COUNTY OF ST. PAUL NO. 19

BYLAW NO. 1293

A Bylaw of the County of St. Paul No. 19 in the Province of Alberta to provide for the Regulating and Confinement of Dogs.

WHEREAS, by virtue of the power conferred on it by the Municipal Government Act, the Council of the County of St. Paul No. 19, in the Province of Alberta, duly assembled, enacts as follows:

Section 1- Short Title

1.1 This By-law shall be known and may be cited as the Dog Control By-law of the County of St. Paul No. 19.

Section 2 - Interpretation

2.1 In this By-law, the following terms (unless the context specifically required otherwise) shall have the following meanings:

1) "At Large" shall mean where a dog which is at any place other than the property of the dog owner and is not being carried by any person or is not otherwise restrained by a permitted leash held by a person and that leash is attached to a choke chain, collar, or harness securely holding the dog;

2) "Controlled Confinement" shall mean the confinement of a dog in a pen, cage, or building or securely tethered in a manner that will not allow the dog to bite, harm, or harass any person or animal;

3) "County" shall mean the county of St. Paul No. 19.

4) "Damage to Public or Private Property" shall include defecating or urinating on such property;

5) "Dog" shall mean either the male or female of any domesticated canine species;

6) "Dog Control Officer" shall mean a By-law Enforcement Officer appointed by the County to do any act or perform any duties under this By-law and includes a member of the Royal Canadian Mounted Police and, when authorized, a Special Constable;

7) "Dog Show" shall mean any event for the purpose of showing or exhibiting Dogs which is sanctioned or recognized by the Canadian Kennel Club;

8) "Dog Training School" shall mean any facility for which the primary purpose is the training of dogs, and at which facility dog training activities are under the direct control and supervision of a dog trainer;

9) "Kennel" shall mean any property, wherein four (4) or more dogs are harbored, boarded, permitted, or sheltered within the municipal boundaries of the County;

10) "Land Use By-law" shall mean the County's Land Use By-law 1146, as amended;

11) "Owner" shall mean:

i) a person who has the care, charge, custody, possession, or control of a dog;

ii) a person who owns or who claims any proprietary interest in a dog;

iii) a person who harbors, suffers, or permits a dog to be present on any property owned or under his control;

iv) a person who claims and receives a dog from the custody of the County dog shelter or a Dog Control Officer or;

v) a person to whom a license tag was issued for a dog in accordance with the By-law;

12) "Permitted Leash" shall mean a leash adequate to control the Dog to which it is attached, and which leash shall not exceed two metres in length;

13) "Possession" shall mean:

i) having physical or effective control of a dog;

ii) having given physical or effective control of a dog to another person for the purpose of controlling the dog for a period of time;

iii) where one or two or more persons has physical or effective control of a dog, it shall be deemed to be in the control of each and all of them.

14) "Property owner" shall mean any person having a legal or equitable interest in any land or building and includes any resident, tenant, or occupier of such land or building;

15) "Public Property Area" shall mean property owned by or under the control and management of the County within the borders of the County;

16) "Restricted Dog" shall mean any dog included in "Schedule C" of this By-law;

17) "Secure Enclosure" shall mean a building, cage, or fenced area of such construction that will not allow the confined dog or dogs to escape from that enclosure;

18) "Vicious Dog" shall mean:

i) any Dog with a known propensity, tendency, or disposition to attack, without provocation, any person or animal;

ii) any dog which has been deemed to be dangerous by a Justice, under the provisions of the Dangerous Dogs Act of Alberta, as amended;

19) "County Dog Shelter" shall mean premises designated by the County for the impoundment and care of dogs.

Section 3 - Dog Control Provisions

3.1 An owner whose dog is at large is guilty of an offence;

3.2 An owner of a dog of the female sex is guilty of an offence if the dog is not housed and confined in a building during the whole period such dog is in heat, except that the dog may be allowed outside the said building for a reasonable period for the sole purpose of eliminating on the property of the owner;

3.3 An owner whose dog barks or howls so as to disturb the quiet or repose of any person is guilty of an offence;

3.4 An owner of any dog which has damaged any public property area or private property within the municipal boundaries of the County is guilty of an offence;

3.5 The County may post signs indicating those public property areas where dogs are not permitted, and an owner whose dog is in an area where a sign prohibits the presence of dogs, whether at large or under the control of such owner, is guilty of an offence;

3.6 Any person who harbors, boards, permits, or shelters more than two (2) dogs on any property within the municipal boundaries of the County, except for farmers or a County approved dog kennel, is guilty of an offence;

3.7 Section 3.6 herein, shall not apply to:

a) Premises lawfully used for the care and treatment of dogs, operated by, or under the supervision of a licensed veterinarian;

b) Any premises which may be used for the purpose of a dog show;

c) Any person in possession of a valid County development permit to operate a kennel within the County, as authorized by the County Land Use By-law;

3.8 An owner of a dog is guilty of an offence if such dog:

3.8.1 Threatens, attacks, or harasses any person;

3.8.2 Chases any person while such person is walking, running, on bicycle or horseback;

3.8.3 Attacks, harasses, injures, or kills any animal belonging to any person.

3.9 An owner of a vicious or restricted dog is guilty of an offence if such dog is not at all times while on property of which the owner is the property owner confined within a secure enclosure, unless such dog is on a permitted leash held and controlled by the owner;

3.10 An owner shall not be required to have a restricted dog on a permitted leash while that restricted dog is being shown or displayed at a dog show, or is in attendance at a dog training school.

3.11 Any person interfering with, hindering, or impeding a Dog Control Officer in the performance of any duty authorized by this By-law is guilty of an offence.

Section 4 - Powers of a Dog Control Officer

4.1 The dog control officer is authorized to capture and impound in the county dog shelter any dog which is at large. The dog control officer is further authorized to take such reasonable measures as necessary to subdue such dogs, including the use of tranquillizer equipment and materials. If any such dog is injured, it may be taken to a veterinarian for treatment to relieve pain or bleeding, then to the County dog shelter.

4.2 All impounded dogs may be kept in the County dog shelter for a period of seventy-two (72) hours. Sundays and Statutory holidays shall not be included in the computation of the seventy-two (72) hour period. During this period, any dog may be redeemed by its owner, except as otherwise provided in this By-law, upon payment to the County or its authorized agent of:

4.2.1 The appropriate impoundment fee as set out in Schedule “B” of this By-Law;

4.2.2 The cost of any veterinary treatment of any dog that is found to be injured when picked up or injured in the process of capture.

Section 5 - Penalty Provisions

5.1 Any person who contravenes any provision of this By-law is guilty of an offence and is liable on summary conviction to a fine as set out in Schedule "A" of this By-law.

5.2 Notwithstanding Section 5.1 of this By-law, any person who commits a second or subsequent offence under this By-law within one (1) year of committing the first offence may be liable to a fine as set out in Schedule "A" of this By-law.

Section 6 - Repeal of By-laws

6.1 By-law Nos. 932, 963 and 1177 and all amendments are hereby repealed.

READ a first time this 13th day of FEBRUARY, A.D 1996.

READ a second time this 13th day of FEBRUARY, A.D. 1996.

READ a third time and finally passed the 13th day of FEBRUARY, A.D. 1996.

Note: Refer to Original for Signatures

SCHEDULE "A"

PENALTIES

	Offence	Penalty	Second or Subsequent Offence Within One Year	Section Subsection
1.	Dog At Large: - Vicious Dog - Restricted Dog	 $250.00 $250.00	 $500.00 $500.00	 3.1
2.	Dog in an area where the presence of Dogs is prohibited by a sign.	$ 30.00	$ 50.00	3.5
3.	Harboring more than 2 dogs.	$ 30.00	$ 50.00	3.6
4.	Dog damaging a Public Property Area or private property.	$ 30.00	$ 50.00	3.4
5.	Interference with enforcement of this By-law.	$100.00	$150.00	3.11
6.	Dog barking or howling	$ 30.00	$ 50.00	3.3
7.	Failure to confine a: - Vicious Dog - Restricted Dog	$250.00	$500.00	3.9
8.	Failure to confine and house a Dog in the female sex in heat in a building.	$ 30.00	$ 50.00	3.2
9.	Dog: -threatening, attacking or harassing; -chasing persons while walking, running on bicycle or on horseback -attacking, harassing, injuring or killing any animal	$ 30.00	$ 50.00	3.8
10.	An offence under this By-Law for Which a penalty is not otherwise provided.	$ 50.00	$100.00	

SCHEDULE "B"

1. Impoundment Fees:

- Vicious Dog $75.00
- Restricted Dog $75.00
- Other Dogs $50.00

SCHEDULE "C"

RESTRICTED DOGS

1. Any dog commonly known as a Pitbull;
2. Pit Bull Terrier;
3. American Pit Bull Terrier; or
4. Any dog of mixed breeding which includes any of the following breeds:

   a) Pitbull
   b) Pitbull Terrier
   c) American Pitbull Terrier
   d) Staffordshire Bull Terrier, or
   e) American Staffordshire Terrier