

TOWN OF VAUXHALL
BYLAW NO. 858-11

A BYLAW OF THE COUNCIL OF THE TOWN OF VAUXHALL,
IN THE PROVINCE OF ALBERTA, TO PROVIDE FOR THE
LICENSING AND CONTROL OF DOGS WITHIN THE LIMITS OF THE
TOWN OF VAUXHALL.

WHEREAS by Section 7 of the Municipal Government Act, Chapter M-26 of the Revised Statutes of Alberta 2000 and amendments thereto, deems it in the best interest of dog owners and the public in general for the Town of Vauxhall to regulate the control of dogs within its boundaries and to provide for the enforcement of the Dangerous Dog Act of the Province of Alberta.

AND WHEREAS, the Council wishes to pass a bylaw to control domestic dogs in the Town of Vauxhall;

NOW THEREFORE, the Council of the Town of Vauxhall, in the Province of Alberta, duly assembled enacts as follows:

SECTION I TITLE

- 1. This Bylaw may be cited as "The Dog Control Bylaw."

SECTION II DEFINITIONS

- 1. In this Bylaw unless the context otherwise requires:
 - a) Animal Control Officer: means the Town's Public Works Foreman, designed Public Works Employee, or a person appointed by resolution of Council to carry out and or assist an Enforcement Officer or Peace Officer to carry out the provisions of this Bylaw.
 - b) Animal Shelter: means the facility or facilities designated by the Town from time to time as a facility for the impoundment and care of dogs subject to this Bylaw.
 - c) CAO: shall mean the Chief Administrative Officer or the Town Manager of the Town of Vauxhall, in the province of Alberta.
 - d) Communicable Disease: means any disease or illness which may be transferred from an animal to another animal or person through direct or indirect contact.
 - e) Controlled Confinement: means when a dog is confined in a pen, cage, building or other structure or securely tethered in a manner that will not allow the dog to physically harm any person or animal.
 - f) Council: means the Municipal Council of the Town of Vauxhall, in the province of Alberta.
 - g) Damage to Public or Private Property: means any destruction, injury or harm caused to private property, public property or other public space by a dog.
 - h) Dangerous Dog: means a dog of any age which shows a propensity, disposition or potential to attack or injure without provocation, chases persons who approach it; or is a continuing threat of serious harm to other animals or humans; or without provocation, has attacked persons or other animals; or has caused

the demise of a person or animal whether provoked or not.

- i) Dog: means a member of any domesticated canine species, including male, female, spayed, and neutered.
- j) Day: means a continuous period of twenty-four (24) hours.
- k) Enforcement Officer: means a Bylaw Enforcement Officer appointed by the Town Council to enforce the provisions of this Bylaw and includes a member of the Royal Canadian Mounted Police and, when authorized a Peace Officer or Animal Control Officer for the Town
- l) License: shall mean a permanent license issued by the Town after the 1 time payment pursuant to schedule "A".
- m) License (Dangerous Dog): shall mean a licence that is valid for a period commencing January 1 and ending on the next succeeding December 31 or any part thereof.
- n) Former Owner: means the person who at the time of impoundment was the owner of the dog, which has subsequently been sold or destroyed.
- o) Motor Vehicle: means a motor vehicle as defined in the Traffic Safety Act, R.S.A 2000, chapter T-6, as amended or repealed and replaced from time to time.
- p) Multi-Dog Owner: means a dog owner whom owns a dwelling, shelter, room or place so considered, housing or keeping three (3) or more dogs over the age of six (6) months.
- q) Owner: means a person who has the care, charge, custody, possession or control of a dog; who owns or claims a proprietary interest in the dog; who harbours, suffers, or permits a dog to be present on any property owned or under his/her control, or who claims and receives a dog from the custody of the Animal shelter or an Enforcement Officer.
- r) Possession: means a person who has physical or effective control of a dog; or has transferred physical or effective control of a dog to another person for the purpose of allowing that person to exercise control over that dog for a period of time.
- s) Public Property: means all recreational land owned and controlled by the Town, including but not limited to public parks, sports fields, playgrounds, campgrounds, cemeteries, natural areas, pathways and trails lying within the Town limits, and whether improved in whole or in part, or in its natural state, and includes neighbourhood beautification areas publicly maintained and administered by the Town.
- t) Running At Large: means a dog which is off the premises of the dog's owner, and is not on a leash no less than 2 metres, under the immediate, continuous and effective control of its owner or some competent and responsible person.
- u) Restraining Device: means any leash or other restraining system capable of allowing the owner to maintain adequate control of the attached dog and preventing the dog from chasing or biting other animals or persons, or if located on the property of the owner, capable of restraining the dog within the boundaries of the owner's property.

- v) Secure Enclosure: means a building, cage, fenced area or other enclosure for the retaining of a dog and which prohibits the dog from jumping, climbing, digging or using any other means to exit the enclosure, and which is capable of prohibiting the entry of young children into the enclosure, and which conforms with the following minimum requirements;
 - i) The secure enclosure shall have secure sides and a secure top. If the secure enclosure has no bottom secured to the sides, the sides of the secure enclosure must be embedded in the ground to a minimum depth of thirty (30) centimetres;
 - ii) The secure enclosure must provide the dog with adequate shelter from the elements including heat, cold, sun, rain, and wind;
 - iii) The secure enclosure must be located not less than 1.0 meter away from the property line and not less than 5.0 meters away from a dwelling unit of any adjacent property.
- w) Serious Wound: means an injury resulting from a dog which causes a breaking of the skin or the flesh to be torn on either person or animal.
- x) Service dog: means a specially trained and certified dog kept by any disabled person for the purpose of compensating for or ameliorating the affects of that person's disability, and that is in active service.
- y) Town: means the Town of Vauxhall, in the Province of Alberta.
- z) Town Employee: Means any person employed by the Town of Vauxhall.

"In this bylaw the singular may be read as though the plural were expressed and the masculine gender may be read as though the feminine or neuter was expressed, where ever the context is applicable".

SECTION III OBTAINING AND WEARING A LICENSE

1. The owner of a dog in the Town shall obtain a permanent license for each dog and shall pay, therefore, the onetime fee as set out in Schedule "A" of this Bylaw.
2. The owner of a dangerous dog in the Town shall obtain an annual license for each dangerous dog and shall pay, therefore, an annual fee as set out in Schedule "A" of this Bylaw.
3. Any person who owns three or more dogs within the Town limits, in addition to individual dog licenses, must be in possession of a "Multi-Dog Owner License" by paying the annual fee as set out in Schedule "A" of this Bylaw. The Town reserves the right to revoke or cancel a Multi-Dog Owner License at any time and for any reason whatsoever. A Multi-Dog Owner license shall be deemed approved upon payment of the applicable fees, and signed by an Enforcement Officer or the CAO. No person shall be allowed to harbour more than 3 dogs within the Town without the expressed written consent of Council.
4. All dangerous dog and Multi-Dog Owner licenses shall be deemed expired and of no force as of December 31st of each year and subject to the following:
 - a) A one month grace period for the month of January of each year,

- b) Notwithstanding a violation ticket has been issued in respect of a dangerous dog license that was or is expired, any dangerous dog or Multi-dog Owner license that is shown on the records of the Town to be expired as of February 2 of each year will be subject to a \$25.00 service charge in addition to the annual licensing fee.
 - c) It shall be the responsibility of the owner of a dog to advise the Town in the event they no longer have possession of the dog
4. Notwithstanding subsection (1), Owners who are handicapped and possess identification proving ownership of an active Service Dog for their specific purpose shall obtain a license for that dog but will not be required to pay a fee to the Town for a dog license.
5. Notwithstanding subsection (1), the licensing provisions of this Bylaw shall not apply to dogs accompanying a person temporarily in the Town on business or vacation for a period not exceeding fourteen days (14) or on such longer periods as may be authorized by written permission from the Town.
6. The owner of a dog shall:
- i) Obtain a dangerous dog license for the dog by the first day of February in the succeeding year.
 - ii) Obtain a license for the dog by the first day the dog becomes six (6) months of age.
 - iii) Obtain the license or dangerous dog license on the first day on which the Town Office is open for business after he/she becomes the owner of the dog.
 - iv) Show proof of purchase of a license or dangerous dog license where a dog is found running at large, and the Enforcement Officer may, in addition to any fines or penalties that may be applicable, require the owner of the dog to purchase a dog license or dangerous dog license for the dog, as the case may be.
 - v) Obtain a license or dangerous dog license for his/her dog, which has been impounded pursuant to this Bylaw before such dog may be claimed from the pound.
 - vi) Show proof of vaccination for the prevention of communicative disease to obtain a license or dangerous dog license. In Order to receive a license for Spayed/Neutered dogs the owner must have a certificate from a Registered Veterinarian.
 - vii) Ensure that any dog owned by him/her is wearing the license or dangerous dog license issued by the Town, which license is to be securely fastened on the dog's collar at all times.
7. Failure to comply with any part of Section III may result in prosecution or payment of a voluntary fine in lieu thereof as set out in Schedule "B" of this Bylaw.

SECTION IV PROOF OF AGE

1. In any prosecution or proceeding for a contravention of this Bylaw every owner, when requested by any Enforcement Officer, shall submit to the Town a certificate or if such a certificate is unavailable, a statutory declaration or other acceptable documentation establishing the dog's age or that the dog is vaccinated, and such other information as the Enforcement Officer may require in order to determine the license fee payable.

SECTION V REPLACEMENT, REBATE AND TRANSFER OF LICENSE

1. In the event a dog license or a dangerous dog license is lost or destroyed, the owner of the dog shall, apply for a replacement licence within one (1) business day and upon the owner presenting proof of payment for the current license to the Town, a new license shall be issued to the owner subject to the owner paying a replacement fee as set out in Schedule "A" of this Bylaw.
2. No person shall be entitled to a license rebate or refund of a fee paid for the issuance of a dog license or dangerous dog license under this Bylaw.
3. No Owner shall transfer or allow to be transferred a dog license or dangerous dog license from the dog for which the license was assigned or purchased to any other dog.
4. No person shall give false information when applying for a dog license or a dangerous dog license. Failure to comply with this may result in prosecution or payment of a voluntary fine in lieu thereof as set out in Schedule "B" of this Bylaw.

SECTION VI PAYMENT BY CHEQUE

1. Where a license or dangerous dog license is required pursuant to this section has been paid by the tender of an uncertified cheque:
 - i) The license is automatically revoked if the cheque is not accepted and cashed by the bank on which it is issued.

SECTION VII RECORDS

1. The Town Administration office shall keep a record of all dogs licensed pursuant to Section III of this Bylaw. The record shall indicate:
 - i) Date license issued;
 - ii) Name, address and telephone number of owner(s) of the dog(s);
 - iii) License number issued and amount paid;
 - iv) Breed, colour and sex of the dog(s).

SECTION VIII RUNNING AT LARGE

1. No person who is the owner of a dog or dangerous dog shall permit or otherwise allow such dog to run at large within the corporate limits of the Town.

2. The owner of a dog shall not permit or allow such dog to be on a school grounds, whether under leash, immediate and effective control or not, unless requested in writing by the appropriate School Administration.
3. Failure to comply with any part of Section VIII may result in prosecution or payment of a voluntary fine in lieu thereof as set out in Schedule "B" of this Bylaw.

SECTION IX

PUBLIC NUISANCE

1. The owner of a dog shall not permit the dog to be or become a public nuisance by permitting or otherwise allowing such dog to:
 - i) Bite, attack, run at, or attempt to bite, attack or run at any person;
 - ii) Bite, bark at or chase livestock, bicycles, automobiles or any vehicles;
 - iii) Bark, howl or otherwise disturb any person;
 - iv) Cause damage to property or other animals;
 - v) Worry or annoy any other animal, or
 - vi) Be left unattended in a motor vehicle unless the dog is restricted in such a way so as to prevent the dog having access to persons or other animals located outside the motor vehicle. Such restraint must, at all times, provide suitable ventilation for the dog.
2. The owner of a female dog, which is in heat, shall keep such dog housed and confined on the premises of the owner in such a way as to discourage the attraction of other dogs to the vicinity of such premises.
3. The owner of a dog who allows such dog to upset waste receptacles or scatter the contents thereof, either in or about premises belonging to the owner or private property, the dog owner is guilty of an offence separate and apart from the offence provided for nuisance. Upon summary conviction thereof, shall in addition to any penalty imposed upon him/her, be civilly liable to the Town for any expense directly or indirectly incurred by the dog in connection with the receptacle being upset or the waste scattered abroad.
4. A person may allow a dog to be outside the passenger cab of a motor vehicle, including riding in the back of a pick-up truck or a flat bed truck, if the dog is :
 - i) In a fully enclosed trailer,
 - ii) In a topper enclosing the bed area of the truck,
 - iii) Contained in a ventilated kennel or similar device securely fastened to the bed of the truck, or
 - iv) Securely tethered in such a manner that the dog is not standing on bare metal, cannot jump or be thrown from the motor vehicle, is not in danger of strangulation, and cannot reach beyond the outside edges of the motor vehicle.
5. The owner of a motor vehicle involved in an offence under this Section is guilty of the offence unless:

- i) The owner of the motor vehicle was not operating the motor vehicle at the time of the offence,
 - ii) The owner of the motor vehicle was not a passenger in the motor vehicle at the time of the offence, or
 - iii) The individual operating the motor vehicle at the time of the offence was operating the motor vehicle without the owner's expressed or implied consent.
6. Failure to comply with any part of Section IX may result in prosecution or payment of a voluntary fine in lieu thereof as set out in Schedule "B" of this Bylaw.

SECTION X

DEFECATION

- 1. The owner of a dog, who permits or otherwise allows such dog to defecate on property other than his own, shall remove forthwith any defecated material so deposited.
- 2. Failure to comply with any part of Section X may result in prosecution or payment of a voluntary fine in lieu thereof as set out in Schedule "B" of this Bylaw.

SECTION XI

TORMENT

- 1. No person shall tease, torment or annoy any dog.
- 2. Failure to comply with any part of Section XI may result in prosecution or payment of a voluntary fine in lieu thereof as set out in Schedule "B" of this Bylaw.

SECTION XII

DISEASE

- 1. The owner of a dog, which is suffering from any communicable disease, shall not permit the dog to be in any public place, and shall not keep the dog in contact with or in proximity of any other dog free of such disease.
- 2. A person who owns or who harbours, maintains or keeps a dog which he knows or has reason to know is or may be suffering from rabies, or which he knows or believes has been exposed to rabies:
 - i) Shall endeavour to keep the dog locked or tied up;
 - ii) Shall not permit another animal to come in contact with it;
 - iii) Shall immediately report the matter to the Medical Health Officer, Veterinary Doctor or Veterinary Inspector of the Health and Animal's Branch of the local office of the Federal Department of Agriculture.
 - iv) Shall adhere to the directions of a registered Veterinarian, and
 - v) Shall report the matter to the Town Office, local Police and the Animal Control Officer.

SECTION XIII

PROHIBITED AREAS

- 1. The owner of the dog shall not permit or allow such dog to be in the floral area of any parkland.

2. The owner of a dog shall not place or allow such dog to enter or remain in any swimming, bathing or wading pool or areas that are provided for use of the public.
3. Failure to comply with any part of Section XIII may result in prosecution or payment of a voluntary fine in lieu thereof as set out in Schedule "B" of this Bylaw.

SECTION XIV NEGLIGENCE

1. No person shall:
 - i) Untie, loosen or otherwise free a dog which has been tied or otherwise restrained, or
 - ii) Negligently or wilfully open a gate, door or other opening in a fence or enclosure in which a dog has been confined and thereby allow a dog to run at large within the Town.
2. Failure to comply with any part of Section XIV may result in prosecution or payment of a voluntary fine in lieu thereof as set out in Schedule "B" of this Bylaw.

SECTION XV ESTABLISH POUND

1. It shall be the duty of the Town Council to establish a Pound for the impounding of dogs captured pursuant to this Bylaw, and Council are further authorized and empowered to make any and all such rules and regulations not inconsistent with the provisions of the Bylaw as they consider necessary for the conduct in regulating such Pound.

SECTION XVI CAPTURING AND IMPOUNDING DOGS

1. The Enforcement Officer may capture and impound any dog in respect of which:
 - i) It is believed an offence under this Bylaw is being or has been committed.
 - ii) Is named or described or otherwise designated in a complaint by any person as creating a disturbance by barking, howling or otherwise disturbing any person at any time during the day or night.
 - iii) Is named or described or otherwise designated in a complaint made pursuant to the Dangerous Dog Act, or
 - iv) Is actually or apparently affected with rabies or any other contagious disease.

SECTION XVII ENTERING PREMISES

1. In enforcement of the jurisdiction in Section XVI, but not for the purpose of investigation only, the Enforcement Officer is hereby authorized to enter any privately owned premises at any reasonable time, provided, however, that in this section the word "Premises" does not include a building used as a dwelling house.

SECTION XVIII OBSTRUCTION

1. No person shall:
 - i) Interfere with or attempt to obstruct an Animal Control Officer, Bylaw Enforcement Officer, Town Employee or Peace Officer who is attempting to capture, or who has captured any dog in accordance with the provisions of this Bylaw.
 - ii) Induce any dog to enter a house or other place where it may be safe from capture, or otherwise assist the dog to escape capture.
 - iii) Falsely represent him/her as being in charge or control of a dog so as to establish that the dog is not running at large as the term is defined by this Bylaw.
 - iv) Unlock or unlatch or otherwise open the van or vehicle in which dogs captured for impoundment have been placed so as to allow or attempt to allow any dog or dogs to escape there from; or
 - v) Remove or attempt to remove any dog from the possession of the Enforcement Officer or any of his assistants.
2. Should a dog be let loose as per Section XVIII (iv) or (v) by persons unknown, the owner will be held responsible.
3. Failure to comply with any part of Section XVIII may result in prosecution or payment of a voluntary fine in lieu thereof as set out in Schedule "B" of this Bylaw.

SECTION XIX EUTHANASIA

1. When the owner of a dog requests EUTHANASIA and delivers the dog to the pound, a registered veterinarian shall perform euthanasia with appropriate charge, and under no circumstances may the dog be sold. The owner shall put his request in writing, stating he is the owner, and that the Town is relieved of any liability for having carried out the request.

SECTION XX ENFORCEMENT OFFICER

1. Enforcement Officer can be an Animal Control Officer and or Bylaw Officer who is authorized to
 - i) Capture and impound in an authorized Animal Shelter any dog in respect of which the Enforcement Officer reasonably believes an offence under this Bylaw is being or has been committed;
 - ii) Make provisions for an adequate dog pound and provide adequate care, food and water, for any dog so impounded;
 - iii) Keep a record of all dogs impounded and of their disposal by sale, redemption or otherwise;
 - iv) Enter onto any land in pursuit of any dog which has been observed running at large in order to capture such dog, notwithstanding the dog which was observed running at large within the municipal boundaries of the town of Vauxhall has run outside of town boundaries and into the MD of Taber; and
 - v) Take any reasonable measure necessary to subdue any dog, including the use of tranquilizer equipment.

2. If a dog is in distress, whether or not as a result of enforcement actions taken pursuant to this Bylaw, the Enforcement Officer may take the dog to a registered veterinarian for treatment. Once treated, the dog shall be transferred to the Animal Shelter.

SECTION XXI

RECLAIMING

1. The owner of any dog that bears, tattoos, brands, marks tags or licenses may reclaim the dog from the animal shelter within seventy-two (72) hours from the time of impoundment by paying the Town the impoundment fee, care and sustenance fees.
2. When the owner of a dog has been notified that the dog has been impounded in accordance with this Bylaw the dog must be kept by the Animal Shelter for reclaiming for a minimum of seventy-two (72) hours from the time of impoundment. All costs and expenses incurred by the Town as a result of veterinary treatment shall be a debt owed to the town and collected as such.
3. Where a dog has been captured and impounded by the Enforcement Officer as a result of the dog biting a person, the dog shall remain impounded until such time as the Enforcement Officer is satisfied, in his/her sole discretion, that the dog does not pose a danger to public safety.
4. Where the owner of a dangerous dog has been served with notice of the dog's impoundment in accordance with the Bylaw, and has advised the Town within seventy-two (72) hours of being served such notice or from impoundment that he/she wants to redeem the dog, then within ten (10) days of receiving notice from the owner that he /she wants to redeem the dog the Enforcement Officer must either make application to the Courts for an Order under the Dangerous Dog Act, which application may include seeking an Interim Order that the dog remain impounded for a specified period of time, or release the dog to the owner on whatever conditions that the Enforcement Officer, in his/her sole discretion, deems appropriate. In the calculation of the ten (10) day period, Sundays, Statutory Holidays and days that the Courts are not open shall not be included.
5. The Town, its officials, officers, employees and agents, shall not be liable for any injury or death caused to an animal arising in connection with the capture and impoundment of such animal pursuant to this Bylaw.
6. The Owner will be required to provide proof of ownership of the dog at the time of redeeming the dog.
7. The owner shall be responsible for paying all costs prior to redeeming the dog and must provide proof of payment upon request of an Enforcement Officer before the dog is returned to the owner.
8. Additional fees may apply for pick-up of a dog on Saturday, Sunday, holidays or after regular business hours as per Schedule "A" of this Bylaw.

SECTION XXII

SALE OR DESTRUCTION

1. At the expiration of the allotted time period established, the Enforcement Officer or its designate is authorized to:
 - i) Offer the dog for sale or as a gift,

- ii) Destroy the dog in a humane manner, or
 - iii) Allow the dog to be redeemed by its owner in accordance with the provisions of the Bylaw or continue to impound the dog for an indefinite period of time or for such further period of time as the Bylaw Enforcement Officer, in his or her discretion, may decide.
2. Proceeds of the sale of a dog shall be distributed in accordance with the priorities set by Section seven (7) of the Animal Protection Act.
 3. The purchaser of the impounded dog from the pound pursuant to the provisions of this Bylaw shall obtain full right and title to it and the right and title of the former owner of the dog shall cease thereupon.
 4. The sale price for an impounded dog shall be payable to the Town and the sale price shall include the impoundment fees, care and sustenance fees and veterinary fees as set out in Schedule "A" of this Bylaw.
 5. Impounded dogs shall not be sold by the Enforcement Officer:
 - i) To any resident of the Town until a license has first been purchased for the dog by the resident, or
 - ii) To any non-resident of the Town until they have proved by affidavit that they are not a resident of the Town and that the dog shall be kept outside of Town.
 6. The Enforcement Officer shall report any apparent illness, communicable disease, injury or unhealthy condition of any dog to a veterinarian and act upon his recommendation.
 7. The Enforcement Officer shall be responsible for the destruction of any impounded dog at their discretion after it has been retained for seventy-two (72) hours from the time of the impoundment of any dog; unless, a registered veterinarian cannot be conveniently found and in the opinion of the enforcement officer it is in the best interest of the dog to be immediately euthanized.

SECTION XXIII

DANGEROUS DOGS

1. If the Enforcement Officer determines that a dog is a dangerous dog, either through personal observation or after an investigation initiated by a complaint, he or she shall in writing inform the owner that his dog has been determined to be a dangerous dog and subject to conditions for keeping a dangerous dog as outlined in Section XXIII (3) Conditions for keeping a dangerous dog .
2. If a person knows they are in possession of a dangerous dog, they must inform the Town that he/she owns a dangerous dog and are then subject to conditions for keeping a dangerous dog as stated in this Bylaw
3. CONDITIONS FOR KEEPING A DANGEROUS DOG
 - i) No person shall own nor have the physical cares, possession or control of a dangerous dog unless that person is not less than 18 years of age and is physically and mentally capable of maintaining control of the dog.

- iii) At all times while a dangerous dog is on the premises of its owner, the owner shall either keep such dog confined indoors under the effective control of a person who is not less than 18 years of age and is physically and mentally capable of maintaining control of the dog, or confined in a secure enclosure, as defined in this bylaw.
 - iii) When any dangerous dog is off the premises of the owner, the owner shall securely muzzle such dog with a properly fitted muzzle, and either harness it or leash it securely with a leash not longer than 1 metre and in the control of a person who is not less than 18 years of age and is physically and mentally capable of maintaining control of the dog, to effectively prevent it from attacking or biting a person or another animal.
 - iv) The Owner of a dangerous dog will ensure that at no time while the dog is being transported in a motor vehicle or transported outside of a cab of a motor vehicle, the dog has access to persons or animals which are outside the motor vehicle, while ensuring the dog is being transported in accordance with this Bylaw.
 - v) The Owner of a dangerous dog must obtain the annual license for the dog by the first day of February in the succeeding year.
4. Upon an Enforcement Officer determining that a dog is a dangerous dog, the owner is required to keep such dog in accordance with the provisions of Section XXIII of the Bylaw, or the owner will be fined, or subject to enforcement action pursuant to Schedule "B" of this Bylaw.
5. In addition to the remedies set forth in this Bylaw, if the Enforcement Officer determines that a dangerous dog is not being kept in accordance with this Bylaw, he may make a complaint pursuant to the Dangerous Dogs Act of Alberta for an order directing the dog be controlled or destroyed.
6. The Enforcement Officer shall keep all impounded dangerous dogs for a period of at least seventy- two (72) hours from the time of impoundment. During this period its owner or agent of the owner may redeem any healthy dog after paying:
- i) The appropriate fee where applicable; and
 - ii) The appropriate license fee when such a dog is not licensed; and
 - iv) Impoundment fees as identified in Schedule "A" of this Bylaw.
 - v) Additional fees may be applicable for pick up of a dog on Saturday, Sunday and Holidays as per Schedule "A" of this Bylaw.
9. At the expiration of the seventy-two (72) hour period, any dangerous dog not redeemed may be destroyed.
10. The Enforcement officer shall report any apparent illness, communicable disease, injury or unhealthy condition of any such dog to a veterinarian and act upon his recommendation. The owner, if know, shall be held responsible for all charges resulting pursuant to schedule "A" of this bylaw.

SECTION XXIV PENALTIES

1. Where an Enforcement Officer, Peace Officer or other person authorized to carry out the provisions of this Bylaw has reasonable grounds to believe that a person has contravened any provisions of this Bylaw he/she may serve upon such person a notice or form commonly called a BYLAW TICKET, having printed wording approved by the Town Manager.
2. Prosecution may be avoided by making a voluntary payment within twenty-one (21) days from the date of service for such notice to the Town of Vauxhall Administration Office in lieu of prosecution. Failure to pay the specified fine amount within the time allotted may result in the issuance of a summons by means of a Provincial Violation Ticket in accordance with Part 2 of the Provincial Offences Procedures Act.
3. Any Person, who commits a second or subsequent offence under this bylaw within one (1) year of committing a first offence under this bylaw, will be liable to not less than double the minimum penalty as set out in Schedule "B" of this bylaw.
4. Service of any such notice shall be sufficient if it is:
 - i) Personally served; or
 - ii) Served by mail; or
 - iii) Left with some competent person who appears to be over the age of sixteen (16) years, who resides with the person who is alleged to have committed such offence.
5. Upon production of a fine issued, pursuant to this Section, within twenty-one (21) consecutive days from the date of issuance, together with payment, to the Town of Vauxhall, or the fee and or penalty as provided in Schedule "B" of this Bylaw, the person to whom the fine was issued shall not be liable for prosecution for the contravention in respect of which the fine was issued.
6. Notwithstanding the provision section of the ticket, a person to whom a fine has been issued pursuant to this section may exercise his right to defend any charge of committing a contravention of any of the provisions of this Bylaw.

SECTION XXV SUMMARY CONVICTION

1. A person who contravenes a provision of this Bylaw is guilty of an offence and liable to a fine as set out in Schedule "B" of this Bylaw.
2. The levying and payment of any fine or the imprisonment for any period provided in this Bylaw shall not relieve a person from the necessity of paying any fees, charges, or costs for which he is liable under the provisions of this Bylaw.
3. A Provincial Judge, in addition to the penalties provided in this Section, may if he/she considers the offence sufficiently serious direct, or order the person that owns, keeps, maintains, or harbours a dog to prevent such dog from doing mischief or causing the disturbance or a nuisance complained of, or to have the dog destroyed.

SECTION XXVI COUNCIL INTENT

1. It is the intention of Council that each separate provision of this Bylaw shall be deemed independent of all other provisions herein and it is furthers the intention of Council that if any provisions of this Bylaw were declared invalid, all other provisions thereof shall remain valid and enforceable.
2. It is the intention of Council that Schedule A & B and Annex A, B & C be attached and makes part of this bylaw.
3. It is further the intention of Council that any rates, fees or charges that make part of this bylaw can be changed, updated or amended by regular motion of council.

SECTION XXVII EFFECTIVE DATE

This Bylaw shall come into force and effect upon third and final reading.

SECTION XXVIII REPEAL OF BYLAW

4. Bylaw No. 835-09 is hereby repealed in its entirety.
5. Schedule "E" of Bylaw 790 is hereby repealed.

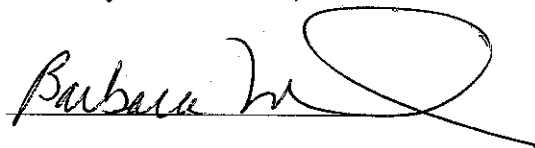
READ a **FIRST** time this 21st day of November, 2011

READ a **SECOND** time this 21st day of November, 2011

READ a **THIRD** time and **FINALLY PASSED** this 19th day of December, 2011.



MAYOR



Chief Administrative Officer

**TOWN OF VAUXHALL
SCHEDULE "A"
DOG LICENSE FEE**

1. One Time Licensing fee (except dangerous dog)	\$15.00
2. Service Dog	Free
3. Multi-Dog Owner License	\$25.00/year
4. Dangerous Dog	\$500.00/year
5. Dangerous Dog License after September 30	half price
6. Replacement license	\$5.00
7. Surcharge for purchasing a licence after February 1	\$25.00
8. After hour pick up surcharge	\$25.00
9. Veterinary Services	COST
10. Impound Fees (per dog per day)	\$50.00
14. Sale of Dog	Set at time of Purchase

**TOWN OF VAUXHALL
SCHEDULE "B"
DOG BYLAW FINES**

1. Failure to obtain a License(Section III)	\$ 150.00
2. Failure to obtain a Multi-Dog Owner License (Section III)	\$ 150.00
3. Failure to obtain a Dangerous Dog license and to comply with requirements (Section III) (XXIII)	\$1,500.00
4. Dog Running at large (Section VIII)	\$ 100.00
5. Dangerous Dog Running at Large (Section VIII)	\$ 500.00
6. Female in heat (Section IX)	\$ 25.00
7. Upset Waste Receptacle (Section IX)	\$ 50.00
8. Defecation on public or private property (Section X)	\$ 50.00
9. Public Nuisance (Section IX)	\$ 50.00
10. Tormenting a dog (Section XI)	\$ 100.00
11. Permitting a dog in a prohibited area (Section XIII)	\$ 50.00
12. Negligence (Section XIV)	\$ 100.00
13. Obstruction (Section XVIII)	\$ 500.00
14. Providing False Information (Section V)	\$ 500.00
15. Dog transported not contained in vehicle (Section IX)	\$ 100.00

TOWN OF VAUXHALL
ANNEX "A"
ANIMAL ADOPTION

I, _____ do hereby claim ownership of an animal to the Town of

Vauxhall (as described) _____

(Type of Animal, Age, Breed, Color, Markings, Altered?)

And affirm that I will endeavour to care and control the animal to the best of my ability.

Ability and follow all directions and guidelines set forth by the Town of Vauxhall

Dated this day of ____ / ____ / ____

Signature of owner: _____

Bylaw Officer: _____

New Owner: _____

Address: _____

Phone#: _____

Phone#: _____

Tag#: _____

This form may be modified periodically with the permission of the C.A.O

TOWN OF VAUXHALL
ANNEX "B"

NOTICE OF SIEZED AND/OR IMPOUNDED ANIMAL

This notice is to inform you that an animal described as a believed

(type of animal, age, breed, color, markings)

To be owned by you, or under your care and control, was seized and /or
impounded on _____, from _____
(day/month/year) (civic address)

Pursuant to the provision of Bylaw 835-09 of the Town of Vauxhall's Dog
Control Bylaw.

In order to claim your animal, all fees, fines and conditions set forth by said
Bylaw must be met before being returned to its owner.

If your animal is not claimed by _____, the animal will be
(day/month/year)
euthanized or adopted in accordance with the provisions of this Bylaw.

This form may be modified periodically with the permission of the C.A.O

TOWN OF VAUXHALL
ANNEX "C"
MULTI-DOG OWNER LICENSE

This is to confirm that _____ has on this _____ day of _____, 20____, paid the amount of \$25.00 for the purpose of harbouring 3 or more dogs within the Town of Vauxhall. _____ agrees to abide by all of the parameters of the Town of Vauxhall Dog Control Bylaw, being bylaw # _____ and agree that this license may be revoked by the Town at any time.

Signed this _____ day of _____, 20_____.

Signature of Appellant

Signature of Town Representative