

**PARKLAND COUNTY
PROVINCE OF ALBERTA**

BYLAW 2024-02

BEING A BYLAW FOR THE PURPOSE OF REGULATING DOMESTIC ANIMALS AND TO PROMOTE RESPONSIBLE PET OWNERSHIP

WHEREAS the *Municipal Government Act*, RSA 2000 c M-26, authorizes council to pass bylaws for municipal purposes respecting the safety, health and welfare of people and the protection of people and property, and respecting wild and domestic animals and activities relating to them; and

WHEREAS the *Municipal Government Act*, RSA 2000 c M-26, authorizes a municipality to pass bylaws regarding the remedying of contraventions of bylaws; and

WHEREAS the *Municipal Government Act*, RSA 2000 c M-26, authorizes a council to regulate or prohibit, and provide for a system of licenses, permits, or approvals; and

WHEREAS it is desirable and in the best interest of the public to pass a bylaw to regulate and control domestic animals;

NOW THEREFORE, the Council of Parkland County, duly assembled and under the authority of the *Municipal Government Act*, RSA 2000 c M-26, as amended, hereby enacts the following:

TITLE

1. This Bylaw shall be known as the "Responsible Pet Ownership Bylaw".

DEFINITIONS

2. The following definitions will apply to the corresponding words in this Bylaw:
 - (1) "Abandon" means a Domestic Animal that:
 - (a) is left for more than twenty-four hours without adequate food or water or shelter;
 - (b) is left for five days or more after the expected retrieval time from a registered veterinarian or from a person who for money consideration or its equivalent stables, boards, or cares for the Domestic Animal; or
 - (c) is found on premises with respect to which the tenancy agreement has been terminated;
 - (2) "Animal/Bird Unit" means any animal as set out in section 71 of this Bylaw;
 - (3) "Animal Shelter", also referred to as "Pound", means a premises designed by the County for the impoundment and care of Cats and Dogs and includes premises supplied by an independent contractor under contract with the County to provide such premises;
 - (4) "At Large" means any Dog, Vicious Dog, or Domestic Animal that is not constrained by a leash or lead less than three meters in length or under the physical control of a person at a location other than:
 - (a) the owner's property;
 - (b) inside of the boundaries of an Off-Leash Area; or
 - (c) on private property with consent of the owner of that private property;
 - (5) "Bark Excessively" means a Dog that, in the opinion of a Peace Officer, barks, howls or makes any other loud noise for a continuous period so as to unreasonably disturb the peace and tranquility of the neighbourhood;
 - (6) "Cat" means a feline animal over the age of six months;
 - (7) "Communicable Diseases" means diseases which can be passed from animal to animal, and animal to person;
 - (8) "Council" means the Council of Parkland County;
 - (9) "County" means Parkland County;

- (10) "Director of Enforcement Services" means the Person, or their designate, who is in charge of the County's enforcement services;
- (11) "Dog" means a canine animal over the age of six months;
- (12) "Domestic Animal" means an animal, such as a horse or dog, that has been tamed and kept by humans as a work animal, food source, or pet, especially a member of those species that have, through selective breeding, become notably different from their wild ancestors;
- (13) "Fees and Charges Bylaw" means the Enforcement Services Fees and Charges Schedule approved by Council as part of the budget approval process;
- (14) "Hen" means a domesticated female chicken;
- (15) "License" means a license granted by the County to an Owner for a specific Dog pursuant to this Bylaw for the purpose of regulating and tracking Dogs;
- (16) "Municipal Tag" means a Municipal Violation notice or tag, allowing for the voluntary payment of a specified penalty to be paid out of court to the County in lieu of issuance of a Violation Ticket;
- (17) "Off-Leash Area" means any area of public land designated by the County as a location within which Dogs do not need to be on a leash;
- (18) "Owner" means any person:
 - a) owning, possessing, having charge of or care and control over or harbouring any Domestic Animal;
 - b) permitting any Domestic Animal to remain on or about the property owned or controlled by that person; or
 - c) to whom a License was issued for a Dog;
- (19) "Peace Officer" has the same meaning as in the *Provincial Offences Procedure Act*, RSA 2000 c P-34, and includes a County appointed Bylaw Officer;
- (20) "Person" means any individual, firm, partnership, association, corporation, or society;
- (21) "Property" means any land, buildings, structures or premises, or any personal property located thereupon within the municipal boundaries of the County;
- (22) "Provincial Offences Procedures Act" means the *Provincial Offences Procedures Act*, RSA 2000 c P-34, and the regulation thereof, as amended or replaced from time to time;
- (23) "Rooster" means a domesticated male chicken;
- (24) "Service Dog" as defined in the *Canadian Accessible Transportation for Persons with Disabilities Regulations*, SOR/2019-244, or amendments hereto means a dog that has been individually trained by an organization specializing in service dog training to perform a task to assist a person with a disability with a need related to their disability;
- (25) "Shelter Keeper", also referred to as a "Pound Keeper", means a person or organization and their employees or agents, appointed by the County to oversee the Animal Shelter or pound, and the welfare of the Domestic Animals kept therein;
- (26) "Swine" means any pig or swine including potbellied pigs that are of or are associated with the swine family;
- (27) "Vicious Dog" means any Dog that is declared dangerous under this Bylaw or the *Dangerous Dogs Act*, RSA 2000 c D-3.
- (28) "Violation Ticket" means a ticket issued for an offence committed against any provision of this Bylaw.

INTERPRETATION

3. The headings in this Bylaw are for reference purposes only.

ORDERS AND REVIEW

4. If a designated officer finds that a person is contravening this or any other enactment that the municipality is authorized to enforce, the designated officer may, by written order, require the person responsible for the contravention to remedy it if the circumstances so require pursuant

to sections 545 and 546 of the *Municipal Government Act*, RSA 2000 c M-26.

5. Every Person who fails to comply with an order issued pursuant to this Bylaw within the time set out in the order commits an offence.

ENFORCEMENT

General Penalty Provision

6. A Person who contravenes this Bylaw by:
 - (1) doing any act or thing which the Person is prohibited from doing; or
 - (2) failing to do any act or thing the Person is required to do;is guilty of an offence.
7. Any Person who is convicted of an offence pursuant to this Bylaw is liable on summary conviction to a fine not exceeding ten thousand dollars and in default of payment of any fine imposed to a period of imprisonment not exceeding six months.

Municipal Tags, Violation Tickets and Penalties

8. A Peace Officer is hereby authorized and empowered to issue a Municipal Tag to any Person who the Peace Officer has reasonable and probable grounds to believe has contravened any provision of this Bylaw.
9. A Municipal Tag may be served:
 - (1) personally, to the accused;
 - (2) by mail to the address of the registered Owner of the vehicle concerned, or the Person concerned; or
 - (3) by attaching to or leaving upon the vehicle with respect of which the offence is alleged to have been committed.
10. The Municipal Tag shall be in a form approved by the Chief Administrative Officer and shall state:
 - (1) the name of the Person to whom the Municipal Tag is issued, if known;
 - (2) a description of the offence and the applicable Bylaw section;
 - (3) the appropriate penalty for the offence as specified in the *Parkland County Fees and Charges Bylaw*;
 - (4) that the penalty shall be paid within 14 days of the issuance of the Municipal Tag in order to avoid prosecution; and
 - (5) any other information as may be required by the Chief Administrative Officer.
11. Where a contravention of this Bylaw is of a continuing nature further Municipal Tags may be issued by a Peace Officer, provided that no more than one Municipal Tag shall be issued, for each day that the contravention continues.
12. A Person to whom a Municipal Tag has been issued may pay the penalty specified on the Municipal Tag and if the amount is paid on or before the required date, the Person will not be prosecuted for the offence.
13. Nothing in this Bylaw shall prevent a Peace Officer from immediately issuing a Violation Ticket.
14. Where a Municipal Tag has been issued and the penalty specified on the Municipal Tag is not paid within the prescribed time, a Peace Officer is hereby authorized and empowered to issue a Violation Ticket.
15. Where a Peace Officer believes that a Person has contravened any provision of this Bylaw, the Peace Officer may commence proceedings against the Person by issuing a Violation Ticket pursuant to the *Provincial Offences Procedures Act*, RSA 2000 c P-34.
16. Where there is a specified penalty listed for an offence in the *Parkland County Fees and Charges Bylaw*, as updated from time to time, that amount is the specified penalty for the offence.
17. This section does not prevent any Peace Officer from issuing a Violation Ticket requiring a Court appearance of the defendant, pursuant to the provisions of the *Provincial Offences Procedures Act*, RSA 2000 c P-34, or from laying an information in lieu of a Violation Ticket.
18. The County can exercise discretion in the application of this Bylaw and its contents as defined in Section 529 of the *Municipal Government Act*, RSA 2000 c M-26.

19. If the complainant fails to supply evidence to a Parkland County representative on any issue within this Bylaw, the County may elect not to investigate the complaint.
20. A Peace Officer may use discretion, mediation and provide increased awareness and education in lieu of applying violation tickets and penalties.
21. All Violation Tickets issued by the County and heard by the Court are to be supported by witness statements and may require court attendance by the complainant to validate facts. The final decision to proceed with a specified penalty will be at the discretion of the Court, when the matter is heard, and will be based on supporting evidence.

False Information

22. No person shall provide false or misleading information to any Peace Officer or County employee.

Obstruction of a Peace Officer

23. No person shall interfere with or obstruct a Peace Officer in the exercise of their powers and duties pursuant to this Bylaw.

RESPONSIBILITIES OF DOMESTIC ANIMAL/DOG OWNERS

24. The Owner of a Dog shall:
 - (1) ensure the Dog is not running At Large within the County;
 - (2) ensure that the Dog Owner picks up their dog's waste and dispose of it in a garbage can or other waste receptacle; and
 - (3) ensure the Dog is Licensed in accordance with section 59 of this Bylaw.
25. The Owner of a female Dog shall keep such Dog housed and confined during the whole period such Dog is in season.
26. The Owner of a Dog who has a Communicable Disease shall ensure the Dog is kept confined and does not come into contact with other animals or humans.
27. If in the opinion of a Peace Officer a dog should be removed from an Off-Leash Area the Peace Officer may order the owner of that dog to immediately remove it from the Off-Leash Area or remove it themselves.
28. The Owner of any Domestic Animal listed under section 71 of this Bylaw shall ensure the Domestic Animal is not At Large.

INTERFERENCE WITH ANIMALS OR DOGS

29. No Person shall:
 - (1) tease or torment a Domestic Animal or otherwise provoke a Domestic Animal to bite, attempt to bite, bark, chase, or otherwise threaten any Person, Domestic Animal; or
 - (2) negligently or willfully untie a restrained Domestic Animal or open an enclosure in which a Domestic Animal has been confined and thereby allow a Domestic Animal to be At Large in the County.

NUISANCE

30. The Owner of a Dog shall ensure the Dog does not:
 - (1) Bark Excessively;
 - (2) bite, attempt to bite, chase, or otherwise threaten any Person or Domestic Animal whether on the Owner's property or not;
 - (3) bite, attempt to bite, chase, or otherwise threaten any Person operating bicycle, scooter, motor vehicle, or other vehicle; or
 - (4) damage or destroy public or private Property.

SEVERITY OF DOG INCIDENT

31. Depending on the severity of a nuisance Dog attack, a Peace Officer may investigate the occurrence under the Dangerous Dogs Act and deem the Dog a Vicious Dog under this Bylaw.

VICIOUS DOGS**Hearing and Orders**

32. At the commencement of an alleged Vicious Dog investigation, the owner shall be required to restrain the Dog and ensure that it is no further threat pending order of the Court. A Peace Officer shall direct the Owner to comply, or pursuant to a warrant, seize the dog and deliver it to an Animal Shelter. Throughout the holding period, the Owner of the Dog shall be responsible for the sheltering, medical or supplies costs related to the care of the Dog.
33. The Owner of a Dog alleged to be a Vicious Dog shall be provided Notice of a Hearing for determination by the Provincial Court ten clear days before the date of the hearing.
34. A Justice, after convicting an Owner of an offence under this Bylaw may direct, order, or declare one or more of the following:
- (1) that the Owner prevent the Dog from doing mischief or causing a disturbance or nuisance complained of;
 - (2) that the Dog is a Vicious Dog;
 - (3) that the Dog be destroyed;
 - (4) that the Owner be prohibited from owning any Dog for a specified period of time; or
 - (5) make such other order, direction, or declaration that in the opinion of the Justice is necessary to protect the public from the Dog.
35. The Owner of a Vicious Dog shall, within 10 days of the date of the order declaring the Dog to be vicious, display a sign at every entrance to the Owner's Property stating, "VICIOUS DOG". The sign(s) posted shall be clearly visible and capable of being seen by any person accessing the premises.
36. A Vicious Dog order pursuant to the Bylaw continues to apply if the Dog is sold, given, or transferred to a new Owner.
37. In addition to the remedies set forth in this Bylaw, if the Peace Officer determines that a Vicious Dog is not being kept in accordance with this Bylaw, the Peace Officer may make a complaint pursuant to the *Dangerous Dogs Act*, RSA 2000 c D-3.

Licensing

38. No Person shall own or keep a Vicious Dog within the County unless such a Vicious Dog is Licensed in accordance with this section of this Bylaw.
39. The holder of a License for a Vicious Dog must be eighteen years of age or older.
40. The Owner of a Vicious Dog shall ensure that the Dog wears the current License purchased for the Dog when the Dog is off the Property of the Owner.
41. The Owner of a Vicious Dog shall obtain an annual License for such a Vicious Dog at such times and in the manner as specified as per the following:
- (1) obtain a License for such a Vicious Dog on the first day on which the Parkland County office is open for business after the Dog has been declared as Vicious or he/she becomes the Owner of a Vicious Dog; and
 - (2) obtain an annual License for the Vicious Dog on the day specified by the Director of Enforcement Services each year.
42. Prior to receiving a Vicious Dog License, an Owner shall provide proof of a policy of liability insurance in a form satisfactory to the Director of Enforcement Services providing third party liability coverage in a minimum amount of \$500,000 for injuries caused by the Owner's Vicious Dog. Upon cancellation, expiry or termination of the liability policy, the Vicious Dog License is null and void.

Responsibilities of Vicious Dog Owners

43. No Owner of a Vicious Dog shall permit the Vicious Dog to be in an Off-Leash Area at any time.
44. The Owner of a Vicious Dog shall:

- (1) notify the Director of Enforcement Services should the Vicious Dog be sold, gifted, or transferred to another person or die; and
 - (2) remain liable for the actions of the Vicious Dog until formal notification of sale or transfer is given to the Director of Enforcement Services.
45. The Owner of a Vicious Dog shall ensure that the Vicious Dog does not chase, injure, bite, or attack a person or other Domestic Animals.
46. The Owner of a Vicious Dog shall ensure that the Vicious Dog does not damage or destroy public or private Property.
47. The Owner of a Vicious Dog shall notify the Director of Enforcement Services if the Vicious Dog is At Large.
48. The Owner of a Vicious Dog shall ensure that at all times, when off the Property of the Owner, the Vicious Dog is securely:
 - (1) muzzled and harnessed or leashed on a lead which length shall not exceed one meter in a manner that prevents it from chasing, injuring, or biting other Domestic Animals or humans as well preventing damage to public or private Property; and
 - (2) under the control of a person over the age of eighteen years.
49. The Owner of a Vicious Dog shall ensure that when the Vicious Dog is on the Property of the Owner the Vicious Dog is:
 - (1) confined indoors and under the control of a person eighteen years of age or older; or
 - (2) confined outdoors and locked in a pen or other structure, constructed pursuant to section 50 in order to prevent the escape of the Vicious Dog, and capable of preventing the entry of a person not in control of the Vicious Dog.
50. The Owner of a Vicious Dog shall ensure that the locked pen or other structure in accordance with the following:
 - (1) shall have secure sides and a secure top, and if it has no bottom secured to the sides, the sides must be embedded in the ground to a minimum depth of thirty centimeters;
 - (2) shall provide the Vicious Dog with shelter from the elements;
 - (3) shall be of the minimum dimensions of one and one-half meters by three meters and be a minimum one and on half meters in height and so as not to allow the Vicious Dog to jump, climb, dig, or force their way out; and
 - (4) shall not be within one meter of the property line or within five meters of a neighbouring dwelling unit.
51. If the Justice determines a Dog to be a Vicious Dog, the Director of Enforcement Services shall give the Owner written notice by mail or email to the address indicated on the License within fifteen days of such determination:
 - (1) informing the Owner that his Dog has been determined to be a Vicious Dog;
 - (2) requiring the Owner to keep the Vicious Dog in accordance with the provisions of this Bylaw; and
 - (3) informing the Owner that if the Vicious Dog is not kept in accordance with the provisions of this Bylaw, the Owner will be fined, or subject to enforcement action pursuant to the Orders and Enforcement sections of this Bylaw.
52. In the event that a Vicious Dog is required to be on duty in an enclosed area for which it is responsible to protect livestock, the Owner of the Vicious Dog may make an application for an exception to this section to the Director of Enforcement Services in writing. Should permissions be granted, conditions will apply and must be adhered to.

IMPOUNDMENT

53. A Peace Officer may capture or impound any Dog that is found At Large or which is required to be impounded pursuant to this Bylaw, or any provincial or federal law.
54. Administration shall establish one or more Animal Shelters for the keeping of impounded Dogs captured for violations of this Bylaw. Administration is hereby empowered and authorized to make such rules and regulations as they consider necessary for the operation of Animal Shelters.
55. Administration may make arrangements or agreements with any animal rescue groups or

person for the purpose of capturing and impounding of Dogs unlawfully At Large.

56. It shall be the duty of the Shelter Keeper or Peace Officer and other such persons authorized by Administration to confine all Dogs captured for violations of this Bylaw in the Animal Shelter. The Owner of a Dog or designated claimant may reclaim such Dog within seventy-two hours from the time of impounding upon paying the fees set out for each Dog impounded. If in the opinion of a Shelter Keeper or Peace Officer the Dog appears to be a purebred Dog or if it bears an obvious identification device, tattoo, brand, mark, tag or license, the applicable holding period for the Dog is 10 days after the date on which the Dog was delivered. Any Dog not redeemed within the time specified herein may be sold, destroyed, adopted, or otherwise disposed of.
57. Impoundment fees shall be as per the Parkland County Fees and Charges Bylaw for each day of confinement.
58. No Dog shall be released until all fees incurred are paid in full.

LICENSING

59. The Owner of a Dog that is over the age of six months shall obtain a License for such Dog and shall pay the fee as set out in the Fees and Charges Bylaw. Every Owner, when requested by a Peace Officer, shall submit to the Peace Officer acceptable documentation establishing the Dog's age or such other information as the Peace Officer may require in order to determine the License payable by that Owner.
60. The Owner of a Dog shall obtain a License for the Dog within fifteen days of becoming Owner of the Dog.
61. The Owner shall ensure that the License tag issued for that Dog shall be attached to a collar worn by the Dog at all times when the Dog is off the Owner's Property.
62. No refund or rebate shall be made on any paid License fee for any reason.
63. Dog Licenses and tags for the County are not required by persons temporarily in the County for a period not exceeding twenty-one days. The period may be extended by receiving written permission from the Director of Enforcement Services.
64. The County shall keep a record of each License in which the following shall be recorded:
 - (1) name and address of the Owner;
 - (2) breed, colour, sex and name of each Owner's Dog;
 - (3) date of registration of each Owner's Dog;
 - (4) the number stamped on each License tag issued to the Owner;
 - (5) the amount of License fee paid by the Owner; and
 - (6) any other identification which may include but is not limited to a microchip device, tattoo, brand, or other identifiable markings.
65. The Owner of a Dog shall immediately report to Parkland County Enforcement Services any change in the information contained in section 64.
66. A License and License tag shall be issued free of charge to recognized Service Dogs. Such recognition shall be at the discretion of the Director of Enforcement Services.

DOMESTIC ANIMAL REGULATIONS

67. On any residential parcel or premises with a municipal address in Parkland County less than 0.81 ha (2.0 ac) in size, no more than four Dogs, Cats, or a combination of either shall be allowed.
68. On any residential parcel or premises with a municipal address in Parkland County 0.81 ha (2.0 ac) or more, agricultural or non-residential parcel no more than four Dogs shall be allowed.
69. Notwithstanding section 68 or 70, the County may permit more than four Dogs or Animal/Bird Units on any parcel that is 0.81 ha (2.0 ac) or more that is being used for Agriculture Operations. Applications for exceptions to section 68 or 70 must be made to the Director of Enforcement Services in writing. Should permissions be granted, conditions will apply and must be adhered to.
70. On any residential or agricultural parcel or premises with a municipal address in Parkland County between 0.81 ha (2.0 ac) and 16.1 ha (39.9 ac) in size Animal/Bird Units shall be allowed in accordance with the following:

<u>Residential parcel Size</u>	<u>Allowable Number of Animal/Bird Units:</u>
0.81 ha - 1.21 ha (2.0 - 2.99 ac)	1
1.22 ha - 1.61 ha (3.0 - 3.99 ac)	2
1.62 ha - 2.02 ha (4.0 - 4.99 ac)	3
2.03 ha - 2.42 ha (5.0 - 5.99 ac)	4
2.43 ha - 4.04 ha (6.0 - 9.99 ac)	5
4.05 ha or greater (10.0 ac plus)	5*

* Plus - the number of Animal/Bird units permitted for that portion of the parcel in excess of 4.05 ha (10.0 ac). Example: 5.26 ha (13.0 ac) = 5 + 2 = 7 total Animal/Bird units.

71. For the purposes of this section, the following animals shall comprise of "one Animal/Bird unit":
- (1) two horses, donkeys, mules, or asses;
 - (2) two llamas, three alpacas or three guanacos;
 - (3) one cow, one steer (over one year old), or one swine;
 - (4) two calves up to one year old;
 - (5) fifteen chickens;
 - (6) ten ducks, turkeys, pheasants, geese, or other similar fowl;
 - (7) three sheep, or goats;
 - (8) twenty rabbits or other similar rodents; or
 - (9) two ostriches, emus, or other ratites.
72. Pursuant to section 71(9), the keeping of ostriches, emus, or other ratites on a residential parcel or premises with a municipal address in Parkland County must be contained on the Property by the construction of a minimum 1.8 m (6.0 ft) high perimeter fence comprised of tight lock game fencing or chain link fencing with steel or wooden posts around the fenced pen area.
73. Properties that are greater than .405 ha (1 ac) and less than 0.81 ha (1.99 ac) are permitted to have Hens in accordance with the following:
- (1) maximum of six Hens;
 - (2) roosters are prohibited;
 - (3) slaughtering is prohibited;
 - (4) minimum coop/enclosure requirements are .37m² of indoor space per bird, .92m² of outdoor space per bird. Depending on the size of the structure a building permit may be required; and
 - (5) a Premises Identification (PID) number from the Province of Alberta is required.

ANIMAL CRUELTY

74. No Person or Owner shall cause or permit a Domestic Animal to be in distress as defined in accordance with the *Animal Protection Act*, RSA 2000, C A-41.
75. No Person shall negligently or willfully Abandon a Domestic Animal at a Property or an Animal Shelter regardless of whether it was originally impounded.
76. A Person or Owner shall:
- (1) ensure that the Domestic Animal has adequate food and water;
 - (2) provide the Domestic Animal with adequate care when the Domestic Animal is wounded or ill; and
 - (3) provide the Domestic Animal with adequate shelter, ventilation, space, or protection from injurious heat or cold.

SEVERABILITY

77. Should any provision of this Bylaw be deemed invalid then such invalid provision will be severed from this Bylaw and such severance will not affect the validity of the remaining portions of this Bylaw, except to the extent necessary to give effect to such severance.

EFFECTIVE DATE

78. Bylaw 2015-09 and Bylaw 27-2012 is hereby repealed.

79. This Bylaw shall come into force and take effect on the day of third reading and signing thereof.

READ A FIRST TIME this 12th day of March, 2024.


READ A SECOND TIME this 9th day of April, 2024.

READ A THIRD TIME and finally passed this 9th day of April, 2024.

SIGNED AND PASSED this 9th day of April, 2024.



Mayor



Chief Administrative Officer