

Village of Carmangay
Bylaw #814
Animals in Village

A BYLAW OF THE VILLAGE OF CARMANGAY IN THE PROVINCE OF ALBERTA TO LICENSE, REGULATE AND CONTROL ANIMALS IN THE VILLAGE OF CARMANGAY TO PROMOTE RESPONSIBLE OWNERSHIP.

WHEREAS pursuant to Section 7 (a) of the *Municipal Government Act*, R.S.A. 2000 c M-26, and amendments thereto, a Council may pass bylaws in regard to the safety, health and welfare of people and the protection of people and property;

WHEREAS pursuant to Section 7 (h) of the *Municipal Government Act*, a Council may pass bylaws respecting wild and domestic animals and activities in relation to them;

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

WHEREAS pursuant to Section 8 of the *Municipal Government Act*, a council may in a bylaw regulate or prohibit, and provide for a system of licenses, permits or approvals including any or all of the matters listed therein;

WHEREAS the Council of the Village of Carmangay considers it expedient to promote responsible animal ownership and to control, regulate and license animals within the Village of Carmangay;

NOW THEREFORE, the Council of the Village of Carmangay, in the Province of Alberta duly assembled, thereby enacts as follows:

1. PURPOSE:

- 1.1** The purpose of this bylaw is to promote responsible animal ownership and to control, regulate and license animals within the Village.

2. NAME OF BYLAW

- 2.1** This Bylaw may be cited as the **“Animal Regulations Bylaw”**

3. DEFINITIONS

3.1 For the purpose of the Bylaw, the following words mean:

- a) "Administrator" means the Chief Administrative Officer of the Village of Carmangay;
- b) "Animal" means any live creature, both domestic and wild, and includes birds, reptiles, amphibians or mammals excluding humans and wildlife;
- c) "Animal Service Centre" means the facility established for the holding of impounded animals as set out in this Bylaw;
- d) "Coop" means a fully enclosed weatherproof structure and attached outdoor enclosure used for the keeping of urban hens, that is no larger than 10m² (107.63 ft²) in floor area, and no more than 2m (6.56 ft.) in height;
- e) "Council" means the Municipal Council of the Village of Carmangay;
- f) "Designated Officer" means the Chief Administrative officer, Bylaw Enforcement officer, RCMP officer, Community and Development officer or a Peace officer;
- g) "Dog Control Officer" means a person, firm or corporation appointed by the Village pursuant to the provisions of the Municipal Government Act;
- h) "Former owner" means the person who, at the time of impoundment, was the owner of the animal which has subsequently been sold or destroyed;
- i) "Hen" means a domesticated female chicken;
- j) "Leash" means a chain or other material capable of restraining the dog on which it is being used;
- k) "License Tag" means a metal tag issued by the Village of Carmangay to an owner for each dog owned and which bears a number corresponding to a number in a register file;
- l) "Livestock" includes, but is not limited to:
 - i. horses, mules, asses, swine, emus, ostriches, camels, llamas, alpacas, sheep or goats

- ii. domestically reared or kept deer, reindeer, moose, elk or bison,
 - iii. farm bred fur bearing animals including foxes and mink
 - iv. animals of the bovine species
 - v. animals of the avian species, including chickens, turkeys, ducks, geese or pheasants
 - vi. apiarian (beehive) assemblies and
 - vii. all other animals that are kept for agricultural purposes, but does not include cats, dogs or other domesticated household pets;
- m) "Order" means a written order in accordance with subsection 545 of the *Municipal Government Act*;
- n) "Outdoor enclosure" means a securely enclosed, roofed outdoor area attached to and forming part of a coop having a bare earth or vegetated floor for urban hens to roam;
- l) "Owner" means any natural person or body corporate:
- i) who is the licensed owner of the animal;
 - ii) who has legal title to the animal;
 - iii) who has possession or custody of the animal, either temporarily or permanently; or
 - iv) who harbors the animal or allow the animal to remain on his premises
- m) "Park" means any public space used for rest, recreation, exercise, pleasure, amusement, and enjoyment and includes but not limited to playgrounds, sports fields, campground, and cemeteries;
- n) "Provincial Court" means the Provincial Court of Alberta;
- o) "Rooster" means a domesticated male chicken;
- p) "Running at Large" means:
- i) A dog or dogs which are not under the control of a responsible person by means of a leash and is or are actually upon property other than the property in respect of which the owner of the dog or dogs has the right of occupation, or upon any highway, thoroughfare, street, road, trail, avenue, land, alley, square,

bridge, causeway, trestleway, sidewalk (including the boulevard portion of the sidewalk) park, or other public place; or

- ii) A dog or dogs which are under the control of a responsible person by means of a leash and which cause damage to persons, property or other animals.

- q) "Sell" means to exchange or deliver for money or its equivalent;

- r) "School Grounds" means any public or private school and surrounding property that is controlled by the school, school boards and/or the Village of Carmangay;

- s) "Urban Area" means lands located within the Village on which agricultural operations, including but not limited to the keeping of livestock, are neither a permitted nor discretionary use under Bylaws of the Village;

- t) "Urban Hen" means a hen that is at least sixteen (16) weeks of age;

- u) "Urban Hen License" means a license that is issued pursuant to this Bylaw which authorizes the license holder to keep urban hens on a specific property within the Village;

- v) "Vicious Dogs" means any dog, whatever its age, whether on public or private property, which has:
 - i) Without provocation, chased, injured or bitten any other domestic animal or human; or
 - ii) Without provocation, damaged or destroyed any public or private property; or
 - iii) Without provocation, threatened or created the reasonable apprehension of a threat to other domestic animals or humans; or
 - iv) Is a continuing threat of serious harm to other animals or humans, which in the opinion of a Justice, presents a threat of serious harm to other domestic animals or humans;
 - v) Or has been previously determined to be a vicious dog under this bylaw.

- w) "Village" means the Municipal Corporation of the Village of Carmangay;

- x) "Violation Ticket" means a ticket issued pursuant to Part 2 of the Provincial Offences Procedures Act, Revised Statutes of Alberta 2000, Chapter P-34 and any amendments or regulations thereto.

All schedules attached to this Bylaw shall form a part of this Bylaw.

4. OWNERSHIP AND EXCEPTIONS

4.1 THAT no person shall keep or have any of the following within the Village:

- i) Livestock
- ii) Wildlife
- iii) Bees
- iv) Poisonous snakes, reptiles or insects,

except where expressly permitted by an applicable Village of Carmangay bylaw and/or specific Sections of this Bylaw.

Exceptions to Subsection 4.1 include:

- a) Facilities where Livestock are temporarily housed for educational, veterinary, scientific or civic purposes;
- b) For permitted Special Events, such as parades, Carmangay Sports Day, or filming;
- c) Specific areas as designated within the Village of Carmangay Land Use Bylaw, or any other current Bylaw.

4.2 Notwithstanding Section 4.1, the keeping of horses is ONLY permitted on the following parcels of land within the Village of Carmangay:

- a) NE & NW 32-13-23-W4
North of George Street
- b) Block 206
Lot A
North of George St. and east of Prairie Avenue

- c) Plan 1210932
Block 206A
Lot 1
North of George Street at Prairie Avenue

4.3 The keeping of poultry within the Village of Carmangay is only permitted within the provisions of Section 7 of this Bylaw.

4.4 Subject to the provisions of Section 6 of this Bylaw, animals that may be kept within Village of Carmangay include domestic pets such as cats and dogs.

4.5 It is not the intention of this Bylaw to prohibit other domestic pets such as small, caged pets or birds that fall within provincial and federal guidelines; however, licensing requirements, as per this Bylaw do not apply to such pets.

5. CLEAN UP OF WASTE

5.1 The Owners of any livestock temporarily entering the Village of Carmangay as permitted by the provisions of Section 4 of this Bylaw must hygienically dispose of any feces produced by such livestock in accordance with the *Environmental Protection and Enhancement Act*, RSA 2000 c E-12, as amended from time to time.

5.2 No person who has removed animal excrement may deposit same into a public litter receptacle except where the excrement is securely contained in an impermeable bag or other impermeable container so as not to ooze, leak, or fall out in the public litter receptacle.

6. DOGS IN THE VILLAGE OF CARMANGAY:

6.1 Licensing Dogs in the Village of Carmangay:

- i) A resident of the Village of Carmangay who is the owner of any dog aged six (6) months or older shall obtain a license for the animal from the Village Office as per Schedule "A";
- ii) The owner of every animal shall, annually, on or before January 31st, renew the license for the animal by submitting to the Village the annual licensing fee, as set out in Schedule "A", along with any other information as may be required by the Village. A license shall be valid only for the

year for which it was issued, regardless of actual date upon which the license was purchased;

- iii) Obtain a license for an animal notwithstanding that it is under the age of three (3) months, where the animal is found running at large;
- iv) Upon initial payment of the license fee for each animal, a tag shall be issued to the owner with a number corresponding to the number assigned to the animal in the registry. This tag will be valid until such time as the animal is disposed of or dies or until the tag is misplaced or lost;
- v) Every owner shall provide his/her animal with a collar to which the owner shall affix the tag for such animal and the owner shall ensure that the collar and tag are worn during those occasions when the animal is not on the owner's premises;
- vi) In case a tag is lost or destroyed, a replacement will be issued by the Village upon payment of the fee as set out in Schedule "A" and provided the owner can provide proof of payment of the license fee for the current animal license year or the Village administration records indicate such payment was made;
- vii) Licenses and tags are non-transferable from one animal to another and no refund shall be made on any paid animal license fee because of death or sale of the animal or upon the owner's leaving the Village before expiration of the license period;
- viii) Any person who becomes the owner of the animal registered under this bylaw shall report the change of ownership to the Village Office and the Village shall transfer ownership of the license to that person, but no additional license fee shall be owing by that person to the Village for the year for which the license was purchased;
- ix) A registered Guide Dog owned by a blind person shall be issued a license, free of charge;
- x) A resident of the Village of Carmangay who is the owner of a vicious dog is additionally required to:
 - a) be over the age of eighteen (18) years
 - b) obtain a vicious dog license on the first day on which the Village of Carmangay is open for business after the dog has been declared as vicious;

- c) obtain a license on the first day on which the Village of Carmangay is open for business after he becomes the owner of a vicious dog;
 - d) notify the Village Office should the vicious dog be sold, gifted or transferred to another person or if the animal dies;
- xi) Failure to obtain a license within the prescribed timelines of this section will result in a fine as set out in Schedule "B" of this bylaw.

6.2 Offences and Responsibility of Dog Owner:

6.2.1 The owner of an animal is guilty of an offence if such animal:

- i. runs at large;
- ii. is without a collar and tag while off the premises of its owner;
- iii. is a female in heat and is not confined and housed in the residence of the owner during the whole of the heat period;
- iv. defecates on any Public or Private Property other than the property of its owner and the owner or person in control of the animal fails to immediately remove such defecation. This provision shall not apply to a registered guide dog while it is assisting a blind person;
- v. is on school property unless otherwise permitted or allowed by the School Board;
- vi. is within a site containing playground apparatus and/or sand play area located on public or private property other than the property of its owner;
- vii. barks or howls so as in the opinion of the Bylaw Enforcement Officer based on information gathered to cause an unreasonable disturbance given, but not limited to, location, circumstances, time of day and duration;
- viii. upsets or tears up any garbage bags or waste receptacles;
- ix. damages public or private property;
- x. chases any person, animal, bicycle or motor vehicle;
- xi. bites any person or animal;

xii. attacks or injures any person or animal.

6.2.2 The owner of an animal is guilty of an offence if the owner:

- i. Fails to provide identification (driver's license or other government issued identification with a picture) and proof thereof to a Bylaw Enforcement Officer;
- ii. Provides false or misleading information to a Bylaw Enforcement Officer.

6.2.3 The owner of an animal is guilty of an offence if they allow any fecal matter to remain on their property or to accumulate to such an extent as to, in the opinion of a Bylaw Enforcement Officer, constitute a nuisance by way of odour, unsightliness, or detrimental impact on the use, enjoyment and value of nearby properties.

6.2.4 No more than two (2) dogs shall be harboured, suffered, or permitted to remain upon or in any land, house, shelter, room or place, building structure, or premises within the Village unless:

- i. The premises are lawfully used for the care and treatment of animals operated by and under the charge of a registered veterinarian;
- ii. The Owner is the holder of a valid and subsisting development permit to operate a kennel, animal hospital, shelter, pound or other animal operation as authorized by the Land Use Bylaw;
- iii. The animals in excess of the limit are under eight weeks of age and the offspring of a licensed animal residing at the same location.

6.3 Vicious Dogs in the Village:

The Owner of a Vicious Dog shall ensure that, without provocation, such dog does not:

- i. chase, injure or bite any other domestic animal or human;
- ii. damage or destroy any public or private property;
- iii. threaten or create the reasonable apprehension of a threat to other domestic animals or humans;

- iv. present a continuing threat of serious harm to other animals or humans.

6.3.1 When a vicious dog is on the property of the owner, the owner shall ensure that:

- i. such dog is confined indoors and under the control of a person over the age of eighteen (18) years;
- ii. when such dog is outdoors it is in a locked pen or other structure, constructed to prevent the escape of the vicious dog and capable of preventing the entry of any person not in control of the dog;
- iii. the locked pen or other structure shall have secure sides and a secure top, and if it has no bottom secured to the sides, the sides must be imbedded in the ground to a minimum depth of thirty (30) centimetres;
- iv. the locked pen or other structure shall provide the vicious dog with shelter from the elements and be of the minimum dimensions of one and one-half (1.5) metres by three (3) metres and be a minimum of one and one-half (1.5) metres in height;
- v. the locked pen or other structure shall not be within one (1) metre of the property line or within five (5) metres of a neighbouring dwelling unit;

6.3.2 When a Vicious Dog is not on the property of the owner, the Owner shall ensure that at all times the vicious dog is:

- i. muzzled;
- ii. harnessed or leashed on a lead which length shall not exceed one (1) metre in a manner that prevents the vicious dog from chasing, injuring or biting other domestic animals or humans as well as preventing damage to public or private property;
- iii. under the control of a person over the age of eight (18) years;
- iv. the vicious dog is not running at large.

6.3.3 Additionally, the owner of a vicious dog shall:

- i. immediately notify the Village Office and/or the Bylaw Enforcement Officer if the vicious dog is running at large;
- ii. remain liable for the actions of the dog until formal notification of sale, gift or transfer is given to the Village Office.

6.3.4 An Owner of an animal suspected of having rabies shall immediately:

- i. report the matter to Agriculture Canada, Veterinary Inspection directorate or to the Bylaw Enforcement Officer;
- ii. confine or isolate the animal, in such a manner as prescribed so as to prevent further spread of the disease;
- iii. shall keep the animal confined for not less than ten (10) days at the cost of the Owner.

6.3.5 An owner of an animal that does not comply with the provisions of Section 6.1 and Section 6.2 of this Bylaw shall be subject to a penalty as provided in Schedule "B" for each consecutive demand made by the Bylaw Enforcement Officer.

6.4 Handicapped Owners:

6.4.1 Notwithstanding Section 6(i) of this Bylaw, where the Village of Carmangay is satisfied that a person who is handicapped is the owner of an animal trained and used to assist such handicapped persons, there shall be no fee payable by the owner for a license under Section 6(i), however, a tag must be obtained, and the animal must be registered at the Village Office.

6.5 Responsibility of Village Administration:

6.5.1 The Village of Carmangay shall arrange for a kennel to be established for the keeping and impounding of animals and may do so by entering into an Agreement with a Contractor. A Contractor or any such kennel may make rules and regulations for

the operation and management of the kennel, provided they are consistent with this Bylaw.

- 6.5.2** The Bylaw Enforcement Officer may seize and impound any animal found at large.
- 6.5.3** In the active pursuit of any animal while the animal is at large, any Bylaw Enforcement Officer empowered to apprehend animals under this part is hereby authorized to enter upon any lands surrounding any building at all reasonable times.
- 6.5.4** No Person, whether or not he is the Owner of an Animal which is being or has been pursued or captured shall:
- i. interfere with or attempt to obstruct a Bylaw Enforcement Officer who was attempting to capture or who has captured any animal in accordance with the provisions of this bylaw;
 - ii. unlock or unlatch or otherwise open the motor vehicle in which animals captured for impoundment have been placed, so as to allow or attempt to allow any animal to escape there from;
 - iii. remove or attempt to remove any animal from the possession of the Bylaw Enforcement Officer.
- 6.5.5** The Village of Carmangay shall provide notice by letter or by the Bylaw Enforcement Officer indicating that an animal or animals have been deemed to be Vicious Animal(s). If this determination is contested, this may be done so at the Provincial Court. Any said costs associated with this proceeding would be solely the responsibility of the Owner.

6.6 Impounded Dogs

- 6.6.1** If a Bylaw Enforcement Officer knows or can ascertain the name of the owner of any impounded animal, the Bylaw Enforcement Officer shall serve the owner with a copy of the Notice in Schedule "C" of this Bylaw, either personally or by leaving it, or by mailing it to the last known address of the owner.
- 6.6.2** An owner of an animal to whom a notice is mailed pursuant to Section 6.5.1 is deemed to have received the notice within forty-eight (48) hours from the time it is mailed.

6.6.3 The Bylaw Enforcement Officer or Contractor shall keep all impounded animals for a period of no less than three (3) days, not including the day of impounding. Sundays and statutory holidays shall not be included in the computation of the three (3) day period. During this period any healthy animal may be redeemed by its owner, upon payment to the Bylaw Enforcement Officer of:

- i. the appropriate license fee when an animal is not licensed;
- ii. kennel boarding fees as per contract rate for every twenty-four (24) hour period, or fraction thereof;
- iii. fines levied as per Schedule "B" of this bylaw.

6.6.4 Where an animal is claimed, the owner shall provide proof of ownership of the animal prior to the animal's release.

6.6.5 At the expiration of the three (3) day period, any animal not redeemed may be destroyed or sold.

6.6.6 The Bylaw Enforcement Officer may, before selling an unclaimed animal, require that the animal be spayed or neutered.

6.6.7 The purchaser of an animal from the Bylaw Enforcement Officer pursuant to the provisions of this section shall obtain full right and title to the animal and the rights and title of the former owner of the animal shall cease thereupon.

6.6.8 When the Bylaw Enforcement Officer agrees to put an animal to death, the owner shall pay to the Village a fee as set out in Schedule "B" of this bylaw.

6.6.9 The Bylaw Enforcement Officer or Contractor shall report any apparent illness, communicable disease, injury, or unhealthy condition of any animal to a veterinarian and act upon his/her recommendations. The owner, if known, shall be held responsible for all expenses so incurred.

7 CHICKENS IN THE VILLAGE OF CARMANGAY:

7.1 Prohibitions:

No person in an urban area shall keep:

- i) A rooster; or

- ii) A hen, other than an urban hen for which a valid hen license has been issued.

7.2 Urban Hen Licenses:

7.2.1 A person may keep up to (3) urban hens by:

- i) Submitting a completed urban hen license application on forms approved by the CAO; and
- ii) Paying an annual urban hen license fee as set out in the Village of Carmangay Bylaw #817 - Fees, Fines and Charges

7.2.2 Urban hen licenses are valid for the period of January 1 to December 31 of the year in which it is issued and must be renewed annually prior to January 31 of each subsequent year.

7.2.3 Urban hen license fees shall not be reduced or prorated no matter the month of purchased.

7.2.4 Urban hen license fees shall not be refunded or rebated.

7.2.5 An urban hen license is not transferable from one person to another except:

- i) when a license holder has moved to a new property within the Village, then the license holder may apply to transfer the license; and
- ii) an inspection of the new property must be carried out to determine the license holder is still able to meet all requirements for an urban hen license as set out this Bylaw at such property.

7.2.6 An urban hen license is not transferable from one property or another except:

- i) when a license holder has moved to a new property within the Village, then the license holder may apply to transfer the license and an inspection of the new property must be carried out to determine the license holder is still able to meet all requirements for an urban hen license as set out in this Bylaw at such property.

7.2.7 A person to whom an urban hen license has been issued shall produce the license upon the demand of a Peace Officer.

7.2.8 An urban hen license may be issued or renewed if the CAO is satisfied that:

- i) the applicant is the owner of the property on which the urban hens will be kept.
- ii) the land use designation of the property on which the urban hens will be kept allows the placement of a coop for the keeping of urban hens.
- iii) the applicant resides on the property on which the urban hens will be kept.
- iv) all required information has been provided.
- v) the applicant has taken a course on the safe handling of hens and eggs.
- vi) the applicable license fee has been paid; and
- vii) the applicant has complied with all other Provincial and Federal Regulations for the keeping of chickens.

7.2.9 An urban hen license may be revoked or may not be renewed by the CAO if:

- i) The applicant or license holder does not meet or no longer meets the requirements for an urban hen license as set out in this Bylaw.
- ii) The applicant or license holder furnishes false information or misrepresents any fact or circumstance required pursuant to this Bylaw.

- iii) The applicant or license holder has, in the opinion of the CAO based on reasonable grounds, contravened any part of this Bylaw whether or not the contraventions has been prosecuted.
- iv) The applicant or license holder fails to pay a fine imposed by a court for a court for a contravention of this Bylaw or any other applicable Bylaw related to the keeping of livestock.
- v) The applicant or license holder fails to pay any fee required by this Bylaw or any other applicable legislation; or
- vi) In the opinion of the CAO, based on reasonable grounds, it is in the public interest to do so.

7.3 REQUIREMENTS OF KEEPING URBAN HENS:

7.3.1 A person who keeps urban hens must:

- i) Provide each urban hen with at least 0.37 m² (3.98 ft.²) of interior floor area, and at least 0.92m² (9.9ft.²) of outdoor enclosure, within the coop.
- ii) Ensure that each coop is:
 - a. Located in the rear yard of the property.
 - b. A minimum 3.0 m (9.84 ft) from a dwelling.
 - c. A minimum 1.0 m (3.28 ft) from any lot line.
 - d. A minimum 3.6 m (11.81 ft) from any street adjacent to the property; and
 - e. At grade level, no more than 2.0 m (6.56 ft) in height.
- iii) Provide and maintain, in the coop, at least one nest box per coop and one perch per urban hen that is at least 15 cm (5.9 in) long.
- iv) Keep each urban hen in the coop at all times.

- v) Provide each urban hen with food, water, shelter, light, ventilation, care, and opportunities for essential behaviors such as scratching, dustbathing, and roosting, all sufficient to maintain the urban hen in good health.
- vi) Maintain the coop in good repair and sanitary condition, and free from vermin and noxious or offensive smells and substances.
- vii) Construct and maintain the coop to prevent any rodent from harboring underneath within or within its walls, and to prevent entrance by any other animal.
- viii) Keep a food container and water container in the coop.
- ix) Always keep the coop secured.
- x) Remove leftover feed, trash, and manure in a timely manner.
- xi) Store feed within a fully enclosed container.
- xii) Store manure within a fully enclosed container and store no more than 85 liters (3 cubic feet) of manure at any time.
- xiii) Remove all other manure not used for composting or fertilizing and dispose of such in accordance with Village Bylaws.
- xiv) Follow biosecurity procedures outlined by the Canadian Food Inspection Agency to reduce potential for disease outbreak; and
- xv) Keep urban hens for personal use only.

7.3.2 No person who keeps urban hens shall:

- i) sell eggs, manure, meat, or other products derived from an urban hen.
- ii) slaughter any urban hen on the property

- iii) dispose of an urban hen except by delivering it to a farm, abattoir, veterinarian, or other form of shelter other than a coop.

8 ENFORCEMENT, FINES & PENALTIES

- 8.2 Where a Bylaw Enforcement Officer or a Peace Officer believes that a person has contravened any provision of this Bylaw, he may commence proceedings by issuing a summons by means of a violations ticket in accordance with part 2 of the Provincial Offences Procedure Act, R.S.A 2000, c.P-34.
- 8.3 Any person who contravenes any provision of this Bylaw is guilty of an offence and is liable on summary conviction to a fine of not more than ten thousand dollars (\$10,000), imprisonment of not more than one (1) year, or both.
- 8.4 When there is a penalty listed for an offence in **Bylaw #817 – Fines, Fees and Charges Bylaw**, that amount is the minimum specified penalty for an offence;
- 8.5 When a person contravenes the same provision of this Bylaw two (2) or more times within one twelve (12) month period, the specified penalty payable in respect of the second or subsequent contravention shall be the amount stated in **Bylaw #817 – Fines, Fees and Charges Bylaw** for such offences.
- 8.6 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.
- 8.7 The levying and payment of any fine or the imprisonment for any period provided in **Bylaw #817 – Fines, Fees and Charges Bylaw** shall not relieve a person from the necessity of paying any fees, charges or costs from which that person is liable under the provisions of this Bylaw or any other Bylaw.
- 8.8 When the person responsible fails to comply with a written notice issued by a Designated Officer of the Village, the Village may remedy the violation at the expense of the Owner. Any unpaid expense and cost incurred by the

Village may be added to the Tax Roll and collected in a like manner as municipal taxes.

- 8.9 A Designated Officer is hereby authorized and empowered to issue a violation ticket pursuant to Part 2 of the Provincial Offences Procedure Act of the Statutes of Alberta 198, being Chapter P-21.5 and as amended.

9 GENERAL PROVISIONS

- 9.2 An Animal Control Officer may pursue any and all remedies set out in this Bylaw, the *Municipal Government Act* and any other law in the Province of Alberta. Nothing in this Bylaw shall restrict, limit, or preclude the Village from taking multiple steps to regulate Animals in the Village.
- 9.3 Nothing in this Bylaw relieves a Person from complying with any provision of any Federal or Provincial law or regulation, other bylaw or any requirement of any lawful permit, order or license.
- 9.4 The Village of Carmangay is not required to enforce every breach or contravention of this Bylaw. In deciding whether to enforce the Bylaw, the Village may take into account any practical concerns or considerations including but not limited to the nature and extent of the breach or contravention, any financial or budgetary considerations and the availability of personnel or human resources.
- 9.5 Where this Bylaw refers to another Act, Bylaw, Regulation or Agency, it includes references to any Act, Bylaw, Regulation or Agency that may amend or be substituted, therefore.
- 9.6 All the schedules attached to this Bylaw shall form a part of this Bylaw and may be amended from time to time.

10 SEVERABILITY

- 10.1 Each section of this Bylaw shall be read and construed as being separate and severable from each other Section. Furthermore, should any Section or Part of this Bylaw be found to have been improperly enacted for any reason, such Section or Part shall be regarded as being severable from the rest of the

Bylaw and the Bylaw remaining after such severance shall be effective and enforceable.

11 READINGS AND REPEALS

11.1 This Bylaw comes into force on the day it passes the third and final reading.

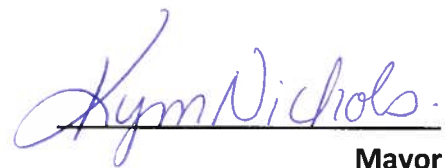
11.2 The following Bylaws are hereby repealed by the passing of **Bylaw 814: The Animal Regulations Bylaw:**

- i) Bylaw #728: Bylaw to Regulate and Control Animals (“Dog Bylaw”)
- ii) Bylaw #768: Bylaw to Regulate and Control Animals (“Horse Bylaw”)
- iii) Bylaw #783: Bylaw to Regulate the Keeping of Wild or Domestic Animals (“Rabbit Bylaw”)
- iv) Bylaw #798: Bylaw to Regulate the Keeping of Chickens in Urban Areas

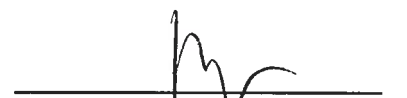
Read a first time this 18th day of January, 2022.

Read a second time this 15th day of February, 2022.

Read a third time and final time this 15th day of February, 2022.



**Mayor
Kym Nichols**



**Chief Administrative Officer
Patrick Bergen**

Village of Carmangay

**Bylaw #814
Schedule "A"**

Notification of Contravention

You are hereby notified that an animal known to have been under your control at your lands (location) _____ on _____, 20____ pursuant to the provisions of Bylaw #814 of the Village of Carmangay and that unless the said animal is claimed and all impound charges, fines and fees are paid on or before _____, 20 ____, the said animal will be sold, destroyed or otherwise disposed of pursuant to said Bylaw.

You may be held liable for all boarding, impoundment and/or penalties incurred by having this animal impounded.

Animal Control Officer

Village of Carmangay