

BYLAW 473: Animal Control Bylaw

Being a Bylaw of Village of Arrowwood in the Province of Alberta to provide for the regulation and/or control of dogs and any other animals within the Village of Arrowwood.

WHEREAS pursuant to the Municipal Government Act, Chapter M-26, RSA 2000, and amendments thereto, Council may pass bylaws to regulate and control dogs and other animals;

NOW THEREFORE the Council of Village of Arrowwood, in the Province of Alberta, duly assembled enacts as follows:

TITLE

This Bylaw may be cited as the "Animal Control Bylaw" of Village of Arrowwood.

ARTICLE 1 – DEFINITIONS

- 1.1 "ANIMAL" means any domesticated species which, for certainty, includes Exotic Animals, Nuisance Animals, and Vicious Animals.
- 1.2 "ANIMAL CARE SERVICE" means development used for the care, treatment, boarding, grooming, or training of animals and livestock within or outside buildings and includes the supplementary sale of associated products. This use includes veterinary offices or hospitals, pet grooming salons, facilities for impounding and quarantining animals and related research facilities.
- 1.3 "ANIMAL SHELTER" means a premise designed and designated for the impoundment and care of Animals.
- 1.4 "ANIMAL TAG" means an identification tag bearing a distinctive number issued by the Village for a specific Animal and intended to be worn on a collar attached to the Animal's neck.
- 1.5 "ATHLETIC FIELD" means any field and/or land of natural and/or manmade composition that is used for athletic purposes to conduct organized or unorganized sporting activities including but not limited to a baseball field, soccer pitch, player or spectator bench and lawn bowling field, and excludes a Golf Course.
- 1.6 "ATTACK" means an assault resulting in bleeding, bone breakage, sprains, serious bruising or multiple injuries.
- 1.7 "BITE" means a wound to the skin causing it to bruise, puncture, or break.
- 1.8 "BYLAW ENFORCEMENT OFFICER" means a member of the Royal Canadian Mounted Police, a Person appointed by the province as a Peace Officer or a Person appointed by the Village as a Bylaw Officer.
- 1.9 "VILLAGE" means the Municipality of Village of Arrowwood.
- 1.10 "DEVELOPMENT AUTHORITY" For the purpose of this bylaw the Development Authority shall be Village of Arrowwood's Development Officer, or Village of Arrowwood's Municipal Planning Commission.
- 1.11 "EXOTIC ANIMAL" means any animal that is not a dog, cat or livestock. Any animal that is not normally found within the Village of Arrowwood.
- 1.12 "HIGHWAY" has the same meaning as defined in the Traffic Safety Act.
- 1.13 "IMPOUNDMENT" means lodgment and care of an Animal at a designated Animal Shelter.
- 1.14 "INFECTIOUS PHYSICAL CONDITION" means any abnormal physical condition which is liable to be passed on to other Animals or humans by invasion of an organism emanating from the Animal suffering from the abnormal physical condition.

- 1.15 "KENNEL" means a commercial facility where dogs, cats or other animals are maintained, boarded, bred, trained, or sold but excludes an Animal Care Service.
- 1.16 "LEASH" means a line not exceeding two (2) meters in length capable of leading or restraining the Animal on which it is being used.
- 1.17 "LICENSE" means a license issued by the Village in accordance with the provisions of this Bylaw and, where the context permits, includes Exotic Animal license, Dog Kennel license, Cat Kennel license, Rescue or Animal Shelter license, Vicious Animal licence and Nuisance Animal licence.
- 1.18 "LICENSE FEE" means the applicable annual fee payable in respect of any License issued pursuant to this Bylaw as set out in Schedule "A".
- 1.19 "LIVESTOCK" means a species kept for agricultural purposes, which, for certainty, excludes all Animals (as defined herein).
- 1.20 "MOTOR VEHICLE" has the same meaning as the Traffic Safety Act.
- 1.21 "MUZZLE" means a device of sufficient strength placed over an Animal's snout to prevent it from biting.
- 1.22 "NUISANCE ANIMAL" means an Animal in respect of which there have been three (3) or more infractions under this Bylaw and as determined by the Chief Administrative Officer for the Village of Arrowwood.
- 1.23 "OWNER" means a Person:
- 1.23.1 Who has the care, custody, possession or control of an Animal;
 - 1.23.2 Who owns or who claims any proprietary interest in an Animal;
 - 1.23.3 Who harbours or permits an Animal to be present on any property owned, occupied or leased by him or which is otherwise under his control;
 - 1.23.4 Who claims and receives an Animal from custody of an Animal Shelter or a Bylaw Enforcement Officer;
 - 1.23.5 To whom an Animal License was issued for an Animal in accordance with this Bylaw.
- 1.23 "OWNER'S PROPERTY" means any property in which the Owner has a legal or equitable interest of which is otherwise under the control or is in the possession of the Owner, and which property shall include land, buildings and vehicles.
- 1.24 "PERMITTED PROPERTY" means private property the Owner of which has given permission to the Owner of an Animal for the Animal to be there.
- 1.25 "PERSON" means an individual or any business or other entity including a firm, partnership, association, corporation, company or society.
- 1.26 "PROPERLY RESTRAINED" means the Animal is:
- 1.26.1 Being carried by a Person capable of restraining the size and strength of the particular Animal;
 - 1.26.2 Being confined in a kennel or like container, properly latched or locked; or
 - 1.26.3 Being restrained by a Person capable of restraining the size and strength of the specific Animal by means of a leash.

- 1.27 "PUBLIC PLACE" means any place including privately and publicly owned or leased property to which the public reasonably has or is permitted to have access, whether on payment or otherwise, within the Village.
- 1.28 "PUBLIC PROPERTY" means any School Ground, highway, park and recreation area, and includes any open space to which the public reasonably has or is permitted to have access.
- 1.29 "RESIDENCE" means a place used by a Person as a permanent private dwelling or a temporary residence that is used for the convenience or enjoyment of the occupants of the dwelling.
- 1.30 "RETAIL PERMISES" means the sale of goods to the public for use rather than for resale for the purpose of a commercial operation.
- 1.31 "RUNNING AT LARGE" means an Animal which is not properly restrained upon property other than Permitted Property, or upon any Public Property, or public place which has not been designated as an "OFF leash" area.
- 1.32 "SCHOOL GROUND" means land adjacent to a school and is owned or occupied by any school district or private school and includes property owned or occupied with another party.
- 1.33 "SERVICE DOG" means a service dog as defined in the Service Dogs Act.
- 1.34 "SEVERE PHYSICAL INJURY" includes any injury resulting from an attack or bite.
- 1.35 "SPCA" means the Society for the Prevention of Cruelty to Animals.
- 1.36 "SPECIFIED PENALTY" means the penalty specified in Schedule "C" which may be paid in response to a violation ticket, for an alleged offence of any section of the Bylaw.
- 1.37 "VETERINARIAN" means a veterinarian registered and licensed to practice.
- 1.38 "VICIOUS ANIMAL" means any Animal whatever its age, which has been declared a Vicious Animal under Section 6.2 of this Bylaw.

ARTICLE 2 – PROVISIONS

- 2.1. Each provision of this Bylaw is independent of all other provisions and if any provision is declared invalid for any reason by a court of competent jurisdiction, all other provisions of this Bylaw remain valid and enforceable.
- 2.2. Nothing in this bylaw relieves a Person from complying with any provision of any federal or provincial law or regulation, other bylaw or any requirement of any lawful permit, order or license.
- 2.3. Any heading or sub-headings in this Bylaw are included for guidance purposes and convenience only, and shall not form part of this Bylaw.
- 2.4. Where this Bylaw refers to another Act, Bylaw, regulation or agency, it includes reference to any Act, bylaw, regulation or agency that may be substituted therefor.
- 2.5. All the schedules attached to this bylaw shall form a part of this Bylaw.

ARTICLE 3 - LIVESTOCK OPERATIONS

- 3.1. Nothing in this Bylaw is to prohibit or impede Livestock operations within the Industrial, Public, and Urban Reserve areas of the Village of Arrowwood.

ARTICLE 4 - RESPONSIBILITIES OF ANIMAL OWNERS**LIMITATION**

- 4.1. No Person in the Village shall have on their lands or premises or be in their possession, custody or control more Animals than as set out in Schedule "B".

BASIC ANIMAL CARE REQUIREMENTS

- 4.2. An Owner shall ensure an Animal is provided with:

- 4.2.1. Potable water;
- 4.2.2. Food of sufficient quantity to allow for normal growth and the maintenance of normal body weight;
- 4.2.3. Clean and disinfected food and water receptacles that are located so as to avoid contamination by excrement;
- 4.2.4. The opportunity for regular exercise sufficient to maintain good health;
- 4.2.5. Clean and sanitary shelter or yard as the case may be; and
- 4.2.6. Veterinary care when the Animal exhibits signs of pain, injury, illness or suffering.

- 4.3. An Owner may keep an Animal outdoors in a shelter, provided that the shelter:

- 4.3.1. Protects from wind, heat, cold, and the direct rays of the sun;
- 4.3.2. Is appropriate to the Animal's weight, type of coat; and
- 4.3.3. Allows sufficient space for the Animal to turn about freely, easily stand at full height, sit and lie in a normal position.

- 4.4. An Owner must remain in good standing with Village of Arrowwood's Development Authorities and other agencies deemed relevant by Village of Arrowwood's Development Authority (i.e. Alberta Health Services, Alberta SPCA).

CONTROLLED CONFINEMENT

- 4.5. An Owner of an Animal that has inflicted an Attack, Bite, or Severe Physical Injury shall, as soon as is reasonably practicable, report the incident to the Bylaw Enforcement Officer and the Animal shall be confined.
- 4.6. An Owner of an Animal suspected of having an Infectious Physical Condition shall immediately report the matter to a Bylaw Enforcement Officer and the Animal may be confined.

RUNNING AT LARGE

- 4.7. The Owner of an Animal shall ensure the Animal is not running at Large.
- 4.8. The Owner of an Animal shall have taken all reasonable precautions either:
- 4.8.1. to secure the Animal so that it would not be able to leave the premises of the owner, or
 - 4.8.2. to ensure himself that the Animal was under constant supervision of a Person competent to control it at all times when it was off the premises by the Owner.

DOGS IN PROHIBITED AREAS

- 4.9. The Owner of a dog shall ensure the dog does not enter or remain in or on any area

where dogs are prohibited by posted signs, or within five (5) meters of a playground, Athletic Field or School Ground.

4.10. Section 4.9 does not apply to an Animal which is on Permitted Property.

UNATTENDED ANIMALS

4.11. An Owner shall ensure the Animal shall not be left unattended while tethered or tied in a public place.

4.12. An Owner shall ensure the Animal shall not be left unsupervised while tethered or tied on the Owner's Property or Permitted Property unless the Animal is in an enclosed space which may include a fenced yard.

4.13. An Owner of an Animal left unattended in a motor vehicle shall ensure it is properly restrained in a manner that prevents contact with a Person or Animal, and that the motor vehicle is appropriately cooled (on hot days) or heated (on cold days).

REMOVING EXCREMENT

4.14. If an Animal defecates on any property other than its Owner's Property, the Owner shall remove the excrement immediately.

4.15. If an Animal is on any property other than its Owner's Property, the Owner shall have in his possession a reasonable means of facilitating the removal of the Animal's excrement.

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

NOISE

4.17. An Owner shall not allow the Animal to bark or howl:

4.17.1. Continuously for ten (10) minutes or more without significant periods of rest;

4.17.2. Sporadically for a cumulative total of fifteen (15) or more minutes within one (1) hour; or

4.17.3. Otherwise in such a manner as to cause a nuisance.

THREATENING OR NUISANCE BEHAVIOUR

4.18. Whether on or off the Owner's Property, an Owner shall ensure the Animal does not:

4.18.1. Bite, bark at, chase, or threaten livestock, Animals, bicycles, motor vehicles, or any Person.

4.18.2. Cause damage to property;

4.18.3. Injure any Person or Animal;

4.18.4. Attack a Person; or

4.18.5. Attack a Person causing Severe Physical Injury.

4.19. An Owner shall immediately restrain and remove the Animal upon it engaging in any of the activities listed in Section 4.19 (Threatening Behaviours), by putting the Animal on a Leash and removing the Animal from the Area.

- 4.20. An Owner shall not use or direct an Animal to attack, chase, or threaten a Person or another Animal.

ARTICLE 5 - KENNEL STANDARDS

- 5.1. This section does not preclude a Person from requiring a development permit.
- 5.2. Kenneling facilities shall be operated in accordance with health regulations and, in particular, excrement and similar waste shall be disposed of in a manner acceptable to Alberta Health Services.
- 5.3. A Kennel operator must submit an annual inspection report, prepared by a doctor of veterinary medicine, to Village of Arrowwood.
- 5.4. A Kennel must adhere to and be compliant with the Canadian Veterinary Medical Association Code of Practice for Canadian Kennel Operations - 2nd Edition, May 2007, and any subsequent editions or amendments thereto.

ARTICLE 6 - EXOTIC ANIMALS

- 6.1. A Person shall not have an Exotic Animal in any Public Place or Public Property, except as permitted by Section 6.2.
- 6.2. The prohibitions set out in Section 6.1 do not apply to:
- 6.2.1. The SPCA or any Rescue and Shelter licensed under this bylaw;
 - 6.2.2. A veterinary clinic under the control of a veterinarian;
 - 6.2.3. Premises operated by an institution of education for research, study or teaching purposes;
 - 6.2.4. An aquarium or zoological park operated by an organization accredited by the Canadian Association of Zoos and Aquariums; or
 - 6.2.5. Retail premises where such animals are legally sold.

OTHER ANIMALS

- 6.3. If a Person keeps an Animal species other than those defined in this Bylaw, they shall not keep more than four (4) Animals of that species at a residence or property.
- 6.4. A Person may apply for an exemption under this bylaw in writing to the Village of Arrowwood Council.
- 6.5. The prohibitions set out in Section 6.3 do not apply to:
- 6.5.1. The SPCA or any Rescue or Shelter licensed under this bylaw;
 - 6.5.2. A veterinary clinic under the control of a veterinarian;
 - 6.5.3. Premises operated by an institution of education for research, study or teaching purposes;
 - 6.5.4. An aquarium or zoological park operated by an organization accredited by the Canadian Association of Zoos and Aquariums;
 - 6.5.5. Retail premises where such animals are sold; or
 - 6.5.6. An agricultural operation.

ARTICLE 7 - VICIOUS ANIMALS DECLARATION AND APPEALS

- 7.1. If a Bylaw Enforcement Officer believes on reasonable and probable grounds that an Animal has attacked or bitten a Person or other Animal, the Bylaw Enforcement Officer may seize and impound the Animal.
- 7.2. Upon receipt of a recommendation pursuant to Section 7.1, the Chief Administrative Officer may declare the Animal to be a Vicious Animal.
- 7.3. If the Chief Administrative Officer has declared an Animal to be a Vicious Animal, written notification of the declaration shall be provided to the Animal's Owner.
- 7.4. A Person who receives a declaration pursuant to Section 7.3 may appeal the declaration by giving written notice of the appeal and the reasons therefore to the Village within fourteen (14) calendar days of receiving the declaration.
- 7.5. Upon receipt of a notice of appeal pursuant to Section 7.4, an appeal will be scheduled to be heard within thirty (30) days of the appeal being filed.
- 7.6. Upon hearing the evidence the Appeal Board may uphold the decision of the Chief Administrative Officer or allow the appeal, with or without conditions.
- 7.7. A Vicious Animal designation pursuant to this Bylaw continues to apply if the Animal is sold, given or transferred to a new Owner.
- 7.8. The Vicious Animal designation may be rescinded:
 - 7.8.1. Following a review no sooner than twenty-four (24) months from the date of designation and upon the Owner's request, and
 - 7.8.2. Been approved for the removal of the Vicious Animal designation by the Chief Administrative Officer.

VICIOUS ANIMAL LICENSING

- 7.9. A Person may not own or keep a Vicious Animal within the Village and no licenses will be issued under this Bylaw.

ARTICLE 8 - NUISANCE ANIMALS**DECLARATION**

- 8.1. The Chief Administrative Officer may declare an Animal to be a Nuisance Animal.
- 8.2. The declaration of an Animal as a Nuisance Animal shall be reviewed upon request of the owner annually by the Chief Administrative Officer and may be removed.

REGULATIONS

- 8.3. The Owner of a Nuisance Animal shall, within ten (10) days after the Animal has been declared Nuisance and prior to a License being issued:
 - 8.3.1. Have a veterinarian tattoo or implant an electronic identification microchip in the Animal if the Animal has not had this done;
 - 8.3.2. Provide the information contained on the tattoo or in the microchip to the Bylaw Enforcement Officer; and
 - 8.3.3. Have the Animal neutered or spayed, if the Animal is in an unaltered state, provided the Animal is of appropriate age.
- 8.4. The Owner of a Nuisance Animal shall:

8.4.1. notify the Bylaw Enforcement Officer within five (5) calendar days when the Animal is sold, gifted, or transferred; and

8.4.2. remain liable for the actions of the Animal until formal notification of sale, gift or transfer is provided to the Bylaw Enforcement Officer.

ARTICLE 9 - ANIMAL CONTROL OPERATIONS

IMPOUND

9.1. A Bylaw Enforcement Officer may capture and impound any Animal:

9.1.1. Found Running at Large;

9.1.2. Which has bitten, or is alleged to have Bitten or Attacked a Person or other Animal, pending the outcome of an investigation to declare the Animal to be a Vicious Animal;

9.1.3. In respect of which there are reasonable and probable grounds to believe that an offence under this Bylaw is being committed or has been committed; or

9.1.4. Which is required to be impounded pursuant to the provisions of a statute of the Province of Alberta, or any regulation made thereunder.

9.2. A Bylaw Enforcement Officer is further authorized to enter upon any private or Public Property and take such reasonable measures as are necessary to subdue any Animal which is Running At Large, including the use of tranquillizer equipment and materials. If the Animal is injured, it may be taken to a Veterinarian for treatment and then Impounded. The costs incurred pursuant to this Section shall be for the account of the Owner.

FOUND ANIMALS

9.3. A Person who takes into their possession an Animal Running At Large shall notify a Bylaw Enforcement Officer within twenty-four (24) hours, provide information as may be requested, and surrender the Animal upon request.

OBSTRUCTION AND INTERFERENCE

9.4. A Person, whether or not that Person is the Owner of an Animal which is being or has been pursued or secured shall not:

9.4.1. Interfere with or attempt to obstruct a Bylaw Enforcement Officer who is attempting to capture or who has captured an Animal which is subject to impoundment;

9.4.2. Open the vehicle in which Animals have been secured for impoundment; or

9.4.3. Remove, or attempt to remove any Animal from the possession of a Bylaw Enforcement Officer.

9.5. A Person shall not:

9.5.1. Untie, loosen or otherwise free an Animal which has been tied or otherwise restrained;

9.5.2. Negligently or wilfully open a gate, door or other opening in a fence or pen in which an Animal has been confined and thereby allow an Animal to Run at Large;

9.5.3. Entice an Animal to Run at Large; or

9.5.4. Tease, throw or poke an object at an Animal in fenced yard or pen.

9.6. Section 9.5.1 shall not apply to a Bylaw Enforcement Officer who is attempting to capture or who has captured an Animal which is subject to impoundment or seizure pursuant to this Bylaw.

9.7. No Person shall interfere with, hinder or impede an Animal Control Officer in the performance of any duty authorized by this Bylaw.

RECLAIMING

9.8. The Owner of any impounded Animal may reclaim the Animal upon provision of photo identification or proof of ownership by:

9.8.1. Paying the costs of Impoundment and any related costs incurred by the Village; and

9.8.2. Obtaining the License for the Animal, where a License is required under this Bylaw.

AUTHORITY OF THE BYLAW ENFORCEMENT OFFICER

9.9. The Bylaw Enforcement Officer may:

9.9.1. Receive an Animal for temporary Impoundment pursuant to fire, flood, or other reasons;

9.9.2. Charge the Owner fees for costs of Impoundment, including cost recovery for housing, boarding, care, which are incurred by the Village or other agencies as required; and/or

9.9.3. At the end of a five (5) calendar day period, if no arrangements are made between the Owner and the Village, treat the Animal as an Impounded Animal.

9.10. The Bylaw Enforcement Officer may offer for sale, euthanize, or otherwise dispose of all unclaimed Animals which have been impounded; provided however, the Bylaw Enforcement Officer shall not sell, euthanize or otherwise dispose of an Impounded Animal until the Animal is impounded for not less than ten (10) calendar days after the Owner has received notice (or is deemed to have received notice if the name and address of the Animal's Owner is not known) that the Animal is in the Animal Shelter. When the Animal Owner is unknown or cannot be contacted, notification of the impounded animal will be placed on the Village of Arrowwood website for the 10 day period.

9.11. The prohibitions set out in Section 9.10 do not apply if an Animal is in distress.

9.12. The Bylaw Enforcement Officer may impound an Animal for longer than three (3) days if in his opinion the circumstances warrant the expense or he has reasonable ground to believe that the Animal is a continued danger to Persons, Animals or Property.

FEE FOR EUTHANIZING

9.13. The Owner may request an Animal be euthanized and the Bylaw Enforcement Officer may euthanize the Animal for the fee as set out in Schedule "A"

ARTICLE 10 - BUSINESS LICENSING

10.1. A Person may operate the following within Village of Arrowwood: ~~Ed~~Animal business, Cat Kennel, Dog Kennel, Animal Rescue or Animal Shelter when so licensed under this Bylaw. This does not preclude a Person from requiring a development permit.

10.2. When applying for a business Licence under this Bylaw, the business owner shall provide the following:

- 10.2.1. A description of the business to be carried out;
- 10.2.2. A drawn diagram of the business set up in relation to location, number and size of Kennels, animal holding areas, and any other information so requested by the Development Officer, Bylaw Officer or the Municipal Planning Commission;
- 10.2.3. A contact Person responsible for the operation and care of the business;
- 10.2.4. Name, address and telephone number of the contact Person;
- 10.2.5. A land location where the business and boarding of the animals is to occur;
- 10.2.6. The annual business License Fee; and
- 10.2.7. Any other information a Bylaw Officer, Development Officer or the Municipal Planning Commission may require.

10.3. A Person shall not give false or misleading information when applying for a business License.

10.4. A business owner shall notify a Development Officer within five (5) business days of any change with respect to the information provided in an application for a License under this bylaw.

10.5. The Development Officer, Bylaw Officer or Municipal Planning Commission shall consider each application for a business License and may:

- 10.5.1. Reject the application and provide a reason; or
- 10.5.2. approve the application, with or without any conditions authorized by this bylaw.

10.6. The Development Officer, Bylaw Officer, Municipal Planning Commission or Chief Administrative Officer may revoke a business License if the:

- 10.6.1. business owner, employees or representative of the business fails to comply with any condition of the License;
- 10.6.2. The License was issued on the basis of incorrect information or a misrepresentation by the business owner;
- 10.6.3. License was issued in error;
- 10.6.4. Business owner breaches a provision of this Bylaw;
- 10.6.5. Any animal on the premise is certified as a health risk by a Veterinarian; or
- 10.6.6. A Peace Officer on reasonable grounds believes that the animals are not properly cared for or are in a state of distress.

10.7. If the Licence application is rejected or a licence that has been issued is subsequently revoked, the Licensee shall remove the Animal or Animal's from the Village of Arrowwood or turn it over to a Bylaw Enforcement Officer for disposition under the Bylaw, within forty-eight (48) hours of being given written notice that the

License application has been rejected or the Licence has been revoked.

10.8. A Person shall not keep more than four (4) Animals that are eight (8) months or older at any premise without obtaining a kennel business License and, if required, a development permit.

10.9. No Person on land in any hamlet, land in the grouped country residential, or rural recreational land use districts shall have on their lands or premises or be in their possession, custody or control more animals than as set out in Schedule "B".

NON-TRANSFERABLE LICENSE

10.10. A licence issued pursuant to this Bylaw is not transferable from one business owner to another.

LICENSE FEE

10.11. Licence Fee shall be paid as set out in Schedule "A"

10.12. A Licence may be issued free of charge as determined by the Development Services Officer.

10.13. A Person shall not be entitled to a refund of a Licence Fee.

ARTICLE 11 - OFFENCES AND PENALTIES

OWNER

11.1. If an Animal is involved in an activity in contravention of this Bylaw, the Owner of that Animal is guilty of an offence.

GENERAL

11.2. An Owner who contravenes any of the provisions of this Bylaw is guilty of an offence by:

11.2.1. Doing any act or thing which the Person is prohibited from doing, or

11.2.2. Failing to do any act or thing the Person is required to do;

11.3. A Person, business owner, director, manager of any corporation or operator of a Kennel, Rescue or Shelter who is convicted of an offence pursuant to this Bylaw is liable on summary conviction to a fine not exceeding \$10,000.00, per offence, and in default of payment of any fine imposed, to imprisonment for not more than six (6) months.

VIOLATION TICKETS AND PENALTIES

11.4. Where a Bylaw Enforcement Officer believes that a Person has contravened any provision of this Bylaw, he may commence proceedings by issuing a violation ticket or summons by means of a violation ticket in accordance with the Provincial Offences Procedure Act.

11.5. The specified Penalty payable in respect of a Contravention of this Bylaw is the amount shown in Schedule "C".

11.6. Notwithstanding Section 11.5 where a Person has been convicted of a contravention of the same provision of this Bylaw:

11.6.1. two (2) times within a twelve (12) calendar month period, the specified penalty payable in respect of the second conviction is double the amount shown in Schedule "C"; and

11.6.2. three (3) or more times within a twelve (12) calendar month period,

the specified penalty payable in respect of the third or subsequent conviction is triple the amount shown in Schedule "C".

CONTINUING OFFENCES

11.7. In the case of an offence that is of a continuing nature, a contravention constitutes a separate offence in respect of each day, or part of a day, on which the offence continues and any Person guilty of such an offence is liable to a fine in an amount not less than the amount shown in Schedule "C" for each day.

MANDATORY COURT INFORMATION

11.8. This Section shall not prevent any Bylaw Enforcement Officer from issuing a violation ticket requiring the court appearance of the defendant, pursuant to the provisions of the Provincial Offences Procedure Act, or from laying an information in place of issuing a violation ticket.

LIABILITY FOR FEES

11.9. The levying and payment of any fine or imprisonment for any period provided in this Bylaw shall not relieve a Person from the necessity of paying any fees, charges or costs from which he is liable under the provisions of this Bylaw.

ORDERS BY A JUSTICE

11.10. A Justice may, after convicting an Owner of an offence under this Bylaw, if the Justice considers the offence sufficiently serious, direct, order, or declare that:

11.10.1. The Owner prevent the Animal from doing mischief or causing the disturbance or nuisance complained of;

11.10.2. The Animal is a Vicious Animal; or

11.10.3. The Owner be prohibited from owning any Animal for a specified period of time or indefinitely.

PROOF OF AGE

11.11. The onus of proving the age of an Animal is on the Owner of the Animal.

ARTICLE 12 - TRANSITIONAL

TRANSITION

12.1. An existing Animal Shelter, Animal Rescue, Exotic Animal operation, Kennel, or Breeding operation has 180 days from the enactment of this Bylaw to come into full compliance.

12.2. All prior bylaws on animal control over ten years old, and amendments thereto, are repealed as of the effective date of this Bylaw.

This bylaw shall take effect on the date of the third and final reading.

Received first reading this 23rd day of November, 2019.

Received second reading this 23rd day of November, 2019.

Received unanimous consent to a third reading this 23rd day of November, 2019.

Received third reading and finally passed this 23rd day of November, 2019.



Matt Crane, Mayor



Christopher Northcott, Chief Administrative Officer

VILLAGE OF ARROWWOOD BYLAW 473 SCHEDULE "A" LICENSE FEE

Kennel License	\$250.00
Animal Rescue License	No Fee
Animal Shelter License	No Fee
Exotic Animal License	\$100.00
Nuisance Animal License	\$75.00
Impoundment Fees (Per Day Rate)	\$25.00
Request for Disposal of an Animal	\$150.00

VILLAGE OF ARROWWOOD BYLAW 473 SCHEDULE "B" LIMITATION

Type of Animals	Number Allowed	Maximum
Dogs	per parcel with registered land title	3
Cats	per parcel with registered land title	3
Horse	per 0.501 hectares (1.238 acres)	3
Rabbits	per parcel with registered land title	5
Birds	per parcel with registered land title	10
All other Animals not listed	per parcel with registered land title	5

VILLAGE OF ARROWWOOD BYLAW 473 SCHEDULE "C" SPECIFIED PENALTY

Article/ Section No.	Article Name	Specified Penalty(\$)
Article 4	Responsibilities of Animal Owners	Section 4.1 - 4.4: 1 st Offence: \$100 2 nd Offence: \$250 3 rd Offence: Remove animal from village. Section 4.5 - 4.20: 1 st Offence: \$100 2 nd Offence: \$250 3 rd Offence: Remove animal from village.
Article 5	Kennel Standards	
Article 5.3	Failure to Submit Veterinary Report	\$500
Article 6	Exotic Animals	\$500 - \$2,500
Article 7	Vicious Animals	\$500 - \$2,500
Article 8	Nuisance Animals	\$500 - \$2,500
Article 9	Animal Control Operations	\$250 - \$1,250
Article 10	Business Licensing	\$500 - \$2,500