
**TOWN OF SEDGEWICK
BYLAW NO. 556/19
TOWN OF SEDGEWICK ANIMAL CONTROL BYLAW**

**A BYLAW OF THE TOWN OF SEDGEWICK, IN THE PROVINCE OF ALBERTA, TO
PROVIDE FOR THE LICENSING, REGULATION AND CONTROL OF ANIMALS IN THE
TOWN OF SEDGEWICK.**

WHEREAS pursuant to the Municipal Government Act, R.S.A. 2000, c.M-26, a municipality may pass bylaws with respect to the safety, health and welfare of people and the protection of people and property;

AND WHEREAS the Town of Sedgewick is of the view that it is necessary for the preservation and protection of public health, safety and welfare of the residents of the Town of Sedgewick to provide for the control and keeping of Dogs within the Town of Sedgewick;

NOW THEREFORE the Council of the Town of Sedgewick in the Province of Alberta, duly assembled, enacts as follows:

1. Citation

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

2. Definitions

"Altered Dog" means a Dog that has been spayed or neutered;

"Animal" means any domesticated Dog, cat or other creature and does not include Wildlife;

"Animal Shelter" means a facility determined by the Town for the safekeeping, and holding of impounded or seized animals as set out within this Bylaw;

"Attack" means an assault by an Animal upon a Person or other Animal consisting of more than one Bite and which causes injury to that Person or other Animal.

"Bite" means an application of force by an Animal by means of its mouth and teeth upon a Person or other Animal which results in pain or injury of any nature being inflicted upon that Person or other Animal;

"Calendar Year" means the period January 1 to December 31;

"Chief Administrative Officer" and **"CAO"** means the Person designated by Council as the Chief Administrative Officer of the municipality, or that Person's designate;

"Communicable Diseases" shall mean diseases which can be passed from Animal to Animal and zoonotic diseases as per the Animal Protection Act, R.S.A. 2000, c.A-41, as amended or replaced and appealed from time to time;

"Council" means the Council of the Town of Sedgewick;

"Court" means a Court of competent jurisdiction in the province of Alberta;

"Dog" means any animal of the Canidae family, regardless of the sex of such Animal;

"Dog Tag" means a numbered metal tag issued by the Town when the Owner of a Dog licenses such Animal with the Town;

"Excessive Barking" means barking, howling, etc., that will be determined by considering:

- Proximity of the complainant(s) to the property where the animal is located;
- Duration of the barking, howling, etc.;
- Time of day and day of the week;
- Nature and use of the surrounding area;
- Effect of the barking, howling, etc., on the complainant(s).

“Former Owner” means the Person who at the time of impoundment or seizure of an Animal was the Owner of an Animal which has subsequently been sold, destroyed or otherwise disposed of.

“Heat” means a recurring period of sexual receptivity in many female Animals;

“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;

“Leash” means a chain or other material capable of restraining the Animal on which it is being used;

“Municipal Government Act” or **“MGA”** means the Municipal Government Act, R.S.A. 2000, c.M-26 and amendments thereto;

“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 (a Peace Officer or) the CAO in accordance with Section 5 of this Bylaw;

“Owner” means any natural Person or body corporate:

- who is the licensed Owner of the Animal; or
- who has legal title to the Animal; or
- who has possession or custody, or care and control of the Animal, either temporarily or permanently; or,
- who harbours the Animal or allows the Animal to remain on his premises.

“Peace Officer” means a Person engaged by the Town as a Community Peace Officer, a Bylaw Enforcement Officer, or a member of the Royal Canadian Mounted Police to carry out the provisions of this bylaw;

“Person” shall mean any individual, corporation, firm, partnership, association, society or registered company.

“Restricted Dog” means a Dog;

- That Attacks, Bites or causes Severe Injury to any Person or other Animal without provocation;
- That represents a continuing threat of serious harm to Persons or other Animals;
- has been declared to be a Restricted Dog pursuant to a Bylaw of another municipality, or any Animal that has been the subject of an order issued by a Justice pursuant to the Dangerous Dogs Act, R.S.A. 2000, c.D-3, as amended or replaced from time to time.
- which, in the opinion of a Justice has a propensity to attack, to cause injury to or to otherwise endanger the safety of a human or other Animal; or

“Run At Large” or **“At Large”** means:

- An Animal which is not under the control of a Person responsible by means of a Leash and is actually upon property other than the property in respect of which the Owner of the Animal has the right of occupation;
- An Animal which is under the control of a Person responsible by means of a Leash and causes damage to Persons, property or other Animals;

“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, or a working Dog where the CAO is satisfied of the Dog’s credentials;

“Severe Injury” means any injury that requires medical attention excepting wound cleaning and basic first aid and includes: wounds requiring surgery, disfiguring or scarring lacerations, broken bones, severe sprains or any other similar serious injury;

“Town” means the municipal corporation of the Town of Sedgewick, or where the context requires means the area contained within the boundaries of the Town of Sedgewick;

“Unaltered Dog” means a Dog that has not been spayed or neutered;

“Violation Tag” means a ticket or similar document issued by the Town pursuant to the Municipal Government Act, R.S.A. 2000, c.M-26, as amended or replaced and appealed from time to time;

“Violation Ticket” means a ticket issued pursuant to the Provincial Offences Procedure Act, R.S.A. 2000, c.P-34 and regulations thereunder, as amended or replaced and appealed from time to time;

3. Licensing

- 3.1.** No Person shall own or keep any Dog within the Town unless that Dog is licensed as per this bylaw.
- 3.2.** The Owner of a Dog(s) shall obtain an annual License for each dog owned, up to a maximum of 2 Dogs as per the following:
 - 3.2.1.** A numbered Dog Tag shall be provided to the Owner by the Town for each licensed Dog upon payment of a License fee as per Schedule ‘A’.
 - 3.2.2.** Licenses shall be valid for the period between January 1st and December 31st in the Calendar Year that they are issued.
 - 3.2.3.** Dogs over the age of three months shall require a License by January 31st.
 - 3.2.4.** Dogs that are acquired and/or reach the age of three months after January 31st shall require a License within fourteen (14) days of either event.
 - 3.2.5.** Licenses acquired after the deadlines set in 3.2.3. and 3.2.4 shall be subject to an increased fee as per Schedule ‘A’.
- 3.3.** The holder of a License for a Dog must be eighteen (18) years of age or older.
- 3.4.** An issued Dog Tag must be attached to such Dog by a collar or harness at all times when the Dog is on any property other than that of its owner.
- 3.5.** A Dog Tag shall not be transferred from one Dog to another or attached to any Dog that has not been licensed by the Town.
- 3.6.** In the event that a Dog Tag is lost, a new Dog Tag may be issued upon proof of license of the Dog and upon payment to the Town of a fee.
- 3.7.** Owners who fail to license their Dog(s) as set out in this bylaw shall pay a penalty as per Schedule A.
- 3.8.** Licensing fees shall be waived for Dogs that can be identified as Service Dogs.

4. Regulations

- 4.1.** No Person residing within the Town of Sedgewick shall own, possess or care for more than two (2) Dogs.
- 4.2.** If not on the Owner’s property, all Dogs shall be leashed and under the control of a person capable of controlling the Dog.
- 4.3.** If any Animal defecates on any public or private property other than that of the Owner, the Owner shall remove the defecation immediately.
- 4.4.** Defecation left by Animals on the Owner’s property shall not accumulate to the extent that it interferes with other property owner’s reasonable enjoyment of their own property.
- 4.5.** The Owner of an Animal shall ensure that:
 - 4.5.1.** Their Animal does not Excessively Bark, howl, cry or otherwise make or cause excessive noise which disturbs any Person and unreasonably interferes with that Person’s peaceful enjoyment of their property or public space.
 - 4.5.2.** Their Animal does not upset any waste receptacle or scatter the contents thereof either in or about a street, highway, land or other public property or any premises not belonging to or in the possession of the Owner of the Animal.

The Owner shall be responsible for immediately cleaning up any such mess created by their Animal.

- 4.5.3.** Their Animal does not bark at, chase or Bite other Animals, wildlife, or vehicles.
 - 4.5.4.** Their Animal does not growl, snarl, lunge at, chase, Bite, threaten, Attack or injure a Person or Persons, whether on the property of the Owner or not, unless that Person is a trespasser on the property of the Owner.
 - 4.5.5.** Their Animal does not cause property damage to any property other than their own.
- 4.6.** No owner shall direct an Animal to Attach, chase, harass or threaten a Person, Animal, or Wildlife.
- 4.7.** No Person shall in any way permit an Animal to be in distress by:
- 4.7.1.** Causing any unnecessary physical pain to the Animal; or
 - 4.7.2.** Neglecting to provide food, potable water, care or shelter as is necessary to maintain the good health of the Animal; or
 - 4.7.3.** Neglecting to provide the necessary treatment for an Animal suffering from disease or injury or which is infested by any vermin or parasite; or
 - 4.7.4.** Wilfully or negligently teasing, harassing, tormenting or annoying an Animal.
- 4.8.** No Person shall negligently or wilfully open any gate, door or other opening in a fence, enclosure, structure or otherwise release an Animal which has been confined thereby allowing the Animal to Run At Large.
- 4.9.** No Person shall leave an Animal unattended in or on a vehicle, trailer or similar object for an unreasonable amount of time.
- 4.10.** Owners of Animals in Heat shall confine the Animal indoors or within an enclosure which will prevent the escape of the Animal or the entry of other Animals.
- 4.10.1.** The Animal in Heat shall be allowed to leave the enclosure in order to urinate or defecate if under the control of the Owner.
- 4.11.** An Owner of an Animal which is suffering from a Communicable Disease shall:
- 4.11.1.** Not permit the Animal to be in any public place;
 - 4.11.2.** Not keep the Animal in contact or proximity with another Animal;
 - 4.11.3.** Keep the Animal confined; and
 - 4.11.4.** Immediately report the matter to a Veterinarian and the CAO.

5. Nuisance Animals and Restricted Dogs

- 5.1.** An Animal that has caused the Owner to be fined in violation of subsections 4.1., 4.2., 4.3., 4.4., or 4.5. may be deemed a Nuisance Animal by a Peace Officer if that officer determines on reasonable grounds based on personal observation and history or the basis of facts in an investigation that the Animal is likely to violate again.
- 5.2.** A Dog that Bites, Attacks or causes Severe Injury to any Person or other Animal without provocation, represents a continuing threat of serious harm to Persons or other Animals, has been declared to be a Restricted Dog pursuant to a Bylaw of another municipality, or has been the subject of an order issued by a Justice pursuant to the Dangerous Dogs Act, R.S.A. 2000, c. D-3, as amended or replaced from time to time may be deemed as a Restricted Dog by a Peace Officer.
- 5.3.** The Owner of a Nuisance Animal or Restricted Dog must register the Animal and apply for a Nuisance Animal or Restricted Dog License within fourteen (14) days of the written notification date.
- 5.4.** There shall be no more than one (1) Nuisance Animal or Restricted Dog per dwelling.
- 5.5.** Upon being deemed a Nuisance Animal the CAO may impose any or all of the following conditions:
 - 5.5.1.** The Animal be kept indoors or secured in a fully enclosed outdoor pen;
 - 5.5.2.** The Animal be muzzled at all times while outdoors;

- 5.5.3. The Owner undertake repairs or make additions to the property so as to ensure compliance with the bylaw;
 - 5.5.4. The Owner and the Nuisance Animal together complete a specified Behavioural Modification Course; and
 - 5.5.5. Any other conditions deemed reasonable by the CAO.
- 5.6. Upon being deemed a Restricted Dog the CAO may impose any or all of the following conditions:
- 5.6.1. The Owner shall post signage at each entrance to the premises where the Restricted Dog is kept warning of the presence of a Restricted Dog;
 - 5.6.2. When off the Owner's property, the Restricted Dog is to be muzzled, held on a Leash or harness at all times not exceeding one and one half (1.5) metres in length; and under the full control of the Owner or someone over the age of eighteen (18) years.
 - 5.6.3. When on the Owner's property, the Restricted Dog shall be confined indoors or if outdoors in a fenced location, be leashed and under the full control of someone over the age of eighteen (18) years, secured by a chain fixed to the property and unable to approach within two (2) metres of the apparent property line or secured in a holding pen that:
 - 5.6.3.1. Has secure sides and a secure top, and if it has no bottom secured to the sides, the sides must be embedded in the ground a minimum depth of thirty (30) centimeters;
 - 5.6.3.2. Provides the Restricted Dog with shelter from the elements;
 - 5.6.3.3. Be at least one and one-half meters wide, three meters long and one and one-half meters in height;
 - 5.6.3.4. Not be within two meters of the property line or five meters to the nearest residential unit.
 - 5.6.4. The Owner shall obtain liability insurance coverage that specifically covers any potential damage for personal injury or property damage caused by the Restricted Dog on or off of the Owner's property, in an amount not less than \$1,000,000.
 - 5.6.5. If the Restricted Dog is Unaltered, have the Restricted Dog spayed or neutered.
- 5.7. An Owner may appeal the designation of and/or conditions imposed on a Nuisance Animal or Restricted Dog by submitting a written request to Council to review the notice or Order within fourteen (14) days after the date of notice. Upon review, Council may confirm, vary, substitute or cancel the notice or Order.
- 5.8. An Owner who fails to abide by conditions imposed by the CAO for a Nuisance Animal or Restricted Dog is subject to penalties as per Schedule A.

6. Enforcement

- 6.1. Any person in contravention of this Bylaw is guilty of an offence and is liable to a penalty as set out in Schedule A.
- 6.2. Where a municipal Violation Tag has been issued and the penalty has not been paid within the prescribed time, a Peace Officer is hereby authorized to issue a Violation Ticket pursuant to the Provincial Offences Procedure Act.
- 6.3. Notwithstanding Section 6.2, a Peace Officer is hereby authorized to issue a Violation Ticket pursuant to the Provincial Offences procedure Act to any Person who the Peace Officer believes has contravened any provision of this Bylaw.
- 6.4. Where a Violation Ticket is issued in respect to an offence, it may:
 - 6.4.1. specify the fine amount established by this Bylaw for the offence; or
 - 6.4.2. require a Person to appear in Court, without the alternative of making a voluntary payment.
- 6.5. If the CAO finds that a person is contravening this Bylaw, the CAO may by written Order, in accordance with the MGA, require any Person responsible for the contravention to remedy it. The Order may direct a Person to take any action necessary to remedy the contravention of this Bylaw to prevent a re-occurrence of the contravention, state a specified time to comply, and state that if the Person does not

comply within a specified time, the Town will take necessary action, at the expense of the Person.

- 6.6.** A Peace Officer is authorized to capture and impound in the Animal Shelter any Dog which is at large or Animal that is deemed to be a danger to the public.
- 6.7.** A Peace Officer may take reasonable measures as are necessary to subdue any Animal which is at large, including the use of tranquillizer equipment and materials. If any such Animal is injured, it may be taken to a licensed veterinarian for treatment and then to the Animal Shelter.
- 6.8.** No Person shall in any way interfere with or obstruct a Peace Officer who has seized or is attempting to seize an Animal at large.
- 6.9.** Any Animal that has been seized and placed in an Animal Shelter shall be kept therein for a period of not less than three business days, excluding Saturdays, Sundays and statutory holidays unless sooner claimed by the Owner or otherwise disposed of in accordance with this Bylaw. All fines, fees and costs, as applicable, shall be paid prior to release to the Owner or Former Owner, if known, of any Animal.
- 6.10.** In any case, where an Animal is found to be ill or has been injured and it has been determined by a Veterinarian or other competent Person, that the Animal should be destroyed to prevent needless suffering, the Animal may be euthanized as soon as practical.
- 6.11.** Any Animal that has been impounded for longer than the period of time prescribed in this Bylaw, may at the discretion of the Peace Officer or the CAO:
- 6.11.1.** be sold at a price to cover the cost of the impoundment, provided the Animal is not sold to the Owner or to any other Person representing the Owner, or
- 6.11.2.** be euthanized by a veterinarian.
- 6.12.** An Owner may claim an Animal by producing proof of ownership, paying to the Town all costs of impoundment as set out in Schedule A of this bylaw, and obtaining any necessary Licenses.

7. Severability

- 7.1.** If any term of this Bylaw is found to be invalid, illegal, or unenforceable by a Court or tribunal having the jurisdiction to do so, that term is to be considered to have been severed from the rest of this bylaw, and the rest of the bylaw remains in force unaffected by that finding or by the severance of that term.

8. Enactment

- 8.1.** This Bylaw shall take effect at the date of final passing thereof.
- 8.2.** Bylaw 464 is hereby rescinded.

First Reading passed in open Council duly assembled in the Town of Sedgewick, in the province of Alberta this 18th day of April, 2019.

Second Reading passed in open Council duly assembled in the Town of Sedgewick, in the province of Alberta this 18th day of April, 2019.

Third Reading passed in open Council duly assembled in the Town of Sedgewick, in the province of Alberta this 18th day of April, 2019.

TOWN OF SEDGEWICK



MAYOR



CHIEF ADMINISTRATIVE OFFICER

SCHEDULE A

Animal License Fees

	Prior to Feb.1 st Annually or Specified Time	After Jan.31 st or after Specified Time
Altered Dog	15.00	30.00
Un-altered Dog	30.00	60.00
Nuisance Animal	50.00	100.00
Restricted Dog	200.00	400.00
Dog Tag Replacement	5.00	5.00

Animal Shelter and Retention Costs

Daily Animal Shelter Fees	Per Contracted Animal Shelter Fees
Daily Animal Subsistence Fee	\$10.00
Animal Spaying or Neutering	Per Veterinary Fees
Veterinary Care/Treatment	Per Veterinary Fees
Animal Euthanize Fee	Per Veterinary Fees

Fines and Penalties

	First Offence	Subsequent Offence
Violation of Section 3 – Licensing	\$50.00	\$100.00
Violation of Section 4 - Regulations	\$100.00	\$200.00
Violation of Section 5 – Nuisance Animals and Restricted Dogs (failure to obtain Nuisance Animal or Restricted Dog License or abide by imposed conditions)	\$500.00	\$1000.00