

VILLAGE OF EDGERTON

BY-LAW #02-18

This By-Law in the Province of Alberta is to provide for the regulations and control of wild and domestic animals and poultry within the limits of the Village of Edgerton.

WHEREAS: Pursuant to the provision of Section 164 of the Municipal Government Act, being Chapter M-26 of the Revised Statutes of Alberta, 180 with amendments, a Village Council may pass by-laws for regarding and controlling animals.

AND WHEREAS: The Council of the Village of Edgerton deems it necessary to provide for the regulating, control and confinement of dogs within the Village.

NOW THEREFORE: The council of the Village of Edgerton in the Province of Alberta, duly assembled, hereby enacts the following:

1. TITLE

This By-Law may be cited as the Animal Control By-Law.

2. DEFINITIONS

- (a) "Village" means the Village of Edgerton.
- (b) "Dogs" means either the male or female domesticated canine species.
- (c) "Animal Control Officer" means Chief Administrative Officer or Public Works Foreman or any person or firm engaged by the Village to enforce the provisions of this By-Law and manage the well-being of an animal should it need to be captured and transported to an appropriate facility.
- (d) "By-Law Officer" means a person appointed by the Chief Administrative Officer to do any act or perform any duties under this By-Law, and includes a peace officer, a member of the Royal Canadian Mounted Police and, when authorized, a Special Constable.
- (e) "Dog License" means a numbered tag issued by the Village, yearly, to the owner of a dog, and said tag be attached to the collar and caused to be worn around the neck of the dog.
- (f) "Household Pets" shall include any animal that is normally kept on private property and shall include, but not limited to dogs, cats, guinea pigs, pot belly pigs, gerbils, hamsters, chinchillas, pet birds, snakes, turtles, pet reptiles, and any and all other pets.
- (g) "Livestock" means horses, cattle, sheep, swine, goats, llamas, and any other animal normally raised for agricultural purposes.
- (h) "Poultry" shall include chickens, ducks, geese, turkeys, ostrich, and such wildfowl as pheasants, quail, partridge, and any other fowl when raised and kept domestically.
- (i) "Wildlife" means big game, game birds, birds of prey, fur-bearing animals, fur-bearing carnivores, and any other species of vertebrae defined as wildlife under the Wildlife Act, 2000, cW-10, as amended.
- (j) "Pound" means any Animal Shelter as may be designated by the Council.

(m)" Owner" means:

- i. the person who has a legal title to or custody of a dog
- ii. a person who harbors a dog,
- iii. a person who suffers or permits a dog to remain on his or her property, or
- iv. a person who claims or receives a dog from the pound.

(n)" Council" means the current elected Mayor and Councilors for the Village of Edgerton.

3. DOGS

A) REGULATIONS FOR DOGS

All dogs, owned or harbored within the Village limits shall be licensed in accordance with the following:

- (a) The owner of every dog shall, January 31 of each year or within one month from the time he or she becomes the owner of a dog, purchase a dog license from the Village, at that time leave with the Village his or her name, physical and mailing address and phone number, and the description of the dog including sex, breed, age, name and any other relative information requested by the Village.
- (b) Dog licenses are required for all dogs, whether they reside in a dog house in the yard or are house dogs.
- (c) All dogs in the Village shall be required to have a vaccination against rabies every two years.
- (d) The license fee payable at the time of purchase shall be the amount as determined by Council Resolution recorded on the Fee Schedule and shall be valid for the year issued.
- (e) Where a dog license is lost, the owner of the dog may obtain a replacement tag from the Village on payment of the sum of 50% of the original dog license fee.
- (f) The owner of more than 3 dogs must make application to the Village for a Kennel License which may or may not be approved.
- (g) No dog shall be allowed to be running at large in the Village.

B) CAPTURE AND IMPOUNDMENT OF DOGS

Any dog whether licensed or not that:

- (a) Is running at large, or
- (b) Bites, attacks, runs at, or attempts to bite, attack or run at any person(s), or
- (c) Chases or barks at any automobile, bicycle or other vehicle, or
- (d) Worries or annoys another animal, or
- (e) Is or appears infected with rabies, or other infectious disease and is not under a veterinarian's care, or
- (f) Causes damage to private, or public property within the Village, or
- (g) Whether under leash, immediate and effective control or not,
 - i. Is named, described or otherwise designated in a complaint made under the provisions of the Dangerous Dogs Act RSA2000 c D-3 or
 - ii. Is the subject of a complaint by a person as creating a nuisance by barking.

- (i) Any By-Law Officer or Animal Control Officer or any Elected Official of the Village may impound any dog running at large. Any person impounding a dog will handle the animal in a humane manner.
- (j) Where a dog is on private property or premises without permission of the owner or occupant of the property, the Animal Control Officer or any person enforcing this By-Law, may, with the permission of the owner or occupant of the property, enter such property or premises to apprehend the dog.

C) RECLAIMING OF AN IMPOUNDED DOG

Before an owner can redeem an impounded dog, he or she must first pay to the Village Office, a dog license fee, the Offence Ticket fee plus any outstanding Offence Ticket fees, the time and cost to transport the dog to an Animal Shelter, any Animal Shelter fees, and any veterinarian fees incurred by the Village in relation to the dog. These fees are listed on the Village of Edgerton yearly Fee Schedule.

D) UNCLAIMED DOGS

Any dog, licensed or unlicensed, not redeemed within 3 days of the Offence Ticket being issued, shall become the property of the Village. The dog may then be retained, sold, transferred for adoption, or euthanized, and any associated costs will be added to the Offence Ticket.

Animal Control Officer

- (a) Shall forthwith after impounding of any dog, notify the owner, if ascertainable, of such impoundment,
- (b) Shall ensure adequate provisions are provided to the dog while under the Village or Animal Shelter's care,
- (c) Shall keep record of all dogs impounded and of their disposal,
- (d) Shall provide a report to the Village of the process involved with the impoundment.

E) OFFENCE TICKET

- (a) Any Animal Control Officer, By Law Officer, and the Villages' Administrative Officer are hereby authorized and empowered to issue an Offence Ticket to any person they have reasonable and probable grounds to believe has contravened any provision of this By-Law.
- (b) The Offence Ticket shall state:
 - i. The name and address of the offender is ascertainable,
 - ii. The offence,
 - iii. The amount of the penalty for the offence as specified in Schedule "A" of this By-Law,
 - iv. That the penalty shall be paid within 14 days of the issuance of the Offence Ticket, except in the case of redeeming an impounded dog where the fees are required prior to the release of the dog and
 - v. any other information as may be required by the Chief Administrative Officer.

- (c) The Offence Ticket may be issued to such person:

- (e) Any person who:
 - i. Teases, torments, annoys any dog in the Village, or
 - ii. Removes or attempts to remove any dog from the Animal Shelter while it is impounded or interferes with the Animal Control Officer in any way while the Animal Control Officer is carrying out his or her duties under this By-Law.
- (f) Any person who contravenes any provisions of this By-Law or allows his or her dog to act in a manner so as to make it subject to penalty or impoundment under the provisions of this By-Law is guilty of an additional offence and liable on summary conviction, in addition to any fees payable by reason of an impoundment, to a fine of not less than One Hundred Dollars and costs, and in default of payment of such fines and costs, to imprisonment for a period of not less than seven days and not exceeding thirty days.

4. LIVESTOCK

- (a) No person shall keep Livestock in any area of the Village that is zoned Commercial or Residential.
- (b) Properties in Block 27, Block 41, east of the lagoon, Lot B Block 0 south of the railway, Lot 2 Block 31, and the N1/2 of Block 31 may house up to 4 horses or 4 cows.
- © Properties in the SE ¼ of Section 1, Range 4, Township 4, West of the 4th Meridian may house up to 50 head of horses or cows.
- (d) Livestock of any nature is permitted to attend or be exhibited at recognized Village Events such as Sports Days, 4H Achievement Days, Sleigh/Wagon rides, Trail Rides, etc. and approved by Council.
- (e) The RCMP is to be contacted for all concerns regarding livestock disturbing the public or being at large in the Village.

5. POULTRY

Neither domestic or wild poultry is permitted to be kept in any area of the Village of Edgerton.

6. WILDLIFE

- (a) Unless authorized by a License or Permit issued by the Provincial Minister of Forestry, Lands and Wildlife, or such comparable Provincial Minister, no person shall:
 - i. Pick up, handle, possess or transport any wildlife, or in any way disturb the young thereof, or
 - ii. Keep in captivity any wildlife, or
 - iii. Release within the Village of Edgerton, any wildlife or exotic wildlife, or
 - iv. Transport or control or have possession of any exotic wildlife or bird of prey for any purpose.
- (b) Any wildlife discovered in the Village shall not be disturbed. The By-Law Officer is to be contacted to arrange to remove any skunks. The RCMP is to be contacted for all other wildlife occurrences.

7. CATS

11. By-Law 07/94 is hereby rescinded.

1. Read a FIRST time on February 22, 2018.
2. Read a SECOND time on February 22, 2018.
3. Read a THIRD time and PASSED by unanimous consent on February 22, 2018.


MAYOR


CHIEF ADMINISTRATIVE OFFICER