

CITY OF ST. ALBERT

CONSOLIDATION OF ANIMAL BYLAW NO. 38/78
Consolidated by Bylaw 40/2011

Being a bylaw to provide for the licensing, regulating and for
the confinement of dogs and other animals.

WHEREAS the Council of the City of St. Albert deems it necessary to regulate the running at large of dogs, to provide for the licensing of dogs, and to provide for the confinement of certain dogs and other animals within the City;

NOW THEREFORE the Municipal Council of the City of St. Albert in open meeting assembled, hereby ENACTS AS FOLLOWS:

DEFINITIONS

1. This Bylaw may be cited as "The Animal Bylaw".
2. In this Bylaw:
 - (a) "Manager" means the City Manager;
 - (b) "Bylaw Enforcement Officer" means the person or persons appointed as such from time to time by the Manager to do any act or perform any duties under this Bylaw;
(BL4/86)
 - (c) "at large" means the circumstance where a dog is not under the complete control of a dog handler, and
 - (i) is upon property over which the dog's handler does not have the right of occupation; or
 - (ii) is upon any highway, thoroughfare, street, road, avenue, parkway, lane, alley, square, bridge, causeway, trestleway, sidewalk (including the boulevard portion of the sidewalk), park or any other place upon which the public is ordinarily entitled or permitted to access.
(BL39/98)
 - (d) "dog" means any bitch, spayed bitch, male or neutered male;
 - (e) "kennel" means any person, group of persons or corporation engaged in the commercial business of breeding, buying, selling or boarding dogs;
 - (f) "dog owner" means a person who owns a dog or who has possession and charge over a dog or who permits a dog to be housed on property that the person owns or occupies.
(BL39/98)
 - (f.1) "dog handler" means a person who is responsible for a dog.
(BL39/98)
 - (g) "City" means the City of St. Albert;

- (h) "City Animal Shelter" means the premises designated by the City for the purpose of impounding and caring for all animals found running at large in violation of this Bylaw.
- (i) "leash" means a device that attaches to a dog for the purpose of controlling or restraining a dog.
(BL39/98)
- (j) "on leash area" means an area of the City that has been posted by the City under Section 14.3.
(BL39/98)
- (k) "playground" means the sand area surrounding playground equipment.
(BL39/98)
- (l) "trail" means the Red Willow Park Trail system and the improved surface used for travel and the area one metre on either side of the improved surface.
(BL39/98)

LICENSE

- 3. No person shall own, keep or harbor any dog within the City limits unless such dog is licensed as herein provided.
- 4. DELETED
(BL1/82)
- 5. Every person who is within the limits of the City and being the owner of a dog over the age of six (6) months shall, between the first and thirty-first day of January in each year, obtain a license for the current year commencing on the first day of January, by applying at the City Hall or at the City Animal Shelter or from an agent approved by the Council of the City.
- 6. Every person who becomes the owner of a dog over the age of six (6) months or takes up residence within the City and who is the owner of a dog which is over the age of six (6) months and which is not currently licensed in accordance with this Bylaw, shall register the same and pay the license fee herein provided, within fifteen (15) days after becoming owner of the said dog or being the owner of the said dog and taking up residence within the City.
- 7. Dog owners shall provide the City with the following information with each application for a dog license:
 - (a) name and street address of the owner;
 - (b) name and description of the dog to be licensed;
 - (c) such other information as may be required with respect to the application.
- 8. Every person who becomes the owner of a dog which is currently licensed in accordance with the provisions of this Bylaw shall provide the City with his name, street address and the license number of the dog within fifteen (15) days after becoming owner of the said dog.

9. Licenses issued under this Bylaw shall not be transferable from one dog to another.
10. Upon payment of the required license fee the owner will be supplied with a metal license tag stamped with a number and the year of license.
11. Every owner shall ensure that the license tag is securely fastened to a choke chain, collar, or harness which must be worn by the dog at all times the dog is off the premises of the owner.
12. The owner of a dog which has been duly licensed under this Bylaw may obtain a license tag to replace a tag which has been lost, upon payment of the fee specified in Schedule A to Bylaw 38/78
(BL18/2010)
13. The provisions of Sections 3 to 12 shall not apply to persons temporarily in the City for a period not exceeding two weeks.

RESPONSIBILITIES OF OWNER

14. Deleted and replaced by 14.1 to 14.5
(BL39/98)
- 14.1 No dog shall be at large.
- 14.2 A dog owner is responsible for ensuring that the owner's dog is not at large.
- 14.3 The City may post signs designating areas as on leash areas, including areas intended to be used for play by children such as tot lots and school grounds, and park trails.
- 14.4 In an on leash area, a dog must be kept on a leash and under the complete control of a dog handler.
- 14.5 In a non-leash area, a dog must be kept under complete control of a dog handler.
15. Any person shall be entitled to take charge of any animal found running at large and deliver same to the Bylaw Enforcement Officer, who shall impound the animal.
(BL4/86)
16. It shall be the duty of the occupant of any house or premises in or about which a bitch is kept or allowed to remain, to keep such bitch housed and confined during the whole period such bitch is in heat.
17. If a dog defecates on any public or private property other than the property of its owner, the owner shall cause such defecation to be removed immediately.
- 17.1 If a dog defecates on the property of its owner, the owner shall cause such defecation to be removed within a reasonable time.
(BL39/98)
18. No owner shall permit his dog to bark or howl excessively or in any other manner disturb the quiet of any person.

- 19. (a) No owner shall permit his dog to damage public or private property;
- (b) When public or private property is damaged by a dog, its owner shall be deemed to have failed or refused to have complied with the requirements of Subsection (a).
- 20. (a) No owner shall permit his dog on any playground or posted parkland area;
(BL39/98)
- (b) The City of St. Albert shall post signs to indicate the parkland areas where dogs are not permitted;
- (c) Where a dog is found on a playground or posted parkland area the owner shall be deemed to have failed or refused to comply with the provisions of Subsection (a).
(BL39/98)

IMPOUNDMENT

- 21. The Bylaw Enforcement Officer or any member of the R.C.M.P., St. Albert Detachment, is authorized to capture all dogs found in contravention of this Bylaw and to impound the said dog in the City Animal Shelter.
 - (a) The dog so impounded shall be kept in the Animal Shelter for a period of at least forty-eight (48) hours. Sundays and statutory holidays shall not be included in the computation of the forty-eight (48) hour period. During this period any healthy dog may be redeemed by its owner or agent of the owner, upon payment to the City of St. Albert of:
 - (i) the appropriate penalty specified in Schedule A to Bylaw 38/78, where applicable,
(BL18/2010)
 - (ii) the appropriate license fee when a dog is not licensed, and
(BL4/86)
 - (iii) kennel fees as specified in Schedule A to Bylaw 38/78 for every twenty-four (24) hour period or fraction thereof, that the dog has been impounded, including weekends and statutory holidays;
(BL18/2010)
 - (b) At the expiration of the forty-eight (48) hour period any unlicensed dog not redeemed may be destroyed, or may be sold to a person other than the owner, provided that such person shall be responsible for any or all of the payments listed in Subsection (a);
 - (c) The owner of a dog which has been impounded and which carries a current license tag, shall be notified where possible of the impoundment;

Such licensed impounded dog may be redeemed in accordance with Subsection (a) above except that the period of impoundment shall be seventy-two (72) hours.

PENALTIES

22. (a) The Bylaw Enforcement Officer may issue an offence ticket to an owner alleged to have committed one or more of the following offences. The offence ticket shall state the alleged offence and require payment of the appropriate fine specified in Schedule A to Bylaw 38/78;
(BL18/2010)

<u>Offence</u>	<u>Fines</u> DELETED (BL4/86)
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|--|--|
| i) failure to obtain a dog license | |
| ii) failure to ensure that a collar and tag are worn when a dog is off the premises of the owner | |
| iii) permitting a dog to be at large or failing to confine and house a female dog in heat, or permitting a dog to bark or howl excessively, or permitting a dog on posted parkland, or failure to immediately remove a dog's defecation from public or private property other than the property of the dog's owner, or permitting a dog to damage public or private property
(BL39/98) | |
| iv) interference with enforcement of By-law (any offence listed in Section 22).
(BL39/98) | |

- (b) The offence ticket shall be sufficiently served by:
- (i) double registered letter addressed to the owner or harbinger of the dog concerned,
 - (ii) handing the notice to the owner or harbinger of the dog concerned or to any adult at the place of residence of the said owner or harbinger;
- (c) Except as provided in Section 22 (b) above, the provisions of Bylaw No. 21/76, a bylaw to provide for the imposition of penalties for infractions of City Bylaws, as amended, insofar as those provisions relate to the issuing of offence tickets as an alternative and in lieu or secure of a summons, shall apply to the issuing of offence tickets under this Bylaw.

- 22.1 A dog owner commits an offense if that dog owner's dog is
- (i) at large, or
 - (ii) not on a leash and under the complete control of a dog handler in an on leash area.
(BL39/98)

- 22.2 A person commits an offense if that person is a dog handler and
- (i) allows a dog to be at large, and
 - (ii) fails to have the dog on a leash and under complete control in an on leash area.
- (BL39/98)**
- 22.3 A prosecution or conviction of either the dog owner or the dog handler, where they are different persons, is not a bar to the prosecution or conviction of the other.
- (BL39/98)**

VICIOUS DOG

23. (a) The owner shall confine within a building or secure enclosure, every fierce, dangerous, or vicious dog and not take such dog out of such building or secure enclosure unless such dog is securely muzzled;
- (b) Any animal which bites a person shall be promptly reported to the Bylaw Enforcement Officer and may thereupon be quarantined at the direction of the Bylaw Enforcement Officer and shall not be released from such quarantine except by written permission of the Medical Officer of Health for the City. At the discretion of the Bylaw Enforcement Officer such quarantine may be on the premises of the owner or at the City Animal Shelter. In the case of stray animals whose ownership is not known, such quarantine shall be at the City Animal Shelter;
- (BL4/86)**
- (c) Upon demand made by the Bylaw Enforcement Officer, the owner shall forthwith surrender any animal which has bitten a human, or which is suspected of having been exposed to rabies, for supervised quarantine which expense shall be borne by the owner, and the animal may be reclaimed by the owner if adjudged free of rabies, upon payment of the pound fees and upon compliance with the licensing provisions of this Bylaw.
- (BL4/86)**

RABIES CONTROL

24. In the event of an outbreak or a threatened outbreak of rabies or any disease affecting dogs which may be transmitted to human beings, Council may by Resolution order and direct, that all animals shall be securely tied up by the owner or shall be otherwise effectively confined and prevented from running at large upon any public street, lane or other highway within the City; any dog found running at large in contravention of this Section shall be impounded.
25. When an animal under quarantine has been diagnosed as rabid, or suspected by a licensed veterinarian as being rabid, and dies while under such observation, the Bylaw Enforcement Officer shall immediately send the head of such animal to the appropriate health department for pathological examination and shall notify the Medical Officer of Health for the City, of reports and human contacts, and diagnosis made of the suspected animal.
- (BL4/86)**

26. During such period of rabies quarantine as herein mentioned, every animal bitten by an 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 animals are quarantined.
27. Except as herein provided, no person shall kill, or cause to be killed, any rabid animal, any animal suspected of having been exposed to rabies or any animal which has bitten a human, nor remove the same from the City limits without written permission from the Bylaw Enforcement Officer.
(BL4/86)
28. The carcass of any dead animal exposed to rabies shall upon demand be surrendered to the Bylaw Enforcement Officer.
(BL4/86)
29. The Bylaw Enforcement Officer shall direct the disposition of any animal found to be infected with rabies.
(BL4/86)
30. When in the judgement of a licensed veterinarian an animal should be destroyed for humane reasons, such animal may not be redeemed.

OTHER MATTERS

31. No wild animals may be kept within the City limits except under such conditions as may be fixed by the City provided, however, that wild animals may be kept for exhibition purposes by circuses, zoos and educational institutions in accordance with such regulations as shall be established by the City.
32. The Bylaw Enforcement Officer is authorized to use a tranquilizer gun when deemed necessary by him to subdue any dog running at large and to take such other reasonable measures as may be necessary to subdue such dog.
33. No person shall keep or harbor more than three (3) dogs of whatever sex and aged six (6) months or more, at one and the same time in any house, shelter, room or place within the City, provided this Section shall not apply to premises lawfully used for the care and treatment of dogs operated by and in charge of a licensed veterinarian, nor to any premises which with the written permission of the Manager may be temporarily used for the purpose of a dog show, nor to any person in possession of a license to operate a kennel within the limit of the City.
34. No action shall be taken against any person acting under the authority of this Bylaw for damages for the destruction or other disposal of any animal.
35. No person shall interfere with, hinder or molest the Officer appointed to enforce the provisions of this Bylaw, in the performance of any duty.
36. No person shall interfere with, hinder or molest any person or persons engaged in taking to the City Animal Shelter any animal liable to be impounded under the provisions of this Bylaw.

37. No person shall remove or attempt to remove any dog from the possession of the Bylaw Enforcement Officer or any person authorized to enforce any of the provisions of this Bylaw.
(BL4/86)
38. That Bylaw No. 25/74 is hereby repealed.
39. Any service or facility required by this Bylaw, including the provision of the City Animal Shelter, may be provided by the City, or by contract through a third party at the discretion of the Manager.
(BL44/2000)

ANIMAL BYLAW 38/78
CONSOLIDATED BY BYLAW 40/2011
(As amended November 28, 2011)

SCHEDULE "A"

GST EXEMPT

		2012	
1.	The owner of every dog in the City, over the age of six (6) months shall each year pay to the City a licence fee in accordance with the following schedule:		
(a)	For each neutered male and spayed female dog	38.00	
(b)	For each male and female dog	71.00	
1.1	Every person who, after September 30 of any year, becomes the owner of a dog over the age of six (6) months or takes up residence within the City and is the owner of a dog over the age of six (6) months and which is currently licensed under the Animal Bylaw 38/78, shall pay to the City a licence fee in accordance with the following schedule:		
(a)	For each neutered male and spayed female dog	14.00	
(b)	For each male and female dog	30.50	
1.2	The operator of a proven rescue foster home for dogs shall for every dog over the age of six (6) months owned by or in the custody of the operator pay to the City a licence fee in accordance with the following schedule:		
(a)	For each neutered male and spayed female dog	No charge	
(b)	For each male and female dog	No charge	
1.3	The owner of a dog over the age of six (6) months, that is a proven service or guide dog or proven service or guide dog in training shall each year pay to the City a licence fee in accordance with the following schedule:		
(a)	For each neutered male and spayed female dog	No charge	
(b)	For each male and female dog	No charge	
2.	Kennel Fees (Daily)	36.19	
3.	Fines:	1st Offence	2nd Offence
(a)	- failure to obtain a dog licence	93.00	185.00
(b)	- failure to ensure that a collar and tag are worn when a dog is off the premises of the owner	41.00	82.00
(c)	- permitting a dog to be at large (amended by BL39/98)	124.00	165.00
(d)	- failing to confine and house a female dog in heat	62.00	82.00
(e)	- permitting a dog to bark or howl excessively	93.00	124.00
(f)	- permitting a dog on posted parkland	124.00	165.00
(g)	- failure to immediately remove a dog's defecation from public or private property other than the property of the dog's owner	258.00	515.00
(h)	- permitting a dog to damage public or private property	124.00	165.00
(i)	- interference with enforcement of By-law No. 38/78	124.00	185.00