

## **BYLAW 37-2017**

### **RESPONSIBLE DOG OWNERSHIP BYLAW**

Whereas, sections 7 and 8 of the *Municipal Government Act*, RSA 2000, c M-26, permit the Council of a municipality to pass bylaws for municipal purposes in relation to wild and domestic animals and activities in relation to them, and to create offences, impose fees, fines and penalties, regulate or prohibit conduct, provide for a system of licensing and the imposition of terms and conditions on licences, and to provide for appeals;

#### **PART I – PURPOSE AND INTERPRETATION**

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|-------------|---|
| Purpose     | 1 The purpose of this bylaw is to establish rules for responsible dog ownership and dog-related matters in Strathcona County.   |
| Citation    | 2 This bylaw is cited as the Responsible Dog Ownership Bylaw.   |
| Definitions | 3 In this bylaw: <ul style="list-style-type: none"><li>(a) "animal" means any live creature, both domestic and wild, and includes fowl, fish and reptiles, but does not include a human;</li><li>(b) "Animal Protection Act" means the <i>Animal Protection Act</i>, RSA 2000, c A-41;</li><li>(c) "animal shelter" means a facility contracted by the County for the purposes of housing and providing care for impounded dogs or other animals, collecting fees, and otherwise assisting with the administration of this bylaw, and may include a veterinary clinic;</li><li>(d) "at large" means a dog that is not restrained by a leash or otherwise under the physical control of a person at a location other than:<ul style="list-style-type: none"><li>i. the owner's property;</li><li>ii. inside of the boundaries of an off-leash area;</li><li>iii. on private property with the consent of the owner of that private property;</li><li>iv. during grooming; or</li><li>v. while participating in a dog sporting, training or show event;</li></ul></li><li>(e) "Chief Commissioner" means the chief administrative officer of the County, or delegate;</li></ul> |

- (f) "collar" means a band of material worn around the neck of a dog with permanent apparatus for attaching dog identification tags and affixing a leash;
- (g) "County" means the municipal corporation of Strathcona County, a specialized municipality established under the authority of the *Municipal Government Act*, RSA 2000, c M-26 and Order in Council 761/95, or the geographic area municipally described as Strathcona County as the context requires;
- (h) "Court" means a court of competent jurisdiction in the Province of Alberta;
- (i) "dangerous dog" means any dog designated as such in accordance with Part V of this bylaw and includes a dog declared dangerous pursuant to the *Dangerous Dogs Act* or similar enactment;
- (j) "*Dangerous Dogs Act*" means the *Dangerous Dogs Act*, RSA 2000, c D-3;
- (k) "dangerous dog notice" is a written notice from the Chief Commissioner informing an owner that the owner's dog has been declared dangerous, in accordance with the provisions of this bylaw;
- (l) "distress" has the same meaning as in the *Animal Protection Act*, RSA 2000, c A-41;
- (m) "dog" means a member of the species *canis lupus familiaris* (commonly referred to as the domestic dog), including any hybrid offspring of that species;
- (n) "dog licence" means a licence issued under this bylaw to an owner for the owner's dog;
- (o) "dog licence fee" means the fee or fees payable to obtain a licence for a dog as set by the Fees and Charges Bylaw;
- (p) "dog tag" means an identification tag issued by the County to an owner bearing a dog's County licence number;
- (q) "Fees and Charges Bylaw" means the County's Fees, Rates and Charges Bylaw, Bylaw 45-2016;
- (r) "foster residence" means the residence of a person who provides a temporary home to a rescue dog;
- (s) "General Appeals and Review Committee" means the County Council committee that conducts hearings to review decisions

made by County peace officers;

- (t) "harness" means an apparatus attached to the chest and back of a dog that is of suitable size and strength to allow a person to physically restrain a dog when it is attached to a dog's leash;
- (u) "impoundment charges" means veterinary services, food, boarding, and any charges or expenses incurred for the care for a dog incurred by the County as a result of enforcement action or while impounded;
- (v) "in heat" means the period of time during which a female dog can become impregnated;
- (w) "Land Use Bylaw" means the County's Land Use Bylaw, Bylaw 6-2015;
- (x) "leash" means a length of rope, chain, fabric or other material of reasonable strength and length that when attached to a dog's collar or harness, allows a person to physically restrain and guide a dog;
- (y) "licensing year" means the period of time commencing on March 31 and ending on March 31 the following year;
- (z) "motor vehicle" has the same meaning as it does in the *Traffic Safety Act*, RSA 2000, T-6;
- (aa) "Municipal Government Act" means the *Municipal Government Act*, RSA 2000, c M-26;
- (bb) "municipal tag" means a document or instrument issued by the County that alleges that a person committed a bylaw offence and allows that person to pay a specified penalty amount in lieu of prosecution;
- (cc) "muzzle" means a device placed over the mouth of a dog that allows the dog to drink and pant, but is of sufficient size and strength to prevent the dog from biting;
- (dd) "off-leash area" means a geographic area designated by the County wherein dogs are not required to be attached to a leash;
- (ee) "over-limit permit" means a permit granted under the authority of this bylaw that allows a person to keep at their residence more than the maximum number of dogs permitted by this bylaw;
- (ff) "over-limit permit fee" means the fee payable to obtain an

over-limit permit, as set by the Fees and Charges Bylaw;

(gg) "owner" means:

- i. a person who has the apparent care, charge, custody, possession or control of a dog;
- ii. a person who legally or beneficially owns or claims a proprietary interest in a dog;
- iii. a person who allows, suffers, keeps or permits a dog to be at any property owned by or under his or her control;
- iv. a person who claims and receives a dog from the custody of an animal shelter or a peace officer;
- v. a person to whom a licence was issued for a dog under this or any other bylaw or enactment; and
- vi. a rescue organization;

(hh) "owner's property" means private property owned by, possessed by, or under the control of an owner;

(ii) "patrol dog" means a dog providing security or guard dog services pursuant to a permit or licence issued under the *Security Services and Investigators Act*, SA 2008 c S-4.7;

(jj) "peace officer" has the same meaning as in the *Peace Officer Act*, SA 2006, c P-3.5;

(kk) "person" means:

- i. an individual;
- ii. an incorporated entity, including a corporation, society, or cooperative; and
- iii. the individual or individuals who are, or hold themselves out to be, legally entitled to represent an unincorporated entity such as a partnership, firm, association, organization or entity;

(ll) "police dog" means a dog that is trained to perform policing services for a police service;

(mm) "police service" has the same meaning as it does in the *Police Act*, RSA 2000, c P-17;

(nn) "progeny" means a dog that is not older than six (6) months that is kept at or allowed to remain with its mother at

an owner's property;

- (oo) "Provincial Offences Procedure Act" means the *Provincial Offences Procedure Act*, RSA 2000, c P-24;
- (pp) "Public Health Act" means the *Public Health Act*, RSA 2000, c P-37;
- (qq) "registered veterinarian" has the same meaning as in the *Veterinary Professions Act*, RSA 2000, c V-2;
- (rr) "rescue dog" means a dog that is in the temporary care of a rescue organization;
- (ss) "rescue organization" means a person that is engaged in finding permanent homes for rescue dogs that is recognized as a rescue organization by the Chief Commissioner for the purposes of this bylaw;
- (tt) "residence" means a property, home, house, shelter, room, place, building, or structure, including a portion of a multi-unit building or structure, including the lands associated to it, that is occupied by, in the possession of, or under the control of a person who lives or resides there;
- (uu) "secure enclosure" means a structure, fenced area or other enclosed space that prevents a dog from leaving that space without assistance from a person, and that is sufficiently secured to prevent persons other than the owner from accessing the dog;
- (vv) "serious wound" means an injury resulting from a dog attack which causes a breaking of the skin or the flesh to be torn;
- (ww) "service dog" has the same meaning as in the *Service Dogs Act*, SA 2007, c S-7.5; and
- (xx) "violation ticket" has the same meaning as in the *Provincial Offences Procedure Act*.

#### Interpretation

4 The following rules apply to interpretation of this bylaw:

- (a) Headings, titles, and preambles in this bylaw are for ease of reference only;
- (b) References to one gender includes the other and the singular includes the plural as the context requires;
- (c) Every provision of this bylaw is independent of all other provisions and if any provision of this bylaw is declared invalid

by a Court, all other provisions of this bylaw remain valid and enforceable; and

(d) References to bylaws and enactments in this bylaw include amendments and replacement bylaws and enactments, and regulations and orders thereunder;

(e) Offences under this bylaw are strict liability offences.

Application

- 5 Nothing in this bylaw relieves a person from the obligation to comply with a provision of any other bylaw or enactment, or the requirements of a permit, order or licence issued under another bylaw or enactment.
- 6 Nothing in this bylaw prohibits a person from engaging in any activity that is lawfully permitted by another bylaw or enactment, or pursuant to a permit, order or licence granted under the authority of another bylaw or enactment and reasonably contemplated within the scope of a permit, order or licence.
- 7 The licensing requirements of this bylaw do not apply to service dogs, police dogs, or patrol dogs, but owners of those dogs are required to comply with the other provisions of this bylaw except where the offence or other provisions of this bylaw are contrary to the functions performed by those dogs, or an enactment, permit, order or licence governing service dogs, police dogs or patrol dogs exempts those dogs from the application of provisions of this bylaw.

**PART II – LICENSING**

Dog Licence

- 8 Every person who resides in the County for more than thirty (30) days each year, and is the owner of a dog that is older than three (3) months that is not exempt from the licensing requirements in this bylaw, must, not more than thirty (30) days after becoming the owner of the dog or moving to a residence in the County, apply to the County for a dog licence.
- 9 Every rescue organization that places a dog that is older than three (3) months that is not exempt from the licensing requirements in this bylaw, in a foster residence in the County must, not later than thirty (30) days after placement, apply to the County for a dog licence for that dog.
- 10 An owner applying for a dog licence must provide the following information to the County:
  - (a) The name and telephone contact number of the dog's owner or owners;
  - (b) The address where the dog's owner or owners reside and where the dog resides;

- (c) The dog's name;
- (d) The dog's microchip number, tattoo, registration number or other identifying numbers for the dog;
- (e) A complete physical description of the dog, including its breed, if any;
- (f) Such other and further information or records as may be requested or required by the Chief Commissioner to assist the Chief Commissioner to identify the dog and its owner or owners.

Update  
Information

- 11 Owners must update their dog licence application information not more than thirty (30) days after the information changes.

Fees

- 12 Every person applying for a dog licence must pay the dog licence fee prescribed by the Fees and Charges Bylaw, unless waived by this bylaw.

- 13 Dog licence fees are waived for:

- (a) rescue dogs;
- (b) progeny;
- (c) the first dog licence issued to an owner when the owner moves into the County or becomes the owner of a dog;
- (d) the licensing year following the licensing year in which:
  - i. an owner obtains an electronic identification microchip for a dog; or
  - ii. an owner and a dog successfully complete obedience, recall, or similar training approved by the Chief Commissioner; and
- (e) for the two licensing years following the licensing year in which an owner meets both requirements in subsection (d) in the same licensing year.

Conditions

- 14 The Chief Commissioner may impose conditions or restrictions on a dog licence and an owner must comply with any conditions or restrictions imposed.

Expiry

- 15 Dog licences are valid from the date of issue and expire on March 31 each year.

Onus

16 The onus of proving a person has a valid and subsisting licence is on the person alleging its existence.

Dog Tags

17 Upon issuance of a dog licence, the County will provide to the owner a dog tag for the licensed dog which must be visibly worn by the dog to which it relates on the dog's collar or harness when the dog is in a location other than the owner's property.

18 Dog tags are unique to the dog and its owner, and may not be transferred to other dogs or owners.

19 The County may replace lost dog tags upon receipt of an application for a replacement tag and payment of the fee prescribed by the Fees and Charges Bylaw.

Offence

20 An owner or other person who fails to comply with a provision under this Part is guilty of an offence.

**PART III – OVER-LIMIT PERMITS**

Limits

21 Unless an over-limit permit is issued to a person for a residence, that person may not keep, allow, suffer or permit more than the following number of dogs to reside or remain at a County residence:

(a) Not more than three (3) dogs, for residences of five (5) acres or less; and

(b) Not more than five (5) dogs for residences over five (5) acres.

Over-limit Permit

22 Upon receipt of an over-limit permit application and payment of the over-limit permit fee prescribed by the Fees and Charges Bylaw unless the fees are waived by the Chief Commissioner, the Chief Commissioner may issue an over-limit permit, with or without conditions or restrictions.

23 The Chief Commissioner may request from an over-limit permit applicant any records and information that in the opinion of the Chief Commissioner are material to the over-limit permit application, including, but not limited to records and information relating to whether:

(a) the applicant's residence is reasonably able to accommodate more than the permitted number of dogs;

(b) the applicant has special skills or qualifications for handling more than the permitted number of dogs;

(c) the applicant or other persons at the residence have been convicted of, or are under investigation for, bylaw offences under this bylaw or another animal bylaw or an enactment;



(d) the applicant is operating a foster residence, houses service dogs in training, has progeny at the residence, or any other circumstance giving rise to the application for an over-limit permit; or

(e) the applicant is moving from a location where the number of permitted dogs was higher.

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| Conditions               | 24 The Chief Commissioner may decline to issue an over-limit permit and may impose conditions and restrictions on an over-limit permit.   |
| Offence                  | 25 An owner or other person who fails to comply with a provision under this Part is guilty of an offence.   |
| Transferability          | 26 An over-limit permit is not transferable between residences.   |
| Expiry                   | 27 Over-limit permits are valid for the residence and the number of dogs specified in the over-limit permit from the date of issue until March 31 each year.  |
| Variation and Revocation | 28 The Chief Commissioner may vary the conditions or terms of an over-limit permit, and may revoke an over-limit permit if:<br><br>(a) the applicant provided false or misleading information or records in support of the application; or<br><br>(b) the applicant or a person residing or allowed to remain at the residence is convicted of an animal related offence. |

#### **PART IV – OFFENCES**

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| At large                                   | 29 An owner whose dog is at large is guilty of an offence.   |
| Deliver an at large dog to a peace officer | 30 A person who takes charge of an at large dog and fails to deliver it into the custody of a peace officer or animal shelter is guilty of an offence.                               |
| Remove Defecation                          | 31 A person who does not immediately remove defecation left by their dog at a location other than on the owner's property is guilty of an offence.                                   |
| Prohibited Spaces                          | 32 A person who brings a dog into an area where dogs are prohibited is guilty of an offence.   |
| Release                                    | 33 A person who without the consent of an owner, releases a dog from a secure enclosure is guilty of an offence.   |
| Unsupervised Dog                           | 34 A person who leaves a dog unsupervised at a location other than an owner's property, or private property with the consent of the private property owner, is guilty of an offence. |

Motor Vehicle

- 35 A person who transports a dog outside of the passenger compartment of a motor vehicle without securing the dog in such manner as to prevent escape or injury, is guilty of an offence.
- 36 A person who leaves a dog unsupervised outside of the passenger compartment of a motor vehicle or in an open passenger compartment of a motor vehicle is guilty of an offence.

Off-leash Area  
Conduct

- 37 A person who fails to carry a leash in an off-leash area is guilty of an offence.
- 38 A person who, in the opinion of a peace officer, fails to supervise and maintain reasonable control over a dog in an off-leash area is guilty of an offence.

Distress

- 39 A person who permits a dog to be in distress is guilty of an offence.

Confinement

- 40 A person who does not confine a female dog in heat to the owner's property, or with the consent of another private property owner to that owner's private property, is guilty of an offence.
- 41 A person who fails to confine or quarantine a dog that the owner has reason to suspect has been exposed to rabies, parvovirus, distemper or other similar serious contagious infection is guilty of an offence.

Noise

- 42 An owner of a dog that barks, howls, or otherwise makes such noise so as to, in the opinion of a peace officer, be likely disturb the peace of any person is guilty of an offence.
- 43 Dog barking and howling or other noise shall be deemed to disturb the peace of any person if the barking, howling or other noise activity:
- (a) occurs within 100 metres of another residence, and continues for more than one (1) hour; or
  - (b) occurs between the hours of 22:00 hours and 06:00 hours and continues for more than fifteen (15) minutes.

Owner's Property

- 44 An owner who fails to remove from the owner's property accumulations of dog fecal matter or other dog waste that is in the opinion of a peace officer excessive, is guilty of an offence.
- 45 An owner who permits dog fecal matter or other dog waste to drain into neighboring properties is guilty of an offence.

Damage

- 46 An owner of a dog that causes damage to private or public

property is guilty of an offence.

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| Garbage            | 47 An owner of a dog that scatters garbage is guilty of an offence.   |
| Aggressive Conduct | 48 The owner of a dog that, without provocation, threatens, chases, harasses, injures, harms, attacks or kills a person or animal is guilty of an offence.  |
| Onus               | 49 The onus of proving a dog is on the owner's property, or is on private property with the private property owner's consent, is on the owner.<br><br>50 The onus of proving provocation is on the person alleging provocation. |

## **PART V – DANGEROUS DOG PROVISIONS**

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| Declaration          | 51 The Chief Commissioner may declare a dog to be a dangerous dog for the purposes of this bylaw by issuing a dangerous dog notice to the dog's owner if the Chief Commissioner has reasonable grounds to believe either through personal observation or investigation that the dog: <ul style="list-style-type: none"><li>(a) is the subject of an order under the <i>Dangerous Dogs Act</i> or similar enactment;</li><li>(b) is the subject of a conviction under any bylaw or enactment for injuring, harming, attacking or killing a person or an animal;</li><li>(c) has inflicted a serious wound on a person or animal; or</li><li>(d) has a known propensity to, without lawful excuse, harm, attack, injure or kill another animal or a person.</li></ul> |
| Dangerous Dog Notice | 52 Where the Chief Commissioner declares a dog to be a dangerous dog, the Chief Commissioner shall serve a dangerous dog notice on the dog's owner which shall contain: <ul style="list-style-type: none"><li>(a) the declaration;</li><li>(b) the conditions, restrictions, and requirements imposed as a consequence of the declaration; and</li><li>(c) information on how to appeal the declaration.</li></ul>  |
| Service              | 53 The Chief Commissioner may deliver a dangerous dog notice by: <ul style="list-style-type: none"><li>(a) Personally serving notice on the owner;</li><li>(b) Delivering the notice by pre-paid registered post to the owner at the address provided by the owner for the dog's licence or</li></ul>   |

the owner's last known postal address; or

- (c) by posting the notice to the door or other conspicuous location at the owner's property.

54 A dangerous dog notice is deemed, in the absence of evidence to the contrary, to have been received by the owner on the day following the date on which it is delivered or posted at the owner's property, and on the seventh day following the date of mailing if sent by pre-paid registered post.

Dangerous  
Dog  
Requirements

55 The owner of a dog that has been served with a dangerous dog notice must within fifteen (15) days of the date of service, unless the Chief Commissioner in writing varies the requirements or the time for compliance:

- (a) Obtain a dangerous dog licence;
- (b) Post signage at the owner's property to notify the public of the presence of a dog that has been declared a dangerous dog;
- (c) Obtain and deliver to the County a copy of the owner's insurance coverage for dog related injuries in an amount not less than one million dollars (\$1,000,000.00);
- (d) If the dog is not microchipped, obtain a microchip for the dog; and
- (e) Deliver to the County copies of the dog's microchip, tattoo, Canadian Kennel Club or other documents to allow the County to identify the dog.

Dangerous  
Dog Conduct  
Requirements

56 In addition to complying with the provisions of this bylaw that apply to all owners and other persons, an owner of a dangerous dog:

- (a) must not permit the dog to be located within 100 metres of an off-leash area;
- (b) must maintain the dangerous dog in a secure enclosure when it is not attached to a leash;
- (c) exercise the dangerous dog on a leash that is no longer than two (2) metres in length;
- (d) securely fasten a muzzle to the dangerous dog when it is at a location other than the owner's property; and
- (e) must not allow any person other than an adult person to have physical control of the dangerous dog while it is at a location other than the owner's property.

Dangerous  
Dog Licence

57 An owner of a dangerous dog must obtain a dangerous dog licence for the dog not later than March 31 each year.

58 The Chief Commissioner may impose conditions and restrictions on a dangerous dog licence.

59 An owner who obtains a dangerous dog licence is not required to obtain a dog licence in addition to the dangerous dog licence.

Offence

60 An owner of a dangerous dog or other person who fails to comply with a provision under this Part is guilty of an offence.

Enforcement

61 If an owner of a dog declared to be dangerous under this Part fails to comply with the requirements of this Part, a peace officer may direct the owner to comply, or pursuant to a warrant, seize the dog and deliver it to an animal shelter pending further order of the Court.

## PART VI – DISEASE CONTROL

Owner's  
Responsibilities

62 The owner of a dog that has caused a serious wound, or that the owner has reason to suspect may have been exposed to rabies or other communicable disease under the *Public Health Act*, shall, in addition to any other duty imposed by the *Public Health Act* or other enactment immediately inform a peace officer:

- (a) of the infliction of the serious wound or the suspicion of exposure to rabies or other communicable disease;
- (b) of the name and contact information for the person or owner of the animal having received the serious wound; and
- (c) whether the matter has been reported to the local community health centre, Public Health Inspector, or the Medical Officer of Health.

Peace Officer's  
Authority

63 A peace officer that has reasonable grounds to believe that a dog found at large may have, or has been exposed to, rabies or another communicable disease under the *Public Health Act* :

- (a) shall report the matter to the Medical Officer of Health or a Public Health Inspector as soon as reasonably possible; and
- (b) may confine the dog at an animal shelter or any other location as directed by the Medical Officer of Health or a Public Health Inspector.

Offence

64 An owner or other person who fails to comply with a provision in this Part is guilty of an offence.

## PART VII – ENFORCEMENT

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| Continuing Offences  | 65 If an offence is of a continuing nature, each day or part thereof that a person fails to comply with the requirements of this bylaw constitutes a new offence.   |
| Obstruction          | 66 An owner or other person who interferes with or obstructs a peace officer in the execution of the peace officer's duties under this bylaw is guilty of an offence.   |
| False Information    | 67 An owner or other person who provides false information to a peace officer is guilty of an offence.  |
| Enforcement Measures | 68 Nothing in this bylaw precludes a peace officer from taking any enforcement measure available in another bylaw or an enactment, in addition to issuing a municipal tag or violation ticket for an offence.<br><br>69 A peace officer is a designated officer of the municipality with the power to conduct inspections, take enforcement action, and order any person to remedy a contravention pursuant to the <i>Municipal Government Act</i> , or as provided for and in accordance with any other enactment or bylaw.  |
| Municipal Tag        | 70 A peace officer may issue and serve a municipal tag on any person the officer has reasonable and probable grounds to believe has contravened a provision of this bylaw by:<br><br>(a) Personally serving the municipal tag on the person; or<br><br>(b) Mailing a copy of the municipal tag by pre-paid post to the address provided by an owner for a dog's licence application, or an owner's or other person's last known postal address.<br><br>71 A municipal tag shall be in a form approved by the Chief Commissioner and shall state:<br><br>(a) the name of the person to whom the municipal tag is issued;<br><br>(b) particulars of the contravention under this bylaw;<br><br>(c) the specified penalty for the offence as set out in Schedule "A";<br><br>(d) that the specified penalty shall be paid within thirty (30) days of the issuance of the municipal tag in order to avoid prosecution; and<br><br>(e) any other information as may be required by the Chief Commissioner.<br><br>72 If a municipal tag has been issued and the specified penalty on the |

municipal tag has not been paid within the prescribed time, a peace officer may issue a violation ticket to the person to whom the municipal tag was issued.

- 73 A peace officer may, in the officer's sole discretion, elect to issue and serve a violation ticket without first issuing a municipal tag.
- 74 A peace officer is authorized to issue a violation ticket to any person the peace officer believes on reasonable and probable grounds has committed an offence under this bylaw under Part 2 or Part 3 of the *Provincial Offences Procedure Act*.
- 75 If a violation ticket will be in the prescribed form and will:
- (a) state the specified penalty for the offence as set out in Schedule "A"; or
  - (b) require a person to appear in Provincial Court with or without the alternative of making a voluntary payment.

Penalties

- 76 A person guilty of an offence under this bylaw is liable upon summary conviction to a penalty in an amount not less than the amount specified in Schedule "A" of this bylaw, or if not prescribed in Schedule "A", not more than \$10,000.00, and any other penalties as may be prescribed in default of payment in relation to proceedings taken under Part 2 or Part 3 of the *Provincial Offences Procedure Act*.

**PART VIII – IMPOUNDMENT**

Peace Officer  
Powers

- 77 A peace officer, in addition to any other powers or authority granted under this or another bylaw or an enactment, is authorized:
- (a) to capture and impound at an animal shelter any dog that is at large;
  - (b) to take any reasonable measures necessary to subdue a dog that is at large or poses a reasonable safety threat to any person or a peace officer, including the use of traps, tranquilizers and other materials and equipment;
  - (c) to enter onto private or public lands in pursuit of a dog while it is at large; and
  - (d) if a dog is in distress, whether or not as a result of enforcement action taken pursuant to this bylaw, to take the dog to a registered veterinarian for treatment and, once treated, to deliver the dog to an animal shelter.

Costs

- 78 Impoundment charges are debts due and payable to the County by the owner or person in relation to whom enforcement or other action under

this bylaw is taken.

Reclaim Dog  
from  
Impound

79 An owner may reclaim an impounded dog by demonstrating to the satisfaction of a peace officer or an animal shelter that he or she owns the dog and paying the:

- (a) licensing fees, if the dog is unlicensed;
- (b) microchipping, if a dangerous dog is not microchipped; and
- (c) impoundment charges.

Unclaimed  
Dog

80 If an owner does not reclaim a dog within ten (10) days from the date a dog is impounded, the Chief Commissioner may in accordance with the *Animal Protection Act*, dispose the dog by sale or gift.

Medical  
Euthanasia

81 If in the opinion of a registered veterinarian an impounded dog should be humanely euthanized for medical reasons, the Chief Commissioner may direct the registered veterinarian to humanely euthanize the dog.

No Action

No action shall be taken against any person acting under the authority of this bylaw for damages for destruction or other disposal of a dog.

#### **PART IX – DECISIONS AND APPEALS**

Decisions

82 The following matters are within the Chief Commissioner's discretion, subject to any appeal or review provided for in this bylaw or to a Court:

- (a) Determination of which organizations constitute rescue organizations for the purposes of this bylaw;
- (b) Determination of which dog training and behavioural courses are acceptable for a dog licence fee waiver application;
- (c) Prescribing the forms required for applications and other matters under this bylaw;
- (d) Prescribing the form and content of signage or materials to be used to inform the public of the presence of a dangerous dog;
- (e) Determining appropriate conditions and restrictions for a dog licence, dangerous dog licence or over-limit permit;
- (f) Decisions on fee waiver applications for dog licences or over-limit permits; and
- (g) Prescribing the form and content of dog tags.

Appeals

83 An appeal to the County's General Appeals and Review Committee lies from the Chief Commissioner's decisions on the following matters:



- (a) dangerous dog declarations;
- (b) to deny or revoke an over-limit permit;
- (c) conditions or restrictions on a dog licence, dangerous dog licence or over-limit permit.

84 An owner must deliver notice in writing to the Chief Commissioner of an appeal not less than seven (7) days after the date on which the owner was served notice of the Chief Commissioner's decision.

85 The Chief Commissioner will, not later than seven (7) days after notice of an appeal was delivered to the Chief Commissioner, deliver to the General Appeals and Review Committee, the records and information upon which the decision under appeal was based.

Judicial  
Review

86 The decision of the General Appeals and Review Committee is final, subject to judicial review by the Courts.

#### PART X - GENERAL

Effective Date 87 This bylaw comes into effect on January 1, 2018.

Repeal 88 Bylaw 85-2006 is repealed on January 1, 2018.

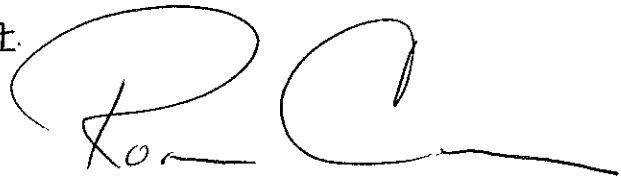
Transitional 89 Nothing in this bylaw invalidates any action taken, licence or permit granted or revoked, or offence proceeding commenced under or pursuant to Bylaw 85-2006.

READ A FIRST TIME THIS 5<sup>th</sup> day of September, 2017.

READ A SECOND TIME THIS 5<sup>th</sup> day of September, 2017.

READ A THIRD TIME THIS 5<sup>th</sup> day of September, 2017.

SIGNED THIS 6<sup>th</sup> day of September, 2017.



MAYOR



DIRECTOR, LEGISLATIVE AND LEGAL  
SERVICES



**SCHEDULE "A"**  
**Bylaw 37-2017**  
**RESPONSIBLE DOG OWNERSHIP BYLAW**  
**SPECIFIED PENALTIES**

| <b>Section</b> | <b>Offence</b>  | <b>1<sup>st</sup> Offence</b> | <b>2<sup>nd</sup> Offence</b> | <b>3<sup>rd</sup> and<br/>Subsequent<br/>Offences</b> |
|----------------|---|-------------------------------|-------------------------------|---|
| 20             | Failure to obtain a dog licence   | \$250                         | \$500                         | \$1,000   |
| 20             | Failure to comply with conditions or restrictions on a dog licence                            | \$250                         | \$500                         | \$1,000   |
| 20             | Failure to update dog licence information   | \$50                          | \$100                         | \$200   |
| 20             | Attaching a dog's tag to a different dog or transferring it to a different owner              | \$250                         | \$500                         | \$1,000   |
| 20             | Failure to attach a dog tag to a dog's harness or collar                                      | \$100                         | \$200                         | \$400   |
| 25             | Failure to obtain an over-limit permit with higher than permitted number of dogs at residence | \$250                         | \$500                         | \$1,000   |
| 25             | Failure to comply with conditions or restrictions on an over-limit permit                     | \$250                         | \$500                         | \$1,000   |
| 25             | Provide false or misleading information to obtain an over-limit permit                        | \$250                         | \$500                         | \$1,000   |
| 29             | Dog at large  | \$150                         | \$300                         | \$600   |
| 30             | Failure to deliver dog at large to a peace officer  | \$250                         | \$500                         | \$1,000   |
| 31             | Failure to remove defecation at location other than owner's property                          | \$150                         | \$300                         | \$600   |
| 32             | Bring dog to a dog prohibited area  | \$100                         | \$200                         | \$400   |
| 33             | Release dog from secure enclosure without owner's consent                                     | \$100                         | \$200                         | \$400   |

|    |   |       |         |         |
|----|---|-------|---------|---------|
| 34 | Leave dog unsupervised while off owner's property   | \$100 | \$200   | \$400   |
| 35 | Transporting dog in motor vehicle without securing dog  | \$100 | \$200   | \$400   |
| 36 | Leaving dog unsupervised outside of passenger compartment or within open passenger compartment  | \$100 | \$200   | \$400   |
| 37 | Failure to carry a leash in an off-leash area   | \$100 | \$200   | \$400   |
| 38 | Failure to supervise and maintain reasonable control over dog in off-leash area                 | \$100 | \$200   | \$400   |
| 39 | Allow dog to be in distress   | \$250 | \$500   | \$1,000 |
| 40 | Failure to confine female dog in heat   | \$100 | \$200   | \$400   |
| 41 | Failure to quarantine a dog suspected of or having rabies, parvovirus or distemper              | \$250 | \$500   | \$1,000 |
| 42 | Dog barking, howling or other noise disturbing the peace of other person                        | \$150 | \$300   | \$600   |
| 44 | Failure to remove accumulations of fecal matter at owner's property                             | \$150 | \$300   | \$600   |
| 45 | Allow dog fecal matter or dog waste to drain into neighbouring properties                       | \$150 | \$300   | \$600   |
| 46 | Dog damages private or public property  | \$100 | \$200   | \$400   |
| 47 | Dog scattering garbage  | \$100 | \$200   | \$400   |
| 48 | Dog threatens, chases, or harasses a person or animal   | \$100 | \$200   | \$400   |
| 48 | Dog injures, harms, attacks or kills a person or animal   | Court | Court   | Court   |
| 60 | Failure to obtain a dangerous dog licence or comply with conditions and restrictions in licence | \$500 | \$1,000 | \$2,000 |
| 60 | Failure to post signage to notify public of   | \$500 | \$2,000 | \$4,000 |

|    |   |         |         |         |
|----|---|---------|---------|---------|
|    | dangerous dog at owner's property   |         |         |         |
| 60 | Dangerous dog within 100 metres of an off-leash area                                | \$250   | \$500   | \$1,000 |
| 60 | Failure to maintain dangerous dog in secure enclosure at owner's property           | \$250   | \$500   | \$1,000 |
| 20 | Dangerous dog at large  | \$1,000 | \$2,000 | \$4,000 |
| 60 | Dangerous dog attached to leash longer than two metres while off owner's property   | \$250   | \$500   | \$1,000 |
| 60 | Dangerous dog not wearing muzzle when off owner's property                          | \$250   | \$500   | \$1,000 |
| 60 | Dangerous dog not under physical control of adult person while off owner's property | \$500   | \$1,000 | \$2,000 |
| 64 | Failure to comply with disease control requirements                                 | \$1,000 | \$2,000 | \$4,000 |
| 66 | Interfere with or obstruct peace officer  | \$500   | \$1,000 | \$2,000 |
| 67 | Provide false information to a peace officer  | \$500   | \$1,000 | \$2,000 |