

Municipal Government Act RSA 2000 Chapter M-26

Being a Bylaw of the Summer Village of Silver Sands for the Purpose of Regulating and Controlling Animals Within the Corporate Limits of the Municipality

WHEREAS pursuant to Section 7 of the Municipal Government Act R.S.A. 2000, Chapter M-26, as amended, a municipality may pass bylaws with respect to wild and domestic animals and activities in relation to them;

AND WHEREAS, pursuant to Section 7 of the Municipal Government Act R.S.A. 2000, Chapter M-26, as amended, a municipality may pass bylaws with respect to the safety, health and welfare of people and the protection of people and property;

AND WHEREAS the Council of the Summer Village of Silver Sands deems it expedient to provide for the control and keeping of cats and dogs and domestic animals within the municipality, whereby Livestock shall only be kept, harboured, or possessed when the Livestock resides on a Farmland-assessed property which is located within the boundaries of the municipality;

AND WHEREAS this Bylaw does not regulate the feeding of wildlife within the boundaries of the municipality as that is addressed in Bylaw 344-2024 *Feeding of Wildlife Bylaw*;

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

A. TITLE:

This bylaw shall be cited as the "Animal Control Bylaw".

B. DEFINITIONS:

For the purposes of this bylaw:

1. **"Animal"** means any bird, reptile, amphibian, or mammal excluding humans and Wildlife;
2. **"Animal Protection Act"** means the *Animal Protection Act*, RSA 2000, c A-41;
3. **"Attack"** means force applied by an Animal to a person or other Animal consisting of more than one Bite, or more than one puncture, or more than one laceration, resulting in bleeding, sprains, serious bruising or multiple injuries;
4. **"Bark Excessively"** means a Dog that barks, howls, or makes any other loud noise for a continuous period so as to unreasonably disturb the peace and tranquility of the neighborhood;
5. **"Bite"** means force applied by an Animal by means of its mouth and teeth upon a Person or other Animal;
6. **"Bylaw"** means this Animal Control Bylaw;

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7. **"Bylaw Enforcement Officer"** means a bylaw enforcement officer appointed or employed or otherwise contracted by the Summer Village, or a Community Peace Officer appointed or employed or otherwise contracted by the Summer Village;
8. **"CAO"** means the chief administrative officer for the Summer Village;
9. **"Cat"** means any domesticated male or female member of the feline family;
10. **"Cemetery"** means land within the Summer Village that is set apart or used as a place for the burial of dead human bodies or other human remains or in which dead human bodies or other human remains are buried;
11. **"Communicable Disease"** means diseases which can be passed from Animal to Animal, and Animal to person;
12. **"Council"** means the municipal council of the Summer Village;
13. **"Court"** means the Alberta Court of Justice;
14. **"Day"** means a continuous period of twenty-four hours, or part thereof;
15. **"Dangerous Dogs Act"** means the *Dangerous Dogs Act*, RSA 2000, c D-3;
16. **"Designated Officer"** has the same meaning as defined in the *Municipal Government Act*;
17. **"Dog"** means any domesticated male or female member of the canine family;
18. **"Domestic Animal"** means a domesticated Animal that lives and breeds in a tame condition and, without restricting the generality of the foregoing, shall include a Dog, a Cat, a rabbit, and a ferret, but shall not include Livestock or Wildlife;
19. **"Former Owner"** means the Person who at the time of impoundment was the Owner of an Animal which has subsequently been sold, given away, or destroyed;
20. **"Golf Course"** means land which is set aside for the playing of the game of golf and upon which the game of golf is played;
21. **"Guide Dog"** has the same definition as set out in the *Blind Persons' Rights Act*, RSA 2000, c B-3, and includes a dog that is in training to become a guide dog but does not include Dogs that are no longer actively used as guide dogs;
22. **"Household Pet"** means a Dog, Cat, or other Domestic Animal but does not include Livestock or Wildlife;
23. **"Identification Tag"** means a disc or other shape of metal or plastic which is securely affixed to a Dog's or Cat's Collar or other restraining device and which contains in legible print, at a minimum, the operational phone number of the Owner or a phone number at which the Owner can be contacted;
24. **"Immunization"** means vaccination against rabies, distemper, hepatitis, parvovirus, para influenza, leptospirosis (DHPPL);

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25. **"Impounded"** means taken into custody of the Pound;
26. **"Justice"** has the meaning as defined in the *Provincial Offences Procedures Act*, RSA 2000, c, P-34;
27. **"Kennel"** means an establishment run by any person, group of persons, or corporation, engaged in the business of breeding, buying, selling, training or boarding of Animals of any kind;
28. **"Land Use Bylaw"** means Summer Village of Silver Sands Land Use Bylaw 335-2023, as amended;
29. **"Leash"** means material capable of leading or restraining the Animal on which it is being used;
30. **"Livestock"** includes, but is not limited to:
 - a. a horse, mule, donkey, swine, camel, llama, alpaca, sheep or goat;
 - b. domestically reared or kept deer, reindeer, moose, elk, or bison;
 - c. farm bred fur bearing animals including foxes or mink;
 - d. animals of the bovine species;
 - e. emus, ostriches, chickens, roosters, turkeys, ducks, geese, peacocks, peahens, or pheasants; and
 - f. all other animals that are kept for agricultural purposes, but does not include Cats, Dogs or other Domestic Animals;
31. **"Motor Vehicle"** has the meaning as defined in the *Traffic Safety Act*, RSA 2000, c T-6.
32. **"Municipal Government Act"** or the "Act" means the *Municipal Government Act*, RSA 2000, c M-26 and the regulations thereunder;
33. **"Municipal Violation Tag"** means a notice issued by the Summer Village that alleges an offence and provides a person with the opportunity to pay a fine amount to the Summer Village in lieu of prosecution for the offence;
34. **"Muzzle"** means a humane device of sufficient strength placed over an Animal's mouth to prevent it from Biting;
35. **"Off Leash Area"** means a Park or a portion of a Park which has been designated as an off-leash area by the Summer Village;
36. **"Owner"** means any Person or body corporate:
 - a. who is the licensed owner of an Animal;
 - b. who has legal title to an Animal;

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- c. who has possession, care and control, or custody of an Animal, either temporarily or permanently;
 - d. who harbours the Animal or allows an Animal to remain on that Person's premises;
 - e. who is identified as the registered owner on the title at the Land Titles office;
 - f. who is recorded as the Owner of the property on the Summer Village's assessment roll; or
 - g. who is an occupant of a property under a lease, license or permit;
37. **"Park"** means a public space controlled by the Summer Village and set aside as a park to be used by the public for rest, recreation, exercise, pleasure, amusement, cultural heritage, education, appreciation of nature and enjoyment and includes:
- a. Playgrounds;
 - b. Cemeteries;
 - c. natural areas;
 - d. Sports Fields;
 - e. Pathways;
 - f. trails;
 - g. Park roadways;
 - h. spray parks;
 - i. wading or swimming areas;
- but does not include Golf Courses;
38. **"Pathway"** means a multipurpose throughfare controlled by the Summer Village and set aside for use by pedestrians, cyclists, and persons using wheeled conveyances, which is improved by asphalt, concrete or brick, whether or not it is located in a Park, and includes any bridge or structure with which it is contiguous;
39. **"Peace Officer"** means a member of the Royal Canadian Mounted Police, a Peace Officer appointed under the *Peace Officer Act*, SA 2006, c P-3.5 or a Bylaw Enforcement Officer;
40. **"Person"** includes a corporation, an individual, and the heirs, executors, administrator or other legal representatives of an individual;
41. **"Playground"** means land within the Summer Village and controlled by the Summer Village upon which apparatus such as swings and slides are placed;

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42. **"Pound"** means the premises designated by the Summer Village for the purposes of impounding and caring for all Dogs and Cats found to be at Running at Large or otherwise contravening any section of this Bylaw;
43. **"Pound Keeper"** means a person appointed or contracted by the Summer Village or by agreement with another municipality or private business to maintain the designated Pound or Pounds;
44. **"Public Property"** means all Property owned by or under the control and management of the Summer Village;
45. **"Property"** includes any lands, buildings or premises in the Summer Village;
46. **"Provincial Offences Procedure Act"** means the *Provincial Offences Procedure Act*, RSA 2000, c P-34, and the regulations thereunder;
47. **"Running at Large"** or **"Run at Large"** means:
 - a. an Animal or Animals which are not under the control of a person responsible by means of a Leash and is or are upon property other than the property in respect of which the Owner of the Animal or Animal has the right of occupation, or upon any highway, throughfare, street, road, trail, avenue, parkway, lane, alley square, Pathway, bridge, causeway, trestleway, sidewalk (including the boulevard portion of the sidewalk), Park or other public place which has not been designated as an Off Leash Area, or
 - b. any Animal or Animals which are under the control of a person responsible by means of a Leash and which cause damage to persons, property or other Animals that is off of the property of the Owner or harbourer.
48. **"Service Dog"** has the same definition as set out in the *Service Dog Act*, SA 2007, C S-7.5 and includes a Dog that is in training to become a service dog but does not include Dogs that are no longer actively used as service dog;
49. **"Severe Injury"** includes any injury resulting in broken bone or bones, disfiguring lacerations, sutures, cosmetic surgery, scars, and further includes any other injury determined to be severe by a Court upon hearing the evidence;
50. **"Sports Field"** means land within the Summer Village and controlled by the Summer Village which is set apart and used for the playing of sport including, but not limited to, baseball diamonds, field hockey or cricket pitches, and rugby, soccer or football fields;
51. **"Stray Animals Act"** means the *Stray Animals Act*, RSA 2000, c S-20;
52. **"Summer Village"** means the Summer Village of Silver Sands;
53. **"Swine"** means any pig or swine, including potbellied pigs, that are of or are associated with the swine family;

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54. **“Threatening Behaviour”** means the following behaviour exhibited by a Dog, without provocation: growling, snapping at, lunging at, chasing, stalking, attacking or biting another Animal, Livestock or Wildlife or a bicycle, or motor vehicle being operated, unless the Dog is a working stock Dog and is engaged in the performance of such work;
55. **“Trespasser”** means one who intentionally and without consent or privilege enters another’s property;
56. **“Vicious Dog”** means:
 - a. any Dog which, without provocation, has chased, injured, or bitten any other Animal, livestock or human;
 - b. any Dog which, without provocation, has damaged or destroyed any public or private property;
 - c. any Dog which, without provocation, has threatened or caused the reasonable apprehension of threat to another Animal, Livestock, or human and which in the opinion of a Bylaw Enforcement Officer presents a threat of serious harm to other Animals, Livestock, or humans; and
 - d. any Dog which has been previously determined to be a Vicious Dog under this Bylaw, or a prior bylaw;
57. **“Violation Ticket”** has the same meaning as that term is used in the *Provincial Offences Procedure Act*;
58. **“Wildlife”** has the same meaning as that term is used in the *Wildlife Act*, RSA 2000, C W-10 and includes but is not limited to coyotes, cougars, bobcats, deer, moose, elk, wild rabbits, porcupines, beavers and skunks.

C RESTRICTIONS ON THE KEEPING OF ANIMALS

1. No person shall keep, harbour, or possess Livestock within the Summer Village except:
 - a. in accordance with the provisions of the Land Use Bylaw; and
 - b. where the Livestock are kept on property of the Owner of such Livestock and where such property is assessed as Class 3 - Farmland pursuant to the Summer Village’s assessment roll.
2. No person shall keep, harbour, or possess more than three (3) Dogs and/or three (3) Cats, of whatever sex and aged six (6) months or more, at one time, on any parcel of property in the Summer Village.
3. No person shall operate a Kennel on any property except where an approved Development Permit has been issued for such Kennel under the Land Use Bylaw and any other required licenses have been obtained. The harbouring, keeping or, or

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owning of more than three (3) Dogs over the age of six (6) months shall be deemed to be operating a Kennel.

D RESPONSIBILITIES OF ANIMAL AND DOG OWNERS:

1. The Owner of a Dog shall:
 - a. ensure the Dog is not Running at Large within the Village;
 - b. except when in an Off Leash Area, ensure the Dog is on a Leash and in control at all times when off of the Owner's property;
 - c. ensure that the Dog does not enter into or remain in or on a Cemetery within the Village;
 - d. ensure that the Dog does not enter into or remain in or on a Park or other Public Property with signage confirming Dogs are prohibited; and
 - e. ensure that any Dog that is suffering from a Communicable Diseases is kept housed and confined and is not permitted to come into contact with other Animals, Dogs or humans except for contact required to obtain veterinary medical care.
2. The Owner of a Dog or Cat over the age of six (6) months shall ensure that the Dog or Cat has an Identification Tag attached to its Collar, harness, or other restraining device when the Dog or Cat is off the Property of the Owner.
3. No Person shall allow a Dog to:
 - a. Bark Excessively;
 - b. Bite, chase or stalk Animals, bicycles, automobiles or other motor vehicles;
 - c. chase or otherwise threaten a person or persons, whether on the property of the Owner or not, unless the person chased or threatened is a Trespasser on the property of the Owner;
 - d. cause damage to property or other Animals, whether on the property of the Owner or not;
 - e. do any act that injures a person or persons whether on the property of the Owner or not;
 - f. Bite a person or persons, whether on the property of the Owner or not;
 - g. Attack a person or persons, whether on the property of the Owner or not;
 - h. Attack a person or persons, whether on the property of the Owner or not, causing Severe Injury;
 - i. cause death to another Animal; or
 - j. upset any waste receptacles or scatter the contents thereof on any Public Property or on any private property not belonging to the Owner.

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4. An Owner of an Animal shall:
 - a. ensure that the Animal is not in distress;
 - b. ensure that the Animal has adequate food and water;
 - c. provide the Animal with adequate care when the Animal is wounded or ill;
 - d. provide the Animal with reasonable protection from injurious heat or cold; and
 - e. provide the Animal with adequate shelter, ventilation and space.
5. No person shall allow an Animal to be outside of the passenger cab of a Motor Vehicle on a Roadway, regardless of whether the Motor Vehicle is moving or parked.
6. Notwithstanding section D.5 above, a person may allow an Animal to be outside of the passenger cab of a Motor Vehicle, including riding in the back of a pick-up truck or flatbed truck if the Animal is:
 - a. in a fully enclosed trailer;
 - b. in a canopy enclosing the bed area of a vehicle;
 - c. contained in a ventilated kennel or similar device that is securely fastened to the bed of the vehicle; or
 - d. securely tethered in such a manner that it is not standing on bare metal, cannot jump, or be thrown from the vehicle, is not in danger of strangulation, and cannot reach beyond the outside edges of the vehicle.
7. The Owner of a female Dog or Cat in heat shall keep such Dog or Cat is housed and confined in the Owner's residence or in a licensed Kennel during the whole period such Dog or Cat is in heat except that such Dog or Cat shall be permitted outside the said residence or Kennel for the purposes of:
 - a. urinating or defecating on the property of said Owner or Kennel; and
 - b. obtaining necessary veterinary medical care.
8. If a Dog or Cat defecates on any Public Property or private property other than the property of its Owner, the Owner shall cause such defecation to be removed immediately and disposed of properly. This requirement shall not apply to Service Dogs or Guide Dogs.
9. The Owner of a Dog shall ensure that when the Dog is on Public Property or private property other than property of its Owner, the Owner has means to collect and properly dispose of defecation from such Dog in the Owner's possession. This requirement shall not apply to Service Dogs or Guide Dogs.
10. The Owner of an Animal shall ensure that the Animal is not Running at Large.
11. The Owner of an Animal left unattended in a Motor Vehicle shall ensure:
 - a. that the Animal is restrained in a manner that prevents the contact between the Animal and any member of the public; and

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- b. that the Animal has suitable ventilation and reasonable protection from injurious heat or cold.
- 12. The Owner of a Motor Vehicle involved in an offence referred to in this section is guilty of the offence unless that Owner satisfies the Court that the Motor Vehicle was:
 - a. not being driven or was not parked by the Owner; and
 - b. that the person driving or parking the Motor Vehicle at the time of the offence did so without the Owner of the Motor Vehicle's express or implied consent.
- 13. The Owner of an Animal shall ensure that the Animal is not left unattended while tethered or tied on premises where the public has express or implied access.
- 14. The Owner of an Animal shall ensure that the Animal is not left unsupervised while tethered or tied on private property
- 15. A Peace Officer that identifies an offence under section D.11 of this Bylaw may use any means reasonable and necessary for the safety of the Animal to remove the Animal from the Motor Vehicle, and the Peace Officer is not liable for damage to the Motor Vehicle, its contents, or the Animal, associated with such action.

E INTERFERENCE WITH ANIMALS

- 1. No person shall:
 - a. untie, loosen, or otherwise free an Animal or Dog which has been tied or otherwise restrained; or
 - b. tease or torment an Animal or Dog or otherwise provoke an Animal or Dog to bark, Bite, attempt to Bite, chase or otherwise threaten any person, Animal or Dog; or
 - c. negligently or willfully open a gate, door, or other opening in a fence or enclosure in which an Animal or Dog has been confined and thereby allow an Animal or Dog to Run at Large.

F VICIOUS DOGS

- 1. A Bylaw Enforcement Officer may, based on personal observation of the Dog or an investigation initiated by a complaint, declare a Dog to be a Vicious Dog.
- 2. A Dog shall not be declared a Vicious Dog based on the following behaviour alone:
 - a. it Attacks or Bites a Trespasser on the property of the Owner, or property controlled by the Owner; or

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- b. it is kept as a Livestock guardian Dog and if the Attack is in defence of Livestock of which the Dog is responsible on the property of the Owner.
3. If a Bylaw Enforcement Officer determines a Dog to be a Vicious Dog, the Bylaw Enforcement Officer shall give the Owner of the Vicious Dog written notice by mail within fifteen (15) days of such determination:
 - a. informing the Owner that their Dog has been determined to be a Vicious Dog;
 - b. requiring the Owner to keep the Vicious Dog in accordance with the provision of this section of the Bylaw;
 - c. informing the Owner that if the Vicious Dog is not kept in accordance with the requirements of this section of this Bylaw, that the Owner will be fined, or subject to enforcement pursuant to this Bylaw.
4. An Owner of a Dog determined to be a Vicious Dog by the Bylaw Enforcement Officer may appeal such determination to Council within thirty (30) days of receiving notice of such determination. Such notice of appeal shall be submitted in writing to the CAO.
5. On receipt of a notice of appeal under section F.4 above, Council shall as soon as is reasonably practical cause the matter to be reviewed and make a final determination. That determination by Council shall be final and binding and not subject to further appeal under this Bylaw.
6. The determination of a Dog to be a Vicious Dog continues notwithstanding that the Dog has been sold, gifted, or transferred to a new Owner.
7. When a declared Vicious Dog is not on the Property of the Owner:
 - a. the Dog shall be harnessed or on a Leash which shall not exceed two (2) meters and in a manner that prevents it from chasing, injuring, or Biting other Animals or Persons, or causing damage to public or private property;
 - b. the Dog shall be under the control of a person who is sixteen (16) years of age or older; and
 - c. the Dog shall be Muzzled.
8. When a declared Vicious Dog is on the property of an Owner;
 - a. the Dog shall be confined indoors;
 - b. the Dog shall be kept as if the provisions of section F.7 above applied to such Dog while on the Property of the Owner; or
 - c. the Dog shall be confined in a secure enclosure which means a locked building, cage or fenced area of such construction that will not permit the confined Dog or Dogs to jump, climb, dig, or force their way out, or allow the entry of any person not in control of the Dog.
9. Where a Dog is determined to be a Vicious Dog pursuant to this Bylaw, the Owner shall, within ten (10) days of receiving the notice of designation:

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- a. ensure that the Vicious Dog has been tattooed by a licensed veterinarian;
 - b. ensure that an identifiable microchip has been implanted in the Vicious Dog;
 - c. if the Vicious Dog has not been spayed or neutered, have the Vicious Dog spayed or neutered; and
 - d. post signs conspicuously on their premises alerting the public that a Vicious Dog is on the premises.
10. Where a Dog has been determined to be a Vicious Dog, a Bylaw Enforcement Officer may impose one or more of the following conditions on the Owner of the Vicious Dog, and the Owner must comply at the Owner's expense with such conditions as are imposed under this section:
- a. requiring the Owner to modify the Owner's property in some manner in order to reduce the risk of the Vicious Dog leaving the property or Running at Large;
 - b. requiring the Owner to retain the services of a Dog trainer to provide the Owner with specified training and that the Owner provide proof of the completion of such training;
 - c. requiring the Owner to obtain, maintain, and provide written evidence of liability insurance in a specified amount for the Vicious Dog, and that such insurance policy contains a provision requiring the insurer to notify the Summer Village if such policy expires or is otherwise cancelled or terminated; and
 - d. any other additional condition that is similar to the above and in the opinion of the Bylaw Enforcement Officer is reasonably necessary for the safety of the public.
11. An Owner of a Vicious Dog shall ensure that the Dog does not:
- a. Run at Large;
 - b. chase a person or other Animal;
 - c. injure a person or other Animal;
 - d. Bite a person or other Animal;
 - e. Attack a person or other Animal; or
 - f. damage or destroy Public or private property.
12. Where a Dog is determined to be a Vicious Dog, the Owner of such Vicious Dog shall not permit the Vicious Dog to be in an Off Leash Area at any time.
13. Where a Dog is determined to be a Vicious Dog, the Owner of such Vicious Dog shall not breed or sell the Vicious Dog within the Summer Village.
14. The Owner of a Vicious Dog shall notify the Summer Village immediately of the following:

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- a. the Vicious Dog is Running at Large;
- b. the occurrence of any incident described in section F.11 involving the Vicious Dog; or
- c. the sale, surrender, or death of the Vicious Dog.

G RABIES AND COMMUNICABLE DISEASE CONTROL

- 1. Upon demand made by a Peace Officer, an Owner of a Domestic Animal shall forthwith surrender any Domestic Animal which the Peace Officer has reasonable and probable grounds to suspect of having been exposed to rabies or any Communicable Disease for supervised quarantine, the expense for which shall be borne by the Owner, and the Animal may be reclaimed by the Owner if the Animal is determined to be free of rabies or any Communicable Disease upon payment of the confinement expenses and upon compliance with the any other provisions of this Bylaw.
- 2. When a Domestic Animal under quarantine has been diagnosed as rabid, or suspected by a licensed veterinarian of being rabid, and dies while under such observation, the Pound Keeper shall immediately send the head of such Domestic Animal to the appropriate health department for pathological examination and shall notify the appropriate public health officer of reports and human contacts and the diagnosis made, or suspected diagnosis made, of the Domestic Animal.
- 3. During such period of rabies quarantine as provided for in this section, every Domestic Animal bitten by any Animal adjudged to be rabid, shall be forthwith destroyed or, at the Owner's expense and option shall be treated for rabies infection by a licensed veterinarian or held under quarantine by the Owner in the same manner as other Domestic Animals are quarantined.
- 4. The carcass of any dead Animal exposed to rabies shall, upon demand, be surrendered to the Pound Keeper.
- 5. A licensed veterinarian shall direct the destruction, disposal of remains or treatment of any Domestic Animal found to be infected with rabies.

H SEIZURE AND IMPOUNDMENT OF ANIMALS

- 1. A Bylaw Enforcement Officer, upon complaint under this Bylaw, may seize and impound:
 - a. every Dog or Cat found Running at Large contrary to this Bylaw in the Summer Village;
 - b. every Dog which has bitten, or is alleged to have bitten a person or Animal, pending the outcome of an application to declare the Dog to be a Vicious Dog, or an application under the *Dangerous Dogs Act* to destroy the Dog; and

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- c. every Dog or Cat not wearing an Identification Tag as required by this Bylaw.
2. In enforcement of the jurisdiction provided in section H.1 for the purposes of investigation only, a Bylaw Enforcement Officer is hereby authorized to enter any privately owned premises provided that in this section, the word "premises" does not include a building or buildings used as a dwelling house. A Bylaw Enforcement Officer may enter a premises in order to preserve the safety and security of the public if deemed necessary. Premises include any outdoor lot visible from the street.
3. If a Bylaw Enforcement Officer knows or can ascertain the name or residence of the Owner of any Impounded Dog or Cat, they shall make reasonable attempts to notify the Owner of the Impoundment of the Dog or Cat as soon as practical.
4. The Pound Keeper shall keep all Impounded Dogs or Cats for a period of at least 72 hours, unless the Dog or Cat is tattooed or microchipped in which cases the impoundment shall be for a period of at least 96 hours, including the day of impounding. Sundays and statutory holidays shall not be included in the computation of the 72-hour (or 96-hour) period. During this period, any healthy Dog or Cat may be redeemed by its Owner upon the Owner paying to the Pound Keeper the appropriate fees, documentation of immunization, neutering or spaying, fines issued, plus Pound fees for every 24-hour period or fraction thereof that the Dog or Cat has been Impounded.
5. If at the expiration of a 72-hour (or 96-hour) period any Impounded Dog or Cat has not been redeemed, it may be sold, given away, or destroyed. The purchaser of an Impounded Animal from the Pound pursuant to the provisions of this Bylaw shall obtain full right and title to the Animal and the right and title of the Former Owner shall be forfeit.
6. Any Impounded Dog or Cat which appears to be in distress in accordance with the *Animal Protection Act* shall be dealt with as provided for in the *Animal Protection Act*.
7. Any Livestock Running at Large within the Village shall be dealt with as provided for in the *Stray Animals Act*.
8. No Person whether or not they are the Owner of the Animal which is being, or has been, pursued or captured shall:
 - a. interfere with or attempt to obstruct a Peace Officer who is attempting to capture or who has captured any Animal in accordance with this Bylaw;
 - b. open any Motor Vehicle in which seized Animals have been placed;
 - c. remove or attempt to remove, from the possession of a Peace Officer, any Animal which has been seized;
 - d. induce any Animal to enter a house or other place where it may be safe from capture, or otherwise assist the Animal to escape capture;

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- e. falsely represent themselves as being in charge or control of an Animal so as to establish that the Animal is not Running at Large;
- f. unlock, unlatch, or otherwise open a Motor Vehicle in which Animals captured for Impoundment have been placed to as to allow or attempt to allow any Animals to escape; or
- g. provide false information to a Peace Officer.

I GENERAL

- 1. Any references in this Bylaw to any statutes, regulations, bylaws or other enactments is to those statutes, regulations, bylaws or other enactments as amended or replaced from time to time and any amendments thereto.
- 2. Whenever a singular or masculine form of a word is used in this Bylaw, it shall include the plural, feminine or neutral form of the word as the context requires.
- 3. The headings in this Bylaw do not form part of this Bylaw and shall not affect its interpretation.
- 4. No person shall willfully or knowingly obstruct a Peace Officer, or a person aiding a Peace Officer in their duties, from enforcing the provisions of this Bylaw.
- 5. Where this Bylaw requires that an Owner be provided with a notice or a decision, that notice of decision may be served by ordinary mail to the last known address of the Owner and the Owner is deemed to have received that notice or decision seven (7) days from the date it was mailed.
- 6. Any Person or Owner who commits a breach of any of the provisions of this Bylaw commits an offence.
- 7. In the case of an offence that is of a continuing nature, a contravention of a provision of this Bylaw constitutes a separate offence with respect to each day, or part of a day, during which the contravention continues, and a person guilty of such an offence is liable to a fine in an amount not less than that established by this Bylaw for each such separate offence.
- 8. A person who is guilty of an offence under this Bylaw is liable:
 - a. To a fine in an amount not less than as set out in Schedule A; or
 - b. On summary conviction, to a fine of not less than \$100.00 and not more than \$10,000.00, or imprisonment for not more than six months, or both.
- 9. If a Municipal Violation Tag is issued in respect of an offence, the Municipal Violation Tag must specify the fine established by this Bylaw for the offence.
- 10. A person who commits an offence may, if a Municipal Tag is issued in respect of the offence, pay the fine amount established by this Bylaw for the offence and if the amount is paid on or before the required date, the person will not be prosecuted for the offence under the *Provincial Offences Procedure Act*.

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11. Where a Peace Officer believes that a person has contravened any provision of this Bylaw, the Peace Officer may commence proceedings against the person by issuing a Violation Ticket pursuant to the *Provincial Offences Procedure Act*.
12. If a Violation Ticket is issued in respect of an offence, the Violation Ticket may:
 - a. specify the fine amount established by this Bylaw for the offence; or
 - b. require a person to appear in court without the alternative of making a voluntary payment.
13. A person who commits an offence may, if a Violation Ticket is issued in respect of the offence and if the Violation Ticket specifies the fine amount established by this Bylaw for the offence, make a voluntary payment equal to the specified fine.
14. Nothing in this Section shall prevent any Peace Officer from issuing a Violation Ticket requiring the court appearance of the defendant pursuant to the *Provincial Offences Procedure Act*, or from laying an information instead of issuing a Violation Ticket or Municipal Violation Tag.
15. A Municipal Violation Tag shall be deemed to be sufficiently served:
 - a. by leaving a copy with the accused person;
 - b. by leaving a copy for the accused person at the accused person's most usual place of residence with someone residing at the residence who is apparently 16 years of age or older; or
 - c. by mailing a copy by recorded mail to the last known address of the accused person; or
 - d. where the accused is an association, partnership, or other body corporate:
 - i. by serving it, using a method of service identified in subsections (a), (b), or (c) on a director of the body corporate;
 - ii. by leaving it at or serving it by recorded mail to the registered office address of the body corporate; or
 - iii. by leaving it with a person who appears to have management or control responsibilities in respect of the body corporate at its principal place of business.
16. This Section shall not prevent any Peace Officer from issuing a violation ticket requiring the court appearance of the defendant pursuant to the *Provincial Offences Procedure Act*, or from laying an information instead of issuing a violation ticket.
17. Nothing in this Section shall prevent any person or Owner from defending a charge of committing a breach of this Bylaw.
18. The Summer Village is not required to enforce this Bylaw. In deciding whether to enforce this Bylaw, the Summer Village may consider any practical concerns, including municipal budget and personnel resources.

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19. A Bylaw Enforcement Officer or Designated Officer may pursue any and all remedies set out in this Bylaw, the *Municipal Government Act*, and any other law in the Province of Alberta. Nothing in this Bylaw shall restrict, limit, or preclude the Summer Village from taking multiple steps to regulate Animals in the municipality.
20. Schedule A forms part of this Bylaw.
21. Each provision of this Bylaw is independent of all other provisions. If any provision of the Bylaw is declared invalid for any reason by a court of competent jurisdiction, all other provisions of this Bylaw shall remain valid and enforceable.

J TRANSITION AND COMING INTO FORCE

This Bylaw hereby rescinds Bylaw number 232 and any other Animal Control Bylaw or Dog Control Bylaw of and for the Summer Village of Silver Sands.

THAT this BYLAW shall come into force and effective on the date of the third and final reading.

Read a first time on this ____19th____ day of ____September____, 2024.

Read a second time on this ____19th____ day of ____September____, 2024.

Unanimous Consent to proceed to third reading on this ____19th____ day of ____September____, 2024.

Read a third and final time on this ____19th____ day of ____September____, 2024.

Signed this ____19th____ day of ____September____, 2024.

Mayor, Bernie Poulin

Chief Administrative Officer, Wendy Wildman

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SCHEDULE "A"

FINE SCHEDULE

Section	Offence	First Offence	Second Offence in a 12-month period	Third and Subsequent Offences in a 12-month period
C.1	Keeping, harboring or possessing Livestock	\$100.00	\$200.00	\$300.00
C.2	Keeping or more than three (3) Dogs and/or Three (3) Cats on one parcel (fine is for each excess animal)	\$100.00	\$200.00	\$300.00
C.3	Operating an unauthorized Kennel	\$100.00	\$200.00	\$300.00
D.1a	Dog Running at Large	\$100.00	\$200.00	\$300.00 for third offence \$500.00 for fourth and subsequent offences
D.1.b	Dog not on Leash or control when off Owner's property	\$100.00	\$200.00	\$300.00
D.1.c	Dog in Cemetery	\$100.00	\$200.00	\$300.00
D.1.d	Dog in area prohibited by sign	\$100.00	\$200.00	\$300.00
D.1.e	Dog suffering from Communicable Disease not confined	\$100.00	\$200.00	\$300.00
D.2	Dog or Cat without Identification Tag	\$100.00	\$200.00	\$200.00
D.3.a	Dog Barking Excessively	\$100.00	\$200.00	\$300.00
D.3.b	Dog Biting, chasing or stalking Animals, bicycles, automobiles or other motor vehicles	\$100.00	\$200.00	\$300.00
D.3.c	Dog chasing or threatening a person	\$100.00	\$200.00	\$300.00
D.3.d	Dog causing damage to property or other Animals, whether on the property of the Owner or not	\$100.00	\$200.00	\$300.00
D.3.e	Dog injures a person or persons whether on the property of the Owner or not	\$100.00	\$200.00	\$300.00
D.3.f	Dog bites a person or persons, whether on the property of the Owner or not	\$100.00	\$200.00	\$300.00

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Section	Offence	First Offence	Second Offence in a 12-month period	Third and Subsequent Offences in a 12-month period
D.3.g	Dog Attacks a person or persons, whether on the property of the Owner or not	\$100.00	\$200.00	\$300.00
D.3.h	Dog Attacks a person or persons, whether on the property of the Owner or not, causing Severe Injury	\$100.00	\$200.00	\$300.00
D.3.i	Dog causes death to another Animal	\$100.00	\$200.00	\$300.00
D.3.j	Dog upsets any waste receptacles or scatter the contents thereof on any Public Property or on any private property not belonging to the Owner	\$100.00	\$200.00	\$300.00
D.4.a	Animal in distress	\$100.00	\$200.00	\$300.00
D.4.b	Animal does not have adequate food or water	\$100.00	\$200.00	\$300.00
D.4.c	Animal not provided with adequate care	\$100.00	\$200.00	\$300.00
D.4.d	Animal not provided with protection from heat or cold	\$100.00	\$200.00	\$300.00
D.4.e	Animal not provided with adequate shelter, ventilation, or space	\$100.00	\$200.00	\$300.00
D.5	Animal outside of passenger cab in vehicle	\$100.00	\$200.00	\$300.00
D.7	Dog or Cat in heat not confined	\$100.00	\$100.00	\$100.00
D.8	Dog or Cat defecation not removed	\$100.00	\$200.00	\$200.00
D.9	Dog Owner does not have means to remove defecation	\$100.00	\$200.00	\$200.00
D.10	Animal Running at Large	\$100.00	\$200.00	\$300.00
D.11	Animal left unattended in motor vehicle improperly	\$100.00	\$200.00	\$300.00
D.13	Animal left unattended while tethered or tied on property where public has access	\$100.00	\$200.00	\$300.00
D.14	Animal left unsupervised while tethered or tied on private property.	\$100.00	\$200.00	\$300.00
E.1.a	Untie, loosed or free an Animal	\$100.00	\$200.00	\$300.00
E.1.b	Tease or torment or provoke an Animal	\$100.00	\$200.00	\$300.00
E.1.c	Opening Animal confinement	\$100.00	\$200.00	\$300.00
F.7.a	Vicious Dog not harnessed or on Leash	\$1,000.00	\$1,000.00	\$1,000.00

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Section	Offence	First Offence	Second Offence in a 12-month period	Third and Subsequent Offences in a 12-month period
F.7.b	Vicious Dog not in control of a person aged 16 or older	\$1,000.00	\$1,000.00	\$1,000.00
F.7.c	Vicious Dog not muzzled	\$1,000.00	\$1,000.00	\$1,000.00
F.8.b	Vicious Dog not kept or confined as required	\$1,000.00	\$1,000.00	\$1,000.00
F.10	Vicious Dog Owner failure to comply with requirements after designation of Vicious Dog	\$1,500.00	\$1,500.00	\$1,500.00
F.11.a	Vicious Dog runs at large	\$1,000.00	\$1000.00	\$1000.00
F.11.b	Vicious Dog chases a person or other animal	\$1,000.00	\$1,000.00	\$1,000.00
F.11.c	Vicious Dog injures a person or other animal	\$1,500.00	\$1,500.00	\$1,500.00
F.11.d	Vicious Dog bites a person or other animal	\$1,500.00	\$1,500.00	\$1,500.00
F.11.e	Vicious Dog attacks a person or other animal	\$1,500.00	\$1,500.00	\$1,500.00
F.11.f	Vicious Dog damages or destroys property	\$1,500.00	\$1,500.00	\$1,500.00
F.12	Vicious Dog in Off Leash Area	\$1,500.00	\$1,500.00	\$1,500.00
F.14	Sell or breed Vicious Dog	\$1,000.00	\$1000.00	\$1000.00
F.15.a	Failure to notify of Vicious Dog Running at Large	\$1,000.00	\$1000.00	\$1000.00
F.15.b	Failure to notify of incident with Vicious Dog	\$1,000.00	\$1000.00	\$1000.00
F.15.c	Failure to notify of sale, surrender or death of Vicious Dog	\$1,000.00	\$1000.00	\$1000.00
G.1-G.5	Failure to comply with any requirement of section G regarding rabies and communicable disease control	\$100.00	\$200.00	\$300.00
H.8a – H.8g	Interfere with pursuit or seizure of Animal	\$100.00	\$200.00	\$300.00
I.4	Obstruct Peace Officer	\$100.00	\$200.00	\$300.00
	Violation of any other provisions of the Bylaw	\$100.00	\$200.00	\$200.00