



Corporation of the Town of Bow Island
Bylaw 2021:09
Animal Control

A Bylaw of the Town of Bow Island, in the Province of Alberta, to provide for the control of animals within the Town.

WHEREAS Section 7(h) of the *Municipal Government Act*, S.A. 1994 c. M-26. 1, as amended, authorizes municipalities to pass bylaws for municipal purposes respecting wild and domestic animals and activities in relation to them.

AND WHEREAS, the provisions of the Provincial Offences Procedure Act, being Chapter P-21 RSA, 1980 and amendments thereto, empowers Council to pass bylaws respecting voluntary penalties.

AND WHEREAS, the Council deems it proper and expedient to pass such a bylaw.

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

1. This bylaw may be cited as the **“Animal Control Bylaw”**.
2. Unless a word is specifically defined in this bylaw, the meaning, if any ascribed in the Interpretation Act, being Chapter I-7, RSA 1980, and amendments thereto, shall apply.

In this bylaw:

- a) **“Animal”** means any domesticated, feral, or stray animal, including but not limited to canines and felines.
- b) **“Cat”** means any domesticated, feral, or stray feline.
- c) **“Council”** means the Municipal Council of the Town of Bow Island duly assembled and acting as such.
- d) **“Dangerous Dog”** means
 - i) any dog with a known propensity, tendency, or disposition to attack without provocation other domestic animals or humans, or
 - ii) any dog, based on incident, which has bitten another domestic animal or human without provocation, or chased or intimidated any other human or animal,
 - iii) any dog which has been deemed a dangerous dog by a justice through the *Dangerous Dog Act of Alberta*, or
- e) **“Day”** means a continuous period of twenty-four (24) hours.
- f) **“Dog”** means any animal classified as such and considered a domesticated pet.
- g) **“Distress”** means an animal that is:
 - i) Deprived of adequate shelter, ventilation, space, food water or veterinary care or reasonable protection from injurious heat or cold.
 - ii) Injured, sick, in pain or suffering, or
 - iii) Abused or subjected to undue hardship, deprivation, or neglect.
- h) **“Emotional Support Animal”** means an animal which has been deemed an emotional support assistance requirement by a licensed physician or therapist and recognized by a Canadian Authority qualifying the animal as such.



Corporation of the Town of Bow Island
Bylaw 2021:09
Animal Control

- i) **“Enforcement Officer”** means a Bylaw Enforcement Officer appointed by the Town of Bow Island, a Peace officer or a member of the Royal Canadian Mounted Police or anyone authorized by the town to enforce this bylaw.
- j) **“Harbor”** means allowing an animal to take up refuge in, around or near a property or building, whether the person harboring the animal is the owner of that property or not.
- k) **“Infectious Physical condition”** means any abnormal physical condition which is liable to be passed on to other animals or humans by invasion of an organism emanating from the animal suffering from the abnormal physical condition.
- l) **“License”** means a device bearing a distinctive serial number intended to be attached to the collar of a dog and issued by the Town Administration Staff upon payment of a licensing fee as prescribed by this bylaw.
- m) **“Multi-dog”** means an approval provided by the town in addition to the annual dog licensing fee, which allows the person to harbor more than two (2) dogs. Approval must be granted after a letter of permission request is granted by the Bylaw Committee or Council.
- n) **“Nuisance Dog”** means any dog in respect of which there have been two or more convictions for offences under this bylaw.
- o) **“Owner”** means the person having legal title to the dog in question and includes:
 - i) the person in whose name the animal is registered,
 - ii) any other person who has possession or custody of the animal,
 - iii) any person who harbors, houses, or permits such animal to be upon his property, and
 - iv) a person acting on behalf of the actual owner of a dog, where such person furnishes proof to the satisfaction of the Enforcement Officer of his authority to deal with the Enforcement Officer on behalf of the actual owner in respect of the dog.
- p) **“Pound”** means the Town’s facility for the impounding of dogs as set out in this bylaw.
- q) **“Pound keeper”** means any person, firm or employee appointed by the Town to manage and operate the Pound and to carry out such other duties as prescribed in this bylaw, and includes any person appointed by the Town as an assistant to the Pound Keeper.
- r) **“Running at Large”** means, when used to describe a dog or cat:
 - i) the state of being upon any land other than land on which the owner or person having responsibility for, or custody of the dog or cat resides, or
 - ii) a dog not securely restrained by a leash, held by a person capable of properly restraining the dog.
 - iii) A cat roaming within the Town creating a nuisance.
- s) **“Service Dog”** has the same meaning as in the Service Dogs Act and regulations thereunder.
- t) **“Town”** means the Town of Bow Island, or the area contained within the boundary thereof, as the context requires.



Corporation of the Town of Bow Island
Bylaw 2021:09
Animal Control

Part 1- Animal Control

3. A person who owns, or has custody of, or responsibility for, an animal which:
- a) bites or chases any person or animal, or
 - b) bites, barks, howls, or chases any motor vehicle or bicycle, or
 - c) barks, howls, or otherwise comports itself in such a fashion as to disturb or alarm any person, or to cause any person to fear for their physical safety, or
 - d) causes any damage whatsoever to any property or any injury whatsoever to any person or animal, or
 - e) is at any time at large and uncontrolled in any park or recreational area intended for public use, or
 - f) upsets any waste receptacles and scatters the contents thereof whether the dog is running at large or not,

No person shall do anything or omit to do anything where such act or omission has or may have the effect of allowing an animal in their control to exhibit behaviour contrary to this section.

4. No person shall do anything or omit to do anything where such act or omission has or may have the effect of causing or permitting the running at large of an animal within the Town.
5. No person shall do anything or omit doing anything where such act or omission has or may have the effect of teasing, tormenting, or annoying an animal.
6. Any owner, and any person having custody of or responsibility for an animal, which is suffering from an infectious physical condition:
- a) Shall not permit such animal to be in any public place whether the animal is running at large.
 - b) Shall not keep or maintain such animal in contact with or in proximity to any other animal,
 - c) Shall keep the animal at all times locked in a secure place,
 - d) Shall report the matter of the animal's infectious physical condition to the Town Office forthwith upon becoming aware of the situation, and
 - e) No contravention of this section shall occur if the person is transporting an animal, suffering from an infectious physical condition, to a place where the animal may obtain veterinary treatment, and the provisions of this section do not apply to any person duly qualified and licensed to practice veterinary medicine within the town.
7. No person shall keep or harbor, within the limits of the Town, any animal other than a dog or cat without expressed written permission from council or their agent, unless the animals or pets are exclusively always kept indoors.
8. No person shall leave a dog unattended in a motor vehicle, unless the dog is restrained to prevent the dog from encountering any person or other animal outside the motor vehicle.
9. No person shall do anything or omit doing anything where such act or omission has the affect of leaving a dog in a vehicle without first assuring suitable ventilation is provided for the dog.
10. An Enforcement Officer may, on having reasonable and probable grounds to believe a dog is a Nuisance Dog, direct the Owner in writing to take such action as deemed necessary by the Enforcement Officer to ensure this Bylaw is not further contravened.



Corporation of the Town of Bow Island
Bylaw 2021:09
Animal Control

- a) The Owner of a Nuisance Dog who fails to comply with the written direction of an Enforcement Officer pursuant to section 10 is guilty of an offence.
11. Any owner of a dog, or person having custody of, or responsibility for a dog, which defecates on property other than the property on which the owner or person having custody of, or responsibility for the dog resides, shall forthwith remove from said property and deposit in a proper waste receptacle the matter defecated by the dog.
12. An owner shall always keep the property, where a dog is kept, in a clean and tidy condition. For purposes of this section, “clean and tidy condition” means clean and tidy in the opinion of an Enforcement Officer, acting reasonably.
13. Any person who harbors a dog within the town shall:
- a) Apply for and obtain, from the Town, a dog license for the dog in accordance with the provisions of section 14 of this bylaw.
- b) Upon receipt of the proper licensing fee there shall be issued a receipt for payment of the licensing fee, and a dog tag, to the owner of the dog in respect of which the fee was paid.
- c) Notwithstanding subsection 13 a), where a person who has a disability and utilizes and owns a Service Dog, which is trained for disability assistance and utilized for that purpose and used by that person as a guide dog, there shall be no licensing fee payable by such owner under this bylaw.
- d) A dog tag issued under the authority of this bylaw shall be proof that the dog, in respect of which the dog tag was issued, is duly licensed for the calendar year for which the dog tag was issued, and every dog license issued under the authority of this bylaw shall expire and be of no further force or effect after December 31 of the year for which the dog tag was issued.
14. An owner of a dog shall:
- a) if the dog is or will be over the age of three months as of December 31st of any year, apply for and obtain a dog license for such dog for the following calendar year prior to February 1 of that following year,
- i) notwithstanding a violation tag has been issued in respect of a dog license that was or is expired, any dog license that is shown on the records of the Town to be expired as of February 2 of each year there will be added a \$25.00 service charge in addition to the licensing fee for that year,
- b) if the dog is not or will not be over the age of three months as of December 31st of any year, apply for and obtain a dog license for such dog on the first day when the Town Office is open for business after the dog becomes three months of age,
- c) notwithstanding any other provisions of this section, forthwith apply for and obtain a dog license if the dog is found “running at large” and no dog licensed in respect of the dog has previously been issued,
- d) in the year that the dog is acquired, apply for and obtain a dog license no later than 15 days from the date the dog is acquired or from the date that the dog reaches the age or three months, whichever date occurs first,



Corporation of the Town of Bow Island
Bylaw 2021:09
Animal Control

- e) pay the full amount of the annual licensing fee as stipulated in the Community Services Fee Bylaw, as amended from time to time, and/or including Dangerous dog License fees if the dog has been designated as such;
- f) provide the dog with a secure collar to which shall be securely affixed the dog tag obtained for such dog, and ensure that both the collar and the dog tag are worn by the dog at all times when the dog is not upon property, which the owner resides.
- g) this section as well as section 9 and 10, shall not apply to:
 - i) any person holding a valid license to operate a retail pet sales business within the Town, or
 - ii) owner of an animal just visiting the town, but for no longer than 7 consecutive days, or
 - iii) a disabled person, in possession of an identification card, proving ownership of a service dog for their use.

15.

- a) In addition to sections 13 and 14 of this bylaw, a dog owner shall:
 - i) if they keep or harbor more than two dogs aged three months or more, apply for and obtain a “multi-dog license”, as prescribed in schedule “B” of this bylaw or as prescribed from time to time by regular motion of council, and
 - ii) Pay the full amount of the annual “multi-dog license” fee as stipulated in the Community Services Fee Bylaw.
 - iii) No person shall be allowed to harbor more than 2 dogs within the Town without first acquiring written approval from Council, notwithstanding they have already paid the licensing fees laid out in section 13.
- b) The Enforcement Officer in charge of enforcing the provisions of this bylaw may refuse purchase of or revoke a “multi-dog license”.
- c) The license referred to in section 15 a) shall expire and be of no further force or effect after December 31st of the year for which the license was issued; all the provisions of section 13, of this bylaw, shall apply to this section with all the applicable modifications.

16.

- a) If a dog tag is lost or destroyed, and town records show a license issued for current licensing year, a replacement dog tag may be issued by the Administration Staff at the Town Office without the owner of the dog incurring any further costs.
- b) No person shall affix or permit to be affixed to a dog’s collar a dog tag, which has been issued in respect of another dog.
- c) No refund shall be made of any dog licensing fee for any reason whatsoever.

CATS

17.

- a) No person shall keep, or harbor more than three (3) cats aged six (6) months or more, but this subsection shall not apply to premises lawfully used for the care, maintenance or treatment of cats operated by and in charge of a licensed



Corporation of the Town of Bow Island
Bylaw 2021:09
Animal Control

veterinarian or a licensed cat grooming or cat breeding business; or, to any premises lawfully used for the purpose of a cat show.

- b) No person shall do anything or omit doing anything where such act or omission has or may have the effect of causing or permitting the running at large of a cat within the Town.
- c) No person shall do anything or omit doing anything where such act or omission has or may have the effect of harming, teasing, tormenting, or annoying a cat.
- d) The Enforcement Officer may obtain from a Provincial Court Judge a warrant to search within or upon any property, upon satisfying the Provincial Court Judge by Affidavit under oath there are reasonable and probable grounds to believe there has occurred or is occurring upon such property a contravention of the provisions of this bylaw. If, upon conducting such search, it appears that there is a contravention of this bylaw occurring upon laying a charge under this Bylaw the person conducting the search may forthwith remove from the property and impound as evidence for trial, any number of animals in excess of the maximum number permitted under this bylaw.
- e) The provisions of the Criminal Code (Canada) respecting search warrants apply, with all necessary modifications, to this section.
- f) Unless in exigent circumstances, residents who privately trap cats or accept strays into their care, are responsible for transporting the cat(s) to an adoption or rescue facility on their own. The Enforcement Officer will accept and handle specific cases of cats' dependent on discretion by the Enforcement officer.

Part 2- Impounded Animals

18. An owner of an impounded animal may reclaim the animal upon payment to the Town of an amount equal to:
- a) the total of all impoundment fees as set out in the Community Service Fees Bylaw and
 - b) any veterinary expenses incurred by the Town in respect of the animal during the period of impoundment (if warranted), and
 - c) any licensing fees payable under this bylaw at the time the animal is reclaimed.
 - d) If applicable, any overtime call out fees related to reclaiming the animal after regular business hours.

The Enforcement Officer may require an owner, who reclaims an animal from the Pound, to provide a receipt for the payment of all outstanding fees in respect of the animals impoundment before the owner can take possession of the animal from the pound. All pound fees may or may not be issued under the discretion of the Enforcement Officer.

- 19.
- a) The Enforcement Officer shall make every effort to determine the ownership of the animal.
 - b) When an animal has been in the Pound for 72 hours, or more, and the owner of the animal has not reclaimed the animal in accordance with section 14 of this bylaw, the Town may:



Corporation of the Town of Bow Island
Bylaw 2021:09
Animal Control

- i) Rehome the animal,
 - ii) offer the animal for adoption at the price stipulated for purchase of an animal in the Community Services Fee bylaw,
 - iii) transport the animal to a veterinarian or rescue society to be humanely euthanized,
 - iv) retain the animal in the pound for such further period as the Enforcement Officer may think advisable under the circumstances.
 - v) For this bylaw the time frame for the 72 hours impound will start at 8:00am the day after the impoundment of the animal and will include Saturday, Sunday or Statutory Holidays.
- c) When an animal is euthanized, pursuant to subsection (1), the owner of the animal (if known) shall be liable for the costs, if any, incurred by the Town to impound and destroy the animal. The Town will supply the owner of the animal (if known) an invoice in relation to the euthanization process of the animal, which will be due within 30 days after the invoice has been received by the owner, said bill is a debt owed to the Town and will be collected as such.
- d) Where the owner of an impounded animal has advised the Town Administration Staff that they have no further interest in the animal, the Town may take the animal to be euthanized, adopt out the animal, notwithstanding that the animal may then have been in the pound less than 72 hours.
- e) The Town shall not adopt out any impounded animal:
- i) to a resident of the Town, unless at the time of purchasing the animal that person fulfills all licensing requirements under this bylaw including payment of the annual licensing fee prescribed in the Community Services Fee Bylaw, or
 - ii) to any other person, unless that person furnishes proof to the satisfaction of the Town Administration Staff that he is not a resident of the Town and that the animal will be kept outside the Town, or
 - iii) to the person who owned the animal prior to the impoundment.
- f) Upon sale of an animal in accordance with the provisions of this bylaw, the person purchasing the animal shall be conclusively deemed the owner and all claims or rights of ownership of any other person are extinguished by and at the time of the sale.
- g) Notwithstanding any other provision of this section, no animal impounded as evidence pursuant to any provisions of this bylaw shall be adopted or euthanized until the judicial proceedings associated therewith have been determined.

Part 3- Dangerous Dogs

20. Every owner of a dangerous dog will purchase a license in relation to that dog, as set out in the Community Services Fee Bylaw, and
- a) any owner who has purchased a license for a dog, which was not classified as a dangerous dog prior to the passing of this bylaw, will forthwith purchase a license for a dangerous dog pursuant to the Community Services Fee Bylaw, and



Corporation of the Town of Bow Island
Bylaw 2021:09
Animal Control

- c) an owner of a dangerous dog must always ensure that licensing requirements are valid, any owner that fails to do so is guilty of an offence.
 - d) an owner of a dangerous dog will have the opportunity to present an appeal to the Bylaw Committee prior to an animal being classified as a dangerous dog.
 - e) if the owner of the dangerous dog would like to appeal the decision of the Bylaw Committee it will then go to Council for final decision.
21. An owner of a dangerous dog, whose dog is at any time found running at large, in the Town, is guilty of an offence.
22. Every owner of a dangerous dog shall:
- a) Ensure that the dog, while on private property, is kept either securely confined indoors, or in a securely enclosed and locked pen, structure, or compound, which;
 - i) can prevent the entry of young children and preventing the dog from escaping,
 - ii) has minimum dimensions of five by ten feet,
 - iii) has secure sides,
 - iv) provides protection from injurious heat or cold for the dog.
 - b) not permit the dog upon public property unless it is muzzled, restrained by a chain or leash not exceeding six feet in length and under the control of a person over the age of 18,
 - c) display at each entrance to the property and/or building of which the dog is kept, signs warning of a "Dangerous Dog Contained Within",
 - d) in the event of selling or giving away a dangerous dog provide the Town with the name, address, and telephone number of the new owner within two business days of selling or giving away the dog,
 - e) in the event of the death of a dangerous dog advise the Town within two business days of the death of the dog,
 - f) inform the Town forthwith if the dangerous dog is loose, has bitten or attacked any person or animal, and
 - g) Maintain, in force, a comprehensive general liability insurance policy including coverage for damage or injury caused by his dog with a minimum limit liability of \$300, 000.00 per occurrence.

Part 4- Prohibitions Against Causing Distress

23. No Person shall cause or permit an animal of which the person is the owner or the person in charge of the animal to be or to continue to be in distress.
24. No person shall do anything or omit doing anything that causes an animal to be in distress.
25. A person who owns or oversees an animal:
- a) must ensure that the animal has adequate food and water,



Corporation of the Town of Bow Island
Bylaw 2021:09
Animal Control

- b) must provide the animal with adequate care when the animal is wounded or ill,
- c) must provide the animal with reasonable protection from injurious heat or cold,
- d) must provide the animal with adequate shelter, ventilation, and space.

Powers of a Bylaw officer if an animal is in distress and

- i) The owner or person in charge of the animal does not forthwith take steps that will relieve its distress, or
- ii) An Enforcement Officer is of the opinion, on reasonable and probable grounds, that the owner or person in charge of the animal is not likely to ensure that the animal's distress will continue to be relieved, or
- iii) The owner or person in charge of the animal cannot be found immediately and informed of the animal's distress.

An Enforcement Officer may, take any action the officer considers necessary to relieve the animals distress, including taking custody of the animal and arranging for transportation, food, water, care, shelter and veterinary treatment for the animal, if necessary.

Anyone who fails, in the opinion of an Enforcement Officer, to meet the said standard of care set out in this section is guilty of an offence.

This section does not apply if the distress results from an activity carried on in accordance with the regulations or in accordance with reasonable and generally accepted practices of animal care, management, husbandry, hunting, fishing, trapping, pest control or slaughter.

PART 5- EMOTIONAL SUPPORT ANIMALS

26. Any Person that keeps such animals as a 'support animal', the owner must provide the following documentation:
- a) a letter from a Canadian Authority qualifying the animal as an emotional support animal; and
 - b) a letter from a licensed Medical Doctor indicating the individuals need for an emotional support animal;
 - c) in a case where an emotional support animal is not a typical domesticated pet such as a dog or cat the following additional requirements must be met:
 - i) The animal must be approved by the Town, as well as comply with any other bylaw in force within the Town;
 - ii) no owner shall allow or permit the animal to be at large or to trespass on public or private property, apart from on the private premises of the owner;
 - iii) the support animal must be licensed annually, and the tag must be worn by the animal or with the owner at all times the animal is outdoors excluding private premises;
 - iv) The owner shall provide health documentation from a licensed accredited veterinarian annually,
 - v) the support animal must be inoculated annually, which includes all required vaccinations as prescribed by a licensed accredited veterinarian;
 - vi) the residence where the support animal resides must have adequate fencing, and the fencing shall be approved by the Town of Bow Island as a condition of approval for licensing;
 - vii) in the case of a pot-bellied pig, tusks must be kept filed to an appropriate length to ensure public safety, as determined by a trained certified professional; and



Corporation of the Town of Bow Island
Bylaw 2021:09
Animal Control

viii) if the support animal creates a nuisance by way of odor or noise, or causes the premises to become unsightly, or has become detrimental to the amenities or enjoyment of the neighborhood, the Town shall have the option to revoke the License at any time, and the animal shall be removed within 72 hours of notice being given to the owner.

- d) There shall be no License required for a documented Service Dog; and
- e) This Bylaw shall not apply to a Royal Canadian Mounted Police Dog while the Dog is in active service.

PART 6- POWERS OF A BYLAW OFFICER

- 27. The Town shall maintain a facility of such size and design and in such location as the Town Council may from time to time direct, for the purpose of impounding animals pursuant to the provisions of this or any other bylaw of the Town and such facility shall be designated as the Pound.
- 28. The Town may employ as many designated employees such as interim bylaw officers in connection with the operation of the Pound, and the carrying out and enforcement of the provisions of this bylaw, as the Town Council considers necessary or expedient.
- 29. The Enforcement Officer shall act as the Pound Keeper and shall report directly to and be under the authority and supervision of the CAO.
- 30. An Enforcement Officer may capture and impound any animal, which:
 - a) in respect of which there are reasonable and probable grounds to believe that an offence under this bylaw is being committed or has been committed, or
 - b) which is required or permitted to be impounded pursuant to the provisions of any statute of Canada, or of the Province of Alberta or any regulation made hereunder.
- 31. An Enforcement Officer may enter upon the land surrounding any building for the purpose of pursuing any animal, which has been observed running at large.
- 32. An Enforcement Officer may determine, with discretion, whether an animal is required to be collected and placed in the Pound, based on circumstances and the situation surrounding the animal at large.
- 33. The Enforcement Officer may make available to the public a cat trap, as determined by discretion and circumstances, providing the following provisions are adhered to.
 - a) The Town may charge a person who borrows the trap up to \$50.00 for any damage to the trap while being loaned, reasonable wear and tear expected.
 - b) The Enforcement Officer shall not lend a trap out when the temperature is expected to be below -5 Celsius at the time of lending the trap.
 - c) The person borrowing the trap shall be sure that no provisions of this bylaw being duty of care are contravened in the trapping of a cat.
- 34. An Enforcement Officer may obtain, from a Provincial Court Judge, a warrant to search within or upon any property; upon satisfying the Provincial Court Judge by Affidavit under oath that there are reasonable and probable grounds to believe that there has occurred or is occurring within or upon such property a contravention of the provisions



Corporation of the Town of Bow Island
Bylaw 2021:09
Animal Control

of this bylaw. If, upon conducting such search, it appears that a number of animals in excess of the maximum number permitted under section 12(c) is being kept or harbored upon such property, then upon laying a charge under this bylaw the Enforcement Officer, concluding the search, may document and record for the purpose of records any evidence or materials for trial or prosecution.

35. The provisions of the Criminal Code, being C-34 RSC, 1985 and amendments thereto, respecting search warrants apply, with all necessary modifications to this section.
36. No person shall do anything or omit doing anything where such act or omission has or may have the effect of obstructing, hindering or impeding an Enforcement Officer from doing anything in furtherance of the carrying out or enforcement of any provision of this bylaw.

PART 7- PENALTIES

37.
 - a) Where an Enforcement Officer has reasonable and probable grounds to believe that any person has contravened any provision of this bylaw, he may serve upon such person a written violation tag either personally or by mailing the said violation tag to the person in respect of which it is issued, addressed to the last known address of the person, and service of the violation tag as provided for in this section shall be deemed adequate for the purpose of this bylaw. The violation tag referred to in this section shall allow for the voluntary payment of a penalty, to the Town, in lieu of prosecution for the offence. The amount of the voluntary penalty shall be prescribed in Schedule "A" of this bylaw.
 - b) A violation tag issued pursuant to the provisions of subsection (1) shall be in the form prescribed from time to time by Town Council or their agent.
38.
 - a) Notwithstanding the provisions of section 27 of this bylaw, pursuant to the provisions of the *Provincial Offence Procedures Act*, where an Enforcement Officer believes that a person has contravened any provision of this bylaw, provided such provision is listed in Schedule "A", he may commence proceedings under Part 2 of the *Provincial Offence Procedure Act*.
 - b) Nothing in this section shall:
 - i) prevent a person from exercising the right to defend any charge for committing a breach of any provision of this bylaw, or
 - ii) prevent an Enforcement Officer from laying an information or complaint in lieu of serving a violation ticket or commencing proceedings under Part 2 of the *Provincial Offence Procedure Act*.
39.
 - a) A person who contravenes any provision of this bylaw is guilty of an offence and liable upon summary conviction to pay a fine of not less than seventy five (75.00) and not more than two thousand five hundred dollars (\$2500.00) or in default of payment to imprisonment for a period not exceeding six months.
 - b) Payment of any fine or imprisonment for any period of time, pursuant to the provisions of this bylaw, shall not relieve any person from the obligation to pay any fees, charges or costs for which that person is liable.
 - c) Payment of any fine or imprisonment for any period as provided for in this bylaw shall not relieve any person from any civil liability whatsoever, which may arise by reason of that person's contravention of any provision of this bylaw.



Corporation of the Town of Bow Island
Bylaw 2021:09
Animal Control

- 40. In this bylaw the singular may be read as though the plural were expressed and the masculine gender may be read as though the feminine or neuter was expressed, wherever the context is applicable.
- 41. It is the intention of Council that each separate provision of this bylaw shall be deemed independent of all other provision, and it is further the intention of the Council that if any provisions of this bylaw be declared invalid for any reason by a Court of competent jurisdiction, then all other provisions of this bylaw shall remain valid and enforceable.
- 42. The documents attached hereto and marked Schedules “A”, and “B” are hereby incorporated into and form part of this bylaw.
- 43. Bylaw 2018:03 and Bylaw 2015:10 of the Town of Bow Island are hereby repealed.

Read a first time this 14th day of June, 2021.

Read a second time this 14th day of June, 2021.

Read a third time and finally passed this 28 day of June, 2021.

MAYOR

Date: _____

CAO

Date: _____



Corporation of the Town of Bow Island
Bylaw 2021:09
Animal Control
SCHEDULE "A"

AMOUNTS WHICH WILL BE ACCEPTED, BY THE TOWN, IN LIEU OF PROSECUTION:

Offence	Section	1 st offence	2 nd offence
Prohibitions in sections i) through vi) inclusive	3	\$75.00	\$100.00
Allowing the running at large of a dog	4	\$75.00	\$100.00
leaving a dog in a motor vehicle not restrained from coming in contact with a person or animal	5	\$75.00	\$100.00
Leaving a dog in a vehicle with improper ventilation	6	\$100.00	\$200.00
Failing to comply with order of bylaw enforcement officer in regards to a "Nuisance Dog"	7(b)	\$125.00	\$250.00
Fail to clean up defecated matter	8	\$125.00	\$250.00
Fail to keep the property "clean and tidy"	9	\$75.00	\$150.00
Fail to comply with licensing requirements	11	\$125.00	\$250.00
Keep or harbor excessive number of dogs	12(a)(iii)	\$175.00	\$300.00
Improper use of dog tag	13(b)	\$75.00	\$150.00
Fail to comply with licensing requirements of a dangerous dog	16(c)	\$250.00	\$500.00
Allow running at large of dangerous dog	17	\$150.00	\$300.00
Prohibitions in sections a) through g) inclusive	18	\$225.00	\$400.00
Obstruction of enforcement officer	26	\$250.00	\$500.00

NOTE: Upon the commission of at third or subsequent offence, in a calendar year, the voluntary penalty for a breach of any provision of this bylaw shall be double the amount in the second offence section of schedule "A" of this bylaw.



**Corporation of the Town of Bow Island
Bylaw 2021:09
Animal Control
Schedule "B"
BYLAW NO. 2011-04
TOWN OF BOW ISLAND**

Multi Dog License No. _____

This is to certify, _____, has this day paid the sum of twenty-five (\$25. 00) dollars for a "Multi Dog License" pursuant to section 12(a)(i) of the bylaw. Said license is in force until the 31st day of December 20____, unless sooner revoked by the officer in charge of the Municipal Enforcement Department of the Town.

This license is issued on the following conditions:

1. All provisions of the Animal Control Bylaw, being Bylaw #2021-09 must be complied with.

2. _____

3. _____

Issued this ___ day of _____, 20____ A.D.

Municipal Enforcement Department