

"Animal Control Bylaw"



*A BYLAW OF THE VILLAGE OF HALKIRK, IN THE PROVINCE OF ALBERTA, TO
LICENSE AND CONTROL ANIMALS WITHIN THE VILLAGE OF HALKIRK*

WHEREAS, the Council deems it necessary to regulate and provide for the licensing of animals, and to provide for the confinements of certain animals within the Village, and to regulate and control other animals; and

WHEREAS, Section 7 of the Municipal Government Act, R.S.A. 2000 Chapter M-26 as amended or replaced, for the Province of Alberta, gives the Council the authority to pass such a bylaw;

NOW THEREFORE, the Municipal Council of the Village of Halkirk DULY ASSEMBLED enacts as follows:

SECTION 1 – TITLE AND DEFINITIONS

- 1.1 Title: This Bylaw may be cited as the "Animal Control Bylaw"
- 1.2 Definitions: In this Bylaw, unless the context otherwise requires:
 - 1.2.1 "Animal" means any living domesticated organism, other than a human, having sensation and the power of voluntary movement and requiring oxygen and organic food for existence.
 - 1.2.2 "At Large" means the animal is off the premises of the owner or person harboring the animal, and not on a leash held by a person able to control the animal.
 - 1.2.3 "Cat" means any male or female member of the feline family.
 - 1.2.4 "Communicable Disease" means a disease that affects animals and may be transmitted to other animals and/or human beings.
 - 1.2.5 "Collar" means a band of metal or material, which is of suitable size and strength that may be humanely placed around the neck of an animal.
 - 1.2.6 "Council" means the Council of the Village of Halkirk.
 - 1.2.7 "Dangerous Dog" means any dog at any age or sex which:

1.2.7.a shows a propensity, disposition or potential to attack or injure, without provocation, humans or other animals; or

1.2.7.b without provocation, chases humans or other animals; or

1.2.7.c is a continuing threat of serious harm to humans or other animals; or

1.2.7.d without provocation, has attacked humans or other animals; and/or

1.2.7.e that a Peace Officer determines on reasonable grounds to be a dangerous dog, either through personal observation or on the basis of facts determined after an investigation initiated by a complaint.

1.2.8 "**Dog**" means either a male or female member of the canine family.

1.2.9 "**Feral**" means an animal, which, in the opinion of a registered veterinarian, is wild in nature and shows no signs of domestication.

1.2.10 "**Harness**" means straps and fittings that are of suitable size and strength that may be humanely attached to the chest and back of an animal.

1.2.11 "**Identification**" means a functioning and/or clearly readable:

- 1.2.11.a microchip; or
- 1.2.11.b license tag; or
- 1.2.11.c vaccination tag; or
- 1.2.11.d tattoo; or
- 1.2.11.e personal tag; or
- 1.2.11.f brand;

which is found on an animal and can be traced to current ownership information.

1.2.12 "**Kennel**" means any person, group of persons, firm or corporation that is an approved and currently licensed establishment, which is engaged in the business or recreation of breeding and/or boarding and/or selling of dogs.

1.2.13 "**Leash**" means a tether no longer than six (6) feet and of suitable strength that may be humanely attached to the collar or harness of an animal, in order that the animal's actions be controlled.

1.2.14 "**License and/or Tag**" shall mean the current object on which is imprinted the tag number, the license year and the Village 's name.

- 1.2.15 "**Livestock**" means such animal that has been domesticated for agricultural use or pets including but not limited to; horse(s), cattle, chicken, sheep, swine, goat(s), mule(s) or ass, or any other hooved animal, as well as fowls, including chicken, pigeons, ducks and turkeys, but shall not include dogs or cats.
- 1.2.16 "**Microchip**" means an encoded electronic device implanted in an animal by or under the supervision of a registered veterinarian, which contains a unique code number that provides owner information and is stored in a central database.
- 1.2.17 "**Muzzle**" means a humane fastening or covering device of adequate strength placed over the mouth of an animal to prevent it from biting.
- 1.2.18 "**Owner**" means any person, partnership, association or corporation owning, possessing, having charge of, or care and control, over any animal; or harboring any animal; or suffering or permitting any animal to remain about the Owner's house or premises. For purposes of this Bylaw, an animal may have only one (1) owner.
- 1.2.19 "**Parkland**" means all recreational land areas owned or controlled by the Village, lying within the Village limits, and whether improved in whole or in part, or in its natural state, and includes areas administered by the Village's Parks and Facilities Department and includes buildings or other improvements situated on these land areas.
- 1.2.20 "**Peace Officer**" means a Bylaw Officer, Animal Control Officer or Special Constable for the Village, a member of the Royal Canadian Mounted Police (RCMP), or a police officer as defined under the Police Act, or any other officer as designated by Village Council. Can also be used to define a Public Works employee assigned to specific duties related to animal control.
- 1.2.21 "**Residential District**" means a designated residential district as per Halkirk Land Use Bylaw.
- 1.2.22 "**Tattoo**" means a permanent visible marking on the skin of an animal created by or under the supervision of a registered veterinarian, which contains a unique code of letters and/or numbers that provide owner information recorded by a registered veterinarian and/or the Alberta Veterinarian's Medical Association and its national affiliates.
- 1.2.23 "**Village**" means the Village of Halkirk.
- 1.2.24 "**Village Animal Shelter**" or "**Pound**" means the premises designated by the Village for the purpose of impounding and caring for animals seized and/or regulated under this Bylaw.

1.2.25 "**Village Manager**" means the Chief Administrative Officer for the Village of Halkirk .

1.2.26 "**Registered Veterinarian**" means a registered veterinarian as defined in the *Veterinary Profession Act*.

1.2.27 "**SPCA**" means the Alberta Society for the Prevention of Cruelty to Animals.

1.2.28 "**Violation Ticket**" shall mean a document in a format as prescribed from time to time by the Provincial Offences Procedure Act - RSA 2000 Chapter P-34.

1.2.29 "**Violation Tag**" means a Municipal violation notice or tag, allowing for a voluntary payment of a specified penalty to be paid 'Out of Court' to the Village in lieu of appearing in answer to a summons.

SECTION 2 – LICENSING

2.1 No person shall own, keep or harbour any animal within the Village limits unless such animal is properly licensed.

2.2 The owner of every animal over the age of six (6) months in the Village shall obtain a license tag and pay a license fee as set out in Schedule "A", attached to and forming part of this Bylaw, as amended from time to time.

2.3 License tags are issued annually and must be renewed prior to January 30 of each calendar year. An animal with an expired License tag shall be deemed to be not licensed.

2.4 To be eligible for the reduced rate for spayed or neutered animals, the owner must provide written proof from the veterinary facility who performed the procedure, or, alternatively, the owner may supply a statutory declaration declaring that the animal is spayed or neutered.

2.5 Every person who becomes the owner of an animal over the age of six (6) months or takes up residence within the Village and who is the owner of the animal which is over the age of six (6) months and which is not currently licensed in accordance with this Bylaw, shall license the same and pay the license fee, within one (1) month after becoming owner of the said animal; or taking up residence within the Village.

2.6 In the prosecution or proceedings for a contravention of this Bylaw, the burden of proof relating to the age of the animal shall be upon the owner and unless the contrary is proven, the animal shall be presumed to have attained the minimum age of six (6) months at the time of the charge.

- 2.7 Licenses issued under this Bylaw shall not be transferable from one animal to another or from one owner to another unless prior written approval is received from the Village Administration Office.
- 2.8 Upon payment of the required license fee, the owner will be supplied with a license tag stamped with a number.
- 2.9 Any person who provides the Village or a Peace Officer with information required pursuant to this Bylaw, which is false or misleading is guilty of an offense.
- 2.10 A Peace Officer may revoke a License if:
- 2.10.1 the applicant fails to comply with any condition of the License; or
 - 2.10.2 the License was issued on the basis of incorrect information or a misrepresentation by the applicant; or
 - 2.10.3 the License was issued in error; or
 - 2.10.4 the Owner breaches a provision of this Bylaw; or
 - 2.10.5 a Registered Veterinarian certifies that the Animal is a health risk.
- 2.11 If the license application is rejected, or a License that has been issued is subsequently revoked or cancelled, the Owner shall remove the animal from the Village immediately, or turn the animal over to the Peace Officer for disposition under this Bylaw, within seventy-two (72) hours of being given written notice that the License application has been rejected or the License has been revoked or cancelled.
- 2.12 If said license tag is lost or stolen, a replacement tag can be purchased by the owner upon making payment of the fee set out in current Schedule "A" attached to and forming part of this Bylaw.
- 2.13 If said license tag is not associated with current ownership and/or animal information, the license tag shall be deemed invalid.
- 2.14 No person shall be entitled to a license rebate or refund under any provision of this Bylaw.
- 2.15 Every owner shall provide a suitable collar or harness and ensure that the license tag is securely fastened to a collar or harness, which must be worn by the animal at all times, when off the owners property. *Note: License tags may be removed from the animal during grooming or other situations while on the owners property.*

- 2.16 Animal owners shall provide the Village with the following information with each application for an animal license:
- 2.16.1 Name, mailing address, street address and telephone contact number(s) of owner; and
 - 2.16.2 Name, approximate or explicit detail of breed; and
 - 2.16.3 Description of animal to be licensed; and
 - 2.16.4 Such other information as required with respect to the application.
- 2.17 The Village Administration Office shall keep a record of all animal licenses pursuant to Part II, Section 2.16 of this Bylaw.
- 2.18 Every owner shall notify the Village of his/her change of address within fifteen (15) days of the change of residency.
- 2.19 Notwithstanding Section 2.20 of this Bylaw, no person shall keep or harbor more than three (3) animals of whatever sex, whether licensed or not and aged six (6) months or more, at one and the same time, in any house, shelter, room or place within the Village. Exception, if a resident already has more than 3 animals, registration is required within 30 days to obtain exception.
- 2.20 Within limits of the Village, Section 2.19 of this Bylaw shall not apply to:
- 2.20.1 any premises lawfully used for the care and treatment of animals operated by and in charge of a registered veterinarian; or
 - 2.20.2 any premises that may be temporarily used for the purpose of an animal show; or
 - 2.20.3 an organization that is offering a recognized training or obedience class for animals; or
 - 2.20.4 any person in possession of a valid business license to operate a "Pet Store", "Animal Grooming Parlor", "Animal Kennel" as long as said person adheres to said business license conditions; or
 - 2.20.5 Animals accompanying persons temporarily in the Village on business or vacation for a period not exceeding fourteen (14) days, or such longer periods as may be authorized by written permission from the Village.
- 2.21 No person shall operate an animal kennel in any residential district in the Village .

SECTION 3 – DANGEROUS ANIMALS

- 3.1 The Village will NOT Permit or License a Dangerous Animal within the community.
- 3.2 If an animal is designated as a Dangerous Animal, as defined under this Bylaw, any existing Licenses shall be revoked, and the Owner shall remove the Dangerous Animal from the community as per Section 2.11.

SECTION 4 – RESPONSIBILITIES OF OWNERS

- 4.1 This section shall apply to all animals except where explicitly referring to certain animals.
- 4.2 No owner shall suffer, permit, or allow for any reason his/her animal to be at large within the Village of Halkirk.
- 4.3 A female animal in heat shall be confined within the owners, or taken to a licensed kennel during the entire period that the animal is in heat; except that a female animal on a leash may be allowed outside the said residence for the sole purpose of permitting the animal to defecate and/or urinate on the premises of the owner.
- 4.4 Each animal owner or person in care or control of an animal that is off the owner's property must be equipped with a suitable bag, 'scooper' or other means of completely removing the animal's defecation.
Disposal of such feces must be contained in a suitable container, and must be disposed off in a sanitary manner.
- 4.5 Residences or grounds where any animals are kept shall at all times be maintained in a clean, sanitary and inoffensive condition, to the satisfaction of a Peace Officer.
- 4.6 An owner of a registered guide dog, or a person being assisted by a registered guide dog is not subject to the obligations imposed in Section 4.4 of this Bylaw.
- 4.7 No owner shall suffer, permit, allow or for any reason have his/her dog or other animal to bark or howl excessively or in any other manner consistently and grievously disturb the quiet of any person. The onus is on the complainant to show that the animal in question is the source of the disturbance. (See Schedule "C" for procedure for Registering Complaint, etc.)
- 4.8 No owner shall permit his/her animal to damage public or private property. The owner of the animal retains the responsibility to repair any such damage caused by their animal, and at their own cost. If the animal owner does not complete his/her duties under this Section, the property owner may seek redress through legal action.

- 4.9 No owner shall suffer, permit, allow or for any reason have his/her animal without provocation, cause injury by chasing, biting or attacking a person or other animal.
- 4.10 No owner shall permit his/her animal, other than a leashed animal, to be on parkland areas.
- 4.11 Section 4.10 does not apply when the animal is in a bona fide show, contest or other event at a place and time approved by the Village Council.

SECTION 5 – OTHER CONTRAVENTIONS

- 5.1 No person shall have or harbor:
 - 5.1.1 any livestock; or
 - 5.1.2 any poisonous snakes, poisonous reptiles, or poisonous insects; or
 - 5.1.3 any animal or species, including the above, deemed dangerous or objectionable in the opinion of the Development Officer, the Superintendent of Public Works, or a Peace Officer,of whatever sex in any public or private property including in any house, shelter, room or place within the Village.
- 5.2 No person shall negligently or willfully open any gate, door or other opening in a fence, enclosure or otherwise release an animal which has been confined, thereby allowing said animal to run at large in Village.
- 5.3 No person shall tease, torment, annoy or harm any dog, cat or domestic animal.
- 5.4 Every owner of an animal shall provide sufficient food, water, care and medical attention when required, and shelter including protection from the atmospheric elements such as the sun, snow, rain, hail, wind, cold or hot temperatures, or any other atmospheric or environmental condition which could reasonably be expected to cause an adverse effect on the animal.
- 5.5 Any alleged abuse, cruelty or neglect of an animal must be reported by a resident or a Peace Officer, in accordance with SPCA reporting procedures, to the Alberta SPCA. Any penalties assessed by the SPCA shall be in addition to any penalties or fines noted on Schedule "B" attached to and forming part of this Bylaw.
- 5.6 No person shall in any manner hinder or obstruct a Peace Officer in the performance of his/her duties under this Bylaw.

- 5.7 The owner of an animal that is inside or on a vehicle while moving or parked must ensure that:
- 5.7.1 the animal is secured so that it is unable to fall out or vacate the vehicle; and
 - 5.7.2 the animal is secured so that it is unable to reach any of the sides or rear of the vehicle, and therefore prevent the animal from disturbing people or animals when walking by.

SECTION 6 – IMPOUNDMENT AND DISPOSITION

- 6.1 A Peace Officer may seize and capture any animal(s) found running at large or running loose, and may impound said animal(s) in the Village Animal Shelter.
- 6.2 Any person who has a complaint about a cat running at large or causing damage to his/her property, may obtain a Cat Trap from a resident that has such traps or purchase such traps at his/her own expense. Any person who has a Cat Trap must check the trap regularly and report the capture of such cat upon seeing that it is trapped. A Peace Officer will attend the property and remove the animal for placement in the Village Animal Shelter.
- 6.3 A Peace Officer may enter any private or public land, vehicle or place, other than a dwelling house without warrant, if necessary, for the purposes of carrying out his/her duties under this Bylaw.
- 6.4 To assist in the seizure or capture of animal(s) running at large or loose, a Peace Officer may utilize live traps, catch poles, snappy snares and/or any other equipment as recommended by the Alberta Veterinarian's Medical Association. Said equipment shall be used in a humane manner.
- 6.5 An animal impounded under Section 6.1 shall be kept in the Village Animal Shelter for a period of at least three (3) days excluding Saturdays, Sundays and Statutory Holidays. During this period, any healthy animal may be redeemed by its owner, or agent of the owner, upon full payment of:
- 6.5.1 the appropriate license fee, when an animal is not currently licensed; and,
 - 6.5.2 the boarding fee; and,
 - 6.5.3 any associated medical costs that may have been required; and
 - 6.5.4 the transportation fee if applicable;

- 6.5.5 the Voluntary Penalty or Specified Penalty for any outstanding offences under this Bylaw;
- 6.5.6 The cost of any veterinary treatment required to treat any Animal that is found to be injured when picked up or injured in the process of capture; or
- 6.5.7 If the owner does not wish to pay any outstanding penalty for offences under this Bylaw, a ticket issued under Part 2 of the **Provincial Offences Procedure Act - RSA 2000 Chapter P-34** will be served on the Owner prior to the release of the Animal.
- 6.5.8 However, if no License is issued for the Animal or all the conditions of the License have not been met, the Animal Control Officer is not obliged to release the Animal to the Owner; and
- 6.5.9 All fees in accordance with Schedule "A" and Schedule "B" attached to and forming part of this Bylaw and as amended by Council from time to time.

6.6 A Peace Officer who takes custody of an animal pursuant to Section 6.1 shall take all reasonable steps to:

- 6.6.1 ensure the animal is provided with adequate food, water, care, shelter and veterinarian treatment if necessary, and
- 6.6.2 report any apparent illness, communicable disease, injury, or other unhealthy condition of any animal in custody, to a registered veterinarian, and act upon a registered veterinarian's recommendation in regards to that condition.
- 6.6.3 make every reasonable effort to locate the owner of the animal, including a search of the animal's functioning and clearly readable microchip, license tag, vaccination tag, tattoo, personal identification tag, or brand. The Peace Officer shall notify the owner of the actions taken in respect to the animal.

In addition, Public Works employees acting in the capacity of Peace Officers under the provisions of this bylaw shall be responsible for the following:

- 6.6.4 Participating staff shall commit to weekly schedules wherein they shall be responsible to respond to complaints of animals running at large during normal working hours, evenings and weekends.
- 6.6.5 Participating staff shall feed and water the animals and assure that proper bedding is supplied, and the kennel is maintained in a clean and proper manner.

6.6.6 Participating staff shall meet members of the public at the Pound for release of animals to their owners. If such release is handled on weekends, it shall be the responsibility of the staff member to secure applicable fees and fines.

6.6.7 Participating staff shall ensure that the animals are fed and watered on the weekends if required.

6.6.8 Transfer of animals to veterinary clinics for treatment shall be done during normal working hours.

6.6.9 The Village might supply the employee with a vehicle for after-hours or weekend impoundment of animals.

6.6.10 Participating staff shall be required to turn in an "animal log" which shall be submitted to the Payroll Clerk. The log shall indicate the date of impoundment, description of animal, tag number, owner and date of release. Payment shall not be issued to the employee without said log duly filled out.

6.6.11 Participating staff are advised to contact an RCMP member to deal with a dangerous dog or other vicious animal.

6.6.12 Participating staff shall be compensated as per the Personnel Policy.

6.7 At the expiration of the three (3) days of custody, excluding Saturday, Sunday and Statutory Holidays, any animal not claimed shall become the property of the Village and may be adopted to a person other than the owner, as directed by a Peace Officer.

If the animal owner is known, and they neglect to claim their animal, pound fees and all other fees shall be charged and invoiced to that owner.

6.8 Written permission from a Peace Officer shall be required for the adoption of any unclaimed animal following the prescribed three (3) day period as described in Section 6.6.

6.9 Any person who adopts said animal shall obtain full rights and title of said animal, and the right and the title of the former owner shall cease forthwith.

No fines shall be required of the new owner regarding the current impoundment, but the new owner shall ensure that the license fees are paid in full and the animal wears its applicable license tag, if required, at all times.

6.10 If, in the judgment of a registered veterinarian, an animal that has been caught or impounded by a Peace Officer should be euthanized for humane reasons said animal shall be humanely euthanized by a registered veterinarian.

6.11 No action, civil or otherwise, lies against any Peace Officer, registered veterinarian, Village Council or Village Staff, or any person acting in good faith and under authority afforded under this Bylaw.

SECTION 7 – DISEASE CONTROL

7.1 In the event of an outbreak, or threatened outbreak of a communicable disease affecting animals, which may be transmitted to human beings or between animals, Council may by resolution, order and direct that all animals be confined entirely to the owner's premises.

7.2 When an animal under quarantine has been diagnosed as rabid or suspected by a registered veterinarian as being affected by a communicable disease and dies while under observation, a Peace Officer shall immediately send the complete body of such animal to the appropriate health department for pathological examination and shall notify the Medical Officer of Health for the Village of reports of human contact, and the diagnosis made of suspected animal.

7.3 During such period of a communicable disease quarantine as herein mentioned, every animal bitten by an animal adjudged to be affected by said disease, shall forthwith be humanely euthanized, or at the owner's expense and option shall be treated for the disease infection by a registered veterinarian or held under quarantine by the owner in the same manner as other animals are in quarantine.

7.4 Except as herein provided, no person shall kill, or cause to be killed, any animal suspected of being exposed to a communicable disease or any animal which has bitten a human, nor remove the same from the Village limits without written permission from a Peace Officer.

7.5 The carcass of any dead animal exposed to a communicable disease shall upon demand, be surrendered to a Peace Officer.

7.6 A Peace Officer shall direct the disposition of any animal found to be infected with a communicable disease.

SECTION 8 – OFF-LEASH AREAS FOR DOGS

- 8.1 The Village maintains NO designated Off-Leash Areas.

SECTION 9 – PENALTIES AND ENFORCEMENT

- 9.1 Any person violating a provision of this Bylaw is liable to the specified penalty set out in Schedule "B" attached to and forming part of this Bylaw.
- 9.2 It is the intention of the Council that each separate provision of this Bylaw shall be deemed independent of all other provisions, and it is further the intention of the Council that if any provisions of this Bylaw be declared invalid, all other provisions shall remain valid and enforceable.
- 9.3 A Peace Officer is hereby authorized to issue a Municipal Violation Tag or a Violation Ticket with a specified penalty pursuant to the **Provincial Offences Procedure Act - RSA 2000 Chapter P-34**, as amended, and regulations thereunder, for any contravention made under this Bylaw.
- 9.4 Nothing in this Bylaw shall prevent a Peace Officer from immediately citing a warning ticket or issuing a violation ticket for the mandatory Court appearance of any person who contravenes any provision of this Bylaw.
- 9.5 Service of any notice, warning ticket, violation ticket, violation tag, or other legal documents by a Peace Officer shall be sufficient if it is:
- 9.5.1 personally served upon the person charged; or
 - 9.5.2 served by ordinary mail; or
 - 9.5.3 left for the person charged at his/her place of abode with an occupant thereof who appears to be at least 18 years of age or over.

SECTION 10 - EFFECTIVE DATE AND REPEAL


10.1 Upon third and final reading of this Bylaw, All Animal Control Bylaws including Bylaw numbered 2/93 and 2020-3 is hereby repealed.

10.2 This Bylaw shall come into force upon the third and final reading thereof.

FIRST READING of Bylaw No. 06-2022 granted this 25th day of May, 2022.

SECOND READING of Bylaw No. 06-2022 granted this 07 day of July, 2022.

THIRD AND FINAL READING of Bylaw No. 06-2022 granted this 07 day of July, 2022.



Thomas Schmidt, Mayor

Tamara Sloboda CPA, CGA

Tamara Sloboda, Chief Administrative Officer

VILLAGE OF HALKIRK
SCHEDULE A

FEES AND CHARGES

Animal License

Spayed or Neutered \$15.00 (Annual Fee) + GST
Non-spayed or Non-neutered..... \$25.00 (Annual Fee) + GST

Replacement Tag (lost or stolen)

Animals \$10.00 Fee + GST

Animal Pound Penalties (24 month cycle)

1st Offense – Licensed..... \$25.00 + GST
1st Offense – Unlicensed..... \$50.00 + License + GST
2nd Offense..... \$50.00 + GST
3rd and Subsequent Offense..... \$100.00 + GST

Pound Care Fee – per day or part day..... Charge based on Recovery Cost Basis

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Thomas Schmidt, Mayor

Tamara Sloboda CPA, CGA

Tamara Sloboda, Chief Administrative Officer

VILLAGE OF HALKIRK
SCHEDULE "B"

VOLUNTARY AND SPECIFIED PENALTIES

SECTION 2 - LICENSING PENALTY

Section 2.1	Fail to obtain valid animal license	\$50.00
Section 2.7	Using invalid tags	\$50.00
Section 2.9	Providing false information	\$50.00
Section 2.11	Fail to surrender banned or revoked animal*	\$250.00
Section 2.13	Fail to maintain current license information.....	\$50.00
Section 2.15	Fail to ensure license tag is worn on animal*.....	\$40.00
Section 2.18	Fail to notify Village of change of address & ph. #	\$40.00
Section 2.19	Keep more than three (3) dogs*	\$100.00
Section 2.21	Operate kennel in residential district*	\$250.00

SECTION 4 - RESPONSIBILITIES OF OWNER PENALTY

Section 4.2	Allow animal to run at large*	\$50.00
Section 4.3	Fail to confine female animal in heat	\$50.00
Section 4.4	Fail to carry a suitable means of removing animal defecatin	\$25.00
Section 4.5	Fail to keep residence/grounds lean/sanitary/inoffensive*.....	\$100.00
Section 4.7	Allow dog to bark or to howl excessively or otherwise disturb quiet	
	First Offense	(Notice Letter) + \$ 0.00
	Second Offense	(Notice Letter) + \$ 50.00
	Third Offense	(Notice Letter) + \$100.00
	Fourth and Subsequent Offense	(Notice Letter) + \$150.00
Section 4.8	Allow animal to damage public/private property	\$250.00 (Plus Damages)
Section 4.9	Allow animal to chase/bite/attack a person or another animal *...	\$250.00
Section 4.10	Permit restricted animal to be on Parkland	\$100.00

SECTION 5 - OTHER CONTRAVENTIONS PENALTY

Section 5.1	Have livestock, a poisonous snake, poisonous reptile, or poisonous insect, an animal deemed dangerous or objectionable	\$100.00
Section 5.2	Release animal from confined area, allowing to run loose*	\$50.00
Section 5.3	Tease/torment/annoy/harm a dog/cat/domestic animal	\$100.00
Section 5.4	Fail to provide sufficient food/water/shelter/ care/medical attention to an animal*	\$500.00
Section 5.6	Hinder or obstruct a Peace Officer*	\$500.00
Section 5.7	Fail to secure animal in or on vehicle to prevent falling or vacating	\$200.00

SECTION 7 - DISEASE CONTROL PENALTY

Section 7	Any contraventions under this Section	\$200.00
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Note (*): 2nd and subsequent offences occurring within six (6) months of first offence shall be liable to double the specified penalty amount listed. Upon the fourth offense, the Village shall automatically refer to the Courts.

VILLAGE OF HALKIRK SCHEDULE "C"

PROCEDURE TO REGISTER COMPLAINT ABOUT NOISY ANIMAL

GUIDELINES FOR HANDLING ANIMAL COMPLAINTS

1. Anonymous complaints are not recorded nor circulated.
1. The Village will record all pertinent information at the time of the **first** call.
2. Use current Office Complaint Form:
 - i. Name
 - ii. Telephone Number
 - iii. Address (both civic and mailing)
 - iv. Name and address (if known) of the person(s) they are complaining about (if applicable)

NOTE:

Complainant's personal information is NOT released to the party they are complaining about (exception: Public Works). In the event that the complaint results in legal action, the complainant will be expected to appear or have their name be visible in any legal proceedings.

3. If there is any immediate danger or threat, we encourage the complainant to call RCMP or other applicable emergency support.

Animal Complaints:

Using guidelines from (1) to (3) above, also determine:

- a. Breed or general description of the animal
- b. Complaint type (IE: noise, smell, mess, viciousness, attacks, animal running loose or at large.)
- c. Address or vicinity of the animal, or owner's name and address (if known)
- d. Any identifying marks, tags etc.

If animal is at large, use above guidelines plus:

- e. Call Public Works on telephone and arrange to pick up the animal.
- f. When Public Works returns the call, get any additional information they have about the animal.
- g. Record the animal pound record.
- h. Search the database for the owner match.
- i. Contact the Registered Owner, if possible.
- j. Collect any fines (and tag amount if needed) and
- k. Issue receipt for the owner to retrieve their animal.

Vicious Animals Complaints:

As per Section 4, if public safety is a concern or there is an immediate danger, encourage complainant to call RCMP (via 911).

Procedure for Handling animal Complaint:

1. If a complaint is received about a animal.
 - A. First, search the Complaint Database for any previous complaints.
 - B. If NO previous complaint has been received about this animal in the previous 12 months, issue a standard Warning Letter to the Owner, if known. (See *sample Warning Letter - Exhibit A*)
 - C. If previous complaints have been received about this animal, refer to the Fine Schedule and issue a Violation Tag, or arrange for a Peace Officer to issue a Municipal Summary Conviction ticket as the situation requires.

NOTE: Schedule "B" provides for increased fines for repeat offenders.

Bylaw 006-2022 - Animal Control Bylaw

Sample Warning Letter on Letterhead - Exhibit A

Mr/Mrs/Ms Owner
P.O. Box xxx
Halkirk, Alberta T0C 1M0

(Date) _____

Without Prejudice

Dear Mr/Mrs/Ms Owner:

Re: Animal Complaint - Warning Letter

Please be advised that the Village of Halkirk has received complaint(s) regarding your animal(s) (brief summary regarding nature of complaint, IE: constant barking).

This letter is a remind you that it is the Owners responsibility to (explain details of responsibility, citing the appropriate Section of the Bylaw, IE: For barking/howling complaint, the following clause would be added ... *control the barking of your animal so as not to disturb your neighbors.*
The appropriate Section of Bylaw 006-2022 reads as follows:

"4.7 No owner shall suffer, permit, allow or for any reason have his/her dog or other animal to bark or howl excessively or in any other manner consistently and grievously disturb the quiet of any person. The onus is on the complainant to show that the animal in question is the source of the disturbance. (See Schedule "C" for procedure for Registering Complaint, etc.).

Under the Village of Halkirk Animal Control Bylaw 006-2022, Section 9 provides for penalties for anyone violating the Bylaw provisions. In this instance, fines can range from (Enter the fine amount(s), IE: \$50 to \$100.)

As this is your First Warning, NO FINE shall be issued. If further Complaints are received, however, the Village will have no recourse but to impose fines.

For your reference, a copy of the Animal Control Bylaw is available at the Village Office or on the municipal web-site located [atwww.Village.Hilkirk.ab.ca](http://www.Village.Hilkirk.ab.ca).

Thank you for your immediate attention to this matter. Should you have any further questions, please feel free to contact the Village Office.

Sincerely,

(Administration Clerk's Name)
Village of Halkirk