

**VILLAGE OF SPRING LAKE
BYLAW # 299**

**A BYLAW OF THE VILLAGE OF SPRING LAKE IN THE PROVINCE OF ALBERTA TO
PROVIDE FOR THE REGULATING AND CONTROLLING OF DOGS RUNNING AT LARGE.**

Whereas the Village Council of the Village of Spring Lake desires to provide for the regulating and controlling of dogs;

- (1) This Bylaw may be cited as the Village of Spring Lake Dog Bylaw
- (2) In this Bylaw, unless the context shall otherwise indicate,
 - (a) “At large “ means off the premises of the owner not on a leash held by a person physically able to control the dog.
 - (b) “Village” means the Village of Spring Lake.
 - (c) “Dog” means and includes both male and female of canine species.
 - (d) “Owner” means and includes any person, partnership, association, or corporation,
 - (i) owning or possessing, or having charge have, or control over, any dog.
 - (ii) harbouring any dog.
 - (iii) suffering or permitting any dog to remain about his house or premises.
 - (e) “Poundkeeper” means a person or persons appointed as such by the Village of Spring Lake Council.
 - (f) “Chief Administrative Officer” means a person appointed as such by Village Council of the Village of Spring Lake.
 - (g) “Vicious Dog” means:
 - (i) any individual dog that when unprovoked inflicts bites, or attacks a human being, or other animal, either on public or private property.
 - (ii) any individual dog with a known propensity, tendency or disposition to attack without provocation, to cause injury or to otherwise endanger the safety of human beings or domestic animals;
 - (iii) any individual dog owned or harbored primarily, or in part, for the purpose of dog fighting, or any dog trained for dog fighting;
 - (iv) any individual dog which has been found to be a “public nuisance” upon 1 occasion:
 - (v) no dog shall be deemed “vicious” if it bites, attacks, or menaces a trespasser on the property of its owner, or harms or menaces anyone who has tormented or abused it, or is a professionally trained dog for law enforcement of guard duties;

- (h) "Public Nuisance" means any individual dog which bites or chases people; bites barks at or chases bicycles; or bites, barks at or chases livestock.
 - (i) "Enclosure" means a secure and locked pen capable of preventing the entry of young children. Such a pen shall have secure sides and a secure top and if it has no bottom secure to the sides, the sides shall be embedded in the ground to a minimum depth of thirty (30) centimeters, and the pen shall be constructed of a minimum of nine (9) guage chain link fence.
 - (j) "Impounded" means taken into the custody of the public pound designated by the Chief Administrative Officer.
 - (k) "Run line" means a system of tying a dog in place with either rope or chain having a tensile strength of at least 300 lbs.
 - (l) "Animal Control Officer" means a person whose duties entail carrying out the provisions of the bylaw; and to inspect the dog licenses as required by the Village of Spring Lake Council and its administrative supervisors.
 - (m) "Kennel" means a shelter, room, dwelling or place where three or more dogs are harbored at any one location, (This definition does not include premises used for care and treatment of dogs as operated by a qualified veterinarian, nor does it include premises known as a pound as defined in this bylaw.)
 - (n) "Pound" means the place designated by the Chief Administrative Officer for the impounding and keeping of dogs found to be in contravention of this bylaw.
- (3) The Poundkeeper shall keep an up-to-date record of all complaints, notices and reports and a similar record of the disposition thereof.
 - (4) (a) The owner of a dog shall not permit such dog to run at large;
 - (b) Where a dog is found running at large, the owner thereof shall be deemed to have failed or refused to comply with the Bylaw.
 - (5) Every owner of a female dog shall confine and house such female dog during the whole period the dog is in heat.
 - (6) The Animal Control Officer may seize and impound every dog running at large contrary to Section 4 hereof.
 - (7) In enforcement of the jurisdiction provided in Section 6, but not for the purposes of investigation only, the Animal Control Officer is hereby authorized to enter any privately owned premises at any reasonable time, provided, however, that in this section the word "premises" does not include a building used as a dwelling house.
 - (8) It shall be the duty of the Chief Administrative Officer to establish one or more pounds for the keeping and impounding of dogs at a place or places approved by the Chief Administrative Officer and the Chief Administrative Officer shall make all rules and regulations, not inconsistent with this Bylaw pertaining to the conduct of the Poundkeepers and the administration of the approved Pound or Pounds.

- (a) The Poundkeeper shall keep all impounded dogs for period of least (72) hours, including the day of impounding. Sundays and statutory holidays shall not be included in the computation of the seventy-two (72) hour period. During this period, any healthy dog may be redeemed by its owner upon the owner paying the poundkeeper the appropriate fine where applicable, plus kennel fees as set out by the poundkeeper. All dogs with identification or tattoos marking them as purebred shall be held a minimum of ten (10) days. Kennel fees and applicable fines still apply in the case of an impounded purebred dog.
 - (b) If at the expiration of a seventy-two (72) hour period, any impounded dog has not been redeemed, it may be sold given away or destroyed.
 - (c) Any impounded dog which appears to be suffering from any dangerous disease shall be subject to the jurisdiction of the Health of Animals Branch of the Department of Agriculture for appropriate action under the Animal Contagious Diseases Act.
- (9) No person shall remove or attempt to remove any dog from the possession of the Poundkeeper or any of his/her assistants.
- (10) 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 any dog in accordance with the provisions of this Bylaw.
 - (b) induce any dog to enter a house or other place where it may be safe from capture or otherwise assist the dog from being captured.
 - (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 as the term is defined by this Bylaw.
 - (d) unlock or unlatch or otherwise open a vehicle in which dogs captured for impoundment have been placed so as to allow or attempt to allow any dogs to escape therefrom.
- (11) It shall be unlawful for any person to keep or maintain any dog which has been found to be a vicious dog unless such dog is at all times kept indoors under the effective control of a person over the age of sixteen (16) years and physically able to control the dog. When not confined indoors, the dog must be confined in a secure and locked enclosure capable of preventing the entry of young children. Such a pen shall have secure sides and a secure top and if it has not bottom secured to the sides, the sides shall be centimeters, and the pen shall be constructed of a minimum of nine (9) gauge chain link fence.

The only times that a vicious dog may be allowed out of the enclosure are: (1) if it is necessary for the owner or keeper to obtain veterinary care for the vicious dog or (2) to sell or give away the vicious dog or (3) to comply with the order of a court of competent jurisdiction, provided that said vicious dog is securely muzzled and restrained with a chain having a tensile strength of 300 lbs. not exceeding 3 feet in length, and shall be kept under the direct control and supervision of the owner or keeper of the vicious dog.

Any dog which has been found to be a vicious dog, and which is not confined to an enclosure, shall be impounded and may be destroyed.

Any owner or keeper of a vicious dog who shall sell or give away, or who shall possess with the intent to sell, any vicious dog shall give written notice to the person who will be receiving the vicious dog that said dog has been found to be a vicious dog.

- (12) Any owner who permits a public nuisance dog to run at large is subject to a fine over and above any other fine of this Bylaw.
- (13) No owner of any dog shall permit such dog to bark or howl excessively or in any other way or manner disturb the quiet of any person or persons. Owners of dogs failing to obey this regulation by controlling their animal shall be subject to a fine over and above any other fine of this Bylaw.
- (14) No person shall keep or harbour more than two (2) dogs of whatever sex or age at the time within the Village boundaries.
- (15) A person is a party of and guilty of an offense who:
 - (a) actually commits the offense, or
 - (b) does or omits an act for the purpose of aiding a person to commit an offense, or
 - (c) abets a person in the commission of the offense, or
 - (d) counsels or procures a person to commit an offense.

Any person who contravenes any provision of this Bylaw is guilty of an offense.

Except as otherwise provided by this Bylaw, a person who is guilty of an offense under this bylaw for which a penalty is not provided, is liable on Summary Conviction to a fine of not more than \$2 500 and in default of payment is liable to imprisonment for a term not exceeding six (6) months or to both such fine and imprisonment.

- (16) A notice, form, or other infraction ticket may be issued by the Animal Control Officer to any person, or persons charged with a breach of any provisions of this Bylaw.

A notice shall be deemed to be sufficiently served in any prosecution:

- (a) if served personally on the accused.
- (b) if mailed by double registered post to the last known address of the accused person; or
- (c) if left at the accused's usual place of abode or with an inmate thereof who appears to be at least sixteen (16) years of age.
- (d) where the accused is an association, partnership, or corporation, if mailed by double registered post to the last known office address or registered office or if

left with a person who appears to be at least sixteen (16) years of age and is employed by, or is an officer of, the association, partnership, or corporation.

- (17) Payment of the sum set out in the notice or form in accordance with terms of the said notice or form may be accepted by the Village of Spring Lake in lieu of prosecution.
- (18) It is the intention of the Village Council that each separate provision of this bylaw shall be deemed independent of all other provision herein and it is further the intention of the Village Council that if any provisions of this bylaw be declared invalid, all other provisions thereof shall remain valid and enforceable.
- (19) License Fees:
All resident dogs of the Village of Spring Lake over the age of six (6) months will forthwith be required to be licensed. License fees shall be fifteen dollars (\$15.00) per year per dog, any replaced tags may be subject to the same fee.
All dogs must display the tags issued to their owners.
- (20) Fines:
Fines for breaches of any section of this bylaw shall be listed in an attached index and may be changed from time to time by a resolution of Council of the Village of Spring Lake.

This bylaw rescinds bylaw # 291.

Read a first time the _____ day of _____, 2008.

Read a second time the _____ day of _____, 2008.

Read a third and final time the _____ day of _____ 2008.

Mayor

Chief Administrative Officer

Bylaw No. 299

Fines For Infractions:

Infraction	Minimum Fine	Minimum Fine 2 nd Offence	Minimum Fine 3 rd and Subsequent Offences
Section 4 Permitting a dog to run at large	\$50.00	\$100.00	\$150.00
Section 5 Failure to confine female dog in heat	30.00	60.00	90.00
Section 10 Any provisions of A to D	100.00	200.00	200.00
Section 11 Failure to confine Vicious dog securely	500.00	1 000.00	1 500.00
Section 12 Dog being a public Nuisance	100.00	200.00	300.00
Section 13 Dog disturbing the quiet of any person	50.00	100.00	150.00
Section 14 Harbouring more than two dogs	100.00	200.00	200.00
Section 19 (a) Failure to display a dog tag	50.00	75.00	150.00

