

**BYLAW # 368
VILLAGE OF COWLEY**

**A BYLAW OF THE VILLAGE OF COWLEY, IN THE
PROVINCE OF ALBERTA, TO REGULATE AND
CONTROL ANIMALS WITHIN THE VILLAGE OF
COWLEY**

WHEREAS, Section 7(h) of the Municipal Government Act, R.S.A. 2000, Chapter M.26 and amendments thereto, allows a municipality to pass bylaws regulating and controlling wild and domestic animals and activities in relation to them.

WHEREAS, Section 7(i) of the Municipal Government Act, R.S.A.2000, Chapter M.26, and amendments thereto, allows a municipality to impose fines and penalties for infraction of bylaws.

NOW THEREFORE, the Municipal Council of the Village of Cowley hereby enacts as follows:

1. **SECTION 1 – TITLE**
This bylaw shall be known as the Animal Control Bylaw.
2. **SECTION 2 – DEFINITIONS**
In this bylaw, unless the context otherwise requires, the word, term, or expressions:
 - 2.1 **ANIMAL CONTROL OFFICER** shall mean any person duly authorized and designated by the Council to carry out the provisions of this bylaw.
 - 2.2 **DOG** includes and dog over the age of six (6) months and includes a dog that has been spayed or neutered.
 - 2.3 **MUNICIPALITY** shall mean the Village of Cowley
 - 2.4 **MUNICIPAL COUNCIL** or **COUNCIL** shall mean the Municipal Council for the Village of Cowley, Alberta.
 - 2.5 **POUND** shall mean a place that the Municipality shall provide or designate as such.
 - 2.6 **RUNNING AT LARGE** shall mean any dog not accompanied by and under the control of a responsible person within the Municipal Limits, as per Section
 - 2.7 **TRANQUILIZER GUN** shall mean a pistol or rifle of Kap-Chur manufacture capable of propelling a dart containing a drug approved by a qualified Veterinary Surgeon, for the purpose of immobilizing a dog in order to facilitate capture.
 - 2.8 **CAT** includes any cat over the age of two (2) months and includes a cat that has been spayed or neutered.
 - 2.9 **GUARD DOG** shall mean all species that are bred and /or trained to guard, which includes but is not limited to: pit bull terrier, German shepherd, Doberman pinchers, rottweiler.
 - 2.10 **PESTS** shall mean anything that causes trouble, annoyance, nuisances, discomfort, or destruction, including but not limited to, skunks, rabbits and raccoons.
 - 2.11 **INDOOR PETS** shall mean mice, hamsters, gerbils, guinea pigs, cage birds, ferrets, pygmy hedgehogs, non-poisonous reptiles and amphibians not exceeding one meter in length or other animals as approved by resolution of Council.

- 2.12 DESTROY OR DISPOSE shall mean by use of a .22 caliber rifle or shotgun only upon consultation with the CAO, by lethal injections or by use of carbon monoxide gas.
- 2.13 DANGEROUS DOG shall mean any dog, which in the opinion of a Peace Officer or Animal Control Officer:
- (1) without provocation, shows a propensity, or disposition, and has potential to attack and injure humans or other animals; or
 - (2) without provocation attack, bite or injure any human or animal.
- 2.14 SERVICE DOG includes a certified dog guides, special needs dogs and hearing dogs.
- 2.15 "DAMAGE TO PROPERTY" means damage to property other than the owner's property, and includes defecating and urinating on such property.

SECTION 3 – GENERAL RULES

- 3.1 Any person who is in breach of the general rules is guilty of an offence.
- 3.2 No person shall keep anywhere within the limits of the Village of Cowley, any species of wild or domesticated animal, or poultry, other than dogs, cats, indoor pets and animals kept on land on which Council has issued a grazing permit and animals and poultry, under veterinarian care and animals and poultry consigned to an abattoir for killing and animals and poultry exhibited or other temporary used as approved by resolution of Council or if allowed under the provisions of the Village of Cowley Land Use Bylaw.
- 3.3 Every person who owns, keeps, or harbors any dog shall register the dog and obtain a dog license from the Village. Such license must be renewed on the first day of January in each year and shall be for a period of January 1 to December 31 in each year. The fee for a dog license shall be in accordance with Schedule "A".
- 3.4 The license tag issued upon payment of the above mentioned fee shall be attached to the collar worn by such animals at all times.
- 3.5 No person who is the owner, possessor or harbinger of any dog or cat shall permit or otherwise allow such dog or cat to run at large within the corporate limits of the Village of Cowley.
- 3.6 Every person who is given an order pursuant to Section Must comply with the order for the time period specified.
- 3.7 Every person who owns, keeps, or harbors a female dog shall house and confine such female dog during the whole period that such female dog is in heat.
- 3.8 The owner, possessor or harbinger of any dog or cat impounded pursuant to the provisions of this bylaw by the Animal Control Officer may redeem same within 120 hours from the time of impoundment by paying to the Village of Cowley the appropriate penalty and/or impoundment fee for such dog or cat impounded. The impoundment fee shall be in accordance with Schedule "A" of this bylaw.
- 3.9 Any person who removes or attempts to remove any dog or cat from the possession of the pound keeper or any person authorized to enforce the provisions of the bylaw shall be guilty of an infraction of this bylaw.
- 3.10 Any person who hinders, delays or obstructs an Animal Control Officer or any other person authorized to enforce the provisions of this bylaw, while engaged in his lawful duties is guilty of an infraction of this bylaw.
- 3.11 No person shall register a dog as spayed or neutered unless the said dog is spayed or neutered.

- 3.12 All guard dogs and dangerous dogs shall be housed as follows:
- i) chain link covered run and covered top on a strong frame, i.e. 2 X 4 or pipe
 - ii) a flooring substance that cannot be dug.
 - iii) A child proof latch on gate.
 - iv) the covered run and shelter is subject to the Animal Control Officer's approval
- 3.13 All guard dogs and dangerous dogs shall only be out on a leash and under adult Supervision
- 3.14 If an Animal Control Officer determines that a dog is a dangerous dog, either through personal observation or after an investigation initiated by a complaint, he or she may in writing:
- i) inform the owner that the dog has been determined to be a dangerous dog and
 - ii) require the owner to keep such dog in accordance with the provisions of this bylaw
- 3.15 An owner of a dangerous dog shall maintain in force a policy of liability insurance in a form satisfactory to the Chief Administrative Officer providing third party liability coverage in a minimum amount of \$500,000.00 for injuries caused by the owner's dog.
- i) the liability policy shall contain a provision requiring the insurer to immediately notify the Village, in writing, should the policy expire or be cancelled or terminated
 - ii) upon cancellation or expiry or termination of the liability policy, the dog license is null and void
- 3.16 A person who owns, keeps, houses, harbors, or allows to stay on his premises a dog or Cat which by reason of barking or howling disturbs persons in the vicinity of his home is guilty of an offense under this bylaw.
- 3.17 Any person may own, possess or harbor more than 2 dogs at any one house or premise providing that those animals in excess of two in quantity are a litter of offspring from registered dogs in possession of said person; and providing that those animals in excess of two in quantity are removed from said person's house or premise within 90 days following the birth of said litter of offspring.
- 3.18 No person shall tease, torment, annoy, abuse or injure any animal, and any person who does so is guilty of an offense.
- 3.19 An owner whose animal has caused damage to property within the Municipality is guilty of an offense
- 3.20 Any person who owns, keeps or harbors any animal which attacks any person within the corporate limits of the Village of Cowley are guilty of an infraction of this bylaw.

SECTION 4 – DUTIES OF ANIMAL CONTROL OFFICER

- 4.1 The Animal Control Officer or designee shall enforce this bylaw and shall issue offence tickets for infractions of this bylaw.
- 4.2 It shall be the duty of the Animal Control Officer and such person or persons as shall be authorized or appointed by Council, to capture all dogs found running at large within the limits of this bylaw, or found upon any street or public place in the Village of Crowley's designated pound. Such dog shall be confined there subject to the owner's or possessor's right to redeem within 120 hours from the time of their capture, and such dogs shall not be released from the pound unless the owner or possessor can present to the satisfaction of the pound keeper, proof that all penalties and fees have been paid, and has obtained the necessary clearance from the Municipal Clerk that a current license has been obtained with respect to such dog or dogs.
- 4.3 The Animal Control Officer or any person authorized or appointed by Council, are authorized to use a tranquilizer gun, laser, or any other piece of equipment commonly used in order to effect the capture of any dog when all normal attempts to capture such dog have failed.
- 4.4 The Animal Control Officer shall impound any dog suspected of being rabid and upon confirmation by a Veterinarian shall destroy or have the said dog destroyed.
- 4.5 The Animal Control Officer may destroy any dog impounded under the provisions of this Bylaw if such dog so impounded shall not be redeemed within the holding time of 120 hours (5 days).
- 4.6 The Animal Control Officer may capture all animals deemed to be vicious pests and either impound or destroy such animals according to his judgment.
- 4.7 The Animal Control Officer once permission has been granted by the CAO may direct destroy any animal which is at large and is posing an immediate threat to the people of the Village of Cowley.
- 4.8 The Animal Control Officer is authorized to enter lands within the Village of Cowley and seize animals to prevent the continuance of an offence.
- 5.1 An Offence Ticket shall be deemed sufficiently served:
 - i) if served personally to the owner of the animal, or
 - ii) if mailed by single registered mail to the address of the owner of the animal, as recorded at the time of registration of the said dog with the Village of Cowley
 - iii) if mailed to the address of the person who has allegedly contravened this bylaw
 - iv) if left at the residence of the person who has allegedly contravened this bylaw, with an inmate of the residence who appears to be at least 18 years of age
- 5.2 The Offence Ticket in the form and content of which is set forth in Form B annexed hereto and made part of this bylaw, if hereby prescribed and approved as the offence ticket to be issued for any contravention of this bylaw.

SECTION 6 – PENALTIES


- 6.1 Any person who contravenes any provision of this bylaw is guilty of an offence and is liable to a penalty as stated in Schedule "B" of this bylaw.
- 6.2 It is the intention of the Village Council that each separate provision of this bylaw shall be deemed independent of all other provision herein and it is further the intention of Council that if any provisions of this bylaw be declared invalid, all other provisions thereof shall remain valid and enforceable.

SECTION 7 - GENERAL

7.1 Bylaw #42, #207, #224, and # 304 of the Village of Cowley and amendments thereto are hereby repealed.

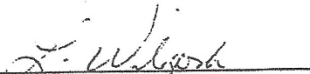
READ A FIRST TIME THIS 15 DAY OF DECEMBER, 2003 A.D.


MAYOR - MILLIE LOEFFLER

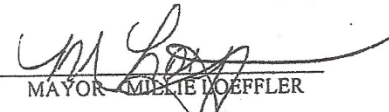

C.A.O. - LAURIE WILGOSH

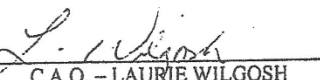
READ A SECOND TIME THIS 15 DAY OF DECEMBER, 2003 A.D.


MAYOR - MILLIE LOEFFLER


C.A.O. - LAURIE WILGOSH

READ A THIRD TIME THIS 20 DAY OF JANUARY, 2004 A.D.


MAYOR - MILLIE LOEFFLER


C.A.O. - LAURIE WILGOSH

SCHEDULE "A" FEES

- A) Dog License:
- Spayed or Neutered Dogs \$15.00
 - Others \$30.00
 - Service Dogs No Charge

 - Impoundment \$25.00 / day
 - Any number of dogs per household over two ... \$20.00 / mo. / dog

SCHEDULE "B" PENALTIES

| Section | Offense (Description) | Violation Ticket Penalties |
|---------|---------------------------------|--|
| 3(3.24) | Animal Attacks Person | \$150.00 First Offense \$250.00 Second Offense \$350.00 Third or Subsequent Offenses |
| 3(3.25) | Animal Attacks & Injures Person | \$1000.00 |
| | Running At Large | \$50.00 First Offense \$100.00 Second Offense \$150.00 Third or Subsequent Offenses |
| | All other offenses | \$50.00 First Offense \$100.00 Second Offense \$150.00 Third or Subsequent Offenses |

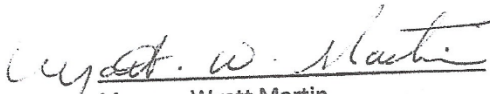
Village of Cowley

**Amended Bylaw #368
To Regulate and Control Animals Within the Village of Cowley**

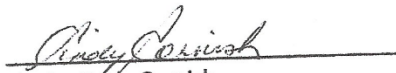
The Council of the Village of Cowley, Alberta, duly assembled, hereby enacts as follows:

- For the purpose of amending Bylaw # 368 as follows:
 - Under Schedule "A" Fees
 - A) Dog License
- Change Spayed or Neutered Dogs to read \$20.00
- Delete line Others

This bylaw comes into effect on the date of August 18, 2009.



Mayor- Wyatt Martin



CAO- Cindy Cornish