

TOWN OF VULCAN

ANIMAL BYLAW NO. 1368-08

A Bylaw to regulate the keeping of animals
and animal nuisances, license dogs and
provide for animal pounds within the
Municipality

WHEREAS a Municipal Council may, pursuant to Sections 7 (h) of the Municipal Government act, Revised statutes of Alberta 2000 Chapter M-26, pass bylaws respecting "Wild and domestic animals and activities in relation to them".

NOW THEREFORE, THE MUNICIPAL COUNCIL OF THE TOWN OF VULCAN, in open meeting assembled, enacts as follows:

ARTICLE 1 - CITATION

- 1.1 This Bylaw may be cited for all purposes as the "ANIMAL BYLAW, NO.1368-08

ARTICLE 2 – INTERPRETATION

In this Bylaw, unless the context otherwise requires:

- 2.1 "animal" includes dogs, cats, birds, rabbits and rodents.
- 2.2 "animal control officer" means a person designated by Council as an animal control officer for the Municipality and includes all Peace Officers of the Municipality.
- 2.3 "at large" means in a public place unless the animal is under the immediate control of the owner, or on private property without the consent and knowledge of the owner or occupier of the private property.
- 2.4 "bird" includes ornamental bird, pigeon and poultry.
- 2.5 "dangerous dog", in addition to the definition that appears in the "Dangerous dog", means a dog:
 - 2.5.1 That according to the records of the Municipality has killed or injured a person or aggressively pursued or harassed a person without provocation;

- 2.5.2 That, to the knowledge of its owner, has killed or injured a person or animal or has aggressively pursued or harassed a person without provocation; or
- 2.5.3 is specifically bred or trained for fighting purposes.
- 2.6 "dog catcher" means a person or firm engaged by the Town to capture and impound dogs under the provision of this bylaw.
- 2.7 "dog license" means a license that has been paid for by the owner of a dog and issued by the Municipality for the dog for the current licensing year.
- 2.8 "guide dog" means a dog used by a blind or otherwise disabled person to assist them to avoid hazards
- 2.9 "impound" means to seize, deliver, receive or take into the Pound and
- 2.10 "impounded" means seized, delivered, received or taken into the Pound.
- 2.11 "Leash" means a chain, harness, line or rope that is of sufficient strength to restrain the animal without breaking."
- 2.12 "licensing year" means from January 1 to December 31 in any year."
- 2.13 "Municipality" means the TOWN OF VULCAN.
- 2.14 "Municipal Park" means all lands described as such in the Municipal Land Use Bylaw.
- 2.15 "ornamental bird" means any bird which is normally kept in a cage or aviary, primarily as a show or decorative bird, and without limiting the generality of the foregoing includes budgerigar, canary, cockatoo, myna bird, Ornamental pheasant, parakeet and parrot, but does not include pigeon.
- 2.16 "owner" means any person who is in possession of or who has the care, custody or control of an animal, or any person who possesses, harbors or allows an animal to remain about his or her house, land or premises, and, in the case of a dog, any person whose name appears on the dog license register.
- 2.17 "police dog" means any dog owned by a municipal police force or the Royal Canadian Mounted Police and which is trained to assist police on investigations.

- 2.18 "Pound" means the Municipal Pound established by the Town at a location determine by resolution of Council from time to time.
- 2.19 "public place" includes all highways, boulevards, parks or other real Property owned, held, operated or administered by the Municipality or by a school Board within the Municipality.
- 2.20 "Rodent" means any animal of the order Rodentia or any other small mammal kept as a pet and without limiting the generality of the foregoing includes ferret, gerbil, guinea pig, hamster and white mouse.
- 2.21 "Zoning Bylaw" means the Town of Vulcan Land Use Bylaw No. 1333.05 and amendments thereto, or in the case it is repealed, its successor bylaw.

ARTICLE 3 – GENERAL

POUND and DOG CATCHER

- 3.1 The Municipal Council does hereby authorize the establishment, maintenance and operation of or contracting for facilities for the impounding of dogs at such place or places and upon such premises, as the Municipal Council may, from time to time, determine.
- 3.2 The "Dog Catcher" in charge of the Pound must impound and detain all dogs delivered to him or her pursuant to the provisions of this Bylaw and must furnish them with sufficient food, water, shelter and attendance.
- 3.3 An Animal Control Officer or the Dog Catcher may enter, at all reasonable times, upon any property in order to ascertain whether the regulations or directions contained in this Bylaw are being obeyed.
- 3.4 No person shall prevent or obstruct, or attempt to prevent or obstruct, an Animal Control Officer or the Dog Catcher in the fulfillment of their duties under this Bylaw.
- 3.5 The Dog Catcher must, upon receipt of a dog delivered to the Pound by a Peace Officer or a member of the public other than the owner of the dog, deal with that dog in the same manner as other dogs seized and impounded pursuant to this Bylaw.

- 3.6 The Dog Catcher must maintain a log book in which must be recorded the description of every dog impounded; the name of the person who impounded the dog; the date, time and location of the impoundment; the impoundment, boarding and license fees and other costs owing; and the manner in which the impounded dog was disposed.

CARE OF ANIMALS

- 3.7 No person may keep any animal unless the animal is provided with:
- 3.7.1 clean potable drinking water at all times and suitable food of sufficient quality and quantity to allow for normal growth and the maintenance of normal body weight;
 - 3.7.2 food and water receptacles that are kept clean and disinfected and located so as to avoid contamination by excreta;
 - 3.7.3 the opportunity for periodic exercise sufficient to maintain good health; and
 - 3.7.4 necessary veterinary medical care when the animal exhibits signs of pain or suffering.
- 3.8 No person may keep any animal which normally resides outside, or which is kept outside for short to extended periods of time, unless the animal is provided with outside shelter that ensures protection of the animal from heat, cold and wet that is appropriate to the animal's weight and type of coat, such shelters to provide sufficient space to allow the animal the ability to turn about freely and to easily stand, sit and lie in a normal position.
- 3.9 Any animal pen and run area must be cleaned and sanitized regularly and all excreta must be removed at least once a day.
- 3.10 No person may cause an animal to be hitched, tied or fastened by any rope, chain or cord that is directly tied around the animal's neck or to a choke collar.
- 3.11 No person shall allow animal excrement to accumulate on or about the land or premises where an animal is kept.
- 3.12 No person shall cause an animal to be confined in an enclosed space, including an automobile, without adequate ventilation.
- 3.13 No person may cause or allow any animal owned or harbored by them to be on any private lands and premises without the consent of the owner or occupier of the lands and premises.
- 3.14 No person shall own, possess or harbor any animal suffering from any infectious or contagious disease unless such animal is in isolation and under treatment for the cure of such disease.

- 3.15 No person shall use a leg-hold or killing trap or snare within the Municipality.

COMMUNITY EVENTS, PARADES, PET SHOWS and CIRCUSES

- 3.16 Provision of this Bylaw do not apply to the exhibition or use of dogs, cats, poultry, ornamental birds, rabbits, rodents and farm animals at community events, parades and pet shows.
- 3.17 Do not apply to the exhibition or use of dogs, ornamental birds, farm animals, chimpanzees and monkeys at a circus or other commercial event at a municipal park or municipal recreation facility provided the circus or other commercial event is approved by the Town.

FEES

- 3.18 Fees pursuant to this Bylaw are those set out in Schedules "B" attached to and forming part of this Bylaw as amended by resolution of Council, from time to time.

ARTICLE 4 - DOGS

CONTROL OF DOGS

- 4.1 No person shall own, possess or harbor more than a combination of four animals (dogs & Cats) over the age of six month on any parcel of land within the Municipality,
- 4.2 The owner of a dog must not permit, suffer or allow their dog to be at large unless accompanied by and under the effective control of a competent person by means of a leash.
- 4.3 The owner of a dog must not permit, suffer or allow their dog to harass or molest a person or an animal.
- 4.4 The owner of a dog must not permit, suffer or allow their dog to be in a Municipal Park as defined in this Bylaw.
- 4.5 The owner of a dog shall not cause or allow any dog to defecate on any street, lane, park, public school ground or any other public place, or on any private property other than the property of the dog owner or the person having control of the dog, unless the person shall immediately remove the excrement.
- 4.6 Sections 4.4 and 4.5 do not apply to a person with a disability accompanied by a guide animal, provided the guide animal is held by a leash, or to an on duty police officer accompanied by a police dog.

- 4.7 The owner of a female dog must not permit, suffer or allow their dog while it is in heat to be in any place other than a building, cage, fenced-in area or other place from which the dog cannot escape so that she can not come in contact with other dogs.
- 4.8 No person being the owner or occupier of any premises within the Municipality shall cause, suffer or permit such premises to be used as or for a kennel.
- 4.9 No person shall keep or harbor within the Municipality a habitually noisy dog.

LICENCING OF DOGS

- 4.9 No person shall keep or permit to be kept on a parcel a dog over the age of six months unless a dog license has been obtained from the Municipality for that dog.
- 4.10 Every owner of a dog must in each licensing year apply for a dog license by January 1 each year and pay the fee set out in Schedule "B", and provide the name, breed, color and sex of the dog and state whether the dog has been neutered or spayed.
- 4.11 A person who acquires a dog over the age of six months must obtain a new dog license within 14 days, even if the dog was already licensed in the Municipality,
- 4.12 Applications for and the issuance of dog licenses are the responsibility of the Finance Manager or such other persons as may be appointed by the Finance Manager from time to time.
- 4.13 A dog license tag stamped or engraved with the, the license number, and the name of the Municipality, must be issued to an applicant for a dog license when the license application meets the requirements of the Municipality's bylaws and the applicable fees have been paid to the Municipality.
- 4.14 No dog license shall be issued to or in the name of any person under the age of 18 years.
- 4.15 Every dog owner must ensure that a valid dog license tag is displayed on the dog at all times by affixing it to the dog's collar or harness.
- 4.16 A dog license issued pursuant to this Bylaw is valid for the licensing year for which it is purchased and expires on December 31 in that year. Licenses issued during the month of December are valid from the date of issue until the last day of December in the following year.
- 4.17 If a person becomes the owner of a dog, or a dog reaches the age of

six months after June 30 of a licensing year, the dog license fee for the dog for the remainder of the licensing year shall be one half of the annual dog license fee.

- 4.18 If the dog license fee has not been paid by the first day of February in the licensing year, unless no dog license fee was payable in respect of such dog prior to that date, or if an owner fails to license a dog within 30 days of the date on which the dog is required to be licensed, the dog license fee payable shall be increased by the amount of the late dog licensing penalty.
- 4.19 A dog license and a dog license tag shall not be transferred to another owner or to another dog.
- 4.20 A person moving to the Municipality who holds a valid license for a dog from another jurisdiction elsewhere in Canada may purchase a dog license for the same dog for the remainder of the license year upon surrender of the dog's current dog license tag for the other jurisdiction to the Municipality and payment of the replacement dog license tag fee.
- 4.21 This section does not apply to a person who has obtained a dog license from another licensing jurisdiction while residing within the Municipality.
- 4.22 A dog owner must apply to the Municipality within 14 days for a replacement dog license tag and pay the replacement dog license tag fee if the dog license tag has been lost, stolen, destroyed or mutilated.
- 4.23 No dog license fee, late licensing penalty or replacement dog license tag fee shall be charged for guide dogs and police dogs.
- 4.24 No license is required for a dog owned by a non-resident of the Municipality who is temporarily residing in or visiting the Municipality provided that the dog is licensed for the current year in the jurisdiction in which the owner of the dog ordinarily resides. For the purposes of this section the words "temporarily residing in" means a period not exceeding 30 consecutive days.

DANGEROUS DOGS

- 4.25 No person shall allow his or her dog to bite, attack, terrorize or endanger a person or animal.
- 4.26 Every owner of a dangerous dog must, at all times while the dog is on the premises owned or controlled by such person, keep the dog securely confined either indoors or in an enclosed pen or other structure capable of preventing the entry of young children and adequately constructed to prevent the dog from escaping.

- 4.27 No person shall cause, suffer or permit any dangerous dog owned by him or she to be in any public place, unless the dangerous dog is firmly held on a leash that does not exceed 2.44 meters [8 feet] in length by a person competent to restrain the dog and which dog is muzzled by a properly fitted humane device.
- 4.28 No person shall cause, suffer or permit any dangerous dog owned by him or her to be on any private lands and premises without the consent of the occupier of such lands and premises and when on such lands and premises the dangerous dog must be confined as set out in Article 4.27 or leashed and muzzled as set out in Article 4.28.
- 4.29 The owner of a dangerous dog must display at each entrance to the property and building in or upon which the dog is kept a sign substantially in the form of Schedule "C" attached to and forming part of this Bylaw, which sign must be posted so that it cannot be removed easily by passers by and will be visible and capable of being read from the sidewalk, street or lane abutting the entrance to the property or building.
- 4.30 The owner of a dangerous dog must advise a Peace Officer or the Dog Catcher forthwith if the dog is at large.
- 4.31 The owner of a dangerous dog must advise a Peace Officer or the Dog Catcher forthwith if the dog has bitten or attacked any person or domestic animal.

ARTICLE 5 - CATS

CONTROL OF CATS

- 5.1 No person shall own, possess or harbor more than a combination of four animals (Dogs & Cats) over the age of four months on any parcel of land within the Municipality.
- 5.2 The owner of a cat must not permit, suffer or allow their cat to be at large.

ARTICLE 6 - BIRDS, RABBITS, RODENTS, and OTHER

POULTRY

- 6.1 No person shall keep any poultry on any parcel of land in the Municipality.

ORNAMENTAL BIRDS

- 6.2 Any person may keep not more than 10 ornamental birds on any parcel of land in the Municipality provided that they are housed and enclosed at all times on the parcel on which they are kept.

PIGEONS

- 6.3 Any person who is a member of a certified pigeon racing club may keep up to a maximum of fifty racing pigeons provided that they are housed and enclosed at all times on the parcel on which they are kept and not allowed to stray, feed or roost on any public place and not allowed to trespass on private property.

BIRDS - GENERAL

- 6.4 Where any bird is housed in any building or enclosure, the building or enclosure must meet the minimum clearances from any property lines as required by the Zoning Bylaw.

RABBITS and RODENTS

- 6.5 No person shall own, possess or harbor more than 10 rabbits and 10 rodents over the age of 12 weeks on any parcel of land.
- 6.6 The owner of any rabbit or rodent shall not allow their rabbit or rodent to be at large.
- 6.7 Where any rabbit or rodent is housed in any building or enclosure, the building or enclosure must meet the minimum clearances from any property lines as required by the Zoning Bylaw.
- 6.8 When away from the parcel of land on which it is kept or harbored a rabbit or rodent must be on a leash or confined in a suitable cage or pet carrier so as to prevent its escape.

OTHER ANIMALS

- 6.9 No person shall keep animals in the Municipality other than dogs, cats, birds, rabbits and rodents.

ARTICLE 7 - IMPOUNDING OF DOGS

- 7.1 A Peace Officer or the Dog Catcher may, alone or with others, impound an unlicensed dog found to be running at large.
- 7.2 A Peace Officer or the Dog Catcher may, alone or with others, impound any dangerous dog found to be in a place or in circumstances prohibited by this Bylaw.

- 7.3 A Peace Officer or the Dog Catcher must inform the owner, if known, by mail or otherwise that his or her dog has been impounded. The notice to the owner must state the impoundment costs and the impoundment and boarding fees payable, and, in the case of an unlicensed dog, the license fee payable, and when and how the dog will be disposed of if not claimed by the owner.
- 7.4 Any impounded dog may be reclaimed by its owner, upon proof of ownership and paying to the Dog Catcher the impoundment fees, boarding fees and, in the case of an unlicensed dog, the license fee, together with any expenses incurred by the Dog Catcher in the process of impounding the said dog and any veterinary expenses to treat a sick or injured dog.
- 7.5 Impounded dogs must be kept in the Pound for a minimum period of 72 hours.
- 7.6 If, after the expiration of the 72 hour period, an impounded dog has not been claimed, and the costs of the impoundment and the impoundment and boarding fees, and, in the case of an unlicensed dog, the license fee paid, the Dog Catcher may sell, dispose of or euthanize the dog in a humane manner. The Dog Catcher shall euthanize in a humane manner a dangerous dog that has not been claimed.
- 7.7 The Dog Catcher may euthanize in a humane manner any impounded dog that is suffering from an incurable disease.

ARTICLE 8 - PENALTY

- 8.1 Any person who violates any of the provisions of any section of this Bylaw or who suffers or permits any act or thing to be done in contravention of this Bylaw, or who refuses, omits or neglects to fulfill, observe, carry out or perform any duty or obligation imposed by this Bylaw shall be liable to penalties set out in Schedule "A" attached to and forming part of this Bylaw as amended by resolution of Council, from time to time.

ARTICLE 9 - REPEAL, SEVERABILITY and HEADINGS

REPEAL

- 9.1 Bylaw No. 1140, cited as the Keeping of Wild or Domestic Animals is hereby repealed.
- 9.2 Bylaw No. 1247 cited as the Dog Bylaw No. 1247, is hereby repealed.
- 9.3 Bylaw No. 1253 cited as an amendment to the Dog Bylaw No. 1247, is hereby repealed.

- 9.4 Bylaw No. 1334-06 cited an amendment to the Dog Bylaw No. 1247, as amended, is hereby repealed.

SEVERABILITY

- 9.5 Any section, subsection, sentence, clause or phrase of this Bylaw, which is for any reason held to be invalid by the decision of any Court of competent jurisdiction, may be severed from the balance of this Bylaw without affecting the validity of the remaining portions of this Bylaw.

HEADINGS

- 9.6 Section headings, the table of contents and parenthetical expressions do not form part of this Bylaw. They are included for convenience only and must not be used in interpreting this Bylaw.

ARTICLE 10 – COMING INTO FORCE

- 10.1 This Bylaw comes into affect at midnight, January 1st 2009.

READ: A FIRST TIME THIS DECEMBER 22, 2008.

READ: A SECOND TIME THIS DECEMBER 22, 2008.

READ: A THIRD TIME, BY UNANIMOUS CONSENT OF THE COUNCILLORS PRESENT, AND FINALLY PASSED THIS 22TH DAY OF DECEMBER A.D. 2008.



Tom Grant, Mayor



Alcide Cloutier, CAO

SCHEDULE "A"

PENALTIES

Contravention to any article of the bylaw:

1. First Offense	\$100.00
2. Second Offence	\$150.00
3. Third Offence	\$200.00
4. Each subsequent offence	\$500.00

SCHEDULE "B"

FEES

Amended on December 10/12 by Resolution Number 12.458

Fees effective as of January 1, 2013

Dog License Fees

1. Male Dog - unneutered \$44.00
2. Male Dog - neutered \$31.00
3. Female Dog - non-spayed..... \$44.00
4. Female Dog - spayed..... \$31.00
5. Guide Dog or Police Dog - male or female..... \$0.00
6. Dog license fee after June 30 - one-half of the annual dog license fee
7. Late Dog Licensing Penalty \$6.00
8. Replacement Dog License Tag Fee..... \$6.00

Impoundment Fees

9. for the first impoundment \$91.00
10. for the second impoundment..... \$132.00
11. for the third impoundment \$264.00
12. subsequent impoundments - \$200.00 plus an incremental fee of \$66.00

Impoundment fee in respect of a dangerous dog:

13. for the first impoundment \$132.00
14. for the second impoundment..... \$275.00
15. for the third \$550.00
16. subsequent impoundments-\$500.00 plus an incremental fee of \$110.00

Boarding Fees

17. Per dog - overnight.....\$16.50

SCHEDULE "C"

DANGEROUS DOG SIGN

WARNING
DANGEROUS DOG ON PREMISES

