

**TOWN OF BON ACCORD
BY-LAW 2016-06
ANIMAL CONTROL BYLAW**

A BYLAW OF THE TOWN OF BON ACCORD, IN THE PROVINCE OF ALBERTA, TO LICENSE AND CONTROL DOGS, CATS, DOMESTIC ANIMALS AND EXOTIC ANIMALS WITHIN THE TOWN OF BON ACCORD.

WHEREAS the Council wishes to restrain and regulate the running-at-large of Dogs and Cats in the Town of Bon Accord; and

WHEREAS the Council deems it expedient to license Dogs and Cats in the Town of Bon Accord; and

WHEREAS the Council wishes to regulate the keeping of domestic and exotic animals; and

WHEREAS the Municipal Government Act RSA 2000, Chapter M-26 as amended or repealed and replaced from time to time, authorizes Council to pass such a Bylaw;

NOW, THEREFORE, the Council of the Town of Bon Accord duly assembled enacts as follows:

PART 1 – TITLE

1.1 This Bylaw may be cited as “THE ANIMAL CONTROL BYLAW.”

PART 2 – DEFINITIONS

2.1 In this Bylaw, unless the context otherwise requires, the following definitions shall apply:

- (a) “ANIMAL CONTROL OFFICER” means the person or persons appointed as such from time to time by the Town of Bon Accord Council, to perform any duties under this Bylaw and includes but is not limited to; a member of the Royal Canadian Mounted Police, a Peace Officer and a By Law Enforcement Officer;
- (b) “ANIMAL SHELTER” shall mean the premises designated by the Town for the purpose of impounding and caring for all Dogs and Cats found to be contravening any section of this Bylaw;
- (c) “AT LARGE” shall mean a dog, cat or other animal that; is at any other property than that of the “owners”, is not on a “permitted leash” and under “effective control”;
- (d) “CAT” shall mean either a male or female of the felidae family;
- (e) “CAO” shall mean the Chief Administrative Officer of the Town of Bon Accord or their appointed representative.
- (f) “CHIPPED” shall mean a working implanted identification microchip as is commonly inserted by a veterinarian;
- (g) “COUNCIL” shall mean the Town Council for the municipal corporation of the Town of Bon Accord;
- (h) “DAMAGE TO PUBLIC OR PRIVATE PROPERTY” shall include but not be limited to defecating and/or urinating on such property; as well as knocking over, disrupting or leaving garbage strewn about.
- (i) “DOG” shall mean either a male or female of the canidae family;
- (j) “DOMESTIC ANIMAL” shall mean an animal which has been habituated to live and breed in a tame condition, in or about habitations of people. For the purpose of this bylaw it will include but not be limited to Dogs, Cats and Rabbits but will not include those animals that would normally be kept in an aquarium or terrarium. Also

**TOWN OF BON ACCORD
BY-LAW 2016-06
ANIMAL CONTROL BYLAW**

not included in the definition of this bylaw are those animals which would normally be considered farm animals or live stock.

- (k) "DWELLING UNIT" shall mean a self-contained living premises with cooking, eating, living, sleeping and sanitary facilities for domestic use of one or more individuals;
- (l) "EFFECTIVE CONTROL" Shall mean a person of suitable size, strength and maturity using a permitted lease to be able to control the movements of an animal. This must take into consideration that the animal may be or become excited, agitated, scared etc. In addition to this meaning a guard dog, a dog that has been declared viscous or a dog that the owner suspects may be or become vicious must be controlled by a responsible person of at least 18 years of age;
- (m) "EXOTIC ANIMALS" shall mean all those animals that are not otherwise covered in this bylaw;
- (n) "GUARD DOG" shall mean a Dog trained to patrol privately owned, residential or non-residential property, whether or not accompanied by its Owner or someone acting on behalf of and with the authority of its Owner for the purpose of protecting said property against, inter alia, break-in, theft, trespass, and vandalism;
- (o) "KENNEL" shall mean any place owned by any person, group of persons, or corporation engaged in the commercial business of breeding, buying, selling or boarding animals of any kind;
- (p) "LARGE ANIMAL" shall mean an animal; other than that of a person, dog or cat that as an adult will weigh in excess of 15 kilograms.
- (q) "LICENCE" means an identification tag of metal or other material issued by the "Town" showing the licence number of a specific animal;
- (r) "LIFETIME LICENCE" means a Licence tag whereby the "Owner" of the animal pays to the "Town" the fee as set out in Schedule "A" of this Bylaw and the Licence tag is effective for the duration of the life of the animal; subject to Part 2 section 9.2;
- (s) "MOTOR VEHICLE" shall mean a;
 - (i) A vehicle propelled by any power other than muscle power; or
 - (ii) A moped

But does not include a bicycle, a power bicycle or an implement of husbandry.

- (t) "MUZZLED" shall mean an animal wearing a professionally designed device so as to prevent the animal from being able to bite a person or another animal and is unable to remove said device by itself.
- (u) "NOISE" shall mean a noise created by a "domestic animal" that is without direct valid cause and excessive in the opinion of an "animal control" or peace officer, constitute an unreasonable disturbance of the quiet or repose of a person.
- (v) "OWNER" means and includes any person owning, possessing, having the charge or control over, harboring, suffering or permitting any dog or cat to remain about the house or property;
- (w) "PERMITTED LEASH" shall mean a leash adequate to restrain the attached Dog or Cat which shall not be longer than two (2) meters; "electronic" leashes are not considered a permitted lease.
- (x) "POUNDKEEPER" shall include the Animal Control Officer and any person or persons duly authorized to operate the Animal Shelter;

**TOWN OF BON ACCORD
BY-LAW 2016-06
ANIMAL CONTROL BYLAW**

- (y) "PROHIBITED ANIMALS" shall mean those animals that are not allowed to be kept or housed, whether temporarily or permanently within the Town of Bon Accord municipal limits;
- (z) "PUBLIC PROPERTY AREA" shall mean all property owned by or under the control and management of the Town and located within the Town limits;
- (aa) "RESTRICTED ANIMALS" shall mean those animals that by number, type or land use zoning may be restricted in number or areas in which they may be kept or housed but shall not for this bylaw to include Dogs or Cats;
- (bb) "SECURE AND LOCKED PEN" shall mean a locked building, cage or fenced area of such construction that will not allow the confined dog or dogs to jump, climb dig or force their way out, or allow the entry of any person not in control of the dog;
- (cc) "SERVICE DOG" shall mean a dog individually trained by a recognized agency to do work or perform tasks for people with disabilities; Or as described in the Alberta Provincial statues and regulations "Service Dogs Act" and "Blind persons' Rights Act". This will include any other Provincial or Federal laws concerning the rights of "service dogs" and their owners;
- (dd) "SERIOUS WOUND" shall mean an injury resulting from an animal bite, clawing or attack which causes the skin to be broken, or the flesh to be torn;
- (ee) "SPECIAL PERMIT" shall mean a permit granted by the CAO or their representative that may or may not have restrictions on it regarding allowances or variances to Parts 2, 3, 4 or 5 of this bylaw
- (ff) "TOWN" shall mean the municipal corporation of the Town of Bon Accord;
- (gg) "VICIOUS DOG" shall mean any Dog which:
- a) Has been declared to be dangerous by a Justice under the provisions of the Dangerous Dogs Act RSA 2000, Chapter D-3 and amendments thereto;
 - b) Has been determined by, and declared a "Vicious Dog" by the "Animal Control Officer" and Chief Administrative Officer (CAO)
- (hh) "VIOLATION TAG" means a Violation tag issued under the authority of the Town of Bon Accord which complies with Part 9 Sections 3 and 4 hereof.
- (ii) "VIOLATION TICKET" means a Violation ticket issued pursuant to the provisions of Part 2 or Part 3 of the Provincial Offences Procedure Act, R.S.A. 2000, c. P-34 ("POPA"), or the regulations thereunder.
- (jj) "WARNING SIGN" shall mean a sign that;
- a) is not less than 15 cm by 20 cm (approximately 6 inches by 8 inches) in dimension;
 - b) has bold block letters not less than 5cm (2 inches) in height;
 - c) declares at a minimum "BEWARE A ("VICIOUS DOG" or "GUARD DOG" whichever one is applicable) ON PREMISES";
 - d) shall be made of a durable all weather type material;

PART 3 - LICENSING

Section 1

**TOWN OF BON ACCORD
BY-LAW 2016-06
ANIMAL CONTROL BYLAW**

1.1 No person, or combination of persons, residing at any single Dwelling Unit shall own, keep or harbor more than four (4) domestic animals, or combination thereof, older than 6 months at any one time.

Section 2

2.1 No person shall own, keep or harbor any Dog or Cat over the age of six (6) months within the Town limits unless such Dog or Cat is licensed as herein provided.

2.2 In any prosecution or proceeding for a contravention of this Section, the burden of proof as to the age of the Dog or Cat and that of the person charged under this Section that is not the Owner of the said Dog or Cat shall rest upon the person so charged.

Section 3

3.1 The Owner of every Dog or Cat in the Town shall pay to the Town the appropriate license fee, as set out in Schedule "A", attached hereto and forming part of this Bylaw.

3.2 Where a dog is deemed to be a Vicious Dog pursuant to the provisions of this Bylaw, the Owner of said Dog shall be required to obtain a Vicious Dog licence; paying the appropriate license fee for same as being set out in Schedule "A" attached hereto. The following condition must be met before a Vicious Dog Licence will be issued:

a) Provide proof of an active liability insurance policy as described in section 5.

Section 4

4.1 Every person who resides within the limits of the Town and being the Owner of a Dog or Cat shall, before the 31st day of January in each year, obtain a licence for each of the Dog(s) or Cat(s) owned for the current calendar year, unless a valid lifetime licence (as set out in Schedule "A" attached) has been previously purchased for a particular animal.

4.2 A licence, as required in 4.1 will not be issued to anyone having outstanding fines that have arisen as a result of this bylaw unless such outstanding fine is under judicial review.

Section 5

5.1 Every person residing in the Town who becomes the Owner of a Dog or Cat after January 31st in any year, and every person who takes up residence within the Town after January 31st in any year, and who is the Owner of a Dog or Cat which is not then licensed in accordance with this Bylaw, shall license said Dog or Cat and pay the licence fee herein provided, within fifteen (15) days after becoming the Owner of the said Dog or Cat, or being the Owner of the said Dog or Cat and taking up residence within the Town.

Section 6

6.1 A Dog or Cat Owner shall provide the following information with each application for a Dog or Cat licence;

a) Name and address of the Owner;

b) name and description of the Dog or Cat to be licensed;

c) the breed or cross-breed of the Dog or Cat;

d) to benefit from the reduced licence fee, a veterinarian's certificate indicating the Dog or Cat is spayed or neutered or a statutory declaration executed by the Owner stating that the Dog or Cat is spayed or neutered;

**TOWN OF BON ACCORD
BY-LAW 2016-06
ANIMAL CONTROL BYLAW**

- e) tattoo or implanted chip number (if available); and
- f) whether or not the dog has ever been assessed as a dangerous, vicious or restricted dog in its history;
- g) such other relevant and necessary information as may be required by the Town with respect to the application.

6.2 A Dog or Cat Owner shall not provide misleading or false information when applying for a licence.

Section 7

7.1 Every person who becomes the Owner of a Dog or Cat which is currently licensed in accordance with the provisions of this Bylaw, shall provide the Town with their name, street address and the licence number of the Dog or Cat within fifteen (15) days after becoming the Owner of the said Dog or Cat.

Section 8

8.1 Licences issued under this Bylaw shall not be transferable from one Dog or Cat to another. Or from one owner to another.

Section 9

9.1 Upon payment of the required licence fee, the Owner will be supplied with a licence tag.

9.2 Dogs designated vicious are ineligible from receiving life time identification tags. If a dog that has a yearly or life time identification tag is designated to be vicious under this bylaw the current identification tag becomes invalid. The tag then must be surrendered to the town without compensation and a dog licence with appropriate payment as stated in schedule "A" be obtained.

Section 10

10.1 Every Owner shall ensure that the licence tag is either securely fastened to a choke chain, collar, or harness which must be worn by the Dog or Cat at all times or is in the possession of the Owner and available upon request whenever the Dog or Cat is on property other than the property of the Dog or Cat Owner or property owned, leased or rented by the Owner.

10.2 Every Owner of a Vicious Dog shall ensure that the licence tag is either securely fastened to a choke chain, collar, or harness which must be worn by the Dog whenever the Dog is on property other than the property of the Dog Owner or property owned, leased or rented by the Owner.

Section 11

11.1 The Owner of a Dog or Cat which has been duly licensed under this Bylaw, may obtain a licence tag to replace a licence tag which has been lost, upon payment of the licence tag replacement fee as set out in Schedule "A" attached hereto.

Section 12

12.1 The provisions of Part 2, Sections 1 to 12 inclusive, shall not apply to the following:

- a) Persons temporarily in the Town for a period not exceeding four (4) weeks;

**TOWN OF BON ACCORD
BY-LAW 2016-06
ANIMAL CONTROL BYLAW**

- b) holders of a valid development permit, issued pursuant to the Land Use Bylaw, authorizing the operation of a Kennel;
- c) persons holding an identification card proving ownership and certification of a Service Dog for their use;
- d) persons caring for a Dog or Cat for a period of no longer than thirty (30) days, once per year, where the Owner of the Dog or Cat resides outside the municipal boundaries as long as the animal is able to be identified through one or more of the following; other municipal tags, tattoos or identification chipping.

Section 13

13.1 Special permits for exemptions to Part 2, 3, 4, 5 and 6 may be granted at the discretion of the Chief Administrative officer or their representative if;

- a) In the absence of clarity or areas not covered in this bylaw; and
- b) It does not interfere with the general context of the animal control, land use or community standards bylaws.
- c) There is special occasion to do so for a limited period.

13.2 Restrictions and or time limits may be included in special permits at the discretion of the Chief Administrative Officer.

PART 4 - CONTROL OF DOMESTIC ANIMALS

Section 1

1.1 The Owner of any animal shall not permit such animal to be At Large within the corporate limits of the Town.

Section 2

2.1 The Town may post signs indicating those Public Property Areas within the Town wherein the presence of Dogs or Cats whether At Large or under the control of the Owner, is expressly prohibited. The Owner of the Dog or Cat found in such assigned areas shall have committed an offence under this Bylaw.

2.2. Section 2.1 shall not apply to an Owner of a service dog.

Section 3

3.1 No Owner shall permit his Animal to cause Damage to Public or Private Property.

3.2 The owner of an animal shall not tether any animal on or to public property including but not limited to trees, fences, sign poles, benches.

3.3 The owner of a female animal in estrus or "heat" must contain or restrain said animal both on their property and off so as not to cause the attraction of other animals.

Section 4

4.1 A person in care and control of a Dog or Cat not on their own property must carry and produce when asked, a means of removing their dogs or cats defecation.

**TOWN OF BON ACCORD
BY-LAW 2016-06
ANIMAL CONTROL BYLAW**

4.2 If a Dog or Cat defecates on any public or private property other than the property of its Owner, the Owner shall cause such defecation to be removed immediately.

4.3 The Owner of any property where an Animal is kept shall maintain such property at all times in a clean, sanitary and inoffensive condition.

Section 5

5.1 No Owner shall permit his Dog to bark or howl excessively or his Cat to meow or howl excessively. (See also Community Standards Bylaw 2014-06 section 12, noise)

Section 6

6.1 The Owner of a Domestic Animal shall not permit his animal to:

- a) Threaten or bite people;
- b) Chase motor vehicles;
- c) Chase people; or
- d) Attack, harass, injure or kill pets belonging to other persons.

6.2 An Owner shall not be deemed to have failed or refused to comply with the requirements of Subsection 6.1 where their Domestic Animal threatens, chases, attacks or bites:

- a) a trespasser on the property where its Owner resides, or in the case of a Guard Dog, a trespasser on the property being patrolled by said Dog pursuant to the provisions of Part 5 Subsection 1.3 of this Bylaw; or
- b) a person who is physically abusing or teasing said Domestic Animal.

Section 7

7.1 The Animal Control Officer is authorized to capture and impound all Dogs, Cats, Domestic Animals or Prohibited Animals found contrary to the provisions of this Bylaw.

7.2 In enforcement of the jurisdiction provided in Subsection 14.1, the Animal Control Officer is hereby authorized to enter any privately-owned premises at reasonable times.

7.3 The authority of an Animal Control Officer to enter privately-owned premises does not extend to include the entry of a building used as a dwelling house.

7.4 To assist in the seizure of Animals At Large, live animal traps may be utilized by the Animal Control Officer.

Section 8

8.1 No person, whether or not he/she is the Owner of a Animal which is being or has been pursued or captured shall:

- a) Interfere with or attempt to obstruct an Animal Control Officer who is attempting to capture or who has captured any animal in accordance with the provisions of this Bylaw.

8.2 No person shall:

**TOWN OF BON ACCORD
BY-LAW 2016-06
ANIMAL CONTROL BYLAW**

- a) Tease, taunt or otherwise harass any domestic animal;
- b) Physically harm, attempt to harm or cause harm to come to a domestic animal;
- c) Release, cause to escape or encourage to escape any animal from their enclosure, tether, or confinement.

Section 9

- 9.1 The Pound keeper shall keep all Dogs or Cats captured and impounded pursuant to the provisions of this Bylaw for a period of at least seventy-two (72) hours; however regardless of the time impounded, as per the Animal Holding Facility Agreement, all unclaimed animals will be taken to the Edmonton Humane Society or an equivalent type facility on Fridays of each week or prior to a statutory holiday as the holding facility will not host animals over weekends or statutory holidays.
- 9.2 During the period that the animals are kept at the Town's designated holding facility, any Dog or Cat may be redeemed by its Owner or agent of the Owner upon payment of:
- a) The appropriate licence fee when a Dog or Cat is not licensed, payable to the Town;
 - b) A per diem impounding fee, as established per the Animal Shelter, payable to the Contractor;
 - c) The appropriate fee as it relates to sections 9.4 or 10.5 if applicable.
- 9.3 If a Dog or Cat is not redeemed within the seventy-two (72) hours referred to in Subsection 16.1, said Dog or Cat may be destroyed or sold to a person other than the Owner, upon payment to the Town of all applicable fees as referred to in Subsection 9.2.
- 9.4 The Pound keeper shall report any apparent illness, communicable disease, injury or unhealthy condition of any impounded Dog or Cat to a veterinarian and act immediately upon the veterinarian's recommendations. The Owner of the Dog or Cat will be responsible for all resulting financial charges.
- 9.5 When, in the judgment of a licensed veterinarian, a Dog or Cat should be destroyed for humane reasons, such Dog or Cat may not be redeemed.
- 9.6 No action for damages shall be taken against any person acting under the authority of this Bylaw for destruction or disposal of a Dog or Cat.

Section 10

- 10.1 Where an animal has inflicted a Serious Wound on a person, pet or domestic animal, the person or owner of the pet or animal who has received the said wound, and the Owner of the animal causing the serious wound, where said Owner is aware of the Serious Wound being inflicted, shall promptly report the occurrence to the Animal Control Officer.
- 10.2 Upon demand of the Animal Control Officer, the Owner shall forthwith surrender any animal which has inflicted a Serious Wound upon any person.
- 10.3 Where an animal is captured pursuant to this Section, the Animal Control Officer may quarantine such animal, which shall not be released from such quarantine except by written permission of a licensed veterinarian.
- 10.4 Quarantine location shall be at the discretion of the Animal Control Officer.

**TOWN OF BON ACCORD
BY-LAW 2016-06
ANIMAL CONTROL BYLAW**

10.5 Expenses, if any for costs incurred as a result of actions from section 10 will be the animal owners responsibility.

PART 5 VICIOUS DOGS AND GUARD DOGS

Section 1

1.1 The Owner of a vicious dog shall not permit such animal to be At Large within the corporate limits of the town.

1.2 The Owner of a declared Vicious Dog shall take all necessary steps to ensure that such Dog does not bite, chase or attack any person or other animal, whether the person or animal is on the property of the Owner or not.

1.3 Subsection 1.2 shall further not apply in the case of a Guard Dog, where said Guard Dog is actively engaged in patrolling privately-owned, residential or non-residential property provided:

- a) the perimeter of the property being patrolled is sufficiently secured by way of a continuous fence or other form of barricade or barrier so as to prevent such Dog from escaping there from or people entering lawfully and;
- b) Warning signs are posted around the perimeter and all entrance points of the said property alerting the public that the said property is patrolled by a Guard Dog;
 - i) Warning signs must always be kept legible, viewable and in good repair.
- c) the said Guard Dog is under the effective control of its Owner, or someone over the age of eighteen (18) years acting on behalf of and with the authority of the Owner, as required by this Bylaw, while said person is in attendance on the property being patrolled.

1.4 The Owner of a Vicious Dog shall not permit, suffer or allow such Vicious Dog to be on any Public Property Area or private property that is not owned or under the control of such Owner, unless the Vicious Dog is:

- a) Muzzled; and
- b) On a Permitted Leash; and
- c) Under the effective control of the Owner or someone over the age of eighteen (18) years acting on behalf of and with the authority of the Owner as required by this Bylaw.

1.5 Paragraphs 1.4 (a, (b, (c, shall not apply where the Vicious is confined within a Secure and Locked Pen.

Section 2

2.1 At all times while a Vicious Dog is on the property on which its Owner resides, the Owner shall either keep such Dog confined indoors and under the effective control of a person over the age of eighteen (18) years, acting on behalf of and with the authority of the owner as required by this Bylaw, or confined in a Secure and Locked Pen capable of preventing the entry of young children.

2.2 Where a Vicious Dog is on private property owned by, or under the control of its Owner, said Owner shall not allow the Vicious Dog to be outdoors or out of a Secure and Locked Pen unless the Vicious Dog is on a Permitted Leash and under the effective control of the Owner or someone over the age of eighteen (18) years acting on behalf of and with the authority of the Owner as required by this Bylaw.

**TOWN OF BON ACCORD
BY-LAW 2016-06
ANIMAL CONTROL BYLAW**

2.3 Subsection 2.1 or 2.2 shall not apply in the case of a Guard Dog, where said Guard Dog is actively engaged in patrolling privately owned, non-residential property or under the control of its Owner, or someone over the age of eighteen (18) years acting on behalf of and with the authority of the Owner.

Section 3

3.1 When the Animal Control Officer or Pound keeper has either, through personal observation, or after a complaint has been filed, believes that a dog;

- i) shows a propensity, disposition or potential to attack or injure, without provocation, humans or other animals;
- ii) could be a continuing threat of serious harm to humans or other animals;
- iii) without provocation, chases any person in a threatening manner;
- iv) has inflicted a Serious Wound upon a human or upon a Domestic Animal without provocation;
- v) is owned or harbored for the purpose of dog fighting.

The Animal Control Officer or Pound Keeper may start an investigation and or proceeding into declaring a dog "Vicious"

3.2 If the results of the investigation warrants it, the dog may be declared vicious with the authority and agreement of both the animal control officer and the Chief Administration Officer.

3.3 If the dog is declared Vicious under this bylaw then the animal control officer shall in writing:

- a) Inform the Owner that said Dog has been determined to be a Vicious Dog;
- b) Require the Owner to keep said Dog in accordance with the provisions of this Bylaw respecting Vicious Dogs;
- c) Inform the Owner that, if said Vicious Dog is not kept in accordance with the provisions of this Bylaw with respect to Vicious Dogs, the owner will be fined, or subject to enforcement action pursuant to Sections 1, 2, 4, and 5 of Part 5 of this bylaw.

3.4 The decision to have a dog declared Vicious is only appealable to town council whose decision will be final.

3.5 If in the opinion of the Animal Control Officer or Pound keeper that a dog is dangerous he or she may make a complaint under the Dangerous Dogs Act RSA 2000, Chapter D-3 for an Order directing, inter alia, that such Dog be controlled or destroyed whether or not the dog has first been declared vicious.

Section 4

4.1 Where a Dog is deemed to be a Vicious Dog pursuant to the provisions of this Bylaw, the Owner of such Dog shall:

- a) Post Warning signs on his or her premises alerting the public that a Vicious Dog is located on said premises; and
 - i) Warning signs must always be kept legible, viewable and in good repair.
 - ii) Post a sign at every entrance or access to the property

**TOWN OF BON ACCORD
BY-LAW 2016-06
ANIMAL CONTROL BYLAW**

- b) Not breed or sell such Dog within the Town;
- c) Notify the Animal Control Officer or Pound keeper and the town office should said Dog be At Large;
- d) Obtain the appropriate Vicious Dog licence as specified by the Town which is to be worn by such Dog at all times;
- e) And have such Dog tattooed and/or chipped to the satisfaction of the Animal Control Officer, for the purpose of identifying such Dog, should the dog tag not be on the animal.

4.2 As a condition of obtaining a Vicious or Dangerous Dog licence, the Owner shall have and keep in place a policy of liability insurance in a form satisfactory to the Town of Bon Accord that shall;

- a) Provide a third party liability coverage in a minimum amount of one million dollars \$1,000,000.00 that will cover the costs for any injuries that may be caused by the Owner's Dog and
- b) Contain a provision requiring the issuer to immediately notify the Town in writing should the policy expire or be cancelled or terminated.

Section 5

5.1 Where a declared Vicious Dog has inflicted a Serious Wound, the person who has received the said wound, or the Owner of said animal, where said Owner is aware of the Serious Wound being inflicted, shall promptly report the occurrence to the Animal Control Officer.

PART 6 RESTRICTED ANIMALS

Section 1

1.1 Bees, poultry and livestock without permit will only be allowed on land in the town of Bon Accords municipal boundaries on land designated under the land use bylaw as that of UR, Urban Reserve when;

- (a) It is done only in the use of standard family type farming; and
- (b) With no high intensity use of that such as a feed lot operation or poultry barns in excess of a total of 500 birds.

1.2 In other land use designations restricted animals in limited quantities may be permitted for, if in the opinion of the development officer, keeping of said animals will not put any hardship on the neighbors or in violation of any other bylaws. Examples of that could be 4 laying hens, 1 hive of bees 2 boxes high. Conditions shall be set forth in the permit and may include but not be limited to; numbers, types, sexes, habitation requirements and distances from property lines.

1.3 Large animals shall not be permitted to be kept or housed in residential areas, this section shall not apply to "Domestic Animals"

Section 2

**TOWN OF BON ACCORD
BY-LAW 2016-06
ANIMAL CONTROL BYLAW**

2.1 An Animal Control Officer is authorized to investigate any complaints arising from the keeping of Restricted Animals. Where, pursuant to said investigation, the Animal Control Officer determines that:

- a) The Restricted Animals are not being kept in accordance with the provisions of this Bylaw, the permit issued and the conditions of the permit; or
- b) The said Restricted Animals have caused damage to the property of another person, the Animal Control Officer may direct the Owner of said Restricted Animals to comply with the provisions of this Bylaw and without limiting the generality of the foregoing, may direct the said Owner to restrain, dispose of, or destroy same.

PART 7 – PROHIBITED ANIMALS

1.1 No person shall keep, harbor, or possess any poisonous; snakes or reptiles.

1.2 No person shall keep, harbor, or possess an animal that is not stated in this bylaw.

PART 8 - RABIES CONTROL

Section 1

1.1 In the event of an outbreak or a threatened outbreak of rabies or any disease affecting any animal and which may be transmitted to human beings, Council may, by resolution, order and direct that all animals shall be kept securely tied up by the Owner or shall be otherwise effectively confined. Any animal found At Large in contravention of this Section shall be impounded.

Section 2

2.1 Upon demand made by the Animal Control Officer, an Owner shall forthwith surrender any animal which the Animal Control Officer has reasonable and probable grounds to suspect of having been exposed to rabies, for supervised quarantine which expense shall be borne by the Owner, and the animal may be reclaimed by the Owner once adjudged free of rabies, upon payment of confinement expenses and upon compliance with the licensing provisions of this Bylaw.

Section 3

3.1 When an animal under quarantine has been diagnosed as rabid, or suspected by a licenced veterinarian as being rabid, and dies while under such observation, the Pound keeper shall immediately send the head of such animal to the appropriate health department for pathological examination and shall notify the Public Health Officer of reports, human contacts and the diagnosis made of the suspected animal.

Section 4

4.1 During such period of rabies quarantine as herein mentioned, every animal bitten by an animal adjudged to be rabid, shall either be forthwith destroyed or shall be treated for rabies infection by a licenced veterinarian, at the Owner's expense.

Section 5

5.1 The carcass of any dead animal exposed to rabies shall be reported to, and, upon demand, be surrendered to the Pound keeper.

Section 6

**TOWN OF BON ACCORD
BY-LAW 2016-06
ANIMAL CONTROL BYLAW**

6.1 The Pound keeper shall direct the disposition of any animal found to be infected with rabies.

PART 9 PENALTIES

Section 1

1.1 Any person who contravenes any provision of this Bylaw is guilty of an offence and is liable, upon summary conviction, to a fine as set out in Schedule "A" attached hereto.

Section 2

2.1 A penalty of two (2) times the applicable fine as provided in Schedule "A" shall be levied against an Owner who commits, for a second time, any infraction of this Bylaw, providing that such infraction is committed within one (1) year of the committing of the first infraction. The penalty will be valid if it is the same animal or another animal owned by the same person.

Section 3

3.1 An Animal Control Officer is hereby authorized and empowered to issue a Violation Tag to any person who contravenes any provision in this By Law.

3.2 Such Violation Tag may be issued to such person:

- a) Either personally or by leaving a copy for such person at last most usual place of abode;
- b) By mailing a copy to such person to last known address

The Violation Tag shall state, inter alia:

- a) The name of the offender;
- b) The offence;
- c) The appropriate fine for the offence as specified in schedule "A" of this bylaw; and
- d) The fine shall be paid within 30 days of the issuance of the Violation Tag.

3.3 If the fine specified on a Violation Tag is not paid within the prescribed time period, then the Animal Control Officer is hereby authorized and empowered to lay a complaint and issue a Summons by means of a Violation Ticket.

3.4 Nothing in this By-Law shall prevent an Animal Control Officer from immediately issuing a Violation Ticket.

Section 4

4.1 Where a Violation Tag is issued pursuant to this Bylaw, the following procedures shall apply:

- a) Every Violation Tag shall provide for payment to be made to the Town of Bon Accord within thirty (30) days from the date of the Violation Tag. If payment is made within the time limit, such payment shall be accepted in lieu of prosecution;
- b) A person convicted of the offence specified on the Violation Tag shall be subject to a fine in an amount not less than the penalty amount. Any accumulated pound, veterinarian or other associated fees to that violation tag are in addition to the amount of the violation tag.

PART 10 - GENERAL

**TOWN OF BON ACCORD
BY-LAW 2016-06
ANIMAL CONTROL BYLAW**

Section 1

- 1.1 Each Section of this Bylaw shall be read and construed as being separate and severable from each other Section. Furthermore, should any Section or Part of this Bylaw be found to have been improperly enacted for any reason, then such Section or Part shall be regarded as being severable from the rest of the Bylaw and the Bylaw remaining after such severance shall be effective and enforceable.
- 1.2 In the matter of dealing with a designated Dangerous Dog as ruled by a Justice under the provisions of the Dangerous Dogs Act RSA 2000, Chapter D-3 and amendments thereto; the decision and conditions imposed will have precedence over this bylaw. Any additional conditions that may apply and be in this bylaw will also be in effect and enforced.

Section 2

- 2.1 Bylaw 2012-10 is hereby repealed.
- 2.2 This bylaw shall come into force and effect upon 3rd reading.

READ A FIRST TIME THIS 3rd DAY OF OCTOBER, 2016.

Mayor Randolph Boyd

Chief Administrative Officer Vicki Zinyk

READ A SECOND TIME THIS 18th DAY OF OCTOBER, 2016.

Mayor Randolph Boyd

Chief Administrative Officer Vicki Zinyk

READ A THIRD TIME THIS 15th DAY OF November, 2016.

Mayor Randolph Boyd

Chief Administrative Officer Vicki Zinyk

**TOWN OF BON ACCORD
BY-LAW 2016-06
ANIMAL CONTROL BYLAW**

SCHEDULE "A" TO BYLAW 2016-06

FEES	Value	
Yearly licence for each neutered or spayed Dog or Cat	\$30.00	
Yearly licence for each unaltered Dog or Cat	\$40.00	
Lifetime Licence for each neutered or spayed Dog or Cat	\$100.00	
Lifetime Licence for each unaltered Dog or Cat	\$150.00	
Yearly Vicious Dog Licence *Lifetime Licence not available	\$1000.00	
Tag Replacement	\$10.00	
Senior citizens (65 years of age and older) pay 50% of the licence fees set out (except for a Vicious Dog Licence)		
PENALTIES		
All penalties where applicable are per animal		
All penalties are for first offence. 2nd offence within one year is double whether animal or owner Section		
Harboring more than four Domestic animals	\$250.00 plus \$25.00 per day	Part 3 Section 1.1
Failure to obtain a Dog or Cat licence	\$100.00	Part 3 Sections 2.1, 3.1, 4.1, 5 and 7
Failure to obtain a Vicious Dog licence	\$2000.00	Part 3 Section 3.3
Failure to ensure that a licence tag is present when a Dog or Cat is off the premises of the Owner	\$100.00	Part 3 Section 10.1
Permitting a Dog or Cat or Animal to be At Large	\$200.00	Part 4 Section 1.1
Permitting a Dog or Cat to be in an area where the presence of Dogs or Cats is prohibited by a sign; tethering an animal or causing damage to public property; Animal in heat attracting other animals	\$100.00	Part-4 Section 2.1, 3.1, 3.2 and 3.3
Failure to have/carry/produce a means of cleaning up Dog or Cat defecation	\$75.00	Part 4 Section 4.1
Failure to remove a Dog's or Cat's defecation from a Public Property Area or private property other than the property of the Owner of said Dog or Cat	\$150.00	Part 4 Section 4.2
Failure to keep property in a clean, sanitary, and inoffensive condition	\$200.00 plus \$30.00 per day	Part 4 Section 4.3
Permitting a Dog to bark or howl excessively or Cat to meow or howl excessively	\$200.00	Part 4 Section 5.1
Allow domestic animal to threaten; bite; chase cars or people; or attack; harass, injure or kill a pet	\$100.00	Part 4 sections 6.1 a), b), c), d)
Interference with an Animal Control Officer	\$ 1000.00	Part 4 Section 8.1
Tease, taunt or harass a domestic animal	\$100.00	Part 4 section 8.2 a)
Harming an animal	\$500.00	Part 4 15.2 b)
Release a confined animal	\$250.00	Part 4 section 15.2 c)

**TOWN OF BON ACCORD
BY-LAW 2016-06
ANIMAL CONTROL BYLAW**

Failure to advise the authorities where an Animal has inflicted a Serious Wound	\$250.00	Part 4 Section 10.1
Refusal of an Owner to surrender to the authorities, a Dog which has inflicted a Serious Wound	\$500.00	Part 4 Section 10.2
Permitting a Vicious Dog to be At Large	\$2000.00	Part 5 Section 1.1
If a Vicious Dog bites or attacks a person or animal	\$2000.00	Part 5 Section 1.2
Guard dog section of bylaw not being followed	\$1,000.00	Part 5 Section 1.3 a), b) & d)
Failure to muzzle or otherwise secure a Vicious Dog when off the premises of the Owner	\$2000.00	Part 5 section 1.4 a), b) & c)
Failure to confine a Vicious Dog when on the premises of the Owner in accordance with this Bylaw	\$1000.00	Part 5 section 2.1, 2.2 and 2.3
Failure to post warning signs of a Vicious Dog on the premises	\$1000.00	Part 5 Section 4.1 a)
Breeding or selling a Vicious Dog within the municipality	\$500.00	Part 5 Section 4.1 b)
Failure to advise authorities if a Vicious Dog becomes At Large	\$1000.00	Part 5 Section 4.1 c)
Failure to ensure that a collar and licence tag are worn when a Vicious Dog is off the premises of the Owner	\$2000.00	Part 5 Section 4.1 d)
Failure to have or provide a proper insurance policy for a vicious or dangerous dog	\$1000.00	Part 5 Section 4.2 a & b
Failure to advise the authorities a Vicious dog has inflicted a serious wound	\$1000.00	Part 5 Section 5.1
Keeping any restricted Animal contrary to Part 6 – Restricted Animals	\$500.00 plus \$50.00 per day	Part 6 sections 1.1, 1.2, 1.3
Keeping any Prohibited Animal contrary to Part 7 – Prohibited Animals	\$1000.00 plus \$100.00 per day	Part 7 sections 1.1, 1.2
Any offence under this Bylaw for which a penalty is not otherwise provided	\$50.00	Part 9 Section 1.1
Second or subsequent offence within one (1) year as outlined in Part 6, Section 2	Double the amount of fine for a first offence	Part 9 Section 2.1