



Date of Consolidation: June 19, 2023

Consolidation of Bylaw No. 991, 2017

Municipality of Crowsnest Pass

Animal Control Bylaw

Adoption September 19, 2017

As Amended By:

Bylaw No. 1140, 2023 adopted April 25, 2023

This Consolidation is not an Official Bylaw. It is prepared by the Chief Administrator's Office for assistance only.

Copies of the Official Bylaw(s) may be purchased from the Municipal Office.

This Consolidated Bylaw was authorized pursuant to Bylaw 1009, 2018 CAO Bylaw.

MUNICIPALITY OF CROWSNEST PASS

BYLAW 991, 2017

BEING A BYLAW OF THE MUNICIPALITY OF CROWSNEST PASS IN THE PROVINCE OF ALBERTA TO REGULATE AND CONTROL DOMESTIC ANIMALS WITHIN THE MUNICIPALITY

WHEREAS, pursuant to section 7(a) of the Municipal Government Act, a Council may pass bylaws for municipal purposes respecting the safety, health and welfare of people and the protection of people and property; and

WHEREAS, pursuant to section 7(h) of the Municipal Government Act, a Council may pass bylaws for municipal purposes respecting domestic animals and activities in relation to them; and

WHEREAS, pursuant to section 8 of the Municipal Government Act, a Council may in a bylaw:

- (a) regulate or prohibit; and
- (b) provide for a system of licenses and permits or approvals for any or all of the matters listed therein;

NOW THEREFORE, the Municipality of Crowsnest Pass in the Province of Alberta hereby enacts as follows:

Interpretation

This bylaw may be cited as the "Animal Control Bylaw".

Definitions

"Animal" means any bird, reptile, amphibian or mammal excluding humans and wildlife;

"Animal Protection Act" shall mean the Animal Protection Act as amended and as contained in Chapter A-41 RSA 2000 of the Revised Statutes of Alberta, and regulations therein.

"Animal Shelter" shall mean the premises designated by the Municipality for the purpose of impoundment and caring for all dogs and cats found to be contravening any section of this bylaw;

"Animal Shelter Keeper" shall mean a person appointed by the CAO of the Municipality of Crowsnest Pass or by the agreement with another municipality or private business for the maintaining of the designated pound or pounds.

"Attack" means an assault resulting in bleeding, bone breakage, sprains, serious bruising, or multiple injuries;

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"Bite" means wound to the skin causing it to bruise, puncture, or break;

"CAO" or "Chief Administrative Officer" means the Chief Administrative Officer of the Municipality of Crowsnest Pass;

"Cat" shall mean any domesticated male or female member of the feline family;

"Cemetery" means land within the Municipality that is set apart or used as a place for the burial of dead human bodies or other human remains or in which dead human bodies or other human remains are buried;

"Communicable Diseases" means diseases which can be passed from animal to animal and zoonotic diseases

"Council" shall mean the duly elected municipal Council of the Municipality of Crowsnest Pass;

"Dangerous Dogs Act" shall mean the Dangerous Dogs Act as amended and as contained in Chapter D-3 of the Revised Statutes of Alberta, 2000, and regulations therein "Dog" shall mean male and female species of the canine family;

"Dog" shall mean any domesticated male or female member of the canine family;

"Domestic Animal" shall mean a domesticated animal that lives and breeds in a tame condition and, without restricting the generality of the foregoing, shall, include a dog, a cat, a rabbit, and a ferret and shall not include Livestock or Wildlife.

"Former Owner" means the person who at the time of impoundment was the owner of an animal which has subsequently been sold or destroyed;

"Golf Course" means land which is set aside for the playing of the game of golf and upon which the game of golf is played;

"Immunization" shall mean vaccinations against rabies, distemper, hepatitis, parvovirus, para influenza, leptospirosis (DHPPL);

"Impounded" shall mean taken into the custody of the SPCA as designated by the Chief Administrative Officer;

"Justice" has the meaning as defined in the Provincial Offences Procedure Act R.S.A 2000, c.P-34, as amended or replaced from time to time;

"Kennel" shall mean an establishment run by any person, group of persons, or corporation engaged in the business of breeding, buying, selling, training or boarding of animals of any kind;

"Leash" means a chain or other material capable of restraining the animal on which it is being used;

"License" shall mean the metal or other fabricated medallion issued by the Municipality of Crowsnest Pass upon payment of the current fees as ascribed by this bylaw;

"License Officer" shall mean any person or persons designated by the CAO with the responsibility of issuing dog and cat licenses;

"Livestock" includes, but is not limited to:

- (a) a horse, mule, ass, swine, emu, ostrich, camel, llama, alpaca, sheep or goat,
- (b) domestically reared or kept deer, reindeer, moose, elk, or bison,
- (c) farm bred fur bearing animals including foxes or mink,
- (d) animals of the bovine species,
- (e) animals of the avian species including chickens, turkeys, ducks, geese, or pheasants, and
- (f) all other animals that are kept for agricultural purposes, but does not include cats, dogs or other domesticated household pets;

"Manager" means the Manager of Protective Services in the Municipality of Crowsnest Pass;

"Motor Vehicle" has the meaning defined in the Traffic Safety Act, RSA 2000, c T-6, as amended or replaced from time to time;

"Municipality" means the Municipality of Crowsnest Pass;

"Muzzle" means a device of sufficient strength placed over an animal's mouth to prevent it from biting;

"Nuisance Animal" means an animal declared to be a Nuisance Animal by the Manager of Protective Services in accordance with Section 5.0.0;

"Off-Leash Area" means an area designated by the Municipality, where dogs are permitted to run off-leash, or designated areas where organized and controlled dog events may be held by causing signs to be posted in such areas indicating such designations;

"Owner" means any natural person or body corporate:

- (a) who is the licensed owner of the animal;
- (b) who has legal title to the animal;
- (c) who has possession or custody of the animal, either temporarily or permanently;

- (d) who harbors the animal, or allows the animal to remain on his premises;
- (e) A person to whom a License Tag was issued for an animal in accordance with the Fees, Rates, and Charges Bylaw.

"Park" means a public space controlled by the Municipality and set aside as a Park to be used by the public for rest, recreation, exercise, pleasure, amusement, and enjoyment and includes:

- (a) School Ground;
- (b) Cemeteries;
- (c) Natural areas;
- (d) Sports Fields;
- (e) Pathways;
- (f) Trails;
- (g) Park roadways and
- (h) Spray park and
- (i) Wading or Swimming Area

but does not include golf courses or any off-leash area.

"Pathway" means a multi-purpose thoroughfare controlled by the Municipality and set aside for use by pedestrians, cyclists and persons using wheeled conveyances, which is improved by asphalt, concrete or brick, whether or not it is located in a park, and includes any bridge or structure with which it is contiguous;

"Peace Officer" shall mean any RCMP, Community Peace Officer or Bylaw Enforcement Officer as appointed by the resolution of Council;

"Provincial Court" means the Provincial Court of Alberta;

"Provincial Offences Procedure Act" shall mean the Provincial Offences Procedure Act, being Chapter P-34 of the Statutes of Alberta, 2000 as amended.

"Public Property" means all property owned by or under the control and management of the Municipality;

"Running at Large" means:

- (a) an animal or animals which are not under the control of a person responsible by means of a Leash and is or are actually upon property other than the property in respect of which the owner of the animal or animals has the right of occupation, or upon any highway, thoroughfare, street, road, trail, avenue, parkway, lane, alley, square, bridge, causeway, trestle way, sidewalk (including the boulevard portion of the sidewalk), park or other public place which has not been designated as an Off-Leash Area by Council

"Service Dog" has the meaning as defined in the Service Dogs Act, S.A 2007, C.S-7.5, as amended or replaced from time to time;

"Severe Injury" includes any injury resulting in broken bone or bones, disfiguring lacerations, sutures, cosmetic surgery, scars, and further includes any other injury as determined to be severe by a Court upon hearing the evidence;

"Sports Field" means land within the Municipality and controlled by the Municipality which is set apart and used for the playing of sport including, but not limited to, baseball diamonds, field hockey or cricket pitches, and rugby, soccer or football fields;

"SPCA" means the Society for the Prevention of Cruelty to Animals.

"Stray Animal Act" shall mean the Stray Animal Act as amended and as contained in Chapter S-20 RSA 2000 of the Revised Statutes of Alberta, and regulations therein;

"Threatening behavior" means the following behaviors exhibited by a dog, without provocation:

- (a) growling, snapping at, lunging at, chasing, stalking, attacking or biting another animal, livestock or wildlife, or a bicycle, automobile or other vehicle being operated, unless the dog is a working stock dog and is engaged in the performance of such work;

"Vicious Animal" means any animal, whatever its age, whether on public or private property, which has:

- (a) chased, injured or bitten any other animal or human,
- (b) damaged or destroyed any public or private property; or
- (c) threatened or created the reasonable apprehension of a threat to a human; and which, in the opinion of a Justice, presents a threat of serious harm to other animals or humans; or
- (d) been previously determined to be a Vicious Animal under this or any previous bylaw.

"Violation Ticket" shall have the meaning ascribed to it in the Provincial Offences Procedure Act.

"Wading or Swimming Area" means any area designated as an outdoor wading or swimming area. This shall include any decks surrounding such facility and shall include that area within twenty (20) meters in all directions of the outside dimensions of such unless the Park boundary is a lesser distance.

"Wildlife" has the meaning as defined in the Wildlife Act, R.S.A 2000, c.W-10, as amended or replaced from time to time.

"Wildlife Attractant" means any substance that could be reasonably expected to attract wildlife including but not limited to food products, domestic garbage, pet food, seed, restaurant grease, compost, a carcass or part of a carcass of an animal, fish or other meats, or fruit from fruit trees;

Section 1 - General Licenses for Dogs and Cats

- 1.1 No person shall own, keep, or harbor any dog or cat within the Municipal limits unless such a dog or cat is licensed as provided herein.
- 1.2 The holder of a dog or cat license must be eighteen (18) years of age.
- 1.3 Every owner of a dog or cat, over the age of three months, within the limits of the Municipality shall:
 - 1.3.1 obtain a license for such dog and cat on the first day on which the Crowsnest Pass Municipal Office is open for business after the dog becomes three (3) months of age;
 - 1.3.2 obtain a license on the first day on which the Crowsnest Pass Municipal Office is open for business after he/she becomes owner of the dog;
 - 1.3.3 obtain a license for a dog or cat notwithstanding that it is under the age of three months, where the dog is found to be running at large;
- 1.4 Dog and cat owners shall provide the Municipality with the following information with each application for a dog or cat license:
 - 1.4.1 name, street address and telephone number of owner;
 - 1.4.2 where the owner is a body corporate, the name, address and telephone number of the natural person responsible for the cat, dog or Vicious Animal;
 - 1.4.3 a description of the cat, dog, or Vicious Animal including breed, name, gender and age;

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- 1.4.4 Proof of insurance coverage, in a form acceptable to the Municipality, for a Vicious Dog;
- 1.4.5 any additional information reasonably requested by the Municipality.
- 1.5 Licenses issued under this bylaw shall not be transferable from one dog or cat to another. No refund shall be made on any paid-up dog or cat license fee because of death or sale of the dog or cat or upon the owner leaving the Municipality of Crowsnest Pass before expiration of the license.
- 1.6 Every owner shall ensure that the license is securely fastened to a choke chain, collar, or harness, this must be worn by the dog, or cat at all times that the dog or cat is off the owner's property. If the tag becomes lost, the owner of a dog or cat shall obtain a replacement license.
- 1.7 License fees shall be those listed in Schedule A.
- 1.8 No person shall give false information when applying for a license pursuant to this bylaw.
- 1.9 An owner shall forthwith notify the Crowsnest Pass Municipal Office of any change with respect to any information provided in an application for a license under this bylaw.
- 1.10 The Municipality may refuse to issue a License unless it is satisfied.

Section 2 - Vicious Animals – Licensing

- 2.1 No person shall own or keep any Vicious Animal within the town unless such Vicious Animal is licensed as provided in this bylaw.
- 2.2 The holder of a license for a Vicious Animal must be eighteen (18) years of age or older.
- 2.3 The owner of a Vicious Animal shall ensure that the animal wears the current license purchased for that animal, when the animal is off the property of the owner.
- 2.4 The owner of a Vicious Animal shall obtain an annual license for such Vicious Animal at such times and in the manner as specified as per the following:
 - 2.4.1 Subject to the provisions of subsection 2.4.2 obtain a license for such Vicious Animal on the first day on which the Crowsnest Pass Municipal Office is open for business after the animal has been declared as vicious;
 - 2.4.2 Obtain a license on the first day on which the Crowsnest Pass Municipal Office is open for business after he/she becomes owner of the Vicious animal;

- 2.4.3 Obtain an annual license for the vicious animal on the day specified by the Community Peace Officer each year.
- 2.5 An owner shall provide proof of a policy of liability insurance in a form satisfactory to the Community Peace Officer providing third party liability coverage in a minimum amount of \$500,000.00 for injuries caused by the owner's Vicious Animal. The liability policy shall contain a provision requiring the insurer to immediately notify the Municipality in writing should the policy expire or be cancelled or terminated. Upon cancellation, expiry or termination of the liability policy, the Vicious Animal license is null and void.
- 2.6 The owner of a Vicious Animal shall:
 - 2.6.1 Forthwith notify the Community Peace Officer should the Vicious Animal be sold, gifted, or transferred to another person or die; and
 - 2.6.2 Remain liable for the actions of the Vicious Animal until formal notification of sale, gift or transfer is given to the Community Peace Officer.

Section 3 - Vicious Animals — Hearing and Orders

- 3.1 Upon demand by a Community Peace Officer, an owner of a dog alleged to be a Vicious Animal shall surrender the dog to the Community Peace Officer whereupon the Community Peace Officer shall deliver the dog to the Animal Shelter where the animal shall be held pending the outcome of the hearing, Vicious Animal Hearing and any appeals.
- 3.2 The owner of an animal alleged to be a Vicious Animal shall be provided Notice of a Hearing for determination by the Provincial Court ten (10) clear days before the date of the hearing.
- 3.3 Upon hearing the evidence, the Justice shall make an order in a summary way declaring the animal as a Vicious Animal if in the opinion of the Justice:
 - a) the animal has caused severe physical injury to a person, whether on public or private property; or
 - b) The animal has, while off its owner's property, caused the death of an animal.
- 3.4 Upon hearing the evidence, the Justice may make an order declaring the animal as a Vicious Animal or ordering the animal destroyed, or both, if in the opinion of the Justice the animal is likely to cause serious damage or injury, considering the following factors:
 - 3.4.1 Whether the animal has chased any person or animal;
 - 3.4.2 Whether the animal has attempted to bite, or has bitten any persons or animal;
 - 3.4.3 Whether the animal has wounded, attacked or injured any person or animal;

- 3.4.4 The circumstances surrounding any previous biting, attacking, or wounding incidents; and
 - 3.4.5 Whether the animal, when unprovoked, has shown a tendency to pursue, chase or approach in a menacing fashion persons upon the street, sidewalk or any public or private property.
 - 3.4.6 The order of a Justice declaring an animal vicious shall embody all of the requirements in Sections 2, 3, and 4.
- 3.5 In addition to the remedies set forth in this bylaw, if the Community Peace Officer determines that a Vicious Animal is not being kept in accordance with this bylaw, the Community Peace Officer may make complaint pursuant to the Dangerous Dogs Act for an order directing the dog be controlled or destroyed.
- 3.6 The owner of a Vicious Animal shall, within 10 days of the date of the order declaring the animal to be vicious, display a sign as attached in Schedule G, to the entrance of the owner's property and pen or other structure in which the animal is confined stating "VIOUS ANIMAL".
- 3.7 A sign required by subsection 3.6 shall be posted to be clearly visible and capable of being seen by any person accessing the premises.
- 3.8 A Justice, after convicting an owner of an offense 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:
- 3.8.1 That the owner prevents the animal from doing mischief or causing a disturbance or nuisance complained of;
 - 3.8.2 That the animal is a Vicious Animal;
 - 3.8.3 That the animal be destroyed; or
 - 3.8.4 That the owner be prohibited from owning any animal for a specified period of time; or
 - 3.8.5 Make such other order, direction or declaration that in the opinion of the Justice is necessary to protect the public from the animal.
- 3.9 A Vicious Animal order pursuant to this bylaw continues to apply if the animal is sold, given or transferred to a new owner.

Section 4 - Responsibility of Owner of Vicious Animal

- 4.1 No owner of a Vicious Animal shall permit the animal to be in an off-leash area at any time.

4.2 The owner of a Vicious Animal shall:

- 4.2.1 notify the Community Peace Officer should the animal be sold, gifted, or transferred to another person or die; and
- 4.2.2 remain liable for the actions of the animal until formal notification of sale, gift or transfer is given to the Community Peace Officer.

4.3 The owner of a vicious animal shall ensure that such animal does not:

- 4.3.1 chase a person or other animals;
- 4.3.2 injure a person or other animals;
- 4.3.3 bite a person or other animals; or
- 4.3.4 attack a person or other animals.

4.4 The owner of a vicious animal shall ensure that such animal does not damage or destroy public or private property.

4.5 The owner of a vicious animal shall notify the Municipality of Crowsnest Pass Enforcement Services if the animal is running at large.

4.6 The owner of a Vicious Animal shall ensure that when off the property of the owner, such animal is securely:

- 4.6.1 muzzled;
- 4.6.2 harnessed or leashed on a lead which length shall not exceed one (1) metre in a manner that prevents it from chasing, injuring or biting other animals or humans as well as preventing damage to public or private property; and
- 4.6.3 under the control of a person over the age of eighteen (18) years.

4.7 The owner of a Vicious Animal shall ensure that when such Vicious Animal is on the property of the owner such Vicious Animal is:

- 4.7.1 confined indoors and under the control of a person eighteen (18) years of age or older; or
- 4.7.2 when such Vicious Animal is outdoors, such Vicious Animal is in a locked pen or other structure, constructed pursuant to Section 4.8 in order to prevent the escape of the Vicious Animal, and capable of preventing the entry of any person not in control of the Vicious Animal.

4.8 The owner of a Vicious Animal shall ensure that the locked pen or other structure:

- 4.8.1 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;
- 4.8.2 Shall provide the Vicious Animal with shelter from the elements;
- 4.8.3 Shall be of the minimum dimensions of one and one-half (1.5) meters by three (3) meters and be a minimum one and one half (1.5) meters in height; and
- 4.8.4 Shall not be within one (1) meter of the property line or within five (5) meters of a neighboring dwelling unit.

Section 5 - Nuisance Animals

- 5.1 A Peace Officer may declare an animal to be a nuisance animal.
- 5.2 In declaring an animal to be a nuisance animal, the Peace Officer shall have regard to all previously recorded history involving the animal, including whether the animal has been found in contravention of the bylaw more than once.
- 5.3 A Community Peace Officer may apply such conditions on the owner and animal as deemed appropriate to eliminate the nuisance.
- 5.4 The declaration of an animal as a nuisance animal shall be reviewed annually by the Community Peace Officer and may be continued with or without conditions, or revoked.
- 5.5 The owner of a nuisance animal has all the same responsibilities as per Section 1, 6, 7 and 8 however amended fines and penalties under Schedule A, B and C for nuisance animals apply.
- 5.6 Any owner who has been informed that the animal has been determined to be a nuisance animal may appeal the determination to the Manager of Protective in writing, within fourteen (14) days of being notified that the animal has been determined to be a nuisance animal.

Section 6 - Animal Units

- 6.1 The keeping of dogs or cats in numbers greater than three dogs and two cats shall be considered operating a kennel. In such cases, the provisions of the current Land Use Bylaw and Business License Bylaw in force shall apply.

- 6.2 No person or persons shall keep or harbor more than three dogs or two cats aged three months or more at once at the same time in any house, shelter room or place within the Municipality.
- 6.3 Above sections shall not apply to premises lawfully used for the care and treatment of dogs or cats, operated and in the charge of a licensed veterinarian nor to any premises which, with the written permission of the CAO, may be temporarily used for the purpose of a dog show, nor to any person in possession of a valid Municipal business license to operate a kennel, pet store or dog grooming parlor within the town.
- 6.4 No person shall keep livestock in any area of the Municipality or Crowsnest Pass except where the keeping of livestock is allowed under the Municipality of Crowsnest Pass Land Use Bylaw.
- 6.5 For the purposes of this Section, "one animal/bird unit" equals the following:
- 6.5.1 1 horse, cow or bull, donkey or mule (over one year old), or
 - 6.5.2 2 colts up to one year old, or
 - 6.5.3 2 llamas, 3 alpaca or guanaco, or
 - 6.5.4 2 calves up to one year old, or
 - 6.5.5 1 elk, deer or buffalo
 - 6.5.6 2 elk, deer or buffalo calves up to one year old, or
 - 6.5.7 15 chickens, or
 - 6.5.8 10 ducks, turkeys, pheasants, geese or other similar fowl, or
 - 6.5.9 3 sheep, pigs, goats, or
 - 6.5.10 20 rabbits or other similar rodents, or
 - 6.5.11 2 ostriches, emus or other ratites.
- 6.6 On any residential or agricultural parcels between 0.81 hectare (2.0 acres) and 64.8 hectares (160 acres) in size, additional animal/bird units shall be allowed in accordance with the following:

Residential Parcel Size	Allowable Number of Animal/Bird Units
0.81 ha — 1.21 ha (2.0 — 2.99 ac)	1
1.22 ha — 1.61 ha (3.0 — 3.99 ac)	2
1.62 ha — 2.02 ha (4.0 — 4.99 ac)	3
2.03 ha — 2.42 ha (5.0 — 5.99 ac)	4
2.43 ha — 4.04 ha (6.00 — 6.99 ac)	5
4.05 ha or greater (10.0 ac plus)	5*
*plus — the number of animal/bird units permitted for that portion of a parcel in excess of 4.05 hectares (10.0 acres). Example: 5.26 ha (13.0 ac.) = 5+2=7 total animal/bird units	

6.7 No person shall keep in excess the allowable amount of animal/bird units.

6.8 No person shall allow livestock to run at large.

Section 7 - Responsibility of Dog and Cat Owner

7.1 The owner of a dog or cat shall ensure that such animal is not running at large.

7.2 The owner of a dog shall ensure that such dog is not at large in a park.

7.3 The owner of an animal shall ensure that such animal shall not:

7.3.1 Bite, chase, or stalk, animals, bicycles, automobiles, or other vehicles;

7.3.2 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;

7.3.3 Cause damage to property or other animals, whether on the property of the owner or not;

7.3.4 Do any act that injures a person or persons whether on the property of the owner or not;

7.3.5 Bite a person or persons, whether on the property of the owner or not;

7.3.6 Attack a person or persons, whether on the property of the owner or not;

7.3.7 Attack a person or persons, whether on the property of the owner or not, causing severe physical injury;

7.3.8 Repeatedly attack a person or persons, whether on the property of the owner or not, causing severe injury; or

7.3.9 Cause death to another animal.

7.4 No owner shall use or direct an animal to attack, chase, harass or threaten a person or animal.

7.5 The owner of a dog or cat shall take all necessary steps to ensure that such dog or cat does not upset any waste receptacles or scatter the contents thereof either in or about a street, lane, or other public property or in or about premises not belonging to or in the possession of the owner of the dog or cat.

7.6 No owner of any dog or cat shall permit such dog or cat to bark or howl excessively or in any other way or manner that disturbs the quiet of any person or persons.

- 7.7 If a dog or cat defecates on any public or private property other than the property of its owner, the owner shall cause such defecation to be removed immediately.
- 7.8 Where a Community Peace Officer receives a complaint of a nuisance caused by a cat, the Peace Officer may at his discretion during the period of March 1 to October 1 in a calendar year:
- 7.8.1 issue a trap to the complainant upon execution by the complainant of an agreement as set out in Schedule F of this bylaw.
- 7.9 The owner of a female dog or cat in heat shall, during the whole period that such dog or cat is in heat, keep such dog or cat confined and housed in the residence of said owner, or in a licensed kennel.
- 7.10 Where a female dog or cat in heat is confined and housed in the residence of its owner, such dog or cat shall be permitted outside the said residence for the sole purpose of permitting such dog or cat to defecate on the property of the residence of said owner.
- 7.11 The owner of a dog is guilty of an offence if he or she fails to carry a leash while with an animal in a designated off-leash area.
- 7.12 The owner of a dog in an off-leash area shall ensure that such dog is under control at all times.
- 7.13 If a dog that is deemed to be not under control a Peace Officer may:
- 7.13.1 order that a dog be put on a leash; and
- 7.13.2 order that a dog be removed from an off-leash area.
- 7.14 Whether a dog is under control is a question of fact to be determined by a court hearing a prosecution pursuant to this section of the bylaw, having taken into consideration any or all of the following:
- 7.14.1 Whether the dog is at such a distance from its owner so as to be incapable of responding to voice, sound or sight commands;
- 7.14.2 Whether the dog has responded to voice, sounds or sight commands from the owner;
- 7.14.3 Whether the dog has bitten, attacked, or done any act that injures a person or another animal
- 7.14.4 Whether the dog caused damage to property.

- 7.15 No person shall allow an animal other than a dog to enter or remain in an off-leash area.
- 7.16 The owner of an animal shall ensure that such animal does not enter or swim in any body of water within a park.
- 7.17 The owner of an animal shall ensure that such animal shall not be left unattended while tethered or tied on premises where the public has access, whether the access is express or implied.
- 7.18 The owner of an animal shall ensure that such animal shall not be left unsupervised while tethered or tied on private property.
- 7.19 The owner of an animal left unattended in a motor vehicle shall ensure:
- 7.19.1 The animal is restrained in a manner that prevents contact between the animal and any member of the public; and
 - 7.19.2 The animal has suitable ventilation.
- 7.20 The owner of an animal shall not leave an animal unattended in a motor vehicle if the weather conditions are not suitable for containment of an animal.
- 7.21 No person shall allow an animal to be outside of the passenger cab of a motor vehicle on a roadway, regardless of whether the motor vehicle is moving or parked.
- 7.22 Notwithstanding subsection 7.21 a person may allow an animal to be outside the passenger cab of a motor vehicle, including riding in the back of a pick-up truck or flatbed truck if the animal is:
- 7.22.1 in a fully enclosed trailer;
 - 7.22.2 in a canopy enclosing the bed area of a vehicle;
 - 7.22.3 contained in a ventilated kennel or similar device securely fastened to the bed of the vehicle; or
 - 7.22.4 securely tethered in such a manner that it is not standing on bare metal, cannot jump or be thrown from the vehicle, is not in danger of strangulation, and cannot reach beyond the outside edges of the vehicle.
- 7.23 The owner of a vehicle involved in an offence referred to in this section is guilty of the offence, unless that vehicle owner satisfies the court that the vehicle was:
- 7.23.1 not being driven or was not parked by the owner; and
 - 7.23.2 that the person driving or parking the vehicle at the time of the offence did so without the vehicle owner's express or implied consent.

Section 8 - Rabies and Communicable Disease Control

- 8.1 Upon demand made by the Community Peace Officer, an owner of an animal shall forthwith surrender any domestic animal which the Community Peace Officer has reasonable and probable grounds to suspect of having been exposed to rabies or any communicable diseases, for supervised quarantine which expense shall be borne by the owner, and the domestic animal may be reclaimed by the owner if adjudged free of rabies or any communicable disease upon payment of confinement expenses and upon compliance with the licensing provisions of this bylaw.
- 8.2 When a domestic animal under quarantine has been diagnosed as rabid, or suspected by a licensed veterinarian as being rabid, and dies while under such observation, the animal shelter keeper shall immediately send the head of such domestic animal to the appropriate health department for pathological examination and shall notify the public health officer at Capital Health of reports and human contacts and the diagnosis made of the suspected domestic animal.
- 8.3 During such period of rabies quarantine as herein mentioned, every domestic animal bitten by any animal adjudged to be rabid, shall be forthwith destroyed, or at the owner's expense and option, shall be treated for rabies infection by a licensed veterinarian or held under quarantine by the owner in the same manner as other domestic animals are quarantined.
- 8.4 The carcass of any dead animal exposed to rabies shall, upon demand, be surrendered to the animal shelter keeper.
- 8.5 A licensed veterinarian shall direct the destruction, disposal of remains or treatment of any domestic animal found to be infected with rabies.

Section 9 - Seizure and Impoundment of Cats and Dogs

- 9.1 A Peace Officer, upon complaint under this bylaw, may seize and impound;
 - 9.1.1 any dog or cat found running at large contrary to this bylaw in the Municipality of Crowsnest Pass.
 - 9.1.2 every dog which has bitten, or is alleged to have bitten a person or animal, pending the outcome of an application to declare the dog to be a vicious animal or to destroy the dog.
 - 9.1.3 every dog or cat not wearing a collar and license as required by this bylaw.

- 9.2 In enforcement of the jurisdiction provided in section 9.1.0 for the purpose of investigation only, a Community Peace Officer is hereby authorized to enter any privately-owned premises, provided that in this section the word "premises" does not include a building or buildings used as a dwelling house. A Community Peace Officer may enter a premise in order to preserve the safety and security of the public if deemed necessary. Premises include any outdoor lot visible from the street.
- 9.3 The animal shelter keeper shall keep all impounded dogs or cats for a period of at least 72 hours, including the day of impounding. During this period, any healthy dog or cat may be redeemed by its owner upon the owner paying to the Municipal Office the applicable fees, plus animal shelter fees as described in Schedule B for every 24-hour period that the animal has been impounded.
- 9.4 At the expiration of a 72-hour period, the animal shelter is authorized to:
- 9.4.1 Surrender the animal to a licensed adoption facility such as the Humane Society or SPCA;
 - 9.4.2 Continue to impound the animal for an indefinite period of time, the costs of which must be paid by the owner before the animal is released;
 - 9.4.3 Offer the animal for sale/adoption; or
 - 9.4.4 Destroy the animal (only as a last resort if previous options have failed).
- 9.5 Any impounded dog or cat, which appears to be in distress in accordance with the Animal Protection Act, shall be dealt with as provided for in the Act.
- 9.6 Any livestock running at large within the town shall be covered and enforced under the Stray Animal Act.

Section 10 - Notification

- 10.1 If a Community Peace Officer knows or can ascertain the name or residence of the owner of any impounded dog or cat, the officer shall make reasonable attempts to notify the owner of the impoundment of their dog or cat.

Section 11 - Interference with Animals

- 11.1 No person shall tease, torment, or annoy any animal.
- 11.2 No person shall ignore or further neglect any domestic animal found to be in distress as defined by the Animal Protection Act. Said domestic animal shall be reported to the

Community Peace Officer, who shall take action by powers so accorded in the Animal Protection Act.

- 11.3 No person shall negligently or willfully open a gate, door or other opening in a fence or enclosure in which an animal has been confined and thereby allow an animal to run at large in the Municipality of Crowsnest Pass.
- 11.4 No person shall untie, loosen or otherwise free an animal which has been tied or otherwise restrained;
- 11.5 No person shall entice an animal to run at large;
- 11.6 No person shall tease an animal caught or confined in an enclosed space;
- 11.7 No person shall throw or poke any object into an enclosed space when an animal is caught or confined therein.
- 11.8 Section 11 shall not apply to a Community Peace Officer who is attempting to seize or who has seized an animal which is subject to seizure pursuant to this bylaw.

Section 12 - Wildlife Attractants

- 12.1 No owner or occupant of a premises shall place, store, permit, or dispose of Wildlife Attractants outdoors in such a manner that they are accessible to wildlife.
- 12.2 No person shall feed or attempt to feed wildlife, or deposit Wildlife Attractants in a place or manner that attracts wildlife.
- 12.3 Owners or occupiers of a parcel are responsible to remove ripened fruit from trees and ground in order to deter wildlife from feeding within the Municipality.
- 12.4 Bird feeders are to be removed once they become an attractant.

Section 13 - Obstruction

- 13.1 No person, whether or not they are the owner of the animal which is being, or has been, pursued or captured shall:
 - 13.1.1 interfere with or attempt to obstruct a Community Peace Officer who is attempting to capture, or who has captured, any animal in accordance with the provisions of this bylaw;

- 13.1.2 open any vehicle in which seized animals have been placed;
- 13.1.3 remove, or attempt to remove, from possession of a Community Peace Officer, any animal which has been seized;
- 13.1.4 induce any animal to enter a house or other place where it may be safe from capture, or otherwise assist the animal to escape capture;
- 13.1.5 falsely represent themselves as being in charge;
- 13.1.6 unlock, unlatch or otherwise open the van or vehicle in which animals captured for impoundment have been placed so as to allow or attempt to allow any animals to escape there from or control of an animal so as to establish that the animal is not running at large as the term is defined in this bylaw; or
- 13.1.7 provide false information to a Community Peace Officer.

Section 14 - General Information

- 14.1 The Community Peace Officer shall keep an up-to-date record of all complaints, notices, and reports and a similar record of the disposition therefore.
- 14.2 The Community Peace Officer may issue a violation ticket to any owner alleged to have committed a breach of this bylaw which shall state the complaint and the specified penalty as described in Schedule B or Schedule C, and the date, time and place at which the defendant is to appear to answer the summons.
- 14.3 Voluntary payment of the violation ticket in accordance with terms of the violation ticket shall be accepted by the Municipality of Crowsnest Pass as a plea of guilty in accordance with Section 25 of the Provincial Offences Procedure Act.
- 14.4 A bylaw tag shall be deemed to be sufficiently served in any prosecution:
 - 14.4.1 If served personally on the accused;
 - 14.4.2 If mailed by registered post to the last known address of the accused person;
 - 14.4.3 If left at the accused's usual place of abode or with another resident thereof who appears to be at least 16 years of age;
 - 14.4.4 Where the accused is an association, partnership or corporation, if mailed by registered post to the last known office address or registered office address or if left with a person who appears to be at least 16 years of age and is employed by or is an officer of the association, partnership or corporation.
- 14.5 This section shall not prevent any Community Peace Officer from issuing a violation ticket requiring the court appearance of the defendant, pursuant to the provisions of the Provincial Offences Procedure Act, R.S.A. 2000, c.P-34, or from laying an information instead of issuing a violation ticket.

- 14.6 Nothing in Sections 14.3 and 14.4 of this bylaw shall prevent any person or owner from defending a charge of committing a breach of this bylaw.
- 14.7 Any person or owner who commits a breach of any of the provisions of this bylaw shall be liable to the fines as set forth in Schedule B or Schedule C for the offence listed therein, and to a fine of not less than \$75.00 for any other offence under this bylaw.
- 14.8 This bylaw shall not apply to dogs owned by the R.C.M.P. or other police services while the dogs are engaged in police work.
- 14.9 It is the intention of the Municipal Council that each separate provision of this bylaw shall be deemed independent of all other provisions herein and it furthers the intention of the Municipal Council that if any provision of this bylaw be declared invalid, all other provisions thereof shall remain valid and enforceable.
- 14.10A Community Peace Officer investigating a complaint involving the threatening behavior of an animal may classify the behavior by means of reference to the Dr. Ian Dunbar's Aggression Scale, which is set out in Schedule H of the bylaw.

Section 15 - Repeal

- 15.1 The "Animal Control Bylaw" of Municipality of Crowsnest Pass Bylaw No. 897, 2014 including all amendments thereof are hereby repealed.

Section 16 - Effective Date

- 16.1 This bylaw shall take full force and effect upon passage of third and final reading; and upon signing in accordance with Section 213, Municipal Government Act, Statutes of Alberta 2000.

Read a **first** time this 22nd day of **August**, 2017.
Carried

Read a **second** time this 19th day of September, 2017.
Carried

Read a **third** time this 19th day of September, 2017.
Carried

Original Signed

Blair Painter
Mayor

Original Signed

Patrick Thomas
Acting Chief Administrative Officer

SCHEDULE D (Bylaw 1140, 2023)

Municipality of Crowsnest Pass

Protective Services Fee Schedule

Service Provided	Fee/Unit (\$)
Animal Control	
Annual dog license (tag) - spayed or neutered	\$25.00
Annual dog license (tag) - not spayed or neutered	\$50.00
Three-year dog license (tag) - spayed or neutered	\$60.00
Three-year dog license (tag) - not spayed or neutered	\$120.00
Lifetime dog license (tag) - spayed or neutered	\$100.00
Lifetime dog license (tag) - not spayed or neutered	\$200.00
Lifetime cat license (tag)	\$25.00
Replacement Tag	\$5.00
Annual residential kennel license - 3 dogs	\$40.00
Annual vicious animal license	\$1500.00
Vicious animal sign	\$10.00
Seeing Eye Dog or Working Dog owned for the purpose of assisting disabled person	Exempt
Impoundment Fee	\$15.00
Veterinarian Costs	As Incurred
Care and Sustenance per day	\$7.50 per day
Trap Deposit (possession, maximum of seven days)	\$100.00
Trap Rental (possession, maximum of seven days)	\$10.00 per trap
Additional general penalties and costs as per the Animal Control Bylaw 991, 2017	

Schedule Amended – Bylaw 1140, 2023, Schedule D - Adopted April 25, 2023

This Consolidation is not an Official Bylaw. It is prepared by the Chief Administrator's Office for assistance only.

Copies of the Official Bylaw(s) may be purchased from the Municipal Office.

This Consolidated Bylaw was authorized pursuant to Bylaw 1009, 2018 CAO Bylaw.

SCHEDULE B

General Penalties and Costs

First offense within a 24-month period-penalty will be as specified.

Second offense within a 24-month period-penalty will be double the specified penalty.

Third or subsequent offense within a 24-month period-penalty will be triple the specified penalty.

SECTION 1

Section 1.1	Failing to obtain a license for a licensable dog or cat	\$100.00
Section 1.6	Failing to securely fasten license to dog or cat	\$50.00
Section 1.8	Providing false information when applying for license	\$250.00

SECTION 6

Section 6.2	Keeping of more than three dogs/two cats in undesignated area	\$100.00/per
Section 6.44	Keeping of livestock in prohibited area	\$100/per
Section 6.77	Owner keep excess Animal/Bird units in Urban Reserve District	\$100/per
Section 6.8	Allow livestock to run at large	\$150.00

SECTION 7

Section 7.1	Allowing animal to run at large	\$150.00
Section 7.2	Allowing a dog to run at large in park	\$150.00
Section 7.3.1	Bite/Chase/Stalk animals, bicycles, automobiles or vehicles	\$200.00
Section 7.3.2	Chase or threaten a person	\$200.00
Section 7.3.3	Cause damage to property or other animal	\$250.00
Section 7.3.4	Animal injure a person	\$250.00
Section 7.3.5	Animal bite a person	\$350.00
Section 7.3.6	Animal attack a person	\$500.00
Section 7.3.7	Animal attack a person causing severe physical injury	\$750.00
Section 7.3.8	Animal repeatedly attack a person causing severe injury	\$1500.00
Section 7.3.9	Animal cause death to another animal	\$2000.00
Section 7.4	Direct Animal to attack/chase/harass/threaten a person or animal	\$450.00
Section 7.5	Allow animal to upset waste receptacles not belonging to owner	\$200.00
Section 7.6	Allow dog or cat to bark/howl excessively	\$200.00
Section 7.7	Allow dog or cat to defecate on public property and not removing such defecation	\$150.00
Section 7.9	Owner not confine female dog or cat in heat during the whole period such dog or cat is in heat	\$100.00
Section 7.11	Owner fail to carry Leash while in off-leash area	\$100.00
Section 7.12	Dog not under control in an off-leash area	\$150.00
Section 7.15	Allow an Animal other than dog to enter/remain in off-leash area	\$100.00
Section 7.16	Allow animal to swim in any body of water within park	\$100.00
Section 7.17	Animal left unattended while tethered in a public place	\$100.00
Section 7.18	Animal left unsupervised while tethered on private property	\$100.00
Section 7.19	Animal left unattended in vehicle improperly	\$200.00
Section 7.20	Animal left unattended in vehicle when weather conditions not suitable	

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This Consolidated Bylaw was authorized pursuant to Bylaw 1009, 2018 CAO Bylaw.

	\$500.00
Section 7.21 Animal outside of passenger cab of motor vehicle	\$250.00
SECTION 11	
Section 11.1-11.8 Interfere with animals	\$200.00
SECTION 12	
Section 12.1-12.4 Improper storage or use of Wildlife Attractants	\$250.00
SECTION 13	
Section 13.1-13.1.7 Obstruct a Peace Officer	\$500.00

Additional Costs

Deposit for a Cat Trap (Refundable upon return of trap in good and clean condition)	\$100.00
Animal Shelter Fees (As set by the Animal Shelter Keeper)	

SCHEDULE C

Vicious Animal Penalties and Costs

First offense within a 24-month period-penalty will be as specified.

Second offense within a 24-month period-penalty will be double the specified penalty.

Third or subsequent offense within a 24-month period-penalty will be triple the specified penalty.

SECTION 2

Section 2.1	Failing to obtain a license for a vicious animal	\$1000.00
Section 2.3	Fail to ensure vicious animal wears current license	\$500.00
Section 2.5	Failure to maintain in force a policy of liability insurance for vicious animal	\$2000.00
Section 2.6	Fail to notify of sale, gift, transfer or death of vicious animal	\$250.00

SECTION 3

Section 3.6	Failure to clearly display vicious animal sign	\$1000.00
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SECTION 4

Section 4.1	Vicious animal in off-leash area	\$1000.00
Section 4.4	Vicious animal damage/destroy public or private property	\$1000.00
Section 4.5	Fail to notify vicious animal running at large	\$250.00
Section 4.6.1	Fail to keep a vicious animal muzzled	\$1000.00
Section 4.6.2	Fail to keep a vicious animal harnessed/leashed properly	\$1000.00
Section 4.6.3	Vicious animal not under control of person 18 years of age or older	\$1000.00
Section 4.7.1	Owner fail to ensure vicious animal under control of person 18 years of age or older when indoors	\$500.00
Section 4.7.2	Owner fail to ensure vicious animal locked in a properly constructed pen/structure	\$500.00

Nuisance Animal Penalties and Costs

SECTION 7

Section 7.1	Allowing a dog or cat to run at large	\$200.00
Section 7.2	Allowing a dog or cat to run at large in a park	\$250.00
Section 7.3.1	Bite/Chase/Stalk animals, wildlife, bicycles or vehicles	\$250.00
Section 7.6	Allow dog or cat to bark/howl excessively	\$250.00
Section 7.11	Dog not under control in an off-leash area	\$200.00

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This Consolidated Bylaw was authorized pursuant to Bylaw 1009, 2018 CAO Bylaw.

SCHEDULE D



Notice of Seizure/Impoundment of Dog or Cat

File Number: _____

Take notice that on _____, 20__ under The Municipality of Crownsnest Pass Animal Control Bylaw 991, 2017 the following dog(s)/cat(s) was (were) taken into custody:

1. _____
2. _____
3. _____
4. _____
5. _____

By _____, Community Peace Officer, Regimental Number _____

Reason for dog(s)/cat(s) to be taken into custody:

1. _____
2. _____
3. _____
4. _____
5. _____

The animal(s) was (were) delivered to:

- ☐ Crownsnest Pass SPCA 22213 9th Ave, Hillcrest, AB
- ☐ Other _____

If the animal is not claimed or the payment of expenses is not made, by _____. 20__, the animal may be sold, given away, or in accordance with Bylaw 991, 2017, destroyed.

Signature of Community Peace Officer

This Consolidation is not an Official Bylaw. It is prepared by the Chief Administrator's Office for assistance only.

Copies of the Official Bylaw(s) may be purchased from the Municipal Office.

This Consolidated Bylaw was authorized pursuant to Bylaw 1009, 2018 CAO Bylaw.

SCHEDULE E



Notice of Seizure of Animal under the Animal Protection Act

File Number: _____

Take notice that on _____, 20__ under The Municipality of Crownsnest Pass Animal Control Bylaw 991, 2017 the following dog(s)/cat(s) was (were) taken into custody:

1. _____
2. _____
3. _____
4. _____
5. _____

By _____, Community Peace Officer, Regimental Number _____

and pursuant to:

- ☐ Section 3 of the Animal Protection Act, or
- ☐ Section 4.1 of the Animal Protection Act

The animal(s) was (were) delivered to

- ☐ Crownsnest Pass SPCA 22213 9th Ave, Hillcrest, AB
- ☐ Other _____

If the animal is not claimed or the payment of expenses is not made, the animal may be sold, given away, or in accordance with Section 8 of the Animal Control Protection Act, destroyed/

Signature of Community Peace Officer

SCHEDULE F

Cat Trap Agreement

DATE: _____

TRAP NO. _____

The undersigned agrees to the following terms and conditions:

1. To only place the trap on his or her property in the Municipality of Crowsnest Pass.
2. To personally check the trap each hour while the trap is set.
3. In the event that a cat is trapped, to immediately contact the Peace Officer at 403-562-8833 who will come and pick up the trap and cat.
4. In the event that a cat is trapped, the undersigned is responsible for the humane treatment of the cat including feeding and watering. A captured cat should be left in the trap and placed in a warm dry secure place with a blanket placed over the trap to pacify the animal.
5. Cat traps are not to be used when the temperature falls below 0 degrees Celsius or rises over 25 degrees Celsius.
6. To be responsible for the trap, including the cost of repair or replacement if damaged, lost or stolen. The trap is to be returned in a good and clean condition.
7. Traps are not to be set when the Animal Control Shelter is closed.

***IT IS A CRIMINAL OFFENCE TO HARM ANY DOMESTIC ANIMAL**

Address of intended location of trap: _____

I understand and accept all liability, which may arise in connection with, the use of this cat trap while it is in my possession, and will save and indemnify the Municipality of Crowsnest Pass for all such liability.

Name of Complainant: _____

Address of Complainant: _____

Signature: _____

Date Trap Returned: _____

Received by: _____

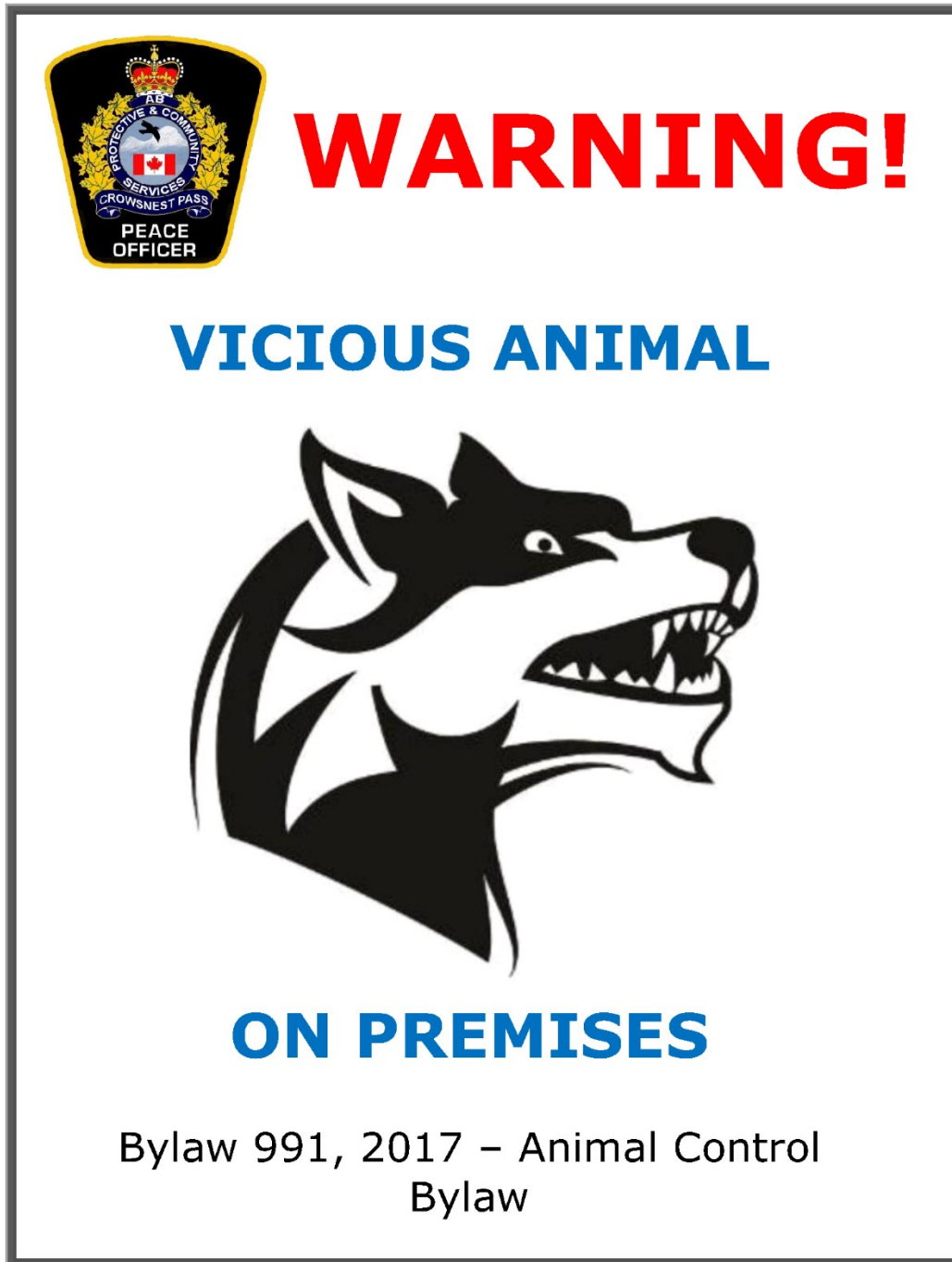
Remarks: _____

The personal information collected on this form is collected under the authority of the Municipal Government Act and Municipal Bylaw 991, 2017. The information will only be used for the purposes described. If you have any questions, please contact the Municipality of Crowsnest Pass FOIP Coordinator.

SCHEDULE G

VICIOUS ANIMAL SIGN

Required for a vicious animal pursuant to the bylaw.



SCHEDULE H

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 / threatening behaviour
Level 2	Teeth touch skin but no puncture. May have red mark/minor bruise from dog's head or snout, may have minor scratches from paws/nails. Minor surface abrasions or lacerations.
Level 3	Punctures one to three holes, single bite. No tearing or slashes. Victim not shaken side to side. Bruising
Level 3.5	Multiple Level 3 bites.
Level 4	Two to four holes from a single bite, typically contact/punctures from more than canines, considerable bruising. Black bruising, tears and/or slashing wounds. Dog clamped down and held and /or shook head from
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 has been developed by Dr. Ian Dunbar PhD. BVetMed, MRCVS, of Berkeley California. From his studies Dr. Dunbar has been able to separate and classify bites into a generalized six level assessment protocol. This Scale is used as a standard throughout the world in canine aggression investigations and behavior assessment.

"Inhibitions are the mechanisms which compel an animal to interrupt an action in the middle of a sequence."(i)

"Good bite inhibition does not mean that your dog will never snap, lunge, nip, or bite. Good bite inhibition means that should the dog snap and lunge, his teeth will seldom make skin contact and should the dog's teeth ever make skin contact, the inhibited "bite" will cause little, if any, damage."

References

Abrantes, R. (2001). Dog Language: An Encyclopedia of Canine Behavior 145. Wakan Tanka Publishers 1997 (ii). DUNBAR.I. PhD, BVetMed, MRCVS After you get your puppy. 84. James & Kenneth Publishers 2001