



## CITY OF FORT SASKATCHEWAN

### BYLAW C1-02

BEING A BYLAW OF THE CITY OF FORT SASKATCHEWAN IN THE PROVINCE OF ALBERTA FOR THE PURPOSE OF REGULATING AND CONTROLLING DOMESTICATED ANIMALS IN THE CORPORATE LIMITS OF THE CITY OF FORT SASKATCHEWAN

WHEREAS the Council wishes to restrain and regulate the running-at-large of Dogs and Cats in the City of Fort Saskatchewan; and

WHEREAS the Council deems it expedient to license Dogs and Cats in the City of Fort Saskatchewan; and

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

WHEREAS the Municipal Government Act RSA 2000, Chapter M-26 authorizes Council to pass such a Bylaw;

NOW, THEREFORE, the Council of the City of Fort Saskatchewan duly assembled enacts as follows:

#### PART I

#### DEFINITIONS

1.1 This Bylaw may be cited as "THE FORT SASKATCHEWAN ANIMAL CONTROL BYLAW."

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

(a) "ANIMAL CONTROL OFFICER" shall mean any person or persons duly authorized by the City to enforce the provisions of this Bylaw, including, but not limited to the Poundkeeper;

(b) "ANIMAL SHELTER" shall mean the premises designated by the City for the purpose of impounding and caring for all Dogs and Cats found to be contravening any section of this Bylaw;

(c) "CAT" shall mean either a male or female of the felidae family;

- (d) "CITY" shall mean the municipal corporation of the City of Fort Saskatchewan;
- (e) "COUNCIL" shall mean the City Council for the municipal corporation of the City of Fort Saskatchewan;
- (f) "DOG" shall mean either a male or female of the canidae family;
- (g) "DOMESTIC ANIMAL" shall mean an animal that is not wild and lives in or near the habitations of man, and includes, but is not limited to a cow, a pig, a horse, a sheep, a rabbit, a skunk, a snake, a chicken, a turkey, a duck, a goose, and a pigeon;
- (h) "DWELLING UNIT" shall mean a self-contained living premises with cooking, eating, living, sleeping and sanitary facilities for domestic use of one or more individuals;"
- (i) "GUARD DOG" shall mean a Dog trained to patrol privately owned, residential or non-residential property, whether or not accompanied by its Owner or someone acting on behalf of and with the authority of its Owner for the purpose of protecting said property against, inter alia, break-in, theft, trespass, and vandalism;
- (j) "GUIDE DOG" shall mean a Dog trained as a guide for a blind person and identified on an identification card issued by the Canadian National Institute for the Blind under the provisions of the Blind Persons' Rights Act RSA 2000, Chapter B-3 and amendments thereto;
- (k) "HERDING DOG" shall mean a Dog trained to herd sheep situated on privately owned, non-residential property, for the sole purpose of rounding up or herding sheep located on the said property;
- (l) "KENNEL" shall mean any place owned by any person, group of persons, or corporation engaged in the commercial business of breeding, buying, selling or boarding animals of any kind;
- (m) "OWNER" shall mean any person owning, possessing or having the charge or control over a Domestic Animal or Dog or Cat and shall include the occupier of a house or premises, or where there are more occupiers than one in a house or premises let in separate apartments or lodgings, or otherwise, the occupier of that particular part of the house or premises, in which the Domestic Animal is kept, harbored or permitted to live or remain at the time a breach of this Bylaw is committed unless the aforesaid occupier established that he/she was not the owner of the Domestic Animal or Dog or Cat at that time;
- (n) "PERMITTED LEASH" shall mean a leash adequate to restrain the attached Dog or Cat which leash shall be not longer than two (2) meters;
- (o) "POUNDKEEPER" shall include the Animal Control Officer and any person or persons duly authorized to operate the Animal Shelter;
- (p) "PUBLIC PROPERTY AREA" shall mean all property owned by or under the control and management of the City and located within the City limits;

(q) "RUNNING AT LARGE" shall mean and include the situation where:

(i) a Dog or Cat is on any place other than the parcel of land which the dwelling of the Owner of such Dog or Cat is located; and

(ii) while on such place, the Dog or Cat is not being restrained by a Permitted Leash and under the effective control of the Owner or someone acting on behalf of and with the authority of the Owner as required by this Bylaw.

The phrase "At Large" when used in this Bylaw shall be synonymous with "Running at Large";

(r) "SECURE AND LOCKED PEN" shall have secure sides and a secure top and, if it has no bottom secured to the sides, the sides must be embedded in the ground to a minimum depth of thirty-five (35) centimeters;

(s) "SERIOUS WOUND" shall mean an injury resulting from a Dog bite, which causes the skin to be broken, or the flesh to be torn;

(t) "TRANQUILIZER GUN" shall mean a pistol of Kap-Chur or similar manufacture capable of propelling a dart containing a drug approved by a qualified veterinary surgeon and

(u) "VICIOUS DOG" shall mean any Dog which:

i) shows a propensity, disposition or potential to attack or injure, without provocation, humans or other animals;

ii) is a continuing threat of serious harm to humans or other animals;

iii) without provocation, chases any person in a threatening manner;

iv) has inflicted a Serious Wound upon a human or upon a Domestic Animal without provocation;

v) is deemed to be dangerous by a Justice under the provisions of the Dangerous Dogs Act RSA 2000, Chapter D-3 and amendments thereto;

vi) is owned or harbored for the purpose of dog fighting;

vii) is a Guard Dog.

## PART II

### LICENSING

#### Section 1

1.1 No person residing at any Dwelling Unit shall be the Owner and/or house more than two (2) Dogs and/or two (2) Cats older than 6 months at any one time.

#### Section 2

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

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

#### Section 3

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

3.2 Where a Dog is deemed to be dangerous pursuant to the provisions of the Dangerous Dogs Act RSA 2000, Chapter D-3 or is determined to be a Vicious Dog pursuant to the provisions of this Bylaw, the Owner of said Dog shall be required to obtain a Vicious Dog license; the appropriate license fee for same being set out in Schedule "A" attached hereto.

#### Section 4

4.1 Every person who resides within the limits of the City and being the Owner of a Dog or Cat shall, before the 31st day of January in each year, obtain a license for the Dog or Cat for the current calendar year.

## Section 5

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

## Section 6

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

- a) name and address of the Owner;
- b) name and description of the Dog or Cat to be licensed;
- c) the breed or cross-breed of the Dog or Cat;
- d) to benefit from the reduced license fee, a veterinarian's certificate indicating the Dog or Cat is spayed or neutered or a statutory declaration executed by the Owner stating that the Dog or Cat is spayed or neutered;
- e) tattoo or nose print number (if available); and
- f) such other relevant and necessary information as may be required by the City with respect to the application.

## Section 7

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

## Section 8

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

## Section 9

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

## Section 10

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

## Section 11

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

## Section 12

12.1 In addition to the provisions of Part II, Sections 1 to 11 inclusive, where a Dog is deemed to be dangerous pursuant to the provisions of the Dangerous Dogs Act RSA 2000, Chapter D-3 or is determined to be a Vicious Dog pursuant to the provisions of this Bylaw, the Owner of such Dog shall:

- a) obtain a Vicious Dog tag as specified by the City which is to be worn by such Dog at all times;
- b) have such Dog tattooed to the satisfaction of the Animal Control Officer, for the purpose of identifying such Dog as being a Vicious Dog.

12.2 As a condition of obtaining a Vicious Dog license, the Owner shall have in place a policy of liability insurance in a form satisfactory to the City of Fort Saskatchewan providing third party liability coverage in a minimum amount of \$1,000,000.00 for injuries caused by the Owner's Vicious Dog.

12.3 The liability policy shall contain a provision requiring the issuer to immediately notify the City in writing should the policy expire or be cancelled or terminated.

12.4 Upon cancellation, expiry or termination of the liability policy, the Vicious Dog License is null and void.

## Section 13

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

- a) persons temporarily in the City for a period not exceeding four (4) weeks;
- b) holders of a valid development permit, issued pursuant to the Land Use Bylaw, authorizing the operation of a Kennel;
- c) blind persons holding an identification card proving ownership of a Guide Dog for their use;
- d) persons caring for a Dog or Cat for a period of no longer than thirty (30) days, once per year, where the Owner of the Dog or Cat resides outside the municipal boundaries.

## PART III

### CONTROL OF DOGS AND CATS

#### Section 1

1.1 The Owner of a Dog or Cat shall not permit such Dog or Cat to be At Large within the corporate limits of the City.

1.2 When a Dog or Cat is found to be At Large, its Owner shall be deemed to have failed or refused to comply with the requirements of Subsection 1.1.

1.3 Subsections 1.1 and 1.2 shall further not apply in the case of a Guard Dog, where said Dog is actively engaged in patrolling privately-owned, residential or non-residential property provided:

- a) the perimeter of the property being patrolled is sufficiently secured by way of a continuous fence or other form of barricade or barrier so as to prevent such Dog from escaping therefrom;
- b) signs are posted around the perimeter of the said property alerting the public that the said property is patrolled by a Guard Dog; and
- c) the said Dog is under the effective control of its Owner, or someone over the age of sixteen (16) years acting on behalf of and with the authority of the Owner, as required by this Bylaw, while said person is in attendance on the property being patrolled.

1.4 Subsections 1.1 and 1.2 shall further not apply in the case of a Herding Dog, where said Dog is actively engaged in rounding up or herding sheep on privately owned, non-residential property, provided the said Dog is under the effective control of its Owner or someone acting on behalf of and with the authority of the Owner, as required by this Bylaw, while said person is in attendance on the property being patrolled by the Herding Dog.

## Section 2

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

This Section shall not apply to a blind Owner of a Guide Dog, or a blind person being assisted by a Guide Dog.

## Section 3

3.1 The Owner of a female Dog or Cat in heat shall, during the whole period that such Dog or Cat is in heat, keep such Dog or Cat confined and housed in the residence of the said Owner, or in a licensed Kennel.

3.2 Where a female Dog or Cat in heat is confined and housed in the residence of its Owner, such Dog or Cat shall be permitted outside the said residence for the sole purpose of permitting such Dog or Cat to defecate on the property of the residence of said Owner.

## Section 4

4.1 No Owner shall permit his Dog or Cat to damage public or private property.

4.2 When public or private property is damaged by a Dog or Cat, its Owner shall be deemed to have failed or refused to comply with the requirements of Subsection 4.1.

## Section 5

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

5.2 Subsection 5.1 shall not apply to a blind Owner of a Guide Dog, or a blind person being assisted by a Guide Dog.

5.3 When an Owner of a Dog or Cat is observed to leave the public or private property upon which his or her Dog or Cat has defecated without removing such defecation, such Owner shall be deemed to have failed or refused to comply with the requirements of Subsection 5.1.

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

## Section 6

6.1 No Owner shall permit his Dog to bark or howl excessively or his Cat to meow or howl excessively.

6.2 Where a Dog or Cat disturbs the quiet of any person, the Owner of such Dog or Cat shall be deemed to have failed or refused to comply with the requirements of Subsection 6.1.

## Section 7

7.1 The Owner of a Dog shall not permit his Dog to:

- a) threaten or bite people;
- b) chase motor vehicles;
- c) chase people; or
- d) attack, harass, injure or kill pets belonging to other persons.

7.2 Where a Dog chases, threatens or bites any person, or chases any motor vehicles, or injures or harasses any pet belonging to other persons, the Owner of said Dog shall be deemed to have failed or refused to comply with the requirements of Subsection 7.1.

7.3 An Owner shall not be deemed to have failed or refused to comply with the requirements of Subsection 7.1 where his Dog threatens, chases, attacks or bites:

- a) a trespasser on the property where its Owner resides, or in the case of a Guard Dog, or Herding Dog, a trespasser on the property being patrolled by said Dog pursuant to the provisions of Subsection 1.3 and 1.4 respectively of this Part; or
- b) a person who is physically abusing or teasing said Dog.

7.4 In addition to any other penalty that may be imposed under this Section, the Animal Control Officer or Poundkeeper may make a complaint under the Dangerous Dogs Act RSA 2000, Chapter D-3 for an Order directing, inter alia, that such Dog be controlled or destroyed.

7.5 Every person who fails to comply with any Order issued pursuant to Subsection 7.4 is guilty of an offence under this Bylaw.

## Section 8

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

## Section 9

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

- a) muzzled;
- b) on a Permitted Leash; and
- c) under the effective control of the Owner or someone over the age of sixteen (16) years acting on behalf of and with the authority of the Owner as required by this Bylaw.

9.2 Paragraphs 9.1(a) and 9.1(b) shall not apply where the Vicious Dog is confined within a Secure and Locked Pen, or where the Vicious Dog is in a building or enclosure in attendance at a bona fide dog show.

9.3 Subsection 9.1 shall not apply in the case of a Guard Dog, where said Dog is actively engaged in patrolling privately owned, non-residential property in accordance with the provisions of Subsection 1.3 of this Part.

## Section 10

10.1 At all times while a Vicious Dog is on the property on which its Owner resides, the Owner shall either keep such Dog confined indoors and under the effective control of a person over the age of sixteen (16) years, acting on behalf of and with the authority of the owner as required by this Bylaw, or confined in a Secure and Locked Pen capable of preventing the entry of young children.

10.2 Where a Vicious Dog is on private property owned by, or under the control of its Owner, said Owner shall not allow the Vicious Dog to be outdoors or out of a Secure and Locked Pen unless the Vicious Dog is on a Permitted Leash and under the effective control of the Owner or someone over the age of sixteen (16) years acting on behalf of and with the authority of the Owner as required by this Bylaw.

10.3 Subsection 10.2 shall not apply in the case of a Guard Dog, where said Dog is actively engaged in patrolling privately owned, non-residential property or under the control of its Owner, or someone over the age of sixteen (16) years acting on behalf of and with the authority of the Owner in accordance with the provisions of Subsection 1.3 of this Part.

## Section 11

11.1 The Owner of a Dog which the Owner believes to be a Vicious Dog, shall keep such Dog in accordance with the provisions of Sections 9 and 10 of this Part.

## Section 12

12.1 When the Animal Control Officer or Poundkeeper determines that a Dog is a Vicious Dog either through personal observation or after an investigation initiated by a complaint, he/she shall in writing:

- a) inform the Owner that said Dog has been determined to be a Vicious Dog;
- b) require the Owner to keep said Dog in accordance with the provisions of this Bylaw respecting Vicious Dogs;
- c) inform the Owner that, if said Vicious Dog is not kept in accordance with the provisions of this Bylaw with respect to Vicious Dogs, the owner will be fined, or subject to enforcement action pursuant to Section 13 of this Part.

## Section 13

13.1 In addition to the remedies set forth in this Bylaw, if the Animal Control Officer or Poundkeeper determines that a Vicious Dog is not being kept in accordance with this Bylaw, he/she shall:

- a) make a complaint pursuant to the Dangerous Dogs Act RSA 2000, Chapter D-3 for an order/direction that such dog be controlled or destroyed;
- b) make an application pursuant to the Municipal Government Act RSA 2000, Chapter M-26 for an Order directing that such Dog be controlled in accordance with this Bylaw or be removed from the City.

## Section 14

14.1 Where a Dog is deemed to be dangerous pursuant to the provisions of the Dangerous Dogs Act RSA 2000, Chapter D-3 or is determined to be a Vicious Dog pursuant to the provisions of this Bylaw, the Owner of such Dog shall:

- a) post signs on his or her premises alerting the public that a Vicious Dog is located on said premises;
- b) not breed or sell such Dog within the city; and
- c) notify the Animal Control Officer or Poundkeeper should said Dog be At Large.

## Section 15

15.1 The Animal Control Officer is authorized to capture and impound all Dogs and Cats found contrary to the provisions of this Bylaw.

15.2 In enforcement of the jurisdiction provided in Subsection 15.1, the Animal Control Officer is hereby authorized to enter any privately-owned premises at reasonable times.

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

15.4 When all reasonable attempts to capture a Dog or Dogs have failed, the Animal Control Officer is hereby authorized to use a Tranquilizer Gun in order to effect said capture.

15.5 To assist in the seizure of Cats At Large, cat traps may be utilized by the Animal Control Officer.

## Section 16

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

- a) interfere with or attempt to obstruct an Animal Control Officer who is attempting to capture or who has captured any Dog or Cat in accordance with the provisions of this Bylaw;
- b) unlock or unlatch or otherwise open the vehicle or cat trap in which Dogs or Cats captured for impoundment have been placed, so as to allow or attempt to allow any Dog or Cat to escape therefrom; or

c) remove or attempt to remove any Dog or Cat from the possession of the Animal Control Officer or Poundkeeper.

16.2 No person shall:

- a) entice a Cat to enter a cat trap; or
- b) tease a Cat caught in a cat trap; or
- c) throw or poke any object into a cat trap when a Cat is caught therein.

## Section 17

17.1 The Poundkeeper shall keep all Dogs or Cats captured and impounded pursuant to the provisions of this Bylaw for a period of at least seventy-two (72) hours excluding Sundays and statutory holidays.

17.2 During this period, any Dog or Cat may be redeemed by its Owner or agent of the Owner upon payment of:

- a) the appropriate fine, where applicable, payable to the City;
- b) the appropriate license fee when a Dog or Cat is not licensed, payable to the City; and
- c) a per diem impounding fee, as established in the Pound Services and Animal and Pest Control Contract, payable to the Contractor.

17.3 If a Dog or Cat is not redeemed within the seventy-two (72) hours referred to in Subsection 17.1, said Dog or Cat may be destroyed or sold to a person other than the Owner, upon payment to the City of all applicable fees and fines as referred to in Subsection 17.2.

17.4 The Poundkeeper shall report any apparent illness, communicable disease, injury or unhealthy condition of any impounded Dog or Cat to a veterinarian and act immediately upon the veterinarian's recommendations. The Owner of the Dog or Cat may be responsible for all resulting charges.

17.5 When, in the judgment of a licensed veterinarian, a Dog or Cat should be destroyed for humane reasons, such Dog or Cat may not be redeemed.

17.6 No action for damages shall be taken against any person acting under the authority of this Bylaw for destruction or disposal of a Dog or Cat.

## Section 18

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

18.2 Upon demand of the Animal Control Officer, the Owner shall forthwith surrender any Dog which has inflicted a Serious Wound upon any person.

18.3 Where a Dog is captured pursuant to this Section, the Animal Control Officer may quarantine such Dog, which shall not be released from such quarantine except by written permission of a licensed veterinarian.

18.4 Quarantine shall be at the Animal Shelter.

## PART IV

### CONTROL OF DOMESTIC ANIMALS

#### Section 1

1.1 No Domestic Animal (other than a rabbit or pigeon in respect of Subsections 1.2 and 1.3 of this Part) may be kept within the City's municipal boundaries unless;

a) there is in existence a duly authorized Development Permit for a permitted or discretionary use with respect to the property upon which such Domestic Animal is kept, which Permit does not itself prohibit the keeping of the type of Domestic Animal kept thereon; or

b) the keeping of such Domestic Animal is, or is necessarily, incidental to an existing non-conforming use of the property on which such Domestic Animal is kept.

1.2 No person is permitted to own or keep more than four (4) pigeons or rabbits, or any combination thereof, on any property located within the municipal boundaries.

1.3 Any person keeping pigeons or rabbits pursuant to this Part, shall keep same in one or more Secure and Locked Pens, kept in a clean and sanitary condition. The pens may not be closer than one and one half (1 ½) meters from the nearest property boundary.

## Section 2

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

a) the pigeons or rabbits are not being kept in accordance with the provisions of this Bylaw; or

b) the said pigeons or rabbits have caused damage to the property of another person, the Animal Control Officer may direct the Owner of said pigeons or rabbits to comply with the provisions of this Bylaw and without limiting the generality of the foregoing, may direct the said Owner to restrain, dispose of, or destroy same.

## PART V

### RABIES CONTROL

#### Section 1

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

#### Section 2

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

#### Section 3

3.1 When an animal under quarantine has been diagnosed as rabid, or suspected by a licensed veterinarian as being rabid, and dies while under such

observation, the Poundkeeper shall immediately send the head of such animal to the appropriate health department for pathological examination and shall notify the Public Health Officer of reports, human contacts and the diagnosis made of the suspected animal.

#### Section 4

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

#### Section 5

5.1 Except as provided herein or in any other applicable legislation, no person other than the Animal or Pest Control Officer shall kill, or cause to be killed, any rabid animal, any animal suspected of having been exposed to rabies, or any animal which has bitten a human; nor remove the same from City limits without written permission from the Poundkeeper.

#### Section 6

6.1 The carcass of any dead animal exposed to rabies shall, upon demand, be surrendered to the Poundkeeper.

#### Section 7

7.1 The Poundkeeper shall direct the disposition of any animal found to be infected with rabies.

### PART VI

### PENALTIES

#### Section 1

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

#### Section 2

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

### Section 3

3.1 The offence ticket shall be sufficiently served if served by:

- a) double registered mail addressed to the Owner of the Dog, Cat or Domestic Animal concerned;
- b) handing the offence ticket to the Owner of the Dog, Cat or Domestic Animal concerned or to any adult at the place of residence of the said Owner.

### Section 4

4.1 Where an offence ticket is issued pursuant to this Bylaw, the following procedures shall apply:

- a) every offence ticket shall provide for payment to be made to the City of Fort Saskatchewan within seven (7) days from the date of the offence ticket. If payment is made within the time limit, such payment shall be accepted in lieu of prosecution;
- b) should payment not be made within fifteen (15) days from the date of issue of the offence ticket, a complaint shall be laid before a provincial court judge and prosecution for the alleged offence shall proceed as though no offence ticket had been issued;
- c) a person convicted of the offence specified on the offence ticket shall be subject to a fine in an amount not less than the penalty amount and other charges related thereto plus Court costs. Any accumulated pound fees are subject to fees set by the Animal and Pest Control Contract.

## PART VII

### GENERAL

### Section 1

1.1 Any person who hinders, delays or obstructs any person or persons engaged in enforcing any provision of this Bylaw, or impounding any Dogs, Cats or other animal liable to be impounded under the provisions of this Bylaw, shall, for each and every hindrance, delay or obstruction, be guilty of an offence and liable, upon summary conviction, to a fine as provided in Schedule "A" attached hereto.

Section 2

2.1 Any person who deliberately or willfully and with malicious intent, injures, hurts or otherwise harms any animal shall be guilty of an offence and liable, upon summary conviction, to a fine as provided in Schedule "A" attached hereto.

Section 3

3.1 Each Section of this Bylaw shall be read and construed as being separate and severable from each other Section. Furthermore, should any Section or Part of this Bylaw be found to have been improperly enacted for any reason, then such Section or Part shall be regarded as being severable from the rest of the Bylaw and the Bylaw remaining after such severance shall be effective and enforceable.

Section 4

4.1 Bylaw C4-89, and all amendments thereto, is hereby repealed.

Section 5

5.1 This bylaw shall come into force and effect upon third and final reading thereof.

READ a first time in Council this 8th day of January AD 2002.

READ a second time in Council this 12th day of February AD 2002.

READ a third time in Council this 12th day of February AD 2002.

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MAYOR

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LEGISLATIVE SERVICES  
DIRECTOR

Date Signed: February 13, 2002

SCHEDULE "A" TO BYLAW C1-02

- |   |           |
|---|-----------|
| 1. License for each neutered or spayed Dog or Cat | \$ 10.00  |
| 2. License for each unaltered Dog or Cat:         | \$ 20.00  |
| 3. Vicious Dog License:                           | \$ 100.00 |
| 4. Tag Replacement:                               | \$ 2.00   |

Senior citizens pay 50% of the fees set out in 1, 2 and 4 above.

PENALTIES

- |   |           |
|---|-----------|
| 1. Harboring more than two (2) Dogs and/or two (2) Cats   | \$ 60.00  |
| 2. Failure to obtain a Dog or Cat license:  | \$ 30.00  |
| 3. Failure to obtain a Vicious Dog license:   | \$ 500.00 |
| 4. Failure to produce proof of a valid and subsisting liability insurance policy as required for a Vicious Dog license to remain in full force and effect:                          | \$ 100.00 |
| 5. Failure to keep in force a Vicious Dog license:  | \$ 500.00 |
| 6. Failure to ensure that a collar and license tag are worn when a Dog or Cat is off the premises of the Owner:   | \$ 30.00  |
| 7. Failure to ensure that a collar and license tag are worn when a Vicious Dog is off the premises of the Owner:  | \$ 100.00 |
| 8. Failure of an Owner to have a Vicious Dog tattooed or the failure of an Owner to ensure that a Vicious Dog is wearing a Vicious Dog tag as required by Part II, Subsection 12.1: | \$ 50.00  |
| 9. Permitting a Dog or Cat to be At Large:  | \$ 25.00  |
| 10. Permitting a Vicious Dog to be At Large:  | \$ 500.00 |
| 11. Permitting a Dog or Cat to be in an area where the presence of Dogs or Cats is prohibited by a sign:  | \$ 50.00  |
| 12. Permitting a Vicious Dog or Cat to be in an area where the presence of Dogs or Cats is prohibited by a sign:  | \$ 100.00 |
| 13. Failure to confine and house a female Dog or Cat in heat in accordance with Part III, Section 3:  | \$ 50.00  |

14. Permitting a Dog or Cat to damage a Public Property Area or private property other than the property of the Owner of said Dog or Cat: \$ 60.00
15. Failure to remove a Dog's or Cat's defecation from a Public Property Area or private property other than the property of the Owner of said Dog or Cat: \$ 50.00
16. Failure to keep property in a clean, sanitary, and inoffensive condition day \$ 30.00 per day
17. Permitting a Dog to bark or howl excessively or Cat to meow or howl excessively: \$ 60.00
18. Violations of Part III, Paragraphs 7.1(a) to 7.1(d) inclusive as follows:
  - III 7.1(a) \$ 60.00
  - III 7.1(b) \$ 30.00
  - III 7.1(c) \$ 30.00
  - III 7.1(d) \$ 60.00
19. If a Vicious Dog bites or attacks a person or animal causing injury: \$1500.00
20. Failure to muzzle or otherwise secure a Vicious Dog when off the premises of the Owner: \$ 500.00
21. Failure to confine a Vicious Dog when on the premises of the Owner in accordance with this Bylaw: \$ 500.00
22. Failure to post warning signs of a Vicious Dog on the premises: \$ 100.00
23. Breeding or selling a Vicious Dog within the municipality: \$ 100.00
24. Failure to advise authorities if a Vicious Dog becomes At Large: \$ 350.00
25. Interference with the enforcement of this Bylaw, including Part III, Sections 16 and 17 and Part V: \$ 100.00
26. Failure to advise the authorities where a Dog has inflicted a Serious Wound: \$ 100.00
27. Refusal of an Owner to surrender to the authorities a Dog which has inflicted a Serious Wound: \$ 250.00
28. Keeping any Domestic Animal contrary to Part IV, Section 1.1: \$ 30.00 per day
29. Keeping a greater number of pigeons and rabbits than permitted by this Bylaw: \$ 30.00 per day
30. Failure to confine pigeons and rabbits in accordance with this Bylaw: \$ 50.00

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| 31. Refusal of an Owner to comply with an Order of an Animal Control Officer respecting the keeping of pigeons and rabbits owned by said Owner: | \$ 60.00                                      |
| 32. Any offence under this Bylaw for which a penalty is not otherwise provided:   | \$ 30.00                                      |
| 33. Second or subsequent offence within one (1) year as outlined in Part VI, Section 2:   | Double the amount of fine for a first offence |
| 34. Harming an animal in accordance with Part VII, Section 2:   | \$ 200.00                                     |
| 35. Declaring false information in respect to the spaying and neutering of a Dog or Cat for licensing purposes:                                 | \$ 100.00                                     |
| 36. Failure to provide proof of a license tag when a Dog or Cat is off the premises of the Owner:   | \$ 30.00                                      |