

ANIMAL CONTROL BYLAW 2018-002
OF THE
VILLAGE OF CAROLINE
PROVINCE OF ALBERTA

A BY-LAW OF THE VILLAGE OF CAROLINE IN THE PROVINCE OF ALBERTA PROVIDING FOR THE LICENSING AND CONTROLLING OF ANIMALS WITHIN SAID VILLAGE.

WHEREAS, pursuant to section 7(a) of the Municipal Government Act, a council may pass bylaws for municipal purposes respecting the safety, health and welfare of people and the protection of people and property; and

WHERE AS, pursuant to section 7(h) of the Municipal Government Act, a council may pass bylaws for the municipal purposes respecting wild and domestic animals and activities in relation to them; and

WHEREAS, pursuant to section 7(i) of the Municipal Government Act, a council may pass bylaws for municipal purposes respecting the enforcement of bylaws made under the Municipal Government Act or any other enactment including any or all of the matters listed therein; and

WHEREAS, pursuant to section 8 of the Municipal Government Act, a council may in a bylaw:

- a) Regulate or prohibit; and
- b) Provide for a system of licenses, permits, or approval including any or all of the matters listed therein;

NOW THEREFORE the Municipal Council of the Village of Caroline duly assembled enacts as follows:

TITLE:

1. This bylaw may be cited as "**ANIMAL LICENSING AND CONTROL BYLAW**" of the Village of Caroline.

PART I – PURPOSE, DEFINITIONS AND INTERPRETATION

PURPOSE:

2. The purpose of this bylaw is to establish a system of licensing and control with respect to animals within the Village.

DEFINITIONS:

3. In this bylaw unless the context otherwise requires:
 - (a) "Animal Control Officer" means an employee or independent contractor appointed by the Village to enforce the provisions of the Village Bylaws, and includes Bylaw Officer, Special Constable, Peace Officer or a member of the RCMP;
 - (b) "Altered" means spayed or neutered.
 - (c) "Assistance Dog" means any professionally trained Dog, including a guide, hearing or service Dog, that works in partnership with a disabled person to increase his or her independence, safety and mobility as defined in the Service Dog Act.
 - (d) "Cat" means any domesticated cat;
 - (e) "Dog" means any domesticated dog other than a Restricted Dog;
 - (f) "Dog Tag" means the annual tag issued by The Village to an Owner for each

licensed Dog.

- (g) "Impound" means to take possession of and arrange for the lodging of and caring for domestic animals, such as dogs or cats at a facility contracted to the Village of Caroline for such purpose.
- (h) "Kitten License" means a License issued for a Cat under the age of 6 months;
- (i) "Large Animal" means any animal other than a human-being, Dog, Restricted Dog or Cat which in the adult form regularly weighs more than 10 kg;
- (j) "Leash" means a chain or other material capable of humanely restraining a dog and is securely attached to the dog by a collar or harness.
- (k) "License" means a license issued by the Village of Caroline in accordance with the provisions of this bylaw annually.
- (l) "Licensee" Means a person named on a License;
- (m) "Minor Injury" means any physical injury to another domestic animal or a person, caused by a Dog or Aggressive Dog, that results in bleeding, bruising, tearing of skin or any other injury that is not life-threatening, disfiguring or debilitating.
- (n) "Municipal Tag" means a ticket alleging an offence issued pursuant to the authority of a bylaw of the Village;
- (o) "Owner" means the owner of a Dog or Aggressive Dog and includes any person or persons:
- a. named as owner on a Dog Tag application for a Dog or Aggressive Dog;
 - b. in possession or control of, or having charge of, any Dog or Aggressive Dog, excluding any person who has found a Dog or Aggressive Dog and has taken control of it for the purposes of locating its owner and/or turning it over to an Animal Control Officer;
 - c. in possession or control of the property where a Dog or Aggressive Dog appears to reside, either temporarily or permanently; and
- for the purposes of this Bylaw, a Dog or Aggressive Dog can have more than one Owner, any or all may be charged with offences under this Bylaw."
- (p) "Peace Officer" has the same meaning as in the Provincial Offences Procedure Act;
- (q) "Poultry" means domesticated birds kept by humans for the eggs they produce, their meat, their feathers, or sometimes as pets.
- (r) "Puppy License" means a license issued for a Dog or Restricted Dog under the age of 6 months;
- (s) "Restricted Dog", "Vicious Dog" or "Nuisance Dog" means any dog, of any age:
- i. That has been convicted under this bylaw of 2 separate minor attacks to either a human being or another animal;
 - ii. That has been convicted under this bylaw of 1 serious or severe injury dog attack (where injury has occurred) to either a human being or another animal; or
 - iii. That has been made the subject of an order under the Dangerous Dog Act.
- (t) "Running at Large" means any Dog that is not an Aggressive Dog, that is:
- a. off the premises of the Owner and not in a designated Off-Leash Area;
 - b. not on a Permitted Leash held by a person able to control the Dog; and
 - c. is not within the sight, and under the control, of the Owner
- (u) "Severe Injury" means any physical injury to another domestic animal or a person

caused by a Dog or Aggressive Dog that results in broken bones or lacerations requiring sutures or cosmetic surgery.

(v) "Threatening Behaviour" means behaviour that creates a reasonable apprehension of a threat of physical injury and may include growling, lunging, snarling or chasing in a menacing fashion.

(w) "Under Control" or "Under the Control"; in determining what constitutes whether a Dog is under the control of its Owner, consideration may be given, but is not limited to, whether the Dog:

- a. was at such a distance from its Owner, that it could not respond to voice, sound or sight commands of the Owner;
- b. responded to voice, sound or sight commands from the Owner;
- c. bit, attacked, or did any act that resulted in an injury to a person or animal;
- d. exhibited Threatening Behavior to a person or animal;
- e. caused damage to property."

(x) "Village" means the Village of Caroline;

(y) "Village Manager" means the Chief Administrative Officer of the Village or anyone authorized to act on his behalf;

(z) "Violation ticket" means a ticket issued pursuant to the Provincial Offenses Procedure Act, RSA 2000, c.P-34 and regulations there under, as amended or replaced and repealed from time to time.

RULES FOR INTERPRETATION

- 4. The marginal notes and headings in this bylaw are for reference purposes only.

PART II – LICENSING OF DOGS

REQUIREMENT FOR LICENSE

- 5. (a) The Owner of a Dog shall obtain a License annually for each dog owned.
(b) The Owner of a Restricted Dog shall obtain a License for the Restricted Dog annually. No person shall while knowing that the dog to be licensed as a Restricted Dog as defined in this bylaw, attempt to license the dog other than as a "Restricted Dog".
(c) This section does not apply to Dogs or Restricted Dogs under the age of 6 months.

PUPPY LICENSE

- 6. The Owner of Dog or Restricted Dog aged less than 6 months may obtain a Puppy License for the Dog or Restricted Dog by providing the information required by the Village Manager.

APPLICATION

- 7. Before the issue or renewal of a License pursuant to this Part the Owner must submit to the Village Manager:
 - (a) the License fee as established by this bylaw;
 - (b) any additional information required by the Village Manager;

ISSUE OR RENEWAL

8. The Village Manager may not issue or renew a License pursuant to this Part unless all or part has been satisfied that:
- (a) at least one person named on the License is 18 years of age;
 - (b) require proof of spay or neutering.
 - (c) all applicable fees have been paid; and
 - (d) all other required information has been provided.

TERM

9. (a) The Dog License expires December 31 of each given year and must be renewed prior to the end of January the following year.
- (b) The term of a Puppy License expires upon the Dog or Restricted Dog reaching the age of 6 months.

LICENSE FEES

10. (a) The annual License fee for a Dog is set out in Schedule A
- (b) The annual License fee for a Restricted Dog is set out in Schedule A
- (c) There is no fee payable for a Puppy License

PART III – REGULATION OF DOGS**Regulations Applying to all Dogs****EXCESSIVE BARKING**

11. (a) The Owner or any other person having care or control of a Dog, or Restricted Dog, shall ensure it does not bark in a manner that is reasonably likely to annoy or disturb the peace of others.
- (b) In determining whether barking is reasonably likely to annoy or disturb the peace of others consideration may be given, but is not limited to the:
- i. Proximity of the property where the Dog or Restricted Dog resides;
 - ii. Duration of the barking;
 - iii. Time of day and day of the week;
 - iv. Nature and use of the surrounding area; and
 - v. Any effect of the barking.

DEFECATION

12. (a) The Owner or any other person having care or control of a Dog or Restricted Dog, shall, forthwith remove any defecation left by it on public property or private property other than that of the Owner.
- (b) The Owner or any other person having care or control of a Dog or Restricted Dog, shall, ensure that defecation apparently left by it on the property of the Owner does not accumulate to such an extent that it is reasonably likely to annoy or pose a health risk to others.

MOTOR VEHICLES

13. No person shall leave a dog inside an unattended Motor Vehicle, whether on public or private property, unless
- a. There is adequate ventilation and temperature control provided for the health and well being of the dog; and
 - b. The dog is restricted and restrained so as to prevent the dog's escape from the vehicle, or it's access to persons or animals in the vicinity of the vehicle.
14. No person shall leave a Dog unsecured in the open box area of a truck or open trailer while the truck or trailer is in motion or parked without ensuring the Dog is secured as follows:
- a) in a topper enclosing the bed area of the truck;
 - b) in a ventilated kennel or similar device fastened securely to the motor vehicle or trailer, including the bed of a pick-up truck; or
 - c) by a tether in such a manner that it:
 - i. is not standing on bare metal;
 - ii. cannot jump or be thrown from the vehicle;
 - iii. is not in danger of strangulation; and
 - iv. cannot reach beyond the outside edges of the box, of the pick-up truck or trailer.
15. The owner of a Motor Vehicle involved in a contravention of section 13 or 14 of this bylaw is guilty of an offence unless that vehicle owner satisfies the court that the vehicle was being driven or was parked by another person that did not have the vehicle owner's express or implied consent to operate the said vehicle.

ABANDONMENT

16. The owner of a dog shall not abandon a dog and a dog will be deemed to have been abandoned when:
- a. The dog is left behind at a Premise or neighbourhood after the owner has moved away; or
 - b. The dog, for whatever reason, is running at large and the owner has not made reasonable attempts to locate the dog, such attempts to include but not necessarily limited to notifying the Village or the RCMP that the dog is missing and making enquiries with local veterinary facilities.

UNATTENDED

17. The owner of a dog shall ensure that such dog(s) are not left unattended while tethered or tied up on premises where the public has access, whether the right of access is expressed or implied.
18. No Owner shall allow a Dog to be unattended while tethered or tied on premises where the Dog will create a nuisance.
19. No Owner may cause, permit, or allow a dog:
- a. to be hitched, tied, or fastened to a fixed object in such a way that the animal is able to leave the boundaries of the property; or
 - b. to be hitched, tied, or fastened to a fixed object where a choke collar forms part of the securing apparatus, or where a rope or cord is tied directly around the animal's neck; or be tethered other than with a collar that is properly fitted to that dog and attached in a manner that will not injure the animal or enable the animal to injure itself by pulling on the tether; or
 - c. to be hitched, tied, or fastened to a fixed object except with a tether of sufficient length to enable the full and unrestricted movement of the animal; or
 - d. to be hitched, tied, or fastened to a fixed object unattended at any time; or
 - e. to be hitched, tied, or fastened to a fixed object for longer than four (4) hours in within a 24 hour period; or
 - f. to be hitched, tied or fastened to a fixed object as the primary means of confinement for an extended period of time.

DISPLAY OF LICENSE TAG

20. The Owner or any other person having care or control of a Dog or Restricted Dog, shall, at all times when it is off the property of the Owner, ensure it displays the License tag issued by the Village.

Regulations Applying to Non-Restricted Dogs**OFF PROPERTY OF OWNER**

21. (a) The Owner or any other person having care or control of a Dog shall, at all times when it is off the property of the Owner have it:
- i. Under control; and
 - ii. Held on a leash not exceeding two meters in length

ATTACKS

22. (a) The Owner or any other person having care or control of a Dog shall ensure that it does not:
- i. Damage property;
 - ii. Chase, attack or bite any person or animal;
 - iii. Chase, attack or bite any person or animal causing physical injury
- (b) This section does not apply if the chase, attack, bite or damage is a direct result of the Dog being provoked.

Regulations Applying to Restricted Dogs**INSURANCE**

23. The Owner of a Restricted Dog shall have liability insurance specifically covering damages for personal injury caused by the Restricted Dog in an amount not less than one million dollars.

OFF PROPERTY OF OWNER

24. The Owner or any other person having care or control of a Restricted Dog shall, at all times when it is off the property of the owner, have it:
- i. Under control;
 - ii. Muzzled; and
 - iii. Held on a leash not exceeding 2 metres in length.

ON PROPERTY OF OWNER

25. The Owner or any other person having care or control of a Restricted Dog shall, at all times when it is on the property of the owner, have it:
- i. Indoors;
 - ii. Outdoors, secured in a fully enclosed pen; or
 - iii. Outdoors, muzzled and tethered fixed to the property that prevents the Restricted Dog from coming closer than 2 metres to the apparent boundary of the property.

ATTACKS

26. (a) The Owner or any other person having care or control of a Restricted Dog shall ensure it does not:
- i. Damage property;
 - ii. Chase, attack or bite any person or animal; or
 - iii. Chase, attack or bite any person or animal causing physical injury.
- (b) This section does not apply if the chase, attack, bite or damage is a direct result of the Restricted Dog being provoked.

PART IV – LICENSING AND REGULATION OF CATS**REQUIREMENT FOR LICENSE**

27. (a) The Owner of a Cat shall obtain a License for the Cat.
- (b) This section does not apply to Cats under the age of 6 months.

KITTEN LICENSE

28. The Owner of Cat aged less than 6 months may obtain a Kitten License for the Cat by providing the information required by the Village Manager.

APPLICATION

29. Before the issue or renewal of a License pursuant to this Part the Owner must submit to the Village Manager:
- (a) the License fee as established by this bylaw;
 - (b) any additional information required by the Village Manager;

ISSUE OR RENEWAL

30. The Village Manager may not issue or renew a License pursuant to this Part unless satisfied that:
- (a) at least one person named on the License is 18 years of age;
 - (b) all applicable fees have been paid; and
 - (c) all required information has been provided.

TERM

31. (a) The Cat License expires December 31 of each given year and must be renewed prior to the end of January the following year.
- (b) The term of a Kitten License expires upon the Cat reaching the age of 6 months.

LICENSE FEES

32. (a) The annual License fee for a Cat is set out in Schedule A
- (b) There is no fee payable for a Kitten License

DISPLAY OF LICENSE TAG

33. The Owner or any other person having care or control of a Cat, shall, at all times when it is off the property of the Owner, ensure it displays the License tag issued by the Village.

OFF PROPERTY OF OWNER

34. (a) The Owner or any other person having care or control of a Cat shall ensure the Cat does not enter onto private property other than that of the Owner.
- (b) This section does not apply if the person on charge of the private property consents to the Cat being there.

PART V – OTHER REGULATIONS**PROHIBITED ANIMALS**

35. (a) No person shall keep or have any of the following on any premises with a municipal address in the Village:
- i. A large animal or the young thereof;
 - ii. Poultry; (Schedule B)
 - iii. Bees; or
 - iv. Poisonous snakes, reptiles or insects

Unless that person has an application approved and issued by the Village Council to do so.

- (b) The Village Council may impose terms and conditions on an application approval pursuant to this section, including but not limited to terms and conditions regulating:

- i. The location where the animals are to be kept;
- ii. The maximum number of animals that may be kept;
- iii. The manner in which the animals must be kept;
- iv. Restrictions on the sale or use of animal products;
- v. The term of the application;
- vi. Mandatory husbandry training; or
- vii. Any other matter the Village Council determines is in the public interest.

- (c) The Village Council may not issue an application approval pursuant to this section unless satisfied that:

- i. The applicant is at least 18 years of age;
- ii. All required information has been provided to the Village Manager for Council approval.

- (d) The Village Council may refuse to issue or may revoke an application approved pursuant to this section by providing written notice to the applicant.

- (e) An Applicant shall not contravene any term or condition of an application approval pursuant to this section.
- (f) This section does not apply, other than (a) iv., in the case of premises with a municipal address in the Village on land zoned Agriculture.

TRAPS

- 36. Any person who has a complaint about a cat running at large or causing damage to his property, may obtain a cat trap from the Animal Control Officer.
- 37. A Complainant, upon receiving a cat trap, shall comply with the Procedure and Guidelines For The Trapping Of Stray Cats, annexed as Schedule "D" to this bylaw, and such other terms and conditions as Animal Control Officer may require.
- 38. The provision of a cat trap to a Complainant shall be at the sole discretion of the Animal Control Officer.
- 39. (a) Unless otherwise permitted by law no person shall leave a leg hold or foot hold trap in any place where it may reasonable capture any animal.
(b) Unless otherwise permitted by law no person shall capture any animal by means of a leg hold or foot hold trap.

LIMIT ON DOGS, RESTRICTED DOGS AND CATS

- 40. (a) No person shall keep or have more than four (4) animals that consists of Dogs, Cats, or any combination thereof on any premises with a municipal address in the Village; with the exception that only one (1) Restricted Dog will be allowed as part of the combination on any premises with a municipal address in the Village.
(b) This section does not apply:
 - i. In the case of Dogs, Restricted Dogs or Cats under the age of 6 months;
 - ii. If the person has a valid business license to operate a Small Animal Breeding/Boarding Establishment or the General Business of a pet store;
 - iii. To any veterinary clinic or hospital;
 - iv. In the case of premises with a municipal address in the Village on land zoned Agriculture.

CHANGE OF INFORMATION

- 41. A licensee shall forthwith notify the Village Manager of any change with respect to any information provided as part of the application for a license pursuant to this Bylaw.

NOTIFICATION OF STRAY

- 42. A person who takes control of any stray Dog, Restricted Dog or Cat shall forthwith notify the Village Manager or Animal Control and provide any required information.

FALSE INFORMATION

- 43. (a) No person shall provide false or misleading information to any Animal Control Officer or the Village Manager.
(b) No person shall contravene any term or condition contained in a written agreement entered into by that person with the Village pursuant to this bylaw.

INTERFERENCE

44. No person shall interfere with an Animal Control Officer in the exercise of their powers and duties pursuant to this bylaw.
45. (1) No Person shall:
- a) Untie, loosen or otherwise free a dog which has been tied up or otherwise restrained, or willfully or negligently open a gate, door or other opening in a fence, pen or other enclosure in which a dog has been confined and thereby allow the dog to run at large; or
 - b) Abuse, tease, torment or annoy a dog.
- (2) Any person who contravenes this section is guilty of an offence
46. (1) No person shall:
- a) entice a cat to run at large; or
 - b) tease a cat caught in a cat trap; or
 - c) throw or poke any object into a cat trap when a cat is caught therein; or
 - d) fail to check a set cat trap on his premises hourly, or as otherwise required by the Contractor; or
 - e) leave a set cat trap unattended, except as authorized by the Contractor; or
 - f) leave a cat trap set between the hours of 11:00 p.m. on one day to 6:00 a.m. the following day, unless authorized by the Contractor; or
 - g) fail to deliver a trapped animal to the Contractor within 24 hours of the time it is trapped.
- (2) Any person who contravenes this section is guilty of an offence

PART VI – ENFORCEMENT**OFFENCE**

47. Where an Animal Control Officer believes that a person has contravened any provision of this bylaw is guilty of an offence and may be served a municipal violation tag.

CONTINUING OFFENCE

48. In the case of an offence that is of a continuing nature, a contravention constitutes a separate offence in respect of each day, or part of a day, on which it continues and a person guilty of such an offence is liable to a fine in an amount not less than that established by this bylaw for each such day.

FINES AND PENALTIES

49. (a) A person who is guilty of an offence is liable to a fine in an amount not less than that established in this section, and not exceeding \$10,000.000, and to imprisonment for not more than 6 months for non-payment of a fine.
- (b) Without restricting the generality of subsection (a) the following fine amounts are established for use on Municipal Tags and Violation Tickets if a voluntary

payment option is offered:

- i. \$100.00 for any offence for which a fine is not otherwise established in this section;
- ii. \$250.00 for an offence under section 5 (a) or 27 (a); 45; 46
- iii. \$500.00 for an offence under section 5 (b); 22 (a)(i) and (ii); 26 (a)(i) and (ii); 23; 24; 25; 34; 28 (a); 28 (b) or 40 (a);
- iv. \$2,500.00 for an offence under section 22 (a)(iii) and 26 (a)(iii).

MUNICIPAL TAG

50. If a Municipal Tag is issued in respect of an offence the Municipal Tag must specify the fine amount established by this bylaw for the offence in a form as approved by the CAO.

PAYMENT IN LIEU OF PROSECUTION

51. A person who commits an offence may, if a Municipal Tag is issued in respect of the offence, pay the fine amount established by this bylaw for the offence and if the amount is paid on or before the required date, the person will not be prosecuted for the offence.

VIOLATION TICKET

52. If a Violation Ticket is issued in respect of an offence, the Violation Ticket may:

- (a) specify the fine amount established by this bylaw for the offence; or
- (b) require a person to appear in court without the alternative of making a voluntary payment.

VOLUNTARY PAYMENT

53. A person commits an offence may:

- (a) if a Violation Ticket is issued in respect of the offence; and
- (b) if the Violation Ticket specifies the fine amount established by this bylaw for the offence;

Make a voluntary payment equal to the specified fine.

SEIZURE AND IMPOUNDING

54. An Animal Control Officer may seize and impound:

- (a) any Dog found in contravention of section 21 (a);
- (b) any Restricted Dog found in contravention of section 24; or
- (c) any Cat found in contravention of section 34 (a).

55. The Animal Control Officer shall keep all impounded Dogs for a period of at least three days, not including the day of impounding, Sundays or statutory holidays. Where an impounded Dog has not been claimed from the impound facility within

the time set forth, the Animal Control Officer is deemed to be the Owner of the Dog.

SERIOUS INJURY

56. (a) An Animal Control Officer may seize and impound any Dog alleged to have seriously injured or killed a person or animal.
- (b) Before seizing and impounding a Dog pursuant to this section the Animal Control Officer must consider whether the Dog was acting in self-defence or while in the course of attempting to prevent a person from committing an unlawful act.
- (c) A Dog seized pursuant to this section may not be impounded for more than 21 days unless court proceedings for destruction or other order with respect to the Dog are commenced within that time.

RELEASE

57. Any Dog, Restricted Dog or Cat seized pursuant to this bylaw may be released to the Owner upon payment of any fees due with respect to shelter, care and treatment and any License fee, if not already paid.
58. Any Owner attempting to claim an impounded Dog shall present government-issued identification to the Animal Control Officer or the staff of the impound facility.

PART VII – GENERAL

OTHER FEES

59. The following fees are hereby established:
- (a) For shelter and care, the amount set out in Schedule A; and
- (b) For any required veterinary treatment, including drugs and medicines, the actual costs of the treatment; and
- (c) For a replacement, License tag, the amount set out in Schedule A.

PROOF OF ANIMAL LICENSE

60. The onus of proving a person has a valid and subsisting License is on the person alleging the License on a balance of probabilities.

VILLAGE MANAGER

61. Without restricting any other power, duty or function granted by this bylaw, the Village Manager may:
- (a) Carry out whatever inspections are reasonably required to determine the compliance with this bylaw;
- (b) Delegate any powers, duties or functions under this bylaw to an employee of the Village;
- (c) Establish forms for the purposes of this bylaw;
- (d) Establish off-leash areas;

- (e) Permit a 50% reduction in the License fee otherwise payable for one Dog or Cat if the Owner is receiving income assistance from a recognized government program;
- (f) Waive the License fee otherwise payable for one Dog if the Dog is trained by a recognized agency to provide assistance to a person with a physical impairment and the Owner uses the Dog for such assistance.

CERTIFIED COPY OF RECORD

62. A copy of the record of the Village, certified by the Village Manager as a true copy of the original shall be admitted in evidence as prima facie proof of the facts stated in the record without proof of the appointment or signature of the person signing it.

CIVIL ACTION NOT AFFECTED

63. Nothing in this bylaw limits the right of any person to prosecute a claim for damages by reason of injuries to person or property resulting from any action of the Owner of any animal, or from the action of any agent of the Owner.

PART VIII – TRANSITIONAL

REPEALS

64. (a) Bylaw 2016-001 – Animal Control Bylaw is repealed
(b) Bylaw 2013-002 – Animal Control Bylaw is repealed.
(c) Bylaw 2011-003 – Dog Control Bylaw is repealed.
(d) Bylaw 009-10 – Animal Control Bylaw is repealed and cancel all Animal Control and Dog Control Bylaws.

ATTACHMENTS

65. SCHEDULE A, B, and C shall be included as part of this bylaw.

EFFECTIVE DATE

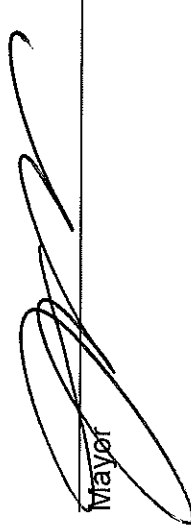
66. This bylaw shall take effect on the date of passing third and final reading.

READ A FIRST TIME THIS __11__ DAY OF __September__, 2018.

READ A SECOND TIME THIS 11 DAY OF September, 2018.

Given UNANIMOUS consent to go to third reading on this 11 day of September, 2018.

READ A THIRD AND FINAL TIME THIS 11 DAY OF September, 2018


Mayer

Village Administrator

SCHEDULE "A" - FEES

DOG LICENSE FEE (unaltered) \$70.00

DOG LICENSE FEE (neutered or spayed) \$35.00

If the fee is paid prior to January 31 of the current year, it shall be reduced to half price.

RESTRICTED DOG LICENSE \$200.00

If the fee is paid prior to January 31 of the current year, it shall be reduced to half price.

CAT LICENSE FEE (neutered or spayed) \$15.00

CAT LICENSE FEE (unaltered) \$30.00

If the fee is paid prior to January 31 of the current year, it shall be reduced to half price.

SHELTER AND CARE:

(A) For the first day, or part of day \$50.00

(B) For each additional day or part of day \$25.00

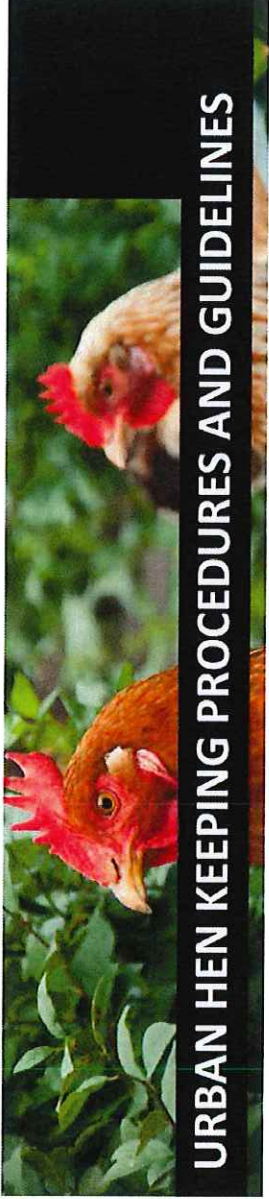
REPLACEMENT LICENSE TAG

\$5.00

- For any required veterinary treatment, including drugs and medicines, the actual cost of the treatment will be charged back to the owner.

Schedule B

Urban Hen Keeping Procedures, Guidelines and Application



These procedures and guidelines establish the regulatory framework for the keeping of urban hens within the Village of Caroline limits, and provide guidance for the selection of appropriate sites, the application processes and enforcement procedures to ensure successful urban hen keeping. In the development of these procedures and guidelines, the Village of Caroline reviewed best practices, communication plans, outcomes, and mitigation strategies of other municipalities who have made allowances for urban hen keeping. Zoning Bylaw requirements, potential health concerns, and provincial legislations were also carefully considered.

1 SITE REQUIREMENTS FOR HEN COOP AND RUN

- Coops may only be located in backyards of properties that are completely fenced and secured. Some properties, due to the smaller size of a backyard or other situational factors, may not be deemed suitable for urban hen keeping through the application process.
- Coop sites should take into consideration backyard locations that would minimize impact to adjacent neighbours (away from bedroom windows, furthest point from building, etc.).
- An approved site may house only one coop and run, and they must be in compliance with *Zoning Bylaw 450*. All coops are reviewed against the *Zoning Bylaw 450* and require Development Permits unless they meet the specific criteria for exemption under Part 2, Section 2.2. Consultation with a Development Officer/ Planner is recommended before purchasing or installing an accessory structure. Standard setback requirements are outlined in the *Zoning Bylaw*. The *Zoning Bylaw* requires that an accessory structure be located:
 - a minimum of 1 meter from a side property line,
 - a minimum of 1 meter from the rear property line, and,
 - no accessory building or any portion thereof shall be erected or placed within the front yard parcel,

2 NUMBER OF HENS AND COOP SIZE

- Approved sites must keep a minimum of three hens and shall not exceed eight hens per site. The recommended number is three to six. **Roosters are not permitted.** Hen Breed and numbers shall be indicated through the application process. Young hens (also called pullets) shall not be younger than 16 weeks old.
- A minimum of 0.37 square meters per hen is required for the coop, along with a minimum of 0.93 square meters per hen of for the run
- All coops must contain sufficient perch locations, have adequate ventilation, and be weather and predator proof.
- All hens must remain in the coop or an enclosed run unless directly supervised where they must then stay on the Licensed property.

3 NUISANCE CONDITIONS

- The site and coop must be properly maintained to prevent negative impacts, including but not limited to: attracting nuisance animals, the spread of food over the property, and excessive smells or noise.



4

STANDARD OF CARE

- Hen sites shall adhere to good management and husbandry practices, maintain hens in such a condition so as to prevent distress, disease, and welfare issues. Hens require appropriate food, liquid (unfrozen) water, shelter, light, warmth, ventilation, veterinary care and opportunities for essential behaviours such as scratching, pecking, dust-bathing and roosting, in order to be comfortable and healthy.
- Animal Control must be notified immediately of any disease or welfare issues that arise that may affect the public and the steps taken to rectify the situation.

5

WASTE & DISPOSAL

- Manure must be removed, discarded, and/or properly composted to prevent nuisance orders.
- There is to be no on-site slaughter or euthanizing of hens within City limits. Removal methods include (but are not limited to) humane euthanasia by a veterinarian, relocation to a farm, or taking hens to a licensed abattoir. Deceased birds should be double-bagged and placed for garbage collection or taken to a veterinarian for disposal. All changes to flock size must be reported to Village Administration or Animal Control as an approval requirement, not doing so may revoke approval.

6

TRAINING & MENTOR

- The Applicant(s) must have completed an accepted urban hen keeping course. It is also recommended that for the first year each site have support and assistance from a recognized mentor. These conditions must be met, or reasonable steps towards meeting the requirement must be made prior to an application for Urban Hen Keeping being issued. The Applicant shall provide proof of completion of a training course recognized by Village Administration or Animal Control as comprehensive and specific to the Alberta climate.

7

INSPECTIONS

- The Applicant(s) shall make themselves and the coops available for inspection on reasonable request from Animal Control Peace Officers.
- An Applicant shall provide pictures of the coop, hens, and site plan as part of application and/or a site inspection will be conducted prior to approval of application being granted from the Village of Caroline.

8

REGISTRATION

- The Applicant must comply with all Federal and Provincial laws and regulations around the keeping of hens. The Province of Alberta requires all owners of poultry (including small urban flocks) to register their flocks into the provincial database and obtain a Premise Identification (PID) Number. The PID enables the province to keep track of livestock site locations in case of potential disease outbreak. The Province will maintain communication with site owners should any information or incidents occur that would require site owners to take action.
- Neighbour notification process will be completed by applicant(s) and letters submitted back to the Village as part of the application submission.

9

ENFORCEMENT

- Poultry keeping is enforced under Section 27 of the *Animal Licensing and Control Bylaw 2016-001*.
- Animal Control Peace Officers will respond to all complaints and initiate investigations when warranted. When enforcement or other animal husbandry issues arise, Village Administration will work with hen keepers, neighbours, and other external stakeholders to ensure they are addressed and resolved in a timely manner. Failing to comply with the terms and conditions of an Urban Hen Keeping Approval Procedures and Guidelines may result in a fine of \$100, or an application being revoked. Keeping hens without approval will result in a \$500 fine.
- Egg production is for self-consumption. No sale of eggs is permitted.
- All public complaints shall be in writing and directed through Village Administration or Animal Control



Urban Hen Keeping Application

All of the following information is necessary to facilitate processing your request. All materials submitted must be clear, legible and precise. Only complete requests can be processed.

Bold or asterisk (*) fields are mandatory.

Last Name: _____ *

First name: _____ *

e-mail address: _____

Phone Number: _____ *

I am the registered owner of the property.

As the applicant, I affirm (check one)

I have permission of the registered owner to make an application.
(attached copy)

Site Information:

Address: _____ *

Number of Hens: _____ *

Description of Coop (attach photo if applicable):

Coop Width: (m): _____ * **Coop Depth (m)** _____ *

- I have read and agree to follow the Village's Urban Hen keeping procedures and guidelines.
- I have informed my neighbours, whose properties are immediately adjacent or attached to my property, that I will be have read and agree to follow the Village's Urban Hen keeping procedures and guidelines applying for an urban hen coop to be located on my property. (Failure to inform neighbours that a coop will be located on your property may result in revocation of the license). Copy attached.

Box 148, 5004 -50 Avenue
 Caroline Ab T0M 0M0
 Phone 403-722-3781



Urban Hen Keeping Application

Additional Information:

- I have a plan for how to manage organic waste from my hens.
- I agree to notify Animal Control on any changes in flock size, or if hens are replaced.
- I have taken urban hen keeping training or have registered for a session. (attach copy of certificate or)

Session Location: _____ *

Session Instructor: _____ *

Session Date: _____ *

If this is the first time you have kept hens in an urban environment, it is recommended that for the first year you have support and assistance from a recognized mentor. Please provide information on your mentor.

Name: _____

Mentor experience: _____

Mentor Contact Information: _____

- I agree to notify Animal Control of any disease or welfare issues that arise that may affect the public and the steps taken to rectify the situation.

The Province of Alberta requires all owners of poultry (including small urban flocks) to register their flocks into the provincial database and obtain a Premise Identification Number

(PID) # _____

A site plan is required to process your application. Please include a site plan with the application. This can include drawings or photos that help describe where on the property the coop will be placed.

- I certify that the above statements are true and correct to the best of my knowledge. I understand that providing false statements may disqualify my application.

*This personal information is collected under the authority of Section 33(c) of the Freedom of Information and Protection of Privacy Act (Alberta). It will be used in the operation of the Special Pet License Program, for bylaw enforcement purposes, internal village departments, and shared with outside organizations for the purpose of managing urban hen keeping. If you have any questions about this collection, contact the village CAO at 403-722-3781.

Box 148, 5004 -50 Avenue
 Caroline Ab T0M 0M0
 Phone 403-722-3781

SAMPLE NEIGHBOUR NOTIFICATION LETTER

[DATE]

Attention: [NEIGHBOUR FIRST AND LAST NAME]
[NEIGHBOUR ADDRESS]

Hello,

I am applying to the Village of Caroline for application approval to keep [#] hens on my property. A requirement of the application is to demonstrate that I have notified my neighbours of my intention to keep hens. In addition to the notification there are a number of requirements that will be on my application and are as follows:

- The site and coop must be properly maintained to prevent (but not limited to) attracting nuisance animals, the spread of food over the property, and excessive smells or noise
- Manure must be removed, discarded, and /or properly composted to prevent nuisance orders
- Each site owner must complete an accepted urban hen keeping course. It is also recommended that for the first year each site have support and assistance from a recognized mentor.
- Each site owner shall make themselves and the coops available for inspections on reasonable request from Animal Control Officer as part of the application approval from the Village of Caroline.

Please kindly sign this letter below and return to me as proof that you have been notified of my application for a hen license. This is not indicating you approve of this license but merely that you have been informed. If you have any concerns that I am not able to address, please feel free to contact the Animal Control Officer with the Village of Caroline.

Thank you.

Sincerely,

[YOUR NAME]
[YOUR ADDRESS]

I, _____, have been informed that my neighbour,
_____ is making an application to the Village of Caroline for approval.

Print Name _____

Signature _____

Schedule C – Bylaw Complaint Form



Box 148
5004-50 Avenue
Caroline AB T0M 0M0
Tel : (403)722-3781 Fax : (403)722-4050
Email: info@villageofcaroline.com

This form represents a request to resolve a Bylaw Enforcement issue. In order for the Municipal Enforcement Officer to proceed with an investigation and follow-up of your complaint it is mandatory that you give *your full name, current address and phone number along with your signature below. (Anonymous complaints will not be accepted)*

BY-LAW COMPLAINT FORM

Date: _____ Time: _____

COMPLAINANT INFORMATION:

Name of Complainant: _____

Mailing Address: _____ Postal Code: _____

Civic Address: _____

Telephone #: (Day) _____ (Evening) _____

VIOLATION INFORMATION:

Location of Offence (Civic Address): _____

Property Owner / Tenant Name (If Known): _____

NATURE OF COMPLAINT (How it affects you, how long it's existed, License plate #, etc.):

_____ (Please use reverse side if needed)

Signature of Complainant: _____

NOTE: Anonymity will be maintained between the complainant and the alleged offender, except where necessary in a court of law. However should this complaint proceed to Court, you *may* be required to give evidence as a witness and your name and your filed complaint will become a matter of the public record.

Personal Information: This information is being collected for the purpose of conducting a Bylaw Enforcement investigation. The information may be shared with applicable Village of Caroline Departments and agencies for the purpose of initiating appropriate action relative to this report. The collection of the personal information on this application is authorized and protected under the Freedom of Information and Protection of Privacy Act, Section 33(c). By providing this information, you have consented to its use for the above purposes. If you have questions about the collection and use of this information, you may contact the Bylaw Enforcement Officer.

Schedule "D"

PROCEDURE AND GUIDELINES FOR TRAPPING OF STRAY CATS**PROCEDURE AND GUIDELINES:**

1. A resident of the Village of Caroline who is annoyed with damages done to his property as a result of a stray cat, may telephone the Contractor and voice a complaint, requesting a cat trap.
2. The Complainant will attend at the office of the Contractor and, if the complaint is found to be valid, the Complainant will be requested to sign the form and an agreement provided by the Contractor, and the Contractor will then provide a cat trap to the Complainant.
3. The Complainant will be required to pay a \$20.00 deposit to the Contractor. This deposit will be returned to the Complainant at such time as the trap is returned and is found to be in the same condition it was at the time it was obtained from the Contractor.
4. The Complainant will set the cat trap in a place shaded from the hot sun, on the premises of the Complainant for a period of not more than 72 hours, after which time he will return the trap to the Contractor.
5. It will be the responsibility of the Complainant to check the trap hourly, or as approved by the Contractor and, if an animal is caught, the Complainant must bring the animal and the trap to the Contractor within 24 hours following the trapping.
6. The Contractor may enter and inspect the premises of the Complainant and ascertain if a cat trap has been properly placed or set and if a cat has been trapped.
7. The Complainant shall not leave a trap set on his property unattended when absent therefrom for any period of time whatsoever, except as approved by the Contractor.
8. The Complainant shall check the trap prior to 11:00 p.m. on each night that the trap is on his property and, if no animal is caught, he shall, unless otherwise approved by the Contractor, trip the trap and render it harmless until 6:00 a.m. the following day, when the Complainant may again set the trap.
9. At such time as the Contractor takes possession of a trapped cat, the Contractor will try to locate an identifying tag or tattoo on the cat and, if found, will make every effort to contact the Owner of the cat in order to report that it has been impounded by Animals Services.
10. If an identification tag or tattoo cannot be found on the impounded cat, the Contractor will keep the cat for a period of at least 72 hours and, after that time, as space permits. After said 72-hour period, it shall be at the discretion of the Contractor as to whether or not the trapped cat shall be kept, sold to a new owner, or be euthanized. However, notwithstanding the care taken to ensure return of an Owner's cat, if a trapped cat shall be found by the Contractor to be wild and dangerous and/or seriously injured, it may be euthanized immediately upon being impounded by Animal Services.
11. At such time as a cat owner attends at Animal Services for the purpose of picking up his or her cat which was running at large, an offence ticket will be issued in accordance with this bylaw. At the time of returning a cat to its owner, the Contractor will make the Owner aware of any Identification Tag Services offered by the Contractor and/or referrals.
12. It is the responsibility of the Complainant to ensure that, once a cat is trapped on his property, that said cat shall not be abused contrary to section **46(1)(b)** and

- 46(1)(c)** of this bylaw, by anyone on his property or anyone coming onto his property.
13. Any person seeing a cat in a trap being abused is encouraged to telephone and report the abuse to the Contractor, at which time the Contractor will immediately attend at the premises where the abuse has taken place and will remove the cat and the trap forthwith.
 14. The Contractor will not provide service after normal business hours.
 15. No cat traps will be provided by the Contractor to a Complainant when weather conditions are, or are forecast to be, colder than 0 degrees Celsius within the 72-hour period from the time of issue.
 16. Any person who abuses, teases, or pokes an animal in a cat trap or is causing pain, suffering, or injury to any animal may be charged with an offence under section 446 of the Criminal Code of Canada.
 17. If a Complainant is disabled and therefore unable to pick up the cat trap, the Contractor may deliver the trap to the Complainant's property and pick up the trap 72 hours later. No fee shall be charged to such Complainant.