



## Town of Rimbey

### Bylaw 961/20

#### A BYLAW OF THE TOWN OF RIMBEY, IN THE PROVINCE OF ALBERTA TO PROVIDE FOR THE REGULATIONS FOR THE CONTROL OF DOGS AND CATS IN THE TOWN.

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**WHEREAS** A Council of a Municipality may, pursuant to the Municipal Government Act, Chapter M-26, R.S.A. 2000, pass bylaws for the purpose of regulating and controlling domestic animals and activities in relation to them and to provide for the imposition of a fine and or imprisonment due to contravention of said bylaw; and

**WHEREAS** The Council of the Town of Rimbey deems it necessary and expedient to pass a bylaw for the purpose of regulating and controlling dogs and cats within the corporate boundaries of the Town of Rimbey;

NOW THEREFORE, THE MUNICIPAL COUNCIL OF THE TOWN OF RIMBEY, DULY ASSEMBLED, ENACTS AS FOLLOWS:

#### PART ONE- TITLE

1. The Bylaw shall be cited as the "Responsible Pet Ownership Bylaw".

#### PART TWO- DEFINITIONS

2. In this bylaw, unless the context otherwise requires, the word, term or expressions:
- a) "Altered" means neutered or spayed.
  - b) "Animal" means dog or cat, aggressive dog or dangerous dog
  - c) "Animal Control Officer" means a person or firm engaged by the Town to administer and/or enforce the provisions of the bylaw.
  - d) "Aggressive Dog" means any dog that:
    - i. has been designated an aggressive dog by an Animal Control Officer.
  - e) "Cat" means either a male or female animal of the feline family.
  - f) "Cat License" means the numbered tag issued by the Town of Rimbey on an annual basis.
  - g) "Dangerous Dog" means:
    - i. A dog which has been made the subject of an order under the Dangerous Dog Act.
  - h) "Dog" means either a male or female animal of the canine family.
  - i) "Dog License" means the numbered tag issued by the Town of Rimbey on an annual basis.
  - j) "Exotic Animals" means an animal not indigenous to Canada and not commonly kept as a household pet in Canada.
  - k) "Former Owner" means the person at the time of impoundment who was the Owner of an Animal which has been subsequently sold or destroyed.
  - l) "Justice" has the meaning as defined in the Provincial Offences and Procedure Act, R.S.A 2000, c. P-34 and amendments thereto.
  - m) "Kennel" means any place, owned by a person, group of persons or corporation engaged in the business of breeding, buying, selling, or boarding more than three dogs and/or three cats.
  - n) "Leash" means a restraint that is less than two meters in length and made of material capable of restraining an animal on which it is being used.
  - o) "Livestock" includes but is not limited to:
    - i. a horse, mule, ass, swine, emu, ostrich, camel, alpaca, sheep, or goat.
    - ii. domestically reared or kept deer, reindeer, moose, elk or bison.



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- iii. fur bearing animals including fox, coyote, wolf, weasels, or mink.
- iv. animals of the bovine species.
- v. animals of the avian species excluding chickens.
- vi. Bees.
- vii. all other animals normally kept for agriculture purposes.
- p) "Major Injury" means any physical injury to a domestic animal or person, caused by an animal that results in major bruising large puncture, scratch or tearing of the skin, bleeding, or any other injury that is not life threatening, disfiguring, or debilitating.
- q) "Microchip" means a tiny transponder, about the size of a grain of rice, that can be implanted in your pet's skin by a veterinarian for a good back-up option for pet identification.
- r) "Minor Injury" means any physical injury to a domestic animal or person, caused by an animal that results in minor bruising, small puncture, scratch or tearing of the skin, bleeding, or any other injury that is not life threatening, disfiguring, or debilitating.
- s) "Municipal Ticket" means a municipal ticket issued on behalf of the Town for a violation under this bylaw.
- t) "Muzzle" means a device of sufficient strength placed over an animals mouth to prevent it from biting.
- u) "Officer" includes an Animal Control Officer, a bylaw enforcement officer, a Peace Officer, a Special Constable and a Member of the Royal Canadian Mounted Police.
- v) "Owner" includes any person, partnership, association or corporation:
  - i. owning, possessing, having charge of, or control over any animal.
  - ii. harboring any animal.
  - iii. suffering or permitting any animal to remain about his or her house or premises.
  - iv. any person to whom a License has been issued under this bylaw.

For the purpose of this Bylaw, an animal can have more than one Owner at the same time, any, or all, who may be charged with offences under this Bylaw.

- w) "Park or Parkland" means all recreational land areas owned or controlled by the town, lying within the Town boundaries, and whether improved or in whole or in part, or in its natural state: and includes all buildings or other improvements situated on these land areas.
- x) "Running at Large" shall mean any animal off the premises of the owner and not on a leash held by a person able to control the animal.
- y) "Tattoo" means a permanent means of identification with a series of letters and numbers.
- z) "Threatening Behavior" means behavior that creates a reasonable apprehension of a threat of harm and may include growling, lunging, snarling, charging, or chasing.
- aa) "Unaltered" means not neutered or spayed.

#### PART THREE- RESPONSIBILITY OF THE OWNER

- 3.1 No more than three (3) dogs over 4 months old shall be kept or harbored at one time on land or premise occupied by their owners unless approval to operate a kennel is received by way of a Development Permit from the Town of Rimbeey. Kennels will not be permitted in residential areas.
- 3.2 No more than three (3) cats over 4 months old shall be kept or harbored at one time on land or premise occupied by their owners.



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- 3.3 Puppy's may be kept up to a maximum of four (4) months.
- 3.4 Dog runs may be constructed on private lots in lieu of fencing the total property. All regulations of this by-law shall apply.
- 3.5 A female dog in heat shall be confined and housed on the property of the owner or person having control over the dog in such a manner as to prevent male dogs from accessing the female during the whole period that the dog is in heat.
- 3.6 If an animal defecates on any public or private property other than the property of its owner, the owner shall cause such defecation to be removed immediately. The owner shall be responsible for carrying the necessary apparatus to remove the offending substance.
- 3.7 If an animal defecates on its owners property to the extent that an excessive smell results, the owner shall immediately remove the defecation upon receipt of notice from an Officer, or Health Authority having jurisdiction.
- 3.8 The owner of a dog or aggressive dog is guilty of an offence if such dog barks or howls so as to disturb a person.
- 3.9
  - a) no owner shall permit his animal to damage public or private property.
  - b) when public or private property is damaged by an animal, its owner shall be deemed to have breached the requirements of subsection (a) and is subject to the fines outlined in Schedule "A".
- 3.10 When an aggressive dog is on the premises of its owner, it shall be kept confined indoors under the effective control of a person sixteen years (16) or older, or confined in a secured enclosed and locked pen, or other structure constructed and secured in such a fashion as to prevent the escape of the aggressive dog, and to prevent the entry of person unauthorized by the owner.
- 3.11 When an aggressive dog is off the premises of the owner, it shall be securely muzzled and shall be either harnessed or leashed securely and under the direct control of a person sixteen years (16) or older to effectively prevent it from threatening or harassing any person. This requirement shall not apply when the aggressive dog is confined in a pen meeting the requirements of 3.11 above.

#### PART FOUR- LICENSING PROVISIONS AND OFFENCES

- 4.1 Every person, who owns, keeps or harbors an animal, which is four (4) months of age, or older must obtain a license for each animal from the Town of Rimbey yearly. Furthermore, any person who obtains an animal during any point of the calendar year shall within 30 days of obtaining the animal obtain a license from the Town of Rimbey. Also, any person who moves into the Town of Rimbey at any point during the calendar year with an animal shall within 30 days apply for a license from the Town of Rimbey.
- 4.2 Animal licenses must be renewed each year that ownership continues. Renewal of animal licenses are due and payable to the Town of Rimbey on the first day of January in each year and shall be for the period of January 1st to December 31st, each year.
- 4.3 At the time of purchase of a license, the owner shall record with the Town, their name, mailing address, and physical address if different from mailing address. A description of the animal, including sex, breed, age, along with microchip or tattoo number, or other information pertaining to the animal as requested by the Town.
- 4.4 Upon payment of the current yearly licenses fee, the Town or its designate shall issue a license and a tag with a number and year on it to the owner. Every owner shall provide their animal with a collar to which the license tag shall be attached to at all times, which shall be worn by the animal or aggressive dog for which it is issued at all times.



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- 4.5 Every person who fails to purchase a license, for any animal or aggressive dog they own, on or before the 31st day of January in any year, shall be guilty of an offence and subject to the penalties provided for in this Bylaw.
- 4.6 The license fee for each year or any part thereof for each dog shall be as outlined in the current Fees for Services Bylaw.
- 4.7 If a tag is lost or destroyed, the owner shall apply for a replacement, which shall be issued by the Town of Rimbey upon presentation by owner of a receipt showing payment of the license fee for the current year and upon payment of 50% of the original fee.
- 4.8 A tag is not transferable from one animal to another or one aggressive dog to another and no refund will be made for any issued tag.
- 4.9 No refund shall be made on any paid animal license fee because of death, sale of animal, or upon the owner leaving the Town of Rimbey prior to the expiry date of the license.

#### PART FIVE- ANIMAL CONTROL PROVISIONS

- 5.1 The owner of an animal is guilty of an offence if the animal:
  - a) is running at large.
  - b) destroys or damages any public or private property.
- 5.2 The owner of a cat is guilty of an offence if the cat defecates or sprays on property other than the owner's property, or the cat stalks birds.
- 5.3 Any person who owns or occupies a dwelling unit(as defined by the land use bylaw), is guilty of an offence if he or she has more than three(3) dogs over the age of four months on any land which contains or is permitted under the Land Use Bylaw to contain, a dwelling unit.
- 5.4 Any person who owns or occupies a dwelling unit(as defined by the land use bylaw), is guilty of an offence if he or she has more than three(3) cats over the age of four months on any land which contains or is permitted under the Land Use Bylaw to contain, a dwelling unit.
- 5.5 Sections 5.3 or 5.4 does not apply to the premises lawfully used for the care and treatment of animals operated by a licensed veterinarian or a person in possession of a development permit to operate a kennel or cattery as authorized by the Town's current Land Use Bylaw.
- 5.6 The owner of an animal is guilty of an offence if he or she allows the defecation of an animal to accumulate on private property to such an extent that is it likely to annoy people or constitute a nuisance due to odor or unsightliness.
- 5.7 A person is guilty of an offence if such person springs or otherwise tampers with or damages a live trap in which animals are being trapped, or have been trapped, so as to allow any animal to escape from the trap.
- 5.8 Any owner of an animal in the Town for a period of 30 days in a calendar year is required to have a current license for the Town unless the owner is visiting and the animal is licensed in another municipality.
- 5.9 A person is guilty of an offence if he or she exercises an animal while he or she is driving a motor vehicle.
- 5.10 The owner of an animal is guilty of an offence if he or she fails to ensure the animal wears a collar and tag or is microchipped or tattooed, when the animal is off the owner's premises.
- 5.11 The owner of a dog is guilty of an offence if such dog is in an area where signs prohibit the presence of dogs.
- 5.12 No person shall keep or cause to be kept:
  - a) any exotic animal.
  - b) venomous snake, reptile, insect or spider
  - c) any wild animal.



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- d) any livestock on any property unless the property is designated as an Agriculture District as provided under the Town Land Use Bylaw and has been approved for such by the Development Officer.

#### PART SIX- THREATEN, ATTACK, OR BIT ANIMAL PROVISION

- 6.1 The owner of an animal is guilty of an offence if the animal:
  - a) exhibits threatening behavior towards a person or other domestic animal;
  - b) bites, attacks or causes minor injury to a domestic animal.
  - c) bites, attacks or causes minor injury to a person.
  - d) bites, attacks or causes major injury to a domestic animal.
  - e) bites, attacks or causes major injury or death to a person.
  - f) causes death to a domestic animal.
- 6.2 Section 6.1 applies to the conduct of an animal whether on or off the property of the owner.

#### PART SEVEN- ADDITIONAL PENALTIES

- 7.1 A Justice, after convicting an owner of dog of an offence under this Bylaw, may, in addition to the fine specified under this Bylaw, order one or more of the following:
  - a) the dog be designated as a dangerous dog.
  - b) the dog be humanely euthanized.
  - c) the owner be prohibited from owning any dog for a specified period of time.

#### PART EIGHT- INTERFERENCE WITH AN OFFICER

- 8.1 Any person, whether or not he or she is the owner of an animal which is being or has been pursued and or captured, is guilty of an offence if he or she:
  - a) interferes with, or attempts to obstruct, an Officer who is attempting to capture, or who has captured, any animal.
  - b) unlocks or unlatches or otherwise opens the vehicle in which animals captured for impoundment have been placed, so as to allow or attempt to allow any animal to escape there from.
  - c) removes, or attempts to remove, any animal from the possession of an Officer.
  - d) refuses to provide identification (name, address, and date of birth) and proof thereof to an Officer upon request.
  - e) provides false or misleading information to an Officer.

#### PART 9 - CONDITIONS AND PROCEDURES TO RENT CAT TRAPS

- 9.1 A resident of the Town of Rimbey who finds a cat on its property may report a complaint to the Contractor and request a cat trap from the Contractor.
- 9.2 The person with the complaint (Complainant) can attend at the office of the Contractor during normal business hours and request a cat trap. In order to obtain a cat trap, the Complainant must sign the form and agreement provided by the Contractor, and the Contractor will then provide a cat trap to the Complainant. The Contractor is responsible to have the Complainant sign a cat trap agreement stating that they will treat the cat humanely.
- 9.3 The Complainant will be required to pay a \$100.00 deposit to the Contractor. This deposit will be returned to the Complainant at such time as the trap is returned and is found to be in the same condition it was at the time it was

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- obtained from the Contractor. If the trap is damaged or stolen the deposit is forfeited to the Contractor and it shall be the responsibility of the Complainant to pay the balance of the cost of the trap to be replaced.
- 9.4 It will be the responsibility of the Complainant to check the trap hourly, or as approved by the Contractor and, if an animal is caught, the Complainant must make arrangements to have the animal picked up or delivered to the Contractor within 24 hours following the trapping. During the week the Contractor will arrange the scheduling of their officers patrols in such a manner to reduce the length of time a cat is kept in a trap to a minimum. Traps are not to be set on weekends or when outside temperatures are constantly below zero (0) degrees. Traps shall be set in a shaded area of the property, away from the sun.
- 9.5 The Contractor may enter the property of the Complainant (but not a dwelling house) to ascertain if a cat trap has been properly placed or set and if a cat has been trapped.
- 9.6 The Complainant shall not leave a trap set on his property unattended when absent from the property for any period of time more than 3 hours, except as approved by the Contractor.
- 9.7 When the Contractor takes possession of a trapped cat, the Contractor will try to locate an identifying tag, tattoo or microchip on the cat and if found will make reasonable efforts to contact the owner of the cat in order to report that it has been impounded by the Contractor.
- 9.8 If the cat owner attends the Contractor's office to claim his or her cat that was trapped on another person's property, an offence ticket for the cat running at large may be issued in accordance with the Bylaw.
- 9.9 If a Complainant is disabled and therefore unable to pick up the cat trap, the Contractor will deliver the trap to the Complainants property, and pick up the trap 72 hours later. No fee shall be charged to the Complainant.
- 9.10 Any person renting a cat trap or the Animal Control Officer shall be responsible for treating any animal caught as humanely as possible.
- 9.11 Any person who abuses, teases or pokes an animal in a cat trap or is causing pain, suffering, or injury to any animal may be charged with an offence under section 446 of the Criminal Code of Canada.
- 9.12 Any person seeing a cat in a trap being abused is encouraged to telephone and report the abuse to the Contractor, at which time the Contractor will, if warranted during investigation, attend at the premises where the alleged abuse has taken place and remove the cat and the trap forthwith.

**PART TEN-IMPOUNDING ANIMALS**

- 10.1 Any Officer or any designated Contractor with the Town may seize and impound:
- a) any animal running at large.
  - b) any animal found on a park or playground where animals are prohibited or where the park or parkland area contains a playground apparatus and/or a sand rubber or other materials utilizes as a play area.
- 10.2 Upon receiving an animal for impound, an Animal Control Officer, Contractor, or its staff, shall make reasonable efforts to identify and contact the owner of the animal.
- 10.3 Subject to the entry notice provisions of Municipal Government Act, R.S.A. 2000 c.M-26, an Officer may enter upon privately owned property at all times, other than a dwelling house, for the purposes of enforcing the provisions of this Bylaw
- 10.4 An Officer, including an Animal Control Officer is hereby authorized to use live traps, nets or any other similar means to effect capture of animals. The Town or its Contractor shall not be held liable for the death or injury of any animal.



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- 10.5 The Contractor shall not sell, euthanize or otherwise dispose of any impound animal until the animal is retained in the Contractors Impound facility for seventy-two(72) hours, not including the day of impounding, Sunday's or Statutory Holidays. After the expiration of the seventy-two (72) hours, if the owner has not claimed the impounded animal, the animal becomes property of the Contractor.
- 10.6 Section 10.5 may be overruled if an impounded animal is deemed to be in immediate and severe medical distress by a licensed veterinarian or other qualified animal health professional, whereas humane euthanasia is the only treatment option to end suffering.
- 10.7 The Contractor may retain an animal for a longer period if in the opinion of the Contractor the circumstances warrant the expense or they have reasonable grounds to believe that the animal is a continued danger to persons, animals or property
- 10.8 Any healthy animal may be returned to the owner during the seventy-two (72) hour period of impoundment upon payment to the Contractor the costs of impoundment and boarding (as specified between the Town and the Contractor).
- 10.9 Any person claiming an impounded animal shall present government issued photo identification to the Contractor or its staff.
- 10.10 Where an impounded animal has not been claimed by an owner within 72 hours of impoundment, the Contractor is authorized to sell, euthanize, or otherwise dispose of any impounded animal.

#### PART ELEVEN- FULL RIGHT AND TITLE

- 11.1 The purchaser of an animal from the Contractor pursuant to the provisions of this Bylaw shall obtain full right and title to it and the right and title of the former owner of the animal shall cease upon the purchase.

#### PART TWELVE MUNICIPAL TICKETS AND VIOLATION TICKETS

- 12.1 Where an Officer has reasonable grounds to believe that a person has contravened any provision of the Bylaw:
  - a) he or she may serve upon the person a Municipal Ticket allowing payment of the specified fine as set out in Schedule "A", which payment will be accepted by the Town or the Contractor on behalf of the Town in lieu of prosecution for the offence if paid within 21 days of the date of service; or
  - b) he or she may issue and serve a violation ticket in accordance with the Provincial Offences Procedure Act, R.S.A. 2000, c P-34 and amendments thereto, allowing a voluntary payment or requiring a person to appear in court, without the alternative of making a voluntary payment.
- 12.2 An Officer may, but is not required to issue a Municipal Ticket before issuing a violation ticket under the Provincial Offences Procedure Act.
- 12.3 A Municipal Ticket shall be deemed to be sufficiently served if:
  - a) served personally on the owner of the animal, or left at the owners residence; or
  - b) mailed to the address of the owner of the animal.
- 12.4 Penalties for a second, third and subsequent offences will be applicable, where those offences occur within one (1) year of the first offence.



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**PART THIRTEEN – SEVERABILITY CLAUSE**

**13.1 Every provision of this Bylaw is independent of all other provisions and if any provision of this Bylaw is declared invalid for any reason by a court of competent jurisdiction, all other provisions of this Bylaw shall remain valid and enforceable.**

**PART FOURTEEN – EFFECTIVE DATE**

**14.1 This Bylaw shall take effect on April 1, 2021.**

**14.2 Bylaw 755/03 is repealed on April 1, 2021.**

READ a first time this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
MAYOR RICK PANKIW

\_\_\_\_\_  
CHIEF ADMINISTRATIVE OFFICER  
LORI HILLIS

READ a second time this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
MAYOR RICK PANKIW

\_\_\_\_\_  
CHIEF ADMINISTRATIVE OFFICER  
LORI HILLIS





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READ a third and final time this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

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MAYOR RICK PANKIW

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CHIEF ADMINISTRATIVE OFFICER  
LORI HILLIS



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<b>Schedule "A"</b>	
Fail to license (5.8)	\$200.00 first offence \$400. 00 second offence \$600.00 third and subsequent offence
Animal running at large (5.1(a))	\$100.00 first offence \$200. 00 second offence \$300.00 third and subsequent offence
Animal on a park or parkland where prohibited (5.1(b))	\$100.00 first offence \$200. 00 second offence \$300.00 third and subsequent offence
Animal destroys or damages property (5.1(c))	\$100.00 first offence \$200. 00 second offence \$300.00 third and subsequent offence
Cat sprays/defecates/stalks birds (5.2)	\$100.00 first offence \$200. 00 second offence \$300.00 third and subsequent offence
Fail to Confine an animal in heat (3.5)	\$100.00 first offence \$200. 00 second offence \$300.00 third and subsequent offence
Dog barks or howls as to disturb a person (3.8)	\$100.00 first offence \$200. 00 second offence \$300.00 third and subsequent offence
Have more than three dogs (3) (5.3)	\$100.00 first offence \$200. 00 second offence \$300.00 third and subsequent offence
Have more than three cats (3) (5.4)	\$100.00 first offence \$200. 00 second offence \$300.00 third and subsequent offence
Fail to remove defecation (3.6)	\$100.00 first offence \$200. 00 second offence \$300.00 third and subsequent offence
Allowing defecation to accumulate on property (3.7)	\$100.00 first offence \$200. 00 second offence \$300.00 third and subsequent offence
Tampering/spring/damage trap (5.7)	\$200.00 first offence \$400. 00 second offence \$600.00 third and subsequent offence
Keeping or harboring an exotic animal (5.12)	\$100.00 first offence \$200. 00 second offence \$300.00 third and subsequent offence
Failure to ensure collar and tag are worn by animal (4.4)	\$75.00 first offence \$150. 00 second offence \$300.00 third and subsequent offence
Keeping or harboring wild or exotic animals or livestock (5.12(a)(b)(c))	\$200.00 first offence \$400. 00 second offence \$600.00 third and subsequent offence



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Aggressive dog not muzzled, in control and on a leash (3.12)	\$200.00 first offence \$400.00 second offence \$600.00 third and subsequent offence
Animal exhibits threatening behavior to person/animal (6.1(a))	\$200.00 first offence \$400.00 second offence \$600.00 third and subsequent offence
Animal bites, attacks or causes minor injury to an animal (6.1(b))	\$200.00 first offence \$400.00 second offence \$800.00 third and subsequent offence
Animal bites, attacks or causes major injury to an animal (6.1(d))	\$500.00 first offence \$1,000.00 second offence COURT third and subsequent offence
Animal bites, attacks or causes minor injury to a person (6.1(c))	\$500.00 first offence \$1,000.00 second offence COURT third and subsequent offence
Animal bites, attacks or causes major injury or death to person (6.1(e))	COURT first offence COURT second offence COURT third and subsequent offence
Animal causes death to an animal (6.1(f))	\$500.00 first offence COURT second offence COURT third and subsequent offence
Refuse to provide identification to an officer (8.1(d))	\$500.00 first offence \$1,000.00 second offence COURT third and subsequent offence
Interfere with an officer (8.1(a))	\$500.00 first offence \$1,000.00 second offence \$1,500.00 third and subsequent offence
Unlock/unlatch a vehicle where an animal is confined (8.1(b))	\$500.00 first offence \$1,000.00 second offence \$1,500.00 third and subsequent offence
Provide false or misleading information to an officer (8.1(e))	\$500.00 first offence \$1,000.00 second offence \$1,500.00 third and subsequent offence
Remove or attempt to remove animal from an officer (8.1(c))	\$500.00 first offence \$1,000.00 second offence \$1,500.00 third and subsequent offence