Village or at any other location specified in order so as to cause that animal to be confined in a pen, cage, or building in a manner that will not allow the animal to bite or harm any person, animal, or livestock;
- m. **"Coop"** shall mean a fully enclosed weather proof structure and attached outdoor enclosure used for the keeping of Urban Hens, that is no larger than 10 m² (107.64 ft²) in a floor area, and no more than 2.5 m (8.20 ft) in height. (Each hen must be provided with at least 0.37 m² (3.98 ft²) of interior floor area, and at least 0.92 m² (9.9 ft²) of outdoor enclosure, within the coop.
- n. **"Dangerous Dog"** shall mean a dog that the courts declare to be dangerous under the *Dangerous Dogs Act, RSA 2000, c D-3* as amended.
- o. **"Dog"** shall mean any domesticated dog or puppy, foster dog and vicious dog.
- p. **"Domestic Animal"** shall mean any animal normally kept for domestic purposes or a household pet including, but not limited to, dogs, cats, rabbits, ferrets, or Urban Hens. Does not include wildlife or livestock.
- q. **"Enforcement Officer"** shall mean any member of the Royal Canadian Mounted Police (RCMP), Community Peace Officer, Bylaw Enforcement Officer or designate. Including, but not limited to, a person hired or contracted by the Village of Linden to enforce the provisions of this Bylaw.
- r. **"Foster Animal"** shall mean a domestic animal that a person is caring for on behalf of an animal rescue organization for a temporary period of time until the domestic animal is adopted by the animal rescue organization.
- s. **"Fowl"** shall mean a creature with feathers, including all poultry. This does not include small pet birds.
- t. **"Guide Dog"** shall mean a guide dog as defined by the *Blind Persons' Rights Act R.S.A. 2000 c.B-3* as amended (see *Service Animal*).
- u. **"Impounded"** shall mean a dog or other animal that has been apprehended, caught, trapped in a live trap, or is otherwise caused to come into the care and custody of an Enforcement Officer pursuant to an investigation or apparent breach of this Bylaw or other Federal or Provincial Legislation.

- v. **"Impoundment Facility"** shall mean the facility established or designated by the Village for the impounding of dogs as set out in this Bylaw;
- w. **"Leash"** shall mean a restraint made of material capable of restraining the animal on which it is being used.
- x. **"License"** shall mean an animal license issued by the Village in accordance with the provisions of this Bylaw.
- y. **"License Tag"** shall mean a permanent identification tag issued by the Village showing the license number of a specific animal. It is intended to be worn on a collar attached to the animal at all times when the animal is off the property.
- z. **"Licensee"** shall mean a person named on a license.
- aa. **"Livestock"** shall include, but is not limited to:
 - i. A horse, mule, ass, swine, emu, ostrich, camel, llama, alpaca, sheep, pig, or goat,
 - ii. Domestically reared or kept deer, reindeer, moose, elk, or bison,
 - iii. Farm bred fur bearing animals including foxes and mink,
 - iv. Animals of the bovine species,
 - v. Animals of the avian species including chicken, turkeys, ducks, geese, or pheasants, except for Urban Hens,
 - vi. Bees, and
 - vii. All other animals that are kept for agricultural purposes,
 But does not include a domestic animal, service animal, vicious dog, or other domesticated household pet.
- bb. **"Master Rates, Fees and Charges Bylaw"** shall mean the Village's *Master Rates, Fee and Charges Bylaw as amended*.
- cc. **"Municipal Tag"** shall mean a written notice, in a form approved by the CAO, issued by an Enforcement Officer, to advise a person that a violation of the Bylaw has occurred and that, by payment of a specified amount for the offense within a set time period, that person will avoid prosecution for the offense.
- dd. **"Muzzle"** shall mean a device of sufficient strength placed over a domestic animal's mouth to prevent it from biting.
- ee. **"Notice"** shall mean written or verbal communication.
- ff. **"Owner/ownership"** shall mean any person or persons who:
 - i. Is named on a license; or
 - ii. Has the care, charge, custody, possession, or control of the domestic animal or prohibited animal, either temporarily or permanently; or
 - iii. Is in actual or apparent possession or control of premises where a domestic animal or prohibited animal apparently resides; or harbors a domestic animal or prohibited animal, or allows a domestic animal or prohibited animal to remain on his/her property; or
 - iv. A person who habitually feeds and/or waters an animal to enable it to survive; or
 - v. Who temporarily has found or trapped an animal and has taken control of it for the purposes of locating its owner and/or turning it over to a pound, animal shelter or Peace Officer.
- gg. **"Poisonous"** shall mean able to cause sickness or death by entering or touching the body.
- hh. **"Property"** or **"Premises"** shall mean any vehicle, land, building, dwelling and any parcel or lot of real estate property or a portion thereof.
- ii. **"Premises Identification (PID) Program"** means the Provincial program established to plan for, control, and prevent the spread of animal diseases.
- jj. **"Prohibited Animal"** shall mean
 - i. Any mammal that is not a domestic animal or would not typically live indoors, including but not limited to horses, cattle, sheep, llamas, goats, and agricultural pigs;
 - ii. Any exotic animal – alien, non-indigenous or non-native species not customarily confined or cultivated by humans;
 - iii. Pigeons;
 - iv. Poultry (unless licensed Urban Hen);
 - v. Poisonous snakes, reptiles, or insects;

- vi. Beehives or any other form of beekeeping (unless licensed);
- vii. Any species listed as endangered or threatened on Environment Canada's Convention on International Trade in Endangered Species (CITES).
- kk. **"Public Event"** shall mean any event where members of the public gather.
- ll. **"Running at Large"** shall mean a domestic animal which is off the owner's property and which is not restrained by a leash and under the control of a competent and responsible person (see *At Large*).
- mm. **"Secure Enclosure"** shall mean a building, pen or fenced area which is secured and constructed in such a manner that it will not allow the domestic animal to jump, climb, dig or otherwise escape nor will it allow the entry of unauthorized persons into the enclosure unless the unauthorized person forces his/her way into the enclosure, and which conforms with the following minimum requirements:
 - i. The secure enclosure shall have secure sides and a secure top. If the secure enclosure has no bottom secured to the sides, the sides of the secure enclosure must be embedded into the ground to a minimum depth of thirty (30) centimeters.
 - ii. The secure enclosure must provide the domestic animal with adequate shelter from the elements including heat, cold, sun, rain, and wind.
 - iii. The secure enclosure must be located not less than one (1) meter away from the property line of the owner's property and not less than five (5) meters away from a dwelling unit located on any adjacent property; and
 - iv. The secure enclosure must be of adequate size for the domestic animal, permitting the domestic animal to stand, sit, lie down, and turn around comfortably.
- nn. **"Service Animal"** shall mean a domestic animal having special training and certification by an official service agency which is kept and utilized by any mentally or physically disabled person for the purpose of compensating for or alleviating the effects of that person's disability. i.e. *Service Dogs Act RSA 2007 c. S-7.5, as amended, The Blind Persons' Act, RSA 2000c. B3, as amended.*
- oo. **"Severe Injury"** shall mean any injury that requires medical attention excepting wound cleaning and basic first aid and includes: wounds requiring sutures or surgery, disfiguring or scarring lacerations, broken bones, severe sprains, death, or any other similar serious injury.
- pp. **"Strict Liability Offences"** shall mean liability that is set upon the defendant without need to prove intent, negligence, or fault, as long as it can be proven that it was the defendant's object that caused the damage.
- qq. **"Threatening Behavior"** shall mean:
 - i. Bark at or chase other animals, wildlife, livestock, or other domesticated household pets, in a threatening manner;
 - ii. Bark at or chase bicycles, motor vehicles, or other vehicles;
 - iii. Growl, lunge, snarl, chase or otherwise threaten a person or persons, whether on the property of the owner or not, unless the person chased or threatened is a trespasser on the property of the owner;
 - iv. Bite or cause damage to property, animals, wildlife, livestock, or other domesticated household pets, whether on the property of the owner or not;
 - v. Do any act other than biting or attacking, that injures a person or persons whether on the property of the owner or not;
 - vi. Bite a person or persons, whether on the property of the owner or not, unless the person bitten is a trespasser on the property of the owner;
 - vii. Attack a person or persons, whether on the property of the owner or not, unless the person attacked is a trespasser on the property of the owner;
 - viii. Cause severe injury to a domestic animal, wildlife, livestock, or other domesticated household pet;

- ix. Cause death to another domestic animal, wildlife, livestock, or other domesticated household pets.
- rr. **"Under the Control"** shall mean that the domestic animal is under the effective control of the person including responding promptly to voice, sound, or sight commands.
- ss. **"Urban Hen"** shall mean a domesticated female chicken that is at least 16 weeks of age;
- tt. **"Vicious Animal"** shall mean any animal, whether on public or private property, that:
 - i. Has, without provocation, chased, attacked, or bitten any person or animal, causing physical injury, and resulting in a conviction under this Bylaw;
 - ii. Has, without provocation, chased, attacked, or bitten a person or animal on more than one occasion, with or without causing physical injury, and resulting in separate convictions under this Bylaw; or
 - iii. Has damaged public or private property, resulting in the issuance of a violation ticket under this Bylaw; or
 - iv. Has threatened or created the reasonable apprehension of a threat to any person or other domestic animal; or
 - v. Has been declared by a court to be a vicious animal, or declared, pursuant to a Bylaw of another municipal jurisdiction, to be a vicious animal; or
 - vi. Has been made subject to an order under the *Dangerous Dogs Act, RSA 2000 c D-3, as amended*.
- uu. **"Vicious Dog License"** shall mean an identification tag issued by the Village displaying the tag number for a dog that is deemed a vicious dog pursuant to this Bylaw;
- vv. **"Vicious Dog Warning Sign"** shall mean a sign having a white background with the following dimensions and particulars:
 - i. The total sign area is not less than thirty (30) centimeters tall,
 - ii. The total sign area is not less than twenty (20) centimeters wide, and;
 - iii. Having the warning statement in a red background with white block lettering and having the Vicious Dog on Premises wording using red block lettering not less than three (3) centimeters tall stating:



- yy. **"Violation Ticket"** shall mean a ticket issued pursuant to *Part 2 or Part 3 of the Provincial Offences Procedures Act, RSA 2000, c. P-34, as amended*, and any regulations thereunder.
- zz. **"Village"** shall mean the Village of Linden.
- Aa. **"Wildlife"** shall mean wildlife as defined by the *Wildlife Act, RSA 2000, c. W-10, as amended* and includes but is not limited to coyotes, cougars, bobcats, deer, moose, elk, wild rabbits, porcupines, beavers and skunks.

Part 3 – Interpretation

- 3.1 The provisions of this Bylaw shall apply to any animal, as specified in this Bylaw.
- 3.2 In the event of any proceedings under this Bylaw, whether it is the impounding of any animal or the commencement of any proceedings by way of summons, the burden of establishing ownership and whether any animal is under the control of a competent person shall be upon the owner.
- 3.3 The headings in this Bylaw are for reference only.
- 3.4 The owner of an animal is guilty of an offence if the owner fails to comply with any of the provisions of this Bylaw and is subject to the penalty as specified.
- 3.5 Where any provision of this Bylaw conflicts with any Provincial or Federal legislation, the Provincial or Federal legislation shall take precedence.

Part 4 – CAO Authority

- 4.1 The CAO or his/her designate is responsible for the administration of this Bylaw.
- 4.2 Without restricting any other power, duty or function granted by this Bylaw, the CAO may:
 - a. carry out or direct whatever inspections are reasonably required to determine compliance with this Bylaw;
 - b. delegate any of his/her powers and authorities under this Bylaw to any Village employee as he/she deems appropriate;
 - c. establish forms for the purposes of this Bylaw;
 - d. establish off leash areas; and
 - e. establish areas where domestic animals are prohibited.
- 4.3 The CAO, as Designated Officer for the Village, hereby delegates to an Enforcement Officer the authority to perform inspections and enforce this Bylaw.

Part 5 – Specific Prohibitions

- 5.1 No person shall have possession of or keep wildlife within the Village.
- 5.2 No person will have possession of or keep any of the following within the Village:
 - a. livestock;
 - b. pot-bellied pigs;
 - c. poultry or fowl (unless valid Urban Hen license);
 - d. bee colonies (unless valid license);
 - e. species deemed to be dangerous or infectious by a medical officer of health or veterinarian.
- 5.3 Notwithstanding section 5.1 and 5.2, livestock may be kept temporarily within the following locations:
 - a. Veterinary clinics or animal hospitals;
 - b. Exhibition grounds; or
 - c. those areas of the Village which allow for Extensive Agriculture in compliance with the Land Use Bylaw.

Part 6 – Licensing of Animals

Requirement of License

- 6.1 Every resident of the Village of Linden who is the owner of a dog, vicious dog, cat, or Urban Hen shall annually purchase a license from the Village for each dog, vicious dog, cat, or Urban Hen owned as per “Schedule A– Animal License Fees”, attached to and forming a part of this Bylaw.
 - a. on or before the first business day of February;
 - b. within thirty (30) days following the animal having attained three (3) months of age;
 - c. within thirty (30) days after acquiring possession of the animal; or
 - d. within thirty (30) days after establishing residence in the Village; whichever date is the latter.
- 6.2 A licensee must be eighteen (18) years of age or older
- 6.3 The owner of the animal shall ensure that the animal wears the current license tag issued for the animal at all times while off the owner's property.
- 6.4 A license shall be valid from February 1 to January 31 regardless of the actual date upon which the license was purchased.
- 6.5 No person shall be entitled to a license rebate or refund under this Bylaw.
- 6.6 An animal left in the care of a person for a period of thirty (30) consecutive days or more shall be deemed to belong to that person and that person shall be responsible for all provisions of this Bylaw as the owner of the animal.
- 6.7 Any owner of an animal which is not licensed, and which is required to be licensed pursuant to this Bylaw, is guilty of an offence as per “Schedule B – Fines Offence Penalties”, attached to and forming part of this Bylaw.
- 6.8 Any person who provides the Village with false or misleading information with respect to the information required in accordance with this Bylaw is guilty of an offence as per “Schedule B – Fines Offence Penalties”, attached to and forming part of this Bylaw.

- 6.9 In the event of a license tag being lost or destroyed, the owner shall contact the Village within ten (10) business days and a replacement tag will be issued upon payment of a fee as specified in Schedule A .

Non-resident Animals

- 6.9 Licensing provisions of this Bylaw shall not apply to a cat or dog accompanying a person temporarily in the Village on business or vacation for a period:
- a. Not exceeding thirty (30) days;
 - b. Not exceeding ninety (90) days in a calendar year if the cat or dog is licensed in another municipality; however, the owner must provide the Village with:
 - i. satisfactory proof of licensing in another municipality; and
 - ii. record of the dog or cat's basic information, reason, place, and length of stay;
 - iii. not exceeding ninety (90) days in a calendar year if the dog or cat permanently resides in another municipality that does not require licensing of dogs and cats;
 - iv. satisfactory proof of non-licensing requirement in another municipality; and
 - v. record of the dog or cat's basic information, reason, place, and length of stay.
 - vi. the CAO may authorize in writing an extended period of time.

Exemptions

- 6.10 Annual licensing fees shall be waived for the following:
- a. A registered guide dog or service dog
- All other provisions of this Bylaw shall apply.
- 6.11 Animals in the Village for parades, gymkhanas, exhibitions, and rodeos duly authorized by the Village are not subject to the provisions of this Bylaw, provided, that in all instances such animals are under the direct care and supervision of competent persons.
- 6.12 There shall be no annual license fee for residents involved in fostering of dogs/cats.

Number of Animals

- 6.13 No person shall keep, harbor, or have more than three (3) dogs or three (3) cats or a total of four (4) domestic animals (including foster animals but excluding Urban Hens) per dwelling unit.
- 6.14 Any person who owns, keeps or harbors more than four (4) domesticated animals over the age of three (3) months, is guilty of an offence as per "Schedule B – Fines, Offence Penalties" attached to and forming a part of this Bylaw.
- 6.15 Subject to the provisions of the Land Use Bylaw, section 6.13 does not apply to a business with valid development permit issued by the Village to provide veterinary or pet care services.

License Application

- 6.16 Prior to the issue or renewal of a license, the owner must submit to the Village the license fee as established in this Bylaw together with the following information:
- a. a description of the dog or cat, including breed, name, gender, age, tattoo, or microchip number;
 - b. a veterinary certificate establishing that the dog or cat is neutered or spayed, as appropriate;
 - c. the name, address, email, and telephone number of the owner;
 - d. if the animal is a foster dog/cat or service animal in training.

Term

- 6.17 Unless otherwise specified in this Bylaw, the term of a license pursuant to this part expires one (1) year from the date it is issued or renewed.

Part 7 – Responsibility of Owners

Basic Care

- 7.1. An owner of a domestic animal must ensure that the domestic animal receives food, water, shelter, and exercise sufficient to maintain the domestic animal in good health.
- 7.2. An owner of a domestic animal must provide the domestic animal with adequate care when the domestic animal is wounded or ill.
- 7.3. An owner of a domestic animal must not leave a domestic animal tied up unsupervised on the owner's property or on any other private or public property.

Running at Large

- 7.4. The owner of a domestic animal shall:
 - a. ensure that the domestic animal is not running at large, and
 - b. ensure that the animal, when not on the owner's property, is leashed and under the control of a competent person; and
 - c. ensure that when the animal defecates on any public or private property other than the property of the owner, the feces shall be immediately and properly disposed of in a garbage receptacle.
- 7.5. The owner of a female animal in heat shall keep the female housed or confined throughout the entire heat period unless the animal is being walked on leash.
- 7.6. An Enforcement Officer shall keep an up to date record of all complaints, notices and reports regarding domestic animals and a similar record of their disposition.
- 7.7. An Enforcement Officer may seize and impound any domestic animal running at large.

Excessive Noise

- 7.8. The owner shall ensure a dog does not bark, howl, or otherwise behave in a manner that is reasonably likely to annoy or disturb the peace of others.
- 7.9. No owner shall allow a hen to cluck or create a noise to the extent that such noise disturbs any person.
- 7.10. No owner shall allow an animal to create a noise to the extent that such noise disturbs any person.
- 7.11. In determining whether barking, howling or behavior is reasonably likely to annoy or disturb the peace of others, or quality of life of others, consideration may be given, but is not limited, to the following:
 - a. proximity of the property where the animal resides;
 - b. duration of the noise;
 - c. time of day and day of the week when the noise occurs;
 - d. nature and use of the surrounding area; and
 - e. a completed noise log.

Defecation

- 7.13. The owner of a domestic animal shall forthwith remove any defecation left by the domestic animal on any public property (including playgrounds, tennis courts, school grounds or sports fields) or private property other than the owner's property.
- 7.14. The owner or any other person having care or control of a domestic animal shall ensure that feces on the owner's property is removed monthly or does not accumulate to such an extent that it is reasonably likely to annoy or pose a health risk to others.

Scattering Garbage

- 7.15. The owner of a domestic animal shall ensure that such domestic animal shall not upset any waste receptacle or scatter the contents thereof either in or about a street, lane, or other public property or in or about any premises not belonging to or in the possession of the owner of the domestic animal.

- 7.16 The owner of a domestic animal shall ensure that such domestic animal does not damage or destroy public or private property.
- 7.17 The owner of a domestic animal shall immediately return any such upset waste receptacle to an upright position, and remove any contents that may have been scattered in or about a street, lane, or other public property or in or about any premises not belonging to or in the possession of the owner of the domestic animal.

Dogs Permitted on Pathway

- 7.18 The owner of a dog shall not allow such dog to pass along or across a pathway, unless such dog remains under the control of the owner at all times and does not interfere or obstruct any pathway user.

Domestic Animals in Prohibited Areas

- 7.19 No person shall permit any domestic animal to enter or remain in or on:
 - a. a school ground, playground, sports field, tennis court; or
 - b. any other area where domestic animals are prohibited by posted signs.
- 7.20 No person shall have a dog in any area which has a posted sign stating that dogs are not permitted in that area.

Threatening Behavior

- 7.21 No owner of any domestic animal shall permit the domestic animal to display threatening behavior including the following:
 - a. bark at or chase other animals, wildlife, livestock, or other domesticated household pets, in a threatening manner;
 - b. bark at or chase bicycles, motor vehicles, or other vehicles;
 - c. growl, lunge, snarl, chase or otherwise threaten a person or persons, whether on the property of the owner or not, unless the person chased or threatened is a trespasser on the property of the owner;
 - d. bite or cause damage to property, animals, wildlife, livestock, or other domesticated household pets, whether on the property of the owner or not;
 - e. do any act other than biting or attacking, that injures a person or persons whether on the property of the owner or not;
 - f. bite a person or persons, whether on the property of the owner or not, unless the person bitten is a trespasser on the property of the owner;
 - g. attack a person or persons, whether on the property of the owner or not, unless the person attacked is a trespasser on the property of the owner;
 - h. bite or attack a person or persons, whether on the property of the owner or not, causing severe injury;
 - i. cause severe injury to a domestic animal, wildlife, livestock, or other domesticated household pet;
 - j. cause death to another domestic animal, wildlife, livestock, or other domesticated household pets.
- 7.22 No owner shall:
 - a. use or direct a domestic animal to attack, bite or otherwise exhibit threatening behavior towards a person, whether the domestic animal is on the owner's property or other private or public property.
 - b. use or direct a domestic animal to attack, bite or otherwise exhibit threatening behavior towards any domestic animals, livestock, or wildlife.
- 7.23 A domestic animal shall not be deemed to exhibit threatening behavior if the domestic animal is safely confined within a building, vehicle, crate or behind a securely fenced area on any land and there is no risk of the domestic animal making physical contact with the person, domestic animal, livestock, or wildlife.

Confining Domestic Animals with Communicable Diseases

- 7.24 An owner of a domestic animal or prohibited animal who knows or suspects that the animal has a communicable disease, must:
- immediately report the communicable disease to the CAO;
 - confine and isolate the domestic or prohibited animal, during the period such person knows or suspects that the animal has a communicable disease, in a manner that will prevent further spread of the disease and in a manner prescribed at law;
 - immediately seek the assistance of a Veterinarian; and
 - follow the direction of such Veterinarian or any government officials who have authority to issue any related orders or directions.
- In addition, a person who keeps any domestic or prohibited animal and who knows or suspects that that animal has rabies, shall immediately report this information to the CAO and a Veterinarian.

Off the Property of Owner

- 7.25 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:
- under control; and
 - held on a leash.

Part 8 – Interference with Animals

- 8.1 No person other than the Owner shall:
- untie or loosen an animal which is not in distress, as defined by the *Animal Protection Act*, as amended; or
 - willfully or negligently open a gate, door, or other opening in a fence, pen, or enclosure in which an animal has been confined.
- 8.2 No person shall tease, torment, annoy, abuse, injure, or neglect any dog, animal, or hen.

Part 9 – Regulation of Vicious Animals

Vicious Dog Provisions

- 9.1 All provisions of this Bylaw apply to vicious dogs. However, where the Bylaw provides for more stringent regulations in relation to vicious dogs than other sections of this Bylaw, the more stringent regulations shall prevail in relation to a vicious dog.

Insurance

- 9.2 The owner of a vicious animal shall have liability insurance specifically covering any damages from personal injury caused by the vicious animal of not less than three million dollars (\$3,000,000).

Signage

- 9.2 The owner of a vicious animal shall:
- display signage at each entrance to the owner's property and on the secure enclosure in which the vicious animal is confined; and
 - purchase signs, as specified in the definitions of this Bylaw, warning of the presence of a vicious animal on the owner's property.

Regulations

- 9.3 Vicious dog licensing:
- the owner of a dog who has been declared a vicious dog shall obtain an annual license for that vicious dog.
 - the owner of the vicious dog shall ensure that their dog wears the current vicious dog tag issued for that dog at all times.

- 9.4 When applying for a license for a dog, or vicious dog under this Bylaw, the owner shall provide the following:
 - a. a description of the dog, or vicious dog including breed, name, gender, age, rabies vaccine information, any other vaccine information, and information establishing that the dog or vicious dog is neutered or spayed;
 - b. the name, date of birth of the dog or vicious dog, address, and telephone number of the owner;
 - c. microchip numbers, tattoo information or any other identifying markers on the dog or vicious dog;
 - d. all owners of vicious dogs shall provide a photo of the vicious dog.
- 9.5 The owner named on any license shall be at least eighteen (18) years of age.
- 9.6 No person shall give false information when applying for a license pursuant to this Bylaw.
- 9.7 An owner shall promptly notify the Village of any changes with respect to any information provided in an application for a license under this Bylaw.
- 9.8 A license issued pursuant to this Bylaw is not transferrable from one person to another or from one property to another.
- 9.9 An issued license is valid only for the period between February 1 to January 31 regardless of the date upon which the license is purchased and is required to be renewed annually.
- 9.10 Licensing may be revoked if any of the following occur:
 - a. the Village receives complaints from two or more sources which the Village determines to be bona fide;
 - b. the license holder does not comply with the conditions of the license;
 - c. the license holder is guilty of an offence pursuant to this Bylaw;
 - d. the license holder is not adhering to applicable provincial legislation governing the welfare and management of dogs; or
 - e. at the written request of the license holder.
- 9.11 The owner of a dog deemed to be a dangerous dog through the *Dangerous Dogs Act* must comply with the vicious dog sections contained within this Bylaw, as the dangerous dog will also be considered a vicious dog under this Bylaw.
- 9.12 If the CAO, Development Authority or Enforcement Officer determines that a dog is a vicious dog, the owner shall:
 - a. be given a written order that the dog may be determined to be a vicious dog;
 - b. be required to keep the dog in a controlled confinement.
- 9.13 An owner shall keep or have the vicious dog within the Village if the Village has informed the owner that the Village intends to apply for an application to declare the vicious dog as a dangerous dog. The owner shall immediately relocate the vicious dog to be in compliance with this requirement, if required.
- 9.14 Under this Bylaw, a vicious dog order continues to apply if the vicious dog is sold, given, or transferred to a new owner.
- 9.15 The owner of a dog who has received a notice that their dog has been declared a vicious dog pursuant to this Bylaw, within fourteen (14) days after the date of the decision was communicated to the person or owner respectively, may by written notice request the CAO review the decision. After reviewing the decision, the CAO may confirm, cancel, or amend the decision.
- 9.16 The owner of a dog who has received a notice that their dog has been declared a vicious dog pursuant to this Bylaw, following one (1) year after the date of the decision was communicated to the person or owner respectively, may by written

notice request the CAO review the decision. After reviewing the decision, the CAO may confirm, cancel, or amend the decision.

9.17 The owner of a vicious animal shall:

- a. complete an application as set out by the Village.
- b. supply proof that:
 - i. a licensed Veterinarian has tattooed or implanted an electronic identification microchip in or on the vicious animal identifying the animal with a unique identifier and provide the information contained on the tattoo or in the microchip to the Village and municipal enforcement;
 - ii. the dog has a current vaccination for rabies;
 - iii. the dog has been spayed or neutered by a veterinarian;
 - iv. have liability insurance specifically covering any damages from personal injury caused by the vicious animal of not less than three million (\$3,000,000) dollars;
 - v. post the required signage, in accordance with 9.2 of this Bylaw; and
 - vi. the owner has a secure enclosure capable of preventing entry of any person except the owner, and escape of the dog, in accordance with 9.7 of this Bylaw.
- c. upon receipt of an application referred to in subsection (1) herein, the CAO may require the owner or any other person with custody or possession of the vicious dog to attend whatever classes or training, with or without the vicious dog, as identified by the CAO to be required. Any person who fails to attend training as required pursuant to this subsection (c) is in contravention of this Bylaw and guilty of an offence.
- d. at all times when the vicious dog is off of the property of the owner, or any other person having care or control of the vicious dog, shall ensure that the animal is abiding by their vicious dog license. Licensing shall require they:
 - i. securely muzzle the vicious dog in public;
 - ii. secure the vicious dog in a harness and two leashes both of which shall not exceed 1.0 meter in length and is adequate to control the vicious dog, and,
 - iii. be under constant control of a competent person who is at least eighteen (18) years of age.
- e. when selling or otherwise giving the vicious dog to a new owner, fully inform the new owner that the dog has been declared a vicious dog by the Village of Linden;
- f. if the vicious dog is at large the owner is to notify the Village immediately, and if there is a concern for public safety notify the RCMP immediately.

9.18 Enclosure Requirements for a vicious dog shall be;

- a. a minimum dimension of 1.5 meters by 3.0 meters, and 2.0 meters in height;
- b. have secure sides and a secure top, and if it has no bottom secured to the sides, the sides must be embedded into the ground a minimum of 30 centimeters;
- c. not be located within 2.0 meters of the property line of the owner or within 5.0 meters of a neighboring residential dwelling;
- d. provide shelter from the elements.

9.19 Inspection of Vicious Dog and Enclosure:

- a. upon receipt of a written application to license a vicious dog, an Enforcement Officer is authorized to enter upon the property of the owner to inspect any place where the vicious dog will be kept, including, but not limited to the secure enclosure, to ensure it meets the requirements of this Bylaw.

9.20 No owner of a vicious dog may own, keep, or have more than one (1) vicious dog on the premises at any time.

- 9.21 No owner of a vicious dog may leave a vicious dog unattended;
- a. while tethered or tied on a premises where the public has access whether the access is express or implied.
 - b. in a vehicle where the public has access whether the access is express or implied.
- 9.22 For the purpose of this Bylaw any dog having been deemed a vicious dog or a dangerous dog by another municipality may be determined to be a vicious dog.
- 9.23 Vicious animals are not allowed in parks or at public events.
- 9.24 The owner shall fence the yard of the property to the maximum height as per the Land Use Bylaw.
- 9.25 The owner of a vicious dog shall ensure that they do not:
- a. chase a person, dog, livestock, other animal, or any type of vehicle, unless the person chased or threatened is a trespasser on the property of the owner;
 - b. cause damage to another person's property or public property;
 - c. attack, bite or threaten, whether or not breaking skin or causing damage to a person, dog, hen, livestock, or other animal;
 - d. cause death to a dog, hen, livestock, or other animal.

Declaration

- 9.12 An animal may be declared by an Enforcement Officer or the CAO to be a vicious animal pursuant to this Bylaw and will be licensed as such by the Village and subject to special provisions of this Bylaw pertaining to vicious animals.
- 9.13 The owner of an animal declared to be vicious pursuant to this Declaration shall be served with a notice setting out the reasons therefore, the responsibilities of an owner of a vicious animal pursuant to this Bylaw and the process of an appeal available to the owner.

Part 10 – Prohibited Animals/Livestock

- 10.1 No person shall own or possess any prohibited animal within the Village unless otherwise permitted by the CAO.
- 10.2 Unless so permitted by the CAO, no person shall allow a horse owned or controlled by him/her to be in a park or on a pathway within the Village of Linden municipal boundaries.
- 10.3 Section 10.2 shall not apply to:
- a. horses owned and ridden by the Royal Canadian Mounted Police (RCMP).
 - b. horses or livestock ridden, or used in a Village sponsored event, an approved community event or parade.
- 10.4 The owner of a horse or livestock shall remove defecation from a highway or pathway immediately.

Exotic Animals

- 10.5 No person shall keep or cause to be kept any snake, lizard, insect, or arachnid not otherwise prohibited by this Bylaw unless housed in an escape proof enclosure.
- 10.6 Licensing of an exotic animal is at the sole discretion of the CAO and is not guaranteed.
- 10.7 Licensing will only be considered upon receipt of a written application in the form specified by the Village.

- 10.8 The provisions of any Statute of Canada, of the Province of Alberta or any regulation thereunder must be followed.

Urban Hens

11. Permitting and Regulations

- 11.1 A Premises Identification Number is required to keep Urban Hens in the Village of Linden.
- 11.2 Urban Hens are only allowed:
- on a property with a single detached dwelling with a minimum area of 464 m², and having a fenced backyard sufficient to meet the setback and coop requirements; or
 - a residential acreage.
- 11.3 The Owner of an Urban Hen shall ensure:
- the applicant resides on the property on which the Urban Hens will be kept;
 - that each Urban Hen is provided with food, water, shelter, light, ventilation, care, and opportunities for essential behaviors such as scratching, dustbathing, and roosting, as sufficient to maintain the Urban Hen in good health;
 - to store feed within a fully enclosed container;
 - manure is stored in a fully enclosed container, with no more than three (3) cubic feet of manure at a time;
 - removal of all other manure not used for composting or fertilizing, and dispose of the same, in accordance with Village of Linden bylaws;
 - storage of bedding materials does not become unsightly or a fire hazard.
- 11.4 An Urban Hen License is not transferrable from one person to another or from one property to another.
- 11.5 Following receipt of an Urban Hen License, an Enforcement Officer or CAO is authorized to enter upon the property, anytime thereafter, to inspect any place where the Urban Hen is kept to ensure it meets the requirements of this Bylaw, and continuously are being met.
- 11.6 Urban Hens must be kept in a Coop:
- where each Urban Hen is provided with at least 0.37 m² (3.98 ft²) of interior floor area, and at least 0.92 m² (9.9 ft²) of outdoor enclosure, within the Coop;
 - at least one nest box per four (4) birds and one perch per Urban Hen, that is at least 15 cm (5.9 inches) long must be provided and maintained in the Coop;
 - at all times and/or under control of the Owner;
 - that is in good condition, is not in disrepair, and free from vermin and noxious or offensive smells and substances;
 - that is located in the fenced rear yard of the property;
 - that is constructed to prevent any rodent from harboring underneath or within it or within its walls, and to prevent entrance by another animal, and;
 - that is secured from sunset to sunrise.
- 11.7 A person may apply to keep no more than six (6) Urban Hens and no less than two (2) mature Urban Hens.
- 11.8 Urban Hens are not to be released into the wild or buried on the property.
- 11.9 No person shall:
- keep a rooster;
 - keep an Urban hen, other than an Urban Hen for which a valid Urban Hen License has been issued;
 - sell eggs, manure, meat, or other products derived from Urban Hens;

- d. slaughter an Urban Hen on the property;
- e. dispose of an Urban Hen except by delivering it to a farm, abattoir, veterinarian, or other operation that is lawfully permitted to dispose of Urban Hens, or;
- f. keep an Urban Hen in a cage or any shelter other than a coop.

11.10 The CAO may refuse to grant or renew an Urban Hen License for the following reasons:

- a. The applicant or license holder does not or no longer meets the requirements of this bylaw or any other applicable bylaw related to the keeping of Urban Hens.
- b. the applicant or license holder:
 - i. provided false information or misrepresents any fact or circumstance to the CAO or an Enforcement Officer;
 - ii. has, in the opinion of the CAO or Enforcement Officer based on reasonable grounds, contravened this bylaw, or any other applicable bylaw related to the keeping of Urban Hens, whether or not the contravention has been prosecuted;
 - iii. Fails to pay a fine imposed by a Court for a contravention of this bylaw or any other applicable bylaw related to the keeping of Urban Hens;
 - iv. Fails to pay any fee required by this bylaw or any other applicable bylaw;
 - v. In the opinion of the CAO, or Enforcement Officer, based on reasonable grounds it is in the public interest to do so.

11.11 If for any reason, an Urban Hen License is revoked, or is not renewed, the Urban Hen must be removed from the property within 30 days, including the removal of the coop.

Urban Beekeeping

11.12 This Bylaw enables Urban Beekeeping as urban agriculture and no person shall own or keep bees unless the property is licensed in accordance with this bylaw.

11.13 An Urban Beekeeping License may not be issued to an individual under the age of eighteen (18) years.

11.14 Before the issuance or renewal of a license pursuant to this part, the owner of the hive must submit the following information to the Village office:

- a. completed Urban Beekeeping License Application Form;
- b. the license fee prescribed in the Village of Linden Master Fees & Services Bylaw;
- c. the name, address, and contact information of the Beekeeper;
- d. written permission from the registered property owner to install hives on the property where the Beekeeper is not the registered owner;
- e. written permission from the authorized property leaseholder or license holder to install hives on property where the beekeeper is not the authorized leaseholder or license holder of the property;
- f. a site plan which shows the hive location on the property and associated setbacks if there is no solid fence or hedge and/or the property is adjacent to a pedestrian walkway;
- g. proof of success in beekeeping training;
- h. a disease and swarm control plan; and
- i. proof of certificate of registration with the provincial apiculturist every year by June 30th;
- j. proof of liability insurance;
- k. Premises Identification Number.

11.15 The CAO may require additional information to the requirements in 11.12.

11.16 Notwithstanding 11.13 above, at the time of application for an Urban Beekeeping License, the applicant must submit to the CAO proof that adjacent

neighbors have been notified of the proposed installation of hives(s) on the subject property.

- 11.17 The owner of the hive(s) must submit any relevant updates to the information required in Urban Beekeeping License to the CAO.
- 11.18 An Urban Beekeeping License is required for each property that has a hive.
- 11.19 Urban Beekeeping Licenses are valid for one (1) year following the date of issuance.
- 11.20 No person shall give false information when applying for urban beekeeping pursuant to this Bylaw.
- 11.21 The CAO may refuse an application for an Urban Beekeeping License or may revoke an Urban Beekeeping License by providing written notice to the licensee or applicant.
- 11.22 Beekeepers must comply with the Bee Act and the Animal Health Act.
- 11.23 Beekeepers, or the owner of the lands on which the bees are kept must ensure;
 - a. good practices and maintenance to prevent swarming, aggressive behavior, and disease; and
 - b. that adequate water is provided at all times for the bees to deter the bees from seeking water from alternate sources.
- 11.24 This Bylaw applies to the activity of beekeeping for personal use only.
- 11.25 This Bylaw does not relieve a person from complying with any Federal or Provincial law, or regulation, other than the Village of Linden Bylaw, or any requirement of any lawful permit, order, or license.

Hive Requirements for Urban Beekeeping

- 11.24 A hive must include a bottom board and a hive cover.
- 11.25 A maximum of four (4) supers are permitted per hive.
- 11.26 Hives are restricted to the rear yard of a property or parcel.
- 11.27 Hive entrances are to be directed away from adjoining properties.
- 11.29 Beekeeping sites must be located at least twenty-five (25) metres from any public place, including, but not limited to, schools, playgrounds, or sports fields, measured from the center of the top of the hive to the parcel containing the use.
- 11.30 Hives are to be located:
 - a. a minimum of three (3) metres from all property lines; or
 - b. within a rear yard enclosed by a solid fence or hedge a minimum of 1.5 metres in height.
- 11.31 Hives on parcels located adjacent to pedestrian walkways must be located a minimum of three (3) metres from the property line adjacent to the pedestrian walkway and within a rear yard enclosed by a solid fence or hedge a minimum of 1.5 metres in height.
- 11.32 Hives located on residential parcels; a maximum of one (1) hive is permitted on one (1) parcel of residential land.
- 11.33 Hives located on non-residential parcels; a maximum of one (1) hive is permitted on one (1) parcel of non-residential land.

Enforcement

- 11.34 At any reasonable time, the CAO or an Enforcement Officer may enter any property in order to ascertain whether or not the provisions of this Bylaw are being observed.
- 11.35 Should a beekeeping site, hive, or Beekeeper be found to be non-compliant with this schedule at any time, the Urban Beekeeping License may be revoked. Should any hives and bees need to be relocated, all costs and associated expenditures related to the removal are of responsibility of the property owner.
- 11.36 A person who contravenes any provision of this Bylaw is guilty of an offence and may be liable to a fine.

Part 12- Other Regulations

Change of Information

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

Notification of Stray

- 12.2 A person who takes control of any stray domestic animal shall forthwith notify the Village and provide any required information.

False Information

- 12.3 No person shall provide false or misleading information to any Enforcement Officer or the CAO.
- 12.4 No person shall contravene any term or condition contained in a written agreement entered into by that person with the Village pursuant to this Bylaw.

Interference with Animal Control Officer

- 12.5 No person shall interfere with an Enforcement Officer or the CAO or any other person designated by the Village in the exercise of their powers and duties pursuant to this Bylaw.
- 12.6 Any person who springs or otherwise tampers with or damages a live trap in which animals are to be trapped, or have been trapped, so as to allow any animal to escape from the trap, is guilty of an offence as specified in "Schedule B – Fines, Offence Penalties," attached to and forming part of this Bylaw.

Other Licenses/Permits

- 12.7 The owner of any dog, vicious dog, hen, or other animal which requires further licensing or permits not covered in this Bylaw shall ensure they have such licenses or permits.

Wildlife

- 12.8 A person must not feed or lure wildlife in the Village.
- 12.9 Section 12.8 does not apply to the feeding of birdseed to songbirds.

Part 13 – Administration and Enforcement

Authority of Enforcement Officer

- 13.1 Where an Officer has reasonable grounds to believe that any provision of this Bylaw has been contravened, an Officer is authorized to:
- enter upon any property or structure between the hours of 9 a.m. – 6 p.m., Monday-Friday, in accordance with Section 542 of the *Municipal Government Act, RSA 2000 C M-26*, and any amendments thereto, for the purpose of inspecting, remedying, or enforcing the provision of this Bylaw including but not limited to enforcing the terms of a Remedial Order and carrying out the actions authorized with this Section 13.1 after providing not less than forty-eight (48) hours prior notice to the owner or occupant of the property or structure.
 - notwithstanding 13.1 (a), in the event of an emergency, the Officer is not required to give notice to the owner or occupant of the property or structure prior to entering upon the property or structure and is not required to enter the property or structure at a reasonable time.
- 13.2 An Officer is authorized to capture, seize, impound, and deliver to the impoundment facility, contracted by the Village, any domestic animal which:
- is found to be running at large;
 - which is alleged to have engaged in any threatening behavior as set out in Section 7.21 of this Bylaw; or
 - pending the outcome of an application to declare the animal to be a vicious animal or to destroy the animal; or
 - which has been left unsupervised while tethered or tied on private property; or
 - is abandoned subject to the provisions of the *Animal Protection Act, RSA 2000, C A-41*, and any amendments thereto; or
 - is in distress on any land or in any vehicle or other place subject to the provisions of the *Animal Protection Act, RSA 2000, C A-41*, and any amendments thereto; or
 - has caused or is alleged to have caused a severe injury to or the death of a person or domestic animal.
- 13.4 The Officer is further authorized to take reasonable measures as necessary to subdue and control the domestic animal or prohibited animal without injuring or causing undue distress to the domestic animal or prohibited animal in the process of capturing, seizing, and impounding the domestic animal or prohibited animal including but not limited to the use of tranquilizer equipment and other capture devices.
- 13.5 The Officer is authorized to:
- where the domestic animal is injured or ill, deliver the domestic animal to a Veterinarian for treatment prior to delivering the domestic animal to the impoundment facility, contracted by the Village;
 - issue a Remedial Order to an owner of any domestic animal which has exhibited threatening behavior, caused, or is alleged to have caused a severe injury, or has otherwise contravened any section of this Bylaw. The Remedial Order may:
 - direct the owner to stop doing something or change the way in which the owner is doing it;
 - direct the owner to take any actions or measures necessary to remedy the contravention of this Bylaw including, but not limited to:
 - submitting the domestic animal for a behavior assessment;
 - attending training sessions with the animal conducted by a trainer;
 - requiring secure fencing on the owner's property that includes security measures such as a locked gate;
 - Taking any such quarantine measures as the Officer deems necessary.

- iii. state a time within which the owner must comply with the directions, and
- iv. state that if the owner does not comply with the directions within a specified time, the Village will take the action or measure at the expense of the owner.

Impoundment of Animals and Prohibited Animals:

- 13.6 An Enforcement Officer, and/or the contracted Enforcement Agency under the direction of the Village may capture and impound any dog, vicious dog, or animal:
- a. found running at large; or
 - b. which has bitten, or is alleged to have bitten a person or dog or animal; or
 - c. which is required to be impounded pursuant to the provisions of any Statute of Canada or the Province of Alberta, or any regulation made thereunder.
- 13.7 Impounded dogs, vicious dogs or animals shall be maintained in an impoundment facility, contracted by the Village for no less than five (5) days, during which time the dog, vicious dog, or animal shall be advertised as being incarcerated.
- a. after the designated impoundment time, the dog, vicious dog, or animal may be sold for an amount not less than the impoundment fees and costs; or
 - b. a person claiming an impounded dog, vicious dog or animal shall pay to the pound keeper an amount no less than the impoundment fees and costs; or
 - c. the dog, vicious dog or animal may be destroyed.
- 13.8 A dog, vicious dog or animal that is impounded under a Controlled Confinement Order pursuant to this Bylaw may be released back to its owner upon conclusion of the Enforcement Officer's investigation provided all the requirements of this Bylaw have been met.
- 13.9 A dog or vicious dog may be impounded pending the outcome of an application pursuant to the *Danger Dogs Act*.

Controlled Confinement Order

- 13.10 An Enforcement Officer who believes an offence has been committed under Part Seven (7) of this Bylaw, may order the controlled confinement of the dog or vicious dog.
- 13.11 An owner shall follow all conditions as stipulated in the Controlled Confinement Order.

Obstruction

- 13.12 No person shall:
- a. interfere, hinder, or impede an Enforcement Officer from enforcing the provisions of this Bylaw;
 - b. induce an animal to enter a house or other place where it may be safe from capture or otherwise assist the animal to escape capture;
 - c. unlock, unlatch or otherwise open an Enforcement Officer's vehicle to allow or attempt to allow an animal to escape;
 - d. tamper with, unlock, unlatch, or otherwise open a kennel, humane live trap, or any other enforcement equipment;
 - e. failing, without lawful excuse, to follow any direction under this Bylaw given by an Enforcement Officer;
 - f. untie, loosen, or otherwise free an animal which has been tied or otherwise restrained, or;
 - g. negligently or willfully open a gate, door or other opening in a fence or enclosure in which an animal has been confined thereby allowing the animal to run at large within the Village.

Fines & Penalties

- 13.13 Every owner who contravenes any of the provisions of this Bylaw by:
- a. doing any act or thing which the person is prohibited from doing; or,
 - b. failing to do any act or thing which the person is required to do; or
 - c. failing to obey lawful direction given by an Enforcement Officer is guilty of an offence.
- 13.14 Any person convicted of an offence pursuant to the Bylaw is liable for a penalty specified in Schedule "B – Penalties" of this Bylaw.
- 13.15 An Enforcement Officer may issue a violation ticket requiring the court appearance of the defendant, pursuant to the provisions of the *Provincial Offences Procedure Act, R.S.A. 2000*.

Recovery of Enforcement Costs

- 13.19 The expenses and costs of any action or measures taken by the Village under this Bylaw are an amount owing to the Village by the person in contravention of this Bylaw.
- 13.20 Where any contravention of this Bylaw occurred on property to which the owner is the registered owner, any unpaid expenses or costs may be added to the tax roll of that property in accordance with the *Municipal Government Act, RSA 2000, C-M26*, and any amendments thereto.
- 13.21 The expenses and costs incurred by the Village in the enforcement of this Bylaw may be collected as a civil debt.

Transition

- 13.22 An existing license issued under Animal Control Bylaw 2013-05 remains valid until the term of such license expires.

Part 14 – Severability

- 14.1 No action or damages shall be taken against the Village or any person acting under the authority of this Bylaw in respect of the impoundment, adoption, destruction, sale, or disposal of any animal death with pursuant to this Bylaw.
- 14.2 Every provision of this Bylaw is independent of all other provisions and if any provision of this Bylaw is declared invalid for any reason by a Court of competent jurisdiction, all other provisions of this Bylaw shall remain valid and enforceable.
- 14.3 Should any section of 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.

Repeals

Bylaw 2023-07 Animal Control Bylaw and any amendments thereto are hereby repealed.

Enactment

This Bylaw shall come into force and effect upon the date of the passing of the third and final reading and signing thereof.

READ a first time this 11th day of March, 2024.

READ a second time this 11th day of March, 2024.

UNANIMOUS permission for third reading given in Council on the 11th day of March, 2024.

READ a third and final time this 11th day of March, 2024.



Mayor



Chief Administrative Officer

SCHEDULE “A” - ANNUAL LICENSE FEES

	Fee
Male and Female Dog	\$40.00
Neutered/Spayed Dog	\$20.00
Note: documentation required from Veterinarian	
Vicious Dog	\$250.00
Foster Dog	No Fee
Service Dog	No Fee
Replacement License Tag	\$10.00
Late Fee (purchasing license after 1 st business day of February)	\$20.00
Male and Female Cat	\$25.00
Neutered/Spayed Cat	\$10.00
Note: documentation required from Veterinarian	
Foster Cat	No Fee
Replacement License Tag	\$10.00
Urban Hen License	\$20.00
Beekeeping License	\$20.00

SCHEDULE “B” – FINES
OFFENCE PENALTIES

FIRST OFFENCE*	SECTION	MINIMUM PENALTY	SPECIFIED PENALTY
Failure to apply for annual animal license	6.7	\$50	\$100
	9.3 a	\$100	\$150
Failure to affix license tag , while off property	6.3	\$50	\$100
	9.3 b	\$50	\$100
Providing false information	6.8	\$350	\$500
	9.6	\$350	\$500
Exceeding the limit of animals	6.14	\$50	\$100
Failure to provide basic care	7.1 – 7.3	\$50	\$100
Allow an animal to run at large	7.4	\$50	\$100
	9.17 f	\$250	\$500
Failure to keep female dog confined while in heat	7.5	\$50	\$100
Excessive noise disturbing the peace of any person	7.8-7.11	\$50	\$100
Failure to remove defecation immediately	7.4 c 7.13	\$50	\$100
Defecation on owner's property (excessive)	7.14	\$50	\$100
Allow scattering of garbage	7.15	\$50	\$100
Cause damage to property	7.16	\$50	\$100
Bark at or chase other animals, wildlife, livestock, or other domesticated household pets in a threatening manner	7.21 a	\$50	\$100
Bark at or chase bicycles, motor vehicles, or other vehicles	7.21 b	\$50	\$100
Chase or threaten a person whether on the property of the owner or not	7.21 c	\$100	\$200
Bite or cause damage to property, animals, wildlife, livestock, or other domesticated household pets, whether on the property of the owner or not	7.21 d	\$100	\$200
Animal injures or bites a person whether or not on the property of an owner	7.21 f&g	\$100	\$200

Animal bite or attack a person causing <i>severe injury</i>	7.21 h	\$250	\$500
Cause <i>severe injury</i> to a domestic animal, wildlife, livestock, or other domesticated household pet	7.21 i	\$250	\$500
Cause death to another domestic animal, wildlife, livestock, or other domesticated household pets	7.21 j	\$500	\$1,000
Allow an animal with communicable disease in public place or unsecured	7.24	\$50	\$100
Interfere, hinder, or impede an Enforcement Officer from enforcing bylaw	8.1	\$250	\$500
Tease, torment or annoy an animal	8.2	\$50	\$250
Failure to provide adequate signs	9.2	\$250	\$500
Transferring a license form one person to another or from one property another	9.8	\$50	\$150
Fail to provide information for vicious dog licensing	9.17	\$50	\$100
Fail to abide by condition of training for owner, with or without the vicious dog	9.17 c	\$250	\$500
Fail to abide by conditions set out by a vicious dog license	9.17 d	\$250	\$500
Failure to notify new ownership of vicious dog	9.17 e	\$250	\$500
Failure to notify vicious dog at large	9.17 f	\$250	\$500
Failure to provide adequate enclosure for vicious dog	9.18	\$100	\$250
More than one vicious dog on the premises	9.20	\$250	\$500
Vicious dog left unattended	9.21	\$250	\$500
Vicious dog chased a person, dog, livestock, animal, or any type of vehicle	9.25 a	\$100	\$200
Vicious dog caused damage to property	9.25 b	\$100	\$200
Vicious dog attack or bite causing damage to person, dog, hen, livestock, or animal	9.25 C	\$250	\$1,000
Vicious dog caused death to a dog, hen, livestock, or other animal	9.25 d	\$500	\$1,000
Prohibited animals	10.1	\$100	\$200
Not obtaining a Premises Id Number	11.1 a 11.14 k	\$100	\$150
Urban Hen not provided with adequate food, water, shelter, light, ventilation, care, or opportunities for essential behaviors	11.1 d	\$100	\$250
Storage of feed in an enclosed container	11.1 e	\$50	\$100
Manure not stored in a fully enclosed container or more than 3 cubic feet of manure stored at the same time.	11.1 f	\$50	\$100
Not disposing of manure correctly	11.1 g	\$50	\$100
Storage of bedding materials that have become unsightly or a fire hazard	11.1 h	\$50	\$100
Coop does not meet measurement requirements	11.4 a&b	\$50	\$100
Urban Hen out of coop	11.4 c	\$50	\$100
Allowing coop to not be in good condition, in disrepair	11.4 d	\$50	\$100
Coop not located in rear yard	11.4 e	\$50	\$100
Coop does not prevent entrance of animals	11.4 f	\$50	\$100

Failure to keep the coop secured from sunrise to sunset	11.4 g	\$50	\$100
Keeping more than or less than the permitted Urban Hens	11.5	\$50	\$100
Released Urban Hen into the wild	11.6	\$100	\$200
Buried Urban Hen on property	11.6	\$50	\$100
Keeping a rooster	11.7 a	\$50	\$100
Keeping an Urban Hen without a valid license	11.7 b	\$50	\$100
Selling products derived from Urban Hens	11.7 c	\$100	\$200
Slaughtered Urban Hen(s) on the property	11.7 d	\$100	\$200
Dispose of an Urban Hen improperly	11.7 e	\$100	\$200
Improper shelter for Urban Hen	11.7 f	\$50	\$100
Keeping bees without a license	11.10	\$100	\$250
Interfere with an Officer	12.5	\$250	\$500
Failure to comply with a Controlled Confinement Order	13.11	\$250	\$500
Interfere, hinder, or impede an Enforcement Officer from enforcing a Bylaw	13.12 a	\$250	\$500
Hide an animal from an Enforcement Officer	13.12 b	\$250	\$500
Let an animal out of an Enforcement Officer's vehicle	13.12 c	\$250	\$500
Tamper with Enforcement equipment	13.12 d	\$250	\$500
Fail to follow direction of Enforcement Officer	13.12 e	\$250	\$500
Release animal from restraint	13.12 f	\$250	\$500
Release an animal which was confined, allowing animal to run at large	13.12 g	\$250	\$500

****All penalties subject to increases at the Enforcement Officer's discretion if convicted for the same offence more than once.**

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