

Summer Village of Ross Haven  
Animal Control Bylaw #289-2022

**Being** a bylaw of the Summer Village of Ross Haven in the Province of Alberta to govern the control of animals within the municipal boundaries.

**Whereas**, under provisions of Section 7 of the Municipal Government Act, Chapter M-26 of the Revised Statutes of Alberta, 2000 and amendments thereto, the Council may pass bylaws respecting domestic animals and activities in relation to them and;

**Whereas**, the Council of the Summer Village of Ross Haven deems it in the best interest of animal owners and the public in general for the Village to regulate control of animals within its boundaries:

**Now Therefore**, the Council of the Summer Village of Ross Haven in Council duly assembled, hereby enacts as follows:

**I. DEFINITIONS**

**"Animal"** shall mean any domesticated animal, including but not limited to dogs, cats, cattle, horses, fowl, sheep, or goats.

**"Animal Control Officer"** shall mean any person approved by the Summer Village to carry out the provisions of this by-law. This could include RCMP Officers, Peace Officers, Special Constables, Bylaw Enforcement Officers, the Chief Administrative Officer, or any other individual appointed by Council.

**"Dangerous Dog"** shall mean any individual Dog which when either unmuzzled, unleashed or unattended by its' Owner approaches any person or Animal in an apparent vicious or terrorizing manner within any public or private places.

**"Dog"** shall mean all male or female of the species over the age of three months.

**"Farm Animal"** refers to livestock that is kept for agricultural purposes. It could include but is not limited to domesticated Animals including cattle, sheep, swine, goats, horses, mules, donkeys, and fowl.

**"Owner"** means any person who is:

- i. the licensed Owner of the Animal;
- ii. who has possession, care, and control, or custody of the Animal, either temporarily or permanently; or
- iii. who harbours the Animal, or allows the Animal to remain on that persons premises.

**"Pet"** is an Animal kept primarily for a person's company or entertainment rather than as a working Animal or as livestock. Pets include but are not limited to Dogs and cats.

**"Run At Large"** shall mean an Animal that is at any place other than the property of the Owner or the property of the harboured, and is not under the immediate, continuous and effective control of the Owner. The Animal must have a suitable recall / heel / submissive behavior or otherwise must be restrained by a leash held

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by a person and that leash is attached to a choke chain, collar, or harness, securely holding the Animal.

**"Summer Village"** or **"Village"** means the Summer Village of Ross Haven in the Province of Alberta.

**"Vicious Dog"** means:

- (i) any individual Dog that when unprovoked inflicts bites or attacks a human being or other Animal either on public or private property;
- (ii) any individual Dog with a known propensity, tendency or disposition to attack without provocation, to cause injury or to otherwise endanger the safety of human beings or domestic Animals;
- (iii) any individual Dog which attacks a human being or domestic Animal without provocation;
- (iv) any individual Dog owned or harboured primarily or in part for the purpose of dog fighting or any Dog trained for dog fighting;
- (v) any individual Dog which has been found to be a "Dangerous Dog" on at least one occasion;
- (vi) no Dog shall be deemed "vicious" if it bites, attacks, or menaces a trespasser on the property of its Owner provided that such property is posted with warning signs or harms or menaces anyone who has tormented or abused it or is a professionally trained dog for law enforcement or guard duties.

## **II. REGULATIONS**

1. No Animals, other than cats, Dogs and other Pets may be harboured on property zoned residential within the Village boundaries. Farm Animals may only be harboured within the Village on land zoned as semi-public.
2. A person must not own, nor allow to reside on one property, more than four (4) Dogs and (4) cats that are more than three months of age.
3. No Owner shall permit any Animal to Run At Large within the boundaries of the Village.
4. An Owner must not allow a Farm Animal to be in parks, walkways, or parkways.
5. No person shall remove or attempt to remove any Animal or Pet from the possession of the Animal Control Officer or the Animal Holding Facility prior to having paid the outstanding fines and fees.
6. No person, whether or not he or she is the Owner of an Animal or Pet which is being pursued by the Animal Control Officer, shall;
  - i) interfere with or attempt to obstruct an Animal Control Officer

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- from enforcing the provisions of this bylaw;
- ii) induce any Pet or Animal to enter a house or place where it may be safe from capture or otherwise assist the Pet or Animal to escape capture;
  - (iii) falsely represent himself as being in control of a Dog, so as to establish that the Dog is not running at large;
  - (iv) unlatch or open the vehicle in which Animals or Pets captured for impounding have been placed, so as to allow the Animals or Pets to escape there from.
7. No person shall allow any Dog or Farm Animal to howl or bark excessively or to make noise in a manner to disturb the quiet of any person.
8. If an Animal defecates on any public or private property other than the property of its Owner, the Owner must remove the feces immediately.

**III. DETERMINING A DOG TO BE VICIOUS**

1. The Owner of a Dog, which the Owner has reason to believe to be a Vicious Dog, shall keep such Dog in accordance with the provisions of section III (3) of this bylaw;
2. If an Animal Control Officer determines that a Dog is a Vicious Dog, either through personal observation or after an investigation initiated by a complaint, he or she may, in writing;
  - i) inform the Owner that his / her Dog has been determined to be a Vicious Dog and
  - ii) require the Owner to keep such Dog in accordance with the provisions of section III (3) or this bylaw, and
  - iii) inform the Owner that if the Vicious Dog is not kept in accordance with section III (3) of this bylaw, the Owner will be fined, or subject to enforcement pursuant to Schedule "B" of this Bylaw.
- 3) The Owner of a Dog determined to be a Vicious Dog under section III (1, 2) of this bylaw shall take the following precautions:
  - i) at all times while a Vicious Dog is on the premises of its Owner, the Owner shall either keep such Vicious Dog confined indoors, or confined in a securely enclosed and locked pen, or other structure, constructed to prevent the escape of the Vicious Dog, and capable of preventing the entry of young children.
  - ii) such pen shall have secure sides and secure top, and if it has no bottom secured to the sides, the sides must be embedded in the ground to a minimum depth of one (1) foot;
  - iii) when any Vicious Dog is off the premises of the Owner, the Owner shall securely muzzle the Vicious Dog and ensure the Vicious Dog is restrained by a leash which shall effectively prevent it from attacking or biting a person or other Animals;

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- iv) the Owner of a Vicious Dog shall take all necessary steps to ensure that such a Vicious Dog does not bite, chase or attack any person or other Animal, whether the person or Animal is on the property of the Owner or not;
- v) the Owner of a Vicious Dog shall not permit such Vicious Dog to Run at Large.

**IV. CITIZEN CONCERNS**

- 1. A private citizen could report Animal concerns, in writing, to the Chief Administrative Officer for forwarding to the Animal Control Officer. A signed written statement would need to accompany the concern, and pictures or video would be beneficial. This could result in a warning or possibly a fine being assessed to the Animal's Owner.

**IV. TICKETS/FINES**

- 1. An animal control ticket issued to any person contravening any provision of this bylaw shall be deemed to be sufficiently served if:
  - i) served personally to the Owner of the Animal; or
  - ii) mailed by registered mail to the address of the Owner as recorded on the Village Tax Roll; or
  - ii) left at the residence of the Owner with a person who appears to be at least 16 years of age.
- 2. Fines levied for contravention of this bylaw are listed in Schedule "A" and Schedule "B" of this bylaw.

READ FOR A FIRST TIME, this 12th day of May, 2022.

READ FOR A SECOND TIME, this 9th day of June, 2022.

READ A THIRD TIME, and duly passed, this 14th day of July, 2022.

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Mayor Ray Hutschal

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Municipal Administrator Tony Sonnleitner

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**SCHEDULE "A"**

**FINES**

Fines shall be as follows:

| <b>I.</b> | <b>Infraction</b>             | <b>Section</b> | <b>1<sup>st</sup> Offence</b> | <b>2<sup>nd</sup> Offence</b> |
|-----------|-------------------------------|----------------|-------------------------------|-------------------------------|
| 1.        | Harbouring prohibited Animals | (II,1)         | \$ 100.00                     | \$200.00                      |
| 2.        | Running At Large              | (II,2)         | \$ 100.00                     | \$200.00                      |
| 3.        | Removing from custody         | (II,3)         | \$ 250.00                     | \$500.00                      |
| 4.        | Interfering with capture      | (II,4)         | \$ 250.00                     | \$500.00                      |
| 5.        | Barking or howling            | (II,5)         | \$ 100.00                     | \$200.00                      |
| 6.        | Failure to remove defecation  | (II,6)         | \$ 100.00                     | \$200.00                      |

**II.** If an animal control ticket issued to an Owner is not paid in accordance with the terms of the ticket, the amount of the ticket shall be added to the following year's property tax of that Owner's property.

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**SCHEDULE "B"**

**FINES – VICIOUS DOGS**

| <b>I.</b> | <b>Infraction</b>   | <b>Section</b> | <b>1<sup>st</sup> Offence</b> | <b>2<sup>nd</sup> Offence</b> |
|-----------|---|----------------|-------------------------------|-------------------------------|
| 1.        | Failure to confine a vicious dog  | (III), (3)     | \$ 500.00                     | \$ 1000.00                    |
| 2.        | Failure to muzzle or otherwise secure a vicious dog when off premises   | (III), (3)     | \$ 500.00                     | \$ 1000.00                    |
| 3.        | If a vicious dog bites or attacks a person or animal causing injury   | (III), (3)     | \$1000.00                     | \$ 2000.00                    |
| 4.        | Permitting a vicious dog to run at large  | (III), (3)     | \$ 500.00                     | \$ 1000.00                    |
| II.       | If an animal control ticket issued to an Owner is not paid in accordance with the terms of the ticket, the amount of the ticket shall be added to the following year's property tax of that Owner's property. |                |                               |                               |