



**BY-LAW #1598-22
of the
TOWN OF PINCHER CREEK**

**A BYLAW OF THE MUNICIPALITY OF THE TOWN OF
PINCHER CREEK, IN THE PROVINCE OF ALBERTA,
TO REGULATE AND CONTROL ANIMALS WITHIN THE
TOWN OF PINCHER CREEK**

WHEREAS, Section 7(h) of the Municipal Government Act, R.S.A. 2000, Chapter M.26 and amendments thereto, allows a municipality to pass bylaws regulating and controlling wild and domestic animals and activities in relation to them.

WHEREAS, Section 7(i) of the Municipal Government Act, R.S.A. 2000, Chapter M.26, and amendments thereto, allows a municipality to impose fines and penalties for infraction of bylaws.

NOW THEREFORE, the Municipal Council of the Town of Pincher Creek hereby enacts as follows:

1. SECTION 1: TITLE

1.1 This bylaw shall be known as the Animal Control Bylaw.

2. SECTION 2: DEFINITIONS

In this bylaw, unless the context otherwise requires, the word, term, or expressions:

- 2.1 ANIMAL CONTROL OFFICER shall mean any person duly authorized and designated by the Council to carry out the provisions of this bylaw.
- 2.2 ANIMAL includes any dog and/or cat.
- 2.3 ABANDON means to leave an animal without means of protection, support, or help.
- 2.4 CAT includes any cat over the age of two (2) months and includes a cat that has been spayed or neutered.
- 2.5 COOP means a fully enclosed weather proof structure and attached outdoor enclosure used for the keeping of Urban Hens that must comply with the Town of Pincher Creek land use bylaw accessory building regulations.
- 2.6 DAMAGE TO PROPERTY means damage to property other than the owner's property, and includes defecating and urinating on such property.

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- 2.7 DANGEROUS DOG shall mean any dog, which in the opinion of a Peace Officer, or Animal Control Officer:
 - (1) Without provocation, shows a propensity, or disposition, and has potential to attack and injure humans or other animals; or
 - (2) Without provocation attack, bite or injure any human or animal.
- 2.8 DESTROY OR DISPOSE shall mean to kill an animal, only upon consultation with the Chief Administrative Officer or Manager of Legislative Services.
- 2.9 DOG includes any dog over the age of six (6) months and includes a dog that has been spayed or neutered.
- 2.10 DWELLING as defined in the Land Use Bylaw of the Town of Pincher Creek, and amendments thereto.
- 2.11 GUARD DOG shall mean any dog that is trained to guard.
- 2.12 HEN is a female chicken over the age of 16 weeks.
- 2.13 INDOOR PETS shall mean mice, hamsters, gerbils, guinea pigs, cage birds, ferrets, pygmy hedgehogs, non-poisonous reptiles and amphibians not exceeding one meter in length or other animals as approved by resolution of Council.
- 2.14 MUNICIPALITY shall mean the Town of Pincher Creek.
- 2.15 MUNICIPAL COUNCIL or COUNCIL shall mean the Municipal Council for the Town of Pincher Creek, Alberta.
- 2.16 OFF LEASH DOG AREA shall mean a place that the Municipality shall provide or designate as such where dogs are permitted off leash.
- 2.17 PESTS shall mean anything that causes trouble, annoyance, nuisances, discomfort, or destruction, including but not limited to, skunks, rabbits and raccoons.
- 2.18 POULTRY shall mean, turkeys, ducks, peacocks, ostriches, geese, pheasants, guinea fowl, pigeons, quail, Rooster chickens, hens under 16 weeks old or any other bird not a chicken Hen.
- 2.19 POUND shall mean a place that the Municipality shall provide or designate as such.
- 2.20 ROOSTER shall mean male chicken.



- 2.21 RUNNING AT LARGE shall mean any dog or cat not accompanied by and under the control of a responsible person within the Municipal Limits, as per Section 3.19.
- 2.22 SERVICE DOG shall mean certified guide dogs, special needs dogs and hearing dogs.
- 2.23 TRANQUILIZER GUN shall mean a pistol or rifle capable of propelling a dart containing a drug approved by a qualified Veterinary Surgeon, for the purpose of immobilizing a dog in order to facilitate capture.
- 2.24 TRAP shall mean a device or enclosure designed to catch and retain animals, typically by allowing entry but not exit or by catching hold of a part of the body.
- 2.25 TRAPPING shall mean the act of trapping an animal domestic or wild.

SECTION 3: GENERAL RULES

- 3.1 Any person who is in breach of the general rules is guilty of an offence.
- 3.2 No person shall keep anywhere within the limits of the Town of Pincher Creek, any species of wild or domestic animal, or poultry, other than dogs, cats, indoor pets and animals kept on land on which Council has issued a grazing permit, and animals and poultry under veterinarian care, and animals and poultry consigned to an abattoir for killing, and animals and poultry exhibited or used during sanctioned events at Agricultural Society Grounds and Horseshoe Pavilion, or other temporary uses as approved by resolution of Council, or if allowed under the provisions of the Town of Pincher Creek Land Use Bylaw.
- 3.3 Every person who owns, keeps or harbours any dog shall register the dog and obtain a dog license from the Town. Such license must be renewed on the first day of January in each year and shall be for a period of January 1 to December 31 in each year. The fee for a dog license shall be in accordance with Schedule "A".
- 3.4 The license tag issued upon payment of the above mentioned fee shall be attached to the collar worn by such animals at all times.
- 3.5 No person who is the owner, possessor or harbourer of any animal shall permit or otherwise allow such animal to run at large within the corporate limits of the Town of Pincher Creek.
- 3.6 Every person who owns, keeps or harbours a female dog shall house and confine such female dog during the whole period that such female dog is in heat.

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- 3.7 The owner, possessor or harbourer of any animal impounded pursuant to the provisions of this bylaw by the Animal Control Officer may redeem same within 72 hours from the time of impoundment by paying to the Town of Pincher Creek the appropriate penalty and/or impoundment fee for such animal impounded. The impoundment fee shall be in accordance with Schedule "A" of this bylaw.
- 3.8 Any person who removes or attempts to remove any animal from the possession of the poundkeeper or any person authorized to enforce the provisions of this bylaw shall be guilty of an infraction of this bylaw.
- 3.9 Any person who hinders, delays or obstructs an Animal Control Officer or any other person authorized to enforce the provisions of this bylaw, while engaged in his lawful duties is guilty of an infraction of this bylaw.
- 3.10 No person shall register a dog as spayed or neutered unless the said dog is spayed or neutered.
- 3.11 All guard dogs and dangerous dogs shall be housed as follows:
- i) chain link covered run and covered top on a strong frame, i.e. 2x4 or pipe.
 - ii) a flooring substance that cannot be dug.
 - iii) a child proof latch on gate.
 - iv) the covered run and shelter is subject to the Animal Control Officer's approval.
 - v) All guard dogs and dangerous dogs must be registered as a dangerous dog or guard dog with the town every year.
 - vi) Proof of insurance must be shown at the time of registration.
- 3.12 All guard dogs and dangerous dogs shall only be out on a leash and under adult supervision.
- 3.13 If an Animal Control Officer determines that a dog is a dangerous dog, either through personal observation or after an investigation initiated by a complaint, he or she may in writing:
- i) inform the owner that the dog has been determined to be a dangerous dog and
 - ii) require the owner to keep such dog in accordance with the provisions of this bylaw.
- 3.14 An owner of a dangerous dog shall maintain in force a policy of liability insurance in form satisfactory to the Chief Administrative Officer providing third party liability coverage in a minimum amount of \$500,000.00 for injuries caused by the owners dog.
- i) upon cancellation or expiry or termination of the liability policy, the dog license is null and void.



- 3.15 A person who owns, keeps, houses, harbors or allows to stay on his premises a dog or cat which by reason of barking or howling disturbs persons in the vicinity of his home is guilty of an offense under this bylaw.
- 3.16 Any owner whose dog defecates on property other than his own shall remove forthwith any defecation matter deposited.
- 3.17 The occupant of any one dwelling may not own, possess or harbor more than 3 dogs and 3 cats unless those animals in excess of three in quantity are a litter of offspring from cats or registered dogs in possession of said person; and providing that those animals in excess of three in quantity are removed from said persons' dwelling within 90 days following the birth of said litter of offspring.
- 3.18 No person shall allow a dog in the corporate limits of the Town of Pincher Creek unless the dog is tethered by a hand-held leash no longer than 1.5 meters in length, unless in a designated Off Leash Dog Park.
- 3.19 No person shall untie, lose or otherwise free an animal which is not in distress unless such a person has the authorization of the owner.
- 3.20 No person shall trap any animal within in the Town of Pincher Creek unless,
- i) It is a Town Bylaw Officer, Community Peace Officer, Agent or contractor for the Town.
 - ii) Fish and Wildlife Officer in the course of their duties.
 - iii) On property owned, rented, leased, by the person trapping.
 - iv) Animals trapped, are away from dangerous or injurious temperature
 - v) All traps must not kill or injure animals, except for mouse traps.
- 3.21 If a person is trapping on private property, they must contact the Town bylaw Officer/Animal Control Officer/Peace Officer if a domestic animal is trapped. All domestic animals trapped must be turned over to the Town Peace Officer or taken to the SPCA at a reasonable time. The person trapping is responsible for the care of the animal until it can be picked up by the Town's Peace Officer or taken to the SPCA.
- 3.20 No person shall tease, torment, annoy, abuse or injure any animal, and any person who does so is guilty of an offence.
- 3.21 An owner whose animal has caused damage to property within the Municipality is guilty of an offence.
- 3.22 Any person who owns, keeps or harbours any animal which attacks any person within the corporate limits of the Town of Pincher Creek is guilty of an infraction of this bylaw.

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- 3.23 Any person who owns, keeps or harbours any animal which attacks and injures any person within the corporate limits of the Town of Pincher Creek is guilty of an infraction of this bylaw.
- 3.24 Any person who owns, keeps or harbours any animal which attacks and/or injures any animal within the corporate limits of the Town of Pincher Creek is guilty of an infraction of this bylaw.
- 3.25 Any person(s) who abandons any animal(s) within the corporate limits of the Town of Pincher Creek is guilty of an offense.

SECTION 4: URBAN HENS

- 4.1 A person may have chicken Hens as defined in this bylaw, at their residence, as long as,
 - i) Not a rooster
 - ii) No more than 4 hens at a time per house hold
 - ii) Must be at address the person is living
 - iii) Residence cannot be in a mobile home park.
 - iv) Must have a proper enclosure (coop) Hen house
 - v) For personal use only. Must not sell eggs, manure, meat or other products made from hens.
 - vi) Hens must be in coop or enclosure at all times,
 - vi) Hens are no younger than 16 weeks of age.
 - vii) Must register Hens with the Town via an Urban Hen Registration Form

SECTION 5: DUTIES OF ANIMAL CONTROL OFFICER

- 5.1 The Animal Control Officer, Peace Officer or designee shall enforce this bylaw and shall issue offence tickets for infractions of this bylaw.
- 5.2 It shall be the duty of the Animal Control Officer and any other persons authorized to enforce this bylaw to capture all animals running at large within the corporate limits of the Town of Pincher Creek and impound such animals in the Town of Pincher Creek Pound. Such animals shall be confined at the pound subject to the owner's or possessor's right to claim within 72 hours from the time of capture. No animal shall be released from the pound until the pound keeper is satisfied that all penalties and fees have been paid and notification has been received from the Manager of Legislative Services that a current license has been obtained with respect to dogs.
- 5.3 The Animal Control Officer or any person or person authorized or appointed by Council, are hereby authorized to use a tranquilizer gun, or any other piece of

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equipment commonly used in order to effect the capture of any dog when all normal attempts to capture such dog have failed.

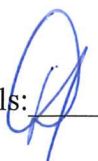
- 5.4 The Animal Control Officer shall impound any animal suspected of being rabid and upon confirmation by a veterinarian shall destroy or have said animal destroyed.
- 5.5 The Animal Control Officer may destroy or dispose of any animal impounded under the provisions of this bylaw if said animal is not claimed within 72 hours from capture.
- 5.5 The Animal Control Officer may capture pests within the corporate limits of the Town of Pincher Creek and impound, destroy, or otherwise dispose of such pests according to his judgment.
- 5.6 The Animal Control Officer once permission has been granted by the Chief Administrative Officer or Manager of Legislative Services may destroy any animal which is at large and is posing an immediate threat to the people of Pincher Creek.
- 5.7 The Animal Control Officer is authorized to enter lands within the Town of Pincher Creek and seize animals to prevent the continuance of an offence.

SECTION 6: OFFENCE TICKET

- 6.1 An Offence Ticket shall be deemed sufficiently served:
 - i) if served personally to the owner of the animal, or
 - ii) if mailed by single registered mail to the address of the owner of the animal, as recorded at the time of registration of the said dog with the Town of Pincher Creek.
 - iii) if left at the residence of the person who has allegedly contravened this bylaw, with an occupant of the residence who appears to be at least 18 years of age.

SECTION 7: PENALTIES

- 7.1 Any person who contravenes any provision of this bylaw is guilty of an offence and is liable to a penalty as stated in Schedule “B” of this bylaw.
- 7.2 It is the intention of Town Council that each separate provision of this bylaw shall be deemed independent of all other provisions herein and it is further the intention of Town Council that if any provisions of this bylaw be declared invalid, all other provisions thereof shall remain valid and enforceable.


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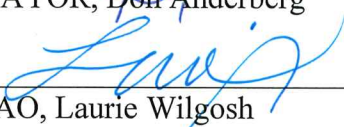


SECTION 8: GENERAL

- 8.1 Bylaw No. 1598-18 of the Town of Pincher Creek and amendments thereto are hereby repealed.
- 8.2 This bylaw comes into effect upon the final reading thereof.


READ A FIRST TIME THIS 27th DAY OF JUNE, 2022 A.D.




MAYOR, Don Anderberg


CAO, Laurie Wilgosh


READ A SECOND TIME THIS 25th DAY OF JULY, 2022 A.D.

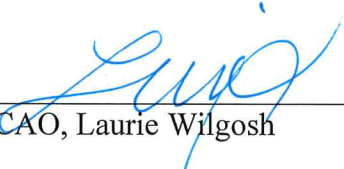


MAYOR, Don Anderberg


CAO, Laurie Wilgosh

READ A THIRD TIME THIS 22nd DAY OF AUGUST, 2022 A.D.



MAYOR, Don Anderberg


CAO, Laurie Wilgosh



SCHEDULE "A" FEES

Dog License:

	<u>Per Year</u>	<u>Lifetime</u>
Spayed or Neutered Dogs	\$15.00	\$150.00
Others	\$30.00	\$300.00
Replacement Tag	\$10.00	
Information Update	\$10.00	
Service Dogs	No Charge	No Charge
Dangerous Dog	\$500.00	
Guard Dog	\$ 250.00	
Impoundment	\$10.00 per day or any part thereof	



SCHEDULE "B" PENALTIES

Section	Offence (Description)	Violation Ticket Penalties
3(3.22)	Animal attacks person	\$1000.00 Per Offence
3(3.23)	Animal attacks & injures person	\$2000.00 Per Offence
3(3.24)	Animal attacks and/or injures animal	\$1500.00 Per Offence
3(3.25)	Abandonment of an animal	\$500 Per Offence
Owner of Dangerous Dog Contravenes Bylaw		\$250 First Offence \$500 Second Offence \$1000 Third or Subsequent Offences
All other offences		\$150.00 First Offence \$200.00 Second Offence \$400.00 Third or Subsequent Offences

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