

**Town of Beaverlodge  
BYLAW #917**

**ANIMAL LICENSING AND CONTROL BYLAW**

**A BYLAW OF THE TOWN OF BEAVERLODGE IN THE PROVINCE OF ALBERTA, TO REGULATE THE LICENSING AND CONTROL OF ANIMALS WITHIN THE TOWN OF BEAVERLODGE**

**WHEREAS**, the Municipal Government Act, R.S.A. 2000, Chapter M-26, provides that the Council of a Municipality 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 wild and domestic animals and activities in relation to them; and

**Whereas**, pursuant to section 7(i) of the *Municipal Government Act*, a council may pass bylaws for municipal purposes respecting the enforcement of bylaws made under the *Municipal Government Act* or any other enactment including any or all of the matters listed therein; 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, permits or approval including any or all of the matters listed therein.
- Now therefore, The Council of the Town of Beaverlodge in the Province of Alberta, duly assembled, and pursuant to the authority confirmed upon it by the Municipal Government Act, RSA 2000, c.M-26, as amended, enacts as follows:

**PART I - PURPOSE, DEFINITIONS AND INTERPRETATION**

**PURPOSE**        1        The purpose of this bylaw is to establish a system of licensing and control with respect to animals within the Town.

**DEFINITIONS**        2        In this bylaw, unless the context otherwise requires:

- (a)        **“AG”** means land zoned for Agricultural Industrial Use as defined in the Land Use Bylaw.
- (b)        **“Bylaw enforcement Officer”** means a member of the Royal Canadian Mounted Police, a Bylaw enforcement Officer, or a Community Peace Officer employed by the town.
- (c)        **“Cat”** means any domesticated cat;
- (d)        **“CAO”** means the chief administrative officer of the Town or his delegate;
- (e)        **“Dog”** means any domesticated dog other than a Restricted Dog;

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- (f) **“Equine”** means a horse or other members of the horse family;
- (g) **“Large Animal”** means any animal other than a human being, Dog, Restricted Dog or Cat which in the adult form regularly weighs more than 10 kg;
- (h) **“License”** means a license issued pursuant to this bylaw;
- (i) **“Licensee”** means a person named on a License;
- (j) **“Municipal Tag”** means a ticket alleging an offence issued pursuant to the authority of a bylaw of the Town;
- (i1) **“License tag” means and identification tag bearing a distinctive Number issued by the Town for a specific animal upon payment of a License fee and intended to be worn on a collar attached to the animals neck**
- (k) **“Off Leash Area”** means an area designated by the CAO where a Dog is permitted but is not required to be held by a leash; (l)  
**“Owner”** includes any person:
  - (i) named on a License; or
  - (ii) in actual or apparent possession or control of property where an animal apparently resides.**“Playground”** means any park or green space that is marked with signage as being a playground or that has children’s play equipment located on the site and does not include private property.

- (l) **“Restricted Dog”** means any dog:
  - (i) certified by a veterinarian licensed to practice veterinary medicine in Alberta to be primarily of the breed Staffordshire Bull Terrier as that breed is defined by the Canadian Kennel Club;
  - (ii) certified by a veterinarian licensed to practice veterinary medicine in Alberta to be primarily of the breed American Staffordshire Terrier as that breed is defined by the Canadian Kennel Club;
  - (iii) that has chased, attacked or bitten any person or animal causing physical injury and resulting in a conviction under this bylaw;
  - (iv) that has chased, attacked or bitten any person or animal on more than one occasion, with or without causing physical injury, and resulting in separate convictions under this bylaw;
  - (v) that has been made the subject of an order under the *Dangerous Dogs Act*; orbut **does not include** a dog:
  - registered, or eligible for registration, with the Canadian Kennel Club as a purebred Staffordshire Bull Terrier or American Staffordshire Terrier.
- (m) **“Violation Ticket”** has the same meaning as in the *Provincial Offences Procedure Act*.
- (N) **“Service dog”** means a service dog as defined in the **Service Dog ACT**

**RULES FOR INTERPRETATION**

3 The marginal notes and headings in this bylaw are for reference purposes only.

**PART II - LICENSING OF DOGS**

**REQUIREMENT FOR LICENCE**

- 4 (1) The Owner of a Dog shall obtain a License for the Dog.
- (2) The Owner of a Restricted Dog shall obtain a License for the Restricted Dog.
- (3) This section does not apply to Dogs or Restricted Dogs under the age of six months.
- (4) **A license issued under this bylaw is not transferable from one owner to another owner.**

- APPLICATION** 5 Before the issue or renewal of a License pursuant to this Part the Owner must submit to the CAO;
- (a) the License fee as established by this bylaw;
  - (b) proof, in a form acceptable to the CAO, of the Dog being spayed or neutered if applicable;
  - (c) any additional information required by the CAO.
- ISSUE OR RENEWAL** 6 (1) The CAO may not issue or renew a License pursuant to this Part unless satisfied that:
- (a) at least one person named on the License is 18 years of age;
  - (b) all applicable fees have been paid; and
  - (c) all required information has been provided.
- TERM** 7 (1) Unless otherwise specified in this bylaw the term of a License pursuant to this Part expires January 1<sup>st</sup> of the year following the date it is issued or renewed.
- (2) The CAO may issue a License pursuant to this Part for a term other than one year where the CAO considers it appropriate to do so.
- LICENCE FEES** 8 (1) The annual License fee for a Dog is set out in Schedule A
- (2) The annual License fee for a Dog that is either spayed or neutered is set out in Schedule A.
- (3) The annual License fee for a Restricted Dog is set out in Schedule A.
- (4) In the event a License for a Dog or Restricted Dog is issued or renewed for a term other than one year, the fee for the License will be adjusted proportionately.

**PART III - REGULATION OF DOGS**  
**Regulations Applying to All Dogs**

- EXCESSIVE BARKING** 9 (1) The Owner or any other person having care or control of a Dog, or Restricted Dog, shall ensure it does not bark in a manner that is reasonably likely to annoy or disturb the peace of others.

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(2) In determining whether barking is reasonably likely to annoy or disturb the peace of others consideration may be given, but is not limited, to the:

- (a) proximity of the property where the Dog or Restricted Dog resides;
- (b) duration of the barking;
- (c) time of day and day of the week;
- (d) nature and use of the surrounding area; and
- (e) any effect of the barking.

**DEFECATION**

- 10 (1) The Owner or any other person having care or control of a Dog, or Restricted Dog, shall forthwith remove any defecation left by it on public property or private property other than that of the Owner.
- (2) The Owner or any other person having care or control of a Dog, or Restricted Dog, shall ensure that defecation apparently left by it on the property of the Owner does not accumulate to such an extent that it is reasonably likely to annoy or pose a health risk to others.

**DISPLAY OF LICENCE TAG**

- 11 The Owner or any other person having care or control of a Dog, or Restricted Dog, shall, at all times when it is off the property of the Owner, ensure it displays the License tag issued by the Town.

**Regulations Applying to Non Restricted Dogs**

**OFF PROPERTY OF OWNER**

- 12 (1) The Owner or any other person having care or control of a Dog shall, at all times when it is off the property of the Owner, have it:
- (a) under control; and
  - (b) held on a leash not exceeding two meters in length.
- (2) When a Dog is within an Off Leash Area the Dog need not be held on a leash, however, the Owner or any other person having care or control of the Dog shall carry with them a leash for the Dog not exceeding two meters in length.
- (3) At no time shall the Owner or any other person having care or control of the Dog allow the dog to be off leash in a Playground.
- (4) Nothing in this section removes the obligation on a person to have a Dog under control when it is off the property of the Owner.**

- ATTACKS** 13 (1) The Owner or any other person having care or control of a Dog shall ensure it does not:
- (a) damage property;
  - (b) chase, attack or bite any person or animal; or
  - (c) chase, attack or bite any person or animal causing physical injury.
- (2) This section does not apply if the chase, attack, bite or damage is a direct result of the Dog being provoked.

**Regulations Applying to Restricted Dogs**

- INSURANCE** 14 The Owner of a Restricted Dog shall have liability insurance specifically covering any damages for personal injury caused by the Restricted Dog in an amount not less than one million dollars.
- OFF PROPERTY OF OWNER** 15 The Owner or any other person having care or control of a Restricted Dog shall, at all times when it is off the property of the Owner, have it:
- (a) under control;
  - (b) muzzled; and
  - (c) held on a leash not exceeding two meters in length.
- ON PROPERTY OF OWNER** 16 The Owner or any other person having care or control of a Restricted Dog shall, at all times when it is on the property of the Owner, have it:
- (a) indoors;
  - (b) outdoors, secured in a fully enclosed pen; or
  - (c) outdoors, muzzled and secured by a chain fixed to the property that prevents the Restricted Dog from coming closer than two meters to the apparent boundary of the property.
- ATTACKS** 17 (1) The Owner or any other person having care or control of a Restricted Dog shall ensure it does not:
- (a) damage property;
  - (b) chase, attack or bite any person or animal; or
  - (c) chase, attack or bite any person or animal causing physical injury.
- (2) This section does not apply if the chase, attack, bite or damage is a direct result of the Restricted Dog being provoked.

**PART IV - LICENSING AND REGULATION OF CATS**

- REQUIREMENT FOR LICENCE** 18 (1) The Owner of a Cat shall obtain a License for the Cat.
- (2) This section does not apply to Cats under the age of six months.

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|-------------------------------|----|---|
| <b>APPLICATION</b>            | 19 | Before the issue or renewal of a License pursuant to this Part the Owner must submit to the CAO: <ul style="list-style-type: none"><li>(a) the License fee as established by this bylaw;</li><li>(b) proof, in a form acceptable to the CAO, of the Cat being spayed or neutered if applicable;</li><li>(c) any additional information required by the CAO.</li></ul> |
| <b>ISSUE OR RENEWAL</b>       | 20 | The CAO may not issue or renew a License pursuant to this Part unless satisfied that: <ul style="list-style-type: none"><li>(a) at least one person named on the License is 18 years of age;</li><li>(b) all applicable fees have been paid; and</li><li>(c) all required information has been provided.</li></ul>  |
| <b>TERM</b>                   | 21 | (1) Unless otherwise specified in this bylaw the term of a License pursuant to this Part expires January 1 <sup>st</sup> of the year following the date it is issued or renewed<br><br>(2) The CAO may issue a License pursuant to this Part for a term other than one year where the CAO considers it appropriate to do so.  |
| <b>LICENCE FEES</b>           | 22 | (1) The annual License fee for a Cat is set out in Schedule A.<br>(2) The annual License fee for a Cat that is either spayed or neutered is set out in Schedule A.<br><br>(3) In the event a License for a Cat is issued or renewed for a term other than one year, the fee for the License will be adjusted proportionately.   |
| <b>DISPLAY OF LICENCE TAG</b> | 23 | (1) The Owner or any other person having care or control of a Cat shall, at all times when it is off the property of the Owner, ensure it displays the License tag issued by the Town.  |
| <b>OFF PROPERTY OF OWNER</b>  | 24 | (1) The Owner or any other person having care or control of a Cat shall ensure the Cat does not enter onto private property other than that of the Owner.<br><br>(2) This section does not apply if the person in charge of the private property consents to the Cat being there.   |

**PART V - OTHER REGULATIONS**

- |                           |    |   |
|---------------------------|----|---|
| <b>PROHIBITED ANIMALS</b> | 25 | (1) No person shall keep or have any of the following on any premises with a municipal address in the Town: <ul style="list-style-type: none"><li>(a) a Large Animal or the young thereof unless on lands designated as Agriculture</li><li>(b) poultry;</li><li>(c) bees; or</li></ul> |
|---------------------------|----|---|

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(d) poisonous snakes, reptiles or insects.

(1i) Section 1s does not apply in the case of Equine animals pursuant to an application and presentation made to Council, with their decision being final.

(1ii) Applicants must have the following criteria to have their application heard by council:

- a. Minimum of 2 acres per equine;
- b. Permission of surrounding landowners and neighbors;
- c. If neighbor objects to the applicant owning horses, the applicant must put up a barrier 30 M from the objectee's property line, at the applicants expense.

(2) This section, other than 27(1)(d), does not apply in the case of premises with a municipal address in the Town on land zoned AG.

**LEG HOLD TRAPS**

- 26 (1) Unless otherwise permitted by law no person shall leave a leg hold or foot hold trap in any place where it may reasonably capture any animal.
- (2) Unless otherwise permitted by law no person shall capture any animal by means of a leg hold or foot hold trap.

**LIMIT ON DOGS,  
RESTRICTED DOGS AND  
CATS**

- 27 (1) No person shall keep or have more than two; Dogs, Restricted Dogs, or any combination thereof on any premises with a municipal address in the Town.
- (2) No person shall keep or have more than four Cats on any premises with a municipal address in the Town.
- (3) This section does not apply:
- (a) in the case of Dogs, Restricted Dogs or Cats under the age of six months;
  - (b) if the person has a valid business license to operate a Small Animal Breeding/Boarding Establishment or the General Business of a pet store pursuant to another bylaw of the Town;
  - (c) to the SPCA or any veterinary clinic or hospital, or
  - (d) in the case of premises with a municipal address in the Town on land zoned AG.

**ANIMALS ON PUBLIC  
TRANSIT**

- 28 Subject to section 13(4), no person shall have an animal in any transit vehicle or facility of the Town unless:
- (a) it is within a fully enclosed carrier;
  - (b) it is carried by the person at all times; and (c) the full adult fare is paid for the animal.

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<b>CHANGE OF INFORMATION</b>	29	A Licensee shall forthwith notify the CAO of any change with respect to any information provided as part of the application for a License pursuant to this bylaw.
<b>NOTIFICATION OF STRAY</b>	30	A person who takes control of any stray Dog, Restricted Dog or Cat shall forthwith notify the CAO and provide any required information.
<b>FALSE INFORMATION</b>	31	No person shall provide false or misleading information to any Peace Officer or the CAO.
	32.1	No person shall contravene any term or condition contained in a written agreement entered into by that person with the Town pursuant to this bylaw.
<b>INTERFERENCE</b>	33	No person shall interfere with a Peace Officer in the exercise of their powers and duties pursuant to this bylaw.

**PART VI - ENFORCEMENT**

<b>OFFENCE</b>	34	A person who contravenes this bylaw is guilty of an offence.
<b>CONTINUING OFFENCE</b>	35	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 it continues and a person guilty of such an offence is liable to a fine in an amount not less than that established by this bylaw for each such day.
<b>FINES AND PENALTIES</b>	36	(1) A Person who is guilty of an offence is liable to a fine in an amount not less than that established in this section, and not exceeding \$10,000.00, and to imprisonment for not more than six months for non-payment of a fine.  (2) Without restricting the generality of subsection (1) the following fine amounts are established for use on Municipal Tags and Violation Tickets if a voluntary payment option is offered: (a) \$100.00 for any offence for which a fine is not otherwise established in this section; (b) \$250.00 for an offence under section 4(1); 12(3) or 19(1); (c) \$500.00 for an offence under section 4(2); 13(1)(c); 13; 14; 15; 16;17(1)(a); 17(1)(b); 26(2) or 27(1); (d) \$2,500.00 for an offence under section 17(1) (c).
<b>MUNICIPAL TAG</b>	37	If a Municipal Tag is issued in respect of an offence the Municipal Tag must specify the fine amount established by this bylaw for the offence.
<b>PAYMENT IN LIEU OF PROSECUTION</b>	38	A person who commits an offence may, if a Municipal Tag is issued in respect of the offence, pay the fine amount established by this bylaw for the offence and if the amount is paid on or before the required date, the person will not be prosecuted for the offence.

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<b>VIOLATION TICKET</b>	39	If a Violation Ticket is issued in respect of an offence, the Violation Ticket may: (a) specify the fine amount established by this bylaw for the offence; or (b) require a person to appear in court without the alternative of making a voluntary payment.
<b>VOLUNTARY PAYMENT</b>	40	A person who commits an offence may: (a) if a Violation Ticket is issued in respect of the offence; and (b) if the Violation Ticket specifies the fine amount established by this bylaw for the offence; make a voluntary payment equal to the specified fine.
<b>SEIZURE AND IMPOUNDING</b>	41	A Peace Officer may seize and impound: (a) any Dog found in contravention of section 13(1); (b) any Restricted Dog found in contravention of section 16; or (c) any Cat found in contravention of section 26(1). (c) Disposition of any domesticated animal seized by the town will be determined by Senior Peace Officer or by the Public Works Manager.
<b>SERIOUS INJURY</b>	42	(1) A Peace Officer may seize and impound any dog alleged to have seriously injured or killed a person or animal. (2) A dog seized pursuant to this section may not be impounded for more than 21 days unless court proceedings for destruction or other order with respect to the dog are commenced within that time.
<b>RELEASE</b>	43	Any Dog, Restricted Dog or Cat seized pursuant to this bylaw may be released to the Owner upon payment of any fees due with respect to shelter, care and treatment and any License fee, if not already paid.
<b>PART VII – GENERAL</b>		
<b>OTHER FEES</b>	44	The following fees are hereby established: (a) for shelter and care, the amount set out in Schedule A; and (b) for any required veterinary treatment, including drugs and medicines, the actual costs of the treatment; and (c) for a replacement License tag, the amount set out in Schedule A. (d) if an Equine application is approved by council, the licensing costs are set out in Schedule A.
<b>PROOF OF LICENCE</b>	45	The onus of proving a person has a valid and subsisting License is on the owner of the animal.
<b>PROOF OF AGE</b>	46	The onus of proving the age of a Dog, Restricted Dog or Cat is on the owner.

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<b>CHIEF ADMINISTRATIVE OFFICER</b>	47	Without restricting any other power, duty or function granted by this bylaw, the CAO may: (a) carry out whatever inspections are reasonably required to determine compliance with this bylaw; (b) delegate any powers, duties or functions under this bylaw to an employee of the Town or agent working for the Town; (c) establish forms for the purposes of this bylaw; (d) establish Off Leash Areas; (e) permit a 50% reduction in the License fee otherwise payable for one spayed or neutered Dog or Cat if the Owner is receiving income assistance from a recognized government program; (f) <b>waive the License fee otherwise payable for one Dog if the Dog is a service dog or if a dog is being utilized as a service dog by any police or emergency service;</b>  (g) waive the first year License fee otherwise payable for and Dog or Cat that is either spayed or neutered.
<b>CERTIFIED COPY OF RECORD</b>	48	A copy of a record of the Town, certified by the CAO 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.
<b>CIVIL ACTION NOT AFFECTED</b>	49	Nothing in this bylaw limits the right of any person to prosecute a claim for damages by reason of injuries to person or property resulting from any action of the Owner of any animal, or from the action of any agent of the Owner.

**PART VIII – TRANSITIONAL**

<b>EXISTING LICENCE</b>	50	An existing license issued under Bylaw 889 Dog Control Bylaw, remains valid until December 31 <sup>st</sup>
<b>REPEALS</b>	51	Bylaw 866 Vicious Dog Bylaw; Bylaw 889 Dog Control Bylaw; Bylaw 35 Herd Law
<b>EFFECTIVE DATE</b>	52	This bylaw comes into force on the date it is passed.

READ a first time this 14 day of May, 2018

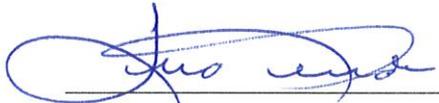
READ a second time this 28 day of May, 2018.

READ a third time passed this 24 day of September, 2018



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Gary Rycroft, Mayor



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Tina Letendre, Acting CAO

**SCHEDULE "A"**

Schedule of Fees

- (1) Dog License..... \$50 per year
- (2) Dog License (spayed or neutered) ..... \$25 per year
- (3) Restricted Dog License..... \$250 per year
- (4) Cat License ..... \$50 per year
- (5) Cat License (spayed or neutered) ..... \$25 per year
- (6) Horse License..... \$50 per year
- (7) Horse License (spayed or geld) ..... \$25 per year
- (8) Shelter and Care:

Fees shall be paid to the County of Grande Prairie at the current rate established by the County of Grande Prairie.

- (9) Replacement License tag..... \$10

(10) For the purpose of the Schedule A – Fees an individual who is 65 years of age or older as of January of the licensing year shall receive a 50% discount on items (1) through (5).