

**MUNICIPAL DISTRICT OF PINCHER CREEK NO. 9
BYLAW # 1360-25**

ANIMAL CONTROL BYLAW

BEING A BYLAW OF THE MUNICIPAL DISTRICT OF PINCHER CREEK NO. 9, IN THE PROVINCE OF ALBERTA, TO PROVIDE FOR THE REGULATION AND CONTROL OF ANIMALS IN THE MUNICIPAL DISTRICT OF PINCHER CREEK NO. 9.

WHEREAS pursuant to Section 7 of the Municipal Government Act, R.S.A. 2000, Chapter M-26 and amendments thereto, the Council of the Municipal District of Pincher Creek No. 9 may pass bylaws for municipal purposes respecting:

- a) The safety, health and welfare of people and the protection of people and property; and
- b) Wild and domestic animals and activities in relation to them; and
- c) The enforcement of bylaws; and

WHEREAS the Municipality deems it necessary to provide for the regulation and control of animals within the boundaries of the Municipal District of Pincher Creek No. 9;

WHEREAS Council deems it necessary to replace the existing Animal Control Bylaw #1198-10;

NOW THEREFORE, be it resolved that the Council of the Municipal District of Pincher Creek No. 9, duly assembled, enacts as follows:

PART 1 - TITLE, DEFINITIONS AND INTERPRETATION

Title:

1. This Bylaw may be cited as the Animal Control Bylaw.

Definitions:

2. In this Bylaw, the following words shall have the meanings given herein. When not inconsistent with the context, words used in the present tense include the past and future; words in the plural include the singular; words in the singular include the plural; words in the masculine gender include feminine and neuter genders; words in the feminine and neuter genders include the masculine gender. The word “shall” is always mandatory and not merely directory.
 - (a) “Adult Person” means a person who is over the age of eighteen (18) years of age;
 - (b) “Alberta Animal Health Act” means the Alberta Animal Health Act, R.S.A. 2007, C. A-40.2, as amended or replaced from time to time;
 - (c) “Animal Care Service – Major” means development used for the care, treatment, boarding, breeding, or training of animals and livestock within or outside buildings and includes the supplementary sale of associated products. This use includes veterinary offices or hospitals, animal shelters, boarding or breeding kennels, facilities for impounding or quarantining animals and related research or storage facilities;
 - (d) “Animal Care Service – Minor” means development for the on-site treatment or grooming of small animals such as household pets, where on-site accommodation is not normally provided and where all care and confinement facilities are enclosed within a building. This use includes off-site treatment of animals or livestock of any size and the supplementary sale of associated products. Examples include pet grooming salons, pet clinics and veterinary offices.
 - (e) “Animal Services Centre” means the Pincher Creek Humane Society / SPCA, or any other facility established or contracted for the holding of impounded dogs as set out in this Bylaw;

- (f) “Attack” means an assault by a dog upon a person or other animal consisting of more than one bite and which causes injury to that person or other animal;
- (g) “Bite” means an application of force by a dog by means of its mouth and teeth upon a person or other domestic animal, which results in pain or injury of any nature being inflicted upon that person or other domestic animal;
- (h) “Castle Mountain Resort” includes Castle Mountain Resort Medium Density Residential (CMMDR), Castle Mountain Resort Residential 1 (CMR-1), Castle Mountain Resort Residential 2 (CMR-2), Castle Mountain Resort Seasonal Residential (CMSR), Castle Mountain Resort Ski Resort Core (CMSRC) as defined in the Municipality’s Land Use Bylaw, as amended or replaced from time to time;
- (i) “Chicken” means a domesticated fowl that is kept for egg or meat production or as a pet, but does not include a turkey, goose, duck, artificially reared grouse, partridge, quail, pheasant or ptarmigan;
- (j) “Coop” means a fully enclosed, weatherproof structure and attached outdoor enclosure used for the keeping of Urban Chickens, that is no larger than 10 m² (108 ft²) in floor area, and no more than 2.4 m (8 ft) in height;
- (k) “Court” means a Court of competent jurisdiction in the Province of Alberta;
- (l) “Dangerous Dog” means a dog deemed to be dangerous through the issuance of an Order made by a Justice;
- (m) “Dangerous Dogs Act” means the Dangerous Dogs Act, R.S.A. 2000, Chapter D-3, as amended or replaced from time to time;
- (n) “Dog” means any domestic dog;
- (o) “Domestic Animal” means any animal kept by a person for domestic purposes or as a household pet, including but not limited to: dogs, cats, rabbits, birds, reptiles, amphibians, or ferrets;
- (p) “Enforcement Services Supervisor” means the person appointed by the Municipality to this position or this person’s designate;
- (q) “Former Owner” means the person who at the time of impoundment or seizure of a dog was the owner of a dog which has subsequently been sold, destroyed, or otherwise disposed of in accordance with this Bylaw;
- (r) “Grouped Country Residential District” has the meaning as defined in the Municipality’s Land Use Bylaw, as amended or replaced from time to time;
- (s) “Hamlet” means the Hamlets of: Beaver Mines, Lowland Heights, Lundbreck, Pincher Station and Twin Butte;
- (t) “Hen” means a domesticated female chicken;
- (u) “Highway” has the same meaning as found and described in the Traffic Safety Act;
- (v) “Justice” has the meaning as defined in the Provincial Offences Procedures Act, R.S.A. 2000, C. P-34, as amended or replaced from time to time;
- (w) “Land Use Bylaw” means the Municipality’s Land Use Bylaw No. 1349-23, as amended or replaced from time to time;

- (x) “Leash” means a tether, line, strap, chain or other material of sufficient strength and length capable of restraining the dog on which it is being used;
- (y) “Livestock” includes, but is not limited to:
 - (i) Horse, mule, ass, swine, emu, ostrich, llama, alpaca, sheep, or goat;
 - (ii) Domestically reared or kept deer, reindeer, moose, elk, or bison;
 - (iii) Farm-bred, fur bearing animals including foxes, rabbits, or mink;
 - (iv) Animals of the bovine species;
 - (v) Animals of the avian species including turkeys, ducks, geese, ostriches, pheasants, ptarmigan, peacocks, or other exotic birds; and
 - (vi) All other animals that are kept for agricultural purposes, but does not include cats, dogs or other domesticated household pets;
- (z) “Motor Vehicle” has the same meaning as defined in the Traffic Safety Act;
- (aa) “Municipal Government Act” means the Municipal Government Act, R.S.A. 2000, C. M-26, as amended or replaced from time to time;
- (bb) “Municipality” means the municipal corporation of the Municipal District of Pincher Creek No. 9 within the boundary thereof as the context requires;
- (cc) “Muzzle” means a humane device of sufficient strength placed over a dog’s mouth to prevent it from biting;
- (dd) “Outdoor Enclosure” means a securely enclosed, roofed outdoor area attached to and forming part of a Coop, having bare earth or vegetated floor for Urban Chickens to roam;
- (ee) “Owner” means any natural person or body corporate:
 - (i) Who has legal title to the animal; or
 - (ii) Who has possession or custody, or care and control of the dog or vicious dog, either temporarily or permanently; or
 - (iii) Who claims and receives a dog or vicious dog from the custody of the Animal Services Centre; or
 - (iv) To whom a licence tag was issued for a dog or vicious dog in accordance with this Bylaw; or
 - (v) Who harbours the dog, or allows the dog or vicious dog to remain on his premises; or
 - (vi) Who is the registered owner of a motor vehicle in which the dog or vicious dog is found or any motor vehicle that is transporting the dog in or on;
- (ff) “Peace Officer” means a person engaged by the Municipality as a Community Peace Officer, a Bylaw Enforcement Officer, a Designated Officer or a member of the Royal Canadian Mounted Police to carry out the provisions of this Bylaw;
- (gg) “Premises” includes the lands, buildings, and other structures located on any property situated in whole or in part within the municipality;

- (hh) “Private Property” means any property within the municipality where the public does not have express or implied right of access and may include land, buildings or structures whether or not affixed to land;
- (ii) “Property of Owner” means land or buildings owned by the owner of a dog, vicious dog, chicken, hen, rooster or other domestic animal in respect of which the owner of any of these animals has a right of occupation;
- (jj) “Provincial Offences Procedures Act” means the Provincial Offences Procedures Act, R.S.A. 2000, Chapter P-35 and the regulations thereunder, as amended or replaced from time to time;
- (kk) “Public Property” means any place in the municipality that the public normally is entitled to access;
- (ll) “Rooster” means a domesticated male chicken;
- (mm) “Running at Large” means:
 - (i) A dog or vicious dog which is not under the control of a person responsible by means of a leash and is actually upon property other than the property in respect of which the owner of the animal has the right of occupation;
 - (ii) A dog or vicious dog which is under the control of a person responsible by means of a leash and which causes damage to persons, property, or other animals;
- (nn) “Severe Injury” means any injury that requires medical attention excepting wound cleaning and basic first aid and includes: wounds requiring sutures or surgery, disfiguring or scarring lacerations, broken bones, severe sprains, or any other similar serious injury;
- (oo) “Tag” means a permanent identification tag issued by the Municipality showing the licence number for a specific dog and that is intended to be worn on a collar or on a harness always attached to the dog when the dog is off the owner’s property;
- (pp) “Traffic Safety Act” means the Traffic Safety Act R.S.A. 2000, C. T-6 and the regulations thereunder, as amended or replaced from time to time;
- (qq) “Trespasser” has the same meaning as found in the Trespass to Premises Act;
- (rr) “Trespass to the Premises Act” means the Trespass to Premises Act, R.S.A. 2000, Chapter T-7, as amended or replaced from time to time;
- (ss) “Unaltered Dog” means a dog that has not been spayed or neutered;
- (tt) “Urban Chicken” means a hen that is at least 16 weeks of age;
- (uu) “Vicious Dog” means any dog which has been declared to be a vicious dog pursuant to the provisions of this Bylaw, pursuant to the provisions of a Bylaw of another municipality, or any animal that has been subject of an Order issued by a Justice pursuant to the Dangerous Dogs Act;
- (vv) “Violation Ticket” means a violation ticket issued pursuant to the Provincial Offences Procedures Act;
- (ww) “Working Dog” means any dog kept for the purposes of working, herding or guarding livestock that is actively working with a livestock operation in this regard.

Interpretation:

3. Nothing in this Bylaw relieves a person from complying with any requirement of any lawful permit, order, or licence.
4. Any heading or sub-headings in this Bylaw are included for guidance purposes and convenience only and shall not form part of this Bylaw.
5. Where this Bylaw refers to another Act, Bylaw, Regulation or Agency, it includes reference to any Act, Bylaw, Regulation or Agency that may amend or be substituted, therefore.
6. All Schedules attached to this Bylaw shall form a part of this Bylaw.

PART 2 - DOGS**Number of Dogs Permitted**

7. No person shall have in their possession, custody or control any more than:
 - (a) three (3) dogs on lands or premises within a hamlet, within the Grouped Country Residential District or within the Castle Mountain Resort, unless that person:
 - (i) has a valid development permit issued pursuant to the Land Use Bylaw for an Animal Care Service – Major, authorizing the custody of four (4) or more dogs within the Land Use District; or
 - (ii) is participating in a cultural or community-sanctioned event, and the excess dogs remain in their custody and control throughout the event.
 - (b) four (4) dogs on lands or premises in every Land Use District, except those referred to in Section 7(a), unless that person:
 - (i) has a valid Development Permit issued pursuant to the Land Use Bylaw for an Animal Care Service – Major, authorizing the custody of five (5) or more dogs or
 - (ii) can prove that the dogs are used for an agricultural purpose (i.e. Stock dogs or guardian dogs).

Licence Required:

8. All dogs that are or appear to be at least six (6) months of age, that are owned or kept within a hamlet, Grouped Country Residential and Castle Mountain Resort must be licenced.
9. No person shall own or keep any dog unless such dog is licenced as pursuant to Section 8 of this Bylaw.

Administration of Dog Licences:

10. Dog licences may be obtained by attending the administration office of the Municipality and completion of an application form containing, by providing the following:
 - (a) Name, address and phone number of the applicant;
 - (b) Description of the dog including: breed, gender, colour, name, age;
 - (c) Whether the dog is an unaltered dog or not;

- (d) If applicable, any information about the dog respecting previous designations of being a vicious or dangerous dog in any other municipal jurisdiction; and
 - (e) The one-time licence fee for the dog, as set out in Schedule 'A' of this Bylaw.
11. Upon meeting the requirements set out in Section 10, the Municipality will issue a Tag.
 12. No person shall give false information or omit providing required information when applying for a dog licence pursuant to this Bylaw.
 13. Dog licences and tags are not transferable.
 14. Should a tag be lost, the owner shall contact the Municipality to obtain a replacement tag and is responsible to pay the fee for such replacement tag as set out in Schedule 'A' of this Bylaw.

Rebates and Uncertified Cheques:

15. No owner of a dog or vicious dog that has obtained a licence is entitled to a licence rebate under this Bylaw and where a dog licence is required pursuant to this Bylaw has been paid for by the tender of an uncertified cheque, the licence:
 - (a) Is issued subject to the cheque being accepted and cashed by the bank without any mention of this condition being made on the licence; and
 - (b) Is automatically revoked if the cheque is not accepted and cashed by the bank on which it is issued.

RESPONSIBILITIES OF DOG OWNERS

Running at Large:

16. The owner of a dog shall ensure that such dog is not running at large.

Unattended Dogs:

17. The owner of a dog shall ensure that such dog shall not be left unattended while tethered or tied on a premises where the public has access, whether the access is expressed or implied, in a manner that allows the animal to interfere with the free movement of people accessing the premises.
18. The owner of a dog left unattended in or on a motor vehicle shall ensure:
 - (a) The dog is restrained in a manner that prevents contact between the animal and any member of the public; and
 - (b) The animal has suitable ventilation and is not subjected to injurious heat or cold conditions when left unattended in or on that motor vehicle.

Communicable Diseases

19. The owner of a dog or vicious dog which is suffering from a communicable disease shall:
 - (a) Not permit the dog or vicious dog to be in any public place;
 - (b) Not keep the dog or vicious dog in contact with or in proximity to any other dog, domestic animal or livestock;
 - (c) Keep the dog or vicious dog locked or tied up in a suitable location that supports and ensures the health and welfare of the dog and meets the standards of how a vicious dog shall be kept under the provisions of this bylaw; and

- (d) Immediately report the matter to the Office of the Chief Provincial Veterinarian and the Enforcement Services Supervisor or designate.

NUISANCES

Removing Excrement

- 20. The owner of a dog or vicious dog is responsible for ensuring that:
 - (a) If a dog or vicious dog defecates on any public or private property other than the property of its owner, the owner shall remove such feces immediately;
 - (b) If a dog or vicious dog is on any public or private property other than the property of its owner, the owner shall have in his possession a suitable means of facilitating the removal of the dog's feces;
 - (c) The owner of a dog or vicious dog shall ensure that feces left by the dog or vicious dog on the property of the owner does not accumulate to such an extent that it seriously interferes with other property owners reasonable enjoyment of their property, due to excessive odor and / or unsightliness.

Noise

- 21. The owner of a dog or vicious dog shall ensure that such dog or vicious dog shall not excessively bark, howl or otherwise make or cause excessive noise which disturbs any person and unreasonably interferes with that person's peaceful enjoyment of his property.
- 22. Whether or not any such barking, howling or other such noise is excessive and unreasonably interferes with a person's peaceful enjoyment of his property is a question of fact to be determined by a Court hearing a prosecution pursuant to Section 21 of this Bylaw.

Scattering Garbage

- 23. The owner of a dog or vicious dog shall ensure that:
 - (a) such dog or vicious dog shall not upset any waste receptacle or scatter the contents thereof either in or about a street, lane or other public property or in or about any premises not belonging to or in the possession of the owner of the dog or vicious dog;
 - (b) If such dog or vicious dog does upset any waste receptacle, the owner of such dog or vicious dog shall immediately return any such upset waste receptacle to an upright position, and remove any contents that may have been scattered in or about a street, lane, or other public property or in or about any premises not belonging to or in the possession of the owner of the dog or vicious dog, or contact the owner or occupant of the premises where garbage has been upset and scattered, so as not to further trespass upon such property.

THREATENING BEHAVIOURS

Threatening Behaviours

- 24. The owner of a dog shall ensure that such dog shall not:
 - (a) Bark at, or chase other animals, livestock, or other domestic animals, in a threatening manner;

- (b) Bark at, or chase bicycles, motor vehicles or other vehicles;
 - (c) Growl, lunge, snarl, chase or otherwise threaten a person or persons, whether on the property of the owner or not, unless the person chased or threatened is a trespasser on the property of the owner;
 - (d) Bite or cause damage to property, animals, livestock, or other domestic animals, whether on the property of the owner or not;
 - (e) Do any act other than biting or attacking, that injures a person or persons whether on the property of the owner or not, unless the person injured is a trespasser on the property of the owner;
 - (f) Bite a person or persons, whether on the property of the owner or not, unless the person bitten is a trespasser on the property of the owner;
 - (g) Attack a person or persons, whether on the property of the owner or not, unless the person attacked is a trespasser on the property of the owner;
 - (h) Bite or attack a person or persons, whether on the property of the owner or not, causing severe injury, unless the person bitten or attacked is a trespasser on the property of the owner;
 - (i) Bite or attack a person or persons causing the death of a person or persons;
 - (j) Cause severe injury to an animal, livestock, or other domestic animals;
 - (k) Cause death to another animal, livestock, or other domestic animals.
25. No owner shall use or direct a dog to attack, chase, harass or threaten a person, animal, livestock, or other domestic animals.
26. Notwithstanding Sections 24(a), 24(d) and 25, a working dog that is actively working with a livestock operation, following generally accepted practices of livestock management, is exempt only when the otherwise prohibited behaviour involves livestock.

PART 3 - VICIOUS DOGS

Hearings and Orders

27. The owner of a dog alleged to be a vicious dog:
- (a) shall be provided notice of a hearing for determination by the Court not less than ten (10) days before the date of the hearing;
 - (b) shall comply with a surrender order made by the Enforcement Services Supervisor or designate, pursuant to Section 28(a) of this Bylaw;
 - (c) shall comply with any interim contain and control conditions prescribed by the Enforcement Services Supervisor or designate, pursuant to Section 28(b) of this Bylaw.
28. The Enforcement Services Supervisor or designate may:
- (a) order the owner of a dog alleged to be a vicious dog to surrender the dog to a Peace Officer and the dog shall be taken and held in an animal services centre, for the purposes of completing a behavioural assessment, at the owner's cost, pending the outcome of the hearing and any appeals;

- (b) allow the owner to keep possession of a dog alleged to be a vicious dog, pending the outcome and disposition of the hearing in Court and any related appeals, by issuing interim contain and control conditions, which in the opinion of the Enforcement Services Supervisor or designate, ensures the safety of the public
- 29. Upon hearing the evidence, the Justice shall make an Order in a summary way declaring the dog as a vicious dog if the Justice finds as a fact that the dog has caused severe injury to any person.
- 30. Notwithstanding Section 29, if the person who sustained a severe injury was a trespasser, the Justice may make an Order in a summary way declaring the dog vicious.
- 31. Upon hearing the evidence, the Justice may make an Order declaring the dog a vicious dog or order the dog destroyed, or both, if in the opinion of the Justice, the dog or vicious dog poses an unreasonable risk to public safety due to the dog or vicious dog's potential to cause serious damage or injury to persons, property or other animals, livestock, or other domesticated household pets, taking into account the following factors:
 - (a) Whether the dog, when unprovoked, has shown a tendency to pursue, chase or approach in a menacing fashion any person or persons or other animal, livestock or other domesticated household pets upon the street, sidewalk or on any public or private property;
 - (b) Whether the dog has attempted to bite, or has bitten any person or animal, livestock, or other domesticated household pets;
 - (c) Whether the animal has injured, attacked, or caused severe injury to any person or animal, livestock, or other domesticated household pets;
 - (d) The aggression scale classification made by a Peace Officer pursuant to Section 56, as found in Schedule 'D'. (Dunbar Scale)
 - (e) The circumstances surrounding any previous biting, attacking, or injuring incidents;
 - (f) Whether the dog has caused death to another person, animal, livestock, or other domesticated household pet.
- 32. The Order of a Justice declaring a dog vicious shall embody all of the requirements in Sections 34, 35, 36, 37, 38, 39, 40, 41, 43, 44, and 46 of this Bylaw.
- 33. A vicious dog Order pursuant to this Bylaw continues to apply if the dog is sold, given, or transferred to a new owner.
- 34. The owner of a vicious or dangerous dog must immediately notify the Enforcement Services Supervisor, or designate, upon relocating within or to the municipality. The Enforcement Services Supervisor, or designate, may take cognizance of an Order issued in another jurisdiction and direct that the Order applies within the municipality.

Regulations

- 35. The owner of a vicious dog shall, within ten (10) days after the animal has been declared vicious:
 - (a) Have a licenced veterinarian tattoo or implant an electronic identification microchip in or on the vicious dog identifying the dog with a unique identifier to the dog;
 - (b) Provide the information contained on the tattoo or in the microchip to a Peace Officer of the municipality; and

- (c) If the vicious dog is not spayed or neutered, have the vicious dog spayed or neutered.
36. The owner of a vicious dog shall:
- (a) forthwith notify a Peace Officer, employed by the municipality, should the vicious animal be sold, gifted, or transferred to another person or die;
 - (b) remain liable for the actions of the vicious dog until formal notification of the sale, gift or transfer is given to a Peace Officer pursuant to Section 36(a);
37. The owner of a vicious dog shall ensure that when such vicious dog is on the property of the owner such vicious dog is:
- (a) Confined indoors and under the control of a person eighteen (18) years of age or older; or
 - (b) When such vicious dog is outdoors, such vicious dog is:
 - (i) Is in a locked pen or other structure, constructed pursuant to Section 39 in order to prevent the escape of the vicious dog, and capable of preventing the entry of any person not in control of the vicious dog; or
 - (ii) Securely muzzled, and under the control of a person eighteen (18) years of age or older by means of a leash not exceeding one (1) meter in length in a manner that prevents it from being in contravention of Section 52 of this Bylaw.
38. The owner of a vicious dog shall ensure that all times, when off the property of the owner, such vicious dog is securely:
- (a) Muzzled; and
 - (b) Harnessed or leashed on a lead which length shall not exceed one (1) meter in a manner that prevents it from being in contravention of Sections 49, 51 and 52 of this Bylaw, as well as preventing damage to public or private property; and
 - (c) Under the control of a person eighteen (18) years of age or older.
39. The owner of a vicious dog shall ensure that the locked pen or other structure:
- (a) Shall have secure sides and a 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 thirty (30) centimeters;
 - (b) Shall provide the vicious dog with shelter from the elements;
 - (c) Shall be of the minimum dimensions of one and one-half (1.5) meters by three (3) meters and be a minimum of one and one-half (1.5) meters in height;
 - (d) Is located on the property of the owner in a manner that complies with the provisions of the Land Use Bylaw, as amended or replaced from time to time.
40. The owner of a vicious dog shall:
- (a) within ten (10) days of the date of the Order declaring the dog to be vicious, display a sign on his premises warning of the presence of the vicious dog in the form illustrated in Schedule 'E';

- (b) Ensure that a sign required by Section 40(a) shall be placed at each entrance to the premises where the vicious dog is kept and, on the pen, or other structure in which the vicious dog is confined and shall be posted to be clearly visible and capable of being seen by any person accessing the premises

Licence Required

- 41. All dogs deemed to be vicious must be licenced, regardless of the age of the dog or the location within the municipality where the dog is owned or kept.
- 42. No person shall own or keep any vicious dog unless such dog is licenced pursuant to Section 41 of this Bylaw.

Administration of Vicious Dog Licences

- 43. The owner of a vicious dog shall:
 - (a) obtain an annual licence for such vicious dog:
 - (i) on the first day on which the municipal office is open for business after the animal has been declared vicious; or
 - (ii) on the first day on which the municipal office is open for business after he becomes the owner of a vicious dog; and
 - shall ensure that they renew the vicious dog licence on the renewal date specified by the Enforcement Services Supervisor each year thereafter.
 - (b) ensure that, if a vicious dog licence is issued, that such vicious dog wears the current vicious dog licence tag purchased for that vicious dog whenever the vicious dog is off the property of the owner.
- 44. When applying for a vicious dog licence under this Bylaw, the owner shall provide the following:
 - (a) A description of the vicious dog including: breed, name, gender, and age;
 - (b) The name, address, and telephone number of the owner;
 - (c) Proof that the owner is eighteen (18) years of age or older;
 - (d) If the owner is a body corporate, the name, address, and telephone number of the natural person responsible for the vicious dog;
 - (e) Documentation establishing that the vicious dog has been spayed or neutered;
 - (f) Any other information the Enforcement Services Supervisor may require; and
 - (g) The annual licence fee for the vicious dog, as set out in Schedule 'A' of this Bylaw.
- 45. Upon meeting the applicable requirements set out in Sections 34, 43 and 44 of this Bylaw, the Municipality will issue a vicious dog licence and tag.
- 46. An owner of a vicious dog shall:
 - (a) not give false information or omit providing required information when applying for a vicious dog licence pursuant to this Bylaw;
 - (b) forthwith notify the municipality of any change with respect to any information provided in the application for a vicious dog licence under this Bylaw;

- (c) forthwith notify the Municipality should the vicious dog licence tag be lost and pay such fee for a replacement tag as set out in Schedule 'A' of this Bylaw.

47. Vicious dog licences are not transferable.

Rebates and Uncertified Cheques

48. No owner of a dog or vicious dog that has obtained a licence is entitled to a licence rebate under this Bylaw and where a dog licence is required pursuant to this Bylaw has been paid for by the tender of an uncertified cheque, the licence:
- (a) is issued subject to the cheque being accepted and cashed by the bank without any mention of this condition being made on the licence; and
 - (b) is automatically revoked if the cheque is not accepted and cashed by the bank on which it is issued.

RESPONSIBILITIES OF VICIOUS DOG OWNERS

Running at Large

49. The owner of a vicious dog shall ensure that such vicious dog is not running at large.
50. The owner of a vicious dog shall forthwith notify a Peace Officer of the vicious dog running at large.

Unattended Vicious Dogs

51. The owner of a vicious dog shall not:
- (a) leave such vicious dog unattended, tethered or tied on a premises where the public has access, whether the access is expressed or implied;
 - (b) leave such vicious dog unattended in or on a motor vehicle when not on the property of the owner.

Threatening Behaviours

52. The owner of a vicious dog shall ensure that such vicious dog shall not:
- (a) bark at, or chase other animals, livestock, or other domesticated household pets, in a threatening manner;
 - (b) bark at, or chase bicycles, motor vehicles or other vehicles;
 - (c) growl, lunge, snarl, chase or otherwise threaten a person or persons, whether on the property of the owner or not, unless the person chased or threatened is a trespasser on the property of the owner;
 - (d) bite or cause damage to property, animals, livestock, or other domesticated household pets, whether on the property of the owner or not;
 - (e) do any act other than biting or attacking, that injures a person or persons whether on the property of the owner or not, unless the person injured is a trespasser on the property of the owner;

- (f) bite a person or persons, whether on the property of the owner or not, unless the person bitten is a trespasser on the property of the owner;
 - (g) attack a person or persons, whether on the property of the owner or not, unless the person attacked is a trespasser on the property of the owner;
 - (h) bite or attack a person or persons, whether on the property of the owner or not, causing severe injury, unless the person bitten or attacked is a trespasser on the property of the owner;
 - (i) bite or attack a person or persons causing the death of a person or persons;
 - (j) cause severe injury to an animal, livestock, or other domesticated household pets;
 - (k) cause death to another animal, livestock, or other domesticated household pets.
53. No owner of a vicious dog shall use or direct a vicious dog to attack, chase, harass, or threaten a person, animal, livestock, or other domesticated household pets.

PART 4 - ENFORCEMENT / OPERATIONS FOR DOGS AND VICIOUS DOGS

Notice to Contain and Control

54. The Enforcement Services Supervisor or designate:
- (a) may allow an owner to keep possession of a dog or vicious dog alleged to have been engaged in any threatening behaviour as set out in Sections 24 and 52 of this Bylaw by serving a notice with contain and control conditions which, in the opinion of the Enforcement Services Supervisor or designate, ensures the safety of the public;
 - (b) shall review the contain and control conditions annually, taking into account any further contraventions of this Bylaw, and shall determine if the notice to contain and control should be continued, revised or revoked.
55. The owner of a dog or vicious dog shall comply with all contain and control conditions set out in a notice issued by the Enforcement Services Supervisor or designate, pursuant to Section 54 of this Bylaw.

Aggression Scale Classification

56. A Peace Officer investigating a complaint involving the threatening behaviour of a dog or vicious dog shall classify the behaviour by means of reference to the Dr. Ian Dunbar's Aggression Scale, which is set out in Schedule 'C' of this Bylaw.

Inspections

57. Subject to the entry notice provisions of the Municipal Government Act, a Peace Officer of the municipality, who has been appointed as a Designated Officer, bearing proper identification, may enter a premises to conduct an inspection in order to determine whether or not this Bylaw or an Order issued pursuant to this Bylaw is being complied with and, where it is determined that this Bylaw or an Order has been contravened, may seize and remove from the premises a dog or vicious dog and take the dog or vicious dog to an animal services centre.

Seizure

58. A Peace Officer may:
- (a) seize, retain and take to an animal services centre any dog or vicious dog:

- (i) which is found running at large;
 - (ii) which is alleged to have engaged in any threatening behaviours set out in Sections 24 and 52 of this Bylaw;
 - (iii) pending the outcome of a behavioural assessment and/or an application to declare the animal to be a vicious animal or to destroy the animal;
 - (iv) which is alleged to have contravened a provision of a contain and control notice or an interim contain and control notice; or
 - (v) which 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.
- (b) enter onto any property surrounding any building, whether or not such property is enclosed by a fence or other such enclosure, and seize any dog or vicious dog which has violated any provision of section 58(a), and to take such reasonable measures necessary to subdue any such dog or vicious dog, including the use of tranquilizer equipment and other capture devices, and take such dog or vicious dog to an animal services centre.

Obstruction and Interference

59. No person, whether or not that person is the owner of a dog or vicious dog, which is being pursued or has been pursued or seized by a Peace Officer shall:
- (a) interfere with or attempt to obstruct a Peace Officer who is attempting conduct an inspection, who is attempting to seize or who has seized a dog or vicious dog which is subject to seizure;
 - (b) open any vehicle in which a seized dog or vicious dog has been placed; or
 - (c) remove, or attempt to remove, from the animal services centre and/or the possession of a Peace Officer, any dog or vicious dog that has been seized.
60. No person shall:
- (a) untie, loosen or otherwise free a dog or vicious dog which has been tied or otherwise restrained;
 - (b) negligently or willfully open a gate, door or other opening in a fence or enclosure in which a dog or vicious dog has been confined and thereby allow the dog or vicious dog to run at large in the municipality;
 - (c) entice a dog or vicious dog to run at large;
 - (d) tease a dog or vicious dog caught or confined in an enclosed space;
 - (e) throw or poke any object into an enclosed space when a dog or vicious dog is caught or confined therein; or
 - (f) provide false information to or otherwise obstruct a Peace Officer.
61. Section 60(a) shall not apply to a Peace Officer who is attempting to seize or who has seized a dog or vicious dog which is subject to seizure pursuant to this Bylaw.

Notifications

62. If a Peace Officer knows or can ascertain the name of the owner of any seized dog or vicious dog, he shall serve the owner with a copy of the Notice in Schedule 'D' of this Bylaw, either personally or by leaving it with any adult person at, or by mailing it to or by leaving it at, the last known address of the owner.
63. The owner of a dog or vicious dog to whom a Notice is mailed pursuant to Section 62 is deemed to have received a Notice within seven (7) days from the date it is mailed. A Notice served personally on the owner or any adult person at the last known address of the owner shall be deemed to be served on the day of service.

Reclaiming

64. The owner of any seized dog or vicious dog that is eligible for release / return to the owner, may reclaim the dog or vicious dog by:
 - (a) paying to the municipality the costs of any behavioral assessments, impoundment, any care, subsistence or veterinary charges incurred as set out in Schedule 'A' of this Bylaw;
 - (b) where a licence is required under this Bylaw, obtaining the licence for such dog or vicious dog; and
 - (c) complying with any and all provisions which may be imposed in accordance with this Bylaw.

Authority of Enforcement Services Supervisor

65. The Enforcement Services Supervisor, or designate may:
 - (a) receive dogs or vicious dogs into protective care at an animal services centre arising from an emergency due to fire, flood or other reasons;
 - (b) retain dogs or vicious dogs temporarily at an animal services centre;
 - (c) retain dogs or vicious dogs pending the outcome of court proceedings and behavioural assessments, in cases where the release of such dogs or vicious dogs could pose an unreasonable risk to public safety, in the opinion of the Enforcement Services Supervisor or designate;
 - (d) charge the owner fees including things such as: costs of behavioural assessments, impoundment, any care, subsistence or veterinary charges incurred as set out in Schedule 'A' of this Bylaw;
 - (e) at the end of the protective care period, if no other arrangements are made between the owner and the Enforcement Services Supervisor or designate, or where the owner cannot be ascertained or located, treat such dogs or vicious dogs as seized dogs or vicious dogs;
 - (f) offer for sale, euthanize or otherwise dispose of all unclaimed dogs or vicious dogs which have been seized or are deemed to be seized;
 - (g) retain a seized dog or vicious dog for a longer period than shown in Section 66, if in his opinion, the circumstances warrant the expense or there are reasonable grounds to believe that the seized dog or vicious dog is a continued danger to a person, animal, livestock or other domestic animals or property.

66. The Enforcement Services Supervisor or designate shall not sell, euthanize or otherwise dispose of a seized dog or vicious dog until a dog or vicious dog is retained in the animal services centre for:
- (a) seven (7) days after the owner has received a Notice or is deemed by Section 63 to have received notice that the dog or vicious dog has been seized; or
 - (b) seventy-two (72) hours, if the name and address of the owner is not known.

Euthanizing due to Injury

67. Any veterinarian, being properly and fully qualified as required by the Province of Alberta, may destroy any dog or vicious dog delivered to the veterinarian after injury to the dog or vicious dog, providing the injury is determined by the veterinarian to be of such serious nature, based upon his professional opinion, that the dog or vicious dog must be destroyed immediately and such costs of destruction may be billed to the municipality and the municipality is at liberty to take all steps considered necessary to recover such costs from the owner of the dog or vicious dog.

Fee for Euthanizing

68. When the Enforcement Services Supervisor or designate decides to euthanize a seized dog or vicious dog pursuant to this Bylaw, the owner shall pay to the municipality a fee as set out in Schedule 'A' of this Bylaw.

Require Spay or Neuter

69. The Enforcement Services Supervisor or designate may, before selling an unclaimed seized dog or vicious dog, require that the dog or vicious dog be spayed or neutered.

Full Right and Title

70. The purchaser of a seized dog or vicious dog pursuant to the provisions of this Bylaw shall obtain full right and title to the dog or vicious dog and the right and title of the former owner of the dog or vicious dog shall cease thereupon.

PART 5 - PROHIBITED ANIMALS, LIVESTOCK AND URBAN CHICKENS

Prohibited Animals

71. The following animal species are prohibited in all Land Use Districts within the municipality:
- (a) Wild boar (*sus scrofa*)
 - (b) Norway rat (*rattus spp*)
 - (c) Venomous snakes
72. The keeping of bees or bee hives is prohibited in areas zoned in the following Land Use Districts within the municipality:
- (a) Hamlets;
 - (b) Castle Mountain Resort;
 - (c) Grouped Country Residential; or
 - (d) Within 500m of a Hamlet or Grouped Country Residential.

73. No person shall allow, keep, permit or otherwise house a prohibited animal within the municipality.
74. No person shall allow, keep, permit or otherwise house bees and/or bee hives within a hamlet, within the Castle Mountain Resort or within a Grouped Country Residential District.

LIVESTOCK

Livestock Restrictions

75. No person shall have in their possession, custody or control, any livestock on lands or premises within:
 - (a) a hamlet unless:
 - (i) the person has a valid Development Permit issued pursuant to the Land Use Bylaw for an Animal Care Service – Major or Minor; or
 - (ii) the livestock is located within a hamlet for the purposes of participating in a cultural or community-sanctioned event.
 - (b) a Grouped Country Residential District, that exceeds the maximum allowable number of animals permitted as shown in Schedule ‘F’ of this Bylaw, unless:
 - (i) the person has a valid Development Permit issued pursuant to the Land Use Bylaw for an Animal Care Service – Major or Minor; or
 - (ii) the livestock is located within a Grouped Country Residential District for the purposes of participating in a cultural or community-sanctioned event.
76. The owner of any premises referred to in Section 75, where livestock are bred, kept, raised, displayed, assembled or disposed of, shall ensure that:
 - (a) the site is maintained in a clean state; and
 - (b) waste and materials contaminated by waste are:
 - (i) disposed of safely and in a timely manner;
 - (ii) not allowed to accumulate; and
 - (iii) retained on the premises while awaiting disposal.

URBAN CHICKENS

Number and Type Permitted

77. Within the boundaries of a hamlet:
 - (a) a person may keep up to a maximum of four (4) urban chickens upon a parcel of land;
 - (b) a person shall not keep a rooster or hen, other than an urban chicken.
78. Within a Grouped Country Residential District, chickens may only be kept upon or in any land, house, shelter, room, place, building, structure or other premises in accordance with the following limits:

- (a) Maximum of 30 chickens on parcels between 1.22 ha – 1.61 ha (3.0-3.99 acres);
- (b) Maximum of 45 chickens on parcels between 1.62 ha – 2.02 ha (4.0-4.99 acres);
- (c) Maximum of 60 chickens on parcels between 2.03 ha – 2.42 ha (5.0-5.99 acres);
- (d) Maximum of 75 chickens on parcels between 2.43 ha – 4.04 ha (6.0-9.99 acres);
- (e) Maximum of 90 chickens on parcels 4.05 ha (10 acres).

79. No person shall have or allow

- (a) an excessive number of urban chickens,
 - (b) any rooster; or
 - (c) any hen
- to be kept within the boundaries of a hamlet.

80. No person shall have or allow an excessive number of chickens to be kept within a Grouped Country Residential District.

Responsibilities of Chicken Owners

81. Urban chicken owners:

- (a) must comply with the Alberta Animal Health Act and any other applicable standards adopted by the Province of Alberta;
- (b) on whose property chickens are kept, have a duty to take reasonable measures to ensure that:
 - (i) the coop and chickens kept in the coop do not pose a safety risk to persons on adjacent public or private property;
 - (ii) the potential for damage to building and/or property located on adjacent public or private property as a result of the keeping of Urban Chickens is minimized;
 - (iii) the procedures outlined by the Canadian Food Inspection Agency to reduce potential disease outbreak are followed.

82. Urban chicken owners shall keep their urban chickens in accordance with Section 81.

83. A person who keeps one or more urban chickens within a hamlet or chickens within a Grouped Country Residential District must:

- (a) Provide each chicken with at least 0.37 m² (4 ft²) of coop floor area, and at least 0.92 m² (10 ft²) of roofed outdoor enclosure, with all structures meeting the setback requirements of the Land Use District in which the parcel is located and as established in the Land Use Bylaw;
- (b) Provide and maintain a floor of any combination of vegetated or bare earth in each outdoor enclosure;
- (c) Provide and maintain, in each coop, at least one perch for each chicken, that is at least 15 cm (0.5 ft) long and one nest box;
- (d) Keep each chicken in the enclosed area at all times;

- (e) Provide each chicken with food, water, shelter, light, ventilation, veterinary care and opportunities for essential behaviours such as scratching, dustbathing, and roosting, all sufficient to maintain the chicken in good health;
 - (f) Maintain each chicken enclosure in good repair and sanitary condition, and free from vermin and obnoxious smells and substances;
 - (g) Construct and maintain each chicken enclosure to prevent any rodent from harbouring underneath or within it or within its walls, and to prevent entrance by any other animal;
 - (h) Keep a food container and water container in each coop;
 - (i) Keep each coop secured from sunset to sunrise;
 - (j) Remove leftover feed, trash, and manure in a timely manner;
 - (k) Store manure within a fully enclosed structure, and store no more than three cubic feet of manure at a time;
 - (l) Remove all other manure not used for composting or fertilizing and dispose of same in accordance with the municipality's Bylaws;
 - (m) Follow biosecurity procedures recommended by the Canadian Food Inspection Agency to reduce potential for disease outbreak; and
 - (n) Keep chickens for personal use only.
84. Owners of urban chickens in hamlets or chickens within a Grouped Country Residential District shall keep those urban chickens / chickens in accordance with Section 83.

PART 6 - OFFENCES AND PENALTIES

General Penalty Provisions

85. Every owner of a dog, vicious dog, livestock, chicken or urban chicken or prohibited animal who contravenes any provision of this Bylaw by:
- (a) doing any act or thing which the person is prohibited from doing; or
 - (b) failing to do any act or thing that the person is required to do;
- is guilty of an offence.
86. Any person who is convicted of an offence pursuant to this Bylaw is liable on summary conviction to a fine not exceeding ten thousand dollars (\$10, 000.00) and in default of payment of any fine imposed, to imprisonment for not more than one (1) year.

Violation Tickets and Penalties

87. Where a Peace Officer believes that a person has contravened any provision of this Bylaw, he may commence proceedings by issuing a violation ticket in accordance with the Provincial Offences Procedures Act.
88. The specified penalty payable in respect of a contravention of any provision of this Bylaw is the amount shown in Schedule 'B' of this Bylaw in respect of that provision.
89. The minimum penalty payable in respect of a contravention of a provision of this Bylaw is the amount shown in Schedule 'B' of this Bylaw in respect of that provision.
90. Notwithstanding Section 88:

- (a) Where any person has been in contravention of the same provision of this Bylaw twice within one (1) twelve (12) month period, the specified penalty payable in respect of the second offence is double the amount shown in Schedule 'B' of this Bylaw in respect of that provision; and
- (b) Where any person has been in contravention of the same provision of this Bylaw three (3) or more times within one (1) twelve (12) month period, the specified penalty payable in respect of the third or subsequent offence is triple the amount shown in Schedule 'B' of this Bylaw in respect of that provision.

91. Notwithstanding subsection 89:

- (a) Where any person has been in contravention of the same provision of this Bylaw twice within one (1) twelve (12) month period, the minimum penalty payable in respect of the second offence is double the amount shown in Schedule 'B' of this Bylaw in respect of that provision; and
- (b) Where any person has been in contravention of the same provision of this Bylaw three (3) or more times within one (1) twelve (12) month period, the minimum penalty payable in respect of the third or subsequent offence is triple the amount shown in Schedule 'B' of this Bylaw in respect of that provision.

Continuing Offences

- 92. 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 a day, on which the offence continues.

Mandatory Court or Information

- 93. No provision of this Bylaw shall prevent any Peace Officer from issuing a violation ticket requiring the court appearance of the defendant, pursuant to the provisions of the Provincial Offences Procedures Act, or from laying an information instead of issuing a violation ticket.

Liability for Fees

- 94. 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.

Orders by a Justice Upon Conviction Regarding Dogs / Vicious Dogs

- 95. A Justice, after convicting an owner of a dog or vicious dog of an offence under this Bylaw may, in addition to the penalties provided in this Bylaw, if the Justice considers the offence sufficiently serious, direct, order or declare one or more of the following:
 - (a) that the owner prevents the dog or vicious dog from doing mischief or causing the disturbance or nuisance complained of;
 - (b) that the owner has the dog or vicious dog removed from the municipality;
 - (c) that the dog is a vicious dog;
 - (d) that the dog or vicious dog be humanely destroyed;
 - (e) that the owner be prohibited from owning any animal for a specified period of time; or
 - (f) make such other order, direction or declaration that in the opinion of the Justice, is necessary to protect the public, dogs, dangerous dogs, livestock, chickens or other domesticated household pets from the dog or dangerous dog.

96. When a Justice considers making a direction, order or declaration pursuant to Section 95, the Justice shall take into account the factors set out in Section 31 of this Bylaw.

Proof of Licence

97. The onus of proving a person has a valid and subsisting dog or vicious dog licence is on the person alleging the licence.

Certified Copy of Records

98. A copy of a record of the municipality, certified by the person duly appointed as the Designated Officer for the same as a true copy of the original, shall be admitted in evidence as prima facie proof of the facts stated in the record without proof of the appointment or signature of the person signing it.

General

99. Schedules 'A', 'B', 'C', 'D', 'E' and 'F' as attached, form a part of this Bylaw.
100. Any owner who has been informed that any dog or vicious dog licence issued under this Bylaw has been revoked or cancelled, may appeal the determination to the Enforcement Services Supervisor, in writing, within fourteen (14) days of being notified that the licence has been revoked or cancelled.
101. Within thirty (30) days of receiving a notice of appeal by an owner pursuant to Section 100, the Enforcement Services Supervisor shall review the revocation or declaration and receive such information, as in the opinion of the Enforcement Services Supervisor is relevant and determine whether there are just and reasonable grounds to revoke or cancel a licence, and the decision of the Enforcement Services Supervisor is final.
102. No action for damages shall be taken against the municipality or any person acting under the authority of this Bylaw in respect of the destruction, sale or other disposal of any dog, vicious dog seized pursuant to this Bylaw.
103. It is the intention of the Council of the municipality that each section of this Bylaw should be considered as being separate and severable from all other sections. Should any section or part be found invalid by a court of competent jurisdiction, it is intended that the invalid section or part shall be severable, and the remainder of the Bylaw will remain in effect.
104. It is the intention of Council of the municipality that all offences created pursuant to this Bylaw be construed and considered as being Strict Liability Offences.
105. This Bylaw shall come into full force and effect upon the date of the third and final reading and Bylaw # 1198-10 is hereby repealed upon this Bylaw coming into effect.

READ a first time on this this 24 day of June, 2025.

READ a second time on this this 24 day of June, 2025.

PRESENTED for third and final reading this 24 day of June, 2025.

READ a third time on this this 24 day of June, 2025.



Reeve



Chief Administrative Officer

SCHEDULE 'A'
FEES

First impoundment – per dog / vicious dog	\$80.00
Second impoundment – per dog / vicious dog (within twelve (12) months)	\$100.00
Third impoundment – per dog / vicious dog (within twelve (12) months)	\$150.00
Fourth and subsequent impoundment – per dog / vicious dog (within twelve (12) months)	\$250.00
Care and subsistence each full day of impoundment (not including intake or release day)	Market daily rate as set by Animal Services Centre
Dog licence / tag fee (One-time fee)	\$15.00 – for spayed / neutered dogs \$30.00 for unaltered dogs
Vicious dog licence / tag fee (Annual fee)	\$250.00
Replacement dog licence tag	\$20.00
Replacement vicious dog licence tag	\$20.00
Veterinary services	Amount expended
Destruction of dog / vicious dog	Amount expended
Behavioural Assessment for dog / vicious dog	Amount expended

Amount(s) to be paid to the Municipal District of Pincher Creek or the Animal Services Centre, by the owner of the dog / vicious dog to reclaim an animal.

SCHEDULE 'B'
PENALTIES FOR OFFENCES

SECTION	OFFENCE DESCRIPTION	MINIMUM PENALTY	SPECIFIED PENALTY
7(a)	Have more than 3 dogs on lands or premises in Hamlet / Grouped Country Residential District / Castle Mountain Resort	200.00	250.00
7(b)	Have more than 4 dogs on lands or premises	200.00	250.00
9	Unlicenced dog	200.00	250.00
12	Provide false information / Fail to provide required information for dog licence	200.00	250.00
16	Dog Running at Large	300.00	350.00
17	Leave dog unattended that interferes with public access to premises	300.00	350.00
18(a)	Unattended dog improperly restrained in / on motor vehicle	300.00	350.00
18(b)	Unattended dog subjected to injurious heat / cold in / on motor vehicle	400.00	500.00
19	Fail to keep dog suffering from communicable disease in proper way / report to Chief Provincial Veterinarian	200.00	250.00
20(a)	Fail to remove dog feces	150.00	200.00
20(b)	No suitable means to remove dog feces	100.00	150.00
20(c)	Excessive accumulation of dog feces on property of owner	400.00	500.00
21	Dog make / cause excessive noise	300.00	350.00
23(a)	Dog upset waste receptacle / scatter garbage	150.00	200.00
23(b)	Owner fail to return / clean up waste receptacle / notify owner or occupant of premises where garbage scattered	150.00	200.00
24(a)	Dog bark at / chase animals / livestock / other domesticated household pets	300.00	350.00
24(b)	Dog bark at / chase bicycles / motor vehicles / other vehicles	300.00	350.00
24(c)	Dog growl / lunge / snarl / chase / threaten a person	350.00	450.00
24(d)	Dog bite / cause damage to property / animals / livestock / domestic animals	400.00	500.00
24(e)	Dog injure a person	500.00	600.00
24(f)	Dog bite a person	600.00	700.00
24(g)	Dog attack a person	1200.00	1500.00
24(h)	Dog bite / attack person causing severe injury	1700.00	2000.00
24(i)	Dog bite / attack person causing death	Mandatory Court	Mandatory Court
24(j)	Dog cause severe injury to animal / livestock / domestic animal	600.00	800.00
24(k)	Dog cause death to animal / livestock / domestic animal	900.00	1200.00

SECTION	OFFENCE DESCRIPTION	MINIMUM PENALTY	SPECIFIED PENALTY
25	Direct dog to attack / chase / harass / threaten a person / animal / livestock / domestic animal	850.00	1000.00
27(b)	Fail to comply with surrender order	1200.00	1500.00
27(c)	Fail to comply with interim contain and control conditions	1200.00	1500.00
34	Owner of vicious / dangerous dog fail to notify Enforcement Services Supervisor of relocation	550.00	650.00
35(a)	Fail to tattoo / implant microchip on / in vicious dog	550.00	650.00
35(b)	Fail to provide tattoo / microchip information to Peace Officer	550.00	650.00
35(c)	Fail to have vicious dog spayed / neutered	550.00	650.00
36(a)	Fail to notify Peace Officer of sale / gift / transfer / death of vicious dog	300.00	400.00
37(a)	Fail to keep vicious dog confined indoors and under control by person 18 yrs of age or older	1200.00	1500.00
37(b)(i)	Fail to properly keep vicious dog confined on property of owner	1200.00	1500.00
37(b)(ii)	Fail to keep vicious dog muzzled / under control by person 18 yrs of age or older on property of owner	1200.00	1500.00
38(a)	Fail to keep vicious dog muzzled when off property of owner	1200.00	1500.00
38(b)	Fail to keep vicious dog harnessed / leashed properly when off property of owner	1200.00	1500.00
38(c)	Vicious dog not under control of a person at least 18 yrs of age when off property of owner	1200.00	1500.00
39	Improper locked pen or structure for vicious dog	1200.00	1500.00
40	Fail to post / properly post vicious dog sign(s)	1200.00	1500.00
42	Unlicenced vicious dog	1200.00	1500.00
43(a)	Fail to obtain / renew annual vicious dog licence	550.00	650.00
43(b)	Vicious dog not wear licence tag off property of owner	550.00	650.00
46(a)	Provide false information / fail to provide required information for vicious dog licence	550.00	650.00
46(b)	Fail to notify of changes to information for vicious dog	550.00	650.00
46(c)	Fail to notify municipality of lost vicious dog licence tag	550.00	650.00
49	Vicious dog running at large	1200.00	1500.00
50	Fail to notify Peace Officer of vicious dog running at large	600.00	800.00
51(a)	Unattended vicious dog left on premises where public has access	1200.00	1500.00
51(b)	Unattended vicious dog left in / on motor vehicle when off property of owner	1200.00	1500.00
52(a)	Vicious dog bark at / chase animals / livestock / other domesticated household pets	600.00	700.00
52(b)	Vicious dog bark at / chase bicycles / motor vehicles / other vehicles	600.00	700.00
52(c)	Vicious dog growl / lunge / snarl / chase / threaten a person	800.00	900.00

SECTION	OFFENCE DESCRIPTION	MINIMUM PENALTY	SPECIFIED PENALTY
52(d)	Vicious dog bite / cause damage to property / animals / livestock / other domestic animals	900.00	1000.00
52(e)	Vicious dog injure a person	1000.00	1200.00
52(f)	Vicious dog bite person	1200.00	1400.00
52(g)	Vicious dog attack person	2500.00	3000.00
52(h)	Vicious dog bite / attack person causing severe injury	3600.00	4000.00
52(i)	Vicious dog bite / attack person causing death	Mandatory Court	Mandatory Court
52(j)	Vicious dog cause severe injury to animal / livestock / other domestic animal	1300.00	1600.00
52(k)	Vicious dog cause death to animal / livestock / other domestic animal	2000.00	2500.00
53	Direct vicious dog to attack / chase / harass / threaten a person / animal / livestock / domestic animal	Mandatory Court	Mandatory Court
55	Fail to comply with contain and control conditions	1200.00	1500.00
59(a)	Obstruct Peace Officer	800.00	1000.00
59(b)	Open vehicle in which seized dog / vicious dog placed	800.00	1000.00
59(c)	Remove / attempt to remove seized dog / vicious dog from Animal Services Centre / Peace Officer	800.00	1000.00
60(a)	Untie / loosen / free dog / vicious dog	800.00	1000.00
60(b)	Negligently / willfully open gate / door / opening to allow dog / vicious dog to run at large	800.00	1000.00
60(c)	Entice dog / vicious dog to run at large	800.00	1000.00
60(d)	Tease confined dog / vicious dog	800.00	1000.00
60(e)	Throw / poke object into enclosed space where dog / vicious dog confined	800.00	1000.00
60(f)	Provide false information to Peace Officer	800.00	1000.00
73	Allow / keep / permit / house a prohibited animal	300.00	500.00
74	Allow / keep / permit / house bees / bee hives in a hamlet / Castle Mountain Resort / Grouped Country Residential District	300.00	500.00
75(a)	Have / allow livestock in hamlet	300.00	500.00
75(b)	Have / allow maximum allowable livestock in Grouped Country Residential District	300.00	500.00
76	Fail to properly maintain premises where livestock are bred / kept / raised / displayed / assembled / disposed of	300.00	500.00
79(a)	Excessive number of urban chickens in a hamlet	400.00	500.00
79(b)	Rooster in a hamlet	400.00	500.00
79(c)	Hen in a hamlet	400.00	500.00

SECTION	OFFENCE DESCRIPTION	MINIMUM PENALTY	SPECIFIED PENALTY
80	Excessive number of chickens in Grouped Country Residential District	400.00	500.00
82	Fail to appropriately keep urban chickens	400.00	500.00
84	Fail to appropriately keep urban chickens / chickens	400.00	500.00

**SCHEDULE ‘C’
DR. IAN DUNBAR’S AGGRESSION SCALE**

Assessment of the severity of biting problems based on an objective evaluation of wound pathology

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

This scale was developed by Dr. Ian Dunbar, PHD. B VetMed, MRCVS, of Berkeley California. From his studies Dr. Dunbar has been able to separate and classify bites into a generalized seven level assessment protocol. This scale is used as a standard throughout the world in canine aggression investigations and behaviour assessment.

SCHEDULE 'D'
NOTICE OF SEIZURE

NOTICE OF SEIZURE / IMPOUNDMENT

DATE: _____ TIME: _____

TO: _____
(Name)

(Address)

DESCRIPTION OF DOG

Breed: _____ Colour: _____ Sex: _____ Tag
#: _____

You are hereby notified that a dog / vicious dog registered under the above address, or a dog bearing no identification, but is believed to belong to you, has been seized / impounded pursuant to the provisions of Municipal District of Pincher Creek No. 9 - Animal Control Bylaw # ????.

Unless said dog / vicious dog is claimed and all fees / charges are paid on or before _____, 20____, the said dog / vicious dog will be sold, destroyed or otherwise disposed of pursuant to the said Bylaw.

Officer Name
& Contact Information

WARNING!
Vicious Dog
On the Premises



**M.D. Pincher Creek
Animal Control
Bylaw # ???**

SCHEDULE 'F'
MAXIMUM ALLOWABLE NUMBER OF LIVESTOCK
IN GROUPED COUNTRY RESIDENTIAL DISTRICT

Type of Animal	Number of Animals Allowed Per Unit of Land	Maximum Number of Animals Allowed Per Parcel
Horse	1 per 0.4 hectares (1 acre)	5
Cattle	1 per 0.4 hectares (1 acre)	5
Swine	1 per 0.4 hectares (1 acre)	5
Donkey or Mule	1 per 0.4 hectares (1 acre)	5
Sheep or Goat	1 per 0.2 hectares (0.5 acre)	10
Llamas or Alpacas	1 per 0.2 hectares (0.5 acre)	10
Rabbits	1 per 0.1 hectares (0.25 acre)	20

- All fractional amounts shall be rounded down to the next lowest whole number
 - Example:
 - Number of horses permitted on 2.47 acre (1 hectare) lot = 2
- Totals are not accumulative.
 - Example:
 - A lot cannot have 5 horses AND 5 mules