

**BYLAW 832-R-09-21
TOWN OF COALDALE
PROVINCE OF ALBERTA**

**BEING A BYLAW OF THE TOWN OF COALDALE
TO AMEND BYLAW 569-R-10-06,
TO PROVIDE FOR THE CONTROL AND REGULATING OF DOGS.**

WHEREAS by virtue of the powers conferred upon it by the *Municipal Government Act* the Council of the Municipality of the Town of Coaldale may pass a Bylaw with respect to domestic animals and activities in relation to them;

AND WHEREAS the Council of the Municipality of the Town of Coaldale, in the Province of Alberta, deems it expedient to pass such a Bylaw regarding dogs;

NOW THEREFORE, the Municipal Council of the Town of Coaldale, Alberta duly assembled, hereby enacts as follows:

1. TITLE

This Bylaw may be cited as the “Dog Regulation and Control Bylaw”.

2. DEFINITIONS:

- a) **Altered Dog** means a female dog that has been spayed or a male dog that has been neutered.
- b) **Animal Control Officer** means a Bylaw Enforcement Officer appointed by the Town of Coaldale to do any act or perform any duties under this Bylaw and includes a member of the Lethbridge Regional Police Service, an independent contractor who is under contract with the Town of Coaldale to provide By-law enforcement services and, when authorized, a special constable or Town of Coaldale employee.
- c) **Animal Shelter** means premises designated by the Town of Coaldale for the impoundment and care of dogs and includes premises supplied by an independent contractor under contract with the Town of Coaldale to provide such premises.
- d) **Assistance Dog** means special highly skilled service and therapy dogs, registered as such, that assist adults and children with physical or mental challenges to improve quality of life and include but are not limited to: Guide Dogs, Hearing Dogs, Support Dogs such as; Mobility Assist Dogs, Walker Dogs, Seizure Alert/Response Dogs, Psychiatric Service Dogs, Ssig Dogs (assist with Autism) and Search and Rescue Dogs.
- e) **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. If it is difficult for a person to restrain the dog by a Permitted Leash, then the dog shall be deemed to be "At Large" notwithstanding the presence of a Permitted Leash.

- f) **Controlled Confinement** means the confinement of a dog in a "Secure Enclosure" or building or securely tethered in a manner that will not allow the Animal to bite, harm or harass any person or animal.
- g) **Day** means a continuous period of twenty-four (24) hours.
- h) **Damage to Property** means damage to property other than the Owner's Property, and includes defecating or urinating on such property.
- i) **Dangerous Dog** means any dog that an Animal Control Officer determines on reasonable grounds to be a dangerous dog, either through personal observation or on the basis of facts determined after an investigation initiated by a complaint, and will include but not be restricted to a dog which meets any one or more of the following conditions:
 - 1. a dog that, while running at large, has attacked, bitten, caused injury to, or killed a domestic animal;
 - 2. a dog that, while running at large, has aggressively pursued or harassed a person;
 - 3. a dog that, while running at large, has aggressively pursued or harassed a domestic animal;
 - 4. a dog with a known propensity to attack or injure a person without provocation;
- j) **Dog** means a male or female animal of the canidae family and includes any dog that is a cross between a wolf and a dog or a coyote and a dog or a combination thereof.
- k) **Fanciers License** means a dog license issued annually to an owner permitting the keeping or harboring, on land or premises occupied by the owner, of up to five (5) licensed dogs over the age of six (6) months.
- l) **Former Owner** means the person who, at the time of impoundment, was the owner of the dog.
- m) **Impounded** means seized, delivered, received or taken into the Pound, or in the custody of the Animal Control Officer as provided for in this Bylaw.
- n) **Housed and Confined** means to confine a female dog during the whole period of time that such Animal is in heat in such a manner that the dog will not be a source of attraction to other dogs.
- o) **Kennel** means any place, owned by a person, group of persons or corporation engaged in the commercial business of breeding, buying, selling or boarding dogs.

- p) **License** means a Dog License issued by the Town of Coaldale in accordance with the provisions of this Bylaw.
- q) **License Fee** means the applicable fee payable in respect of a License for any particular dog as set out in the Fees and Rates Bylaw.
- r) **License Tag** means an identification tag issued by the Town of Coaldale showing the license number for a specific dog.
- s) **Muzzle** means a humane fastening or covering device of adequate strength over the mouth of a dog to prevent it from biting.
- t) **Owner** means:
1. a person who has the care, charge, custody, possession or control of a dog;
 2. a person who owns or who claims any proprietary interest in a dog;
 3. a person who harbors, suffers or permits a dog to be present on any property owned, occupied or leased by him, or which is otherwise under his control;
 4. a person who claims and receives a dog from the custody of the Animal Shelter or an Animal Control Officer; or
 5. a person to whom a License Tag was issued for a dog in accordance with this Bylaw;
 6. for the purpose of this Bylaw a dog may have more than one (1) owner.
- u) **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.
- v) **Permitted Leash** means a leash adequate to control the dog to which it is attached, and which leash shall not exceed 3.0 meters in length.
- w) **Permitted Property** means private property upon which the Owner of a dog has the express permission of the Owner of that property to allow the Owner's dog to be "At Large" thereon.
- x) **Potentially Dangerous Dog**
is a dog:
1. that has been impounded 3 times within 12 continuous calendar months; or
 2. for which the owner has received a Violation Tag and/ or a Violation Ticket for the dog running at large 3 times within 12 continuous calendar months; or
 3. for which the total number of impounds and tickets total 3 within 12 continuous calendar months.
 4. a dog, which is running at large.

- y) **Pound** means premises designated by the Town for the impoundment and care of dogs and includes premises supplied by an independent contract with the Town of Coaldale to provide such premises.
- z) **Public Property** means all property owned by or under the control and management of the Town of Coaldale.
- aa) **Replacement License Tag** means a License Tag issued to replace a lost or damaged License Tag pursuant to Section 3.9. of this Bylaw.
- bb) **Restricted Dog** means any dog that has been determined a “Dangerous Dog”
- cc) **Serious Wound** means an injury to a human or animal resulting from the action of a dog, which causes the skin to be broken or flesh to be torn.
- dd) **Secure Enclosure** means a fence or structure of 1.83 meters in height and 1.22 meters in width, with a concrete or asphalt floor forming or causing an enclosure suitable to prevent the entry of young children, and suitable to confine a “Restricted Dog” in conjunction with other measures which may be taken by the owner or keeper, such as the tethering of the “Restricted Dog”. The enclosure must be constructed of cement, bricks, concrete, chain link fence, wire or bars of a suitable thickness, gauge or diameter to prevent the “Restricted Dog’s” escape, and to protect the “Restricted Dog” from injury. The enclosure must be well braced and securely anchored at ground or floor level and utilize metal clamps, ties or braces of strength adequate to safely contain the “Restricted Dog”. The enclosure has to have a lock that is kept locked at all times when the “Restricted Dog” is kept in the enclosure and capable of preventing the entry of children under the age of 13 years.
- ee) **Town** means the Town of Coaldale.
- ff) **Town Manager** means the Chief Administrative Officer of the Town of Coaldale.
- gg) **Unaltered Dog** means a dog, which has not been spayed or neutered.
- hh) **Vicious Dog** means any dog which bites any human being or domestic animal or which demonstrates menacing behavior toward human beings or domestic animals, except that a dog shall not be deemed vicious if it bites, attacks or menaces a trespasser on the property of its owner or menaces anyone who has tormented or abused it.
- ii) **Violation Tag** means a Municipal violation notice or tag, allowing for a voluntary payment of a specified penalty to be paid out of court to the Town in lieu of appearing in answer to a summons.
- jj) **Violation Ticket** means a ticket issued pursuant the Provincial Offenses Procedure Act.

3. LICENSING PROVISIONS

1. Every person who is, or becomes the owner of an dog which is six (6) months of age or older, or takes up residence within the Town of Coaldale and who is the owner of an dog which is over the age of six (6) months and which is not currently licensed in accordance with this Bylaw, shall apply for a license for that dog to the Town of Coaldale office and pay the applicable license fee within fifteen (15) days of becoming the owner of the said dog, or taking up residence within the Town of Coaldale.

An owner of an Assistance Dog, or any person being assisted by an Assistance Dog is not subject to the obligations imposed by this subsection and will be provided a license annually without charge.

2. Every person who is desirous of applying for a Fanciers License [which allows an owner to keep up to five (5) dogs] must make application in writing to the Animal Control Officer who will attend and inspect the location where the dogs are to be kept. The Animal Control Officer will then process the application further as provided by the Dog Regulation and Control Bylaw [Section 3.17. and 3.18.].
3. Every person who is, or becomes the owner of a dog, which is determined to be a “Restricted Dog”, in accordance with this Bylaw, shall apply for a license for that animal to the Town office and pay the applicable license fee within fifteen (15) days of becoming the owner of the said dog, or of receiving notice from the Animal Control Officer of the said dog as a “Restricted Dog”.
4. Every person who becomes the Owner of a dog, which is currently licensed in accordance with the provisions of the Dog Regulation and Control Bylaw, shall provide the Town with the Owner’s name, telephone number, street and/or postal address and the license number of the dog, within fifteen (15) days of becoming the Owner of the said dog to apply for a license as the new Owner.
5. An Owner of a dog which is unlicensed, and which is required to be licensed pursuant to this Bylaw is guilty of an offence.
6. An Owner shall provide with each application for a License the information as may be required by the Town or the Animal Control Officer, and shall include:
 1. name, telephone number and Street and/or postal address of the Owner;
 2. Street and/or postal address where the dog will be kept;
 3. name and description of the Animal to be licensed;
 4. such other relevant and necessary information as may be required by the Town of Coaldale in respect to the application.

7. Any person who provides the Town with false or misleading information with respect to the information required in Section 3.1., 3.2., 3.3. or 3.4. of this Bylaw is guilty of an offence.
8. A License issued under this Bylaw shall not be transferable from one dog to another, nor from one Owner to another. An Owner who improperly uses a License Tag is guilty of an offence.
9. If the application is approved, and the required License Fee is paid as per the Fees and Rates Bylaw, the Owner will be supplied with a License Tag, which shall have a number registered to the respective dog.
10. An Owner shall ensure that the License Tag is securely fastened to a choke chain, collar or harness worn by the dog, with the License Tag to be worn by the dog at all times when the Animal is on property other than the Owner's Property unless it is not possible to securely fasten the License Tag (directly or indirectly) to the Animal.
11. The owner of a dog, which has been duly licensed under the Dog Regulation and Control Bylaw, may obtain a license tag to replace a tag which has been lost, upon payment of a fee as set out in the Fees and Rates Bylaw
12. An Owner of a licensed dog is guilty of an offence if that dog is not wearing a License Tag while that dog is on property other than the Owner's Property unless it is not possible to securely fasten the License Tag (directly or indirectly) to the dog.
13. The provisions of Sections 3.1. to 3.12., inclusive, shall not apply to persons temporarily in the Town of Coaldale for a period not exceeding two (2) weeks, nor to holders of a valid Development Permit issued pursuant to the Land Use Bylaw providing for a private and/or boarding kennel.
14. No person is entitled to a refund or a rebate for any License Fee paid.
15. A license tag shall be valid for the calendar year, or until the dog no longer resides within the Town of Coaldale, and license fees will be paid annually prior to January 15th of each calendar year.
16. If the said license tag is not associated with current ownership and the dog information, it shall be deemed invalid.
17. The Animal Control Officer shall consider all applications for Licenses and may, in his or her discretion:
 1. require the applicant to submit such information as the Animal Control Officer deems appropriate, including information respecting the dog(s), proposed Controlled Confinement, the lands where the dog(s) is to be kept; availability and nature of insurance, a site plan of the lands, and the number of dogs to be kept;

2. in the case of a Fanciers License seek input from residents in the neighborhood in which the dog(s) are to be kept.
3. reject the application; or
4. approve the application, with or without any conditions relevant to the presence of the dog(s) at the lands.

The decision of the Animal Control Officer may be appealed to the Manager for the Town of Coaldale provided that such appeal is submitted in writing within fifteen (15) days of the date of the Animal Control Officers decision. The written appeal must include information that may alter a determination made by an Animal Control Officer. The Town Manager shall, as soon as is reasonably possible, cause the matter to be reviewed by the Regulatory and Safety Services Manager, who will make a final determination.

18. The Animal Control Officer may revoke a License if:
 1. the applicant fails to comply with the conditions of the License;
 2. the License was issued on the basis of incorrect information or misrepresentation by the applicant;
 3. the License was issued in error;
 4. the Owner breaches a provision of this Bylaw.

4. RESTRICTED DOGS

1. The owner of a "Restricted Dog" shall take all necessary steps to ensure that it does not bite, chase or attack any human being or other animal whether the animal is on the property of the owner or not. The owner of a "Restricted Dog" that is in contravention of any provision as set out in this Bylaw will be subject to penalty as prescribed in the Fees and Rates Bylaw and as prescribed in Section 9.4. herein.
2. If a "Restricted Dog" bites, chases or attacks a human being or animal, the owner is guilty of an offence and is liable to a penalty under this Bylaw, exclusive of any other civil actions or penalties.
3. When a dog that has been declared a "Restricted Dog", is on the premises of its owner, it shall be confined in a secure enclosure as described in Section 2.30.; definition: of "Secure Enclosure".
4. Any such pen shall have a secure top and sides and either:
 1. have a secure bottom effectively attached to the sides; or
 2. the sides shall be embedded in the ground to a minimum of 30 centimeters.
5. When a "Restricted Dog" is off the premises of the owner, it shall be securely muzzled, and shall be either harnessed or leashed securely to effectively prevent it from attacking or biting a human being or other animal; provided that this requirement shall not apply when the "Restricted Dog" is in a building or enclosure in attendance at a bona fide dog show,

or confined in a pen meeting the requirements of subsections 4.3. and 4.4. herein.

6. When any Restricted Dog is off the premises of the Owner, the Owner shall either harness it or leash it securely, and securely place a muzzle to prevent the dog from attacking or biting a person or animal. The dog must be under the effective control of a person over the age of 16 years.
7. The owner of a dog, which the owner knows or ought to know, is a "Dangerous Dog":
 1. shall ensure that such dog is confined and secured in accordance with the provisions of section 4. herein, and shall license the dog as a "Restricted Dog".
 2. if an Animal Control Officer determines on reasonable grounds that a dog is a "Dangerous Dog", either through personal observation or on the basis of facts determined after an investigation initiated by a complaint, the Animal Control Officer may:
 - (i) give the owner a written notice that the dog has been declared to be a "Restricted Dog", and such dog will be registered as a "Restricted Dog" and must be licensed as a "Restricted Dog"
 - (ii) require the owner to keep such dog in accordance with provisions of section 4.3. and 4.4. of this Bylaw upon the owner's receipt of the notice; and
 - (iii) inform the owner that if the "Restricted Dog" is not kept in accordance with section 4.3., 4.4., 4.5. and 4.6. of this Bylaw, the owner will be fined, or subject to enforcement action under this Bylaw.
8. Where the owner of a dog that has been determined to be a "Restricted Dog" produces information to the Town Manager, that may alter a determination made under subsection 2.9., 2.28., 2.34. or 4.7.2. herein, the Town Manager shall, as soon as is reasonably possible, cause the matter to be reviewed by the Regulatory and Safety Services Manager, who will make a final determination.
9. Provisions in this Bylaw, which apply to Dangerous Dogs, shall not apply to dogs owned by a Police service solely by reason of any events or actions which occur while the dogs are engaged in police work.
10. In addition to the remedies set forth in this Bylaw, if a Peace Officer or Animal Control Officer determine that a Restricted Dog is not being kept in accordance with this Bylaw, they may make a complaint pursuant to the *Dangerous Dogs Act RSA*, Alberta for an order directing the Dog be controlled or destroyed.

11. An Animal Control Officer shall keep all impounded Restricted Dogs for a period of at least seventy-two (72) hours, including the Day of impounding.
12. At the expiration of the seventy-two (72) hour period any Restricted Dog not redeemed pursuant to section 7.3.2. herein shall be destroyed.

5. ANIMAL CONTROL PROVISIONS

1. An Owner whose dog is "At Large" is guilty of an offence.
 1. As this Bylaw relates to dogs being "At Large" the Town will allow an owner of a licensed dog exemption from prosecution for the first offence of being "At Large" through a "Free Ride Home Program" with proviso that a person over the age of (16) is present at the dogs licensed place of residence. The "Free Ride Home" program will not apply to non-licensed dogs. This section will not apply to any other offences committed while at large, and will apply to Licensed and Non-Licensed Dogs as per the Fees and Rates Bylaw.
2. No owner of a dog may allow or permit the dog, by its cries, barks or other noises, to disturb the quiet, peace, rest, enjoyment, comfort or convenience of the neighborhood or of persons in the vicinity of the place where the dog is kept.
 1. No owner may allow a dog or dogs to call, cry or bark continuously or sporadically, in such a way that the noise is audible outside of the parcel where the dog or dogs are kept, as such noise may be objectionable and liable to disturb the peace, rest, enjoyment, comfort or convenience of individuals and the public between 7 am and 10 pm.
 2. No owner may allow a dog or dogs to call, cry or bark continuously or sporadically, in such a way that the noise is audible outside of the parcel where the dog or dogs are kept, as such noise may be objectionable and liable to disturb the peace, rest, enjoyment, comfort or convenience of individuals and the public between 10 p.m. and 7 am.
 3. In order for barking to be in violation of this Bylaw, it must be:
 - (i) Frequent and persistent; and,
 - (ii) Disturbing to the neighborhood (more than one household, unless otherwise determined to be bona fide)
3. An Owner whose dog has caused Damage to Property within the Town of Coaldale is guilty of an offence.
4. The Town may post signs in areas where dogs are not permitted, and an Owner whose dog is in an area where a sign prohibits the presence of dogs, is guilty of an offence regardless of whether or not such dog is At Large.

5. An Owner of a dog is guilty of an Offence if such dog:
 4. bites, attacks, threatens, harasses, barks at, chases, injures, or kills any person including, but not limited to, when such person is on bicycle, horse-back or while walking or running;
 5. bites, attacks, threatens, harasses, barks at, chases, injures, or kills any animal belonging to other persons; or
 6. bites, barks at, or chases any vehicle.

6. If a dog defecates on property, which is not the Owner's Property, the Owner shall cause such defecation to be removed immediately and disposed of in a sanitary manner. An Owner who fails to do so is guilty of an offence.

A blind owner of a registered Assistance Dog, or a blind person being assisted by a registered Assistance Dog is not subject to the obligations imposed in this subsection.

7. An Owner of a female dog is guilty of an offence if the Owner of such female dog does not keep it housed and confined in a building or secure enclosure during the entire period such female dog is in heat except that the female dog may be allowed outside any such building or secure enclosure for a reasonable period for the sole purpose of eliminating on the Owner's Property.

8. No person shall tease, torment, annoy, abuse or injure any dog, and any person who does so is guilty of an offence.

9. No person shall untie, loosen or otherwise free any dog, which is not in distress unless such person has the authorization of the Owner, and any person acting contrary to this section is guilty of an offence.

10. An Owner must ensure that a dog which, is in or on the rear or back of a moving or parked vehicle, is secured so as to:

1. ensure the dog is unable to fall out of or leave the vehicle; and
2. be unable to reach any of the sides or rear of the vehicle to prevent the dog from disturbing people walking by the vehicle.

11. No person shall interfere with, hinder or impede an Animal Control Officer in the performance of any duty authorized by this Bylaw, and any person who does so is guilty of an offence. No person shall:

1. interfere with or attempt to obstruct anyone who is attempting to capture, or who has captured any dog in accordance with the provisions of this Bylaw;
2. 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;
3. falsely represent that they are in charge or control of a dog so as to establish that the dog is restrained as the term is defined by this Bylaw;
4. unlock or unlatch or otherwise open the van or vehicle in which a dog captured for impoundment has been placed so as to

allow or attempt to allow any dog to escape; or remove or attempt to remove any dog from the possession of an Animal Control Officer or assistants.

12. For greater certainty, and to provide clear authority for the Animal Control Officer to perform duties under this Bylaw, an explicit authority is granted for the Animal Control Officer to enter onto private property to perform any of those duties, which are required to be performed under this Bylaw. For the purposes set out in Section 7. and Section 8. herein, an Animal Control Officer may enter any privately owned premises, provided however, the word "premises" does not include a building used as a "dwelling house".
13. No person shall remove or attempt to remove, any dog from the possession of an Animal Control Officer, or any person authorized to enforce any of the provisions of the Dog Regulation and Control Bylaw.
14. No person residing within the Town of Coaldale shall keep or harbor more than Three (3) dogs of whatever sex, and aged six (6) months or more, at the same time in any house, shelter, room or place within the Town. This Section shall not apply to premises lawfully used for the care and treatment of dogs operated by and in charge of a licensed veterinarian, nor to premises for which permission by the Town has been granted for temporary use for the purpose of a dog show, nor to any person who has been granted a permit to operate a kennel within the Town; nor to a dog owner to whom a Fanciers License has been issued.

6. CONTROLLED CONFINEMENT

1. A person who has received a Serious Wound or the Owner of any animal which has received a Serious Wound and the Owner of a dog which has inflicted the Serious Wound, shall promptly report the dog to an Animal Control Officer who may thereupon place the dog under Controlled Confinement and the dog shall not be released from such Controlled Confinement except by written permission of a registered veterinarian. At the discretion of the Animal Control Officer, such Controlled Confinement may be on the premises of the Owner, a registered veterinarian, or the Animal Shelter,
2. Upon demand made by the Animal Control Officer, the Owner shall forthwith surrender for supervised quarantine, any dog which has inflicted a Serious Wound to any human being, or any dog which the Animal Control Officer has reasonable and probable grounds to suspect of having been exposed to rabies. The dog may be reclaimed by the Owner: if adjudged free of rabies;
 1. upon payment of confinement expenses and payment of any penalties pursuant to this Bylaw;
 2. upon compliance with the licensing provisions of this Bylaw.

However, if the Animal Control Officer determines that a License will not be issued for the dog, or if there is no License issued then the dog shall be treated pursuant to Section 7.3. below.

3. In the event of an outbreak or a threatened outbreak of rabies or any disease affecting Animals, which may be transmitted to human beings, the Animal Control Officer, by virtue of this Bylaw, may direct that all dogs be securely tied up by the Owner or be otherwise effectively confined and prevented from being at large. Any dog found at large in contravention of this section shall be impounded.
4. Except as herein provided, no person shall kill or cause to be killed, any rabid dog, any dog suspected of having been exposed to rabies, or any dog which has bitten a human, nor remove such a dog from the Town without prior written permission from the Animal Control Officer.
5. When, in the judgment of a licensed veterinarian, a dog should be destroyed for humane reasons, such dog may not be redeemed, until such dog has been destroyed.
6. No action shall be taken against any person acting under the authority of the Dog Regulation and Control Bylaw for damages, for the destruction or other disposal of any dog. The Town will take no responsibility for the health or disposition of any dog kept, sold or given up for adoption by the Town.

7. POWERS OF AN ANIMAL CONTROL OFFICER

1. An Animal Control Officer is authorized to capture and impound in the Animal Shelter, any dog which is At Large. The Animal Control Officer is further authorized to take such reasonable measures as are necessary to subdue any dog which is At Large, including the use of tranquilizer equipment and materials. If any such dog is injured, it may be taken to a registered veterinarian for treatment and then to an Animal Shelter.
2. An impounded dog shall be kept in the Animal Shelter for a period of seventy-two (72) hours. Saturdays, Sundays and Statutory holidays shall not be included in the computation of the seventy-two (72) hour period. During this period, any Animal may be redeemed by its Owner, except as otherwise provided in this Bylaw, upon payment to the Town or its authorized agent of:
 1. The appropriate impoundment fee as set out in the Fees and Rates Bylaw;
 2. The appropriate penalty as set out in the Fees and Rates Bylaw;
 3. The appropriate License Fee when the dog is not licensed as set out in the Fees and Rates Bylaw; and
 4. The cost of any veterinary treatment to relieve pain or bleeding of any dog that is found to be injured when picked up or injured in the process of capture.

However, if no License is issued for the dog, or the conditions of the License have not been met, the Animal Control Officer is not obliged to release the dog to the Owner.

3. At the expiration of the seventy-two (72) hour period as prescribed in Section 7.2. of this Bylaw, the Animal Control Officer is authorized to:
 1. Offer the dog for sale, or for gift;
 2. Destroy the dog in a humane manner;
 3. Allow the dog to be redeemed by its Owner in accordance with the provisions of Section 7.2., herein; or
 4. Continue to impound the dog for an indefinite period of time or for such further period of time as the Animal Control Officer, in his or her discretion, may decide.

Any person given possession of an impounded dog pursuant to the provisions of this Bylaw whether by sale or otherwise will obtain full right and title to the dog and the right and title of the Former Owner of the dog will cease thereupon. The new owner will be required to meet the licensing requirements as per this Bylaw.

Any person taking possession of any dog from the Town will be required to acknowledge in writing that the Town has no responsibility whatsoever for the health or disposition of the dog.

4. An Animal Control Officer may destroy sell or otherwise dispose of a dog after the dog is retained in the Pound for seventy-two (72) consecutive hours from the time of the impoundment unless:
 1. a person having authority orders the further retention or the destruction of the dog; or
 2. the Owner makes arrangements with the Animal Control Officer for the further retention of the dog.
5. In any case where a dog is euthanized, the cost will be the responsibility of the owner. If the expense, and cost, incurred by the Town pursuant to section 7.4. of this Bylaw, is not paid by said owner, the Town may:
 1. recover the expense and cost by action in a court of competent jurisdiction, which will include court and legal fees.
6. A Peace Officer or Animal Control Officer may capture and impound any dog which is:
 1. off the premises of it's Owner or when it is pursued on to the premises of it's Owner;
 2. running at Large;
 3. named or described or otherwise designated in a complaint made pursuant to the *Dangerous Dogs Act*, Alberta
 4. named or described or otherwise designated in a complaint alleging the dog to be vicious;
 5. biting or attempting to bite any person while Running at Large;
 6. actually, or apparently affected with rabies or any other contagious disease;

7. chasing, worrying, or annoying any poultry or domestic animals on property other than that belonging to the Owner of the dog;
or,
 8. in the opinion of an Animal Control Officer, the Owner is in breach of any provision of this Bylaw.
7. A Peace Officer or Animal Control Officer may stop and inspect any dog found in a public place whether with the Owner or not.

8. DUTIES OF THE ANIMAL CONTROL OFFICER

An Animal Control Officer shall:

1. Have general supervision and control of the Animal Shelter;
2. Maintain the Animal Shelter in a safe and sanitary condition;
3. Capture and impound or cause to be captured and impounded all dogs the Animal Control Officer deems required to be impounded pursuant to the provisions of this Bylaw or any statute of Canada, or of the Province of Alberta, or of any regulations made there under;
4. Supervise and direct the duties of any agent, assistant or employee engaged; appointed or employed to assist the Animal Control Officer in the performance of his or her duties;
5. Subject to this Bylaw, have control of all dogs in the Pound;
6. Ensure that dogs impounded in the Pound receive adequate care and sufficient food and water;
7. Report any apparent illness, communicable disease, injury or unhealthy condition of any dog to a Veterinarian if, in the opinion of the Animal Control Officer, the condition of the dog warrants the examination or care of a Veterinarian, and act upon the Veterinarian's recommendation. The Owner shall be held responsible for all resulting charges;
8. Immediately segregate from other animals and restrain any dog brought to the Pound if it has or appears to have rabies or any other communicable disease, and in the case of rabies, report such condition to the Medical Health Officer, to a Veterinary Inspector of the Health of Animals Division of the local office of the Federal Department of Agriculture, or to any other official designated for that purpose pursuant to the *Health of Animals Act, Canada*;
9. Collect from person or persons liable all fees and charges levied pursuant to the provisions of this Bylaw as authorized by this Bylaw; the Fees and Rates Bylaw; and remit all such fees and charges to the treasurer of the Town as required.

10. Sell or dispose of all dogs by appropriate manner and process as provided for in this Bylaw.
11. Maintain adequate records of:
 1. licenses issued to dog owners in the Town of Coaldale.
 2. any complaint made under the provisions of this Bylaw and the disposal of such complaint;
 3. any complaint made under the *Dangerous Dogs Act*, Alberta when such complaint has been reported to the Animal Control Officer and the action taken on such complaint;
 4. the daily operation of the Pound;
 5. each dog impounded and the disposition made of such Dog;
 6. notices sent to the Owners of dogs and others pursuant to the provisions of this Bylaw; and
 7. telephone calls made attempting to contact Owners of dogs;
12. Receive all dogs dropped off by Owners once an Owner has paid the fee as set out in the Fees and Rates bylaw;
13. Make complaint when required pursuant to the *Dangerous Dogs Act*, Alberta.

9. PENALTIES

1. Any person who contravenes any provision of this Bylaw is guilty of an offence and is liable to penalty as set out in the Fees and Rates bylaw.
2. As outlined by the Fees and Rates bylaw, penalty for a second offence within a period of twelve (12) continuous months will be two times the penalty of the first offence.
3. As outlined by the Fees and Rates bylaw, penalty for a third offence and any subsequent offence within a period of twelve (12) continuous months will be three times the penalty of the first offence.
4. Notwithstanding Section 9.1. of this Bylaw, any person who commits an offence under this Bylaw relative to a Restricted Dog will be subject to penalty not more than one and one-half (1½) times the penalty as set out in the Fees and Rates bylaw excepting for any offence, which specifies "Restricted Dog".
5. Under no circumstance shall any person contravening any provision of this Bylaw be subject to the penalty of imprisonment.

10. VIOLATION TAGS AND TICKETS

1. The Animal Control Officer is hereby authorized and empowered to issue a Violation Tag to any person who contravenes any provision of the Dog Regulation and Control Bylaw.
2. Such Violation Tag may be issued to such persons either:
 1. Personally, or by leaving a copy for the offender, at the offender's last or usual place of abode; or
 2. By mailing a copy to the offender, at the offender's last known post office address.
3. The Violation Tag shall be in a form approved by the Town and shall state, inter alia:
 1. The name of the offender;
 2. The offence;
 3. The appropriate penalty for the offence as specified in the Fees and Rates bylaw; and
 4. That the penalty shall be paid within FOURTEEN (14) days of the issuance of the Violation Tag to avoid prosecution.
 5. That the penalty will be reduced by ½ (50%) of that specified if paid within FOURTEEN (14) days.
4. Where a contravention of the Animal Control Bylaw is of a continuing nature, further Violation Tags for the same offence, may be issued by the Animal Control Officer, provided however, that no more than one Violation Tag shall be issued for each day that the contravention continues.
5. Where a Violation Tag is issued pursuant to either Section 10.1. or 10.4. of the Dog Regulation and Control Bylaw, the person to whom the Violation Tag is issued may, in lieu of being prosecuted for the offence, pay to the Town the sum specified on the Violation Tag which will be reduced 50% if paid within Fourteen (14) days.
6. If the penalty specified on the Violation Tag is not paid within the prescribed time period, an Animal Control Officer is hereby authorized and empowered to issue a Violation Ticket pursuant to the Provincial Offences Procedure Act.
7. The Violation Ticket must be in the form prescribed under the Act and must include both a complaint and a summons.
8. The complaint portion of the Violation Ticket must be duly sworn and filed with the clerk of the Provincial Court prior to the initial appearance date indicated on the ticket. At the time of issue, the Animal Control Officer will assign a date by which the person charged must pay the penalty or appear in court to plead to the charges as provided by the Provincial Offences Procedure Act. Assuming that the person charged does not pay the fines, they will be required to appear in court and enter a plea. Once the plea is entered, a trial date will be assigned.

11. PAYMENT BY CHEQUE

1. Where a fine or fee is issued pursuant to this Bylaw and has been paid by the tender of an uncertified cheque the fine or fee is:
 1. is considered paid subject to the cheque being accepted and cashed by the bank upon which it is drawn without any mention of this condition being made on the fine or fee; and
 2. is automatically reinstated if the cheque is not accepted and cashed by the bank on which it is drawn in which case the Owners shall pay forthwith the total amount of the fine or fee plus a fee set by the Town for the processing of the cheque.

12. POUNDS

1. The Town shall establish such number of “Animal Shelters” and appoint such Animal Control Officers as are necessary to provide for the enforcement of this Bylaw.

13. VICIOUS DOGS

1. No person shall own, keep, maintain, or harbour a Vicious Dog.
2. A Vicious Dog shall be impounded and a complaint shall be made by the Animal Control Officer pursuant to the *Dangerous Dogs Act, Alberta*, for an order directing that the Vicious Dog be destroyed.

14. PROHIBITED AREA

1. No Dogs shall be permitted in the following areas:
 1. cemetery;
 2. school grounds (unless with approval from the Animal Control Officer or attending an approved special event and under the direct control of the Owner); or
 3. within 30 metres of playground equipment in a park.

15. COMPLAINTS

1. Any person may make a complaint to an Animal Control Officer regarding a dog in the Town by submitting to the Animal Control Officer a signed and duly commissioned Complaint.
2. Such Complaint must be in the form of Appendix “A” to this Bylaw.
3. An Animal Control Officer shall only investigate complaints received in the specified form.

4. Upon receipt of a Complaint in the specified form the Animal Control Officer shall:
 1. investigate the complaint;
 2. prepare a written report; and
 3. take whatever action the Animal Control Officer in their sole discretion deems appropriate.

16. EXEMPTIONS

1. This Bylaw shall not apply to trained police dogs owned, kept, and maintained or harboured by law enforcement officers.
2. This Bylaw shall not apply to dogs, which are trained in Search and Rescue Operations and are in the execution of, and are actively involved in a search effort.

17. GENERAL

1. This Bylaw shall not apply to:
 1. the animals kept at a zoo, or being securely transported within motor vehicle to or from a zoo;
 2. the animals kept at any veterinary clinic, or being securely transported within a motor vehicle to or from a veterinary clinic.
2. An applicant is responsible for and is not excused from ascertaining and complying with the requirements of any Federal, Provincial or other Municipal legislation, including the Town's Land Use Bylaw. Where the keeping of the Dogs would not comply with any Federal, Provincial or other Municipal legislation, the Animal Control Officer may refuse to issue a License.

18. COUNCIL INTENT

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

19. SCHEDULES

1. The Schedules attached to this Bylaw form part of this Bylaw.
2. The Schedules attached to this Bylaw may be amended by resolution of Council to preclude need for an amendment to the Bylaw.

20. EFFECTIVE DATE

1. This Bylaw shall come into force and effect upon the final passing thereof.

21. REPEAL OF BY LAWS

1. That this Bylaw 832-R-09-21 rescinds the following bylaw:

Bylaw 569-R-10-06.

Dog Regulation and Control Bylaw 832-R-09-21 shall come into force when it receives THIRD and FINAL reading and is duly signed.

READ a FIRST time this 27th day of September, 2021, for Dog Regulation and Control Bylaw 832-R-09-21.

Mayor – Kim Craig
Motion #: 340-2021

CAO – Kalen Hastings

READ a SECOND time this 12th day of October, for Dog Regulation and Control Bylaw 832-R-09-21.

Mayor – Kim Craig
Motion #: 370-2021

CAO – Kalen Hastings

READ a THIRD and FINAL time this 12th day of October, for Dog Regulation and Control Bylaw 832-R-09-21.

Mayor – Kim Craig
Motion #: 371-2021

CAO – Kalen Hastings

APPENDIX "A"
CUSTOMER SERVICE REQUEST

FORM # _____

Date:

Time:

Received By:

Customer Name:	Address:
Phone #:	
Request:	

Referred To:

Date:	Time:
Response/Action Taken:	
Request Completed:	
Yes:	
No:	
Reported By:	

Referred To:

Date:	Time:
Response/Action Taken:	
Request Completed:	
Yes:	
No:	
Reported By:	

The personal information requested on this form is being collected for the administration and operation of the Town of Coaldale customer and ratepayer's complaint process, under the authority of the Municipal Government Act (MGA) and is protected by provisions of the Freedom of Information and Protection of Privacy (FOIP) Act.