

## **BY-LAW NO. 2310 OF THE COUNTY OF GRANDE PRAIRIE NO. 1**

A by-law of the County of Grande Prairie No. 1 in the Province of Alberta, to cancel County of Grande Prairie No.1 By-law number 1928, to provide for the licensing, regulation and control of dogs within the County of Grande Prairie No. 1.

**WHEREAS** the Council has the authority pursuant to the provisions of the Municipal Government Act, Statutes of Alberta, 1994, Chapter M-26. 1, and amendments thereto, provides that a municipality may pass a by-law regulating, licensing and controlling dogs.

**THEREFORE** the Council of the County of Grande Prairie No. 1 enacts as follows:

### **1. TITLE**

This by-law may be cited as the “Dog Control By-law”

### **2. INTERPRETATION AND APPLICATION**

In this by-law unless the context otherwise requires:

- a) **ANIMAL CONTROL OFFICER** includes a person engaged by the County of Grande Prairie to carry out the provisions of this by-law; By-law Enforcement Officer, Constable(s) employed by the County of Grande Prairie, a member of the Royal Canadian Mounted Police.
- b) **COUNTY** means the municipal corporation of the County of Grande Prairie No. 1 or the area contained within the boundary thereof.
- c) **DAY** means a continuous period of twenty –four (24) hours.
- d) **DOG** means either a male or a female dog.
- e) **UNLICENSED DOG** means any dog for which the license has not been obtained as provided under this by-law, or to which the tag provided for in the said by-law is not attached.
- f) **DOMESTIC ANIMALS** means any creature kept by any person for their personal pleasure or enjoyment, or for subsistence purposes, or for profit either commercially or personally, and includes, but is not limited to, cats, dogs, horses, sheep, pigs, rabbits, chickens, game birds, wildlife where kept legally as above.
- g) **OWNER** means a natural person or body corporate who has legal title to the dog, and includes any person who has possession or custody of the dog, either temporarily or permanently, or harbours the dog, or suffers the dog to remain on his premises.
- h) **FORMER OWNER** means the person who at the time of impoundment was the owner of the dog which has subsequently been sold or destroyed.
- i) **RUNNING AT LARGE** means:
  - i) a dog or dogs which are not under the control of a competent and responsible person and is or are actually upon property other than the property in respect of which the owner of the dog

or dogs has the right of occupation, or upon any highway, street, boulevard, sidewalk, park, playground, or other public place, or

- ii) a dog or dogs which are under the control of a competent and responsible person and which causes damage to property or other domestic animals.
- j) **POUND** means a facility established for the holding of impounded dogs.
- k) **PLAYFIELDS** means an area which is designed for formal or informal individual, team or competitive sport activity. The area may be isolated on a site or may be part of a larger park and shall include the area within twenty (20) metres in all directions from any pitch area unless the park boundary is a lesser distance.
- l) **TOT LOT** means an area on which various children's play apparatus is located. The area may be isolated on a site or may be part of a larger park and shall include that area within twenty (20) metres in all directions from the outside dimensions of any such play apparatus unless the park boundary is a lesser distance.
- m) **VOLUNTARY PENALTY** means a penalty specified in this by-law for a contravention of a provision of this by-law which amount may be paid by a person to whom a voluntary payment summons was issued.
- n) **VOLUNTARY SUMMONS** is a summons or ticket wherein the person alleged to have committed a breach of a provision of this by-law is given an opportunity to pay a voluntary penalty to the Clerk of the Provincial Court in lieu of prosecution for the offence. The voluntary payment summons may be issued by personally serving it upon the alleged offender, or by leaving it at the residence of the alleged offender.
- o) **SCHOOL GROUNDS** means any school grounds and/or educational facilities under the control of the Peace Wapiti School Board No. 33.
- p) **LEASH** means a chain or other material not over two (2) metres in length and capable of restraining the dog for which it is in use.
- q) **VICIOUS DOG** means:
  - i) any dog with a known propensity, tendency or disposition to attack without provocation, other dogs, domestic animals, or humans; or
  - ii) any dog which has bitten another dog, domestic animal or human, without provocation; and
  - iii) which in the opinion of the Animal Control Officer is being a hazard or danger to persons and/or property.
- r) **PARCEL** means a plot or tract of land which a person or persons have authority to use by reasons of ownership and/or tenancy.

### 3. RESPONSIBILITIES OF DOG OWNERS

The owner of a dog:

- a) No person owning, possessing or harboring any dog shall permit, suffer or allow the same to run at large within the County of Grande Prairie No. 1.
- b) No owner, possessor or harbourer of any dog shall permit, suffer or allow any dog to be on any street or other public place unless the same is under the full custody and control of a competent person by means of a leash; except as provided in sub-section (d).
- c) No owner, possessor or harbourer of any dog shall permit, suffer or allow any unattended dog to be tied to any object when off the property of the owner.
- d) No owner, possessor or harbourer of any dog shall permit, suffer or allow any dog to be in a vehicle in a manner in which the dog may come in physical contact with any person passing the vehicle.

Any person violating any of the provisions of Section 3, subsection a), b), c), and d) shall be liable to a voluntary penalty of:

- e) For a first offence in any calendar year to a voluntary penalty of Fifty (\$50.00) dollars and upon Summary Conviction to a fine of not less than Fifty (\$50.00) dollars.
- f) For a second offence in any calendar year to a voluntary penalty of One Hundred (\$100.00) dollars and upon Summary Conviction to a fine of not less than One Hundred (\$100.00) dollars.
- g) In addition to the requirements of subsection (b) no owner, possessor or harbourer of a vicious dog shall permit, suffer or allow the dog to be on any streets or in any public place or on any other place that is not owned or controlled by that person unless the dog is muzzled to prevent it from biting another dog, domestic animal or human.
- h) Any owner, possessor or harbourer of a vicious dog shall, at all times while the dog is on the premises owned or controlled by such person, keep the dog securely confined either indoors or in an enclosed pen or other structure capable of preventing the entry of young children and adequately constructed to prevent the dog from escaping.

Any person violating any of the provisions of Section 3, subsections g) and h) shall be liable to a voluntary penalty of:

- i) For a first offence in any calendar year to a voluntary penalty of One Hundred (\$100.00) dollars and upon Summary Conviction to a fine of not less than One Hundred (\$100.00) dollars.
- j) For a second offence in any calendar year to a voluntary penalty of four hundred (\$400.00) dollars and upon Summary Conviction to a fine of not less than Four Hundred (\$400.00) dollars.

#### 4. NUISANCE

The owner of a dog shall ensure that such dog shall not become a nuisance by:

- a) biting or chasing a person or persons whether on the property of the owner or not;
- b) biting, barking at, or chasing domestic animals, bicycles, automobiles, or other vehicles;
- c) barking, howling or otherwise disturbing the quiet of any person;
- d) causing damage to property or other dogs or domestic animals;
- e) keeping a female dog which is estrus at any location where the dog is a source of attraction to other dogs.

Any person violating any of the provisions of Section 4 shall be liable to a voluntary penalty of Fifty (\$50.00) dollars and upon Summary Conviction to a fine of not less than Fifty (\$50.00) dollars.

#### 5. COMMUNICABLE DISEASES

An owner of a dog suspected of suffering with rabies:

- a) Shall immediately report the matter to Agriculture Canada, Veterinary Inspection Directorate or to the Animal Services Supervisor who will then report to Agriculture Canada and County of Grande Prairie Protective Services;
- b) Shall confine or isolate the dog, in such a manner as prescribed so as to prevent further spread of the disease;
- c) Shall where necessary keep the dog confined for not less than 10 days.

#### 6. LICENSING

- a) The owner of a dog shall apply for a license for each dog he owns.
- b) No person shall own, possess or harbour an unlicensed dog.
- c) Every owner of a dog aged 6 months or more, who resides in the County of Grande Prairie No. 1 in any year, shall forthwith cause the dog to be registered at the County Administration Office, located two miles north of Grande Prairie, in the Province of Alberta, on Hwy. 2; and shall cause such dog to wear around his neck a collar to which shall be attached in a secure manner, a metallic tag, to be issued free of charge by the County of Grande Prairie to such owner upon registration.
- d) No owner shall transfer or allow to be transferred a dog license from the dog for which it was obtained to any other dog.
- e) No person shall give false information when applying for a dog license.

- f) Upon losing a dog license an owner of a dog shall notify the County Administration Office located 2 miles north of Grande Prairie, in the Province of Alberta, who will issue a new tag to the owner.

Any person violating any of the provisions of Section 6 shall be liable to a voluntary penalty of Thirty (\$30.00) dollars and upon Summary Conviction to a fine of not less than Thirty (\$30.00) dollars.

## **7. DOG CONTROL OPERATION – AUTHORITY**

- a) An Animal Control Officer may capture and impound any dog found running at large and to destroy any dog pursuant to this by-law;
  - i) in respect of which he believes or has reasonable grounds to believe an offence under this by-law is being or has been committed.
  - ii) which is required to be impounded pursuant to the provisions of any Statute of Canada or of the Province of Alberta, or any Regulation made thereunder.
- b) An Animal Control Officer may enter onto the land surrounding any building in pursuit of any dog which has been observed running at large.
- c) An Animal Control Officer may use any means legally at his disposal to capture and restrain vicious dogs. If, in the opinion of the animal Control Officer, the dog cannot be safely captured or restrained, the Animal Control Officer may tranquilize or destroy the vicious dog by using a firearm to protect himself, the public or domestic animals.

## **8. OWNER IDENTIFICATION**

- a) On demand, produce forthwith suitable identification to the Animal Control Officer;
- b) Surrender his dog to the Animal Control Officer;
- c) For the purposes of this section, suitable identification shall mean any document or documents verifying the name, date of birth and current address of the owner.

Any person violating any of the provisions of Section 8 shall be liable to a voluntary penalty of One Hundred (\$100.00) dollars and upon Summary Conviction to a fine of not less than One Hundred (\$100.00) dollars.

## **9. OBSTRUCTION**

No person whether or not he is the owner of a dog which is being or has been pursued or captured shall:

- a) Interfere with or attempt to obstruct an Animal Control Officer who is attempting to capture or who has captured a dog which is subject to being impounded pursuant to the provisions of this By-law.

- b) Induce the dog to enter a house or other place where it may be safe from capture or otherwise assist the dog to escape capture.
- c) Falsely represent himself as being in charge or control of a dog so as to establish that the dog is not running at large.

Any person violating any of the provisions of Section 9 shall be liable to a voluntary penalty of One Hundred (\$100.00) dollars and upon Summary Conviction to a fine of not less than One Hundred (\$100.00) dollars.

**10. NEGLIGENCE**

No person shall:

- a) Untie, loosen or otherwise free a dog which has been tied or otherwise restrained; or
- b) Negligently or willfully open a gate, door or other opening in a fence or enclosure in which a dog has been confined and thereby allow a dog to run at large in the County.

Any person violating any of the provisions of Section 10 shall be liable to a voluntary penalty of Twenty-five (\$25.00) dollars and upon Summary Conviction to a fine of not less than Twenty-five (\$25.00) dollars.

**11. TORMENT**

No person shall tease, torment or annoy a dog.

Any person violating any of the provisions of Section 11 shall be liable to a voluntary penalty of Fifty (\$50.00) dollars and upon Summary Conviction to a fine of not less than Fifty (\$50.00) dollars.

**12. NOTIFICATION**

If the Animal Control Officer knows or can ascertain the name of the owner of any impounded dog, he shall forthwith make every attempt to notify the owner, either personally or by telephone.

**13. RECLAIMING**

The owner of any impounded dog may reclaim the dog from the Pound by paying to the County a fee as determined by the County Schedule of Fees By-law.

**14. SALES OR DESTRUCTION**

Any impounded dog not claimed within 72 hours of its being impounded may be released to any person upon payment of the pound charge, or the dog may be destroyed.

**15. KEEPING OF DOGS**

- a) No person or persons shall keep or allow to be kept more than two (2) dogs that have reached six (6) months in age, on a parcel of land ten (10) acres or less in size.
- b) Any person or persons may apply to the County of Grande Prairie for exception under Section 15 (a) of this By-law.
- c) Anyone contravening the provisions of this section is guilty of an offence and liable to a voluntary fine of Two Hundred (\$200.00) and upon Summary Conviction to a fine of not less than Two Hundred (\$200.00) dollars.

County of Grande Prairie By-law numbered 1928 is hereby rescinded.

**READ A FIRST, SECOND AND BY UNANIMOUS CONSENT OF ALL COUNCILLORS PRESENT, A THIRD AND FINAL TIME AND FINALLY PASSED THIS 3<sup>rd</sup> DAY OF MARCH, A.D. 1997.**

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**ROY BORSTAD, REEVE**

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**COUNTY ADMINISTRATOR**