

**TOWN OF CARDSTON
IN THE PROVINCE OF ALBERTA**

BYLAW 1696

ANIMAL BYLAW

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TOWN OF CARDSTON IN THE PROVINCE OF ALBERTA

BYLAW 1696

ANIMAL BYLAW

A BYLAW OF THE TOWN OF CARDSTON IN THE PROVINCE OF ALBERTA TO PROVIDE FOR THE LICENSING OF DOMESTIC ANIMALS AND THE RESPONSIBLE OWNERSHIP OF DOMESTIC ANIMALS.

WHEREAS, THE Council of the Town of Cardston deems it desirable to pass such as Bylaw.

follows:

PART I - TITLE, PURPOSE, DEFINITIONS AND INTERPRETATION

TITLE

1. This bylaw shall be known as the “Animal Bylaw” of the Town of Cardston.

PURPOSE

2. The Purpose of this Bylaw is to regulate the responsible ownership of Domestic Animals, within the Municipality of the Town of Cardston.

DEFINITIONS

3. In this bylaw:
 - (3.1) **Altered**, shall mean neutered or spayed.
 - (3.2) **Aggressive Dog** shall mean any dog that:
 - 3.2.1. Has been designated an Aggressive Dog;
 - 3.2.2. Has been made the subject of an Order under the Dangerous Dogs Act of Alberta RSA 2000;
 - 3.2.3. Or has been designated an Aggressive Dog by the Chief Administrative Officer or Designated Officer of the Town of Cardston, pursuant to this Bylaw.
 - (3.3) **Animal**, shall mean either a Domestic Animal, Livestock Animal, or Wildlife.
 - (3.4) **Animal Control Officer**, shall mean a person employed by or under contract with the Town of Cardston or a

person under contract between the Town and its contractor to enforce the provisions of this bylaw, and shall include any Peace Officer designated by the Province of Alberta and any Member of the RCMP.

- (3.5) **Animal Shelter** shall mean any facility determined by the Town of Cardston for the safe keeping and holding of impounded or seized animals as set out in this bylaw.
- (3.6) **Assistance Dog** shall mean any professionally trained Dog, including a guide, hearing or service dog, that works in partnership with a disabled person to increase his/her independence, safety, and mobility.
- (3.7) **Attack** shall mean an assault by an Animal upon a person or other Animal consisting of more than one Bite and which causes injury to that person or another Animal.
- (3.8) **Bite** shall mean an application of force by an animal by means of his mouth and teeth upon a person or another Animal which results in pain or injury of any nature being inflicted upon that person or other Animal.
- (3.9) **Cat** shall mean either male or female of the feline family.
- (3.10) **Dog** shall mean either male or female of the canine family.
- (3.11) **Domestic Animal** shall mean either a male or female Cat or Dog.
- (3.12) **Fancier's License** shall mean a license issued annually to an owner permitting the keeping or harboring of more than 2 of the same domestic animal, on land or premises occupied by the owner. **Justice** shall be as defined in the Provincial Offices and Procedure Act, R.S.A. 2000, c P-34 and amendments thereto.
- (3.13) **Kennel** shall mean a house, shelter, room, or place located in a properly zoned area (according to the Towns Land Use Bylaw) where more than 3 Dogs and/or Cats of whatever age or sex are kept or boarded.
- (3.14) **Leash** shall mean a restraint that maintains Owner

control of an Animal or Aggressive Dog, is not more than two (2) meters in length, and is made of material capable of restraining the Animal or Aggressive Dog on which it is being used.

- (3.15) **License or Tag** shall mean a license issued by the Town of Cardston to an Owner upon payment of the required fee for each Animal or Aggressive Dog they own, indicating the year for which the fee has been paid, and which is assigned a number recorded by the Town.
- (3.16) **Livestock Animal** shall mean any animal normally kept for an Agricultural purpose, including, but not limited to: horses, donkeys, mules, cattle, pigs, goats, sheep, poultry, ducks, geese, doves, alpaca, and other domestic livestock animals.
- (3.17) **Motor Vehicle** shall be as defined in the Traffic Safety Act, RSA 2000, c T-6, as amended.
- (3.18) **Municipal Ticket** shall mean a municipal ticket issued on behalf of the Town of Cardston for a violation under this Bylaw.
- (3.19) **Muzzle** shall mean a device of sufficient strength placed over an Animal's or Aggressive Dog's mouth to prevent it from biting.
- (3.20) **Officer** includes an Animal Control Officer, Bylaw Enforcement Officer, Peace Officer, or a Member of the Royal Canadian Mounted Police.
- (3.21) **Off Leash Area** shall mean an area designated by the Town of Cardston, where Dogs are permitted to run off-leash, or areas where organized and controlled Animal events approved by the Town are held which have posted signs designating the area to be a temporary Off Leash Area.
- (3.22) **Owner** includes an person, partnership, association, or corporations:
- 3.22.1. Owning, possessing, having charge of, or control over, any Animal, either temporarily or permanently;

3.22.2. Harboring any Animal for more than 72 consecutive hours;

3.22.3. Sheltering or feeding any Animal while allowing the Animal to remain on his/her premises for more than 72 consecutive hours;

3.22.4. Any person to whom a license has been issued under this Bylaw.

(3.23) **Park land** shall mean all recreational land areas owned or controlled by and lying within the Town limits.

(3.24) **Running at large** shall mean any Animal off the premises of the Owner and not on a leash held by a person able to control the Animal.

(3.25) **Severe Injury** shall mean any injury that required medical attention, excepting wound cleaning and first aid, which does not require professional medical care and includes; wounds requiring sutures or surgery, disfiguring or scarring lacerations, broken bones, severe sprains or any other similar injury.

(3.26) **Service Dog** shall mean the same as Assistance Dog.

(3.27) **Therapeutic** shall mean being under the supervision of a qualified health care professional for the treatment of patients.

(3.28) **Threatening Behaviour** shall mean behaviour that creates reasonable apprehension of a threat of harm and may include growling, lunging, snarling, charging, or chasing.

(3.29) **Unaltered** shall mean not neutered or spayed.

(3.30) **Wildlife** shall mean all wildlife as defined in the Wildlife Act, or as designated in the regulations thereto, and includes, but not limited to, big game, birds of prey, song birds, endangered animals, migratory birds, or any other animal not normally kept in captivity.

RULES FOR INTERPRETATION

4. The table of contents, marginal notes and headings in this bylaw are for reference purposes only.

**LICENSING
PROVISIONS AND
OFFENCES**

PART II – GENERAL

5. Every person, who owns, keeps, or harbours a Domestic Animal or Aggressive Dog, which is six (6) months of age, or older shall pay to the Town of Cardston a yearly licence fee as set out in Appendix “A” of this Bylaw;
- (5.1) Upon payment of the current yearly fee, the Town or its Designate shall issue a License and a Tag with a number and year on it to the Owner;
- (5.2) The Tag shall be securely attached to a collar which shall be worn by the Domestic Animal or Aggressive Dog, while off the property of the owner;
- (5.3) If a Tag is lost or destroyed, the Owner shall apply for a replacement, which shall be issued upon payment of the specified fee as outlined in Appendix “A” of this Bylaw;
- (5.4) A Tag is not transferable from one Domestic Animal to another, or one Aggressive Dog to another, and no refund will be made for any issued Tag;
- (5.5) Every person who fails to purchase a License, for any Domestic Animal or Aggressive Dog they own, on or before the 31st day of January in any year, shall be guilty of an offence and subject to penalties as set out in Appendix “B” of this Bylaw;
- (5.6) A person is required to obtain a License no more than thirty (30) days after obtaining permanent residence within the Town, or has been visiting the Town for more than thirty (30) consecutive days;
- (5.7) Section 5 of this Bylaw does not include horses, sheep, goats, donkeys, cattle, pigs, or other animals normally kept in an agricultural setting;
- (5.8) Section 5 of this Bylaw does not apply to any Police Working Dog;
- (5.9) The Owner of an Assistance Dog, will be issued a License and Tag free of charge.
6. The Owner of a Dog that had been designated as an Aggressive

LICENSING



**REQUIREMENTS
FOR AGGRESSIVE
DOGS**

Dog shall apply for an Aggressive Dog License or Tag immediately upon becoming the Owner of an Aggressive Dog or within seven (7) days after the Dog has been designated as Aggressive, whichever occurs first, and prior to January 31 of each subsequent year as set out in Appendix “A”.

- 7.** An Aggressive Dog License or Tag shall be issued to the Owner of an Aggressive Dog provided that the owner has:

(7.1) Completed a License application in the form specified by the Town;

(7.2) Paid the specified annual fee; and

(7.3) Provided proof of a locked pen or structure that:

7.3.1. Has a secure top and sides, and if it has no bottom secured to the sides, must be embedded in the ground to a minimum depth of thirty (30) centimeters;

7.3.2. Provides adequate shelter from the elements;

7.3.3. Has minimum dimensions of one and one half (1.5) meters by three (3) meters and is a minimum one and one half (1.5) meters in height; and

7.3.4. Is not within one (1) meter of the property line or within five (5) meters of a neighbouring dwelling unit.

**DESIGNATION OF
AGGRESSIVE
DOG**

- 8.** An Officer may submit a report to the Town of Cardston Chief Administrative Officer, alleging that a Dog is an Aggressive Dog.

- 9.** The report shall be in the form as specified from time to time and shall include the following information;

(9.1) The full names, addresses, and telephone numbers of the following persons;

9.1.1. The complainant;

9.1.2. The owner of the alleged Aggressive Dog; and

9.1.3. Any witnesses to the incident that prompted the report, investigation or allegation of an Aggressive Dog.

- (9.2) A detailed description of the incident that prompted the report, investigation, or allegation of an Aggressive Dog
 - (9.3) The severity of the incident that prompted the report, investigation, or allegation of an Aggressive Dog.
 - (9.4) A previous incident of a similar or related nature involving the alleged Aggressive Dog.
- 10.** After evaluating the report submitted by the Officer, the Chief Administrative Officer may designate a Dog as an Aggressive Dog if he/she determines that the Dog has caused, or is likely to cause, damage, injury, or death to another Domestic Animal, Wildlife, or Person.
 - 11.** Notice of an Aggressive Dog designation shall be hand delivered to the Owner of the Aggressive Dog. Notice is required to be provided to the Town if an Aggressive Dog is sold, gifted, or transferred.
 - 12.** An Aggressive dog designation continues to apply if the Aggressive Dog is sold, gifted, or transferred.
 - 13.** Any Aggressive / Dangerous Dog designations from another municipality shall remain in effect if the dog relocates to the municipality.

**APPEAL OF
AGGRESSIVE
DOG
DESIGNATION**

- 14.** When a Dog has been designated as an Aggressive Dog, within ten (10) days after delivery of the notice to the Owner, the Owner may appeal the designation to Council.
 - (14.1) On hearing the appeal, Council may revoke or confirm the Aggressive Dog designation.

**GENERAL
PROVISIONS**

- 15.** The owner of a Domestic Animal is guilty of an offence if in the opinion of an Animal Control Officer he/she fails to:
 - (15.1) Ensure that the Animal has adequate food and/or water;
 - (15.2) Provide the Animal with adequate care when the Animal is wounded or ill;
 - (15.3) Provide the Animal with reasonable protection from injurious heat or cold;
 - (15.4) Provide the Animal with adequate shelter, ventilation,

and space.

- 16.** The owner of a Domestic Animal or Livestock Animal is guilty of an offence if the Animal:
- (16.1) Is Running at Large;
 - (16.2) Is on Park or Park land where Animals are prohibited by means of signage, or where the Park or Parkland area contains a playground apparatus, spray park and/or a sand or rubber play area;
 - (16.3) Destroys or damages any public or private property ;
 - (16.4) Is in a restricted area or community event location where Animals are prohibited as per Council resolution.
- 17.** The owner of a Cat is guilty of an offence if the Cat defecates or sprays on property other than the Owner's;
- 18.** The owner of a Cat is guilty of an offence if the Cat stalks birds on property other than the Owner's;
- 19.** The Owner of a Dog or Aggressive Dog is guilty of an offence if such Dog barks, howls, or otherwise causes noise, so as to disturb the peace of another person, consideration may be given, but is not limited to:
- (19.1) The volume, duration, and place of the bark or howl;
 - (19.2) Time of day and day of week; and
 - (19.3) Nature and use of the surrounding area;
- 20.** The owner of a Dog or Aggressive Dog is guilty of an offence if
- (20.1) Such Dog defecates on any public or private property not owned or occupied by the Owner, and the Owner fails to remove such defecation in a reasonable amount of time.
 - (20.2) The Owner allows the accumulation of defecation from such dog so as to create a disturbance for any other person or is likely to cause a health risk to others;
- 21.** Any person who owns or occupies a dwelling unit is permitted two (2) Cats and/or two (2) Dogs over the age of six months except in the case where an owner is in receipt of a Fancier's License

(21.1) .;

(21.2) A person is guilty of an offence if they have more than two (2) of the same type of animal without a Fancier's License.

(21.3)

22. A person is guilty of an offence if that person exercises a Dog while driving in a Motor Vehicle;

23. The Owner of a Domestic Animal is guilty of an offence if he/she fails to carry a Leash while with an Animal in a designated Off Leash Area;

24. The Owner of a Dog is guilty of an offence if such Dog is not wearing a collar and Tags whilst in a designated Off Leash Area;

25. The Owner of a Domestic Animal is guilty of an offence if he/she fails to immediately remove any Animal from the Off Leash Area after it has exhibited any type of Threatening Behaviour while in a designated Off Leash Area;

**OFFENCES
APPLICABLE TO
WILDLIFE AND
PROHIBITED
ANIMALS**

26. Any person is guilty of an offence if he/she:

(26.1) Keeps, maintains, or harbours any type of Wildlife, excluding song birds that are purchased from a pet store or certified breeder meant to be held in captivity; or

(26.2) Allows the regular feeding of Wildlife or other Feral Animals

26.2.1. Section 26.1 does not apply to any type of Song Bird house or Bat house kept on the person's property.

26.2.2. Section 26.2 does not apply to any type of Song Bird or Humming Bird feeder kept on the person's property.

(26.3) Keeps, maintains, or harbours any type of prohibited animal, as set out in Appendix "D" of this Bylaw;

**KEEPING OF
LIVESTOCK
ANIMALS**

27. No person shall keep any Livestock Animal in any part of the corporate limits of the Town of Cardston without first obtaining a permit from the Chief Administrative Officer or Designated

Officer to do so.

28. Section 27 does not apply to the following:

- (28.1) Those areas of the Town of Cardston which are zoned as Agricultural in the Town of Cardston Land-Use Bylaw;
- (28.2) Registered Animal Shelters or approved animal rescue facilities;
- (28.3) Pet Shops;
- (28.4) Veterinary Clinics;
- (28.5) Apiculturalists registered with the Provincial Apiculturist for the purposes of apiculture; or
- (28.6) Those properties operated by the Remington Carriage Museum.

29. If a permit is issued, pursuant to Section 27, allowing a person to keep a Livestock Animal, the permit shall:

- (29.1) Designate the length of time for which the permit shall be valid;
- (29.2) Outline the terms and conditions under which the permit is being permitted; and
- (29.3) Define the terms and conditions for which the permit may be cancelled

30. A permit issued pursuant to section 27, shall be for grazing or therapeutic purposes only

- (30.1) Permits issued for therapeutic purposes shall only be issued to properties zoned under the Land Use Bylaw as “Public & Institutional”.

31. The cost of the permit shall be as defined in Appendix “A” of this Bylaw.

32. No person shall maintain any Livestock Animal(s) in any barn, shed, corral, or pasture within a distance of forty (40) meters of any dwelling house, excepting the owner’s primary residence.

33. Any person who maintains any Livestock Animal(s), pursuant to a permit issued under section 27, must maintain a sufficient



fence or other means of corralling the Livestock Animal(s).

34. No person shall keep any more than two (2) Livestock Animals on a property less than three (3) acres.

(34.1) Any person who occupies more than three (3) acres may maintain more than two (2) Livestock animals, but shall conform to the limits and conditions outlined in the permit.

35. Any person, while maintaining any Livestock Animal(s) shall;

(35.1) While operating wintering grounds in areas permitted for such, shall not occupy the grounds as such until the 15th day of October, and shall vacate the same the first day of May, at which time the yard shall be cleaned of manure and debris, ready for inspection by the 15th day of May.

36. Upon receiving an application for a permit or upon receiving a complaint, the Chief Administrative Officer or Designated Officer may cause the place to be inspected and hear, if necessary, any evidence of any person in a position to give evidence respecting a complaint.

37. When an inspection is carried out and the opinion of the Chief Administrative Officer or Designated Officer making the inspection is that a nuisance exists, or may develop into a nuisance, he/she may take the necessary steps to require the permit holder to eliminate the problem within a designated time, and upon failure to do so may cancel the permit and require the removal of the Animals, until the matter has been properly corrected.

(37.1) If the Owner fails to remedy the violation or nuisance, the Town of Cardston may remedy the violation or nuisance, at the expense of the owner. Any unpaid expense and cost incurred by the Town of Cardston in the remedy process may be added to the Tax Roll and collected in a like manner as municipal taxes as per the Municipal Government Act R.S.A 2000 CM. 26.

38. Upon an inspection being made, any health condition that may



exist may be referred to the Provincial Health Officer, for their attention.

39. If there are violations found and action taken against the Owner, the Owner may file an appeal with Council;

40. On hearing the appeal, the decision of Council shall be final.

**OFFENCES
APPLICABLE TO
THE OWNER OF
AN AGGRESSIVE
DOG**

41. The owner of an Aggressive Dog is guilty of an offence if:

(41.1) The Aggressive Dog is not wearing a muzzle, under control and on a Leash held by a person of the age of eighteen (18) years of age, and who is capable of controlling the Aggressive Dog at all times when the Aggressive Dog is off the Owner's property;

(41.2) The Aggressive Dog is outdoors on the Owner's property and is not:

41.2.1. supervised by a person over the age of eighteen (18) years of age, or

41.2.2. contained by a tether sufficient to hold the animal securely on the property, or

41.2.3. in a locked pen or enclosure capable of preventing the entry of any person except the Owner of the Aggressive Dog;

(41.3) Within seven (7) days after the Dog has been designated an Aggressive Dog, the Owner fails to display at each entrance to the Owner's property and on the locked pen or structure in which the Aggressive Dog is confined, clear and visible signs, as specified in Appendix "C" of this Bylaw, a warning of the presence of an Aggressive Dog on the Owner's property.

**OFFENCES
RELATING TO
DOGS
EXHIBITING
THREATENING
BEHAVIOUR,
BITING, OR
ATTACKING**

42. The Owner of an Animal is guilty of an Offence if the Animal:

(42.1) Exhibits Threatening behaviour towards a person or other Domestic Animal or Wildlife;

(42.2) Bites another Domestic Animal or Wildlife;

(42.3) Bites a person;

(42.4) Attacks another Domestic Animal or Wildlife;

- (42.5) Attacks a person;
- (42.6) Bites, Attacks and causes Severe Injury to another Domestic Animal or Wildlife;
- (42.7) Causes death to a domestic animal or wildlife;
- (42.8) Bites or Attacks a person causing Severe Injury; or
- (42.9) Bites or Attacks a person causing death.

43. The Owner of an Aggressive Dog is guilty of an offence if the Aggressive Dog;

- (43.1) Exhibits Threatening behavior towards a person or other Domestic Animal or Wildlife;
- (43.2) Bites another Domestic Animal or Wildlife;
- (43.3) Bites a person;
- (43.4) Attacks another Domestic Animal or Wildlife;
- (43.5) Attacks a person;
- (43.6) Bites, Attacks and causes Severe Injury to another Domestic Animal or Wildlife;
- (43.7) Causes death to a domestic animal or wildlife;
- (43.8) Bites or Attacks a person causing Severe Injury; or
- (43.9) Bites or Attacks a person causing death.

44. Sections 42 and 43 shall apply to the conduct of an Animal whether on or off of the property of the Owner;

45. No Owner shall direct an Animal to attack, chase, harass, or otherwise threaten any Domestic Animal or Wildlife or person;

46. A Justice, after convicting an Owner of a Dog of an offence under this Bylaw, may, in addition to the fine specified under this Bylaw, order one or more of the following:

- (46.1) The Dog to be designated as an Aggressive Dog;
- (46.2) The Dog to be euthanized; and/or
- (46.3) The Owner be prohibited from owning any Dog for a specified period of time.

INTERFERENCE

47. Any person, whether or not he/she is the Owner of an Animal or

**WITH AN
OFFICER**

Aggressive Dog which is being or has been pursued or captured, or if that person has contravened any provision of this Bylaw, is guilty of an offence if he/she:

- (47.1) Interferes with, or attempts to obstruct an Officer who is attempting to capture, or who has captured, any animal;
- (47.2) Unlocks, unlatches, or otherwise opens a vehicle, cage, trap or other device used to capture Animals;
- (47.3) Removes, or attempts to remove, any animal from the possession of an Officer;
- (47.4) Refuses to provide identification (full name, address, and date of birth) and proof thereof to an Officer upon request;
- (47.5) Provides false or misleading information to an Officer.

**IMPOUNDING AND
SEIZURE OF
ANIMALS**

- 48.** Any Officer may seize and deliver to an Animal Shelter for impound any Domestic Animal or Aggressive Dog:
 - (48.1) Found running at large;
 - (48.2) Which has bitten, or is alleged to have bitten a person or Animal, pending the outcome of a decision to designate the Animal to be an Aggressive Dog or to euthanize the Animal;
 - (48.3) Not wearing a collar or Tag while off the property of the Owner;
 - (48.4) Found on Park or Parkland and not under the direct control of the Owner; or
 - (48.5) That is a female in heat and not confined or housed.
- 49.** Upon receiving an Animal or Aggressive Dog for impound, an Officer, shall make reasonable efforts to identify and contact the Owner of the Animal or Aggressive Dog;
- 50.** Subject to the entry notice provisions of the Municipal Government Act, R.S.A. 2000 c.M-26, an Officer may enter upon privately owned land at all times, other than a dwelling house, for the purpose of enforcing the provisions of this Bylaw,
- 51.** An Officer is hereby authorized to use live traps, nets or any



other similar means to capture the Animals or Aggressive Dogs. The Town of Cardston shall not be held liable for the death or injury of any Animal or Aggressive Dog;

- 52.** Any impounded Animal or Aggressive Dog shall not be sold, euthanized, or otherwise disposed of until the Animal or Aggressive Dog has stayed in the Animal Shelter for seventy-two (72) hours, excluding the day of impounding, Saturday, Sunday's, or Statutory Holidays;
- 53.** The Town of Cardston may retain an Animal for a period longer than set out in Section 52 herein if, in the opinion of the Town of Cardston, the circumstances warrant the expense or they have reasonable grounds to believe that the Animal is a danger to persons, animals, or property;
- 54.** Any healthy Animal may be returned to the Owner during the 72-hour period of impoundment upon payment to the Town of Cardston the cost of impoundment and boarding. The Town of Cardston may also collect the appropriate Animal License fee if the Animal is not licensed at the time of impound;
- 55.** Any person claiming an impounded Animal shall present government issued identification to the Town of Cardston.
- 56.** Where an impounded Animal or Aggressive Dog has not been claimed by an Owner within 72 hours of impoundment, not including the day of impounding, Saturday's, Sunday's or Statutory Holiday's, the Town may sell, foster, euthanize, or otherwise dispose of any impounded Animal or Aggressive Dog.
- 57.** The purchaser of an Animal from the Town of Cardston pursuant to the provisions of this Bylaw, shall obtain full right and title to it and the right and title of the former Owner of the Animal shall cease upon purchase
- 58.** An Officer investigating a complaint involving the Threatening Behaviour of an Animal may classify the behaviour by means of reference to the Dr. Ian Dunbar's Aggression Scale, which is set out in Appendix "E".
- 59.** A Fancier's License will allow up to a maximum of seven (7) Domestic Animals

**FANCIER'S
LICENSE**

- (59.1) Assistance Dogs or any Service Dogs will not count towards the maximum number of animals and are exempt from a Fancier's License.
- (59.2) Animal Shelters or those that work with animal shelters are exempt from the maximum number of domestic animals allowed and from requiring a Fancier's License.
- (59.3) Breeders with more than 2 adult dogs or cats will require a Fancier's License; however, puppies and kittens under the age of 6 months are not included in the maximum number of animals allowed.
- 60.** Any person requesting a Fancier's License shall submit an application to the Animal Control Officer or Designated Officer.
- 61.** All applications shall disclose:
- (61.1) Location for license;
- (61.2) Breed and sex of dogs and cats;
- 62.** An Animal Control Officer or Designated Officer may inspect a premise upon receipt of bona fide complaints from any (2) or more neighbors residing within sixty (60) meters of the residence or if there is concern about the well-being of the animals.
- (62.1) The Animal Control Officer may inspect the premises at any reasonable time (8:00 AM and 6:00 PM) after giving the owners 24 hours notice of such inspection and revoke this license if deemed unsuitable.
- 63.** Any person may appeal the decision of the Animal Control Officer to the Chief Administrative Officer provided such appeal is submitted in writing within fourteen (14) days of the date of the Animal Control Officers' decision.
- 64.** Any person that owns more than 7 animals is subject to a fine as outlined in Schedule B.
- (64.1) Any person found to be in possession of more than 2 of the same domestic animal without a fancier's license or more than a total of 7 animals, is subject to all fines that would apply.

(64.2) The Animal Control Officer has the authority to remove or re-home the animals if deemed necessary.

(64.3) The Animal Control Officer will re-inspect the premise weekly until the situation has been remedied. Failure to address the contravention may result in additional fines.

KENNELS

65. No person shall own or operate a Kennel within the Corporate Limits of the Town of Cardston without first applying for and paying the specified amount, and being granted a permit as set out in Appendix “A” of this Bylaw.

(65.1) Animal Shelters or those that work with animal shelters are exempt from the Kennel requirements.

66. Any Kennel Permit application shall be reviewed by the Town of Cardston to ensure it meets requirements as set out in the Land Use Bylaw and/or any other legislation that may be applicable in the case.

(66.1) A business license is required prior to a kennel permit being approved.

(66.2) Upon application for a Kennel permit, the applicant must specify the maximum number of animals they intend to board. Approval of the permit will be subject to an inspection by the Animal Control Officer.

PENALTIES

67. Where an Officer has reasonable and probable grounds to believe that a person has contravened any provision of this Bylaw:

(67.1) May serve upon that person a Municipal Ticket allowing payment of the specified fine as set out in Appendix “B” of this Bylaw, which payment will be accepted by the Town of Cardston in lieu of prosecution for the offence if paid within 21 days of the date of service; or

(67.2) May serve a Violation Ticket in accordance with the Provincial Offences Procedure Act, R.S.A. 2000, c. P-34 and amendments thereto, allowing a voluntary payment or requiring a person to appear in court, without the alternative of making a voluntary payment.

68. A Municipal Ticket shall be deemed to be sufficiently served if:

(68.1) Served personally on the Owner of the Animal or Aggressive Dog, or left at the Owner's residence; or

(68.2) Mailed to the address of the Owner of the Animal or Aggressive Dog.

69. Penalties for a second, third, or subsequent offence will be applicable where those offences occur within one (1) calendar year of the first offence.

70. In the case of an offence that is of a continuing nature, a contravention constitutes a separate offence in respect of each day, or part of day, on which the offence continues and any person guilty of such an offence is liable to a fine in the amount not less than that established by this Bylaw for each such day.

SUMMARY CONVICTION

71. Any person who contravenes any provision of this Bylaw is guilty of an offence and is liable on summary conviction to the specified penalty as set out in Appendix "B" of this Bylaw, and in default of payment of any fine imposed, to imprisonment for not more than six (6) months.

72. Any person who contravenes any provision of this Bylaw for which there is either "Court" or no penalty specified in Appendix "B", is guilty of an offence and is liable on Summary Conviction to a fine not less than five hundred dollars (\$500.00) and not more than ten thousand dollars (\$10,000.00) and in default of payment of any fine imposed, to imprisonment for not more than six (6) months.

EXEMPTIONS

73. This Bylaw does not apply to any Police Service Dog or any other type of Emergency Services or Search and Rescue Dog while it is in Active Service.

PROOF OF LICENSING AND AGE OF ANIMAL

74. In any prosecution or proceedings for a contravention of this Bylaw, the onus of proving all of the following is on the person alleging that:

(74.1) A person has a valid and subsisting Licence for the Animal or Aggressive Dog;

(74.2) An Animal or Aggressive Dog is under the age of six (6)

months;

(74.3) The length of time an Animal has been in the Town of Cardston is less than thirty (30) days in a year.

EFFECTIVE DATE 75. This Bylaw shall come in force upon the date of its third and final reading.

REPEAL 76. Bylaws 1679 and all amendments thereto shall be rescinded upon the effective date of this bylaw.

Received First Reading this 12th day of January, 2021

Received Second Reading this 9th day of February, 2021

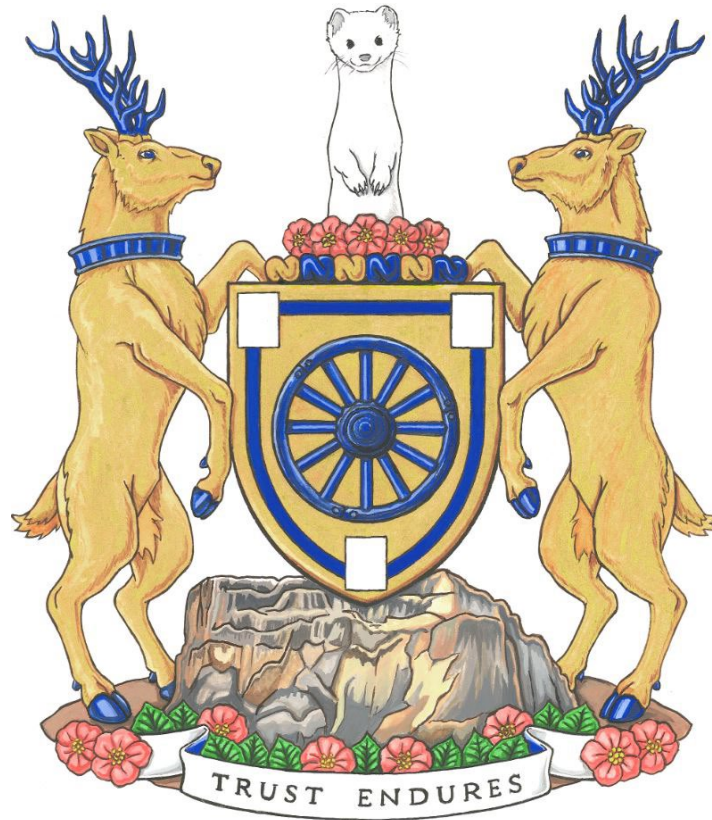
Received Third & Final Reading this 13th day of August, 2021

Signed by the Mayor and the Chief Administrative Officer this ____ day of August, 2021

TOWN OF CARDSTON

MAYOR – *Maggie Kronen*

CHIEF ADMINISTRATIVE OFFICER – *Jeff Shaw*



**TOWN OF CARDSTON
IN THE PROVINCE OF ALBERTA**

BYLAW 1696

ANIMAL BYLAW

APPENDICIES A-F

APPENDIX "A"

FEES RELATED TO DOGS

DESCRIPTION	FEE
Impound Fee for a Dog	\$75/day
Impound Fee for a Nuisance or Aggressive Dog	\$100/day
Care and Sustenance (per day or portion thereof to commence at midnight on the day the animal is impounded)	\$15
Veterinary Fees	Amount Expended
Owner Surrender Fee	\$40
Refundable Sterilization Deposit (30 days)	\$75 (plus GST)
Adoption Fee (plus sterilization deposit)	\$45

ANNUAL DOG LICENSE FEES

Altered (Spayed or Neutered)	Before January 31 st or New	\$25
	After January 31 st	\$35
Unaltered	Before January 31 st or New	\$40
	After January 31 st	\$50
Aggressive Designation	Before January 31 st or New	\$150
	After January 31 st	\$200
Replacement Fee	1 st replacement is free	Half the original cost thereafter

FEES RELATED TO CATS

DESCRIPTION	FEE
Impound Fee	\$60/day
Care and Sustenance Fee (per day or portion thereof to commence at midnight on the day of impoundment)	\$15/day
Veterinary Fee	Amount Expended
Owner Drop-off Fee	\$50
Refundable deposit for sterilization - Cat neutered	\$75
Refundable deposit for sterilization - Cat spayed	\$150
Town resident adoption Fee	\$20

ANNUAL CAT LICENSE FEES

Altered (Spayed or Neutered)	Before January 31 st or New	\$15
	After January 31 st	\$25
Unaltered	Before January 31 st or New	\$35
	After January 31 st	\$45
Replacement Fee	1 st replacement is free	Half the original cost thereafter

APPENDIX "A"

FEES RELATED TO DOMESTIC ANIMALS

DESCRIPTION	FEE
Fancier's License	\$50
Kennel License	\$50

FEES RELATED TO LIVESTOCK ANIMALS

DESCRIPTION	FEE
Animal Permit	\$15



APPENDIX “B”

Section	Offence	First Offence	Second Offence	Third & Subsequent
5	Fail to obtain Domestic Animal license.	\$100.00	\$200.00	\$300.00
5.2	Fail to affix Tag to Collar	\$100.00	\$200.00	\$300.00
6	Fail to obtain Aggressive Dog license	\$500.00	\$1000.00	\$1500.00
15.1	Fail to provide animal with adequate food or water	\$250.00	\$500.00	\$750.00
15.2	Fail to provide animal with adequate care when wounded or ill	\$250.00	\$500.00	\$750.00
15.3	Fail to provide reasonable protection from injurious heat or cold.	\$250.00	\$500.00	\$750.00
15.4	Fail to provide animal with adequate shelter, ventilation, or space.	\$250.00	\$500.00	\$750.00
16.1	Allow animal to run at large.	\$100.00	\$200.00	\$300.00
16.2	Allow animal to be in Park or on Park land where prohibited / or on playground apparatus or spray park	\$100.00	\$200.00	\$300.00
16.3	Allow animal to destroy public/private property	\$100.00	\$200.00	\$300.00
16.4	Allow animal to be in a restricted area or community event where prohibited.	\$100.00	\$200.00	\$300.00
17	Allow Cat to defecate or spray on property, other than the owner	\$100.00	\$200.00	\$300.00
18	Allow Cat to stalk birds on property, other than the owner	\$100.00	\$200.00	\$300.00
19	Allow Dog to bark, howl, or otherwise cause noise so as to disturb the peace.	\$100.00	\$200.00	\$300.00
20.1	Fail to remove Dog defecation from property other than owners within a reasonable time	\$100.00	\$200.00	\$300.00
20.2	Allow dog defecation to accumulate so as to create a health issue or nuisance.	\$100.00	\$200.00	\$300.00
21.2	Own more than 2 Cats or 2 Dogs Domestic Animals without a Fancier’s license.	\$100.00	\$200.00	\$300.00
22	Exercise Dog while driving a Vehicle	\$100.00	\$200.00	\$300.00

APPENDIX "B"

24	Fail to wear Collar or Tags while in off-leash area.	\$100.00	\$200.00	\$300.00
25	Fail to immediately remove Dog from off-leash area after such dog has exhibited threatening behavior	\$100.00	\$200.00	\$300.00
26.1	Keep, maintain, or harbor Wildlife	\$200.00	\$300.00	\$400.00
26.2	Feed Wildlife or Feral Animal	\$200.00	\$300.00	\$400.00
26.3	Keeps, maintains or harbours any type of prohibited animal	\$200.00	\$300.00	\$400.00
27	Keep, maintain, or harbor Livestock within Corporate limits w/o permit.	\$200.00	\$300.00	\$400.00
41.1	Aggressive Dog not wearing a muzzle, under control, or on leash, held by 18 y/o plus or some able to control animal.	\$500.00	\$1,000.00	\$2,000.00
41.2	Person over 18 y/o fail to supervise Aggressive Dog, or Aggressive Dog not locked in pen.	\$500.00	\$1,000.00	\$2,000.00
41.3	Owner of aggressive dog fail to display clear and visible signage.	\$500.00	\$1,000.00	\$2,000.00
42.1	Dog exhibits threatening behavior towards person, another Domestic Animal or Wildlife.	\$250.00	\$350.00	\$450.00
42.2	Dog bites another Domestic Animal or Wildlife	\$250.00	\$350.00	\$450.00
42.3	Dog bites a person	\$500.00	\$750.00	\$1,000.00
42.4	Dog attacks Another Domestic Animal or Wildlife.	\$500.00	\$750.00	\$1,000.00
42.5	Dog attacks a person	\$750.00	\$1,000.00	\$1,250.00
42.6	Dog bites or attacks another Domestic Animal or Wildlife, causing severe injury.	\$750.00	\$1,000.00	\$1,250.00
42.7	Dog causes death to another Domestic Animal or Wildlife.	\$1,000.00	\$1,250.00	\$1,500.00
42.8	Dog bites or attacks a person causing Severe Injury	\$1,000.00	\$1,250.00	\$1,500.00

APPENDIX "B"

42.9	Dog attacks a person causing death.	COURT	COURT	COURT
43.1	Aggressive Dog exhibits threatening behavior to a Person or another Domestic Animal, or Wildlife.	\$500.00	\$750.00	\$1,000.00
43.2	Aggressive Dog bites another Domestic Animal or Wildlife.	\$750.00	\$1,000.00	\$1,250.00
43.3	Aggressive Dog bites a person	\$1,000.00	COURT	COURT
43.4	Aggressive Dog attacks another Domestic Animal or Wildlife.	\$1,000.00	\$1,250.00	\$1,500.00
43.5	Aggressive Dog attacks a person.	\$1,500.00	\$1,750.00	COURT
43.6	Aggressive Dog bites or attacks another Domestic Animal or Wildlife, causing Severe Injury.	\$1,500.00	\$1,750.00	COURT
43.7	Aggressive Dog causes death to another Domestic Animal or Wildlife.	\$1,750.00	\$2,000.00	COURT
43.8	Aggressive Dog bites or attacks a person or causing Severe Injury.	\$1,750.00	\$2,000.00	COURT
43.9	Aggressive Dog bites or attacks a person causing death.	COURT	COURT	COURT
45	Direct Animal to chase, harass, or otherwise threaten another Domestic Animal or Wildlife.	\$500.00	\$1000.00	\$2000.00
47.1	Interfere with or attempt to obstruct Officer pursuing or attempting to capture or has captured an Animal.	\$500.00	\$1000.00	\$2000.00
47.2	Unlock, unlatch, or otherwise opens a vehicle, cage, trap, or other device used in the capture of an Animal.	\$500.00	\$1000.00	COURT
47.3	Removes or attempts to remove an Animal from an Officers possession.	\$500.00	\$1000.00	COURT
47.4	Refuse to provide identification to Officer upon request.	\$500.00	\$1000.00	COURT
47.5	Provide false or misleading information to an Officer	\$500.00	\$1000.00	COURT
59	Failure to obtain a Fancier's License	\$200.00	\$300.00	\$400.00
64	Owens more than 7 animals.	\$200.00	\$300.00	\$400.00



APPENDIX "B"

65	Own or operate Kennel without a permit.	\$200.00	\$300.00	\$400.00
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APPENDIX "C"
AGGRESSIVE DOG SIGNAGE



APPENDIX “D”

PROHIBITED ANIMAL SPECIES

- 1) All *Anseriformes* (Ducks, Geese, Swans)
- 2) All *Galliformes* (Grouse, Pheasant, Turkeys)
- 3) All *Sciuridae* (Prairie Dogs, Giant Squirrels, Flying Squirrels)
- 4) All *Marsupials* (Kangaroos, Opossums)
- 5) All Non-Human Primates (Gorillas, Monkeys)
- 6) All *Felids* except the domestic cat (Lions, Tigers, Cougar)
- 7) All *Canids* (Wolf, Hybrids) except the domestic dog
- 8) All *Viverrids* (Mongoose, Civets, Genets)
- 9) All *Mustelids* except domestic Ferret (Skunks, Weasels)
- 10) All *Ursids* (Bear)
- 11) All *Artiodactylus* Ungulates (Cattle, Goats, Sheep, Pigs)
- 12) All *Procyonids* (Raccoons, Coatis, and Cacomistles)
- 13) All *Hyaenas*
- 14) All *Perissodactylus* Ungulates except domestic livestock (Zebra)
- 15) All *Pinnipeds* (Seals, Fir Seals, Walruses)
- 16) All Elephants
- 17) All Snakes and Families of *Pythonidae* and *Boidae*
- 18) All Venomous Reptiles
- 19) All *Ratite* Birds (Ostrich, Rheas, Cassowaries)
- 20) All *Edentates* (Anteater, Sloth, Armadillo)
- 21) All Bats
- 22) All *Crocodylians* (Crocodile and Alligator)
- 23) All *Arachnids* (Scorpion and Tarantula)

APPENDIX “E”

PERMIT APPLICATIONS

LEVEL 1	Dog growls, lunges, snarls-no teeth touch skin. Mostly intimidation behavior threatening behavior
LEVEL 2	Teeth touch skin but no puncture. May have red mark/minor bruise from dog’s head or snout, may have minor scratches from paws/nails. Minor surface abrasions or lacerations
LEVEL 3	Punctures one to three holes, single bite. No tearing or slashes. Victim not shaken side to side. Bruising.
LEVEL 3.5	Multiple Level 3 bites
LEVEL 4	One to four holes from a single bite, typically contact/punctures from more than canines only, considerable bruising. Black bruising, tears and/or slashing wounds. Dog clamped down and /or shook head from side to side
LEVEL 5	Multiple bites at Level 4 or above. A concerted, repeated attack causing a severe injury.
LEVEL 6	Any bite resulting in the death of an Animal

This Scale is developed by Dr. Ian Dunbar PhD, BVetMed, MRCVS, of Berkeley California. From his studies Dr. Dunbar has been able to separate and classify bites into a generalized six level assessment protocol. This scale is used as a standard throughout the world in canine aggression investigations and behavior assessments.

Bite Inhibition

“Inhibitions are the mechanisms which compel an animal to interrupt an action in the middle of a sequence.” (i)

“Good bite inhibition does not mean that your dog will never snap, lunge, nip, or bite. Good bite inhibition means that should the dog snap and lunge, his teeth will seldom make skin contact and should the dog’s teeth ever make skin contact, the inhibited “bite” will cause little, if any, damage.”

References

- (i) .*ABRANTES R. Dog Language An Encyclopedia of Canine Behavior 145. Wakan Tanka Publishers 1997*
- (ii). *DUNBAR.I. PhD, BVetMed, MRCVS After you Get Your Puppy 84. James and Kenneth Publishers 2001*
- (iii). *City of Calgary Animal Serivces. Standard Operating Procudure for Peace Officers. City of Calgary, 2012*

APPENDIX "F"

PERMIT APPLICATIONS

FORM ME-1603: KENNEL OPERATIONS PERMIT APPLICATION

(Form Location: \\TSERVER\Share\Municipal Enforcement\Forms\Forms Completed with Numbers)



Domestic Animal Kennel Operations Permit



<u>Applicant Information:</u>	
Name of Applicant:	<div style="text-align: center; font-size: small; margin-bottom: 5px;">Surname / First Given / Initial</div>
Applicant Home Address:	
Applicant Mailing Address:	
City / Town:	<div style="float: right; padding-right: 20px;">Postal Code: </div>
Phone Number (H):	<div style="float: right; padding-right: 20px;">Phone (Other): </div>

<u>Business and Kennel Information:</u>	
Have you applied for a business licence with the Town of Cardston?.....	<input type="checkbox"/> YES <input type="checkbox"/> NO
If so were you granted a business licence?.....	<input type="checkbox"/> YES <input type="checkbox"/> NO
Business Licence number:	<div style="float: right; padding-right: 20px;">Business Name: </div>
Kennel Location:	
Kennel Mailing Address:	<div style="float: right; padding-right: 20px;">City/Town: </div>
Postal Code:	<div style="float: right; padding-right: 20px;">Phone Number: Work / Cell / Other</div>

<u>For Internal Use Only:</u>	
Application Fee: \$40.00.....	[] PAYED
[] Approved	[] Not Approved
	[] Conditional (See Conditions)
Length of Permit: _____	<div style="float: right; padding-right: 20px;">Commencing: _____ Ending: _____</div> <div style="clear: both; font-size: x-small; margin-top: 5px;"> YY/MM/DD YY/MM/DD </div>
Signed: _____	Title: _____
IF APPROVED YOUR PERMIT WILL MAILED TO YOUR MAILING ADDRESS	

Form: ME-1603.....Town of Cardston.....Municipal Enforcement
Po Box 280 (67 3 Avenue West), Cardston, Alberta, T0K-0K0

The information on this form is collected for the sole purpose of the Town of Cardston and is protected under the Freedom of Information and Protection of Privacy Act, S 33(c), which regulates the collection use and disclosure of information.

APPENDIX "F"

PERMIT APPLICATIONS

FORM ME-1602: KEEPING OF LIVESTOCK PERMIT APPLICATION

(Form Location: \\TSERVER\Share\Municipal Enforcement\Forms\Forms Completed with Numbers)

Domestic Animal Keeping of Livestock Permit Application

<u>Applicant Information:</u>	
Name of Applicant:	Surname / First Given / Initial
Applicant Home Address:	
Applicant Mailing Address:	
City / Town:	Postal Code:
Phone Number (H):	Phone (Other):

<u>Additional Information:</u>	
Number of Animals:	Type of Animals: Amount of Land: (Acres)
Location of Animals:	

<u>For Internal Use Only:</u>	
Application Fee: \$40.00.....	[<input type="checkbox"/>] PAYED
[<input type="checkbox"/>] Approved	[<input type="checkbox"/>] Not Approved [<input type="checkbox"/>] Conditional (See Conditions)
Length of Permit: _____	Commencing: _____ Ending: _____
	YY/MM/DD YY/MM/DD
Signed: _____	Title: _____
IF APPROVED A PERMIT WILL BE SENT TO YOUR MAILING ADDRESS	



Form: ME-1602.....Town of Cardston.....Municipal Enforcement

Po Box 280 (67 3 Avenue West), Cardston, Alberta, T0K-0K0

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