

TOWN OF TABER
BYLAW NO. 3-2008

BEING A BYLAW OF THE TOWN OF TABER IN THE PROVINCE OF ALBERTA
FOR THE PURPOSES OF THE REGULATION AND KEEPING OF DOGS

WHEREAS Section 7 of the *Municipal Government Act*, Being Chapter M-26, Revised Statutes of Alberta, 2000 provides for the passing of bylaws to regulate and control dogs within the municipality;

AND WHEREAS Council of the Town of Taber has deemed it advisable to pass a bylaw to regulate the registration and keeping of dogs and to promote the concept of responsible pet ownership.

NOW THEREFORE, THE COUNCIL OF THE TOWN OF TABER, IN THE PROVINCE OF ALBERTA, DULY ASSEMBLED, HEREBY ENACTS AS FOLLOWS:

1. **TITLE**

This bylaw shall be referred to as the "DOG CONTROL BYLAW".

2. **DEFINITIONS**

In this bylaw:

- a) **"Aggressive Dog"** means any dog, regardless of age, whether on public or private land which has:
- (i) Caused harm to a person; or
 - (ii) Without provocation, caused harm to a domestic animal while off the property of the dog owner; or
 - (iii) Without provocation, has chased a person or any other domestic animal; or
 - (iv) Without provocation, threatened or created the reasonable apprehension of a threat to a person or to any other domestic animal; or
 - (v) Without provocation, damaged or destroyed any public or private property; or
 - (vi) Which represents a continuing threat of harm to persons or animals.

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- b) **"Aggressive Dog Committee"** means a group of designated persons charged with arbitrating aggressive dog appeals.
- c) **"Animal Control Facility"** means the Town facility established for the holding of impounded animals as set out in this bylaw.
- d) **"Altered"** means spayed, neutered, or otherwise incapable of reproduction as certified by a qualified professional.
- e) **"Assistance Dogs"** means highly trained professional dogs that work in partnership with disabled persons to increase independence, safety, and mobility of the human partner. These include guide, hearing, and service dogs.
- f) **"Bylaw Enforcement Department"** means, for the purpose of this Bylaw, any person in care and control of the Animal Control Facility employed by the Town of Taber or its appointed designate.
- g) **" Bylaw Enforcement Officer"** means a person appointed by the Town pursuant to the provisions of Section 555 of the *Municipal Government Act*, R.S.A. (2000), Chapter M-26.
- h) **"Chief Administrative Officer (C.A.O.)"** means a person appointed to carry out administrative duties for the Town of Taber pursuant to section 205 (2) of the *Municipal Government Act*, Chapter M-26 (R.S.A. 2000).
- i) **"Dog"** means either one or more of the male or female of the Canine family.
- j) **"Dog Fanciers License"** means a dog license issued annually to an owner permitting the keeping or harboring, on land or premises occupied by the owner of up to four (4) dogs over the age of six months.
- k) **"Leash"** means a chain, rope, or other material capable of restraining a dog.
- l) **"Marked for Identification"** means the placement of a traceable microchip or discernable tattoo upon a dog.
- m) **"Owner"** means any person who owns a dog, or has charge, care, custody, or control of, or has a right to control a dog except a veterinarian caring for a dog in the regular practice of veterinary medicine.

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- n) **"Parkland"** means all recreational land areas owned or controlled by the Town and lying within Town limits.
- o) **"Peace Officer"** means a Police Officer defined under the *Police Act* Chapter P-17 R.S.A. 2000, or a Community Peace Officer defined under the *Peace Officer Act* Chapter P-3.5.
- p) **"Provincial Court"** means the Provincial Court of Alberta"
- q) **"Restrained"** means to hold back or keep in check.
- r) **"Running at Large"** means a dog which is not under control of a person by means of a leash, and is actually upon property other than the property in respect of which the owner of the dog has the right of occupation, or upon any highway, thoroughfare, street, road, trail, avenue, parkway, lane, alley, square, bridge, causeway, trestle, sidewalk (including the boulevard portion of the sidewalk), park, or other place.
- s) **"Tag"** means a device as approved by the C.A.O., and issued by the Bylaw Enforcement Department, or its designate, showing that a license fee has been paid for the dog.
- t) **"Ticket"** means any ticket which is authorized by the *Municipal Government Act*, R.S.A. (2000), Chapter M-26, or under the *Provincial Offences Procedure Act*, R.S.A. (2000), Chapter P-34, issued for any bylaw offence in which a penalty may be paid out of court in lieu of appearing to answer a summons.
- u) **"Town"** means the Town of Taber.
- v) **"Unsuitable Pet Owner"** means a person who appears to be impaired, abusive, or unable to provide the proper care and sustenance to an animal.

3. **OFF LEASH AREAS**

The Town may designate areas where dogs are permitted to run when off leash, and may designate areas where organized and controlled Canine events may be held causing signs to be posted in such areas indicating such designation.

4. **OWNER RESPONSIBILITIES**

- a) The owner of a dog shall ensure that such dog will **not**:

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- (i) Run at large;
- (ii) Bite any person;
- (iii) Do any other act that injures a person;
- (iv) Chase or otherwise threaten a person whether on the property of the owner or not, unless the person chased or threatened is an intruder on the property without lawful purpose;
- (v) Bite or chase other animals, livestock, bicycles, automobiles, wildlife, or any other vehicles;
- (vi) Bark and / or howl excessively or unnecessarily, or otherwise creates a disturbance;
- (vii) Cause damage to property or other animals;
- (viii) Upset waste receptacles, scattering the contents onto any street, lane, or public or private property not belonging to the owner of the dog.
- (vix) Be neglected. This includes, but is not limited to, providing adequate food, water, shelter, Veterinary care, and attention.

5. **ANIMAL IN OPEN VEHICLE**

The owner of a dog must ensure that, while the dog is in or on the rear or back of a moving vehicle:

- a) The dog is secured so as to ensure the dog is unable to fall out or leave the vehicle;
- b) The dog is secured so as to be unable to reach any of the sides or rear of the vehicle to prevent the dog from disturbing people adjacent to, or in close proximity to the vehicle.

6. **ANIMAL IN CLOSED VEHICLE**

Any person leaving a dog unattended in a motor vehicle must ensure suitable ventilation and water is provided for the dog.

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7. **DOG FIGHTING**

It is an offence to stage a dog-fighting exhibition or to train and keep dogs for the purposes of staging a dog fighting exhibition.

8. **ANIMAL DEFECCATION**

- a) Any owner whose dog defecates on any public or private property other than the property of its owner shall remove forthwith any defecated matter deposited.
- b) A registered owner and / or tenant shall not allow the accumulation of dog defecates on their property to become a nuisance or danger to public health, or that might hinder the prevention or suppression of disease.
- c) A blind owner of a registered guide dog, or a blind person being assisted by a registered guide dog, is not subject to Section 8 (a) of this bylaw.

9. **DOG IN HEAT**

Every owner of a female dog shall confine it for the duration of time the dog is in heat.

10. **AGGRESSIVE DOG**

- a) A Peace Officer or a Bylaw Enforcement Officer may declare a dog to be an aggressive dog. As soon as convenient after declaring a dog to be an aggressive dog, the Bylaw Enforcement Officer shall deliver a notice to the owner of the dog, if the owner can be located, indicating that the dog will either be destroyed, or that conditions pursuant to Section 10. h) shall be placed on the ownership of the dog unless a notice of objection is delivered in accordance with Section 10. d) the owner shall also be required to obtain an aggressive dog license and conform to the conditions set forth pursuant to Section 13. a).
- b) A dog that has been declared to be an aggressive dog, may be seized and impounded until a Peace Officer or a Bylaw Enforcement Officer deems the dog may be returned to the owner, or until the Aggressive Dog Committee instructs that the dog shall be returned to its owner with or without conditions.
- c) The owner of a dog who receives a notice under Section 10. b) may object to the determination that the dog is an aggressive dog by

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delivering a written notice of objection to the Bylaw Enforcement Department located at: 6201A 54 Avenue Taber, Alberta T1G 1X4 **within 7 calendar days from the date the dog was declared aggressive.**

The notice shall be accompanied by a deposit of Two Hundred Dollars (\$200.00) that will be returned to the owner if an appeal is successful in reversing the declaration that the dog is an aggressive dog.

- d) The objection shall be heard by the Aggressive Dog Committee only:
- i) Providing the owner has deposited concurrently with the notice of objection, the Two Hundred Dollar (\$200.00) deposit.
 - ii) If the Dog that has been declared aggressive is NOT of the following breed, or any mix thereof:
 - Pit Bull Terrier
 - American Pit Bull Terrier
 - Pit Bull
 - Staffordshire; Staffordshire Bull Terrier
 - Rottweiler
 - Doberman; Doberman Pinscher
 - Mastiff
 - Rhodesian Ridgeback

The onus for proof of breed lies with the owner, and must be in writing from an approved person licensed to practice Veterinary medicine in the Province of Alberta.

- e) The Aggressive Dog Committee shall be composed of three (3) persons designated by the Town of Taber. These persons may include:
- (i) A designate of the C.A.O.;
 - (ii) A Peace Officer employed by the Town;
 - (iii) An elected Town official.

The Aggressive Dog Committee shall convene to hear an aggressive dog appeal within 14 calendar days of receiving a valid objection in writing.

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The Aggressive Dog Committee shall tender a decision regarding an aggressive dog appeal within 14 calendar days of convening.

- f) The Aggressive Dog Committee may do any of the following after hearing the objection:
 - (i) Vary conditions imposed by the Peace Officer or the Bylaw Enforcement Officer;
 - (ii) Declare the dog not to be an aggressive dog, and release the dog back to the owner without conditions;
 - (iii) Uphold the Peace Officers or the Bylaw Enforcement Officers order in respect to the dog.

- g) Should the Aggressive Dog Committee return the dog to the owner with conditions attached, the dog shall continue to be classified as an "aggressive dog", and the owner shall be required to obtain an aggressive dog license and comply with the provisions set forth under Section 13. a).

- h) A Peace Officer, Bylaw Enforcement Officer, and / or the Aggressive Dog Committee may place any or all, but not limited to, the following conditions on the owner of a dog declared to be an aggressive dog:
 - (i) Require that the dog be confined indoors and under the control of the owner at all times;
 - (ii) Require that when the dog is outdoors, it is secured in an approved lockable pen, dog run, or other structure constructed to prevent the escape of the aggressive dog, and capable of preventing entry by any person not in control of the dog;
 - (iii) Require that the dog undergo mandatory alteration;
 - (v) Require that such dog be muzzled at all times while off the owners property;
 - (vi) Require that at all times when off the property of the owner, the dog be harnessed or leashed on a lead not exceeding one (1) Meter in length in a manner that prevents it from chasing, injuring, or biting any Human or domestic animal as well as preventing damage to property, public or private.

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The dog must also be under the control of a person over the age of eighteen (18) years.

11. LICENSING

- a) The owner of a dog shall apply to the Bylaw Enforcement Department, or its delegate for an annual license for such dog, and shall pay an annual fee as set out in schedule "D" of this bylaw. On payment of the license fee, the Bylaw Enforcement Department or its delegate shall issue a tag with respect to that dog.
- b) The owner of every dog shall obtain a license for such dog, the first day on which the license office is open for business after he becomes the owner of the dog, or the dog has attained the age of six (6) months, and annually thereafter.
- c) An owner shall ensure that any tag issued by the Town as evidence of a dog license is attached to a collar worn by the dog at all times including whenever the dog is on the premises ordinarily occupied by the owner.
- d) The fees payable for a license are set out in Schedule "D" of this bylaw. The fees are payable at the time of application or renewal, and are non-refundable.
- e) The Town shall not issue any license for a dog alleged to be altered marked for identification, or both without proof in a form satisfactory to the Town that the dog has been so altered or marked for identification.
- f) Every license expires on December 31 of the current year, and a new license must be obtained at the start of the new calendar year within the first business week.
- g) In case a tag is lost or destroyed, a replacement tag may be issued by the Bylaw Enforcement Department or its delegate upon presentation by the owner of a receipt showing payment of the license fee for the current dog license year, and upon payment of Five Dollar (\$5.00) for the issuance of a replacement tag.
- h) Tags are not transferable from one dog to another, and no refund shall be made on any subsisting dog license fee because of death, loss, or sale of the dog, or upon the owners leaving the Town before expiration of the license period.

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- i) In any prosecution or proceeding for a contravention of bylaw, the burden of proof relating to the age of the dog shall be upon the owner, and unless the contrary is proven, the dog shall be presumed to have attained the age of six (6) months.
- j) The full amount of the license fee shall be payable for any dog older than six (6) months of age.
- k) The maximum number of dogs in a single family-dwelling or household shall be restricted to two (2) dogs over the age of six (6) months except in the case where an owner is in possession of an authorized Dog Fanciers License.

12. **DOG FANCIERS LICENSE**

- a) Any person requesting a Dog Fanciers License shall submit an application to the Bylaw Enforcement Department, or its designate.
 - (i) All applications shall disclose:
 - a) Location for license
 - b) Purpose
 - c) Breed and sex of dogs
 - d) Type of facilities
 - e) Consent of adjacent landowners
 - (ii) A Bylaw Enforcement Officer shall not issue a Dog Fanciers License without first inspecting the proposed location.
 - (iii) A Bylaw Enforcement Officer shall not issue a Dog Fanciers License if, in his opinion, the site or conditions are unsuitable.
 - (iv) Any person may appeal the decision of the Bylaw Enforcement Officer to the C.A.O. provided such appeal is submitted in writing within fourteen (14) days of the date of the Bylaw Enforcement Officers decision.
 - (v) Any approved Dog Fanciers License shall be issued upon payment of the fee specified in schedule "A" of this bylaw. Each dog owned under a Dog Fanciers License shall be licensed.

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- (vi) A Bylaw Enforcement Officer may remove the Dog Fanciers License upon receipt of Bona Fide complaints from two (2) or more neighbors residing within sixty (60) meters of the residence of the license.

13. **AGGRESSIVE DOG - OWNER RESPONSIBILITIES**

- a) the owner of a dog declared to be an aggressive dog shall:
 - (i) Be over the age of eighteen (18) years;
 - (ii) Obtain an aggressive dog license pursuant to the provisions of Section 10. h) within five (5) business days after the dog has been declared aggressive, regardless of age;
 - (iii) Obtain an annual aggressive dog license for the dog on such day specified by the Bylaw Enforcement Department every year.
 - (iv) Notify the Bylaw Enforcement Department should the dog be sold, gifted, die, or be transferred to another person;
 - (v) the owner remains liable for the actions of the dog until formal notification of sale, gifting, or transfer is given to the Bylaw Enforcement Department;
 - (vi) Immediately notify the Bylaw Enforcement Department if the dog is running at large.
- b) The owner of an aggressive dog shall, within five (5) business days after the dog has been declared aggressive, have a licensed veterinarian tattoo or implant an electronic identification microchip in the animal and provide a copy of the information contained therein to the Bylaw Enforcement Department prior to a license being issued.
- c) An owner shall maintain in force a policy of liability insurance in a form satisfactory to the Bylaw Enforcement Department providing third party liability coverage in the minimum amount of One Million (\$1,000,000.00) Dollars for injuries or damage caused by the owner of an aggressive dog.
 - (i) The owner shall provide to the Bylaw Enforcement Department proof that the applicable liability policy is in place before an aggressive dog license may be obtained;

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- (ii) Upon Cancellation, expiry, or termination of the liability policy, the aggressive dog license is null and void.
- d) Where a license required pursuant to this Section has been paid for by the tender of an uncertified cheque, the license:
 - (i) Is issued subject to the cheque being accepted and cashed by the bank and without any mention of this condition being made on the license; and
 - (ii) Is automatically revoked if the cheque is not accepted and cashed by the bank on which it is issued.

14. ANIMAL CAPTURE

A Bylaw Enforcement Officer or Peace Officer may capture and impound any dog which is:

- a) Actually or apparently over the age of six (6) months and for which no current license has been issued pursuant to the provisions of this Bylaw ;
- b) Running at large;
- c) Named or described or otherwise designated in a complaint made pursuant to the Dangerous Dogs Act;
- d) Named or described or otherwise designated in a complaint alleging the dog to be aggressive or neglected;
- e) Chasing, worrying or annoying any wildlife, livestock or domestic animal on property other than that belonging to the owner of the dog;
- f) A public nuisance, including but not limited to barking, howling excessively or unnecessarily, or otherwise creating a disturbance whether the dog is on the property of the owner or not;
- g) Is required to be impounded pursuant to the provisions of any Statute of Canada or of the Province of Alberta or any regulation made thereunder.

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15. **ENTRY ONTO PROPERTY**

In the enforcement of this bylaw a Bylaw Enforcement Officer or Peace Officer may enter onto the property to carry out the inspection, remedy, enforcement or action on any privately owned land at any reasonable time, provided however, that in this section the word "premises" does not include a building used as a dwelling house and provided the provisions of Section 542 of the *Municipal Government Act*, R.S.A. (2000) Chapter M-26 are complied with.

16. **OBSTRUCTION**

No person shall:

- a) Interfere with or attempt to obstruct a Bylaw Enforcement Officer or Peace Officer who is attempting to capture, or who has captured any dog in accordance with the provisions of this bylaw;
- b) Induce any dog to enter a house or other place where it may be safe from capture, or otherwise assist the dog to escape capture;
- c) Falsely represent himself as being in charge or control of a dog so as to establish that the dog is restrained as the term is defined by this bylaw;
- d) Unlock or unlatch or otherwise open any vehicle in which dogs captured for impoundment have been placed so as to allow or attempt to allow any dog or dogs to escape;
- e) Remove or attempt to remove any dog from the possession of the Bylaw Enforcement Officer or Peace Officer;
- f) Untie, loosen or otherwise free a dog which has been tied or otherwise restrained;
- g) Negligently or willfully open a gate, door or other opening in a fence or enclosure in which a dog has been confined and thereby allow a dog to run at large in the Town.

17. **NOTICE OF IMPOUNDMENT**

- a) If a Bylaw Enforcement Officer knows or can ascertain the name of the owner of any impounded dog he or she may serve the owner with a copy of the Notice in Schedule "C" of this Bylaw, either: personally; by posting it in a conspicuous place at the owners residence; or by mailing it to the last known address of the owner.

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- b) An owner of a dog to whom a Notice is mailed pursuant to the subsection (a) is deemed to have received a Notice within seventy-two (72) hours from the time it is mailed.

18. **RECLAIMING ANIMALS**

- a) The owner of any impounded dog or aggressive dog that is being released with conditions may reclaim the dog or aggressive dog from the Animal Control Facility by paying to a Bylaw Enforcement Officer the costs of impoundment as set out in Schedule "B" of this Bylaw, and by obtaining the license for such dog or aggressive dog should a license be required under this Bylaw.
- b) Where a dog is claimed, the owner shall provide proof of ownership of the dog.
- c) The owner of a dog who has been found not guilty of committing an offence under this Bylaw may request the return of any fees paid by him or her for reclaiming his or her dog.

19. **ADOPTION REFUSAL**

The Bylaw Enforcement Department shall have the authority to refuse the adoption of any dog, housed at the Animal Control Facility, to a person deemed to be an unsuitable pet owner.

20. **ANIMAL IMPOUNDMENT**

The Bylaw Enforcement Officer shall not sell or euthanize an impounded dog until the following conditions are met:

- a) After a dog is retained in the Animal Control Facility for:
 - (i) Five (5) business days if the name and address of the owner is known or,
 - (ii) Three (3) business days, if the name and address of the owner is not known, or unless a person having the authority orders the retention or the euthanization of the dog, or unless the owner of the dog makes arrangements with the Bylaw Enforcement Department for the further retention of the animal, a Bylaw Enforcement Officer may cause the dog to be sold or euthanized.

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- b) Notwithstanding Subsection (a) the Bylaw Enforcement Officer may;
 - (i) Retain the dog for a longer period; or
 - (ii) Euthanize a dog after a shorter period if humane purposes warrant.
- c) The Bylaw Enforcement Officer may offer for sale all unclaimed dogs which have been in the Animal Control Facility for:
 - (i) Five (5) business days if the name and address of the owner is known; and
 - (ii) Three (3) business days if the name and address of owner is not known.
- d) Impounded dogs may not be sold by the Bylaw Enforcement Officer:
 - (i) To any resident of the Town until a license has first been purchased for the dog by a resident; or
 - (ii) Until the dog has been altered (cost to new owner, paid in advance) if the dog is old enough, otherwise a one hundred (\$100.00) dollar deposit to the Town by the new owner; receiving the deposit back when it is proven that the dog has been altered.
 - (iii) To any non-resident of the Town until they have provided an Declaration that they are not a resident of the Town and that the dog shall be kept outside the Town as provided in Schedule "E".
- e) The Bylaw Enforcement Officer may, before selling an unclaimed dog, require that the dog be spayed or neutered.
- f) The purchaser of a dog from the Animal Control Facility pursuant to the provisions of this Section shall obtain full right and title to it and the right and title of the former owner of the dog shall cease.
- g) When the Bylaw Enforcement Officer agrees to euthanize a dog the owner may be liable to pay to the Bylaw Enforcement Department a fee as set out in Schedule "B" of this Bylaw.

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21. **COMMUNICABLE DISEASE**

- a) The owner of a dog which is suffering from any communicable disease shall not permit the dog to be in any public place, and shall not keep the dog in contact with or in proximity of any other dog free of such disease.
- b) Any person who owns or who harbors, maintains or keeps a dog which he knows or has reason to know is or may be suffering from rabies, or which he knows or believes has been exposed to rabies;
 - (i) Shall endeavor to keep the dog locked or tied up;
 - (ii) Shall not permit another dog to come in contact with it;
 - (iii) Shall immediately report the matter to the medical officer of health of the Chinook Health Region, the Federal District Veterinarian and the Bylaw Enforcement Officer.

22. **RESTRICTED AREA FOR ANIMALS**

No dog shall be permitted in the following areas without a permit being first obtained from the Town:

- a) A cemetery;
- b) A school ground;
- c) Within 100 feet of playground equipment on Parkland, except on sidewalks or paths;
- d) Town facilities (owned or leased);
- e) Any other area designated by the Town.

23. **TICKETS**

- a) Where any Bylaw Enforcement Officer or Peace Officer believes that any persons has committed a breach of any provision of this Bylaw he may serve upon such persons a ticket or he may commence proceedings by issuing a summons by means of a violation ticket in accordance with Part 2 of the *Provincial Offences Procedure Act*, R.S.A. 2000, Chapter P-34.
- b) A notice or ticket shall be deemed to have been sufficiently served

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- (i) If served personally on the accused; or
 - (ii) If served by regular mail; or
 - (iii) If left at the accused usual place of residence with a person who appears to be at least eighteen (18) years of age; or
 - (iv) Where the accused is an association, partnership, corporation or registered kennel, if served by regular mail or if left with a person who appears to be at least eighteen (18) years of age and who is an employee or officer of the association, partnership, corporation or registered kennel.
- c) Upon production of any such notice or ticket within twenty-one (21) days from the date of service of such notice, together with the payment of the sum specified in Schedule "A", to a person authorized by the Town of Taber to receive such payment, an official receipt for such payment shall be issued, and subject to the provisions of this Section, such payment shall be accepted in lieu of prosecution.
- d) If the person upon whom any such notice or ticket is served fails to pay the said sum within the time allotted, the provisions of this Section shall no longer apply.
- e) Nothing in this section shall:
- (i) Prevent any person from exercising his right to defend any charge of committing a breach of this Bylaw.
 - (ii) Prevent any persons from laying an Information and Complaint against any other persons for committing a breach of any of the provisions of this Bylaw.
 - (iii) Prevent any Bylaw Enforcement Officer or Peace Officer from laying an Information and Complaint against any other person or owner for an alleged breach of the bylaw whether or not such other person or owner has made a payment under this Bylaw.

24. SPECIFIED PENALTIES

- a) Where a Bylaw Enforcement Officer or a Peace Officer believes that a person has contravened any provisions of this Bylaw, he may commence proceedings by issuing a summons by

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means of a violation ticket in accordance with Part 2 of the *Provincial Offences Procedure Act*, R.S.A. 2000, Chapter P-34.

- b) The specified penalty payable in respect of a contravention of a provision of this Bylaw is the amount shown in Schedule "A" of this Bylaw in respect of that provision.
- c) Notwithstanding Subsection (b):
 - (i) Where any person contravenes the same provision of this Bylaw twice within one twelve month period, the specified penalty payable in respect of the second contravention is double the amount shown in Schedule "A" of this Bylaw in respect of that provision, and
 - (ii) Where any person contravenes the same provision of this Bylaw three or more times within one twelve month period, the specified penalty payable in respect of the third or subsequent contravention is triple the amount shown in Schedule "A" of this Bylaw in respect of that provision.
- d) The levying and payment of any fine or imprisonment for any period providing in this Bylaw shall not relieve a person from the necessity of paying any fees, charges or costs from which he is liable under the provisions of this Bylaw.

25. **SUMMARY CONVICTION**

- a) Any person who contravenes any provision of this Bylaw is guilty of an offence and is liable on summary conviction to a fine of not more than TWO THOUSAND FIVE HUNDRED (\$2,500.00) DOLLARS and in default of payment is liable to imprisonment for a term not exceeding six (6) months.
- b) The minimum fines on summary conviction in respect to a contravention of this Bylaw with respect to aggressive dogs shall be the same amounts as shown in Schedule "A".
- c) The levying and payment of any fine or the imprisonment for any period provided in this Bylaw shall not relieve a person from the necessity of paying any fees, charges, or costs from which he is liable under the provisions of this Bylaw.

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26. **SCHEDULES TO BYLAW 3-2008**

- a) For the purposes of Bylaw 3-2008 Schedules "A", "B", and "D" may be amended from time to time by resolution of Council.
- b) For the purposes of Bylaw 3-2008 Schedules "C", "E" and "F" may be amended or modified from time to time by the permission of the C.A.O.

27. **COUNCIL INTENT**

It is the intention of the Town Council that each separate provision of this Bylaw shall be deemed independent of all other provisions herein, and it is further the intention of the Town Council that if any provisions of this Bylaw be declared invalid, all other provisions thereof shall remain valid and enforceable.

28. **REPEAL OF BYLAW**

The following Bylaw in and for the Town of Taber is hereby repealed in its entirety:

- 1. Bylaw A-366.

EFFECTIVE DATE

This Bylaw shall take force and effect upon the final reading thereof.

RES.61/08 READ a first time this 10TH day of MARCH, 2008.

RES.62/08 READ a second time this 10TH day of MARCH, 2008.

RES.75/08 READ a third time and finally passed this 24TH day of MARCH, 2008.



MAYOR



CHIEF ADMINISTRATIVE OFFICER

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SCHEDULE "A"

Schedule 'A' effective February 14, 2011

SPECIFIED PENALTIES

<u>Section</u>	<u>Violation</u>	<u>Penalty</u>
4.a) (i)	Dog Running at Large	
	A. Altered dog with license or microchip	\$25.00
	B. Altered dog without license	\$25.00
	C. Unaltered dog with license	\$75.00
	D. Unaltered dog without license	\$100.00
(ii)	Dog Bites a Person	\$500.00
(iii)	Dog Injures a Person	\$250.00
(iv)	Dog Chases a Person	\$250.00
(v)	Dog Bites, Barks at or Chases other animals, bicycles, automobiles, wildlife	\$250.00
(vi)	Dog barks, howls excessively or unnecessarily or otherwise creates a disturbance	\$50.00
(vii)	Dog causes damage to property or other animals	\$100.00
(viii)	Dog upsets waste receptacles	\$100.00
(vix)	Neglect of dog	\$250.00
5.	Dog transported loose in open box of a truck	\$100.00
6.	Dogs left without Ventilation	\$250.00
7.	Dog Fighting	\$500.00
8.	Dog Defecation	\$50.00
9.	Dog in Heat	\$50.00
11. a)	Dog not Licensed	\$100.00

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Schedule "A" - continued

11. c)	Dog not Wearing License	\$100.00
13. a)	Failure to obtain an aggressive dog license and comply with requirements thereunder	\$500.00

SPECIFIED PENALTIES

<u>Section</u>	<u>Violation</u>	<u>Penalty</u>
13.b)	Failure to have an electronic identification microchip implanted in, or Veterinarian tattoo placed upon an aggressive dog.	\$250.00
13. c)	Failure to obtain insurance of one million dollars for an aggressive dog	\$500.00
16.	Obstruction	\$500.00
21. a)	Dogs with Communicable Diseases in Public Places	\$100.00
b)	Failure to Lock, Isolate and Report a dog with Rabies	\$250.00
22.	Dogs in Restricted Area	\$100.00

Where any person contravenes the same provision of this Bylaw twice within one twelve month period, the specified penalty payable in respect of the second contravention is **double** the amount shown in Schedule "A" of this Bylaw. - Section 24. c) (i)

Where any person contravenes the same provision of this Bylaw three or more times within one twelve month period, the specified penalty payable in respect of the third or subsequent contravention is **triple** the amount shown in Schedule "A" of this Bylaw.-Section 24. c) (ii)

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SCHEDULE "B"

Schedule 'B' effective February 14, 2011

FEEES

1.	a)	Impoundment Fee	\$25.00
	b)	Aggressive Dog Impoundment Fee	\$50.00
	c)	Care and Sustenance (per day or portion thereof to commence at midnight on the day of impoundment)	\$10.00
	d)	Veterinary Fee	Amount Expended
	e)	Owner Drop-Off Fee	
		i. Altered Dog	\$50.00
		ii. Unaltered dog	\$100.00
	f)	Refundable deposit for sterilization	\$100.00
	g)	Adoption Fee	\$150.00
	h)	Euthanization of Dog	\$75.00

All dogs over the age of 6 (six) months must be altered before adoption.

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SCHEDULE "C"



NOTICE OF SEIZED AND / OR IMPOUNDED ANIMAL

This notice is to inform you that an animal described as a believed

(type of animal, age, breed, color, markings)

to be owned by you, or under your care and control, was seized and/or

impounded on _____, from _____

(day/month/year)

(civic address)

pursuant to the provisions of Bylaw 3-2008 of the Town of Taber's Dog Control Bylaw.

In order to claim your animal, all fees, fines, and conditions set forth by said Bylaw must be met before being returned to its owner.

If your animal is not claimed by _____, the animal will be

(day / month / year)

ethanized in accordance with the provisions of this Bylaw.

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SCHEDULE "D"

Schedule 'D' effective February 14, 2011

LICENSE FEES

<u>Status of Dog</u>	<u>Annual Fee</u>
1. Any dog that is altered	\$15.00
a) After September of each year	\$10.00
2. Any dog that is not altered	\$30.00
a) After September of each year	\$20.00
3. Assistance Dogs	Free
4. Dog owned, kept, maintained or harbored by a Law Enforcement Officer or Peace Officer	Free
5. Dog Fancier License (in addition to regular license fee per dog)	\$20.00
6. Aggressive Dog License Fee	\$150.00
7. Replacement License	\$5.00

TOWN OF TABER
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SCHEDULE "E"

- Resident
- Non-Resident

ANIMAL ADOPTION

I, _____ do hereby claim ownership of an animal from
(NAME OF OWNER)

the Town of Taber (as described) _____

(TYPE OF ANIMAL, AGE, BREED, COLOR, MARKINGS, ALTERED?)

and affirm that I will endeavor to care and control the animal to the best of my ability

ability and follow all directions and guidelines set forth by the Town of Taber.

Dated this day of ____ / ____ / ____.
(DAY/ MONTH/ YEAR)

Signature of owner: _____

Bylaw Officer: _____

New Owner information:

Address: _____

Phone # _____

Phone # _____

Tag # _____

* Non- residents only* DECLARATION OF NON-RESIDENCY

By signing this agreement, I declare that I am not a resident of the Town of Taber, and that the animal I am taking ownership of shall be kept outside the Town of Taber

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This form may be modified periodically with the permission of the C.A.O.



SCHEDULE "F"

APPLICATION FOR DOG FANCIER PERMIT

Name of applicant: _____

Date: _____

Address: _____

Postal code: _____

Phone: _____

CATEGORY

(Res.) _____

__ Breeder (# of times per year ____)

(Bus.) _____

__ Show dogs

(Cell.) _____

__ Kennel operation

__ Pets

__ Other (explain) _____

DESCRIPTION OF DOGS

Dog	Breed	Color	Sex	Age	Altered?

TYPE OF FACILITIES

	Yes	No
Enclosed yard with fence?		
Enclosed kennel and dog run?		
Will the dogs be kept indoors during the period in which no one is home?		
Will the dogs be kept indoors at night?		
If "No", will they be kept in a closed kennel or dog run?		

I understand that before this application can be approved, the Animal Control Officer must first inspect the proposed location to ensure the site and conditions are suitable. I further understand the Animal Control Officer may interview adjacent property owners and advise them of this application. The Animal Control Officer shall not issue a dog fanciers license if the site or conditions are not suitable.

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Date: _____

Applicants signature: _____



SCHEDULE "G"

CONDITIONS PLACED ON AGGRESSIVE DOG

MANDATORY

- Yearly Aggressive dog license.**
- One Million dollar liability policy (insurance) for dog.**
- Dog micro-chipped or tattooed.**

OPTIONAL

- Alteration.**
- Secure approved pen for confining dog outdoors.**
- Dog confined indoors under control of owner.**
- Dog muzzled while off owners property.**
- Dog leashed while off owners property (controlled by person 18+).**

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SCHEDULE "H"

TOWN OF TABER

DOG TICKET



BYLAW NO. 3-2008

Section: _____

TOWN OF
TABER

This ticket is issued for breach of the Dog Control Bylaw of the Town of Taber.

Offence: _____

Date: _____ Time: _____ Location: _____

Fine \$ _____

Impound Fee \$ _____

Daily Care (at \$ _____ per day) \$ _____

Veterinarian Fees (Amount Expended) \$ _____

License Fees \$ _____

Other Fees or Charges \$ _____

TOTAL PAYABLE \$ _____

You may avoid prosecution for this offence by making a voluntary payment within twenty one (21) days from the date of service of such notice, together with the payment of the specified amount, to a person authorized by the Town to receive such payment in lieu of prosecution. Failure to pay the specified fine amount within the time allotted will result in the issuance of a summons by means of a Provincial Violation Ticket in accordance with Part 2 of the *Provincial Offences Procedures Act*, R.S.A. 2000 Chapter P-34.

Owner Information

Dog Information

Name: _____

License #: _____

Address: _____

Breed: _____

Phone #: _____

Color: _____

Delivered to: _____

Sex: (circle one) Male Female

Dated this day: _____

Altered? (circle one) Yes No

Issued by: _____

Microchip or Tattoo? Yes No