

## Bylaw No. 641, Amendment to 605 Dog Control Bylaw

Being a Bylaw of the Village of Nobleford, in the province of Alberta, to provide for the licensing, regulating and confinement of Dogs.

WHEREAS, by virtue of the power conferred on it by the Municipal Government Act, S.A. 1994, C. M-26.1, as amended, the Council of the Village of Nobleford, in the province of Alberta, duly assembled, enacts as follows:

### SECTION I – SHORT TITLE

This Bylaw may be cited as the “Dog Control Bylaw” of the Village of Nobleford.

### SECTION II – DEFINITIONS

“Animal Control Officer” means a person appointed by resolution of Council to carry out the provisions of this bylaw.

“Annual License or License” means a tag or similar document issued by the Village pursuant to Section 7 of the Municipal Government Act, S.A. 1994, c. M-26.1, as amended.

“At Large” means where a Dog is at any place other than the Owner’s Property or Permitted Property and is not being carried by any person or is not otherwise restrained by a Permitted Leash held by a person, and that permitted leash is attached to a choke chain, collar or harness securely holding that Dog.

“Council” means the municipal Council of the Village of Nobleford.

“Day” means a continuous period of twenty-four (24) hours.

“Dog” means either the male or female of any domesticated canine species.

“Dog Shelter” means premises designated by the Village for the impoundment and care of dogs and includes premises supplied by an independent contractor under contract with the Village to provide such premises.

“License Tag” means an identification tag issued by the Village showing the license number for a specific dog.

“Owner” means:

1. A person who has the care, charge, custody, possession or control of a Dog.
2. A person who harbours or permits a Dog to be present on any property owned, occupied or leased by that person or which is otherwise under his control.
3. A person who claims and receives a Dog from the custody of the Dog Shelter or a Dog Control Officer; or
4. A person to whom a License Tag was issued for a Dog in accordance with this Bylaw; and for the purposes of this Bylaw a Dog may have more than one (1) Owner.

“Owner’s Property” means any property in which the Owner of a Dog has a legal or equitable interest or over, which the Owner of a Dog has been given the control or use of, by the legal or equitable owner of the property, and which property shall include, without limiting the generality of the foregoing, land, buildings and vehicles.

“Permitted Leash” means a leash adequate to control the Dog to which it is attached, and which leash shall not exceed three (3) meters in length.

“Prohibited” means not allowed in Nobleford under any circumstance.

“Restricted” means subject to conditions.

“Serious Wound” means an injury to a human or animal resulting from a Dog attack or incident, which causes the skin to be broken or bruised, flesh to be torn, or bone to be broken or fractured.

“Village” means the Village of Nobleford.

“Year” means January 1 through December 31.



## SECTION III – LICENSING PROVISIONS

1. The owner of a dog, six (6) months of age or older, in the Village shall obtain an annual license for each dog, and shall pay an annual fee as set out in Schedule "A", Fees and Fines, which is attached to and forms part of this bylaw and which may be amended from time to time by resolution of Council.
2. The owner of a dog shall ensure that the dog wears a collar and that the license tag obtained for such dog is attached to the collar at all times.
3. The owner of a dog shall:
  - a) Obtain the license by the last day of February in any given year.
  - b) Obtain a license for the dog within fourteen (14) days of the dog becoming six (6) months old.
  - c) Obtain a license within fourteen (14) days of becoming the owner of a dog over the age of six (6) months old.
  - d) Obtain a license for a dog notwithstanding that it is under six (6) months of age, where the dog is found running at large.
  - e) Obtain a vaccination for the prevention of Rabies.
4. License fees shall be paid in full regardless of when the dog is registered during the year. No refunds shall be made due to the death, loss, or sale of the dog, or upon the owner's leaving the municipality.
5. Any person who owns or houses more than two (2) dogs within the Village Limits, at one property, shall apply for a Multi-Animal Pet Permit, Schedule "D", and canvas their neighborhood with a Neighbourhood Consent Form. Council shall review the Consent Form and may by resolution approve the Multi-Animal Pet Permit on an annual basis, subject to any conditions that may be established by Council and payment of the License Fees as set out in the Fee Schedule. The Multi-Animal Pet Permit may be subject to cancellation by resolution, as the Council may decide.
  - a) Owners of dogs that have been licensed prior to the passing of Bylaw 641 Schedule "D" are not required to complete the consent form in 2017.
  - b) Owners of up to 4 dogs per property, licensed prior to the passing of Bylaw 641, will be allowed to continue with the licensing of the 4 existing dogs on the property unless there is a bylaw contravention.
6. A maximum of 3 dogs are allowed per household property.
7. Kennels are not allowed in Nobleford.
8. Any person who owns, or houses on a property within the Village Limits a restricted dog, listed in Schedule "C", shall canvas their neighborhood with a Neighbourhood Consent Form for Restricted Dogs, Schedule "E". Council shall review the consent form on an annual basis, and the license may be subject to any conditions that may be established by Council or may be subject to cancellation by resolution, as the Council may decide.
  - a) Owners of restricted dogs that have been licensed prior to the passing of Bylaw 641 Schedule "E" are not required to complete the consent form in 2017.
  - b) Owners of dog breeds listed on the restricted list, licensed prior to the passing of Bylaw 641, will not be required to complete the consent form unless there is a bylaw contravention
9. Failure to comply with Section 3 may result in prosecution or a fine in lieu thereof as set out in Schedule "A", Fee and Fines, which is attached to and forms part of this bylaw and which may be amended from time to time by resolution of Council.

## Section IV – Records

1. The Village Administration Office shall keep a record of all dogs. The records shall indicate:
  - a) Date of License issuance
  - b) Name, mailing and civic address, phone number, and email address of the dog owner, and of the property owner if applicable
  - c) License number issued and amount paid
  - d) Breed, colour, weight, age, and sex of dog

## Section V – Dog Control Provisions

1. The owner of a dog shall not allow a dog to run at large within the corporate limits of the Village.
2. The owner of a dog shall not allow a dog to be in a park or public property while not on a leash.

3. No owner of a dog shall permit a dog to be or become a public nuisance by permitting a dog to:
  - a) Bite, attack, run at, or attempt to bite, attack or run at any person
  - b) Bite, bark at, or chase livestock, bicycles, automobiles or any vehicle
  - c) Bark, howl or otherwise disturb the quiet or repose of any person
  - d) Cause damage to property or other animals
  - e) Worry or annoy any other animal
  - f) Upset waste receptacles and scatter the contents
4. The owner of a female dog, which is in heat, shall keep such dog housed and confined on the premises of the owner in such a way as to prevent the attraction of other dogs to the vicinity of such premises.
5. The breed of dog commonly known as "Pit Bull" is specifically prohibited in the Village. No person shall own, keep, maintain, or harbour a "Pit Bull" dog or a mixed breed of "Pit Bull" ancestry. Council may, by resolution, name other specific breeds of Dogs as Prohibited or Restricted.
6. The owner of a dog, who allows a dog to defecate on property other than his own, shall remove forthwith any defecated material so deposited and responsible for any damages and restitution costs.
7. The owner of a dog or property owner where a dog resides shall maintain the property, yard, and dwelling to a healthy standard and free from feces at all times.
10. No person shall tease, torment or annoy any dog.
11. No person shall untie, loosen, or otherwise free a dog which has been tied or otherwise restrained, or negligently or wilfully open a gate, door, or other opening in a fence or enclosure in which a dog has been confined, thereby allowing a dog to run at large.
12. Failure to comply with Section V may result in prosecution or, in lieu thereof, payment of a fine as set out in Schedule "A", Fees and Fines, which is attached to and forms part of this Bylaw and which may be amended from time to time by resolution of Council.

#### Section VI – Animal Control Officer

1. The Council shall appoint Animal Control Officers in accordance with agreements as entered into by way of motion.
2. The Animal Control Officer may capture and impound any dog in respect of which:
  - a) they believe an offence under this bylaw is being or has been committed; or
  - b) it is named or described or otherwise designated in a written complaint by any person, as creating a disturbance by barking, howling or otherwise disturbing any person at any time during the day or night; or
  - c) it is named or described or otherwise designated in a written complaint made pursuant to the Dangerous Dog Act;
  - d) it is actually or apparently affected with rabies or any other contagious disease.
3. In enforcement of subsection 2, but not for the purpose of investigation only, the Animal Control Officer is hereby authorized to enter onto any privately owned premises provided however, that in this section the word premises does not include a building used as a dwelling house.
4. The Animal Control Officer shall:
  - a) forthwith after impoundment of any dog, notify the owner, if ascertainable, of such impoundment;
  - b) make provisions for an adequate dog pound and provide adequate care, food and water, for any dog so impounded;
  - c) keep a record of all dogs impounded and of their disposal by sale, redemption or otherwise.
5. No person shall:
  - a) interfere with or attempt to obstruct an Animal Control Officer who is attempting to capture, or who has captured any dog in accordance with the provisions of this bylaw; or
  - b) induce any dog to enter a house or other place where it may be safe from capture, or otherwise assist the dog to escape capture; or
  - c) falsely represent themselves as being in charge or control of a dog so as to establish that the dog is not running at large as the term is defined by this bylaw; or
  - d) unlock or unlatch or otherwise open the vehicle in which dogs captured for impoundment have been placed so as to allow or attempt to allow any dog or dogs to escape there from; or
  - e) remove or attempt to remove any dog from the possession of the Animal Control Officer.

Section VII – Reclaiming

1. The owner of any licensed impounded dog may reclaim the dog from the pound within seventy-two (72) consecutive hours from the time of impoundment, excluding Saturdays, Sundays and Holidays by paying the impoundment fee, care and sustenance fees, and veterinary fees, as set out in Schedule "A", Fees and Fines, which is attached to and forms part of this Bylaw and which may be amended from time to time by resolution of Council.
2. If the dog is not claimed within seventy-two (72) hours of impoundment, as defined in subsection 1, the Animal Control Officer may sell or euthanize the dog, unless a person having authority orders the further retention of the dog or the owner of the dog makes arrangements with the Animal Control Officer for the further retention of the dog.
3. The purchaser of the impounded dog from the pound pursuant to the provisions of this Bylaw shall obtain full right and title to it and the right and title of the former owner of the dog shall cease there upon.
4. Impounded dogs shall not be returned to or sold by the Animal Control Officer to any resident of the Village until a license has first been purchased for the dog by the resident and all related fines and costs paid.

Section VIII – Penalties

1. Where an Animal Control Officer believes that any person has contravened any provisions of this Bylaw, they may serve upon such person a notice or ticket. The ticket shall state the provision of the Bylaw, which has been contravened, and the amount of the fine which is provided in Schedule "A", Fees and Fines of this Bylaw.
2. Service of any such notice shall be sufficient if it is:
  - a) personally served; or
  - b) served by mail; or
  - c) left with some competent person who resides with the person who is alleged to have committed such offence.
3. Upon production of any such ticket within seven (7) days from the date of service of such ticket, together with the payment of the sum specified on the ticket to a person authorized to receive such payment, such payment shall be accepted in lieu of prosecution.
4. Unpaid fines may be transferred to property taxation accounts.
5. Nothing in this section shall prevent any person from exercising his right to defend any charge of committing a breach of any of the provisions of the Bylaw.
6. A person who contravenes a provision of this Bylaw is guilty of an offence and liable upon summary conviction to a fine of not less than \$100.00 and costs, and in default of payment of such fine and costs, to imprisonment for a period not exceeding thirty (30) days. A Provincial Judge, in addition to the penalties provided may, if they consider the offence sufficiently serious enough, impose further fines or conditions.

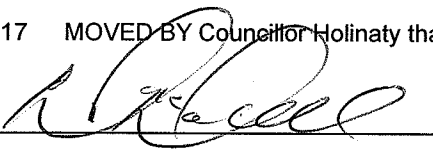
THAT it is the intention of Council that each separate provision of the Bylaw shall be deemed independent of all other provisions herein and it is further the intention of Council that if any provisions of the Bylaw be declared invalid, all other provisions thereof shall remain valid and enforceable.

THAT this bylaw shall come into force and effect upon the final passing thereof.

THAT Bylaw No. 605 is hereby repealed in its entirety.

#86-2017	MOVED BY Councillor Wobick that Bylaw 641 be read for the first time this 21 <sup>st</sup> day of March, 2017.	CARRIED
#87-2017	MOVED BY Councillor Holinaty that Bylaw 641 be read for the second time this 21 <sup>st</sup> day of March, 2017.	CARRIED
#112-2017	MOVED BY Councillor Holinaty that Bylaw 641 be read for the third time this 18 <sup>th</sup> day of April, 2017.	CARRIED

DM



MAYOR

KH



CHIEF ADMINISTRATIVE OFFICER

**Schedule "A" - Dog Control Bylaw #641**  
**LICENSE FEES, COSTS AND CHARGES AND FINES** April 18, 2017

LICENSE FEES, per dog per household property

1<sup>st</sup> Dog - \$30  
2<sup>nd</sup> Dog - \$60  
3<sup>rd</sup> Dog - \$120

Dog that is registered to provide assistance to the Blind, Deaf or the Disabled. NO FEE

COSTS AND CHARGES

Costs and charges to be paid by owner redeeming dog.

Boarding charges per day	<b><u>\$50.00 plus costs</u></b>
Impound Fee	<b><u>\$50.00 plus costs</u></b>

FINES

	<u>1<sup>st</sup> Offence</u>	<u>2<sup>nd</sup> Offence</u>
Contravention of any portion of Bylaw 605	\$100.00	\$150.00
Fines triple regarding restricted dogs	\$300.00	\$450.00

THAT amended Schedule "A" of Bylaw 641 shall come into force and effect upon the final passing thereof;

- #86-2017 MOVED BY Councillor Wobick that Bylaw 641, Schedule "A", be read for the first time this 21<sup>st</sup> day of March, 2017. CARRIED
- #87-2017 MOVED BY Councillor Holinaty that Bylaw 641, Schedule "A", be read for the second time this 21<sup>st</sup> day of March, 2017. CARRIED
- #112-2017 MOVED BY Councillor Holinaty that Bylaw 641, Schedule "A", be read for the third time this 18<sup>th</sup> day of April, 2017. CARRIED

DM

MAYOR

KH

CHIEF ADMINISTRATIVE OFFICER

**Schedule "C" - Dog Control Bylaw #641**  
**PROHIBITED AND RESTRICTED DOG LIST** April 18, 2017

**PROHIBITED DOGS in Nobleford**

1. Any dog commonly known as a Pit-bull or mixed breed of or ancestry of a Pit-bull.

**RESTRICTED DOGS in Nobleford**

1. Any dog commonly known as a Bull, American Staffordshire Terrier, American Bull, Staffordshire Bull Terrier, Rottweiler, Mastiff, Doberman Pinscher, Chow, Huskie, Wolf, Presa Canario, Boxer, German Shepard, Jack Russel Terrier , or mixed breed or ancestry of the above.
2. Any dog, as identified in this bylaw or which, in the opinion of the Animal Control Officer, should be restricted.
3. Any dog with respect to which there has been a fine or conviction registered on one or more occasions under any Sections of this by-law.

THAT amended Schedule "C" of Bylaw 641 shall come into force and effect upon the final passing thereof;

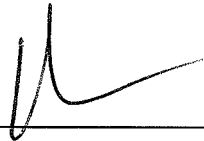
- #86-2017 MOVED BY Councillor Wobick that Bylaw 641, Schedule "C", be read for the first time this 21<sup>st</sup> day of March, 2017. CARRIED
- #87-2017 MOVED BY Councillor Holinaty that Bylaw 641, Schedule "C", be read for the second time this 21<sup>st</sup> day of March, 2017. CARRIED
- #112-2017 MOVED BY Councillor Holinaty that Bylaw 641, Schedule "C", be read for the third time this 18<sup>th</sup> day of April, 2017. CARRIED

DM



MAYOR

KH



CHIEF ADMINISTRATIVE OFFICER

**Schedule "D" - Dog Control Bylaw #641**

**MULTI-ANIMAL PET PERMIT & NEIGHBORHOOD CONSENT FORM FOR NUMEROUS PETS**

SUBJECT: Neighborhood Consent Form for Numerous Pets (*more than 2 dog s, maximum 3 dogs per property*) DEPARTMENT: Administration  
ADOPTED & APPROVED BY COUNCIL: #342-2009, Bylaw #605/ #621 (Policy # 02-24) Jan17 2012, Feb 21 2012, July 3 2012, 2014, March 3 2015  
April 18, 2017

PURPOSE: To encourage neighbourhood awareness, positive relationships, and establish neighborhood opinion on pet owners applying for Multi-Animal Pet Permits under Dog and Cat or other animal related Bylaws.

- 1- All pets must be licensed and fees paid prior to applying for a Multi-Animal Pet Permit, as established by Schedule "A".
- 2- Any pet owner applying for a Multi-Animal Pet Permit must canvas their neighborhood with the Consent Form, disclosing, breed, age, sex, and weight, and show the dog to their neighborhood.
- 3- The Neighborhood Consent Form shall include name, address, phone, and signature of 1 adult resident per household of adjacent properties (2 each side, 3 front, and 3 behind, within 100 meters of the pet owner's residence).
- 4- If the pet owner is a tenant, the Consent Form shall also include consent from the tenant's property owner.
- 5- All adjacent residents must fill in, sign and circle either SUPPORT or OBJECT on the form below in order for the application to be considered by the Village. A blank response will be considered an OBJECTION.
- 6- Owners of dogs that have been licensed prior to the passing of Bylaw 641 Schedule "D" are not required to complete the consent form in 2017.
- 7- Owners of up to 4 dogs per property, licensed prior to the passing of Bylaw 641, will be allowed to continue with the licensing of the 4 existing dogs on the property unless there is a bylaw contravention.

**Neighborhood Consent Form for Numerous Pets** (*more than 2 dog s, maximum 3 dogs per property*)

Date of Application: \_\_\_\_\_

I / We (*names*) \_\_\_\_\_ Signature: \_\_\_\_\_

Residing at \_\_\_\_\_ Nobleford, AB Mailing Address: \_\_\_\_\_ Nobleford, AB

Phone: \_\_\_\_\_ Cell: \_\_\_\_\_ Fax: \_\_\_\_\_ E-Mail: \_\_\_\_\_

I am asking for permission to keep  (*number of pets at the above address*)  Restricted dogs: Yes  No

**Animal #1- Breed:** \_\_\_\_\_ **Age:** \_\_\_ **Sex:** \_\_\_ **Weight:** \_\_\_

**Animal #2- Breed:** \_\_\_\_\_ **Age:** \_\_\_ **Sex:** \_\_\_ **Weight:** \_\_\_

**Animal #3- Breed:** \_\_\_\_\_ **Age:** \_\_\_ **Sex:** \_\_\_ **Weight:** \_\_\_

I have seen the dogs or cats identified in this Multi-Animal Pet Permit application and **support** the license application to be presented to the Village, OR; I have **objections** with this multi pet permit application and **do not support** the license application to be presented to the Village. *A blank response will be considered an OBJECTION.*

				<i>Circle One:</i>	
Name	Address	Phone	Signature	Support	Object
_____	_____	_____	_____	<b>Support</b>	<b>Object</b>
_____	_____	_____	_____	<b>Support</b>	<b>Object</b>
_____	_____	_____	_____	<b>Support</b>	<b>Object</b>
_____	_____	_____	_____	<b>Support</b>	<b>Object</b>
_____	_____	_____	_____	<b>Support</b>	<b>Object</b>
_____	_____	_____	_____	<b>Support</b>	<b>Object</b>
_____	_____	_____	_____	<b>Support</b>	<b>Object</b>
_____	_____	_____	_____	<b>Support</b>	<b>Object</b>
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_____	_____	_____	_____	<b>Support</b>	<b>Object</b>
_____	_____	_____	_____	<b>Support</b>	<b>Object</b>
_____	_____	_____	_____	<b>Support</b>	<b>Object</b>
_____	_____	_____	_____	<b>Support</b>	<b>Object</b>

THAT amended Schedule "D" of Bylaw 641 shall come into force and effect upon the final passing thereof;

#86-2017 MOVED BY Councillor Wobick that Bylaw 641, Schedule "D", be read for the first time this 21<sup>st</sup> day of March, 2017. CARRIED

#87-2017 MOVED BY Councillor Holinaty that Bylaw 641, Schedule "D", be read for the second time this 21<sup>st</sup> day of March, 2017. CARRIED

#112-2017 MOVED BY Councillor Holinaty that Bylaw 641, Schedule "D", be read for the third time this 18<sup>th</sup> day of April, 2017. CARRIED

DM  KH 

MAYOR CHIEF ADMINISTRATIVE OFFICER

**Schedule "E" - Dog Control Bylaw #641**  
**NEIGHBORHOOD CONSENT FORM FOR RESTRICTED DOGS**

SUBJECT: Neighborhood Consent Form for Restricted Dogs  
 ADOPTED & APPROVED BY COUNCIL, April 18, 2017

DEPARTMENT: Administration

PURPOSE: To encourage neighbourhood awareness, positive relationships, and establish neighborhood opinion on pet owners applying for license for Restricted dogs

- 1- All pets must be licensed and fees paid prior to applying for a restricted dog license
- 2- Any pet owner applying for a restricted dog license must canvas their Neighborhood with a Consent Form, disclosing, breed, age, sex and weight, and show the dog to their neighborhood.
- 3- The Neighborhood Consent document shall include names, address, phone, and signature of 1 adult resident per household of adjacent properties, (2 each side, 3 front, and 3 behind, within 100 meters of the pet owner's residence).
- 4- If the pet owner is a tenant, the Consent Document shall also have the property owner's consent included.
- 5- All adjacent residents must fill in, sign, and circle either SUPPORT or OBJECT on the form below in order for the application to be considered by the Village, a blank response will be considered an OBJECTION.
- 6- Owners of restricted dogs that have been licensed prior to the passing of Bylaw 641 Schedule "E" are not required to complete the consent form in 2017.
- 7- Owners of dog breeds listed on the restricted list, licensed prior to the passing of Bylaw 641, will not be required to complete the consent form unless there is a bylaw contravention.

**Neighborhood Consent Form for Restricted Dogs**

Application Date: \_\_\_\_\_

I / We (names) \_\_\_\_\_ Signature \_\_\_\_\_

Residing at \_\_\_\_\_ Nobleford, AB Mailing Address \_\_\_\_\_ Nobleford, AB

Phone: \_\_\_\_\_ Cell: \_\_\_\_\_ Fax: \_\_\_\_\_ E-Mail: \_\_\_\_\_

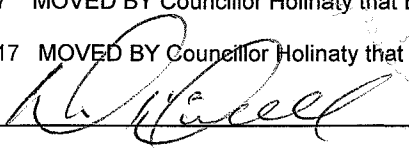
I am asking for permission to keep  restricted dogs at the above address.

**Breed** \_\_\_\_\_ **Age:** \_\_\_\_ **Sex:** \_\_\_\_ **Weight:** \_\_\_\_  
**Breed** \_\_\_\_\_ **Age:** \_\_\_\_ **Sex:** \_\_\_\_ **Weight:** \_\_\_\_  
**Breed** \_\_\_\_\_ **Age:** \_\_\_\_ **Sex:** \_\_\_\_ **Weight:** \_\_\_\_

I have seen the restricted dog identified in this Neighborhood Consent Form and **support** the license application to be presented to the Village, OR; I have **objections** with this pet permit application and **do not support** the license application to be presented to the Village. *A blank response will be considered an OBJECTION.*

				<i>Circle One:</i>	
Name	Address	Phone	Signature	<b>Support</b>	<b>Object</b>
_____	_____	_____	_____	<b>Support</b>	<b>Object</b>
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_____	_____	_____	_____	<b>Support</b>	<b>Object</b>
_____	_____	_____	_____	<b>Support</b>	<b>Object</b>

- #86-2017 MOVED BY Councillor Wobick that Bylaw 641, Schedule "E", be read for the first time this 21<sup>st</sup> day of March, 2017. CARRIED
- #87-2017 MOVED BY Councillor Holinaty that Bylaw 641, Schedule "E", be read for the second time this 21<sup>st</sup> day of March, 2017. CARRIED
- #112-2017 MOVED BY Councillor Holinaty that Bylaw 641, Schedule "E", be read for the third time this 18<sup>th</sup> day of April, 2017. CARRIED

DM 

KH 

MAYOR

CHIEF ADMINISTRATIVE OFFICER



