

**VILLAGE OF CHAUVIN  
ANIMAL CONTROL  
BYLAW # 2018-02**

**BEING A BYLAW OF THE VILLAGE OF CHAUVIN, IN THE PROVINCE OF ALBERTA FOR THE PURPOSE OF LICENSING AND CONTROLLING ANIMALS WITHIN THE VILLAGE OF CHAUVIN. THIS BY-LAW REPLACES BY-LAW #80-17.**

**WHEREAS** the Municipal Government Act, R.S.A. 2000, c. M-26 as amended, authorizes a municipality to pass bylaws respecting the safety, health and welfare of people and the protection of people and property and respecting wild and domestic animals and activities relating to them; and for each offence impose a fine.

**WHEREAS** the Municipal Government Act; RSA 2000 c. M-26 as amended, authorizes a municipality to pass bylaws regarding the remedying of contraventions of Bylaws;

**WHEREAS** it is desirable and in the best interest of the public to pass a bylaw to regulate and control domestic pets, animals and pests within the Village of Chauvin.

**NOW THEREFORE, THE COUNCIL OF THE VILLAGE OF CHAUVIN IN THE PROVINCE OF ALBERTA DULY ASSEMBLED UNDER THE AUTHORITY OF THE MUNICIPAL GOVERNMENT ACT AS AMENDED ENACTS THE FOLLOWING:**

**1.0 TITLE AND DEFINITIONS**

1.1 This bylaw shall be known as the “Animal Control Bylaw”.

1.2 In this Bylaw the following definitions apply:

“Altered” means any domestic pet that has been spayed or neutered.

“Animal Control Officer” means the person, persons, firm or corporation appointed as such by the Village of Chauvin to do or act or perform duties under this bylaw.

“Animal Shelter” means the premises designated by the Village for the purpose of impounding and caring for nuisance animals.

“At Large” means if the nuisance animal is off the premises of the owner or harbinger.

“Council” means the Council for the Village of Chauvin.

“Domestic pet” means a canine or feline of either sex.

“Poultry” means chickens, ducks, geese, turkeys and such exotic wildfowl as pheasants, quail and partridge when raised and kept domestically.

"License Tag" means a metal tag issued to any owner of a domestic pet upon payment of the annual license registration fee.

“Livestock” means:

- a. Any farm animal including: horses, mule, donkey, swine, emu, ostrich, llama, alpaca, sheep or goat,
- b. Any domestically reared or kept deer, reindeer, moose, elk or bison,
- c. Any bred or wild fur bearing animal including fancy cats and skunks.
- d. Any animal of the bovine species.
- e. Any animal of the avian species including a rooster, turkey, duck, goose or pheasant, or any other fowl.
- f. Any animal deemed exotic by Council.

- g. Any other animal kept for agricultural purposes, but does not include a cat, dog or other domesticated household pets.

“Muzzle” means any humane device, which prevents a dog from biting or otherwise injuring with its mouth any person, animal or property;

"Owner" means any person:

- a. owning, possessing, having charge of or control over or harboring any domestic pet;
- b. Suffering or permitting any domestic pet to remain on or about the property owned or controlled by that person;
- c. A person to whom a license was issued for a domestic pet;
- d. A person as registered on the title at the Land

“Titles Office” means:

- e. A person who is recorded as the owner of the property on the Village of Chauvin assessment roll;
- f. A person controlling the property under construction or
- g. A person who is the occupant of the Property under lease, license, or permit.

“Peace Officer” means:

- a. A member of the Royal Canadian Mounted Police,
- b. A Special Constable
- c. A By-law Enforcement Officer
- d. An Animal Control Officer

“Unaltered” means any domestic pet that has not been spayed or neutered.

“Secure Enclosure” means a building, cage or fenced area of such construction that will not allow a confined animal or animals to escape from that enclosure.

“Vicious Dog” means:

- a. Any dog with a known propensity, tendency or disposition to attack without provocation any person or animal, or
- b. Any dog which has been deemed to be dangerous by a justice, under the provisions of the Dangerous Dogs Act, R.S.A. 2000, Chapter D-3 and amendments thereto.

“Village” means the Village of Chauvin.

## **2.0 LICENSING**

- 2.1 No person shall own, keep or harbor any domestic pet within the Village limits unless such domestic pet is licensed with the Village. Failure to license a domestic pet will result in a fine outlined in Schedule A.
- 2.2 The owner of any domestic pet over the age of three (3) months in the Village must obtain a license each and every calendar year or be subject to a fine outlined in Schedule A.
- 2.3 The yearly license fee charged is outlined in Schedule A and owner must provide a written certificate from a veterinarian if the animal has been altered.

- 2.4 The license will be valid only for one (1) year and are due January each year, or on such other day during the year the animal becomes three (3) months of age, or in the possession of a resident of Chauvin, and kept within the Village limits.
- 2.5 Where a license tag is lost, a replacement tag must be obtained at the Village Office.
- 2.6 The domestic animal must wear the license tag assigned to it after it has been licensed by the Village of Chauvin.
- 2.7 The license is non-transferable to another animal and non-transferable from owner to owner.

### **3.0 SEIZURE, IMPOUNDMENT, DISPOSITION**

- 3.1 No domestic pet shall be permitted to run at large in the Village of Chauvin. Where an animal running at large can be identified, the animal control officer or peace officer will issue to the owner or harbored thereof, a penalty in the amount outlined in Schedule A.
- 3.2 The animal control officer will keep any impounded animal confined for a period of seventy two (72) hours. If at the expiration of seventy two (72) hours, the animal has not been claimed, it shall taken to the nearest animal shelter.
- 3.3 During this impoundment period, any healthy animal can be redeemed by its owner or agent upon payment of all related fines and fees outlined in Schedule A.
- 3.4 When necessary, a peace officer may employ the use of humane holding devices to apprehend an animal.
- 3.5 No person will interfere with or attempt to obstruct a peace officer who is attempting to capture, or who has captured a domestic pet which is subject to impoundment. Violators will be subject to the penalty outlined in Schedule A.

### **4.0 NUISANCE**

- 4.1 Any owner who allows a domestic pet to the below mentioned will be subject to the fines outlined in Schedule A:
  - a. Bark, or make noise excessively or in a manner to unreasonably interfere with the use and/or enjoyment of one's property; or
  - b. Attempt to bite, bark at excessively, chase, or otherwise attempt to threaten any person or domestic animal whether on the owner's property or not; or
  - c. Bark at excessively, or chase any bicycle, motor vehicle; or
  - d. Upset any waste receptacles or scatter the contents thereof on any public property or on any private property not belonging to the owner; or
  - e. Do any other act which causes harm, damage, or injury to another animal, person, or property.
  - f. To defecate and not pick up after on property not privately owned by the owner of the animal.

4.2 No owner shall allow a domestic pet to bite, scratch, attack, or cause other serious physical injury to another animal or person. Violators will be subject to the penalty outlined in Schedule A.

## **5.0 VICIOUS DOGS**

5.1 If the animal control officer reasonably believes that a domestic pet is a vicious dog, he/she may in writing inform the owner of that dog that:

- a. The dog has been determined to be a vicious dog; and
- b. The dog must be kept in accordance with the vicious dog provisions of this bylaw.

5.2 Any person who is the owner of two or more vicious dogs over the age of three (3) months is guilty of an offence outlined in Schedule A.

5.3 An owner of a vicious dog must, at all times when the dog is on the property of the owner, post at each entrance to that property a clearly visible warning sign which warns that a vicious dog is on the property.

5.4 An owner who fails to post proper warning signs as required in section 5.3 is subject to the fine outlined in Schedule A.

5.5 An owner of a vicious dog is guilty of an offence under Schedule A:

- a. if the dog is not at all times while on the property of the owner confined within a secure enclosure, unless such dog is on a permitted leash held and controlled by the owner; or
- b. If the vicious dog is taken off the property owned by the owner; the vicious dog must wear a muzzle and be on a permitted leash held and controlled by the owner.

## **6.0 NUMBER OF ALLOWABLE DOMESTIC PETS**

6.1 No person, persons, firm or corporation shall harbor or allow being harbored more than three (3) domestic pets over the age of three (3) months per dwelling unit. Violation will be subject to a fine outlined in Schedule A.

## **7.0 LIVESTOCK**

7.1 No livestock shall be harbored or kept in any area of the Village of Chauvin that is zoned Commercial or Residential.

7.2 Horses may be tethered in a Commercial or Residential zone overnight with permission of Council.

## **8.0 POULTRY**

8.1 No poultry shall be kept in the Village of Chauvin in any area zoned Commercial or Residential.

## **9.0 SEVERBILITY**

9.1 If any provision of this By-law is held to be invalid by a decision of a court of competent jurisdiction, that decision will not affect the validity of the remaining portions or sections.

**10.0 REPEALED**

10.1 By-law No. 80-17 and By-law No. 83-2 all amendments thereto is hereby repealed.

THIS BYLAW SHALL TAKE EFFECT ON THE DAY OF THE FINAL PASSAGE THEREOF.

Read a first time this 12<sup>th</sup> day of February, 2018

Read a second time this 12<sup>th</sup> day of February, 2018

Read a third time and finally passed this 12<sup>th</sup> day of February, 2018

\_\_\_\_\_ Mayor

\_\_\_\_\_ CAO

SCHEDULE A  
AMINAL CONTROL PENALTIES AND FEES

Description	Annual Fee
Spade/Neutered Animal	\$5.00 per animal
Non Spade/Neutered Animal	\$25.00 per animal

Section	Description	Offences	Penalty	Vicious Dog Penalty
2.1	Failure to license		\$50.00	\$75.00
3.1	Animal running at large	1 <sup>st</sup> Offence	\$25.00	\$50.00
		2 <sup>nd</sup> Offence	\$50.00	\$100.00
		3 <sup>rd</sup> Offence	\$75.00	\$150.00
3.2	Connected pound fees			
	*In addition to any penalties, pound fees and all other costs that may be assessed or levied to harbor and feed that impounded animal.			
3.5	Obstructing animal control officer		\$100.00	\$150.00
4.1	Nuisances as outlined in section 4.1	1 <sup>st</sup> Offence	\$25.00	\$50.00
		2 <sup>nd</sup> Offence	\$50.00	\$100.00
		3 <sup>rd</sup> Offence	\$75.00	\$150.00
4.2	Biting, attacking, causing physical harm	1 <sup>st</sup> Offence	\$100.00	\$200.00
		2 <sup>nd</sup> Offence	\$150.00	\$250.00
		3 <sup>rd</sup> Offence	\$250.00	\$300.00
5.5	Vicious dog not in a secure enclosure		N/A	\$150.00
5.5	Vicious dog not muzzled		N/A	\$150.00
6.1	Harboring more than 3 animals over 3 months		\$50.00	\$100.00
7.1	Keeping livestock within Village limits	1 <sup>st</sup> Offence	\$50.00	N/A
7.1	Keeping livestock within Village limits	2 <sup>nd</sup> Offence	\$250.00	N/A
7.1	Keeping livestock within Village limits	3 <sup>rd</sup> Offence	\$500.00	N/A